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**Official Report
of Debates
(Hansard)**

SP-23

**Journal
des débats
(Hansard)**

SP-23

**Standing Committee on
Social Policy**

Building Transit Faster Act, 2020

1st Session
42nd Parliament
Monday 8 June 2020

**Comité permanent de
la politique sociale**

Loi de 2020
sur la construction plus rapide
de transport en commun

1^{re} session
42^e législature
Lundi 8 juin 2020

Chair: Natalia Kusendova
Clerk: Tonia Grannum

Présidente : Natalia Kusendova
Greffière : Tonia Grannum

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Monday 8 June 2020

Lundi 8 juin 2020

The committee met at 1000 in committee room 1 and by video conference.

You may also be asked to unmute your own microphone each time you are given the floor. As always, all comments by members and witnesses should go through the Chair.

BUILDING TRANSIT FASTER ACT, 2020

**LOI DE 2020
SUR LA CONSTRUCTION PLUS RAPIDE
DE TRANSPORT EN COMMUN**

Consideration of the following bill:

Bill 171, An Act to enact the Building Transit Faster Act, 2020 and make related amendments to other Acts / Projet de loi 171, Loi édictant la Loi de 2020 sur la construction plus rapide de transport en commun et apportant des modifications connexes à d'autres lois.

The Chair (Ms. Natalia Kusendova): Good morning, everyone. I call this meeting to order.

We are meeting to conduct public hearings on Bill 171, An Act to enact the Building Transit Faster Act, 2020 and make related amendments to other Acts.

We have the following members in the room: We have MPP Bell and we have MPP Babikian and the following members participating remotely. Can I please ask that Mr. Blais identify himself and state which city in Ontario he is currently in?

Mr. Stephen Blais: Stephen Blais. I'm the MPP from Orléans and I'm in Orléans.

The Chair (Ms. Natalia Kusendova): Thank you very much.

We are also joined by staff from legislative research, Hansard and broadcast and recording.

Interjection.

The Chair (Ms. Natalia Kusendova): Okay. And we also have MPP Karahalios, MPP Harden, MPP Hogarth, MPP Wai.

MPP Wai, would you kindly introduce yourself and state which city in Ontario you are currently in?

Interjection.

The Chair (Ms. Natalia Kusendova): Okay. MPP Wai is no longer here. We have MPP Martin, MPP Sabawy, MPP Tabuns. That's all.

To make sure that everyone can understand what is going on, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. Since it could take a little time for your audio and video to come up after I recognize you, please take a brief pause before beginning.

SUBCOMMITTEE REPORT

The Chair (Ms. Natalia Kusendova): I have one other item to mention before we begin. The order of the House dated June 2, 2020, gives the subcommittee the authority to determine how to proceed with the public hearings. We will not need to vote on this report but I will read it into the record to make sure that all members are aware of its contents.

Your subcommittee on committee business met on Wednesday, June 3, 2020, to consider the method of proceeding on Bill 171, An Act to enact the Building Transit Faster Act, 2020 and make related amendments to other Acts, and determined the following:

(1) That each witness receive up to 10 minutes for their presentation followed by 20 minutes for questioning, with seven minutes allotted to the government, seven minutes allotted to the official opposition and six minutes allotted to the independent member.

(2) That all witnesses appear virtually by Zoom or by teleconference.

(3) That the research officer provide a summary of the oral presentations by 4 p.m. on Friday, June 12, 2020.

(4) That all witness submissions and committee documents be distributed electronically to all members and staff of the committee.

Are there any questions before we begin? If you have a question, feel free to raise your hand.

EASTEND TRANSIT ALLIANCE

The Chair (Ms. Natalia Kusendova): Seeing no questions, I will now call on our first presenter, Claire Hastings from EastEnd Transit Alliance, member of the steering committee. Do we have Claire on the line?

Interjection.

The Chair (Ms. Natalia Kusendova): Wonderful. You will have 10 minutes for your presentation. Please state your name for Hansard and you may begin.

Ms. Claire Hastings: Thank you. Can everybody hear me? Great.

My name is Claire Hastings. It's a privilege to have an opportunity to speak to the committee today.

I live in the Riverside neighbourhood in Toronto, and for the past two months, I've been staying inside our small home taking care of our newborn, who you saw earlier on the screen, and an energetic preschooler.

I admit I'm a little bit nervous this morning, as I've never presented to a legislative committee before. Also, this is the largest group of adults I've been part of since mid-March.

My family lives on a small street adjacent to the Lakeshore East GO train tracks, smack in the middle of a two-kilometre stretch of the Ontario Line that's planned to run above ground along the site of those tracks.

Our front door is about 40 metres from the rail corridor. It's quite literally one of the main civic arteries of our lives. It's also been a great source of entertainment for my little boys during the pandemic, as, after we've made 10,000 forts in the living room, we spend the afternoon counting the number of train carriages, at full yell to hear each other over the engine noise.

I'm also a founding member of the EastEnd Transit Alliance and a member of its steering committee. The EastEnd Transit Alliance is a pro-transit community group made up of several hundred local residents, people who work in our neighbourhoods, business owners, landlords and community organizers. Let me be clear: I and the EastEnd Transit Alliance are extremely pro-transit. We want to get our city moving.

Today, I'm here to ask the committee for three things. First, they need to require accountability from Metrolinx for the design and construction process of the four priority transit lines; secondly, for more details on construction standards; and thirdly, for a rethink of the proposed regulatory changes to the Environmental Assessment Act, as it relates to the Ontario Line.

EastEnd Transit Alliance members and people living in the east end neighbourhoods of Riverdale, Riverside and Leslieville have a strong history of collaborating on transit projects, particularly the downtown relief line, and engaging with Metrolinx on the increases to GO train services.

The new Ontario Line presents an amazing opportunity to bring transit to underserved communities in Thorncliffe and Flemingdon Park and to the entire east end. This is a good thing, and we support it. We also want that transit to be safe and properly designed for the people who use it and the people who live near it. We want safe transit done right.

In a recent video on Twitter announcing the new procurement plans for the Ontario Line, Minister Mulroney and Associate Minister Surma stated that large projects of this magnitude require everyone to come to the table. My community and the EastEnd Transit Alliance are ready and excited to join that table and can help make the Ontario Line design and construction process the best it can be.

However, what my neighbours and I have experienced since the announcement of the Ontario Line business case in July 2019 is a total disregard by Metrolinx, the public

agency running this project, for community ideas, feedback and concerns.

At its own community open house, Metrolinx staff failed to come anywhere close to answering our community's straightforward questions about the impacts of running an above ground section of the Ontario Line through our dense residential neighbourhoods. And in many cases, staff gave completely contradictory answers when residents asked different officials the same questions.

Metrolinx has subsequently refused to answer follow-up questions from the EastEnd Transit Alliance and individual community members. It has not provided any further opportunity for community consultation or collaboration—even as, just in the past few weeks, they have started drilling for core sampling in our parks and on our residential streets and intruding on private property as they surveyed utility infrastructure. People living and working near the vast majority of these activities got no notice from Metrolinx about what was going on, why it was happening or how long it would last.

Now, I know not bothering to prepare clear and useful answers for the public's questions, ignoring emails from community members and neglecting to put information flyers in mailboxes or on community notice boards are small problems in a huge transit project. But they have already eroded public trust. If Metrolinx can't be bothered to get these small and straightforward things right, we have no expectation that they will get the big things right, like time frames, costing, environmental considerations and design. Taken together, they show a disturbing pattern of Metrolinx disregarding and disrespecting local communities, a pattern that has precedence in Metrolinx's reputation for atrocious community engagement on the UP Express and Eglinton Crosstown projects, among others.

Our community is extremely concerned, not so much with the fact that the Ontario Line will run through our neighbourhoods, but with Metrolinx's approach that locks out the community and does not act in a way that protects it.

With this legislation, you have the opportunity to ensure the communities which will be impacted by the construction of all four priority transit projects will be at the table as meaningful project partners.

This government says it is for the people, and here is your chance to prove it. You just need to make some important changes to this legislation. Firstly, require Metrolinx to work constructively with the communities impacted by these transit projects; mandate that Metrolinx work in partnership with affected communities for all four transit projects by undertaking community benefit agreements, project-wide community consultation processes and publishing monthly information updates about construction impacts on neighbourhoods and communities.

Community consultation processes in particular must be held to a higher standard than the current community advisory committee process, which, in the experience of people in our neighbourhood, serves as a place for valuable community input and ideas to wither and to die, as

Metrolinx consistently refuses to share information about the project with community members in a timely manner or make any adjustments to the project based on community feedback.

1010

As my MPP, Peter Tabuns, pointed out in February, the consultation process must build real community support, which means consultation and a willingness to vary design based on what is heard. Please update the bill to require Metrolinx to regularly report how their teams are responding to and making adjustments based on community feedback.

Given the complexity of the P3 projects and attendant buck-passing to contractors and back again, Bill 71 must require that Metrolinx ensure community members have access to a responsible person from the project who can answer questions, address our concerns and share information about construction, public access and impacts on local community services; in other words, keep the community informed about what is happening.

Secondly, update the bill to be clear on details, particularly standards for construction impacts. This bill is lacking on setting standards for construction impacts that will affect communities and neighbourhoods—issues that are easily exacerbated in a P3 setting. Updating the bill to require Metrolinx and the ministry to, in consultation with community members, set standards for construction impacts like noise, work hours, dust or pollution, and utility disruptions, and then specifying consequences for failing to work to these standards will increase community safety and protect local businesses through the duration of the construction process.

Finally, please rethink the proposed regulatory changes to the Environmental Assessment Act, particularly in relation to the Ontario Line. That the government wants the Ontario Line to be completed yesterday is no surprise to anyone. But allowing early works to start before a full environmental works assessment report is completed puts the safety and health of our community members at risk.

Early work goes way beyond the drilling and surveying I already mentioned. It includes station construction, rail corridor expansion, utility relocation and bridge replacement. Along the two-kilometre joint corridor in my neighbourhood, where the Ontario Line is slated to run above ground within the existing GO train corridor, which would put six tracks with trains running every 45 seconds through a dense residential neighbourhood—there are four bridges and six parks adjacent to the corridor, two nearby elementary schools, two community centres, and plans for an Ontario Line station.

Starting early works in this area would have massive impacts on noise and air pollution, trees and park space, and people's health. Cracking on with work before an environmental assessment has considered the combined impacts of the Ontario Line and expanded GO train services is irresponsible and will cause delays and cost overruns when Metrolinx—

The Chair (Ms. Natalia Kusendova): One minute remaining.

Ms. Claire Hastings: —inevitably makes mistakes during the early works and needs to fix them later.

In conclusion, EastEnd Transit Alliance and people in our community support transit and the Ontario Line. We look forward to accepting the minister's invitation to come to the planning table and work as collaborative partners. But we need your help by providing communities with three things. Accountability by Metrolinx and a requirement to work with the community; more details on construction standards; and a rethink of the proposed regulatory changes to the Environmental Assessment Act as it relates to the Ontario Line will keep communities safe and healthy. We would be helping to build the safe transit, and do it right, that our city so badly needs. You'll also be ensuring that my two little guys, and children across the east end, can grow up in a vibrant, safe and welcoming neighbourhood that just happens to have wonderful transit options.

Thank you very much for your time. I'd be happy to take questions from members of the committee.

The Chair (Ms. Natalia Kusendova): Thank you, Ms. Hastings. Before we begin with questions, I would like to ask Mr. Thanigasalam to please identify himself and to state which city in Ontario he is currently in.

Mr. Vijay Thanigasalam: Hi. This is Vijay Thanigasalam, MPP for the riding of Scarborough—Rouge Park. I'm calling you from the town of Ajax.

The Chair (Ms. Natalia Kusendova): Thank you so much, Mr. Thanigasalam.

Thank you for your presentation. We will now begin with seven minutes of questioning by the official opposition. MPP Tabuns, go ahead.

Mr. Peter Tabuns: Thank you, Claire, for the presentation today.

Could you speak again about the strengthening of the community consultation? You touched on some of the weaknesses that we've seen, but could you talk about what exactly should be required in legislation so that there is confidence in the relationship between Metrolinx, and any other agency, and the communities they're supposed to be interacting with?

Ms. Claire Hastings: May I go ahead, Chair?

The Chair (Ms. Natalia Kusendova): Go ahead, Ms. Hastings.

Ms. Claire Hastings: Thank you.

Thank you, Mr. Tabuns. I appreciate the question. One of the things that we've noticed with the current consultation process through Metrolinx with the GO train expansion on the Lakeshore East corridor has been that the process is not user-friendly for community members. Metrolinx only works with a small group of community members who form the community advisory committee. The communications from Metrolinx to that committee are sporadic. There is not, as far as I am aware, a set meeting schedule that the community members are aware of, and often the meetings are not in a format that is accessible to large numbers of the community.

What we would like for community consultations with Metrolinx—I can speak specifically for the Ontario Line,

but I would assume that other communities would benefit from this as well—would be some very specific requirements for Metrolinx to consult with the community on a wide scale, not just the members of the community advisory committee. Although those people are wonderful advocates, we need more voices at the table. We need people to be representing underserved communities, people who don't normally have the time to join an advisory committee, because they are working hard at jobs and can't take time off, they have disabilities or they're newcomers to the community. We need that diversity of the community.

We also need Metrolinx to be held to communicating clearly and effectively with the community. We need a mechanism where Metrolinx publishes questions that they get from the community and their responses. We need regular community meetings that are open and accessible. Zoom is great; in-person is wonderful, although it is unlikely to happen for the next little while. But we really need the standards for high-quality public communication to be set for Metrolinx so that they are required to talk to us. At the moment, if they don't talk to the CAC, they don't talk to the CAC. My understanding is that Metrolinx sets the agendas for the CAC meetings, which really allows Metrolinx to talk about what they want to talk about and avoid questions or concerns that they find uncomfortable.

Mr. Peter Tabuns: Thank you very much for that. On a different angle, you asked that the bill require standards for construction and the impacts on the community. We've all been familiar with the impacts of the Eglinton LRT on that community—vividly, in terms of traffic congestion, but I think other impacts as well. Can you talk about what kind of impact concerns you have and how that should be addressed in this legislation?

Ms. Claire Hastings: Certainly. I think any time a big transit project comes through a community, there are a long list of concerns, particularly around the construction period. The EastEnd Transit Alliance group came together and made a list of major questions that we have, and they relate primarily to environmental impacts; specifically, issues around noise and air pollution during the construction period of the Ontario Line through our neighbourhoods. So that would be the two-kilometre stretch within the GO train line as well.

We currently understand that Metrolinx is considering only working above ground and not looking at options underground, but whatever option they choose, there will be a lot of noise, a lot of dust and dirt and heavy machinery working in the neighbourhood. So we're really interested in how we can work together with Metrolinx to mitigate as much of that as possible, or at least know about as much of it as possible.

The other things that people are worried about are unilateral road closures that we are given no advance warning of and lag on longer than we need. There are bridges across the main east-west arteries to the east end that would be impacted by this, over Gerrard Street, Dundas Street, Queen Street and Eastern. We want to

know what the bridge construction time frames will be, when they will be. Will they be staggered or will you be closing down all four bridges at once? I would hope not.

1020

The business community is concerned. Obviously their own business models—so many of the businesses in the neighbourhood have been, as many have across the city, really struggling because of the pandemic. Shutting down major roads and access points to our community would further weaken that really vibrant business community, and almost all of them are small businesses and local businesses, many of which have been in the community for a long time.

Mr. Peter Tabuns: Okay. Thank you for that.

Chair, if I may: The collection of community benefits is something that has come up in discussions with the city of Toronto before, but certainly—

The Chair (Ms. Natalia Kusendova): One minute remaining.

Mr. Peter Tabuns: Thank you.

Can you expand on community benefits and what you see as necessary?

Ms. Claire Hastings: I have to confess, I'm not a transit expert or a planning expert, so I don't have a full laundry list of exactly what we would like from community benefits agreements. But one of the things that the community is very interested in is working with Metrolinx to make sure, when this transit project goes through our neighbourhoods, that the community is able to help, and that we can use the opportunities that come up, such as re-looking at park space—if we're taking park space away because of land appropriation, working on where we can—

The Chair (Ms. Natalia Kusendova): Thank you, Ms. Hastings. Your time is up, unfortunately.

We will now move on to the independent Liberal member for six minutes of questioning. Mr. Blais, go ahead. You have the floor.

Mr. Stephen Blais: Thank you very much. Ms. Hastings, why don't you go ahead and finish the points you were making on community benefits?

Ms. Claire Hastings: Thank you. Again, for community benefits, we really want to work in partnership with Metrolinx, the developers who will be working on things like station construction and the city, as well, because a lot of the community benefits that we already have that support our community—parks, community centres etc.—are often under the jurisdiction of the city. We really want to look at everything that will be impacted and use this as an opportunity to redesign some of the amenities that we have in our neighbourhood to make the neighbourhood even stronger as this project continues and when it's finished.

Mr. Stephen Blais: Fair enough. Now, you mentioned consultation and, I think—if I misheard, please correct me—what you think is a lack of consultation or insufficient consultation.

So I'm wondering, in addition to what has already taken place—because I notice that there have been some public

open houses etc.—what more are you looking for specifically?

Ms. Claire Hastings: Well, frankly, we would like a seat at the table throughout the planning process and regular interactions with Metrolinx to discuss the impacts of the project on our community. To date, Metrolinx has held open houses for the Ontario Line throughout the city. They did one open house in our neighbourhood. The open houses were less of an information-sharing exercise and more of an opportunity for Metrolinx to put up a bunch of already-presented information on bristol boards and have everybody walk through and look at them. When we asked specific questions about how the alignment would impact our neighbourhoods, we had no answers.

We know that there have been meetings of the community advisory committee since those open houses, but the community advisory committee in our neighbourhood is responsible for the Lakeshore East GO train expansion and has not been specifically responsible for asking questions about the Ontario Line, so what we're seeing is that that group has a whole other set of issues that they want to talk to Metrolinx about, and the Ontario Line questions often get pushed to the side. So we'd like a specific Ontario Line community engagement process, obviously throughout the whole line, but for my neighbourhood, which is close to my heart, specifically.

Mr. Stephen Blais: Sure. I think you're right to be concerned about the accountability aspects. As you may know, in Ottawa we built a light rail transit system very recently. We were building an extension, and any time something went wrong—I know this because I was part of it—the city would say it's up to the builder to respond to the questions. And the builder would say, "We can't because of commercial confidentiality," and X, Y, Z reasons. So I think you're very right to be concerned about that accountability structure and what kinds of information will be relayed to the public at the appropriate time.

I thank you very much for your presentation and for your engagement with the community.

Ms. Claire Hastings: Thank you.

The Chair (Ms. Natalia Kusendova): Okay. We will now move on to the government side for seven minutes of questioning. Who would like to start? Go ahead, MPP Martin.

Mrs. Robin Martin: Thank you, Ms. Hastings, for your presentation. It's very interesting. I used to live in the area myself, so I'm quite familiar with it. When I was living there, my children were little, and so when you were talking about I believe it was your son counting the train cars going by, that sounded very familiar. I think my son had a video called *Mighty Machines* or something to that effect. Anything with wheels or trains were very, very engaging, and actually a good babysitting thing because it could keep him occupied for a very long time. He has since lost all of that interest, but anyway, that was at the time. So I appreciate you mentioning that and also sharing your baby with us this morning, because I don't get to see them enough.

Anyway, you mentioned a lot of things about community engagement. Obviously, our approach to this whole project is one of collaboration first. We want to work with residents in the area. We want to make these projects go as smoothly as possible. I think that's in everybody's interest. We really want to take that kind of approach to work together with people and make things smooth and get the transit built.

The whole point of this bill that we're talking about is to get the transit built as fast as possible. Obviously, making it go as fast as possible is much easier done if everybody is singing from the same song sheet and working together, going in the same direction.

I know you founded an organization. You're the founder of the EastEnd Transit Alliance, which you mentioned. I was just wondering if you can help us with how the government and Metrolinx—because you talked about them as well—can work with that organization to help build transit faster and help try to address some of the concerns that you're expressing.

Ms. Claire Hastings: Thank you for your question. It's a very good one. I think the answer is quite straightforward: Metrolinx needs to strike an Ontario Line-specific consultation process for, in my specific neighbourhood's case, the two-kilometre stretch that runs from Gerrard to Eastern that they're planning to run in conjunction with the GO train tracks. That community consultation should include members of the Lakeshore East Community Advisory Council, which already exists, but it must be expanded to include members from our community who are not part of that specific organization. We need members from the business community. We need members from community organizations that serve our neighbourhoods. We need people who live in the neighbourhood there.

Because Metrolinx, in our specific neighbourhood's situation, has been so focused and determined to only work through the community advisory council, we're finding that they are not communicating with the neighbourhood widely. They're not sharing information that specifically pertains to issues in this two-kilometre stretch with members of our neighbourhood and our business community.

We don't want to slow things down. Work in the public sector, so I understand that community consultation can be an arduous process and can be very contentious sometimes. However, what I've learned in my professional life is that when an organization is not open and transparent and does not share information with community members, who are getting involved because they truly care about the issue—they're not getting involved just to jam a hockey stick through your bicycle spokes. You can offset a lot of the delays and fighting and discussion and bad parts of community consultation, the challenging parts, by being open and transparent and bringing the right people to the table.

So focus on the issues that impact our community. Bring people to the table. Be open and transparent. Update us regularly. Take our feedback and expertise, because we

live in this area. Take it seriously, and work with us to make adjustments to plans when we need it.

1030

Mrs. Robin Martin: Okay. Thank you. I think maybe part of the reason that the consultations so far have focused on the community advisory committee from Lakeshore East and not your area specifically is that we're at the very early stages of this process, so far. I imagine that there will be further consultations specific to the Ontario Line that would involve members of your community. Certainly we want to make sure that we're minimizing disruptions to the community.

Do you have any suggestions of how we can work with the residents and the business community there to ensure that transit construction causes minimal disruptions—anything else other than what you've said?

Ms. Claire Hastings: That's a great question.

Minimizing disruption—I think that one of the main things to do is to be forthright and clear with the community about what's happening. I think that we're at kind of an interesting time right now, because this is a new project. We don't have to do things the way they've been done before. I think it would be helpful if Metrolinx—I don't know exactly how this would work with your procurement process—would have a commitment to work with contractors who have a strong environmental record, to use technology for the construction that is low-emissions. Trucks that don't belch out diesel in front of playgrounds would be a great start; and really making sure that there's access for community members and business owners to the vibrant places in our neighbourhood—our main streets, our community areas, parks, playgrounds, community centres etc.—and when that's not possible, to be clear about why it's happening and how long it will last.

Mrs. Robin Martin: Thank you. I'll cede—

The Chair (Ms. Natalia Kusendova): We have about one minute remaining.

Mrs. Robin Martin: One minute? Oh, I didn't leave any time for my colleagues. Does anyone else have a quick question they want to ask? I'm sorry.

Interjection: It's okay.

Mrs. Robin Martin: I think we're okay.

The Chair (Ms. Natalia Kusendova): Okay. Thank you very much, Ms. Hastings, for your presentation today.

ONTARIO HOME BUILDERS' ASSOCIATION

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter: Michael Collins-Williams, who is the director of policy at the Ontario Home Builders' Association, Toronto. Good morning, Mr. Collins-Williams. You have 10 minutes for your presentation this morning. Thank you for joining us.

Mr. Michael Collins-Williams: Thank you. To the Chair and members of the committee, good morning. My name is Mike Collins-Williams. I'm the director of policy at the Ontario Home Builders' Association, and I'm also a registered professional planner.

Before I get into my formal remarks, I want to thank the committee for setting up this virtual opportunity for public deputations. It's really fantastic to see that we can all work together to ensure democratic debates, the exchange of ideas and perspectives, and to be able to continue on with the legislative process through the unusual and difficult circumstances we all find ourselves in with COVID-19. So I want to thank the government and I want to thank all parties, including my own MPP, Peter Tabuns, who I see is on here—I live out on the Danforth—for all of the work that you're doing in your communities to respond to the pandemic.

OHBA represents 4,000 member companies organized into a network of 29 local home builders' associations, including about 1,500 members here in the GTA that are members of BILD. OHBA and BILD together provided the standing committee with a written submission supporting the Building Transit Faster Act on Friday, so I hope that you've all had an opportunity to see the letter.

Together, our membership across Ontario, through new home construction and residential renovations, generated approximately \$66 billion in value and over \$32 billion in wages last year. We create well-paying, highly skilled jobs in professions as diverse as plumbing and architecture.

Prior to commenting on Bill 171, I want to address the elephant in the room that is very much directly related to building transit and building transit-oriented communities. I think we all know and understand that Ontario is growing. But the real elephant in the room that we're just not talking about enough is the magnitude of this growth. The Ministry of Finance projects that there will be 2.6 million more people living in Ontario by 2031. In order to welcome all these new neighbours, we need to build one million new homes across the province over the next decade or so.

On the subject of the elephant in the room, I'd like to quote directly from a January 3 Globe and Mail editorial about this kind of growth. It cites Ministry of Finance and Stats Canada data:

“According to Ontario's projections, the greater Toronto area will grow from nearly seven million people to 10.2 million by 2046. Add the horseshoe of growing communities around the GTA, from Niagara to Kitchener-Waterloo to Barrie and, by 2046” this area “will have 14.6 million people, up from 10 million today.”

That's a lot of growth that's going to need new housing and a lot of growth that's going to require a lot of transit to move around the city efficiently. That is why OHBA is supportive of the Building Transit Faster Act. The proposed legislation directly responds to OHBA's calls over the years for the provincial government to streamline the transportation infrastructure approvals process to get shovels in the ground as soon as possible for priority infrastructure projects.

Bill 171 is now all the more important to support post-pandemic jobs and recovery efforts. As we move into the recovery stage, we need to work together to make Ontario open for business, reduce red tape and directly support job creation through the construction of critical infrastructure.

One of the problems that we in Ontario have had in the past—and I would point to all political parties—is that we seem to have election cycle transit planning, where by the time new lines work their way through the planning, engineering and procurement stages, someone new is elected and the plans change. I'm optimistic that the bill before this committee today will assist in breaking that cycle and help advance each of these four priority transit lines faster so that we can get shovels in the ground as soon as possible.

Bill 171 targets steps in the planning, design and construction process that, if passed, would remove roadblocks and give the province new tools to deliver four specific transit projects faster. The lengthy approvals process has directly contributed to both our housing supply shortage and transit infrastructure deficiencies. While OHBA supports the streamlining and red tape reduction initiatives within Bill 171, we strongly recommend that the province take a similar approach to other priority transit projects that will improve mobility, support new housing supply and enhance our quality of life in communities right across Ontario.

OHBA is a strong supporter of transit-oriented communities. Our membership supports A Place to Grow, the updated 2019 growth plan, and its policies, including density targets in urban growth centres and major transit station areas that encourage and facilitate the construction of transit-oriented communities. The expansion of core infrastructure—roads, transit, water and waste water—in support of delivering much-needed housing supply to a growing population should be a key priority for the provincial government, and we're pleased that the province will accelerate the construction of these particular projects.

OHBA is eager to work with the government to ensure a planning framework along these priority transit corridors that provides business certainty through pre-zoning. The province has made positive initial steps by incorporating new density targets for major transit station areas in the updated growth plan, but we need municipalities to update their zoning to actually implement these density targets. The province must better enforce section 26(9) of the Planning Act so that zoning bylaws are updated to truly conform to official plans where there is a clear provincial interest.

As part of the provincial transit-oriented community strategy, especially along these four priority transit lines, we have a number of additional recommendations:

The provincial government should support all existing urban growth centres and major transit station areas.

The provincial government should eliminate minimum parking standards on transit corridors to support new housing supply and enhance housing affordability while also setting a clear provincial transit-first directive rather than continuing to require an oversupply of automobile parking. As a first step towards that, the provincial government should pilot the elimination of minimum parking standards to stimulate new housing supply along these four priority transit corridors targeted by Bill 171.

OHBA has consistently supported pre-zoning through joint reports with the Pembina Institute—Make Way for Mid-Rise—and Ryerson City Building Institute—Suburbs on Track—and more recently with OREA through a joint Ryerson CUR report in March 2019, titled Transit Nodes in Ontario Have Untapped Development Potential. That report determined that pre-zoning would open up opportunities for tens of thousands of new units.

In the couple of minutes I have remaining, I'm going to speak to two specific items in Bill 171.

1040

Speeding up the expropriation process: Bill 171 proposes that sections of the Expropriations Act, which confer the right to a hearing, will not apply to an expropriation that is at least partly on a transit corridor land in one of the four priority transit projects. I will say that for the record, OHBA is supportive of removing this requirement specifically for these four priority projects. However, we strongly believe that the provincial government must continue to treat property owners fairly, and that compensation at fair market value is always provided to owners whose properties are required.

Corridor control: OHBA has some concerns with respect to the proposed corridor permits, and we request additional stakeholder consultation on the requirements for a new corridor permit. I want to be clear that we're not necessarily opposed to the concepts of permits to improve communication and alignment of construction processes. However, the proposed corridor permit that would be required to construct or change any building, structure, road, underground utility infrastructure, as well as perform any dewatering or excavation near a subway corridor, could result in additional red tape and delays for private sector investments.

Bill 171 currently proposes a permit for lands within 30 metres of a transit corridor land. OHBA is concerned that this is too wide an allowance on either side of the corridor and will encompass significant amounts of land in the development or planning stage. For example, in downtown Toronto, a corridor this wide could literally encompass entire city blocks along the proposed Ontario Line.

At this point, we simply don't know what the process entails, what the requirements are and what potential delays or costs would be imposed. While we support greater ability to coordinate activities in and around the subway corridors and stations, the proposed corridor permit should not add costs or additional time or start to delay projects in the locations that the provincial government is encouraging new transit-oriented communities.

In closing, the new housing and land development industry is a key partner to the province in creating transit-oriented communities that will support provincial transit investments over the long term. Our members look forward to seeing shovels in the ground not only for these four priority projects within the Bill 171 framework, but for other critical projects that should also be fast-tracked as part of the post-pandemic stimulus, economic, jobs and recovery response.

The Chair (Ms. Natalia Kusendova): One minute remaining.

Mr. Michael Collins-Williams: Thank you all for your attention. I look forward to any questions you may have.

The Chair (Ms. Natalia Kusendova): Thank you very much for your presentation. We will now begin our first round of questions with the Liberal independent member. Mr. Blais, you have the floor.

