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de l'Ontario

**Official Report
of Debates
(Hansard)**

M-10

**Journal
des débats
(Hansard)**

M-10

**Standing Committee on
the Legislative Assembly**

More Homes
for Everyone Act, 2022

**Comité permanent de
l'Assemblée législative**

Loi de 2022 pour plus
de logements pour tous

2nd Session
42nd Parliament

Wednesday 13 April 2022

2^e session
42^e législature

Mercredi 13 avril 2022

Chair: Laurie Scott
Clerk: Tanzima Khan

Présidente : Laurie Scott
Greffière : Tanzima Khan

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 13 April 2022

Mercredi 13 avril 2022

The committee met at 0901 in committee room 1.

**MORE HOMES
FOR EVERYONE ACT, 2022
LOI DE 2022 POUR PLUS
DE LOGEMENTS POUR TOUS**

Consideration of the following bill:

Bill 109, An Act to amend the various statutes with respect to housing, development and various other matters / Projet de loi 109, Loi modifiant diverses lois en ce qui concerne le logement, l'aménagement et diverses autres questions.

The Chair (Ms. Laurie Scott): Good morning, everyone. I'm going to call the meeting to order. We're meeting today for clause-by-clause consideration of Bill 109, An Act to amend the various statutes with respect to housing, development and various other matters. Staff from Hansard, legal counsel and ministry counsel are joining us today. Are there any questions on that part? We're good? Okay.

Before we begin, I would like to remind members that if there is a need to move any new amendments that are currently not in the proposed amendments package, I will briefly recess the committee at that time to allow for legislative counsel to properly draft those new amendments. Additionally, I propose that consecutive sections with no amendments or notices be grouped together, unless any members would like to vote on a section separately. Do members agree with that, if there are no amendments to the sections? Okay, good. Thank you.

Are there any brief comments on the bill as a whole before we proceed? Seeing none, since the majority of the bill is set out in schedules, I propose we stand down sections 1, 2 and 3 of the bill and start with schedule 1, section 1. Do members agree? Okay.

There are no proposed amendments to sections 1 to 3 of schedule 1. I propose we bundle these sections together. Agreed? Is there any debate on the bundled sections? I see none. Shall sections 1 to 3 of schedule 1, inclusive, carry? All those in favour? All those opposed? Okay. I consider it carried.

Shall schedule 1 carry? Carried.

Moving on to schedule 2: There are no proposed amendments to sections 1 to 3 of schedule 2. I propose we bundle these sections together. Agreed? Everyone is

agreed? Okay, thank you. Is there any debate on the bundled sections? Seeing none, thank you. Shall sections 1 to 3 of schedule 2, inclusive, carry? All those in favour? All those opposed? Carried.

Shall schedule 2 carry? Carried.

We're at schedule 3, and there is an amendment by the NDP. It will be amendment number 1. I'll ask MPP Burch, please.

Mr. Jeff Burch: I move that schedule 3 to the bill be amended by adding the following section:

"0.1 The New Home Construction Licensing Act, 2017 is amended by adding the following section:

""Ombudsman Act

""5.1 The regulatory authority is deemed to be a governmental organization for the purposes of the Ombudsman Act and, for the purposes of that act, the chair appointed under section 13 is deemed to be its head.""

The Chair (Ms. Laurie Scott): Thank you. Committee members, this amendment is beyond the scope of the bill. If passed, the amendment would vicariously amend the Ombudsman Act, 1990, which is an act that is not opened by Bill 109. It is not possible to do indirectly what cannot be done directly. I therefore rule the amendment out of order.

Section 1 of schedule 3: I believe we have another amendment. I will go to MPP Burch again, please.

Mr. Jeff Burch: I move that section 1 of schedule 3 to the bill be amended by adding the following subsection:

""(2) Section 38 of the act is amended by adding the following subsection:

""Same

""(4.1) The warranty authority shall promptly inform the registrar of any changes to the information the warranty authority provided to the registrar in response to a request under subsection (3).""

The Chair (Ms. Laurie Scott): Is there any further debate on that motion? I believe MPP Oosterhoff, please.

Mr. Sam Oosterhoff: I appreciate the member for bringing forward this amendment, but we do believe that this amendment is unnecessary, because Tarion is already required and likely going to be required to provide this information by regulation.

The Chair (Ms. Laurie Scott): Any further discussion? Seeing none, are members ready to vote on the motion?

Mr. Jeff Burch: Chair, if I could ask for a recorded vote, please.

Ayes

Bell, Burch, Hassan.

Nays

Bouma, Kramp, Oosterhoff, Pang, Sabawy.

The Chair (Ms. Laurie Scott): The motion is lost.

In the same section 1 of schedule 3, there is another amendment. I will refer to MPP Burch, please.

Mr. Jeff Burch: I move that section 1 of schedule 3 to the bill be amended by adding the following subsection:

“(3) Section 38 of the act is amended by adding the following subsection:

“Notification to minister re incomplete, inaccurate information

“(4.2) The registrar shall notify the minister, in writing, if it has reason to believe that information received from the warranty authority is incomplete or inaccurate.”

The Chair (Ms. Laurie Scott): I will ask if there’s any discussion. MPP Oosterhoff, please.

Mr. Sam Oosterhoff: I believe that this motion, although I appreciate the intent behind it, is unnecessary in that if the HCRA