Mr. Stephen Blais: Thanks very much for your presentation. You mentioned that you'd like to see either a pilot project or the full removal of any minimum parking requirements, which seems to make sense close to transit. But you said something that caught my attention: that you thought it would stimulate construction. I've never heard that argument made before, that removing parking would stimulate construction. So I'm wondering if you could expand on that a little bit.

Mr. Michael Collins-Williams: Sure. We have a long-standing position that we should let the free market decide in terms of providing minimum parking standards. I think it might have made more sense in the 1970s and 1980s, when we had a very different mentality in terms of how we plan new communities. When we're planning new communities that are directly adjacent to or, in some cases, directly above transit, it makes little sense for municipal governments to actually require more parking than what is demanded.

Underground parking stalls can cost up to \$60,000, sometimes even more if you're going down four or five levels, depending on soil conditions. If you're building near a lake or a body of water and have to conduct dewatering, you can be in excess of \$60,000 a stall. Above ground parking can cost up to \$30,000 for a parking space. So when we're looking at the broader framework that housing is increasingly becoming more and more expensive, when you're attaching a \$60,000 cost to building an underground unit, that is either charged extra for somebody buying a condo or often it's just embedded into the cost.

So when I say "stimulate construction," it's about bringing down the overall costs of building a mid-rise or a high-rise condo, or purpose-built rental apartments. We're trying to ensure that purpose-built rental units are affordable for the general public. Well, if a rental developer is having to provide 70 or 80 underground parking spots directly next to a subway or LRT station, you're talking millions of dollars in additional costs that will be embedded into that rent. So if stimulating construction is really about reducing overall costs and if we're going to have the private sector invest money in housing, we should be investing in housing people, not housing cars.

Mr. Stephen Blais: Sure. You want the option, is what you're saying. You don't want the minimum apartment parking planning mandated. Or would you agree that you also don't want a prohibition on parking stalls at the same time?

Mr. Michael Collins-Williams: Essentially, we'd be letting the free market decide. I'm a perfect example: I lived for a number of years at Jarvis and Bloor in downtown Toronto, in an apartment building built in the 1970s. It has four levels of underground parking, and literally two levels I've never seen a car in.

Mr. Stephen Blais: One hundred per cent; I completely understand where you're coming from. My apartment in Toronto doesn't have parking either.

You mentioned pre-zoning. One thing I've experienced in Ottawa is that you go through a secondary planning process. In Ottawa it's called the community zoning plan process. You get community buy-in for it, setting density targets, setting height limits etc. As you know, those take time, and the development of a proposal also takes time. And six years after the plan is approved, the landowner comes in with what the community sees as a fairly dramatic change in the zoning, so you lose all community buy-in to the pre-zoning, and really, you lose the benefit of the pre-zoning. So if we're going to pre-zone to accommodate transit, which makes a lot of sense, what measures would the industry accept to limit your ability to change that later?

Mr. Michael Collins-Williams: Pre-zoning is complicated. You're never going to land on something that everybody is happy with. You can negotiate and work out something that the community or the development industry, in certain cases, may be happy with. Things change over time. Municipalities are currently required to update their official plans every 10 years, and they should be updating their zoning at that time. I don't think you're going to end up in a situation where, in a pre-zoning role, every single site is perfect and that there will never be another rezoning.

My experience is a little more within the GTA and Toronto. Virtually every single application, be it for a tower or be it for much more modest townhomes or stacked townhomes, requires zoning bylaw amendments and official plan amendments, which take a considerable amount of time.

So in a world of pre-zoning, I don't think we're going to get rid of every single case where an applicant may come in to ask for more density or a different type of project, but I think we'll end up in a case where most projects go through. Even a developer that's seeking more density—if you have a pre-zoning environment and there's one door that they can go through that is an expedited approvals process, they may be less likely to go in a different door where, yes, they may be looking for some more density, but you're talking about another two or three years of planning approvals.

Mr. Stephen Blais: I don't mean to cut you off. I appreciate your point, and I don't disagree with anything that you just said. What I'm trying to ask is: In exchange for pre-zoning, in exchange for the municipality or the province requiring the municipality to pre-zone an area around a transit station and essentially take the cost of that exercise on, what would the industry be willing to give up in terms of their rights to apply for changes? Would there be a time horizon; would there be a limit on whether it's the maximum change you could allow for in terms of high or density or setbacks? What would the industry be willing to give for that benefit?

Mr. Michael Collins-Williams: I'll give you two quick answers—

The Chair (Ms. Natalia Kusendova): Unfortunately, that concludes all the time we have. I'm so sorry, but our time is up.

Right now, we can move on to seven minutes of questions by the government. Go ahead, MPP Hogarth.

Ms. Christine Hogarth: Hi, and good morning, Mr. Collins-Williams. I just want to say thank you to yourself and to Joe Vaccaro for all the work that you do in consultations with the government to help people get that dream of home ownership. I know that we've had those conversations, and years and years of neglect have left a lot of people without home ownership. That's something that this government wants to change. Thank you for all your work to try to make that happen.

We had a piece of legislation, and this is another piece of legislation. But when we talk about our legislation through the Ministry of Municipal Affairs and Housing, it's combined with transit because, especially when we look at the downtown Toronto corridor, it's different. We just talked about parking and driving and how you get people to and from work or wherever they want to go. So the importance is: How do we build these transit-oriented communities? Something that OREA had stated earlier—not on this call, but just a statement. It says, "Building more homes closer to transit is good for the environment and families looking for an affordable place to live."

1050

That's a pretty strong statement—because what we also want to do is affordable, attainable housing, where people can live along the corridor, enjoy their communities as they are, but with little impact on, really, when they're being constructed. I think that anybody who lives along the Eglinton East line would tell you that the construction—well, if you could save three years of their lives and have it done quicker, I have a feeling they would have said, "Yes, I probably would have preferred three less years of living in construction dust and loss of income for businesses."

Can you just expand on why it's so important for us to get this transit built quicker and more efficiently so we can start building these homes and creating more affordable living for people who want to live in the wonderful city of Toronto?

Mr. Michael Collins-Williams: As you noted, unfortunately, construction is messy. Construction can be disruptive, which is part of the reason why fast-tracking and moving things as quickly as possible will limit the amount of disruption. There are certainly new technologies that are coming into place in terms of being able to mine with different tunnel-boring machines. I know that the Ontario Line is looking at some different options, be it at-grade or above-grade, that could potentially speed up the construction of the line and bring it to operation. I look forward to hopefully riding that line before I have too many more grey hairs.

You spoke to the Housing Supply Action Plan earlier and, really, the nexus between land use planning and transportation planning. It's something that cannot be stated enough—building new transit creates opportunities for

new transit-oriented communities and connecting people to their community, connecting people to their employment opportunities.

I think we've all heard horror stories of different constituents that I'm sure all of you have that are travelling on two or three buses, at all hours of the day, to get to their jobs. What transit does is that it connects people to the world in being able to meet with friends and family much more quickly and cutting down on that commuting time—and of course, to your point earlier about the environmental benefits, significantly reducing carbon footprints and reducing greenhouse gas emissions by getting people out of their cars and onto transit, and helping to have a modal shift.

At the beginning of my presentation, I spoke of the elephant in the room: the vast number of people that will be coming not just to Ontario but, more specifically, to the GTA in the coming years. If we have a few million more people all getting into their cars and driving single-occupant vehicles, we could never build enough highways to accommodate that. We need to have more options, and better options, for transit. These four priority transit lines are a fantastic start, but we've got to keep going and thinking about what the future holds after that. But in terms of legislation before us today, I'm optimistic and hopeful that this will help us get shovels in the ground sooner than later.

Ms. Christine Hogarth: Thank you for your comments. I appreciate those.

Just further on that, how do you think that government can work collaboratively with the development sector to help ensure that work on adjacent developments can be carried out, and carried out while balancing the government's objective to build transit faster? Do you have any thoughts on that?

The Chair (Ms. Natalia Kusendova): And we have less than two minutes remaining.

Mr. Michael Collins-Williams: This is actually an exciting part of what your government is doing. Metrolinx has sort of opened up an office to try to work more closely with the development sector.

I think we've all seen that there are, in the current Eglinton Crosstown under construction, even through dense areas, some stations that are literally a one-storey box on the corner of a busy road. I think there are huge opportunities, looking forward, especially with the Ontario Line, to completely incorporate stations into new developments. That could potentially offset some costs for government by having the private sector involved in the construction of stations. Also, by having stations fully integrated into a new community, you create greater value for those transit users. There could be retail options right in the station. There could be almost like the PATH network in downtown Toronto—well, that could be expanded. In East Harbour on the Ontario Line, on the former Unilever lands that Great Gulf is redeveloping, there's an opportunity there for the Ontario Line to have direct connection at the same level to the GO line, and eventually for the Broadview streetcar to be extended

south through an extension of Broadview. There's a real transit hub there that could be fully integrated into the commercial developments so that employees can get off the subway and walk in a weather-protected—in the middle of winter, to their office space or to retail and entertainment.

It's outside of Bill 171, but that office that Metrolinx has opened is working with a number of our members on different GO stations. Metrolinx is actually the largest owner and operator in all of North America of parking spaces. Obviously we need those parking spaces—

The Chair (Ms. Natalia Kusendova): Thank you, Mr. Collins-Williams.

Mr. Michael Collins-Williams: —in some communities, but it might be nice—

The Chair (Ms. Natalia Kusendova): My apologies. This concludes all the time we have. We will now be moving on to the official opposition for seven minutes. We will begin with MPP Bell.

Ms. Jessica Bell: Thank you for coming in and speaking to this committee, Mr. Collins-Williams.

I have a few questions. The first one is around some of the insightful comments you made about how, when a new government is elected, transit plans change. One of the concerns I've noticed is that that has happened with this government. One way to ensure that transit plans continue from one government to another is to do sensible consultation and get buy-in from the community and all levels of government.

I was wondering if you could speak to that in terms of the Ontario Line and what kind of consultation you think would be appropriate to ensure that there is long-term support for this line across the entire route.

Mr. Michael Collins-Williams: Sure. I'm going to take a bipartisan shot at everybody. If you look at Ontario's history in the last 30 years, the Peterson government in the 1980s had a Network 2011 plan that was moving forward with four lines. The NDP government under Bob Rae came in and altered those plans. The Mike Harris government came in after that and altered those plans. The McGuinty government came in after that and altered those plans, and over the 10 years of that government being in place, we have got some transit under construction, which is fantastic, but other elements of Transit City were changed. We have a new government that has been in for two years and has altered some of those plans, and we're looking at a series of plans for today.

I think all three of the major political parties, for better or for worse, are guilty of altering plans, and it does make sense somewhat in a democratic society that a different government comes in and has different perspectives and ideas. The problem is that these transit lines are so massive that in terms of a four-year election cycle it's almost impossible to get off the drawing board and into the ground. So I'm optimistic that, of the four priority transit lines that we're talking about today, hopefully at least a couple of them—that there are shovels in the ground by 2022 and, whatever the outcome of that election is, someday we're able to ride these lines.

I live in MPP Tabuns's riding. There was a former plan for a downtown relief line. The Ontario Line certainly takes some aspects of that line into consideration, and I think one of the biggest benefits of the Ontario Line is that it takes what were very preliminary plans for a relief line north from Pape station to Eglinton, which is actually critical in terms of providing that relief to the Yonge line and to go through a couple of priority neighbourhoods.

It's not the exact same as the previous relief line, but I think it certainly takes some of the best aspects in terms of routing it and relief, and expands it by going further west to Ontario Place and through the downtown core. So if this line does see the light of day and is built, I think it will do two jobs, which is critical. One is the actual relief to the Yonge line, which is absolutely bursting at the seams—I'd encourage any member of provincial Parliament to spend a few minutes, on a non-pandemic morning, at 7:30 in the morning at Yonge-Bloor station and watch the crowds. So it's absolutely critical that this line get built as soon as possible to relieve that pinch point and to access points in the east.

1100

I think the second part of your question is about consultation. As I said, I do live in the neighbourhood, so I attended a couple of Metrolinx town halls earlier in the winter. I think ongoing communication and consultation is critical. At this point, the route for the Ontario Line, in particular, seems to be fairly well established, but at the end of the day, details matter in terms of where the portals are coming in and out; what the gradients are; how the aboveground sections will be designed and built. My background is a professional planner, and it's always a difficult mix communicating with affected communities. You have the local interest, which is sometimes different than the public interest. You have the broader public interest. You certainly have the engineers, planners and experts at Metrolinx. It's a whole different series of interests.

I think the bottom line is that people want to see more transit built, but they're obviously going to be very interested in terms of how it directly impacts their community and how it directly impacts their businesses.

Going back to MPP Hogarth's comments earlier, the construction itself is disruptive. No matter how the line is built, whether it's above ground, below ground, whether it's the Ontario Line or whether it was the previous relief line program, the construction process itself will be disruptive and there's no way around that.

Ms. Jessica Bell: Thank you. What I have found with the relief line is that the consultation was extensive and it did result in the community being in support of the transit line, and there was a lot of support from all levels of government. So I do see real value in taking the time to do it right so that when we build transit, it can have community support, and all levels of support, beyond the four-year election cycle.

I do want to ask you, briefly, around the transit-oriented development matter. I also see the value in transit-oriented development. One of the concerns I had with the Ontario government's plan was no hard targets or commitment to

address some of the missing-middle issues we have in Ontario—or particularly the GTHA, where we're not really building the two- to three-bedroom apartments or townhouses that are more affordable for first-time homebuyers and families. There is a lack of hard commitment around making housing affordable. I think you and I can both agree that it's about supply, for sure, but it's also about meeting the demand and where people are at. Does your association have an appetite for advocating for missing-middle housing and affordable housing requirements for transit-oriented development?

The Chair (Ms. Natalia Kusendova): I am so sorry, but our time is up. Unfortunately we have to move on to the next presenter. Thank you so much for your presentation today.

Just as a reminder, the deadline to send in a written submission will be 6 p.m. on June 10.

Also, for members of the committee, I would just like to let you know that the Clerk did send a few written submissions to our emails about half an hour ago.

LAKESHORE EAST COMMUNITY ADVISORY COMMITTEE

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter, Shelley Kline, who is the community lead for Riverside-Leslieville, representing the Lakeshore East Community Advisory Committee. Do we have Ms. Shelley Kline on the line with us?

Ms. Shelley Kline: Hi, I'm right here. Can you hear me?

The Chair (Ms. Natalia Kusendova): Yes, we can hear you. Good morning. Thank you for joining us. You may begin your presentation. You have 10 minutes. Please state your name for the record.

Ms. Shelley Kline: Good morning, committee members. My name is Shelley Kline. I'm a homeowner, a small business owner and a lifelong transit rider living here in Leslieville, Toronto. I'm representing the Riverside-Leslieville area for the Lakeshore East Community Advisory Committee, or the CAC.

Our committee was founded in 2018 and granted a terms-of-reference agreement to work co-operatively with Metrolinx, our purpose being to minimize the impact of the regional express rail project and other projects on the quality of life for our surrounding Lakeshore East communities. I've included this in attachment 1. Our membership includes approximately 500-plus families living in proximity to the Lakeshore East GO rail corridor.

I'm here today to ask the committee to protect our communities from Bill 171, which allows for reckless transit building without a full and completed environmental assessment process. We are asking the committee today to include the proposed community amendments that are being put forward by the NDP, which would ensure our communities will have an impact on transit building; specifically, that the minister and Metrolinx must work with the community to set construction standards and lay out consequences for failure to do so, and to establish a

construction working group with key community stakeholders like our CAC to exchange advice and information during construction.

Why is it necessary that Bill 171 include protections for and accountability to our communities? I am here to share with the committee what it has been like for us, for our CAC, to have met with Metrolinx for the past two years and to share with you what a frustrating and ineffective process this has been for us. In the past two years of meeting with Metrolinx, they have not altered their project planning in any way because of our community's concerns or requests. The result is that our community has had no impact at all on the projects to date. This is because Metrolinx will not engage with us in a way that we could have an impact. This is despite the rules and responsibilities laid out in our terms of reference as to give careful consideration to all advice received from the CAC and to incorporate wherever possible the advice received from the CAC.

There are many examples of our asks that I could share with you, given time, but here is a brief summary of three of our main items:

(1) Seamless noise mitigation along the Lakeshore East GO corridor: The RER project planning indicated that only some areas of the corridor would be getting a five-metre-high sound barrier wall but not others, and there were gaps in areas where only one side of the track had a sound barrier and not the other in the same location. Metrolinx stated it was their goal to provide seamless noise barriers in areas that were not selected to have them in 2018; however, this has never happened. The discussion has now shifted to noise reduction at source, which we believe means applying padding directly to train wheels to dampen sound and not seamless sound walls. Additionally, Metrolinx told us they were going to request extra funding from the province in 2018 to make seamless noise walls happen, but we don't think this ever happened and our questions about it have gone unanswered. Currently, we have been told to wait for the new noise and vibration study timed to come out shortly this summer.

(2) Temporary noise barriers, or moving the planned noise barriers out from the end of the project into the beginning of the project in order to shield neighbourhoods along the tracks from construction noise occurring in the middle of the night: After chasing Metrolinx for six months on this request and having sent them several companies that actually manufacture temporary noise barriers, the answer became a hard no from them, the reason being that it would add a million or more to the project plan. But we don't believe that they have ever seriously considered our request.

(3) Lastly and most importantly, there couldn't be a more perfect example of how Metrolinx has treated our community's concerns than in their rejection of our committee's asks list, titled the CAC's List for Inclusion in the Lakeshore East Corridor Expansion Project, which was submitted to Metrolinx on September 15, 2018. At Metrolinx's request, we were invited to participate in the RER RFP process, which was to be an inclusive and

collaborative process involving our CAC. Our Lakeshore East communities prepared a list of items for them that would have given us a seat at the transit planning table. Our list comprised two sections: section 1, guidelines for contractors to be included in the service-level agreements for the successful proponents; and section 2 dealt with specific areas along the rail corridor that residents had identified as areas of high concern, such as the Fontbonne Ministries, which runs an at-risk women's shelter located beside the tracks at Queen and De Grassi, and, of course, our beloved Jimmie Simpson community centre and park, which would require special mitigation strategies and care during planning, design and construction.

1110

I have attached our list for the committee to review, in attachment 2, but a brief sample from it includes items such as:

During construction, schedule significantly noisy and disruptive maintenance and construction work during the day, and avoid night work wherever possible.

Another one: Ensure that the superintendent on-site is available for calls from Metrolinx at all times.

Limit noise of vehicles beeping and backing up during night work.

Timing of tree and vegetation removal must be greenlit by the appropriate wildlife agencies, as indicated in the environmental project report, and monitors should be present on-site during this sensitive removal work.

We submitted our list to Metrolinx and met with them to review it in November 2018. They agreed that our list was very doable, but they would reword it into contractual language to include it in the RFP schedule A.

Fast-forward a year later, to October 2019, when Metrolinx tells us that they are finally ready to release the RFP. We asked to have a meeting with them so we could review how our list has been integrated into their schedule agreement. There was no response from them about what happened to our list, and when pressed to discuss, meet or provide any further details about it, they would not even officially comment back to us about it so we could tell our neighbourhoods what happened to it. Clearly, the list never went anywhere and was rejected higher up, and no one from Metrolinx ever bothered to tell us that.

Metrolinx's disregard of our community doesn't appear any different with the Ontario Line planning process. In January of this year, our community widely attended the Ontario Line open houses. The feedback was clear: Put the Ontario Line underground through Leslieville. However, in our meeting with them on May 13, we were told that they had no plans to investigate or consider alternative alignments or routes and that they were moving ahead with the above ground section.

I would like to note that the Premier has approved a subway in his own riding of Eglinton West, but he won't even allow for an investigation of the subway for our two-kilometre section of track. And there is no good explanation for why our section of track cannot be put underground—why the line cannot remain underground through our residential neighbourhood and emerge above ground

in the industrial area south of Eastern Avenue. There's no reason at all.

In conclusion, in the more than two years that we have been asking Metrolinx for mitigation and accountabilities, they have not let the community have any impact on project planning. So we are asking the committee today to ensure that our communities will have a seat at the transit planning table by amending Bill 171 with the proposed community accountabilities, ensuring that we could work together to build transit projects in a safe and inclusive way that works for all of us.

The Chair (Ms. Natalia Kusendova): Thank you very much for your presentation.

We will now begin our questions by the government side. We have seven minutes. MPP Thanigasalam, you may begin.

Mr. Vijay Thanigasalam: Thank you, Shelley Kline, for your presentation.

Ms. Shelley Kline: Thanks for having me.

Mr. Vijay Thanigasalam: You're welcome.

The government is committed to a collaboration-first approach before committing to any authorities proposed in the bill.

Right now, I would like to ask you: How can the government work with your organization to build transit faster and address your concerns directly? Can you please speak on that? How can the government work with your organization?

Ms. Shelley Kline: Laid out in our terms of reference, it's very clear that Metrolinx needs to listen to us. They need to engage with the communities in a way that we can have an impact, and right now, they don't do that.

In February, we asked 30 questions of them in a very long document. When we met with them on May 13, they didn't answer any of these questions, or address them; they simply presented us a PowerPoint presentation with all the latest updates. This is an example of not actually addressing the concerns of the community directly.

The other part of that is that they've never had anyone at the table who could actually incorporate something that we are asking for. Let's say that we want to understand why we can't have noise mitigation and seamless sound barriers. There's never been an answer given back to the community about that. Then, last August, they decided to revise the noise study, and when we asked them why they were revising it, we never got an answer. So there's this obfuscation in addressing the community's concerns that would actually have to stop. The government needs to have some accountability to the community, and I believe that these proposed amendments offer that—and penalties when the community isn't heard.

Mr. Vijay Thanigasalam: Thank you, Shelley. As a government, we understand that transit construction has an impact on people, such as transit users, pedestrians and cyclists, and nearby residential neighbourhoods such as yours, and obviously on business, most especially the small, local business shops, who may have already been living through difficult times.

From my understanding, to assist local residents and businesses, Metrolinx will have community offices fully staffed with a team of community relations and communications specialists, so that the project coordinator can stop and answer and address any concerns.

Having said that, what do you see as the biggest obstacles to building transit faster than the government should consider addressing? And what solution would you recommend in addressing these obstacles, Shelley?

Ms. Shelley Kline: I believe that they have to give the community a seat at the table, and then they have to listen to us. This is what is being proposed. I also believe they have to follow their own environmental assessment laws. If you look at the relief line consultation process, they actually spent years consulting with the communities. They changed the route because of community concerns.

This is the consultation process that we're asking for. Does it take time? It does take time. But what we're asking for is: Let's get it right. We are not against this project. We know we need transit. We are very supportive of the relief line project. We haven't got the answer as to why this line needs to run six lanes of rail traffic through a densely populated, historic residential neighbourhood, which may endanger our only green space that we have.

We don't think that the government is actually considering any alternative routes, which are part of any environmental assessment process. When we asked if they were considering an alternative route, they were not. They're not investigating it. It doesn't appear to be an option. And like I said, we simply got no answers.

So, yes, stick to the process. The process is there. The process works. When you're shortcutting it, you're endangering the community; you're endangering the health of our families and the environment. We have very, very big concerns about that.

Mr. Vijay Thanigasalam: Thank you, Shelley, for that answer. It's great to see that your organization and the community are in support of building transit. As a government, as I mentioned earlier, our approach is: collaboration first.

Are there any comments that you want to comment on? On top of all the comments that you've made, how can the province work with the residents and the business community in your particular local neighbourhood to ensure the transit construction causes minimal disruptions?

Ms. Shelley Kline: I think it's twofold. I know that they're opening community offices in our neighbourhood, but they're staffing them with communications-level people. I really believe that if you want to listen to the community, you need to have people in those offices who can make decisions and not just listen. You need to have higher-ups. You need to have people who can make decisions and listen to the community not only in the office, but on-site.

1120

We have drilling right now, next to me, in Jimmie Simpson Park—survey drilling. I know that the communications team—and they're very good, have been on-site, but there is no supervisor there from Metrolinx. There is

no drilling specialist or project management person staffing these sites and overseeing these contractors. And for a community like ours that's facing, perhaps, a decade of rail construction work, feet from our homes, in the middle of the night when the trains stop running, it is very, very important that there be a responsive, 24-hour community hotline that we can call and talk to a supervisor on-site if someone is shining a spotlight in the back of your home—

The Chair (Ms. Natalia Kusendova): Thank you, Ms. Kline. That concludes all the time we have. Thank you very much.

We will now move on to seven minutes of questions by the official opposition. MPP Tabuns, go ahead.

Mr. Peter Tabuns: Thank you very much, Ms. Kline, for your presentation today. You talked about accountability and responsiveness on the part of Metrolinx. What would you look to to indicate that there actually was accountability, that there was effective consultation? What things should there be in legislation that would say to Metrolinx, "You have to meet this standard to ensure that the community actually has the ability to call you to account, has the confidence that they've actually been consulted"?

Ms. Shelley Kline: I think we have to come to the table with them and agree on what the standards are and set the standards, such as: You can't work seven days a week, from one in the morning to six in the morning; you have to give the neighbourhood a break. So we have to set some kind of construction standards—not using parks as staging areas and storing their equipment in them, these kinds of things.

I also think there needs to be some kind of body that can adjudicate or mediate when the community wants something and Metrolinx isn't listening. Because I guarantee you, if we don't have these safeguards in place, I don't see them listening. They pay lip service to the community. It would be a mediation board that we could go to, someone to mediate between Metrolinx and the community—and if we can't come to an agreement, then there needs to be a fine, some kind of steep penalty that would be imposed on Metrolinx for not adhering.

Mr. Peter Tabuns: Okay. At this point, how would you characterize the confidence the community has in Metrolinx actually following through on commitments?

Ms. Shelley Kline: I think it's been very difficult to, I'll say, attract CAC membership, because no one has confidence that we will effect any change on this project. I think nobody believes that Metrolinx is actually listening to them. I think Metrolinx really has to step up and show that they want to allow the community to have a seat at the table.

They're planning consultations for the Ontario Line in July, but we don't really actually understand what they're going to consult with the community on. They've already decided what the alignment is. They know they're going to put a station at Queen and De Grassi. So what exactly do you want from the community? What do you want us

to consult with you on? These consultations are nothing but lip service.

I did ask them, “If we all tell you that we want it underground, will you actually put it underground?” And I got a whole series of hems and haws and, “Well, there are other factors involved.” So we have no confidence in Metrolinx listening to us right now. I would say that they would really have to show that we can have an impact, and listen.

Mr. Peter Tabuns: Are you concerned that this bill will further reduce the ability of the community to have an influence on Metrolinx and its operations in the community?

Ms. Shelley Kline: Absolutely. I think we’re all afraid of this bill. They can start building the Ontario Line tomorrow, and they don’t have the rest of it done. They haven’t done an assessment, and they’re going to start clearing the tracks and grading in the middle of the night and building stations in our neighbourhoods and by our homes and by our shelters and in the parks, and we don’t know anything else about the project. We don’t know the safety standards. We don’t know that putting six tracks into a corridor of a 40-metre width is even safe. It hasn’t even been studied, so of course we have huge concerns about this bill. We really, really need a seat at the table.

Mr. Peter Tabuns: One of the amendments, the changes to law that flow out of this bill, is a reduction in protection against arbitrary expropriation. Is that an issue that has come up in the community? And if so, what sort of concerns have you heard?

Ms. Shelley Kline: Well, many of our members are 16 feet from the tracks, and this bill would expropriate anything within 30 metres. People are absolutely afraid of the 30-metre limit and that their homes are going to be lost. Many of them are historic homes. It’s a great loss to the city, so people are really, really afraid, and they have no way to appeal with this bill. There’s no appeal process. They’re just literally going to be handed an expropriation notice. It’s frightening.

Mr. Peter Tabuns: I may have other questions, but I’d like to cede my position to Mr. Harden for the moment. If there’s time when he’s finished, I would like to come back. Thank you.

The Chair (Ms. Natalia Kusendova): We have about a minute and a half remaining, and so I give the floor to MPP Harden.

Mr. Joel Harden: Thank you, Chair. I’m glad, Ms. Kline, for your presentation today.

Our city, as my neighbour MPP Blais mentioned, has had its own learning experience with building transit quickly and poorly. The public-private partnership model that we pursued here with the Rideau Transit Group caused enormous consternation and concern, such that the concerns that we have around construction—36 trains on this new line; none were functioning as of May 13. We’ve had a litany of complaints.

Rideau Transit Group, when it comes to accountability, as my friend MPP Blais mentioned, has a terrible record.

I’m wondering if you’re worried about accountability as well, given this project, in addition to concerns you’ve laid out around its construction.

Ms. Shelley Kline: Well, of course we’re very afraid that there’s no accountability. We’re very worried about the safety issues of running a train every 45 seconds and then another four lanes of GO Transit in between. Of course, we have a huge amount of safety issues that no one has addressed.

But in terms of the technology, it’s driverless technology. It’s very scary to know that these trains are going to be running through there every 45 seconds and nobody is driving them. Also, weather-related—they’re outside. We’ve heard you’ve had a lot of problems in cold weather. The kinds of issues where the lines will stop running—of course, none of this has really been addressed. It’s just really bad planning—

The Chair (Ms. Natalia Kusendova): Thank you, Ms. Kline. That concludes the time we have.

We will now move on to the independent Liberal member, Mr. Blais, for six minutes of questions.

Mr. Stephen Blais: Thank you, Ms. Kline, for your presentation today and for your commitment and participation in the community.

Beyond noise walls, have they discussed any other noise mitigation that might be built into the track or any of the structure of the system at all?

Ms. Shelley Kline: In our May 13 meeting—we’ve basically been told to wait for the noise and vibration report, which has been revised to be coming out this summer. Very briefly, Malcolm MacKay, the manager, spoke about noise mitigation, noise walls, and something called a solid track so that there’s no clickety-click sound—

Mr. Stephen Blais: Yes.

Ms. Shelley Kline: —one track. Yes, that’s what he’s answering.

Mr. Stephen Blais: I’m sorry to cut you off, Shelley. Your neighbourhood, the neighbourhood that you live in that’s adjacent to the line—is that mostly apartment buildings or low-rise? Can you just describe it for me, very quickly?

Ms. Shelley Kline: This neighbourhood is a historic neighbourhood. They are homes built in the 1880s—very, very close to the tracks. It’s Wardell Street, which is probably one of the oldest avenues in the city. We also have a heritage conservation district just off Tiverton Avenue. I live in a home that dates to 1888. They’re fragile structures. We definitely want—noise mitigation is probably our biggest ask, yes.

1130

Mr. Stephen Blais: Sure. Outside the heritage conservation district, are there individual properties or homes that have heritage designations?

Ms. Shelley Kline: Yes, we do. We have two on Tiverton Avenue, and both of them are feet from the tracks, about 16 feet from the tracks.

Mr. Stephen Blais: I presume those are some of the neighbours who are concerned about the expropriation?

Ms. Shelley Kline: Absolutely.

Mr. Stephen Blais: Okay. It is hard to ask any other questions without actually seeing this sound mitigation and vibration mitigation study—

Ms. Shelley Kline: Exactly.

Mr. Stephen Blais:—which I think is one of the challenges with having committee hearings before information is publicly available.

Just in referencing some of the concerns that MPP Harden was mentioning, I would suggest that you pay attention to something called rail dampeners and whether that's included in their recommendations, because that has actually been a challenge we faced in MPP Harden's part of Ottawa. The seamless track was important, but there is other technology that can also be included during the construction process.

Ms. Shelley Kline: Yes. They haven't talked about dampeners, but I think when you have a train speeding by your house, when you're 16 feet from the tracks—where Fontbonne Ministries are right next to the tracks at Queen and De Grassi, it's an apartment-style building so there are people living right on the level with the tracks, elevated. Certainly, noise and vibration is a big concern, so we're waiting to see how they're going to address it.

Mr. Stephen Blais: Thanks very much for your presentation. I appreciate it.

Ms. Shelley Kline: Thank you.

The Chair (Ms. Natalia Kusendova): Thank you very much, Ms. Kline. As a reminder, the deadline to send in a written submission will be 6 p.m. on June 10.

MR. CHRISTOPHER MORRIS

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter, Mr. Christopher Morris. Mr. Morris, you may begin your presentation. You have 10 minutes, and please begin by stating your name for the record.

Mr. Christopher Morris: Hi, everyone. My name is Christopher Morris. I live on Boulton Avenue, just north of Queen Street. Boulton Avenue is in Riverside. It's the neighbourhood near the Queen and Broadview area, and Boulton is two streets west of where the current rail line is now. I've lived here for six years, and prior to that, starting in 2003, I moved to Grant Street, which is another street in this neighbourhood, again two streets west from where I am. So I've been in this neighbourhood since 2003.

One thing I want to talk about is the Ontario Line itself and what's being proposed, in particular, to the above ground nature, the two kilometres that are going to be going above ground. Then following that, I just want to talk about some of the elements of Bill 171 that I find problematic.

I am a user of public transit. I support public transit, and I'm really grateful at this time that all three levels of government have agreed, for once, to go forward with something. I think it's really crucial, and it shows a lot of respect and foresight for all levels of government that are doing this.

In a strange way, as much as I dislike the current GO trains that go through every seven and a half minutes, I also take pride in the fact that we do have GO trains and that by me putting up with that noise, with the engines roaring by, I feel that in a way it's my contribution and a bit of the sacrifice I have to make as a Torontonian to help support public transit like that. I'm fine with that, and I like it.

In particular, I have real issues with it going above ground. The Toronto line that was proposed and was agreed upon [*inaudible*] that consultation that took place for it, and I agreed with all of it.

Over the years, after living here for this many years, this neighbourhood is growing into a real community place. It has a mix of homeowners, which I am, and we also have a lot of shelters and other organizations that help those who are in need. It is a very public neighbourhood. It is always busy, and people are always walking around. It is a very vibrant and ever-growing community that is based on foot traffic and being out in the community.

Just on a very personal thing: We spend a lot of time at Jimmie Simpson Recreation Centre and Jimmie Simpson Park. I have a five-and-a-half-year-old daughter, and she learned to swim in that Jimmie Simpson Recreation Centre. She learned to skate just last winter at the outdoor rink that's there. It really saddens me, and my kid as well, to think that that may be torn down or it's going to be greatly affected by this thing going through.

Even just this weekend, I'm noticing that as each year goes by, Jimmie Simpson Park is becoming more and more a place for people in our community to congregate—again, from all walks of life. That park is a critical place, and it's one of the only outdoor spaces for people who live in the shelter across from it.

That's just my thing about it going above ground. I think it's problematic and I just wanted to put that forth.

In reference to Bill 171, I have issues with the means by which—there's a lack of consultation. I say that with an understanding that right now you're listening to me, which is great, and I'm happy for that. If you're going to be making decisions that affect a larger community, I think it's important to communicate with the broader community. When you're making such permanent changes to our landscape, be it environmental changes, noise changes, health changes, everything, it's prudent to whoever is making these decisions to speak to the residents here and to really hear them out.

It makes it hard for me to have faith in the intentions of the government that's trying to propose it, it makes me distrust what's happening, and it also makes me slightly resentful of something. If I'm going to be looking at something and hearing something constantly for many years to come and I feel like it was sent through without any consultation towards us, it's creating a very negative approach to the transit that's being made. I just don't think it's a positive thing.

I work in theatre, and we create our work based on compromise and consultation. Everything we do is a compromise. Everything we do is a collaboration. We hear

everyone out all the time, we speak about everything, and we find the best ways to move forward based on that. We don't cancel out groups of people. We hear each other, we change our minds, we listen and we move on. I value this kind of approach of working, and I wish that it's something that would happen more in other kinds of work—great things come from it—and in particular, the way that Bill 171 is proposing the absolute opposite of that kind of approach. I don't think many positive things can come by not consulting with the people whom you are going to be most affecting. That's just my philosophical belief on the lack of communication and due process with us.

But I think the thing that affects me the most and that I feel most strongly against is the ability for the environment minister to set aside any environmental health concerns that could affect the health and well-being of my community, if anything comes up that could delay the timely delivery of the work. This feels insane, it feels slightly obscene, and it's very, very disturbing to me that the construction of something can trump the health and well-being of my five-and-a-half-year-old daughter, myself and the environment. These are living, breathing things that are precious, they're vulnerable—I'm hearing an echo. Sorry about that. Should I continue?

1140

The Chair (Ms. Natalia Kusendova): Yes, please continue.

Mr. Christopher Morris: Okay. Great. Living human beings in environments are that—they are living, they are vulnerable and they're precious. No construction site will—nothing can trump protecting and taking care of living things.

I find it really strange that the Minister of the Environment is able to disregard these types of things. It's the most disturbing aspect of this bill. Be it for any activity that would take place in my neighbourhood, whether I agreed with what it was going to be or disagreed with it, I would bring this up—and it has nothing to do with transit at all, but it is that there's something that the current government now is trying to push through, and I completely don't understand why that's happening and I strongly oppose it. That's it.

The Chair (Ms. Natalia Kusendova): Thank you very much for your presentation.

We will now begin with seven minutes of questions by the official opposition, beginning with Mr. Tabuns.

Mr. Peter Tabuns: Thank you, Mr. Morris, for your presentation this morning—much appreciated. You talked about lack of consultation on this bill, and it's not a bad comment at all. Can you describe for the committee what you think would be adequate consultation on this bill and the projects that it is meant to facilitate?

Mr. Christopher Morris: I think if there were just more overall community meetings that were held and more public opportunities for the majority of our community to hear about what's going on and to comment on it, it would be helpful.

I'm very privileged right now to do this. I'm in my home; I have the Internet; I have a computer; I can talk to

you all. There are many in my community who are unable to do that. If this is the only means by which I'm able to express myself regarding it, it's problematic. Also it would be helpful to have the ability to hear what's being proposed, to have time to respond to it, before it's being rushed through. This is something that I'm used to, being a citizen of Toronto, because with most things that happen with this city, there's usually—for example, a building notice. We get a notice, we're told what's being proposed and we have the means to air our views on it at a public meeting; I know that there's a process taking place. That kind of approach is something I know and I'm used to, and I'd appreciate the same thing with Bill 171 and this line.

Mr. Peter Tabuns: On an issue that you didn't raise and may be aware of: This bill has provisions that reduce the protections against arbitrary expropriations. Currently, regional requirements allow people to challenge an expropriation. The bill changes that—not for all of the expropriations in Ontario; just some of the ones affected by these four transit lines, which give the minister far greater discretion for intervention. Is this a concern of yours, and if it is, can you talk a bit about why?

Mr. Christopher Morris: I understand that in the case it is above ground, which I hope it will never be—but if it is above ground, I do understand that there are certain places or things where expropriation might have to take place. I understand that, but for it just to be arbitrarily decided whenever—no consultation, and also at other times without having the process in place where people will be notified and where they're just being told, and sometimes examples of being told by reading it in a newspaper or hearing it in that way—I don't think it's appropriate.

When you approach someone to take their home, we have to remember that it's a home. It's not a structure; it's not in the way. It's a place where people have memories, where they've raised their children, where they've evolved and become the people they are, and it is a very delicate, sensitive thing when you're about to do something like that. It goes beyond dollars. By having a true conversation about it, opening it up, it shows a measure of respect to what a home is to people in Ontario and in the city. It would just be a more respectful way of doing things.

Mr. Peter Tabuns: Thank you for that. I don't know, Chair, how much time I have left, but I'm going to give it a shot with one more question.

You've raised this matter of the Minister of the Environment being given the power to set aside environmental concerns if, in his opinion, the addressing of those concerns would slow down the progress of this project. What confidence does this give you in this government actually seeing the environment as a priority?

Mr. Christopher Morris: Well, the proof is in what is laid out. Construction would trump anything; that is, any environmental concern—again, construction for anything; if it was for a sewer or anything in my neighbourhood. It's such a baffling concept that the person who's in charge of protecting the environment will make decisions to pass through things that will not protect the environment. It's

such a contradiction. It's hard to even give it credit or articulate what it is. It's crazy to me. I don't understand it.

Mr. Peter Tabuns: Okay. Thank you very much. Chair, if there's time left, then it's possible my colleagues in the NDP might have questions.

The Chair (Ms. Natalia Kusendova): Go ahead, Ms. Bell.

Ms. Jessica Bell: Thank you. Mr. Morris, for coming in.

I have a question around if you could compare the relief line consultation process with the Ontario Line consultation process, if you were around during the relief line process.

Mr. Christopher Morris: I was around during that, and I know that there was a lot more public engagement with our community. I know that there were elements to it where what was proposed, after there were discussions with our community—changes were made because certain things were brought up from the community, from the people who actually live here and could make the city aware of how particular things they were proposing might affect people. In a very great way, the city made adjustments to that. What it does is it makes us feel empowered in decisions that are going to greatly affect our neighbourhood and compromise, at times, things for us. Those are the kinds of things that happened before.

Ms. Jessica Bell: How would you rate the community's level of support for the relief line?

Mr. Christopher Morris: It's hard to say, because I don't speak for the whole community. But I would say that there would be absolutely zero support for any of it going above ground. It is the above ground elements that are causing the most opposition towards it, as it's being proposed in itself. I think more transit taking place and the fact that there will be another relief line is greatly supported, but it's the above ground portion that is seriously not supported.

The Chair (Ms. Natalia Kusendova): Thank you. We will now move on to the independent Liberal member, Mr. Blais, for six minutes of questions.

Mr. Stephen Blais: Thanks, Mr. Morris, for your presentation. Could you perhaps expand upon your last answer? What are the specific concerns with the above ground portion of the line?

Mr. Christopher Morris: I think the main thing—well, maybe I can mostly just speak from my perspective, because it's hard to actually say, “Oh, everyone is feeling this.” Noise is a massive, massive problem. Just this morning, I was sitting out front of my house. It was before seven. I heard the roaring of the engine going by, and I'm some streets over. I'm two streets over, so I might be 100 metres from it. It reminded me again: “Oh, yes, this noise.” The noise is insane, and the fact that the GO trains would go from seven and a half minutes going by to three and a half minutes, and possibly TTC going by in every direction every 45 seconds—it's going to literally decimate any kind of peace or neighbourhood feeling that we have here. That is a major, major thing.

1150

Moreover, the destruction of any of the green space we have, which we don't have a lot of—as I mentioned, the Jimmie Simpson Park. It will make it very unpleasant to be outside in one of the main parks that we have due to the noise, and the possible destruction—I'm not quite sure if they are going to destroy it—of the Jimmie Simpson community centre: These are all things that are pretty problematic.

As well, the current lines run quite close to houses already, and knowing that it would be widened and bringing them even closer to certain buildings—it's very problematic.

Mr. Stephen Blais: Brilliant. It sounds like you've been very involved in other municipal consultations, city-based consultations. I think there was a previous question—how would you compare the consultation for those projects to what's going on here in terms of their effectiveness, their engagement with the community, buy-in from the community etc.?

Mr. Christopher Morris: When you engage with people and ask their opinion and you ask them to offer any ideas, you empower a community to be involved in the decision-making. Even if the community in the end has very little impact on any of the changes or whatever you would implement, we at least have the ability to contribute to it, to be heard, and I think it would help me feel like I at least had a say in it, that I had to be part of it. That's a very important thing, because it respects what a community is.

When we had previous discussions on anything that the city of Toronto did, and also that affects our community and for the relief line, it involved us and it empowered us in this situation. It gave us a voice to be heard. As I mentioned, certain changes were made to what was being proposed for the relief line because of this. And I simply see that very little—besides this opportunity now that I'm having—of the similar kind of engagement with our community that the current government is offering.

Mr. Stephen Blais: If there was one change to the legislation that you could see, would it be the environmental motions or would it be the expropriation measures? Which would you prioritize for change?

Mr. Christopher Morris: The environmental measures, because it affects life. It borders on criminal to me, because we have to protect life, and what is being proposed in it is obscene. So yes, the environmental.

Mr. Stephen Blais: Thank you again for your presentation. I appreciate you taking the time.

Mr. Christopher Morris: Thanks.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now be moving on to the government, with seven minutes of questions. We will begin with MPP Karahalios. Go ahead.

Mrs. Belinda C. Karahalios: Thank you, Mr. Morris, for your honesty and openness this morning.

Mr. Christopher Morris: Thanks.

Mrs. Belinda C. Karahalios: I really enjoyed hearing about your personal stories and about your daughter going to the recreation centre; it's very nice.

We will know more about the precise environmental and community considerations as the project moves forward through the design stages, which will inform environmental studies. And there will be more public engagement coming. So I hope that is good news for you. We are at the beginning of this.

I do understand where you're coming from. I currently live in Cambridge, in the French Catholic community, and we've had some issues with our municipal government not listening to our community. So I understand the level of frustration of feeling like you're not being heard. It's great that you're up here communicating with us.

On to the questions, so I don't waste much of your time: How do you think the province can work with the residents and the business community to ensure that transit construction causes minimal disruption?

Mr. Christopher Morris: I think being very transparent by presenting what it is that you're going to do, to give an amount of time for us to hear what it is, to offer the means for us to give our feedback on it as a community and to go through all the processes that it takes, and then to figure out and consult before decisions are made on anything. That's one way the government would be able to consult with us better.

Mrs. Belinda C. Karahalios: What do you see as the biggest obstacle to building transit faster that the government should consider addressing, and what solutions would you recommend for addressing obstacles like that?

Mr. Christopher Morris: I think that the premise of the question is off slightly. I don't necessarily feel like we need to build transit faster. That's not the priority. The priority is that we get transit that works for everybody, that doesn't disrupt neighbourhoods, and that we take the appropriate measures through community consultation, making sure that the environment and the health of everybody are protected when doing it. Those are the things that must happen in order for us to get transit similar to what is being proposed with the relief line.

There is no rush to get transit. Of course it would be great to have transit done faster. I think big hurdles were getting the Ontario government on board and getting the federal government on board. That's how things move more quickly, and that's been done. Now it's by creating a process that is respectful to the communities it's going to be passing through, and to the environment.

Mrs. Belinda C. Karahalios: I don't have other questions, but I will make a comment. It's funny, because where I live, we want it faster because we don't have, really, any public transit. Living in Toronto, you have so much more to choose from. So, yes, it makes sense that for you it's "working for everyone" and not just building faster.

I'm really enjoying listening to you today, so I just wanted to thank you for that once again.

Mr. Christopher Morris: Thanks. But if I could follow up, if I had five dreams in my life, whatever they may be—the best of my career, whatever it is—if I could get it faster at the expense of the environment and health of my community, I don't want it. It's not worth it. I have

a greater obligation to being a collective member of my community and my environment and the world—to put the needs and health and safety of everyone else and the environment first, before anything. That's just the way it goes. If we want anything faster, and at the same time we disregard that, then the pursuit is flawed and it's not the right pursuit. It's the wrong instinct.

Mrs. Belinda C. Karahalios: I don't think it's either/or. I'm of the same mind; I don't want things done faster if they're not being done right. So I would like to think that we can agree on that part there.

Mr. Christopher Morris: Yes. And if the environment minister is able to make a decision to disregard anything that would affect the health and environment of this neighbourhood in order to implement—solely to implement—a speedier completion of this transit, that is what I am talking about. It's that element. Because what's being proposed illustrates that the Conservative government's priority is speed, as is referenced in the question that you asked. You're putting in the things to disregard the health and the environment of my community.

Mrs. Belinda C. Karahalios: The government, the environment minister, will be held to account. We're not compromising health or environmental safety. I hope that is—

Mr. Christopher Morris: Is it not true that the environment minister would push through or disregard any element for health and environmental protection if it were to delay the completion of the project?

Mrs. Belinda C. Karahalios: We are at the beginning of this, so it's not about changing outcomes.

Mr. Christopher Morris: I'm not quite sure I understand the answer.

Mrs. Belinda C. Karahalios: We're at the beginning of the process, so we're not trying to change the outcome. We still have rules that need to be followed. There is still no compromising of health or environmental safety. The government will be held to account for things.

Mr. Christopher Morris: But as the bill is currently being presented, the health minister is able to move aside any health and environmental concerns if they get in the way of speedily finishing—or, delaying—the construction. Isn't that correct?

Mrs. Belinda C. Karahalios: So I think—

The Chair (Ms. Natalia Kusendova): I see MPP Martin raising her hand, but we only have thirty seconds left. So, very briefly, MPP Martin.

Mrs. Robin Martin: You said that building of transit causes disruptions to neighbourhoods, and you don't think it should, but, of course, all building of transit causes disruptions to neighbourhoods. Although you said we're not in a rush, one of the prior presentations talked about the amount of population coming to Ontario, coming to the Toronto area, to the GTA, and how we are in a desperate rush, actually, to get some transit built, including in your neighbourhood. I live in the city as well, and I used to live in that neighbourhood.

We are in a desperate rush to get transit built, for the environment, among other things, and—

The Chair (Ms. Natalia Kusendova): Thank you. Unfortunately, we are out of time.

Thank you so much, Mr. Morris, for your presentation this morning. As a reminder, the deadline to send in written submissions will be 6 p.m. on June 10.

This committee will now recess until 1 p.m. Thank you to all members.

The committee recessed from 1200 to 1300.

The Chair (Ms. Natalia Kusendova): Good afternoon, everyone. Thank you for joining us again to continue our public hearings on Bill 171, An Act to enact the Building Transit Faster Act, 2020 and make related amendments to other Acts.

I will just repeat the names of the members who were with us this morning and everyone else who is with us today. We have MPP Karahalios, MPP Hogarth, MPP Martin, MPP Thanigasalam, MPP Sabawy, MPP Tabuns, MPP Blais. We also have MPP Babikian in the room, and MPP Harden is with us, as well.

LIUNA LOCAL 183

The Chair (Ms. Natalia Kusendova): We will be beginning with our first presenter this afternoon. We have Mr. Jason Ottey, who is the director of government relations and communications at LIUNA Local 183. Good afternoon.

Mr. Jason Ottey: Good afternoon.

The Chair (Ms. Natalia Kusendova): It's a pleasure to have you. You will have 10 minutes for your presentation, and you may begin by stating your name for the record. Thank you.

Mr. Jason Ottey: Sure. My name is Jason Ottey. I am with LIUNA Local 183. We are the largest construction union in North America and the largest construction local. We have about 60,000 members operating in all facets of construction, and our membership extends from Kitchener-Waterloo all the way to Kingston in the east.

At Local 183, we have a long and storied history of working with government and employers to deliver infrastructure projects, from hospitals to highways. LIUNA members have anchored construction of transit projects such as subways, streetcars and LRTs, the very systems that move Ontarians from point A to point B. We take a positive, proactive and progressive approach to ensure a safe workplace for our members and secure them well-paying jobs to support their families. Now is no different. We will continue to strive to keep the job sites safe for our members and implement responsible practices in these difficult and changing times. At LIUNA and Local 183, we are proud of the work our members do and the part we play in our community.

Planning in transit in the GTA has historically resulted in gridlock, without effective results. We have an opportunity now to invest in the future of transit in the region and effect meaningful change. The four transit projects unveiled by the government in April 2019 will bring vital relief to existing lines, make higher-order transit accessible for more communities, and speed up

commutes across the GTA. Governments and parties have finally come together to agree we need more transit in Toronto, and we need it built now.

Ridership numbers may be low now, but they will bounce back as we beat COVID-19. Ontario will persevere, and users will return to transit. When they do, the system must be ready to accommodate them and the growing number of Ontarians that will follow.

The government's four transit projects connect new communities to the city's core, allowing more people to get off the roads and onto public transit. Local 183 believes in preserving the environment for future generations, and public transit plays a vital role in the province in reducing its greenhouse gas emissions and meeting our shared environmental goals. These four transit projects will create jobs today, provide a better quality of life for families tomorrow and reduce GHGs for all of our families' futures.

The Building Transit Faster Act will enable the government to finish what they started, and to do so in a responsible and fair manner. That's what the region needs, and that's what people want. Transit users do not want more delays; they want shovels in the ground. There will always be naysayers who don't like the plan, the route or the investment. But the vast majority can agree: They just want it built.

The Building Transit Faster Act prioritizes the project and gives the minister the ability to force utility relocations, reducing unnecessary delays. Major transit projects inevitably involve the relocation of people, buildings and utilities. What is important is that that process be fair and that due compensation be awarded expeditiously.

The steps that are proposed in the bill will help us start projects sooner, finish them faster and bring real relief to the GTA's transit system. Efficient and accessible public transit means more to its riders than governments can understand. These four projects give agency to thousands of families in Ontario about when and how to get around. It means faster trips, less time waiting for buses and subways and more time spent with their families.

As transit users ourselves, in terms of LIUNA members, we certainly want construction for the four new transit projects to proceed swiftly. Local 183 members have been hit hard by the COVID-19 pandemic. The solution is to build transit now.

"Shovel-ready" is now a familiar buzzword, and while there will be plenty of immediate injections of capital providing short-term relief, the planned medium- and long-term projects must not be left by the wayside. Let's not forget about the projects which already received wide multi-level and multi- [inaudible]. These projects were needed before, from a ridership perspective; they're needed now from an economic relief perspective.

The passage of the Building Transit Faster Act will help accelerate four new transit projects in Toronto, and it will certainly speed up the economic recovery for LIUNA members and their families and the many other workers who will help construct the lines.

The primary and secondary jobs created through these projects will have a meaningful and measurable impact on

Ontarians' lives. It's not just about the short- and medium-term stimulus. The province loses billions of dollars a year due to gridlock. This investment in public transit will create jobs we need today while equipping us with the modern infrastructure we need for tomorrow.

That concludes my remarks.

The Chair (Ms. Natalia Kusendova): Thank you very much, Mr. Ottey. We will begin our questions today with six minutes of questions by the Liberal independent member, Mr. Blais.

Go ahead, Mr. Blais.

Mr. Stephen Blais: Thank you very much, Mr. Ottey, for your presentation. I'm wondering if you're familiar with some of the labour issues that existed on the light rail construction in Ottawa.

Mr. Jason Ottey: I couldn't speak authoritatively on it—just anecdotally what I've heard. I know that we do have a local that did perform a lot of that work on the LRT in Ottawa.

Mr. Stephen Blais: The reason I was asking is that there was some concern from labour about the safety within the tunnel, the accountability mechanisms to deal with that and the response from the builder over the course of the four or five years of construction.

The whole point of the bill is to build transit faster, but I'm sure you would agree that while we build it fast we need to ensure that working conditions are safe and that we don't sacrifice working conditions or the environment for the sake of speed.

1310

Mr. Jason Ottey: No, absolutely. Local 183's presence in Toronto is based largely on the disaster of the Hoggs Hollow tunnel construction 60 years ago. Safety is always a pre-eminent concern, from the leadership standpoint and for our members. I think where we're different is that we work collaboratively with our industry employers to make sure that job sites remain safe, and where they're not, we take a very interventionist and activist role.

These are challenges, I think, that happen regardless of the type of asset we're building. Construction can be dangerous. Obviously, we need to make sure that every effort is taken to make sure that the work being performed is being performed safely and that our members can return home safely at the end of the day's shift.

Mr. Stephen Blais: So I presume it would be your point of view that measures that are taken or fast-tracking of work that's done that could result in compromising of safety or environmental impacts or that could have an impact on labourers should be avoided and, obviously, mitigated.

Mr. Jason Ottey: Absolutely. There are regulatory approvals that can be expedited and that should be expedited. But those approvals should not, in any way, shape or form, impact the safety of workers—not just for our members, but for all who are working on the job site. Those safety concerns need to be of pre-eminent concern. Anything that materially impacts that needs to have a real steady and deep-dive look to make sure that it's maintained.

Mr. Stephen Blais: I appreciate the presentation. Thank you very much.

The Chair (Ms. Natalia Kusendova): We will now be moving on to seven minutes of questions by the government. Any government members who would like to ask questions? Go ahead, MPP Martin.

Mrs. Robin Martin: Thank you for your very thorough presentation, which I enjoyed a lot.

My riding is Eglinton–Lawrence, and a lot of the transit workers that worked on the York Mills extension and the Hoggs Hollow disaster in fact settled in this area of the city, so we recognize certainly the importance of keeping workers safe and also keeping our environment safe. None of those things, I think, are at issue in this legislation, but at the same time, as you pointed out, it's really important that we get these projects built, and get them built as quickly and efficiently as possible. I think there are some things that we can do which allow that to happen, and that's what the bill is focused on.

One of the things is working collaboratively with adjacent developments to make sure that construction permits are in order and so people aren't tripping over each other, which I think could also be a safety issue, with adjacent permits interfering with the construction of the transit project. Can you just talk a little bit, from your experience, about how that might help expedite the projects without jeopardizing safety?

Mr. Jason Ottey: Sure. I think with transit projects of this size, oftentimes the reason why they take so long is because there has not been that recognition that there are so many different layers that need to be coordinated. What's interesting about this approach is that there is a recognition that, in order to expedite the process of building these very large-scale transit projects, there needs to be a better understanding of how the regulatory environment in the front end gets done, and then how work while it's being performed is being done in collaboration, not just with the surrounding areas, but the community and other trades.

I think this is a necessary first step, and I think it could be a model for other transit projects—not just these four, but other large-scale infrastructure builds that realize that, oftentimes, a more concerted approach from all parties can have real benefits in terms of expediting the construction while maintaining the safety of our members. I don't think that expediting construction necessarily means that it's less safe, particularly when we know that there are regulatory and environmental processes that can be made faster without jeopardizing the outcomes at the end. I think that we can do that working together, and I think when the plan is very clear about what that process looks like, the expectations of all the parties involved become very clear.

One other thing that I will add is that these types of projects do provide a new infusion of apprentices and workers into the construction industry. We were at almost market capacity in terms of our skills shortage. Apprentices are an important part of that, and the more we can get these types of projects started, the more it provides an excellent opportunity to bring new entrants into the trades

and replenish our labour supply. So there's the economic standpoint, and obviously that makes a lot of sense, but bringing new people into the trades—this is a fantastic opportunity to do so.

The Chair (Ms. Natalia Kusendova): Go ahead, MPP Martin. Unmute.

Mrs. Robin Martin: Thank you very much. Sorry. I think I'm unmuted now. Am I? I'm unmuted.

Thank you very much. That was a very important point about the trades. It is true: We need to get more people into the trades. We're working very hard as a government to make that happen.

Just going back to this kind of coordination: I like the way that you suggested that this could be a model. Certainly thinking about these things ahead of time and the need for coordination—because it seems to me that on a construction site as complicated as they are for transit, there are multiple things to coordinate. Those are some of the things this bill is getting at, with utility coordination, which is always a challenge, with the corridor permits and stuff like that.

I would like to ask you if there are any other suggestions that you would have about how we could make it a better model, which could be even more coordinated and, at least, thought through from the beginning, because I think that sets us up for success.

Mr. Jason Ottey: Yes. You look at the bill from the eyes of trying to find areas of concern and areas of improvement. I will say that the government is rightly focusing on the utility issue. It is an issue that confounds a lot of construction. Routinely, our contracted partners are having an issue with respect to getting locates identified by One Call, and that delay—which is a very easy process to do, but because it's understaffed and under-utilized, that small amount of work can cause enormous amounts of delay. So the more that we can get the underground issues identified and located and moved or relocated, the quicker we can actually start building.

The Chair (Ms. Natalia Kusendova): You only have 30 seconds left.

Mrs. Robin Martin: I just want to say thank you so much for the presentation and for your leadership in this area. We're all open to good ideas about how we can expedite safely.

Mr. Jason Ottey: Thanks.

The Chair (Ms. Natalia Kusendova): We will now move on to the official opposition. Ms. Bell.

Ms. Jessica Bell: Thank you, Mr. Ottey, for coming in and speaking to us virtually. Myself and my colleague MPP Harden both have questions, so my request to you is that you answer as succinctly as you can even though you might have a lot of expertise to share. It's just for time.

One of the questions I had was around community benefits agreements. The previous government had expressed some interest in moving forward on community benefits agreements with large infrastructure projects, but it hasn't always come to fruition when it comes to the Eglinton Crosstown. It's something that we certainly support, especially when it comes to creating new, good

jobs for local residents, marginalized communities. I was wanting to know if your union has a position on that, or if that's something that you would be interested in advocating for when it comes to these four priority projects.

1320

Mr. Jason Ottey: I think that the community benefit agreements are a vital piece in making sure that we bring new people into the construction industry. But I will say that there are elements in the community benefit approach that need to be worked on. There's a need to bring in underemployed youth, marginalized groups, people not traditionally from the construction industry—and these projects provide a better opportunity for them—but we need to do that in a way where they are not discernibly different from any other apprentice or somebody working on the job site.

Community benefits is the right approach, but I think that there needs to be a recognition that you need to work with the union, you need to work with the employer and you need to work with government to get a community benefit agreement on the project that works for everybody. So I think, in broad strokes, community benefits are absolutely something that we support and we're in favour of, but it's the implementation that you can't find a cookie cutter for. There needs to be a lot of discussion up front about how this works, how they're going to deploy it, how we get these wraparound supports for these new entrants so that they have a successful career in the trades. These are not barriers; these are not impediments, but they're things that we need to focus on.

To your question, should community benefits be part of this bill? I say, absolutely. But again, it's the way to drive apprenticeships and help us supply our labour into the future.

Ms. Jessica Bell: Thank you for your answer.

I'm going to pass the rest of my time over to MPP Harden.

The Chair (Ms. Natalia Kusendova): Go ahead, MPP Harden.

Mr. Joel Harden: Thank you, Mr. Ottey, for appearing before the committee today.

As I mentioned earlier today, when we heard from other witnesses and people deputing to us, Ottawa has a particular experience—MPP Blais was noting that earlier in his questions to you—with public-private partnerships and the way in which construction has happened.

I absolutely understand your interest in more work for your members, for key infrastructure projects to take place. But our experience in Ottawa with light rail is that we have one project that has been in existence for 20 years that was sourced and constructed publicly with very little problems and deficiencies. We have another light rail system, which is not even a year old, that doesn't function at all. So I'm wondering if you have any thoughts around the public-private partnership model, because certainly here in Ottawa it has not led to a lot of accountability.

MPP Blais spoke about safety. I'm going to ask you more—are you not concerned, given Ottawa's experience,

that if we build transit fast with a P3 model, it may not be something that works in the public interest?

Mr. Jason Ottey: I will say that in terms of LIUNA's perspective on P3s, we are big advocates for alternative financing of infrastructure projects. We've done that through our pension fund, to the great benefit of our members.

Like I said, I can't speak authoritatively on the Ottawa experience; I don't know a lot about it. But I do know that every single P3 project is different. There are different players that can lead to different results, so I'd be reluctant to say that the Ottawa experience is an indictment of P3s generally.

Mr. Joel Harden: Just so you know—I take your point. But Ottawa was given an international award for the P3 consortium in 2013. It was seen as a path-breaking partnership.

What we have seen, and I'm going to quote the mayor of our city here, is a non-functional transit system. Now, surely, as an advocate for your members—and I respect your role—we don't want to be building transit that ends up costing future generations of taxpayers more millions of dollars. We spent \$2 billion on this light rail transit system here in Ottawa for a transit system that, as of May 13, was not even functioning—36 LRT vehicles not even functioning.

Surely we need, as MPP Blais said on the record, a better governance and accountability model. Wouldn't you think that would help encourage more construction, if that was the financing model?

Mr. Jason Ottey: Like I said, I don't know the Ottawa experience. It's great that they got the award, but obviously something went wrong, because there are successful P3 projects in transit projects that have been done in other jurisdictions. Clearly, the Ottawa experience does have a problem, but like I said, I don't think that's an indictment of the P3, of the alternative financing—

Mr. Joel Harden: But, Mr. Ottey, just on a conceptual level—I take the point that pension funds need rates of return to generate retirement vehicles for members, but think about it, at least conceptually, for a moment. What is the benefit of making sure a consortium is paid on a 30-year lease when a project could be built in the public domain at less expense through municipal bonds?

I've heard advocates of P3s say before, whether they're called "alternatively financed" or not, that they can work great. But help me understand: To the taxpayer, what makes sense in paying more for a project that could have been done publicly, particularly in our experience here, when it produces a non-functional light rail transit system?

Mr. Jason Ottey: The model of the P3 experience is that the government can do more with less—

Mr. Joel Harden: But what if "less" is a transit system that doesn't work?

Mr. Jason Ottey: I honestly—

The Chair (Ms. Natalia Kusendova): Thank you very much. That concludes all the time we have today. Thank you very much, Mr. Ottey, for your presentation.

Before we move on to our next presenter, I just wanted to let the members of committee know that our 3 o'clock and 3:30 presenters have switched their time. So Paula Fletcher and Paul Young have switched their time of appearance today in front of our committee.

PHYLLO CAFE

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter, Mr. Lefteris Grigoriadis, who is the owner of Phyllo Cafe. Welcome. You have 10 minutes for your presentation, and you may begin by stating your name for the record.

Mr. Lefteris Grigoriadis: Hi. My name is Lefteris Grigoriadis, and I'm representing Phyllo Cafe Inc.

I just had some concerns or some questions about Bill 171. I have a business at Pape and Cosburn. I'm just hearing a lot of rumours and I just want to know if it's—I'm hearing where Cosburn station is going to go. I'm just hearing a lot of rumours, and I was just wondering if I could get a better understanding of where Cosburn station is going to go, when this is all going to start, when the shovels go in, and when we will actually be informed of when the decisions are made. And how long will it take? How long will this project take—estimated time, obviously; there are delays with everything. But that would be a good understanding, to know that. That's all.

The Chair (Ms. Natalia Kusendova): The purpose of the public hearings is for you to give a presentation, and then members of the committee ask you questions. Unfortunately, it doesn't work the other way around. So you may continue. You have about eight minutes left in your presentation. You may continue expressing your thoughts.

Mr. Lefteris Grigoriadis: If this line is going to help the city out with congestion and everything, I'm all for that, but my main concern is that this is going to affect my livelihood. I've had a café now at the corner of Pape and Cosburn coming up on three years, and I'm hearing that my company could—that you guys want to put Cosburn Station there. I just wanted to get a better understanding of where that's going to go. That's my main thing, because waiting in the wings and not knowing and hearing all this stuff—I just want a better understanding.

As I said before, if this is going to help the city of Toronto, I'm all for it, but I would like to know, as a business owner, if you guys are going to say, "We need this space for Cosburn subway station." That would be very nice to know as a business owner. I put my heart and soul in there. That's my livelihood

That's my main thing. I don't have a problem with the line if it's going to help the city, but if it's going to directly affect me, I'd like to know what's going on. That's all.

The Chair (Ms. Natalia Kusendova): Okay—

Mr. Lefteris Grigoriadis: You guys can't answer that question?

The Chair (Ms. Natalia Kusendova): Are you finished with your presentation?

Mr. Lefteris Grigoriadis: Yes, I—

The Chair (Ms. Natalia Kusendova): Okay. So we can now move on to seven minutes of questioning by the government side. Who would like to begin? Mr. Babikian, go ahead.

1330

Mr. Aris Babikian: Good afternoon, Mr. Grigoriadis. Thank you very much for coming. As a business owner, I can understand your concern and unique question. But this plan will help the business people down the road—because in the past, we have seen that gridlock was hindering business. Millions of dollars have been lost in productivity because of the gridlock that’s happening on our streets. The intention of this bill is to help alleviate that gridlock and pressure and the loss that we are facing, that the businesses are facing. Because of gridlock, we know that trucks cannot deliver on time, deliveries are not happening and businesses are losing time. Even regular residents are frustrated. I can tell you that I, myself, tried a few times to ride the Yonge line; I had to wait for four or five trains so that I could find the space for one single person to jump on the next train.

This plan will help all of us—businesses, individuals, communities—to be more efficient and more productive. I understand that, for a short time, there will be some inconveniences, but that’s the reality, and we have to deal with it. This plan was endorsed by the three levels of government, especially the city of Toronto.

What are the specific concerns you have? I understand you are addressing one particular issue; that is, Cosburn station. But what are the difficulties, what are the major concerns, other than the location of the station?

Mr. Lefteris Grigoriadis: I can answer, right?

The Chair (Ms. Natalia Kusendova): Yes. Go ahead.

Mr. Lefteris Grigoriadis: My concerns are, number one, as I said, if you want to use my space for Cosburn station—that’s my number one thing, because then I have to, obviously, look for other work, right? Number two, if, let’s say, right now, you choose another corner, I would like to know how long it’s going to take. Yes, you’re right—in the end, how long is it supposed to take? Let’s say eight years. That’s fine; okay.

And, sir, like you said, I know you guys have seen the Yonge and Eglinton line and how much their business—I’ve talked to a lot of business owners at Yonge and Eglinton, around that area, and they’re very upset for their businesses and how long their line is taking. Obviously, there are delays; I understand that. But in the meantime, people—I’m sorry, if they see construction, I lose business. Right in front of my store right now, there’s other construction being done. I understand; the city needs to do that. But in the end, some of the businesses do suffer.

As you said, and as I said too, if this is the best thing for the city, I am all for it. But if this is directly going to impact me, I need to know. I need to know what’s going on with that. I just want to know: When will you guys come to a decision on where that’s going to be? That’s my thing. I’m hearing that it’s going to be one of the four corners. There are a lot of rumours going around, and I

don’t like uncertainty. Come out—if we do know where it is.

And I’ve heard something else—I don’t know. Are people bidding for the contract or something like that? I thought it was Metrolinx. I just want to know where that’s going to go, because that directly affects me and my livelihood. Let’s be straight up with each other. Let’s be forward. If it’s going to affect me, I’d like to know that. I think I have a right to know that. I would just like to know: When will that decision even be made? When are shovels supposed to go in the ground? I heard it was supposed to be this summer. Obviously, with the COVID-19 stuff—

The Chair (Ms. Natalia Kusendova): Mr. Babikian, go ahead.

Mr. Aris Babikian: Mr. Grigoriadis, this is exactly the intention of these hearings. We are bringing various stakeholders to listen to their issues, to their concerns, so that we can plan for the next stage. I’m sure that your concerns will be taken under consideration when it is recommended for the next stage of Metrolinx—which will be involved in implementing these projects.

We need to hear more from you and from other stakeholders so that we are cognizant of the difficulties on the ground, and accordingly, it could be planned.

Mr. Lefteris Grigoriadis: Can you guys at least give me—like, where are we right now? From what I heard the rumours are, they already tested soil near my property. Do we have an idea of where Cosburn subway station is going to be, or we don’t know that? And when will we know that? Are they working right now? I understand COVID-19 is going on. When will we have an idea? That’s what I’d like to know.

When are you going to let us know? How about that? Can you tell us that? Because you can’t tell me that now, correct?

Mr. Aris Babikian: We are looking at different options, and we are going to let the public know about the exact routes.

Mr. Lefteris Grigoriadis: Sorry, when? Do you have an idea of when you’re going to let us know?

Mr. Aris Babikian: I cannot answer you that—I cannot give you an answer because I am a member of the committee, and this committee’s job is just to hear the concerns, organize public hearings, and we can move it on or refer it to the appropriate authorities who will be planning and implementing the project. That’s their role—and they will get back to the public. Of course they are going to inform the public about the next steps.

The Chair (Ms. Natalia Kusendova): Thank you very much. That concludes the time we have for the government.

We will now be moving on to seven minutes of questioning by the official opposition. MPP Tabuns, go ahead. You have the floor.

Mr. Peter Tabuns: Mr. Grigoriadis, thank you very much for appearing today. I appreciate you speaking out.

I’m going to make a comment, and then I have a question for you. What you’ve presented today is fairly representative of what I’ve seen with a lot of people. They don’t

have much information about what's going on, other than that their lives are going to be substantially changed.

The first question I have for you is, has Metrolinx reached out to you to talk to you about your situation?

Mr. Lefteris Grigoriadis: No, they have not. I'm just a tenant there. I thought they'd deal with the owner of the building. If they have, then obviously the owner hasn't talked to me.

Mr. Peter Tabuns: Have you ever received any written information from Metrolinx addressed to you and other businesses around Pape, informing people of what was going on?

Mr. Lefteris Grigoriadis: No.

Mr. Peter Tabuns: Okay. Where have you gotten most of your information from so far about the Ontario Line project?

Mr. Lefteris Grigoriadis: A lot of customers. I actually reached out to your office, but as you stated before, you don't have the answers.

It's the uncertainty that I don't like. As I stated before—and I'll keep saying it: If this is the best thing for the city of Toronto, I don't mind it; I don't mind it at all. But I need to know. That's all.

Mr. Peter Tabuns: No, I understand. I would say that most of the people I talk to in our riding, along Pape Avenue, down in the south end, support transit. They want transit to happen. They know what the benefits are. Mr. Babikian talked to that. But I think they also want to be dealt with in a way that's respectful and keeps them informed of what's going on.

I'm not surprised at the questions that you're asking. I think the government is going to have to answer them; I can't speak for them. My knowledge is not an awful lot more than yours in terms of when you're going to be informed of when the Cosburn station location is going to be determined and how long this project is going to go on for. But I think what you've said today, what you've presented today is pretty illustrative of a lack of interaction with the community, which has caused this kind of uncertainty and frustration. I think your frustration's pretty common and pretty illustrative of the situation. And although there may be a lot of communications people at Metrolinx, they're obviously not communicating with most of the people who are going to be affected by this, particularly north of the Danforth, I've found.

1340

I note that my colleague Jessica Bell may have questions. I'm happy to cede the floor to her, and if there's any time left I'll come back. Thank you, Mr. Grigoriadis.

The Chair (Ms. Natalia Kusendova): Go ahead, MPP Bell.

Ms. Jessica Bell: Thank you, Mr. Grigoriadis, for coming in. The questions that you have been asking around when is this line going to be built, where are the stops going to be, what is the route, are questions that MPP Tabuns and myself are asking this government as well. We've very concerned that we had a plan that was already in the works, and now that plan has been upended and a new transit plan is being rolled out. At this point, it looks

like the Ontario government is going to rely on the private sector to decide who, what, where and why, and the consultation that's happening with the public has been very limited. We think there should be more consultation.

I have a question for you. One of the amendments that we are looking at introducing in this bill is ensuring that businesses and residents have a working group with Metrolinx so that they have information while construction is happening. When will the construction take place in your area? When will water be turned off? When will parking spots be taken away? What will the noise limits be? That's what residents and businesses want to know. That has been our experience along the Eglinton Crosstown—that businesses want to know that basic information as well. Is that an amendment that you would be supportive of us introducing?

Mr. Lefteris Grigoriadis: Yes, of them communicating with me? Of course. Obviously, that would be great. As I stated before, yes, I would like that. I'd like for Metrolinx to keep us up to date of what's going on, like when the water is going to be turned off, everything like that. But do we even know when shovels are going in? That's my main concern: Am I going to be directly affected by it? You can tell me right now, "This is going to take 10"—like, right now, that water question: If they need my property, then I don't even need to know that. I don't need to be apprised of that. Then I've got to start looking for another place.

As I said, this is the government; I understand about expropriation—I don't know the way that word is, but I understand it. I just want to be kept in the loop and I just want to know if my livelihood is going to be affected by this. That's all.

Ms. Jessica Bell: You've got every right to know that, and we will do our best to get those answers for you and ask this government to provide those answers to you.

An additional amendment that we are looking forward to introducing is to ensure that businesses are provided some kind of compensation if they are unable to operate because of construction. This is something that businesses along the Eglinton Crosstown have been asking for because many of them are struggling, and we're looking at introducing that amendment here as well. What do you think of that possible amendment?

Mr. Lefteris Grigoriadis: Yes, I'm all—of course. When people see the big construction, whatever they're doing—the construction, vans, trucks, all that—it hurts the businesses, no matter what. It doesn't matter that, in the end, it's going to be great. In the meantime, though, a lot of businesses struggle and the businesses have to pay for that. The government—I don't know; the way you just said it—helping us out, obviously I'm all for that.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now be moving on to six minutes of questions by the independent Liberal member, Mr. Blais.

Mr. Stephen Blais: Thank you, Mr. Grigoriadis, for coming in and presenting today. You mentioned that you hadn't received any information directly from Metrolinx, but you thought perhaps your landlord had. Do you think

that it would be more appropriate for the tenant to receive information about the process and the activities Metrolinx is undertaking?

Mr. Lefteris Grigoriadis: Yes, I would love to be informed, because that's my livelihood. There's nothing wrong with communicating to people. You can even say on there, "This is top secret information. Do not share this with the public"—whatever you guys want. I'll sign it and I won't let anybody know, if that's what you're afraid of—like a panic or something outside. Let's communicate. Let's not hide behind certain things or anything like that. I'm just saying: Let's be straight up with each other, that's all.

Mr. Stephen Blais: I have no further questions, then, Madam Chair.

The Chair (Ms. Natalia Kusendova): Thank you for your presentation today, Mr. Grigoriadis.

We will now be moving on to our next presenter.

Interjection.

The Chair (Ms. Natalia Kusendova): Because we are ahead of schedule, we don't have our next presenter here yet, so we will take a recess until 2 p.m.

The committee recessed from 1345 to 1400.

FONTBONNE MINISTRIES

The Chair (Ms. Natalia Kusendova): Welcome back to our public hearings on Bill 171, An Act to enact the Building Transit Faster Act, 2020 and make related amendments to other acts.

We have our next group of presenters online with us today. I will introduce them. We have Sister Georgette Gregory, who is the chair and president, board of directors, from the Fontbonne Ministries. We have Ben Vozzolo, the executive director. We also have Leanne Kloppenborg, director of mission and values, and AnnMarie Marcolin, who is the program director. Good afternoon.

Now I invite you to begin your presentation. You have a total of 10 minutes, which you may divide as you wish between the four of you. Please do state your name for the record as you begin. Thank you very much.

Mr. Ben Vozzolo: Good afternoon. My name is Ben Vozzolo. I'm the executive director of Fontbonne Ministries, a community and social services agency founded by the Sisters of St. Joseph of Toronto. While we operate six programs throughout the city, I will be speaking to you today about the three of them that are located at our building at 791 Queen Street East: Fontbonne Place, Mustard Seed and In Good Company.

We really appreciate the opportunity to speak with you today. With me are my colleagues Leanne Kloppenborg and AnnMarie Marcolin, as well Sister Georgette Gregory, congregational leader of the Sisters of St. Joseph of Toronto and board chair and president of Fontbonne Ministries.

I'd like to preface my remarks by saying that we strongly support the principles and goals of subway expansion. However, we have a number of concerns regarding the portion of the Ontario Line which is currently located only

25 metres from our building. We also welcome and very much appreciate this opportunity to share our concerns regarding Bill 171 with the members of the committee.

We have not come before you today to talk about the impact on a building, but on a community. The portion of the Ontario Line that is slated to pass by Fontbonne Place travels through a densely populated and long-established community. It travels through a neighbourhood that is the result of many decades of thought, care and investment by many parties, including Fontbonne Ministries and the Sisters of St. Joseph of Toronto.

While we support the government's agenda of subway expansion, Bill 171 must include measures that provide for meaningful consultation with communities. The current design includes an above ground portion that will have dire impacts on our community and must be converted to a subway. This community needs a sufficient opportunity to explain this.

Therefore, Fontbonne Ministries strongly requests the committee underscore that this is a government for the people and include amendments that ensure the community has a voice in this whole transit plan. These amendments should include:

- standards for construction set in consultation with the community; these standards should include noise, dust and road access;

- the establishment of a working group that includes local stakeholders to exchange advice and information for construction; and

- an amendment that allows homeowners and businesses the ability to request a hearing of necessity if their property is required for expropriation.

Please allow me to tell you a little bit about us and the community we serve. Fontbonne Ministries, founded in June 2000, is the most recent embodiment of the call to service first heeded by the Sisters of St. Joseph in 1851, when four sisters arrived in the city at the request of the Archbishop of Toronto in the midst of a cholera and typhus epidemic. First charged with looking after children orphaned by the illness and tending the sick in the fever sheds lining the banks of the Don River, the sisters went on to shape the social framework of Toronto, building hospitals and schools across the city to meet the current and emerging needs of the communities they serve.

When the sisters made the decision to hand the administration and operation of these institutions over to their lay partners, they discerned a call to renew their mission about the poor and vulnerable. Fontbonne Ministries is the embodiment of that call.

At its Queen Street East location, Fontbonne Ministries provides many services to the community—specifically, Fontbonne Place, 18 privately subsidized rent-g geared-to-income apartments; Mustard Seed, which, pre-pandemic, offered drop-in programs, meals, skill-building programs and welcome services, including a dental clinic; and In Good Company, a friendly visiting program supporting individuals experiencing social isolation.

Fontbonne Place fills a very particular need in the affordable housing landscape: a home for older single

women who have experienced trauma, domestic violence, physical and mental health challenges and homelessness. Due to their circumstances, many of Fontbonne Place's residents are estranged from their families and socially isolated, with few community supports. Fontbonne Place provides these supports and a sense of community and safety at virtually no cost to any level of government. Their rent is subsidized by the Sisters of St. Joseph. Of the original 18 women who moved into Fontbonne Place in 2002, seven still call it home today.

The months since the announcement of the Ontario Line and the introduction of Bill 171 have been challenging ones for the residents of Fontbonne Place. As survivors of trauma, they will be deeply affected by the noise and vibration caused by trains going by every few minutes, seven days a week, once the Ontario Line is completed. They are anxious about the possibility of losing their home, and many of the residents have shared not only with our staff but with local political representatives that they do not believe they would survive being displaced. For this reason, they join us in believing that this portion of the line must be buried.

Should 791 Queen Street East be expropriated to accommodate building the Ontario Line above ground, the circumstances of these women will become particularly dire. Waiting lists for Toronto Community Housing contain more than 100,000 names, shelters are full, and long-term-care homes also have extensive waiting lists. If Fontbonne Place disappears, it is most likely certain that every one of our current tenants will be homeless.

Adjacent to Fontbonne Place, Mustard Seed is a multi-service community hub providing a range of supports and programs to the community, including a community kitchen and garden, a year-round affordable Good Food Market, wellness clinics and a free clothing boutique.

The majority of those served by Mustard Seed are struggling with physical and mental health issues, substance abuse, poverty, food insecurity, homelessness and chronic unemployment. The majority of them are on social assistance, and many are transient. Mustard Seed is a low-barrier drop-in. That means we welcome those whose mental health or behavioural issues bar them from accessing services elsewhere. All who come to our doors are welcome.

Mustard Seed is a major provider of food access and security for the community. Since the pandemic, Mustard Seed has continued this commitment to ensuring food access with a take-away lunch program held Friday through Sunday, with up to 200 people served each week. Through our partnership with Michael Garron Hospital, our lunch guests not only receive a healthy lunch, but a non-medical cloth face mask to protect them from transmitting COVID-19. Again, I want to stress that all of these services are provided at virtually no cost to any level of government.

Lastly, our building has a large garden that our tenants, participants and neighbours enjoy. This space is often used for community events by our partners, and our neighbours are always welcome.

In short, Fontbonne Place is a community made up of many people all linked together with service, trust, respect and dignity. It is so much more than a building or a program or a safe and affordable place to live.

The current plan to build a portion of the Ontario Line through our community threatens more than our building, our tenants and our participants; it threatens decades of community infrastructure, both now and in the future. We strongly believe this line needs to be buried. As such, we are seeking amendments to Bill 171 that will ensure a greater voice for our community and an opportunity for us to underscore to Metrolinx that they need to adjust their plans.

As I stated at the beginning of my remarks, Fontbonne Ministries is strongly in favour of subway expansion, but this must include sufficient opportunities for the community to voice its concerns when the existing design and plan are insufficient. We urge the committee to include amendments that give a voice to the people.

We remain deeply committed to our advocacy for and on behalf of those we serve, and to having their voices not only acknowledged but heard.

We thank you again for this opportunity and appreciate your time and attention today.

The Chair (Ms. Natalia Kusendova): Thank you. There are about two minutes remaining, if anyone else from the presenters would like to say anything.

If not, we will move on to questions. We will begin with seven minutes of questions by the official opposition.

Ms. Jessica Bell: MPP Tabuns will speak for us at the start.

The Chair (Ms. Natalia Kusendova): MPP Tabuns, go ahead.

Mr. Peter Tabuns: Thank you, Mr. Vozzolo and representatives of the Fontbonne Ministries. I really appreciate the presentation you've made today.

You talk about concerns with regard to the precarious nature of the housing that you're currently providing if this project should go above ground. Could you talk a bit about the difficulties that your residents might face if they are forced to leave your building?

1410

Mr. Ben Vozzolo: Thank you for that question. I think what I'll do is, I will have Leanne Kloppenborg, my colleague, respond to that question. She has accountability for the residents at Fontbonne Place.

Ms. Leanne Kloppenborg: Thank you for the question. Women who live in our building, in order to access our housing, need to be over the age of 40 and, as Ben mentioned, we've not had a vacancy for the past six—

The Chair (Ms. Natalia Kusendova): I'm so sorry to interrupt. Can you please state your name for the record? Any time that a presenter speaks, please state your name for the record. Sorry about that.

Ms. Leanne Kloppenborg: I'm very sorry. Leanne Kloppenborg.

Our housing is for older single women. When we first opened that building, we discovered that there was very little housing for older single women who did not have the

ability to pay market rent. So we made the decision that we would have housing for these older single women. As Ben mentioned, we still have seven of the original 18 women living with us.

Many of them struggle with health issues, with mental health issues; many of them don't fit easily into the broader society. So for them to be in the position of having to find housing again for themselves—it just adds an extra stress that none of us really need. But given the situation of housing in Toronto at this point, especially for older single women, I think it becomes almost impossible for them. I don't know if that answers your question, Peter.

Mr. Peter Tabuns: Yes, it does. Ms. Kloppenborg, thanks for that.

Mr. Vozzolo, I'm going to go back to you. Perhaps you or Sister Georgette could talk about the needs for those construction standards to be in place before construction starts. What are your concerns about the impact on your residents and on your building should they not be in place if this project goes ahead above ground?

Mr. Ben Vozzolo: Thanks for the question, Peter. Ben Vozzolo, here.

Obviously, there are concerns regarding the building itself, the residents of the building, the people who we serve and our ability to be able to continue to serve them. The focus of what we're talking about today is to ask that we make sure that the community has a voice in this.

I think, given the magnitude of this project, it's a once-in-a-generation project, and I think we all agree that we would like to see it done right because it will reshape our community and all the people who call it home, including those we serve, for decades to come. So it's really important at this stage to make sure that there are opportunities for the people who are affected by this to be able to add their voice to the project as it's being planned.

Sister Georgette Gregory: Sister Georgette. I would just like to add that I think, even before they get going on it, the noise factor will be one thing—the noise in the area, the dust and access. We have many people that come into our drop-in and they walk a long way to get there. Often, if they can't get in there, if there's something in their way, that's going to cause an immediate problem. If they can't get there, then often they won't get the food that they are used to getting. I think those are some of the things.

I think for some of our women at Fontbonne Place itself, the more this goes on and the longer, with their mental problems, this will just add to it—more anxiety—and that could lead to a lot more problems for them and their mental health issues.

Mr. Peter Tabuns: You talk, Mr. Vozzolo, about meaningful consultation—and perhaps, Sister Georgette, you could speak to this as well. Do you feel that you've had meaningful consultation to date, and if you were to characterize meaningful consultation, what would it look like?

Mr. Ben Vozzolo: Would you like to answer that one first?

Sister Georgette Gregory: You can go first.

Mr. Ben Vozzolo: Okay. Ben Vozzolo. I would say there has been—

Sister Georgette Gregory: Some.

Mr. Ben Vozzolo:—some consultation, limited. There has been more recently, some information shared, but certainly not to the extent that we would hope. In terms of responding to what meaningful consultation looks like, I think it means having a seat at the table to be able to talk about what community concerns are—and that's not just Fontbonne Ministries; we are one member of the community. It's taking into consideration many members of the community and really involving them. To date, I would say that it's been more about the information being sent, rather than dialogue.

Sister Georgette Gregory: I would also add that I think the consultation that we had with that one group called—what's the—

Mr. Ben Vozzolo: Metrolinx.

Sister Georgette Gregory: Metrolinx. I asked outright if the decision had already been made, and they said yes, that we would not have any input in that. I found that very disconcerting, because I didn't think the decision had been totally made, but they seemed to think it had. From the point of view of having good consultation, I didn't see that as being very helpful.

The Chair (Ms. Natalia Kusendova): Thank you. We are out of time.

We will now move on to the independent Liberal member, Mr. Blais, for his questions.

Mr. Stephen Blais: Thank you very much. When you say you asked about the decision already being made, was that the decision about below ground or above ground?

Sister Georgette Gregory: Yes, it was.

Mr. Stephen Blais: Did they expressly say that the decision had been made and therefore your comments weren't relevant, or was that just something they implied?

Sister Georgette Gregory: Sister Georgette, again. I directly said, "I need to ask the question. With all that we have talked about, is there hope or are you convinced that it's going to go above ground?" And they said, "Yes." And I said, "So it's not going underground?" As far as they were concerned, the decision was made and it was above ground.

Mr. Stephen Blais: Earlier you talked about impacts on—I think you were relating to the mental health of the people you serve, about how long it goes. I'm wondering if you meant by that how long the indecision goes or how long the construction goes.

Sister Georgette Gregory: I think it's both.

Mr. Ben Vozzolo: Ben Vozzolo here. It's both. I think there's the impact on the residents during construction—because there's going to be a lot of activity—and the impact on residents after construction, as well as the people that we serve.

I see AnnMarie Marcolin nodding there, so I'll ask her to maybe give you some commentary in terms of the vulnerable populations that we serve at Mustard Seed.

Ms. AnnMarie Marcolin: Hello, everybody. I'm AnnMarie Marcolin. I'm the program director of Mustard Seed.

Just to give it some numbers, we see approximately 200 visits a month, which would translate—last year’s numbers were 10,000-plus people walking through our doors. These are people who are extremely marginalized and vulnerable, from basic needs—not only access to food, as Ben has alluded to, but people are coming in to use our washrooms. We realized the situation during the pandemic and how important it is for people to access just basic amenities, such as washrooms.

The other thing that people come into our space for is to cool off—very important during the summer—and also for warmth, a place to heat up during the winter, things that are really critical. Many of these people are transient, so they’re walking. They don’t have the ability to walk a long distance, as Sister Georgette has alluded to. It’s not like we can be pointing them to some other place to walk to. This has become, really, their home.

I think the other thing that’s worth mentioning is, we are fully accessible, which means that people who come in with big scooters and walkers, people who are visually impaired, people who have difficulty hearing, people who are living with mental health or emotional disabilities as well as intellectual disabilities—we are really a place for everybody.

I hope that has given you just a little bit of insight as to who walks through our doors.

1420

Mr. Stephen Blais: Absolutely. Thank you. I appreciate them and the good work that you do.

Has Metrolinx engaged you on how you would like to—or how they envision communicating with you throughout the construction process in terms of having an open dialogue on issues and being able to address them?

Mr. Ben Vozzolo: It’s Ben Vozzolo here. We’ve had some preliminary discussions with Metrolinx. In the winter, we reached out to a number of individuals in government and at other agencies expressing our concerns, and Metrolinx was copied on all that correspondence, but also got their own letter and reached out as the pandemic began and things shut down. It also reached out again a few weeks ago. We had an initial phone call where we expressed some of the concerns that you heard today—as well, at that time, asked that we would like to have a seat at the table as planning moves along. So very, very preliminary.

Mr. Stephen Blais: And what was their response when you asked for a seat at the table?

Mr. Ben Vozzolo: We didn’t get a no, but we also did not get an emphatic yes, either. We’re sort of working through this.

Mr. Stephen Blais: Sure. I think you addressed this earlier, but have they gone into any detail about the construction management plan and aspects of noise, construction emissions and staging?

Mr. Ben Vozzolo: We haven’t received any details regarding those at this point.

Mr. Stephen Blais: Okay. Thank you, Madam Chair.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now move on to seven minutes of questions by the government. Go ahead, Mr. Thanigasalam.

Mr. Vijay Thanigasalam: Thank you so much for the presentation.

In terms of a couple of concerns that you have raised, the background studies for noise and vibration along the alignment in support of the environmental assessment is nearing completion. You mentioned you had some preliminary discussion with Metrolinx. From my understanding, those studies are still under way and there’s the space to have discussion. They do have local Metrolinx offices located near these sites to have consultations with their communications staff, and you can express your concerns over any period of construction.

Having said that, our government understands that transit construction will have an impact on the neighbouring communities. That’s one of the reasons that we enabled Metrolinx to have these local offices, which are fully staffed. I will definitely—to have more communication between your team members and with these Metrolinx officers as well. But since you raised a lot of concerns today about housing and about the residents who come to the house—that they have a lot of impacts, especially mental health impacts. We believe that everyone deserves a place to call home. That is a given for our government. That’s why we are going with a collaboration-first approach in implementing any bills, including this particular bill.

Can you please speak to how the government can work with the community organizations to ensure that transit construction causes minimal disruption in your specific community?

Mr. Ben Vozzolo: It’s Ben Vozzolo here. Thank you for your comments. We certainly appreciate the efforts that you outlined, that are going to be taken in terms of engaging the community in community consultation. It’s our hope that this bill ultimately supports that, and that’s why we’re making our comments today. We would like to make sure that the bill allows people to have a meaningful voice in the process.

In terms of my earlier remarks, what we would hope to see in terms of being able to engage the community—I would use the term “protecting” the community—is that you have standards for construction that are set in the regulation with the community on areas such as dust, noise and road access; that there be a working group established to include the local stakeholders to exchange information; and then an amendment that homeowners and businesses have the ability to request a hearing of necessity if your property is required for expropriation. Again, it’s hoping that the bill ensures that the community’s voice is heard, that there is a mechanism for them to engage.

Mr. Vijay Thanigasalam: Thank you, Mr. Vozzolo. What do you see as the biggest obstacles to building transit faster that the government should consider addressing? And what solutions would you recommend for addressing these obstacles—including to have a seat at the table? What solution would you recommend?

Mr. Ben Vozzolo: I’m the executive director of a community services organization, not an engineer. I think what we can all agree on is doing things the right way, and

forcing the community to have above ground transit when the rest of the line gets a subway isn't the right way to build a transit line for future generations. As I've said before, this is a once-in-a-generation initiative and I think it's a very important one, so it's critical that all options be considered by planners and discussed by the community. I understand the desire to have transit expand as quickly as possible, but I also think it's worth taking the time to do the consultations that need to be taken, because we're talking about our community potentially losing entire neighbourhoods, green space, businesses and other social services.

I hope I answered your question.

Mr. Vijay Thanigasalam: Yes, you did. I'm trying to see the balance here. How would you balance the government's objective to build transit faster with your concern regarding the housing, the entire community and the green space that you're mentioning? How would you balance these two objectives?

Mr. Ben Vozzolo: To balance those objectives, I think it means having an opportunity for meaningful dialogue, for engaging the community in helping to achieve those objectives.

Do you have something you want to add?

Sister Georgette Gregory: It's Sister Georgette. The fact is that we haven't been given any reasons why it can't go underground. I think that's one of the things that I'm surprised at. In other places, they have been able to change the plan and put it underground. We haven't been given that plan or anything to say it might happen. Just from what I've been told, it's already done.

I would hope, as Ben said, that we would have some meaningful dialogue around this whole thing and whether it should stay above ground or go underground—

The Chair (Ms. Natalia Kusendova): Thank you very much. I'm sorry. This concludes all the time we have for today's presentation. Thank you for being with us today.

1430

RIVERSIDE BUSINESS IMPROVEMENT AREA

The Chair (Ms. Natalia Kusendova): We are now moving on to our next group of presenters, representing Riverside Business Improvement Area. We have, by video, Jennifer Lay, the executive director; by phone, John Sterling, member and owner of Saulter Street Brewery; by video, we have David Watson, board member and owner of Eastbound Brewing; and I am not sure if we have Aubrey Hannah. Do we have Aubrey? No, we do not have Aubrey.

You may begin. You have 10 minutes for your presentation. Please make sure you state your name for the record each time a new presenter speaks. Thank you very much.

Ms. Jennifer Lay: Hi, my name is Jennifer Lay. I'm executive director of the Riverside Business Improvement Area. Thank you for having us here. I would like to, first off, read our comments that we submitted by letter, and then I'll open it up to Dave and John to supplement these.

Who we are, the Riverside BIA: We are a local board of the city under the City of Toronto Act. For 40 years, we've been a community-oriented non-profit association of local business people and property owners. We work in partnership with the city of Toronto to enhance the Riverside business district. The district is located along Queen Street East, from Davies Avenue to Empire Avenue. Our mandate is to improve, beautify and promote Riverside as a business and shopping district through marketing, public programming and streetscape improvements. Our members include over 100 business and property owners, a large proportion of which are small, independent family businesses.

Our service area includes Queen Street East and De Grassi Street, which is in the catchment area of the Ontario Line, one of the projects under the Building Transit Faster Act, Bill 171. I am assuming you have a copy of these remarks, and we did have an image of exactly where our service area is, showing the line and where that would go through.

An important part of what we support and depend on as a BIA is fast, convenient public transit to enable customers, employees, visitors and residents to work, shop and play in our BIA community. We support more transit built faster; however, we do want it built right and in a way that ensures our area stays open for business at all times.

Here are our concerns about Bill 171. In February—and this was just before COVID-19 hit our area—we conducted a member survey regarding the Ontario Line. We found that 92% are concerned about construction impacts to their business and commercial property, 83% are concerned about potential loss of park and community space or other land expropriation, and 75% are concerned about potential noise and vibration impacts of trains operating frequently above ground to their commercial properties or businesses.

Over the past five years alone, we as a BIA have invested over \$1 million in streetscape assets, including in and around the area of the proposed line, and marketing and public programming initiatives that have been spent to build up the economy of our area and make it a destination. We would like to see Bill 171 include guarantees to protect local assets in the form of equal or better replacement, should our community assets be impacted by construction and operation of the Ontario Line project as part of this bill.

We're concerned even more so now that this bill is being brought forward in the context of a design that would have real, detrimental effects to our business community. Of course, I'm speaking of the fact that the line is being proposed for above ground. We're concerned that when private partners alone do the design work without community consultation, there is a real risk that businesses and community centres and spaces will be lost. It's important to note that the current plan for the Ontario Line puts a number of businesses in Riverside directly out of business due to the footprint of the project—not to mention the potential impacts from construction and operation, which could put the entire BIA in jeopardy, especially given the

impacts of COVID-19, which has already made our area so fragile.

We need Bill 171 to protect our business community. So again, given the current threat posed by COVID-19, which we are still going to be feeling for probably the next couple of years, we feel that prolonged transit construction would be unreasonable without significant supports in place for the entirety of the pre-construction and construction beyond. Bill 171 must ensure that BIAs and their members, local businesses and property owners, are treated as real partners during all stages of the project.

We also understand that the purpose of Bill 171 is to build transit faster, and that's something that we're certainly looking to see happen. However, we would like to see the following amendments be added to the bill:

- compensation for BIAs and their members for damages and loss of business caused by construction;

- a community benefits agreement written into the transit contract;

- agreements on limits to noise and vibration, air pollution, construction timelines and right-of-way access to businesses during construction written into the contract;

- establishment of a working group to coordinate construction with BIAs and the business community and ensure concerns are addressed during planning, design, construction and operation;

- an agreement with the city of Toronto and other relevant bodies to ensure the movement of utility infrastructure is conducted in coordination with utilities and municipalities, and that there's proper notice to BIAs and businesses.

Additionally, and very importantly, we would ask that the following clauses be removed from Bill 171 to continue protections of local commercial property owners, business operators and vital community spaces that allow our area to be a vibrant area and remain open for business.

We're concerned about part III, "Expropriation," section 44, which would allow the expropriation of land without hearings. We're also concerned about, and would like to see removed, part V, "Municipal service and right of way access," section 52, which would allow Metrolinx to take over a municipality's right-of-way access and services.

Once again, we're supportive of fast, convenient public transit. However, we do want to see this built right and we want to see this bill support our business community and others.

Dave or John, would you like to add anything to that?

The Chair (Ms. Natalia Kusendova): We have three minutes remaining.

Mr. Dave Watson: This is Dave Watson. I'm the owner of Eastbound Brewing Co., and I am on the board of the Riverside BIA.

What Jennifer said—I would urge that you do take those into consideration. I think one thing we haven't seen in the past—and this is based on reports coming from other BIAs where Metrolinx has had construction projects—is around communication. Our biggest concern is around communication being involved in this project. The past

record of Metrolinx shows that it's been a challenge to get changes in play or to get a voice heard when it comes to the impacts to small business.

Given COVID-19 and just coming out of this, the timing of this couldn't be worse when it comes to an additional challenge that we need deal with. We will see businesses go under, and we will see the community basically have property values coming down. A lot of the benefits of living in the community will cease to exist if this is pushed through in a way that allows the project to be pushed forward without the voices of small businesses in the area.

So our main concern is being a part of that process and going beyond just words and having some teeth in that agreement to really allow us to make some impacts and to get enough notice before things are done.

John, would you like to add anything?

Mr. John Sterling: No, that's very good. I have nothing to add.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now be starting our questions. We will go ahead and start with our Liberal independent member, Mr. Blais, for six minutes, please.

Mr. Stephen Blais: Thank you very much for your presentation this afternoon.

I'm wondering if you could describe what your view is on the level of consultations that have taken place so far, and any advice you might have to improve those consultations in relation to the business community.

1440

Ms. Jennifer Lay: Yes, I can speak to that. It's Jennifer Lay. We had one phone conversation with Metrolinx with a couple of our board members back in November 2019. We have spent the past number of months since trying to get a meeting with Metrolinx in terms of specific asks, including the types of committee structure and agreements that had been created with other BIAs on Metrolinx projects recently, such as the Eglinton Crosstown. We have only just heard back for the first time since November from Metrolinx, and we have a meeting booked with our board and them next week. We are hopeful that's the start, but we have remained very concerned about the level of communication in the past six months.

Mr. Stephen Blais: I can appreciate that, for sure.

Have any of your members expressed concerns—I believe I heard you mention it—about their locations being expropriated, and what that could do to their viability?

Ms. Jennifer Lay: I'll let John and Dave speak to that.

Mr. John Sterling: Yes, it's John from Saulter Street Brewery. I've seen a diagram floating around that the expansion of the line would go through our building, so that would mean our business would cease to exist or we would have to relocate somewhere, which would not be great.

As Dave said, I think communication is key, and it hasn't been that good, I don't think. I've had questions about our building and have contacted Metrolinx and they

have not gotten back to me. I've phoned a couple of times, so communication has to improve.

Mr. Stephen Blais: Yes. I appreciate you have not yet met with Metrolinx directly as a board, but have they given you any indication or thoughts about the construction process through your district and the impacts it might have—how they'll discuss with you staging etc.?

Ms. Jennifer Lay: Not as of yet.

Mr. Stephen Blais: I don't want to speak for you, but I imagine that having the ability to discuss with them the staging and the accommodations they may or may not make during that process would be pretty important to you and your members?

Ms. Jennifer Lay: It's critical to us. Any disruption to Queen Street, even for a few minutes, backs up the street through our entire district, so this is absolutely critical.

Mr. Stephen Blais: Sure. I appreciate that. Thanks for speaking with us this afternoon.

I have no other questions, Madam Chair.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now be moving on to the government for seven minutes of questions. Do I have any members of government?

Go ahead, MPP Sabawy.

Mr. Sheref Sabawy: Can you hear me?

The Chair (Ms. Natalia Kusendova): Yes, I can hear you.

Mr. Sheref Sabawy: Thank you very much, Jennifer, for the presentation. I really understand your rationale and I understand all the points you presented. As a BIA, I understand that you are trying to preserve the right of your members and their businesses to survive during the period the project is going through.

As a government, we think that getting people moving, getting more transportation, and smoother transportation, will be a good add to the businesses. It will benefit the businesses. It will open up new opportunities for businesses when more people can move faster, can have less congestion, and can spend more time in the surroundings—if people from outside Toronto can come easily and access those businesses and enjoy the time in Toronto.

Also, one of the aspects of this: We are talking about the costs of bringing a project, a big infrastructure project—it's not like something we can expect every year—bringing it every five years. This is kind of the first, maybe the biggest, addition to our transit system in Toronto for many—it could be decades, I would say, of that size, maybe in the history of the whole province. I think that could be a good initiative businesses should be happy about and should, I would say, actually praise the government for—for coming up with some project like that which can expand and smooth the life in Toronto for Torontonians and people who are coming from outside of Toronto to spend more time in the city.

The other aspect of that is being able to shorten the period of the project—because you know and everybody knows that if we are going to go underground, that would mean a massive amount of digging and a massive amount of construction, which can take a much, much longer time

to finish, versus having the project on the ground, which makes things much easier and of course much cheaper, as well to get to the point where it's accessible to the public, and lifting the burden on the businesses in the area.

My question for you: Where do you think the government could add value in getting the businesses' buy-in into this—because we thought that businesses would be the first, given the consideration that we already consulted with the Toronto city and everything is going with co-ordination with the Toronto city, city hall of Toronto and the mayor and the councillors, who should be the first line in talking to the businesses in the area.

Ms. Jennifer Lay: Yes, this is Jennifer. We are one of the neighbourhoods that the line would be going through directly. As you speak quite generally about the benefits to all of Toronto, all of Ontario—we're actually one of the neighbourhoods that would see the impacts of this for some years before seeing benefits.

Through this bill, we would like to see, as I said, a formal requirement for a benefits agreement, community benefits, but also for the BIAs themselves that are impacted by this, to offset the—well, it's going to be a construction burden that we're going to experience in the meantime, which as you know would be compounded with COVID-19 and the effects that businesses are feeling now, which they will be feeling for probably a couple of years, at this point, to recover from this.

We would like to see in this bill a requirement for working with BIAs—a formal committee—compensation as much as possible for any damages or loss of business and a community benefits agreement written into that contract. All of these things would protect our communities from the impacts that we will be seeing in our community.

Mr. Sheref Sabawy: And you don't think that this kind of conversation goes with your local municipality, like councillors and the mayor, with regard to how they can help alleviate this burden?

Ms. Jennifer Lay: No. We have been in discussion with our councillor, and I'm pretty sure you'll be hearing from them today as well. But as I say, there has been very little communication from Metrolinx directly to our BIA, but also directly to the businesses about this project and about the timelines and about what's coming. The communication just hasn't been there to even understand the project, first of all, and to have an ongoing discussion about how to ease those burdens that are coming for us.

Mr. Sheref Sabawy: Yes, but you agree with me that in this stage, when the project is still in the early stages of design, implementation, putting schedules, scheduling different changes which need to take place for the project to come through, it could be very difficult even for Metrolinx to give that much of a commitment about dates or anything like that yet.

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Ms. Jennifer Lay: No, Metrolinx has actually been sending out some notices of drilling and other investigative activities—or posting them on their website, I mean. They have agreed to meet with us next week to start

discussing this formal relationship. I think we would just like to see that formalized in Bill 171 so that it is a requirement as well, should they suddenly decide not to do it. We think it will still be important to do that from an early stage.

The Chair (Ms. Natalia Kusendova): Thank you. We will now be moving on to questions from the official opposition. We will begin with Mr. Tabuns, I believe. Go ahead, Mr. Tabuns. You have the floor.

Mr. Peter Tabuns: Ms. Lay, Mr. Sterling, Mr. Watson, thank you very much for being here and presenting today. The questions that you raise are substantial. When you talk about significant supports being in place for businesses to get through this construction process, could you expand a bit on what exactly that would look like?

Ms. Jennifer Lay: It's Jennifer again. I can start, and certainly Dave and John would like to weigh in. What we have seen with other projects: For instance, on Eglinton Avenue with the Metrolinx project, the Crosstown, there was a formalized agreement, a formal committee that would be meeting regularly with Metrolinx and the BIA. There were significant dollars in place for marketing initiatives, signage for streetscape initiatives and ways that the BIA and businesses would be promoted as a community, as open for business while construction is happening.

There would also be streetscape improvements that we would be looking to see implemented in the area of the Ontario Line. I don't want to get into detail, but it will be impacted. We've invested huge dollars in streetscape in this area, so we'd like to see that go to the same, if not better than what we had.

Really, it's an ongoing formalized relationship where we can be working together to support businesses and the whole district.

Mr. Peter Tabuns: Okay, thank you. If I could continue on—

Mr. Dave Watson: If I could just add—

Mr. Peter Tabuns: Oh, I'm sorry. Go ahead, Dave.

Mr. Dave Watson: Just one more thing, just to add to what Jennifer had mentioned: Small businesses do rely on foot traffic to a large degree in order to succeed. Anything that's going to impact that foot traffic, such as barriers, pylons—anything, that makes you walk around a business so you're not going to notice it.

Some of the things that Jennifer mentioned do touch on—things like signage to allow folks to come through there. But when you have a major construction project, it's usually a no-go zone for a lot of folks when they're walking, biking, driving, whatever the case may be. That's going to have a major impact on business. Any kind of marketing initiatives, any kind of signage, any kind of beautification that we can do to help flow traffic through those areas is going to be a major impact for helping small business.

Mr. Peter Tabuns: Thank you. You mentioned in your presentation—I'll address it to the three of you; you can decide who—that you support the idea of a community benefits negotiation and a package as part of this whole construction project. Can you give me an idea of some of

the things that you think would be useful to have in such a community benefits package?

Ms. Jennifer Lay: Yes. I think I'd just like to reiterate some of the things I mentioned for that package. Streetscape improvements should be part of that package—so looking at the vibrancy of the area around the transit project; making it more inviting for people who are walking and cycling, for instance; making it accessible; making it a bright place that people would like to be around, both during construction and, of course, after, once the project is operating. I think branding as a neighbourhood, helping root the giant transit project in the neighbourhood and maintain that community feel—anything that can be done there with the streetscape is important. Again, helping to advertise the area as open for business in any ways possible should be in that agreement; and perhaps, once things reopen to street events, helping to fund street events or other vibrant activities in the neighbourhood and the BIA that can help bring people in so they don't feel it's a closed area. It has to be inviting.

Dave or John, would you like to add anything to that?

Mr. Dave Watson: I think, just in terms of the ideas around these sorts of things, they will come out with the committees if we can actually have committees put together. That's the main point I think we want to get across here—communication. The three of us aren't going to be able to get across the number of ideas and the nuances of how this will affect our individual businesses; it's more about getting that committee together to really be able to bring out the ideas that will help us out and to highlight some of the challenges that are to come.

Mr. Peter Tabuns: Thank you for that. That's useful for me.

In one of the questions that was posed to the three of you by Mr. Sabawy, he noted that it's less expensive to run the line above ground rather than below. Are you aware that, to my knowledge, no cost comparison has ever been done? As you're all probably aware because you live in the area, we have many bridges that are now a century old. If you're doing construction in the range of those bridges, you may encounter some very interesting and expensive problems. I don't say that as a question to you, but just to note that, if someone says that it's more expensive to go underground, I haven't seen any cost comparison with above versus under for the two kilometres that we're actually concerned about here.

You talk about treating business as real partners in this process. Again, can you say what that would look like?

The Chair (Ms. Natalia Kusendova): One minute remaining.

Ms. Jennifer Lay: Are we out of time?

The Chair (Ms. Natalia Kusendova): One minute. Go ahead.

Ms. Jennifer Lay: Okay. Treating businesses as real partners: As we were mentioning, this would include communication with the businesses, setting up a formalized committee to have input throughout pre-construction, construction and beyond, and real support in terms of

having Bill 171 have these things as requirements rather than as nice-to-haves.

The Chair (Ms. Natalia Kusendova): Thank you very much.

SOUTH RIVERDALE
COMMUNITY HEALTH CENTRE

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter. We have Mr. Paul Young, health promoter, representing the South Riverdale Community Health Centre. You have 10 minutes for your presentation. Welcome. You may begin by stating your name for the record.

Mr. Paul Young: Thank you. My name is Paul Young. I'm with the South Riverdale Community Health Centre. Thank you for the opportunity to share some thoughts on this bill.

I'm a health promoter at the South Riverdale Community Health Centre. I have a master's in urban planning. I've worked on many urban design and transportation projects over the last 25 years, and I've found that meaningful public and stakeholder engagement is a critical and central component to good planning.

To be clear, we at the health centre believe good transit is very much a health-supporting and essential component of any city. It's commendable that the bill cites underlying objectives as "improvements to public health and CO₂ reduction." However, we believe this bill will have a negative impact on health and on the overall success of future transit proposals, including the Ontario Line. The concern we have with Bill 171 is that it prevents input from residents and businesses regarding the design and construction impacts of the transit line. We urge you to reject the bill or amend it.

By way of background, the South Riverdale Community Health Centre offers a wide range of programs. Some are clinical in nature; others are geared to improving the places people live in in order to keep people healthy, and I'll share an example of that in a moment. Our work centres around public and stakeholder engagement in local planning matters. We work with groups of people to engage in and shape policy decisions regarding transportation and land use planning. We have also established and participated in numerous design and construction liaison committees and project advisory committees.

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There's a lot of change going on in South Riverdale as industry moves out of the city and new uses move in. If you'd like more information on how we work together with community, government, industry and contractors, I'm happy to share more.

But you may be interested to know how engagement and planning relates to health. I'm going to share an example: About 25 years ago, people in South Riverdale, 200 in particular, experienced life-changing exposures to lead pollution from a local factory. Historically, residents were shut out of land use decisions; for example, locating a lead smelter beside a school. These children are now

adults; some have permanent disabilities resulting from lead poisoning. Now there is a strong push to include people in local planning decisions in order to avoid future potentially negative health impacts.

If there are any professional registered planners listening this afternoon, you'll know that meaningful engagement is strongly supported by the Ontario Professional Planners Institute and the Canadian Institute of Planners. Why do the OPPI and the CIP support meaningful engagement and planning? There is some pretty solid research that tells us that meaningful engagement builds healthy communities and that exclusion of the public will have negative health impacts.

Many of you are decision-makers elected to power, and I'm mindful that you may not have experienced exclusion or feel the feelings of powerlessness. Exclusion from decisions about your life will lead to feelings of alienation, stress, poor coping strategies and ultimately a negative impact on mental health. Bill 171 removes power from the people most affected by the planning decisions.

We have engaged with Metrolinx in the Ontario Line consultations, in particular for the sections of Danforth Avenue. It appears that the project will have significant impacts. People can see the drilling rigs. Numerous parks, homes, businesses and a recreation centre lie in the path of the expanded above ground section. It appears expropriation will be needed all along the track, but there has been little information at the open houses regarding any impacts. Drilling is unfolding in well-loved parks and adjacent to people's homes, many of which are not-for-profit. You can imagine the stress that comes with this lack of engagement and the growing uncertainty about the future of your home.

Ontario's University of Waterloo has pioneered a tool to measure the overall health of Canadians. It's called the Canadian Index of Wellbeing, and it cites democratic engagement as essential to well-being. Well-being is supported when "governments build relationships, trust, shared responsibility, and participation opportunities with citizens," and democratic values are sustained by citizens, government and civil society at a local, national and global level. That's just an example of some of the research connecting engagement with health.

Again, we know public engagement is good for community health, but Bill 171 moves in the opposite direction, towards less engagement, in the name of efficiency, specifically for P3s. We believe this direction towards less engagement will impact the implementation of transit projects.

As you may know, the process of public engagement is the field of expertise. You have professionals at Metrolinx who understand consultation and engagement. In addition to health, they know that meaningful engagement is important for the following reasons:

- it enables people to have a say in decisions that affect their lives;
- it builds understanding between public and government;
- it builds knowledge about the project intent;

- it generates new ideas using local knowledge to enable more informed decisions;
- it increases transparency and builds a foundation of trust and commitment;
- it provides greater certainty for the proponent regarding supports for the project and potential for opposition and/or delays, effectively reducing risk and reducing costs; and
- it is required by law, and those laws have evolved over the years to ensure meaningful engagement.

There are two specifics to the bill that jumped out. For example, “To provide flexibility,” for a P3 process, “the proposed regulation will have a process to permit early works to proceed to construction”—and I emphasize—“before the completion of the draft environmental impact assessment report, subject to:”—I will continue to quote. There will be “requirements for consultation,” but it doesn’t say what those requirements are. It will be subject to “identification of impacts and mitigation measures,” but we don’t know how these are identified if the environmental impact assessment report is not done. And it’s subject to “issues resolution,” but there is no process proposed to resolve the issues.

Preliminary activities cited in the bill include station modifications; bridge replacements or expansions; rail corridor expansion; and utility relocations. Once these “preliminary activities” move forward—bridge relocations or replacements, station modifications etc.—the fundamental design foundations are set, leaving very few options or the possibility of including the environmental impact assessment or suggested changes from the public or stakeholders. The bill completely undermines any faith the public may have had in the engagement process.

To recap, we urge you to reject or amend this bill so that public engagement is prioritized and not further marginalized. We know transit is an essential part of a healthy community, but in order to move forward on implementing well-thought-out transit projects, public trust and support will be critical.

Thanks for your attention today.

The Chair (Ms. Natalia Kusendova): Thank you very much for your presentation. We will now begin our rounds of questions. We will begin with the government for seven minutes. Go ahead, MPP Martin.

Mrs. Robin Martin: Thank you, Mr. Young, for your presentation. It was very interesting. I’m actually the parliamentary assistant to our Minister of Health right now, so I certainly appreciate the importance of health promotion and the importance of people feeling like they’re engaged. It’s obviously a very important democratic value.

My riding is the Eglinton–Lawrence riding. The Eglinton LRT project has been going on since 2011, I believe, all along the south end of my riding. I have been a part of many of the consultations that Metrolinx has had over the course of that project with the people in the community, with the people along Eglinton, with all players. They have the requirement to establish offices in the local area and respond to people. This bill, though, is about what we can do to make the transit get built faster. This bill isn’t about

the consultations that are happening, but there are consultations that are happening, as we can see from the practice of Metrolinx on the Eglinton LRT.

If you talk to the people in my community, as I have done, about what has happened along Eglinton, I think they would say that their health and well-being have been more severely impacted by the fact that the project has taken so long, and gone on and on, than by the fact that there is a project and they haven’t had enough consultation. In fact, some people complain that there is an excess of consultation, because Metrolinx does do a lot to try to work with the local community. There are still people who are unhappy that the project happens, of course, and there always will be.

But that’s not the same issue. The issue that you raised is one of engagement. I can certainly say, from my experience, there are many, many opportunities for people to come and tell Metrolinx what they think about what’s going on, what they would like to see, how their businesses can be assisted. We are very much at the beginning of this process, but our objective is really to try to save businesses and help people by getting transit built faster—at least, that’s what this legislation is about. It isn’t the only legislation that governs in this area; there’s also the Metrolinx Act, for example.

Anyway, that’s what I was wondering—how do you think that the timing would have an impact on the mental well-being, even physical well-being, in the community and having a shorter time period? Don’t you think that would be salubrious for people?

Mr. Paul Young: My experience is that it’s the construction phase that is the most stressful for people, and it’s often the first time they learn about the project. The expectations may not be clear from the public or stakeholders on what impacts to expect.

One example that comes to mind for me is the demolition of the Gardiner Expressway East. We were involved in that project. There was a poor consultation in the beginning and very little engagement with the community. The proponent tried to keep the scope of the environmental assessment very tight and kind of raced forward. Then the Beaches community organized to save the Gardiner Expressway. They went to council and they delayed votes. My understanding was, there was over \$1 million in emergency repairs required while that decision was delayed. After their community opposition to the project, the project team stepped up the engagement component of it and set up an advisory committee with different members from the community.

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I think the take-away from that first phase was that the community really didn’t understand what the project was about. They wanted to stop the project. Once the engagement process improved, you had community leaders involved in understanding the design, and then once the construction phase kicked in, most people knew exactly what was going to happen. They knew the timelines. They knew about the traffic disruption. They knew about the dust and the noise and the removal of debris, and it was

clear. Expectations were managed and leaders were involved so that if you were looking to take the temperature of the community, the people in the community understood the project and supported it at that stage. That's just one example, I think. I'll just reiterate that I think the construction phase is probably what you're feeling the most, and a lack of understanding from businesses in the community about what they were in for.

We've also had construction delays that came about as a result of soil contamination issues or unforeseen conditions in the ground that were unexpected—utility relocations, that kind of stuff. I think there's an important piece—that there's a lot of knowledge in the community itself, at least in the South Riverdale area, about previous land uses. I think, in particular, the Ontario Line is likely to run into a fair bit of soil contamination; we know that from past soil contamination issues in the neighbourhood and testing. But those kinds of insights would only come when you've got an engaged community. I think it would save the proponent a lot of time. You may find that the design process is taking longer because you've got this engagement process, but the construction phase, which really is the most aggravating part of it, will move forward with an informed stakeholder.

Mrs. Robin Martin: That's really the point of the bill: to address the construction phase delays, or potential delays, and to make sure that we minimize the impact on the community and the health and well-being of all the people in the community—minimize the disruptions by making sure that the project proceeds in the most efficient, common-sense, good-sense kind of way, where utility relocations, for example, are coordinated so that we don't have projects tripping over each other for corridor permits. That's the objective of what we're trying to do here.

I understand the importance of the engagement of the community. I used to live in the area that you're speaking of, so I love the community. It's a wonderful community. It has a lot of great things in it. I'm certain the people there will be engaged with Metrolinx as it goes forward. But we're just at the beginning of this process right now.

I do think they would also appreciate that the project will go better and faster so that the construction phase could be minimized. As you've said, that's really the most difficult part.

The Chair (Ms. Natalia Kusendova): Thank you very much. That's all the time that we have. We will move on to seven minutes of questions by the official opposition. Ms. Bell.

Ms. Jessica Bell: MPP Tabuns will go first, and then I'll go second.

The Chair (Ms. Natalia Kusendova): Okay. My apologies. MPP Tabuns, go ahead.

Mr. Peter Tabuns: Thank you, Mr. Young. I appreciate the presentation. I thought your example of the demolition of the east end of the Gardiner and the ruckus that arose is a pretty good example of where things can go wrong if you don't have the initial work done properly to bring people on board. I think that your critique is one that the government would be wise to listen to.

You say that Bill 171 undermines meaningful consultation. Could you expand on why you see that being the case and what, in your eyes, meaningful consultation would look like?

Mr. Paul Young: Sure. My read of the bill indicates that some fundamental design decisions would be made before the completion of the draft environmental impact assessment report. So if you have impacts identified in a report, the decisions about the design of the project would go forward regardless of the findings in that impact report.

I think it's problematic for a number of reasons, but if you're interested in building transit quickly, if there are significant impacts identified in the report, you may be subject to some significant delays because you didn't deal with those in the early design phase. That could be anything from utilities to groundwater to soil contamination. Any of those things could pop up in the impact report. It doesn't seem to make sense to me to proceed with the design until you know what those impacts are going to be.

Sorry, what was your second—

Mr. Peter Tabuns: If you had meaningful consultation, what would it look like?

Mr. Paul Young: The committees that we have set up in the past include membership from industry, the private sector, businesses and BIAs. They also include membership from government, so we've got the Ministry of the Environment and Toronto Public Health. And then we've got representation from community organizations. And not just in South Riverdale; wherever the projects Metrolinx is proposing are unfolding, you would want to include local organizations like community centres, agencies, and then representatives from any community organizations—resident and ratepayer groups, that kind of thing. It's having that mix that enables people to cut to the chase and not spend days playing phone tag and trying to find out who's responsible for dust control; who's responsible for the noise bylaws.

We have a clear team—almost like a team approach—to moving through this. We meet on a regular basis: Sometimes it's monthly; sometimes it's more frequent when needed. Most of the membership comes voluntarily. They know they have a stake in the project and they want it to be the best project possible. We are facilitated by a professional facilitator, so we haven't got people yelling at each other or falling asleep. It's a fairly quick pace and the agendas are set out in advance so people can know what's on. There may be child care. There may be food. It's typically in a location that's accessible and can accommodate the crowds.

I'm mindful of one of the Metrolinx open houses we went to—you couldn't move. I think there was a person at the front entrance—two people out, two people in. It was, in my opinion, a major miscalculation of the number of people who were coming and matched to the space that was being provided. So you want to make sure you've got a decent space that can accommodate the number of people.

And there will be different forms of consultation. Some of it will be open houses and larger public meetings, but I

think having that regular advisory committee is a really solid foundation to any consultation engagement process.

Mr. Peter Tabuns: I'm going to interrupt you because I know my colleague Jessica Bell has questions as well. So thank you very much. I really appreciate the perspective.

The Chair (Ms. Natalia Kusendova): Ms. Bell?

Ms. Jessica Bell: Thank you for coming in, Mr. Young, and sharing your expertise. This act does impact the consultation that is required before a transit construction process begins, and the consultation that should happen during the project as well, just to clarify from some earlier comments.

My question concerns how you would describe the consultation process that Metrolinx is currently undergoing right now. To what extent does it differ from the ideal consultation process you believe should happen?

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Mr. Paul Young: I think the fundamental challenge is that staff don't seem to have a lot of information that they're able to share with anyone outside of Metrolinx. I think the public is relying on the press. There really isn't much to hang on to. If you're coming to a consultation, you want to have some real information, preferably in advance of the meeting. I think you need to build some level of understanding before you ask people to comment or engage in a proposal.

In this case, I think people were reacting to perceptions, educated guesses. We had to draft up an impact plan based on what we know about rail design. What we were told at the time from Metrolinx was that there was going to be an addition of tracks on the existing rail bed, so we had to do the math and figure out, "Gee, are we going to lose the recreation centre, or not? It looks like it's coming pretty close." The experts at the one open house didn't seem to have any numbers at all. There was no guarantee that the Jimmie Simpson Recreation Centre wouldn't be demolished. There was overwhelming uncertainty, and that's a recipe for disaster.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now be moving on to six minutes of questions by our Liberal independent member, Mr. Blais.

Mr. Stephen Blais: Thank you very much for your presentation.

In terms of the consultation, or lack thereof, that has taken place so far, what would you see as the legislative mechanism to correct that?

Mr. Paul Young: I imagine this bill would have to be amended or rewritten. I look to the Planning Act and some of the requirements for engagement that are outlined there. In this case, I don't know; I would look to you, I guess.

Mr. Stephen Blais: That's perfectly fair. I just wanted to get a sense if you had any ideas on that.

I don't have any other questions, Madam Chair.

Mr. Paul Young: We did have, in the Environmental Assessment Act and in the Environmental Bill of Rights—those were key pieces that we looked to. I think this bill overrides or undermines those two pieces.

Mr. Stephen Blais: Can you further elaborate on that?

Mr. Paul Young: Well, I haven't read through them recently, but they did have some fairly clear objectives

about bringing people into the process in a meaningful way. It was required. This bill seems to remove those requirements from the process.

Mr. Stephen Blais: Okay. Thank you very much. I don't have any other questions, Madam Chair.

The Chair (Ms. Natalia Kusendova): Okay. Thank you very much. That concludes the time we have for this presenter.

MS. PAULA FLETCHER

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter. We have city of Toronto councillor Ms. Paula Fletcher on the line with us. Good afternoon. You have 10 minutes. You may begin your presentation by stating your name for the record.

Ms. Paula Fletcher: Thank you very much. Hello, everyone. I am city councillor Paula Fletcher. I represent Toronto-Danforth, where we have an awful lot of transit. We have 31 acres of subway yards, 22 acres of yards for hosting the new streetcars and another seven for the old streetcars. So I'm very, very involved with transit, and certainly a big transit supporter.

You will have already heard today, and over the next couple of days you will hear, about the dire community impacts that people are telling you about of running the Ontario Line above ground through a built-up, older neighbourhood—small lots, small area, close to the tracks. There is a reason that in the older, denser neighbourhoods, rapid transit runs underground. I support building new transit as quickly as possible, and, in fact, the city of Toronto was working on a plan to expedite the construction of the relief line just before the provincial government took over the project. But we still have to get this transit right.

The plan to run the Ontario Line in Toronto-Danforth above ground in the rail corridor from East Harbour to Gerrard might just seem quite simple and straightforward if you look at a map, but it's not. There is a great saying in construction: Measure twice and cut once. You're probably very familiar with it. If a construction or factory worker doesn't properly measure and makes a mistake, it can cost them their job. If Metrolinx doesn't measure twice, it will cost the taxpayers billions of dollars. Measure twice, cut once. I feel the bill that's in front of you is a plan to try to cut and measure at the same time.

You'll hear more from the residents and businesses in my ward and the housing providers in my ward as part of these hearings. They all want better transit. We're all familiar with transit. We've had a lot of transit built in our neighbourhood, but it's transit that has been done right.

Today, I want to share with you some of the requests from Toronto city council—formal requests. These motions were passed by councillors of all stripes. They were introduced by the mayor and passed by city council. These councillors get calls about transit and traffic every day. We see how transit plays out for residents, neighbourhoods and businesses in our communities.

The first set of recommendations about how to do this right came from Mayor Tory's executive committee,

where the mayor moved a motion to Metrolinx asking them to mitigate potential local impacts of the four new transit lines, with particular focus on the above ground sections of the Ontario Line and to ensure that city staff are involved in reviewing and informing plans for safety, including city safety standards; noise and vibration; proximity of tracks to buildings and houses; construction impacts and constructability; impacts to local services and amenities, including parks and community centres—this above ground Ontario Line would impact at least six parks and the major community centre in this part of town—looking at accessibility; the station integration with local communities; and business impacts.

There is of course one way to lessen many of the problems noted above, and that is to run this new subway line underground. That is why the city's executive committee and council voted to request Metrolinx to mitigate the impacts described above and to consider options for constructing further portions of the Ontario Line underground, where local impacts can be reasonably managed.

Last but not least, city council called for Metrolinx to ensure robust community consultations with communities through which the new lines will be constructed.

On the subject of consultations, I want to share with you the experience of constituents in Toronto-Danforth. Metrolinx held town halls in February and March, but almost all of the information was identical to what was in the initial business case released the summer before, the summer of 2019, and these were open houses in March and February of 2020. Residents knew this. They were frustrated and they were very upset with not being given the latest information, as any residents would be, for any of you who are elected officials. I certainly know, and you know, how residents wish to be treated respectfully and with full information.

What was the number one feedback Metrolinx received in my area? Please put this line underground. The community impacts are too much to have an above ground line.

Yet, very recently, Metrolinx confirmed to me at a stakeholder advisory group meeting on Webex that they had no plans to study that option, and they were not studying that option. They are proceeding solely with an above ground option.

Making a major decision without looking at options does not make sense to me, nor probably to many of the people you're hearing from from this community today. When we were planning the Relief Line South, which, as you know, was shovel-ready for that section from Pape and Danforth through to Queen Street and Yonge, we really had a lot of information and questions from residents, saying, "Would this work better? Would that work better? Where could we run that? Are you sure you're in the right place?" And staff had to look at alternatives in this TPAP. The mayor moved a motion to shift the relief line to a better alignment for the businesses, for city building, for all of the station locations that you, yourselves, and Metrolinx have identified in all of the documents that I've read, as far as putting in stations and what the goals are, particular density and planning matters. The alignment

was done in a way that was supported by the TTC, supported by the city and met all of the provincial growth targets for new transit. That was a professional approach and done with the community.

1530

There are a number of things that came up about the lines that have not been answered. There are a number of bridges, old bridges. There's five or six of them that cross major corridors—Queen, Dundas, Gerrard. You might not live in this neighbourhood, but you know the names of all of these streets. How are you going to deal with having heavy vehicles there? There's also the fourth line, which is part of what used to be called RER and now I think it's got a different name, but it's the fourth rail to move people quickly from the suburbs back and forth to downtown, to let people go out into the 905—and then to add two more tracks. So starting at the basic, there are three tracks now. The RER or GO expansion would bring a fourth. And then Metrolinx is saying we're going to add two above ground tracks. That is a heck of a lot of tracks in a small neighbourhood without a big right-of-way—in a dense, older neighbourhood of the city.

I went and I asked the subway pros at the TTC about these bridges. They left me worried, not just about the impacts on my community, but the overall safety and viability of the projects. So city council passed another motion to study the significant expansion of the rail bridges at Eastern Avenue, Queen, Dundas, Logan, Carlaw and Gerrard—that's how many bridges there are—in order to safely service six new tracks and the rail bed. I think deputants have talked to you about the community centre. While it might fit, it's going to be a very tight squeeze—not an optimal situation for any community.

Heavy rail vehicles are designed to certain safety specifications. Subway cars are a lot lighter and have a different crashworthiness. The TTC told me they would never run the two in the same corridor. That is too dangerous. So again, council asked the TTC safety protocols to be part of Metrolinx's deliberations. We have heard nothing. They told me that where this might be done in other parts of the world requires extensive safety protocols and extensive barriers, and you and I know what "extensive" means: It means "expensive." So far, this has not happened.

The need for a full EA, a full consultation looking at everything is so critical. When you factor in the bridges and additional safety costs, it might be cheaper, both in the short and long run, to simply go underground. At the very least, Metrolinx should be asked to look at going underground, to study going underground, to give the province some real numbers to compare—to measure twice and cut once.

Historically, all of these issues would be fleshed out in an environmental assessment. That process gets you the rich community feedback that makes projects the very best that they can be. I have never been able to get a straight answer out of Metrolinx about the EA process for this project, and that is why I'm so concerned about the proposed regulatory changes to the Environmental

Assessment Act that is modifying the TPAP to better suit the delivery model—

The Chair (Ms. Natalia Kusendova): Thank you very much, Ms. Fletcher. I'm so sorry, but we are out of time.

We will begin our questions with the official opposition. Mr. Tabuns, go ahead. You have the floor.

Mr. Peter Tabuns: Councillor Fletcher, thanks for the presentation. Would you please complete your remarks? And then I'll move on to my questions.

Could you unmute her, please?

The Chair (Ms. Natalia Kusendova): Please unmute.

Ms. Paula Fletcher: Very good. Thanks very much. The TPAP process would be changed to better suit the delivery model of public-private partnerships, and the changes would allow early work to be completed on parts of the transit projects like the Ontario Line before a full environmental impact assessment is completed.

Overall, the key suggestion I hope you can take away is that a proper EA needs to be conducted, and that it include looking at the option of putting the section of the Ontario Line between East Harbour Station and Gerrard underground. Remember, Metrolinx is looking at putting the Eglinton West LRT extension underground in a very-low-density neighbourhood, and it makes financial sense there. It certainly makes financial sense in Toronto-Danforth.

If you want to understand why measuring twice and cutting once is so important with this project, you have to look at those like Berlin Brandenburg Airport. It was scheduled to open June 2012 and much of it was built by then, but due to planning and design shortcomings, it's now expected to finally open later this year. Originally costing under €3 billion, it will now cost well over €6 billion.

Or we can look closer to home at the lessons we're learning from this pandemic. It's nice to be told everything is working fine, but it is heartbreaking when shortcomings in preparation and planning have dire costs and consequences.

I'd be happy to address the issues of the existing EA in this section and why there needs to be a complementary EA for the Ontario Line. Thank you very much.

Mr. Peter Tabuns: Councillor, thank you very much for finishing off your remarks there.

Ms. Paula Fletcher: Thank you for letting me.

Mr. Peter Tabuns: One of the things that you noted here was that the TTC would not—using its safety protocols—run the subway trains directly adjacent to high-speed heavy rail. Have you had any indication whatsoever from Metrolinx that they are considering the safety standards that TTC would employ?

Ms. Paula Fletcher: I have had no consideration of any kind from Metrolinx. There has been no signal of any kind that that's part of the conversation, because we get very little information from Metrolinx, and that in itself is quite concerning.

An EA for this section would be very important. This section from Gerrard to East Harbour is covered by the EA, as you well know, for the fourth rail. That has been

looked at. We're going to add two new rail lines—the Ontario Line using a different type of train without—updating an environmental assessment on the same track bed. There's something very wrong with that. No matter where you live, no matter what community you represent in any part of Ontario, I think the residents would be very clear in asking that really good work be done, that the technical work be shown, that all options be looked at. I don't think residents anywhere would think that this was an acceptable approach.

Mr. Peter Tabuns: Thank you for that. I'd like to go on, then, to the question of bridges. As you are well aware, these bridges are in the vintage of about a century old now. What concerns does the city have about the potential costs of reshaping, rebuilding these bridges? And has anyone done a cost assessment? Have you heard whether Metrolinx has done a cost assessment?

Ms. Paula Fletcher: I'm sorry, but it's very difficult to get information from Metrolinx about a cost assessment to expand them. As noted, last year the business case was shown and it looked like the tracks would simply be expanded along those bridges. I think there has been an internal cost assessment that shows that that is impossible, because it means rebuilding all of the bridges, and so there is another fix that's coming where something else will be built beside the bridges. Yet the community has heard nothing or seen nothing, even though this is new technology.

I don't know where all the members on this committee are from, which communities they represent, but I certainly do know how constituents have an expectation to be told things about their very neighbourhood with such a project as this and to be given information, to be shown that things have been looked at, that they make sense, and not just delivered and said, "This is the way it's going to be. Too bad." That's why an environmental assessment is very important, and why the city said, "We want to be involved in the environmental assessment." I think the city owns three of those bridges.

1540

So it's really disappointing, this approach to transit, from my community, which is a big transit-advocate community—dependent on transit, supportive of transit, supportive of building transit. Imagine building a 22-acre yard and having support. But this, at this point, does not have support. It's not being done well by the provincial agency, Metrolinx. The environmental assessment leap-ahead that's being proposed here is of great concern, and it should be of great concern to everyone, because this could be happening in anybody's constituency, in anybody's riding.

Mr. Peter Tabuns: You note that the city of Toronto supported the development of the Ontario Line based on a number of conditions being met. One of those conditions was assessing local impacts, trying to mitigate them and, in the case of the above ground section near Queen and Broadview, looking at putting it underground if mitigation could not be carried out. Has the city, at any point, heard back from Metrolinx about their efforts to mitigate, and

has the city been asked whether or not they're happy with those efforts to mitigate?

Ms. Paula Fletcher: Well, because we're all—

The Chair (Ms. Natalia Kusendova): I'm so sorry, Councillor. We are out of time.

We will now have to move on to six minutes of questions by our independent Liberal member, Mr. Blais.

Mr. Stephen Blais: Thank you very much. I don't have any questions.

The Chair (Ms. Natalia Kusendova): We will be moving on to seven minutes of questions by the government. Ms. Hogarth?

Ms. Christine Hogarth: Thank you, Councillor Fletcher, for joining us today.

I'm sure, if you walked outside and you talked to your constituents, the first thing they'd say is—when you ask them how their daily commute is, they probably wouldn't be all that thrilled with it, especially at 8 in the morning or at 5 in the evening, when it's rush hour. Some things that the municipalities and the province can certainly agree upon is the need for public transit, and also the need, which is what we're talking about today in this legislation, in building transit faster.

I go back to two different council meetings that the city of Toronto held. On two different occasions—I think you were included—you voted in favour of accelerating the transit line. I think it was Mr. Perruzza's amendment that came forward asking the government to—or working, I should say—working with the provincial government to accelerate these lines. If you read the compendium of the bill, it says that this bill intends to expedite the delivery of four priority rapid transit projects on an accelerated timeline: the Ontario Line, the Scarborough subway extension, the Yonge North subway extension, and the western extension of the Eglinton Crosstown light rail transit. I think it was Councillor Lai who had another motion asking that the city manage to negotiate with the province of Ontario to accelerate the three-stop Scarborough subway.

So far, I think we're working together as a good team. I think that is why we put this plan together, working with the mayor and council to make sure that we are moving forward. You have been a long-time councillor, a long-time advocate for transit and housing, so I'm sure you can understand why we want to get this transit moving quickly, and we appreciate your support on those two motions to help that move forward.

Can you just explain to me why it is important to you to get transit moving quickly?

Ms. Paula Fletcher: It's very nice to see you today. Thank you for the questions.

We had transit moving pretty quickly with the relief line, which was expedited, which was through my ward. You might not know that, but that first leg of the relief line—a number of kilometres were directly through my ward. We had all the committee consultation to the improved TPAP, the province had approved it, and then we had this shift.

I just want to direct you to the motions that we passed. Yes, I agreed to support expedited transit building, but city

council very clearly told the deputy city manager and our city manager that there are certain parameters around this section of the Ontario Line that can't proceed as written, so to speak.

That's the only section in which there were any motions from city council, Ms. Hogarth. City council did not say anything about any sections north or any sections west. City council was very clear about the above ground area that you're talking about, ensuring that, number one, looking to mitigate the impacts and consider options for putting it underground—that's a direct request from city council, to put it underground; and also to ensure robust community consultations with communities that are affected there. And I don't think that's happening.

I think that, as a transit advocate yourself, you should be worried about that—that the city, in this particular section, a two-kilometre section, has said, "Hold on. We need you to look at some other things." We keep looking; now we have a Scarborough subway. We were ready to build the Scarborough subway with one stop, and it was the government that said, "Let's go for three," so that's been slowed down.

This kind of due diligence and making sure you get it right—you're only going to build it one time. You're not going back to rebuild and rebuild. I think that the community today is saying, "Let's just get this right so we're all on the same page," as we did with the relief line alignment; we got onto the same page. There is no process to get on the same page from Metrolinx. It's very, very disappointing and disconcerting.

Ms. Christine Hogarth: Well, I just want to comment: The note about the Scarborough subway was actually a council motion in January. It was Councillor Cynthia Lai's motion and that was the motion you all agreed to. So that was also, it says—

Ms. Paula Fletcher: Yes, but I think that the—

Ms. Christine Hogarth: —accelerate the three-stop Scarborough subway. You had mentioned that you were only talking about one section, but the whole bill talks about four transit lines—

Ms. Paula Fletcher: I understand.

Ms. Christine Hogarth: I just want to make sure that that's certainly on the record.

Ms. Paula Fletcher: Definitely, Ms. Hogarth, it's on the record. But I believe that the discussion around adding the other two stops onto the Scarborough line came from the province. The TTC was ready to build the one stop; the province said, "Build three." Ms. Lai said, "Expedite that work," and it was supported by city council. This—

Ms. Christine Hogarth: That is exactly what we're doing right now with this initiative.

Ms. Paula Fletcher: Yes. But on this one, we simply want this to have the scrutiny, to have the agreement to look at options. When you hear that Metrolinx is refusing to look at this option at all, I would think that that should be quite surprising to you and other members of the government. I'm not sure you actually knew that that was their complete position to the community and to the city. So hopefully—

Ms. Christine Hogarth: Okay. We talked about mitigating, and when you mitigate with the two levels of government—and so far, I think that the city of Toronto and the province have worked very well moving this forward, because we all know, and you know, that this is something we have been discussing over and over again. We don't want to have these discussions; we don't want to continue this debate. We just want to get some shovels in the ground so we can not only build transit, but build some affordable housing in these areas with these transit-oriented communities. I know that you're a big advocate on housing, so that's part of this plan. It's not just about transit and getting that moving; it's about being able to build some affordable housing for people, which is so necessary in the city of Toronto.

So when we talk about mitigating—that was section 19 of your motion—it's working together. It doesn't say above ground or underground; it talks about working together to make sure [*inaudible*] construction impacts, that we're mitigating the noise and vibrations and the business impacts. The key with the business impacts: So many of our businesses have been really hurt—

The Chair (Ms. Natalia Kusendova): Thank you very much.

Ms. Christine Hogarth: Oh, was that it?

The Chair (Ms. Natalia Kusendova): I'm so sorry. We are out of time. Thank you, Councillor Fletcher, for your presentation today.

PAPE AREA CONCERNED CITIZENS FOR TRANSIT

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter. We have Eric Yapp, who is a member of the executive committee for the Pape Area Concerned Citizens for Transit. Hello, Mr. Yapp. You have 10 minutes for your presentation. You may begin by stating your name on the record.

Mr. Eric Yapp: Great. Thank you, committee members and everyone attending here. I'm Eric Yapp, with PACCT, as mentioned, the Pape Area Concerned Citizens for Transit.

1550

Okay. I just want to also talk about myself, personally. I've lived in what we've affectionately called “the golden triangle,” in this small pocket north of the Danforth and south of the Millwood bridge, for 21 years. We purchased this as what we thought was a starter home. It became our permanent home. The home was built in the 1930s. It's hard to find the exact date, but there have only been three previous owners: the original owner, the people we bought the house from—and they moved two doors away, so that was a great sign when we were buying into this neighbourhood, the people who had made this commitment to the neighbourhood. There wasn't a lot of turnover. The people who were simply moving to build a bigger home and renovate are still our neighbours 21 years later.

We have three children, my wife and I, and a dog, living in what we think is a pretty small house. We've done some

renovations in the basement and on the main floor. We've got a large renovation that had actually been submitted to the city in advance of—actually, during the COVID-19 crisis, so it has been put on hold. But part of our concern is that now if I want to renovate my home, the way the provisions in the bill stand, those permits could be withheld based on me being inside of the transit corridor.

I've lived in Toronto for over 50 years, only ever living outside of Toronto to attend university. I think that home ownership is an absolutely quintessential Canadian right, and an Ontarian and a Torontonian right, or something that people strive for. It's part of that dream of why people emigrate and come to this great city that we have. My biggest concern with this bill is the fundamental erosion of some of the private property rights that are in this bill—or at least the provisions that would undermine that.

In fact, our home—part of the renovations and part of what we're doing is so that we could age in place. We are not even at that process to think about it, but we don't want to move if we don't have to.

Now to go in about PACCT itself: The Pape Area Concerned Citizens for Transit contains about 150 active members who receive our newsletters and are discussing areas that concern, really, the portion of the Ontario Line that runs north along the Pape Avenue corridor up through Minton Place, from the Danforth to the terminus of that, where it would pop out and go over the Don Valley via some kind of bridge.

About four months ago, we engaged with Metrolinx. We've had ongoing discussions with Metrolinx, to be an active participant. We are a pro-transit group, just for the record; I'm not sure if that came out yet. We're not about NIMBY. The idea is just to get it done right. I think Councillor Fletcher was talking about how we have one chance to build this. I don't want my grandchildren and children to be undermining the decisions that we were part of and have the transit not been built to suit the needs of future generations.

Metrolinx has been receptive to us in their community engagement group, and even meeting with senior people. But one of our biggest concerns is by the time we did engage with Metrolinx, the route seemed to already be chosen as a fait accompli, that there are no other options on the table. Clearly that's not a transparent process, if we're already at this portion of the project, where a predetermined route has happened.

Our biggest concern with the bill is the elimination of expropriation hearings of necessity—that this is a normal process in any kind of expropriation for infrastructure or transit projects. That's taking away a major right for homeowners to challenge the process and have their concerns heard. It seems there are definitely political motivations for getting this project done quickly. I think, unfortunately, politicians don't always take the long-term view; they take a next-election-cycle view.

If we look to other cities that I've visited, like London, Paris, New York—these transit systems are over 100 years old. They've grown and adapted with the cities over this time, but they were built in the 1860s and 1890s, in some

cases, and they're still running very well for those—what we like to call Toronto as well—world-class cities. In the downtown core of those cities, or the arrondissements in Paris, they're underground. They're not going through people's neighbourhoods. In fact, in Paris, you can walk 500 metres and be on a different metro line. It's a system that has been built for the future. We just want to do it right. We definitely want to make sure this is done right.

The big concern that PACCT has is the expropriation, potentially, on the north end of the route that we're concerned with; on Minton Place, specifically. Minton Place is a tiny little dot on a map you probably never would have looked for on a map, if you hadn't heard of it before. It's really a continuation if Pape were to go straight, which Pape doesn't; it leans a little bit and turns a little bit to the east to merge up with Donlands to create the Millwood bridge. Minton Place would become the epicentre of two major infrastructure projects—a tunnel-boring machine popping out of the side of a hill, needing to be excavated to remove the tunnel-boring machine as it travels north, and the southern terminus of a bridge.

Normally, when you do heavy infrastructure like this, you need a massive amount of room for staging equipment, transportation to and from, materials, personnel, and this is just not conducive in a small residential neighbourhood. In fact, there's a street that goes across called Hopedale, and we feel that the neighbourhood could essentially be cut in half.

I think this bill is pertaining to four major transit projects today, but I'm worried about the precedent that it sets. If a political government is to be given this much power, who is to say that this wouldn't set precedent in law that then could be used for future projects.

The legislation seems to come at a perfect storm—and I'm not even talking about COVID-19. It's really before that—just the fact that Metrolinx has been given so much more power than it ever really had. It's not an old organization anyway. But these projects would have typically been done by the TTC, and now we've created Metrolinx, this group that's able to circumvent some of the normal processes that the TTC would have done in the past. Now with this legislation that's being proposed, it creates this absolute behemoth, a juggernaut of these forces that individual homeowners just now can't be involved with or challenge.

The transit corridor is talking about 30 metres on either side of the corridor—that really takes you almost into a full block on either side, potentially, depending on how wide the corridor is. That could literally devastate an entire neighbourhood, if ever taken into consideration.

The bill seems to be very heavy-handed. It strips out a lot of the process that normally any citizen would have had in a project of this magnitude to be heard, to be consulted, to be engaged with. We feel that, because we're trying to ramrod this and make this a very fast project, our ability to be heard is being overridden or not given the amount of time that it needs to be considered. We fear—everyone who lives in this area, we're quite close. My kids go to school at Leaside High School. The Eglinton LRT has

been over 10 years; we know all the problems with that project. We don't want a project in our neighbourhood that could potentially take a decade. We're not talking about a few years of disruption; we're talking about—and then even the ongoing operations of it.

We are also aware of the other challenges that portions of the groups on different parts of the line have. We're sympathetic to groups in Riverdale, in Thorncliffe and Flemingdon Park in terms of an above ground portion of the route and what that would do to the quality of life through the noise and vibration of transit running through that.

Essentially, we're concerned that the bill really gives Metrolinx and the province the ability to cut our neighbourhood in half. I used to go to Minton Place when my kids were small and watch cars go on the Don Valley and play a game of "Let's look for the next yellow car or let's look for a blue car." We frequently go down in the Don Valley for walks and bicycle rides. I've seen deer at least three to four times in the last few weeks. I've seen fish. We have rabbits in our backyard that come in and out of the valley. We have squirrels and birds. This is a very beautiful part—in fact, it's probably one of the most distinctive parts of Toronto, our ravine system.

Most times, when heavy infrastructure projects or transit projects go through, it's going through a major street, it's going through a bit of a corridor. This is essentially punching through a neighbourhood. We just don't understand why we aren't being given the process to challenge that, to understand what alternative routes were ever proposed—because we've not seen that. We're told it's the cheapest way to build, to just go with a straight line, but we're not being told what the other options cost—to tunnel the whole project or to take a slight deviation in the route.

It looks like my 10-minute timer is done.

I'm definitely concerned also with accelerating the timing, because we see that when you do projects quickly, there's a chance that it may not be the best deal for the taxpayer because the project may start and then be stopped at a later date or changed, and then that infrastructure would—

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now move on to our first round of questions by our Liberal independent member, Mr. Blair—sorry, Blais.

1600

Mr. Stephen Blais: Thank you very much. It's a common mistake, so don't worry about it.

Mr. Yapp, thank you for your presentation this afternoon. So is your primary concern the lack of consultations on the routing and the above ground versus a subway?

Mr. Eric Yapp: Yes, essentially; that's a major factor. By the time the community was engaged, we were already at what seems to be a favoured—actually, it's not even favoured. We're being told, "This is not option 1; it's the only option." Normally, communities are engaged when there are multiple options on the table.

I understand the history of the Ontario Line and the downtown relief line and all the things that go with it. But

simply looking on a map and saying, “Oh, look, the relief line used to go here. Let’s just punch the Ontario Line straight up,” without considering it—yes, that’s a primary concern of ours.

Mr. Stephen Blais: Do you think that a process of consultation and community engagement will actually bring that point of view, or is it just, fundamentally, that you and those in the neighbourhood don’t want it on the surface?

Mr. Eric Yapp: Obviously, we don’t want it on the surface if it can be avoided. We understand there are cost implications, and we understand that the mandate of the government is to produce this at the best cost for our taxpayers. But there’s precedent for portions of transit going underground when it conveniently meets the needs of the government—even the Eglinton West project that goes through the Premier’s neighbourhood.

It can be done. We want to know why it hasn’t been considered. If it’s absolutely the last-case scenario—we just need to know that every opportunity to do a proper route with all those consultations taken into account, we need to understand that, that all those challenges and all those options have been examined.

Mr. Stephen Blais: If Metrolinx or whoever possesses the information were to provide you with their evaluations and analysis, and it demonstrated in some way that what’s in front of us is, in fact, the optimal route, would that satisfy you or would you want a year’s worth of consultation and engagement on it?

Mr. Eric Yapp: We understand the frustration that either your government and prior governments have had building transit, that it takes a lot of time. I get that. Listen, I’d like to be able to use this transit line while I still am working. I might be retired before it’s done.

We need to understand if those options can be considered. If it’s purely cost—we know that construction projects and infrastructure projects often go over budget, so we need to understand what those options could have been. We’re just not seeing that.

Mr. Stephen Blais: So, one, I’m not part of the government and I wouldn’t want to be, but I guess I’m trying to cut to the chase: Is it that you’ll never accept an above ground line because of the impacts it would have on the surrounding neighbourhood and so you’re just digging your heels in on that? Or is there information that could be provided to you that would satisfy your concerns vis-à-vis that and then get the buy-in from the community?

Mr. Eric Yapp: It’s not just the above ground portion that’s our biggest concern. We’re here to talk about the bill itself; not the line, per se. The concern with the bill is that it just gives unprecedented power to take away some of the tools that an individual homeowner or a group might have had with a particular route, whether it’s above ground or underground. So that’s the bigger concern: It’s what this bill could potentially do in taking away that process to be heard.

Having said that, we’re a pro-transit group. We’re working with Metrolinx. We want to work with the government and the process that we’ve been invited to today.

We want to be engaged. We need to understand what those options are. If the only way to get certain portions done is above ground, then we may as a group have to accept that. But we just need to know that that is the last resort, and we certainly don’t feel that. We just feel that it’s being done because it’s the fastest and cheapest.

Mr. Stephen Blais: But again, as you said, the routing isn’t actually part of the bill. The elements of the bill that you’re upset about are presumably the expropriation powers, is what I’m hearing. Is that—

Mr. Eric Yapp: Yes, absolutely, because that’s part of it. As I read the bill, if Metrolinx and the Ministry of Transportation—actually, I guess it’s really a Metrolinx decision, but that’s where I say that it’s like the perfect storm between the ministry and Metrolinx sort of ganging up on the homeowners and saying, “That’s where the route’s going.” Then the expropriation powers in this bill just make it impossible to have any kind of opposition or any kind of a fair process to be heard.

Mr. Stephen Blais: Sure. Okay. Thank you very much for your presentation, sir.

Mr. Eric Yapp: Thank you.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now be moving on to seven minutes of questions by the government. Go ahead, Mr. Babikian.

Mr. Aris Babikian: Thank you very much, Mr. Yapp, for your presentation and your concern.

As you know, as residents of Toronto, all of us know that Toronto is suffocating because of the traffic, gridlock. And if we need to move on and to relieve Toronto’s transportation gridlock, the business losses, the frustration of the public transit users etc., we need to move on a certain plan and we need to act quickly, and this bill will do that.

If we look at major cities like London, Paris, Munich and other major cities with much, much advanced public transit, I’m sure that they have gone through the same concerns, through the same consultation headaches etc. But at the end, they had to do it for the overall welfare of the general public.

I understand your concern and the concern of your own neighbours, and I know that it is not easy to face a new challenge, a new way of life after you are used to a certain lifestyle in a certain neighbourhood you created, a neighbourhood in which everyone knows each other. But at the end, as a city, we have to move on. Earlier, one of the presenters said that very shortly, Toronto will be increased by two million people, and we don’t have the means to build highways for cars and other means of transportation. So public transit is the only way for us to move on and to bring this city to the level of other major cities around the world.

I live very close to Sheppard and Victoria Park, which is close to the 401. And for the past 25 years—the city passed a resolution 11 times to build a subway, and after that, nothing happened.

But at least this bill is addressing those issues. I know it will not satisfy everyone, but for the sake of the overall public interest, we need to move on. We need to build

transportation, because otherwise this city will be stagnated. No one would want to come and live in Toronto.

So what is it that exactly—is it the communication with Metrolinx that is bothering you more? What else can Metrolinx do to give you some confidence on the project?

Mr. Eric Yapp: Thank you. Sorry, I didn't really catch your name. It shows up as "Boom Zoom 11" or something, but I agree with you because everything you've—

Mr. Aris Babikian: My name is Aris Babikian.

Mr. Eric Yapp: I'll agree with just about everything you said. As a long-time resident of this city, I've seen unprecedented population growth, and we absolutely need transit. So we're not disputing that Toronto needs transit. The concern in any project is that when you go quickly, you often make mistakes. Quick doesn't always mean quick in the long run.

There are past examples of that in transit projects. I don't know the exact processes of how it was built, but certainly the Line 3 Scarborough rapid transit system was done and now there's always been—essentially it would be replaced. Part of one of the four projects is a Scarborough subway system.

I think if you do things quickly, whether it's on the route or any other portion of the project—quick means you can make mistakes. And there are times when you want to go quicker during construction, you want to go quicker during some other phase of the project, but this portion is very critical, that we do take the time and we listen to the concerns. Again, we're a pro-transit group. I want transit. I want my children to be able to work in the city and live in the city. At this rate, they won't be able to. They won't be able to afford it and they won't be able to have the quality of life, with gridlock.

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The route needs to be selected carefully. Shortcuts on the route and on the type of the design will backfire in the long run.

We're not talking about adding years to this project; we're talking about taking the time to consult with the members who live here—the taxpayers, the homeowners, and the businesses that live here and work here—and to ensure that their concerns are heard. That's all we're asking for. We're not trying to say, "Stop this project or build"—we're not NIMBY; we're not saying, "Build it somewhere else"; we're saying, "Build it in the right place where it needs to go, but let's make sure that that consideration, whether underground portions or not, or punching through residential neighbourhoods"—those are the things we need to listen to.

Mr. Aris Babikian: My final question: Did you have a chance to submit your concerns to Metrolinx or consult with them in any shape or form?

Mr. Eric Yapp: Our group, called PACCT, has only recently formed. We started getting active last fall, when news about the project became public. I first attended a Metrolinx board meeting, a public board meeting, in February. There is another public board meeting coming up later this month.

We're actively engaging with Metrolinx. They have assigned a very large team to speak with us, and I think

that's great, but we're here to talk mainly about the bill today and the powers that are in that bill. I think, as I said, that this sort of twin-headed dragon of Metrolinx having unprecedented power that they've never had before, and now Bill 171 in its form, scares people. It scares people in the way that this could be done and be pushed down our throats without being able to be heard properly.

Mr. Aris Babikian: Okay, thank you very much, Mr. Yapp.

The Chair (Ms. Natalia Kusendova): We will now move on to the official opposition for seven minutes. We will begin with Mr. Tabuns. Go ahead.

Mr. Peter Tabuns: Mr. Yapp, thanks for your presentation today. I appreciate you taking the time and answering the questions that have been put to you.

I've gone through a number of public consultations on projects myself, and I have to say that, like you, I'm a bit startled at how late in the game the public was brought in, particularly on your segment of this particular project. When did you first hear that this project was being built and coming through your neighbourhood?

Mr. Eric Yapp: We heard—I don't know the exact date, whether it was August or September, but sort of in late summer or early fall last year. And I agree: We were well versed on the downtown relief line. That has been in the public spectrum, and we've been watching it. In fact, I was kind of excited because, hey, I could get a subway to downtown by going to Pape station—

Mr. Peter Tabuns: Exactly.

Mr. Eric Yapp: —instead of the bus interchange and going through Bloor-Yonge. I get all the reasons why it has been proposed. It's just that that's pretty late, to go from three months or four months remaining in 2019 to where we are now, where the route is done and dusted and decided and they want to put shovels in the ground. That's pretty fast.

Mr. Peter Tabuns: Yes, I agree with you. Mr. Babikian, whom I have a lot of respect for, talked about the need for people to get on with life, but I know that I went through the whole process of consultation on the relief line south of Danforth. There were many large, public meetings. They were stormy meetings. There were substantial changes made to that project. In the end, there was community buy-in because people felt that they had been listened to, and the changes that were put forward were acceptable to most.

I'm not saying that that was an easy process, but my guess is that you and your neighbours would have been a lot happier with a process that brought things out into the public and allowed you to question the officials who were bringing forward the project, to go after their assumptions and challenge those assumptions and find that some were right and some were wrong. That would give you a sense of greater legitimacy for this project than simply being informed last August or last September that a route had been selected and the project was going ahead. Is that a fair statement on my part?

Mr. Eric Yapp: Yes, a very fair statement. Technically, we've had no formal presentations. We had what are

called developer meetings, or development meetings, when basically we had Metrolinx come. We actually had to fight to get a meeting for our particular portion of the line held in our neighbourhood. That was done, so that's great. They did accommodate the request. But they were dog-and-pony shows—a bunch of pretty pictures—and again, the route had already been decided.

I understand the desire to not have a public forum process where they're stormy, because they learn from other projects, but that's part of it. We have political parties that are in power and we have the opposition, and that's a very democratic process to be able to be heard and listened to.

Yes, we came into this very late in the game. We're playing catch-up. Again, we've had a couple of engagements with Metrolinx, but very little engagement to this point to be this far along in the project.

Mr. Peter Tabuns: Right. I appreciate that commentary.

I'm going to go back to the matter of expropriation because I think this is a fundamental issue. It was interesting; earlier today we had a spokesperson from the Ontario Home Builders' Association, who expressed some disquiet about this provision if it applied anywhere else but these four transit projects. I was quite taken aback that, in fact, it really is just applying to these four transit projects. No government would do this at large; that is, to take away people's right to challenge an arbitrary or thoughtless expropriation.

To what extent do you feel that the removal of these protections is going to undermine your rights as a citizen in this society to protect your interests?

Mr. Eric Yapp: Yes, thank you. Actually, I put that in my presentation. It scares the heck out of me. To say that this bill contains these four lines only—I'm not a student of law, but I know that law is founded on precedents. This could form a precedent for future laws. You could call a bill 172 or a bill 173 and you could have one for the next four projects and the next four projects and it could just be forever. Bills are laws and they're founded on precedent, and this is an unnerving precedent.

As I say, private property rights have been in Canada for as long as we've been a country, over 150 years. Again, that's why people came from Europe, Asia, Africa and from all around the world, to come to Canada to buy into this Canadian dream where you can start by buying a piece of property and having a quiet enjoyment of your life on that piece of property.

Mr. Peter Tabuns: Do you feel that this—what can I say?—undermining of expropriation rights is consistent with the image that this government has been putting forward of its approach to property? Was it jarring for you to see this?

Mr. Eric Yapp: Yes, it's definitely jarring. It's not consistent with the overall tone of the government, or how we would normally govern ourselves in Ontario. It's very different. This is why we're very concerned with it. It's not consistent with our values of how we govern ourselves. Like I say, it sets an unnerving tone beyond just

these transit projects or other infrastructure projects, that if a government just wants to do something, they're going to do it because they can. That's not democracy.

Mr. Peter Tabuns: Yes, I agree with you; it isn't.

I have no further questions for you, but I think my colleague Jessica Bell may well.

Ms. Jessica Bell: Thank you, Mr. Yapp, for coming in today and sharing your concerns about the Ontario Line project and the process.

One of the things that concern me is the decision by the Ontario government to hand over the design process to the private sector, and it has resulted in the public knowing very little about what is being planned. And we will likely not know very much until multi-year contracts, with expensive cancellation clauses, have been signed. Is this something that you've looked into and have an opinion on?

The Chair (Ms. Natalia Kusendova): I'm sorry, but the time is up. Thank you for your presentation today.

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MR. DONALD BOOTH

The Chair (Ms. Natalia Kusendova): We will now be moving on to our next presenter, Donald Booth. Do we have Mr. Donald Booth? Yes, we do.

Mr. Donald Booth: Yes, I'm here.

The Chair (Ms. Natalia Kusendova): So you have 10 minutes for your presentation, and you may begin by stating your name for the record.

Mr. Donald Booth: Thank you very much. My name is Donald Booth. I'd like to thank the members of the committee for allowing me the privilege of addressing you on Bill 171. My remarks will focus primarily on the TPAP process.

I should say that I fully support improved transit. My neighbours living only a few metres from the tracks also support improved transit. But we need a clear and fair process so that improved transit does not make our lives miserable.

I've been a founding member of the Lakeshore East Community Advisory Committee since 2017. It's a committee created at Metrolinx's request and composed of representatives from communities along the Lakeshore East and Ontario Line. I've been to countless meetings with Metrolinx where things have been promised and forgotten, personnel have changed, input completely disregarded and the most minor and inexpensive requests denied. It's a process that frustrates the community and demonstrates again and again that Metrolinx has not been working with us in good faith. You can't legislate good faith, but you can legislate meaningful standards and due process.

I live along a stretch of track where the planned service improvements will require an additional track to be built. Construction will take place between 1 and 5 a.m., on and off, for about three years. During the construction period, our issues will be timely and effective notice of construction, contractors' code of behaviour, immediate and effective remediation of construction issues and compensation

for damages caused by construction. I'm sure that these are issues in common with all communities in a similar position. When the new service begins, our issues will be noise and vibration from passing trains and timely and effective notice of maintenance.

While all these issues are covered by city of Toronto bylaws and contractors build compliance into their process, Metrolinx is exempt from municipal bylaws and has chosen not to respect them. This is not necessarily a prerequisite for building new transit. It could be built while maintaining the support and even the enthusiasm of the communities it affects.

It should go without saying that neighbours should receive a timely notice of construction, but we don't. At the moment, Metrolinx sends emails that most servers flag as spam. These emails more or less say, "We'll shake you out of your bed at some point in the next six weeks. Deal with it." We've asked Metrolinx to circulate a calendar that publishes the schedule and then a reminder shortly beforehand. With a budget of about \$14 billion, there ought to be money for stamps. It's not a good idea to wake people up in the middle of the night. What if one of these people was your surgeon? Or what if it's me and I fall asleep while I'm driving on the 401?

With work taking place in the middle of the night, deep in quiet residential areas, a code of conduct for contractors would also be helpful, along with a 24-hour hotline that can immediately address problems as they arise. Cities write this sort of thing into their bylaws; contractors comply without difficulty. This should be written into legislation.

Some damage to buildings is inevitable, and there are certain to be a few claims. The province insures itself, and Metrolinx adjudicates those claims. As far as I know, they have never paid. Your legislation can and should contain clear criteria for a claims process and assign an expert third party to adjudicate claims. Residents living next to heavy construction should receive a damage claim kit before construction begins, and municipalities should be eligible to file claims as well.

My neighbourhood will endure heavy construction for three years. Those living near the Ontario Line will endure much more. It would go a long way to spend a few dollars to compensate us, and if done creatively, the barbed wire that will safeguard the tracks can transform new and expanded rights-of-way into ribbons of park, pedestrian paths and sanctuaries for flora and fauna.

Once the service is operating, the major issue will be noise and vibrations from trains. Current noise abatement relies on an interim protocol drafted in 1995. It's byzantine and riddled with loopholes. My neighbourhood provides a common example. There are homes on both sides of the tracks with bedroom windows only a few metres from the sometimes thundering trains. Both sides will suffer through service running every three and a half minutes from 5 a.m. until 1 a.m., with empty trains shuttling past during the remaining hours. Under current regulations, Metrolinx will build noise barriers along the north side of the tracks, but not the south side. Why? The new track on

the south side adds new noise. The old noise was just fine. The frequency of trains and the almost 24-hour schedule are irrelevant.

But even these modest plans may fail. As engineers look at the details of the construction and as pressure on budgets mounts, the proposed noise barriers could be stricken from the plan as too expensive, too complex or just operationally inconvenient.

Other jurisdictions have done much better. California has capped maximum noise levels. They measure the loudest, not the average, as Ontario is doing. The number of trains matters, as well as the extended hours.

The interim regulations of 1995 have no place in the Ontario of the second quarter of the 21st century. It's time for legislation that reflects Ontario as it is today. If people know that they're likely to be able to sleep at night, they'll more readily embrace additional service.

The problems that I've described are symptomatic of the entire false process. One of the GTA mayors once explained to me how things actually work: Embarrass Metrolinx, not the government of the day; make Metrolinx look evil enough that the government can swoop in and save the day, taking credit for building transit and for correcting their wayward underling, Metrolinx. I should add that Metrolinx employees have also quietly expressed the same opinion. Bill 171, as now written, does nothing more than codify the situation as it currently exists; that is, it sweeps away any pretense of consultation, honest, effective regulation or due process. It replaces it with advertising and spin promoting transit that everyone wants anyway. Loud political manoeuvring is all that's left as a way that communities can defend themselves from degradation and sometimes destruction.

If this bill were to rein in Metrolinx with a set of fair rules and regulations that honestly balance respect for communities with the needs of the province at large and coupled them with due process, you could restore trust. In particular, citizen membership on key committees can bring their knowledge of local issues to the fore early and throughout the process, making it easier to avoid mistakes and smooth the entire process.

Taking a step further back, since these four projects will be financed in part by all three levels of government, it would be difficult, but not impossible, to have the work overseen and controlled by a committee composed of representatives from each level of government. I should add that there needs to be citizen participation on that committee as well. Such committees can be ungainly, but in this case, there is a strong advantage that every resident and every government actually wants to see transit built.

No one wants to fail. Such an enormous incentive provides a more democratic method of administration and supervision than suggested in Bill 171, and it is likely to gain the respectability and clout to move these enormous and complex projects forward quickly. Demonstrate that transit will not be built at the expense of the tens of thousands of people living along the tracks, and you know what? We'll buy in.

Everyone knows that transit has been delayed for decades. We're all waiting for the same train. Give us due

process, and please restore our trust. Thank you. I'm happy to answer questions.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will begin our questions today with seven minutes by the government. Go ahead, MPP Karahalios.

Mrs. Belinda C. Karahalios: I live in the Cambridge area, and commuting is very much a part of my life. I commute in every day when the House is sitting, get on the 401, and I deal with traffic. I knew that moving out here, much like when people live in Toronto, they know they have the convenience of transit, but likely their life is going to be a little bit louder with the trains coming by and the subways and things like that.

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It's interesting because I've travelled—not a lot—and we see the subways, as another individual mentioned, in London, England, and in Paris and even in Montreal, where we have these great, expansive subway systems, and you look at Toronto, which the largest city in Canada, and it's very, very simple: We have two lines; that's it. When I have people visiting from other countries that have better transit systems, they always question that: "How do you guys handle that?" So many people live in the suburbs and they travel into Toronto and they rely on transit, and it's just one of the headaches.

So we get into government, and we realize that, yes, transit is an issue. Transit is a need—and let's do a big investment. Let's ensure that we have multiple subway lines and ensure that we're getting people moving and getting off the highways, because that's what people want. People want to be environmentally friendly. And so we've got this commitment to deliver transit faster, to reduce congestion, to connect people to places and jobs.

Again, coming at this from a perspective from the suburbs, if you want to call Cambridge a suburb—it feels like the process of being held up again. Open houses were held in five neighbourhoods earlier this year. More engagements are planned. Environmental assessments have been done. They will continue to get done.

I guess what I'm asking for here is just a little more meat to the bones, so to speak. You're saying that transit is important; I agree with you there. But you're saying that we're not going about this the right way, so what is the right way? My question is: What do these consultations look like to you?

Mr. Donald Booth: Sure. I've had lots of consultations. What the consultations have been, in every single case, is one way: They boil down to the people making the presentation saying, "This is what we're going to do," and that's it. They will listen patiently if we say, "Hey, folks. That's great. I wonder if we might be able to—just let us know in advance, just through the mail, the same way"—well, I gave that example in my presentation. "Just let us know in advance when you're going to do the work."

A lot of it is simple things. I think that Bill 171 gets into a realm that is much more at the core of how transit gets built. I think that the bill misses the boat. The bill fails to take advantage of how badly every single one of us wants and really needs transit. When we're talking about

suburban transit like transit to Cambridge—you see it more. The trains that go by my downtown house are coming from Stouffville. I've driven to Stouffville. I don't want to drive to Stouffville; I certainly wouldn't want to commute in my car from Stouffville. I would much rather take the train. We really need it.

Your question is on the specifics of how we get it going, or are you asking about the process of consultation?

Mrs. Belinda C. Karahalios: The process of consultation.

Mr. Donald Booth: Okay. I think things would work better if there was consultation with all stakeholders throughout the process. The process of the Ontario Line, for example, was very quick. It took place pretty well behind closed doors, yet the province is expecting other levels of government to help finance, and they're expecting those of us who live right next to the lines to bear the burden of construction and then operation.

I know that I can speak for myself and my neighbours that we are happy to bear that burden, but from our perspective—

The Chair (Ms. Natalia Kusendova): I see that MPP Thanigasalam wants to ask a question as well, so with two minutes remaining: MPP Thanigasalam.

Mr. Donald Booth: Okay. Sorry.

Mr. Vijay Thanigasalam: Thank you, Mr. Donald Booth, for your presentation. My question is, do you have a suggestion that you believe would make the bill more effective?

Mr. Donald Booth: Yes. It's a major change to the bill. My understanding of the bill is that it gives enormous—I'm sorry—almost dictatorial power to, I assume, a contractor. I would suggest that by taking advantage of the need that everyone has and the enthusiasm for transit, and the fact that so many levels of government are financially involved and the reputation of so many politicians is also on the line, that there's enormous incentive for these various levels of government to get together and form a committee of oversight that will supervise and push things through—not by twisting arms and by pushing aside laws, but by taking advantage of the idea that everybody wants this, and nobody, no politician and certainly not me, wants to be responsible for a failure. We desperately need it. There's no more room on our streets.

Mr. Vijay Thanigasalam: Thank you for that answer, Mr. Booth. Do you have—

The Chair (Ms. Natalia Kusendova): I'm sorry, we are out of time.

We have to move on now to seven minutes of questions by the official opposition, beginning with Mr. Tabuns.

Mr. Peter Tabuns: Mr. Booth, thank you very much for appearing today. I appreciate you taking the time.

One of the things you said right at the beginning of your presentation—you were talking about your experience of working with Metrolinx and the consultations—was that many things were promised and then forgotten. That certainly has an impact on the credibility of anyone you're consulting with. If in fact you can't take people at their word. Can you give us some examples of things that were promised and then forgotten?

Mr. Donald Booth: Sure. Twice, under two different regimes, we were told that noise mitigation and noise barriers specifically were really required along the Lakeshore East tracks from roughly the Don River to where the Stouffville and Lakeshore East tracks separate. There were promises that they were needed; in fact, I received a map from Metrolinx showing exactly where they thought the missing mitigation ought to go. Then that regime seemed to fall away, and another group came in and came to the same conclusion. At the last public meeting I went to, I asked Mr. Verster about this and he seemed to have no idea what I was talking about.

Another quick example: In October 2017, I attended a meeting where representatives of Metrolinx said that Metrolinx would be revising the interim noise and vibration regulations and that there were people working on it very hard, right at this minute, and nothing ever came of that. They're two major promises.

Mr. Peter Tabuns: Okay. Those are substantial examples.

One of the things that came up in the earlier questioning—and I want to appreciate the fact that MPP Karahalios was, I think, trying to dig in, but I think I disagree with her on this and I want to know if you agree or disagree. She seemed to be setting up a dichotomy: On the one hand, there was getting transit built, and on the other hand, there was having consultation with community that was meaningful. I'm assuming that you don't see a contradiction between getting transit built and having meaningful consultation. My guess would be that you think it actually enhances transit getting built.

Mr. Donald Booth: It certainly can. If there's a set of regulations that honestly make for an honest and open exchange, then not only can citizens help to improve transit, sometimes in small ways, sometimes in huge ways—but because we all want it, just say, “Look, folks, we've got to move forward on this. Let's really dig in.” Yes, there will be acrimonious debate. You can't do something like this without making some people upset. But if my neighbourhood is any kind of example—and I know that it is—we know that we need it, we want it.

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Here's an example of the kind of thing that should be mentioned and discussed: People in Riverdale are really concerned about noise from the Ontario Line. I haven't had a chance to mention to anyone at Metrolinx or the government that, in fact, in building Line 2 of the Toronto subway, a portion of the subway was completely encased. Maybe it's too expensive to bury it, but maybe if we're really creative and put our heads together, we might find even locally some pretty cool solutions to difficult problems.

You know, I'm not an engineer; I don't even play one on TV.

Laughter.

Mr. Peter Tabuns: I'm glad you don't. There's a clear line between professions. That's a comfort.

Mr. Donald Booth: But honest discussion of what could be possible and how we can achieve something we all want is [*inaudible*].

Mr. Peter Tabuns: Thank you. I'm going to turn my questioning over to my colleague MPP Bell.

The Chair (Ms. Natalia Kusendova): Ms. Bell.

Ms. Jessica Bell: Thank you, MPP Tabuns. Thank you also for your presentation, Mr. Booth.

It has concerned me that the Ontario government has decided to move an already very fast environmental assessment process called the TPAP into something that's even faster. One issue that the TPAP looks at exploring is the issue of noise, like you've addressed. One of the things that concerns me about assessing noise is that they go by what the noise level currently is, as opposed to what kind of noise level is acceptable for people to withstand.

Could you elaborate a little bit more around what kind of appropriate noise mitigation efforts you think would be useful and what kind of noise standards you think would be appropriate for this project?

Mr. Donald Booth: Sure. First of all, I don't know the circumstances under which the current and interim regulations were crafted, but they are no longer appropriate. There are many ways to mitigate noise, and I should credit Metrolinx for sharing some of those technologies—a few of them.

I think at the heart of this matter is not a question of how I, as a civilian non-engineer, can suggest how to solve complicated technical issues. I think what's required is for this committee to use Bill 171 as a template to craft new, modern, appropriate noise regulations—very much like those, for example, that California put together for their high-speed trains—that will, first of all, have a solid cap on the amount of noise that is allowed; that, secondly, will take into account the frequency with which trains pass; and will also take into consideration—

The Chair (Ms. Natalia Kusendova): Thank you so much, Mr. Booth. We are out of time. We will now move on to six minutes of questions by our Liberal independent member, Mr. Blais.

Mr. Stephen Blais: Thank you for your presentation today.

I appreciate that you're not an engineer, but I guess I'm trying to get to the heart of your concern. Is the heart of your concern the outcome in terms of where the line is going and the form it's taking in terms of on the surface versus below ground, or are you concerned about process and the elements that are within the bill vis-à-vis expropriation?

Mr. Donald Booth: My concerns are primarily process. We can't come to an agreement on any matter, minor or major, like whether something is built above ground, underground or something in between—because there are options other than those two—unless we have a process of an honest exchange of ideas and concerns, and unless the process is governed by regulations that fairly balance the needs of the GTA and the province with those of people whose lives are directly impacted by any transit corridor, or for that matter, any public undertaking.

Mr. Stephen Blais: I appreciate that. Thank you very much for speaking to us this afternoon.

Mr. Donald Booth: Thank you.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will now move on to our next presenter.

Interjection.

The Chair (Ms. Natalia Kusendova): All right. Since our presenter is not here yet because we are running ahead of schedule, we will recess now until 5 o'clock. Thank you.

The committee recessed from 1646 to 1701.

MR. TONY WHITAKER

The Chair (Ms. Natalia Kusendova): Welcome back, everyone, to our public hearings on Bill 171, An Act to enact the Building Transit Faster Act, 2020 and to make related amendments to other Acts. Our next presenter is Mr. Tony Whitaker. Hello, Mr. Whitaker. You have 10 minutes to make your presentation, and you may begin by stating your name for the record.

Mr. Tony Whitaker: Tony Whitaker. I'm here representing 20 townhome owners on Logan Avenue and First Avenue that back onto and side onto the existing three GO train tracks, along with a parkette berm fence that we also own.

We are pro-transit, but with community protection. So we are against Bill 171 if it's not amended to include the following: We would like to see changes not to eliminate the community's voice in process procedures. We want to see community consultation and transparency with Metrolinx and the Ministry of Transportation. And we want to see provisions that eliminate a precedent for future transportation needs versus community needs.

When it comes to expropriation, Bill 171 eliminates the hearings of necessity on the transit corridor lands for a priority transit project. We're concerned about this because of existing homes in the community. We have four parks: Bruce Mackey, Jimmie Simpson, Gerrard and Carlaw, and Tiverton. We have six bridges between Broadview and Eastern and Pape and Gerrard which are going to be impacted. These are six bridges that the GO train tracks currently go over. Neighbourhood businesses, and also, of course, the neighbourhood Jimmie Simpson arena, could be seriously impacted. The bill allows Metrolinx to enter these lands without permit or consent, and we would like that changed.

With regard to environmental issues, Bill 171 allows work to be undertaken without impact assessments. It's also, specifically to the Ontario Line, silent as to how the new track width will impact the established community, with many heritage homes and 100-year-old trees, for example. Also, what are the noise and vibration impacts on the quality of life in the joint corridor—

Interruption.

Mr. Tony Whitaker: —excuse me; it'll stop in a minute—which is a two-kilometre stretch of track from Broadview and Eastern to Pape and Gerrard.

Cost analysis: There isn't one. So we either would like it to be compared to an underground option for the two-kilometre line because, for example, it's sort of ironic that

our Premier is going to now place much of the Scarborough subway underground. Also, the Eglinton West extension is going to have additional underground areas now, whereas in this established neighbourhood of South Riverdale-Riverside, which is a very tightly knit community and a very tight piece of land—we don't have six-lane highways running through us—it's a problem.

Also, it doesn't speak to the increase from the GO train tracks to a fourth GO train track, which is going to be installed when the electrification of the GO train tracks is completed—plus the two subway tracks. So we are going to go from three GO train tracks now to six tracks. We think that's going to have a major impact on cutting through South Riverdale.

In conclusion, I have a few amendments that I'd like to recommend to Bill 171.

(1) Recognize the need for community protection and for the community to be able to process procedures.

(2) Formalize the community consultation and transparency during the pre-construction phases.

(3) Do not eliminate the hearings of necessity for expropriation purposes for access to lands.

(4) Modify the right-of-way access to municipal roads or services.

(5) Do not allow early work to be completed before an environmental impact assessment report.

(6) Finally, provide cost analysis for six tracks in the joint corridor.

That's my presentation.

The Chair (Ms. Natalia Kusendova): Thank you very much. We will begin with seven minutes of questions by the official opposition, with MPP Tabuns. Go ahead.

Mr. Peter Tabuns: Mr. Whitaker, thanks for appearing today. I appreciate it. I think the whole committee appreciates it.

Could you speak a bit and enlarge on what recognition protecting the community would actually entail?

Mr. Tony Whitaker: We need to have communication with Metrolinx and we need to have transparency. We've had a few meetings with them, but we really haven't learned anything. We've come to presentations where there was no presentation made. They weren't prepared to give answers to questions. They wanted to leave the meeting with questions that we had asked them that they would answer later, which we haven't had answered, to a large extent.

Mr. Peter Tabuns: Okay. Thank you. With that, I turn my speaking over to Ms. Bell.

The Chair (Ms. Natalia Kusendova): Ms. Bell.

Ms. Jessica Bell: Thank you, MPP Tabuns. And thank you also, Mr. Whitaker, for coming in and speaking to us today and expressing your concerns. I have some questions.

You raised the concerns that you've had with Metrolinx's behaviour. My question to you is: How do you believe Metrolinx should change its behaviour in relation to this project and the regional express rail that you mentioned as well?

Mr. Tony Whitaker: Well, I think there should be notification of, “Things are going to happen.” For example, there were borehole drillings going on in my neighbourhood, even on our particular land, without any notification prior to it happening. It just gets all the neighbours a little upset because there’s no discussion beforehand; there’s no notification. So I think that has to change. As long as they want to come and say to us, “Look, we’d like to do some more testing on a private piece of property,” then fine; let’s meet and let’s work that out, which is in fact what did happen here last week on a piece of private land that we have, that the 20 of us townhouse owners jointly own. But that’s one specific case. That’s nothing to do with the overall communication that’s gone on, the information.

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A lot of these e-blasts go out from Metrolinx on a regular basis, and I do happen to read them, because I get them. I’m not sure who does, but that’s how I’m finding out about this stuff. It’s been happening up until very recently. It’s happening after the fact.

Ms. Jessica Bell: An earlier witness spoke about how Metrolinx is actually exempt from a lot of Toronto city bylaws that require proper communication, respect of certain noise limits and so on. Would you be supportive of having Metrolinx and these transit projects be subject to city of Toronto bylaws like this?

Mr. Tony Whitaker: Well, I think both the city and the province should be working together. I don’t know whether or not the province now with this new legislation has authority over the city bylaws. I don’t know what the rules are; I’m not a municipal employee. I would say that any time that you’ve got shared information, it tends to be beneficial. I think the communication works both ways.

I recall over the winter that there was work done on the Queen-De Grassi underpass, right on Queen Street, where streetcars go by every two or three minutes. That was never, ever—the city was unaware that that work was taking place before it did. So that was sort of an example of, on a bigger scale, what’s been happening in my neighbourhood up until now.

Ms. Jessica Bell: Mr. Whitaker, you mentioned the value and the need of formulating community protections. Can you elaborate?

Mr. Tony Whitaker: Yes.

Ms. Jessica Bell: What do you mean by “community protections”? What should be protected?

Mr. Tony Whitaker: Well, we’ve got heritage homes here. We’ve got a heritage train station at Queen and De Grassi. We’ve got hundred-year-old trees in Bruce Mackey Park. We’ve got people living very, very close to the tracks who don’t know what’s going to happen to them in the future. We don’t know where the tracks are going to go.

In my latest meeting with Metrolinx, they’ve told me that the six tracks would be on the same level, running parallel to one another, all the way up until Pape and Gerrard, where there has to be a change because, in order for the trains to go through Riverdale plaza, where the

tunnel is meant to start currently, the southern subway track has to come underneath the GO train tracks, just to the east of my property. But nobody knows for sure where it’s going or what it’s going to look like, and there is some concern about that.

Right now, there is no community protection. We’re wide open to being told what’s going to happen, and Bill 171 is going to allow that to happen that much more quickly and with less transparency, potentially.

Ms. Jessica Bell: I’m also very concerned about the decision by the government to move the design process and the construction process completely over to the private sector. As it looks like now, the private sector will decide the route and the stations, with very little required public consultation. Is that something that you’re following too or that you’re concerned about?

Mr. Tony Whitaker: Well, I’m concerned about it. I know Cadillac Fairview owns all the lands very close to the East Harbour station, coming across the Don River at Broadview and Eastern, and I know that Choice Properties owns Riverdale plaza near me where the No Frills store is, and that’s Loblaws. And presumably, there is going to be some kind of agreement made for stations to be built in those locations that will allow residential or commercial buildings to be built in those two areas.

In Cadillac Fairview’s case, my understanding is that there’s going to be office space there for 50,000 people. But nobody knows what’s going to happen at Pape and Gerrard, where the current plaza is, where the No Frills store is and a few other stores, of course. So yes, I’m concerned about that.

Ms. Jessica Bell: We are looking at introducing some kind of amendment called a community benefits agreement amendment. For this new construction project to happen, there would be a legally binding requirement for the community to get some kind of public benefit from the project as well. Are there some public benefits that you think would be useful for Metrolinx and this company to commit to?

The Chair (Ms. Natalia Kusendova): I’m so sorry, but our time is up. We will now be moving on to seven minutes of questions by the government.

Interjection.

The Chair (Ms. Natalia Kusendova): I’m so sorry. My apologies. Six minutes by Mr. Blais. Go ahead, Mr. Blais.

Mr. Stephen Blais: Thank you for speaking with us this afternoon.

I’ll continue the question that was cut off: Are there community benefits you would like to see other than the fact that the government is paying for transit?

Mr. Tony Whitaker: Obviously, we would like to see as much of the community as possible maintained. This isn’t a brand new community; it’s been around for a long time. The train tracks that run through the middle of it now—it’s very tight, so we’re concerned about the saving of, for example, all the trees in Bruce Mackey Park, which is a community benefit. It’s a big benefit to the community.

We're talking about the Jimmie Simpson arena. That seems to be up in the air, how that's going to stay there, because of the width of the six train tracks which are required, compared to the three which are there now. With all of the programs that go on for the kids in the neighbourhood in that arena, it's busy all the time.

There are heritage designations around Queen and De Grassi, where potentially a station is to go. There are religious homes there for people. There are old heritage homes that are very close to the tracks. We don't know whether they can be saved; they should be saved.

Those are the kinds of community things—I'm talking now between Broadview and Eastern, and Pape and Gerrard—that I'm particularly concerned about.

Also, there are six bridges. Something has to happen to them to allow six train tracks to go across them. Right now, it couldn't happen, so what does that mean to the community? How do you widen the bridges in an existing community where there's no space? That's an issue we have.

Mr. Stephen Blais: Sure. Is it safe to assume that you would have preferred if these projects had remained under municipal control or responsibility?

Mr. Tony Whitaker: No, I think the original plan was to have what was called the relief line, which was underground from Pape and Danforth down Carlaw to Queen, and across Queen to University. That was what was being environmentally looked at and being costed up until last summer. That would have allowed the neighbourhood to exist the way it exists now. So, whether it was municipally run or run by the province, to me, under that circumstance, it would not have been an issue.

My understanding is, the deal was made with the city in order to fund the ongoing operations of the TTC, with the province taking over the four new subway lines, to Richmond Hill, the airport, Scarborough and the Ontario Line, which I have no problem with.

Mr. Stephen Blais: Sure.

Mr. Tony Whitaker: I have a problem with the fact that there has been no analysis done on the fact that—what's the cost differential between overground and underground, and the implications for the community by having it above ground, given the width of the tracks which are required?

Mr. Stephen Blais: Okay. Thank you very much for your presentation.

Mr. Tony Whitaker: Thank you.

The Chair (Ms. Natalia Kusendova): Thank you. We will now move on to the government for seven minutes of questions. MPP Hogarth, go ahead.

Ms. Christine Hogarth: Thank you, Mr. Whitaker, for your passion and your love for your community. It's always great to see people who share their passion. And please pass along our thanks to those whom you consulted with for this presentation.

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The purpose behind this bill is to learn from some of the lessons from Eglinton East. There was a lot of—well, we all know the story. There's no sense in reiterating

what's going on—but an extra three years of community living and businesses. We don't want that to happen, and it shouldn't happen. And that's what we need to do. That's why we want to work with the city of Toronto and that's why we are working with the city of Toronto to make sure that we can mitigate some of these concerns that residents have.

We've heard some concerns today about Metrolinx and the consulting process. You will continue to be consulted. And just so you know, Metrolinx has put a link on, and I'm going to read it out. It's actually on our website. It's ontario.ca/buildingtransit. On that link is a list of the four transit projects that we're talking about in this bill and an area for you to comment on. One thing it does talk about is when those consultations are happening. I'm not sure if they're not listed because of COVID-19 or maybe they're not scheduled, but that's something we can certainly—I know we have people from MTO on the line here listening in, so maybe that's something that—or even the PA could take back.

Mr. Tony Whitaker: Well, my last conversation with Metrolinx last week was that they were planning on meetings in June or July to give us an update on what their findings are and what their plans are, but they weren't ready to answer any of our questions as of last week.

Ms. Christine Hogarth: Okay. We are in the early stages of this process. This is still early. There will be time to hear your views and your community's views, absolutely, because we want to make sure that we do this right. We want to work with you and your businesses to make sure—a lot of businesses have been hurt a lot through COVID-19, so we want to make sure that we get this project done. And that's really why we want to accelerate this process—so that we do mitigate some of the concerns.

Working with the government and your committee—we want to have a collaboration-first approach to this. How can the government work with your organization to build transit faster and address your concerns?

Mr. Tony Whitaker: As I said earlier, we just need proper consultation and proper transparency and as we go along. Nobody can tell me today what the Ontario Line is going to look like in the joint corridor. I know that it has been split up into three or four different zones. We have an added problem because their idea is to think about doing the subway on the same two tracks at the same time that the fourth line goes into the GO train for electrification for the Stouffville line extension.

I understand all of that, but we're sort of unique because we have homes and businesses on both sides of the track all the way from Pape and Gerrard down to Broadview and Eastern. It's a very tight space, so everybody's very concerned in the community because of that.

Ms. Christine Hogarth: I hear an echo here.

Mr. Tony Whitaker: Yes, I've got an echo too.

Ms. Christine Hogarth: Sorry about that, sir. Normally we would be doing this all in one room, but life is life—

Mr. Tony Whitaker: That's fine; I understand.

I just think that, like everything else, we'd like to work with you on this thing so we can come up with the best plan together. We're not here to stop it, as I said in my presentation. We're pro-transit. We understand the need for the subways. That's not the issue. The Premier is prepared to go underground now into Scarborough and spend a few billion dollars more, and he is prepared to go through Etobicoke to the airport underground now with the Eglinton West extension and spend a few billion dollars more.

We've got two kilometres here in an existing neighbourhood that doesn't have a highway running through it so that you can go down the median. It's very tight and very difficult, and that's why we're hopeful that the two kilometres are looked at differently from the rest of the Ontario Line and also the other three subway lines because of its uniqueness. It's a very small piece of the track. Originally it was going to be a relief line; it was going to go underground. The work was all done for it from Broadview and Eastern to East Harbour, all the way to Carlaw and Gerrard. So the work was done. There must be some numbers there that tell you that it's not going to cost billions of dollars more to do it. We've always said that the new subway track should come across the Don from downtown to the East Harbour station, which is the big concern—that at East Harbour, people can get off the GO train and get onto the subway, and vice versa, at basically the same level, so there's easier access to one or the other systems if people are transferring. Then they'll go take the tunnel from there up to Pape and Gerrard through Leslieville—

Ms. Christine Hogarth: I have one more question for you, because I know we're running out of time here. I was wondering if, because this bill is about accelerating transit, those four core projects that we discussed—do you see any redundancy in the process and steps in building transit infrastructure? Do you see that in moving forward with these projects?

Mr. Tony Whitaker: What do you mean by “redundancy”?

Ms. Christine Hogarth: Well, the lessons we've learned from the Eglinton line: Do you see any things we can learn from the Eglinton line that we can—

Mr. Tony Whitaker: Again, there were problems with the businesses. I remember there were problems at Bathurst and Eglinton. The community said that you can't close Bathurst and Eglinton for six months or a year, and Metrolinx said that that was going to extend the project by a period of time. But they did that; that was what was decided for the community there. So there have been concessions made along the way. We're not here to stop the process; we're just here to make the process more transparent and better.

Ms. Christine Hogarth: And you know what? That is exactly what our government wants to do too. We want to make it transparent. We want to get transit moving. The city—

The Chair (Ms. Natalia Kusendova): Thank you, Ms. Hogarth. Unfortunately, we are out of time.

Thank you, Mr. Whitaker, for your presentation today.

MS. KATE HILTON

The Chair (Ms. Natalia Kusendova): We are now moving on to the final presenter for the day: Ms. Kate Hilton. Good afternoon, Ms. Hilton. You have 10 minutes for your presentation. You may begin by stating your name for the record.

Ms. Kate Hilton: Thank you. My name is Kate Hilton. I understand I am your last speaker of the day, so thank you for hanging in. I'm sure you're all ready for a break, and I won't belabour this.

I'm a writer, a lawyer, and a resident of Riverside. I live on the so-called two-kilometre joint corridor proposed for the Ontario Line. I'm a founding member of the EastEnd Transit Alliance and a member of the steering committee, and I'm a mom. For most of my career I worked in the public sector, so I well understand the constraints of budgets and the necessity of compromise. I am a keen supporter of improved transit in the city, in particular in the east end, which, as you all know, has been underserved.

While I think the Ontario Line design is far from perfect, I do very much support the notion of extending transit service up to our neighbours in Thorncliffe Park and Flemingdon Park. I think that's a really important innovation in this plan and I'm very supportive of it, as are the other members of my community.

With all of that said, I hope you'll keep an open mind when I tell you that I think Bill 171 is a wrong-headed piece of legislation in this context, and I think it's out of step with the public mood and the times.

We are living history right now. The last three months have taught all of us a great deal about how the fragility of our environment affects our health, about how regulations create a safety net for vulnerable populations, about how our community structures protect or threaten human health, about how we rely on our local businesses to sustain us, and about how easily our local businesses can be destroyed by a disruption in operations.

Yet, in my view, Bill 171 ignores these lessons. It eliminates regulations designed to protect the environment. It eradicates protections for residents, making it easier to expropriate or alter their homes, at the same time removing their ability to have their day in court, which, as a lawyer, I find quite concerning. It insulates Metrolinx and the government from civil action, and it empowers Metrolinx to continue, unchecked, a pattern of behaviour that demonstrates resistance to consultation and blatant disregard for the businesses, social services and citizens in Leslieville, South Riverdale and Riverside.

Why are so many people so passionate about this neighbourhood and protecting it? If you haven't visited our part of the city, I really urge you to do so. It's a mixed downtown community, a very successful one, with a long, distinguished history. Gentrification is certainly part of the story, yes, and there are many lovingly preserved Victorian homes. But it's also a neighbourhood with a lot of low-income housing and some landmark social service agencies, including the Edwin, the Red Door shelter, Fontbonne Ministries, which I think you heard from earlier

today, and Jessie's women's shelter, to name just a few of them. There are others.

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We have a thriving local business community of restaurants, bars and shops that are a destination for people from across the city. We even attract international visitors in this neighbourhood, if you are keen to see the famous De Grassi Street of television fame. We're home to many creators, writers, musicians and visual artists. We're a community that's always been able to marshal our diversity and work together as we did on consultations for the downtown relief line. Collaboration is really part of our identity as a community, and I think it's a real source of pride to the people who live here.

Metrolinx takes the view that it has fulfilled its obligation to consult with our community through their community advisory committee process and also through a series of open houses. What I want to tell you is that both of these outlets have been woefully inadequate, set up to deliver as little information as possible and to invite nothing in the way of real communication. This is of course by design.

Like the drafters of Bill 171, Metrolinx has a plan to execute as quickly and cheaply as possible, and it doesn't want pesky residents to derail it. So Metrolinx conducts geotechnical tests without notice. They get caught out for not providing notice and they provide half-hearted apologies. They leave heavy machinery in our parks over the weekends. They refuse to answer the questions posed by our elected representatives on our behalf. They tell us that they are considering all the options, and then they send out blogs extolling the virtues of SkyTrains. They tell us that they hear our complaints when we turn out in the hundreds to protest, and then they blog about how incredible the turnout is and how it demonstrates community support and enthusiasm for the Ontario Line in our neighbourhood. In this context, Bill 171 feels like heavy artillery in the hands of an already untrustworthy authority.

Since COVID-19 struck, I think we've all been looking at things with fresh eyes. I know I have. I want to ask you: If you were drafting this legislation today for the first time, would you do it differently? Wouldn't you take the time to do the right environmental assessments? Wouldn't you take a little more care to protect local businesses? Wouldn't you exercise more caution in expropriating the homes where people have been sheltering for months? Wouldn't you want to strike a tone of collaboration and care with your citizens instead of stoking a culture of fear and mistrust? In that context, I want to ask you why we're rushing so quickly in this process.

I know, and you know, that there will be delays now—delays we could not have foreseen earlier, delays in finalizing partnerships, delays in funding, delays perhaps even in securing supplies. There will be shifts in how people work and how they travel and how they use transit. The future is unfolding in unexpected ways every day. So could we not instead consider taking a more respectful approach in the neighbourhoods affected and adding more transparency and care into the process?

Could we, for example, consider a robust consultation process run by a third party and outside of the CAC structure that would hold Metrolinx to account prior to the approval of a design? Once construction begins, could we establish a construction working group that includes local stakeholders, government actors and developers so that problems can be addressed immediately and channels of communication can remain open? Could we set standards for construction impacts in the legislation itself and lay out the consequences for failure to meet them? And could we create clear provisions for compensation for businesses and business owners harmed by construction instead of hiding behind immunity clauses? All of these would demonstrate an awareness of community impact and a willingness to enter into dialogue with affected communities.

COVID-19 has taught us that we're all in this together, and I urge you to consider striking a different tone with this legislation. As drafted, Bill 171 is a wrecking ball. What if it could be an olive branch instead?

I'm very happy to take any questions you might have and I really thank you for your time today.

The Chair (Ms. Natalia Kusendova): Thank you very much, Ms. Hilton. We will begin by six minutes of questions from Mr. Blais.

Mr. Stephen Blais: Thank you very much, Ms. Hilton, for your presentation and for the passion that you have for this subject and, clearly, for your community. I don't really have any questions. I guess I agree with you that the process has been flawed and that there should be ways that it can be fixed. So maybe I do have a question.

How could Metrolinx improve their relationship, how could they work to fix their relationship with the community now that it seems to have been broken? What are three or four immediate actions they could take to mend that fence?

Ms. Kate Hilton: Thank you very much for that question. I think it's a really good one.

Assuming we're working under the Metrolinx umbrella, I do want to stress that I think the greatest way to show accountability is to actually have Metrolinx be sort of an equal partner in consultation with others, as opposed to the person managing the consultation, because I think that is where a lot of the issues have stemmed from. I'm sure you've heard from others that there is just a sense of constant spin coming off Metrolinx, that there's a sense that the information that comes from Metrolinx is never the whole story. I think that they are going to struggle, even if they mend their ways, with that history of being perceived as being not straightforward. I do think that there would be a huge benefit to having more of a third-party process on that. But let me put that aside and answer your question.

I think Metrolinx needs to be much more straightforward about where they are in the process at regular intervals. Up until this point, their MO has been, "We'll communicate with you when we have something definitive to communicate." What that has amounted to is, "You'll hear from us when the design is more or less

finalized.” The anxiety, of course, in the community is that the further along the process goes before there is meaningful input from the community, the less likely it is that anything can be rolled back. So coupled with, as you can imagine, the decisions taken around forwarding through the environmental assessment process, not doing the TPAP, rolling it into other existing works, and then combined again with this idea that any environmental oversight is going to happen after early works are done but with “early works” defined so broadly as to include stations and bridges and other things, there’s a real anxiety on the part of the community that it will be a *fait accompli*.

So I think the first thing that has to happen is information needs to come at much more regular intervals and the curtain needs to be pulled back a bit on the process so people don’t feel like the process is over before a conversation ever happens. That’s the first thing that I think needs to happen.

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I think there needs to be a lot more clarity for people, in the joint corridor particularly, about how the different transit projects are going to work together. As I’m sure you know by now, there is a GO expansion and electrification—so an expansion of the number of rail lines on the GO tracks, plus an electrification process, that’s occurring in lockstep with the construction of the Ontario Line subway.

There’s real anxiety in the community about how the impacts will build on each other. There are conversations that happen about GO expansions and conversations that happen about the Ontario Line, and there’s never really a good, comprehensive discussion about what all of those impacts taken together will mean for the community and all of the different things—how that construction will be staged; what the shift from diesel to electrical means; if that in fact is happening; and what the aggregate noise and vibration impacts of all of those projects happening simultaneously are.

A lot of the anxiety, I think, that gets bucketed into Nimbyism quite unfairly is about what the scope of this project is, how much is being built on this quite narrow sliver of land, and if anyone is talking to each other. The answers to those questions don’t ever really come back. I think understanding the integration of those projects is very, very important.

I would also say that I think the CAC process has been quite challenging, and the existing CAC, the community advisory [*inaudible*] about the CAC and how that works. Metrolinx is mandated to create community advisory committees in communities where they’re building transit projects. In the case of our neighbourhood, the relevant CAC in fact covers quite a wide geography—

The Chair (Ms. Natalia Kusendova): Thank you very much. I’m sorry. We are out of time. We will now move on to the government for seven minutes of questions. Go ahead, Mr. Thanigasalam.

Mr. Vijay Thanigasalam: Thank you, Ms. Hilton, for your presentation. The government is actually committed to having collaboration-first approach. We’re working

with stakeholders. We’re working with communities and small business owners in those neighbourhoods.

I really want you to speak on, how can the government work with your community to build transit faster and also address your concerns that you are bringing on board today?

Ms. Kate Hilton: A couple of things, related to my answer to Mr. Blais actually: I do think the structure of consultation is really important. I want to stress that I have been involved in lots of public consultations, and without question, some do drag on terribly. I worked in the university sector for many years, where we did consultations constantly, so I understand why many people feel that consultation is necessarily a protracted process. But I have also seen it done exceedingly well and exceedingly quickly, and it just tends to be what the quality of the consultation is, how focused the consultation is, and if the right people are at the table. I just want to suggest to you that it is possible [*inaudible*]. That’s one thing.

I’m a fan of the notion that we should measure twice and cut once. I have some concern that the rejection of the TPAP process—putting a TPAP process or an environmental oversight after early works are done means that, as happened with the Eglinton LRT, it’s very possible that you’re going to run into problems that you did not foresee if you don’t do the investigations ahead of time.

Not just on the environmental front, but where you have this configuration where all of these lines are being integrated, I think [*inaudible*] environmental assessment [*inaudible*] that’s also looking at health and safety and also looking at noise and vibration—that understanding all of those impacts really successfully before you build is going to avoid the kinds of problems you’ve seen at Eglinton, which I think you don’t want. None of us wants that. We too would like to see transit done quickly; I just want the groundwork to be laid properly before it starts. I think with a P3 structure like you’re looking at, where the project is divided so many times, it’s especially critical because you’re looking at those joining [*inaudible*] project in so many places and needing to be very sure that it’s going to work.

The other thing I would say is that I really think that this community could get behind this transit project. I want to leave you with that. I think if they feel that they’ve been dealt with fairly and that the design reflects the best possible deal for the neighbourhood, this would turn into a very different mood. I wish we could get to a place where this is a much more collaborative project, because I think the goodwill of the people is definitely behind a transit project. While people would like it to be underground, I think there would be an openness to looking at other options if we felt like people were talking to us.

I just really want to leave you with the idea that this is not an anti-transit neighbourhood. I don’t even think it’s an anti-Ontario Line neighbourhood. But it is a neighbourhood that wants to understand what’s happening here and wants to be confident that really close attention is being paid to what is a very complex integration of projects in a very dense neighbourhood.

Mr. Vijay Thanigasalam: Thank you for that answer, Ms. Hilton. Do you see any redundant process or steps in the building of transit infrastructure? What are these, and would you foresee any challenges in addressing any of these redundant steps or processes?

Ms. Kate Hilton: I apologize. You cut out just a little bit. I heard, do I foresee challenges, but I missed the first part of what you said.

Mr. Vijay Thanigasalam: Yes. Do you see any redundant process in the building of transit infrastructure?

Ms. Kate Hilton: Redundancies?

Mr. Vijay Thanigasalam: Yes.

Ms. Kate Hilton: I think that's an interesting question. I heard you ask the gentleman before. There can always be redundancies. The ones that I worry most about are the ones that we don't foresee. A lot of the redundancies on a transit project emerge when you hit something you didn't expect. I think that that is what we've seen historically. Sometimes you dig, and then it turns out there's something you weren't expecting there and it throws you off. But I suspect that's not quite what you meant by that, so I'm wondering if you can explain to me when you say redundancies what sorts of things are you thinking of, and then I would probably be better placed to answer you.

Mr. Vijay Thanigasalam: For example, when you see the consultation steps or when you see the whole bill consultation steps, are there any steps that you think have redundancy in terms of this infrastructure project? The reason I ask is that as a community member and as a rider, you probably see how your community is reacting. So I just want to see what challenges you are foreseeing in terms of this consultation process that you're talking about. I just want to see what's your perspective in terms of the whole process.

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Ms. Kate Hilton: In terms of—

The Chair (Ms. Natalia Kusendova): I'm sorry, but our time is up.

We will now be moving on to seven minutes of questions by the official opposition, beginning with Mr. Tabuns.

Mr. Peter Tabuns: Thank you, Chair. I appreciate the opportunity.

Ms. Hilton, thanks so much for attending today and hanging on through such a long day. A number of us have questions, but I wanted to ask you: Can you expand on this proposal that standards for construction impacts be set in the legislation? What are you trying to avoid?

Ms. Kate Hilton: I'm trying to avoid a much more dire situation than we've already seen. We've seen a baby version of this already, which is to say: Works are occurring in the neighbourhood. The rigs are here, digging is happening and things are not going well for the community for whatever reason. As a small version, already we have neighbours very upset because they're not receiving notice, for example, of works being done. A rig drives onto their street on a Friday afternoon; boring begins on their route home; truck traffic is [*inaudible*]¹—like this, and they start phoning and they want answers, and they can't get

them because Metrolinx is just not strong on responding to these kinds of things.

I think the concern is that these works are getting a lot bigger, the rigs are going to get bigger and the number of people working in the neighbourhood will get bigger. People will be having interventions on their properties that will distress them. I think that some of that happens inevitably even in the best-managed construction project. But the concern is: How will those issues be addressed as they arise while construction is happening? Based on what we've seen so far, there isn't the confidence that that will be managed appropriately.

Residents, if they feel like someone has just come on their property and chopped down a tree, or told them that they are losing their garage, or whatever it is—because the act permits that. They know that they don't have a place to go for expropriations, and they know that there isn't much in the way of restitution. There is no way of saying, "Halt." There isn't a way of preventing that work from happening. If it's decided it's going to happen, it's going to happen, right? And so the question is—

Mr. Peter Tabuns: Ms. Hilton, I'm sorry. I'm going to stop you there because I know my colleagues desperately want to get some questions in—not that I didn't like your answer; I like it a lot. But I think I have to give my colleagues a chance.

Ms. Kate Hilton: Sure. The question, Peter, is just: What is the mechanism, and how can we put it in place so we know it's there?

The Chair (Ms. Natalia Kusendova): Ms. Bell.

Ms. Jessica Bell: Ms. Hilton, thank you for coming and speaking to the committee. We are also concerned about what mechanisms will be in place, not just during the consultation process, but also during the construction process. Who can you call to get immediate answers from either the private company that is running the construction or Metrolinx, and what can we do to make sure that you get in touch with the decision-maker? That's very important to us.

It was also very concerning to hear some of the comments you were making about how Metrolinx as an agency treats community residents less as people to be respected and cared for and more as people to be managed. It's something that we have seen all across Toronto, and your presentation shared some of the concerns that other people have raised as well.

What do you want the end project to look like?

Ms. Kate Hilton: I don't actually have a view about that. I'm not an infrastructure designer, and I don't know. I think almost anyone in this neighbourhood would say to you that our first choice is to have it put underground. There may well be very good reasons why it can't be underground; I'm not privy to [*inaudible*]²—that I think it should be aesthetically inoffensive. I think it should produce noise at a healthy decibel level so we're not worried about all the kids who live in this neighbourhood. I think it should ensure that the dust and the vibrations and all of the other environmental impacts are kept to a minimum. If that means noise barriers and other ways of—

I don't pretend for one minute to be an expert in any of that. But I think communities need to be given an opportunity to talk about and to understand why some things are more appropriate than others, to understand the relative cost implications, to understand the soil conditions, to understand why certain options make more sense than others, and then to be given an opportunity to say, "You know what? This option is better for us because of all of these reasons"—or not.

I just think it would be such a better experience for everybody if we could have access to better information and a real conversation about what options are possible here.

Ms. Jessica Bell: I followed the relief line process and the extensive consultation that happened in order to come up with a relief line route, and I do recall it being changed as a result of communities giving their input.

That feels very different from this process, where the first thing we heard was Premier Ford taking a curtain away from a map and showing us a new transit line that none of us had ever seen before and then telling us that everything was set. A year later, we realized that nothing

has been set and no one in the community knows what that route would even look like. What would it take to get your community behind this project?

Ms. Kate Hilton: Well, as you say, I think that was a shock for people, because there was the line that had sort of 10 years of consultation baked into it that people felt really good about. I don't want to be one of these people who says that we have to go back to the [*inaudible*]*—*a transit project that was very complicated, that implicated lots of people's properties, that had expropriations attached to it, and people were on board.

The Chair (Ms. Natalia Kusendova): Thank you, Ms. Hilton. We are out of time. Thank you for appearing in front of our committee today.

Members, this concludes today's public hearings. As a reminder, we will be meeting tomorrow at 10 a.m. in room 151 and by video conference. We will also be holding a pre-meeting at 9:30 a.m. And as a general reminder, the deadline to send in a written submission will be 6 p.m. on June 10.

This committee is now adjourned.

The committee adjourned at 1758.

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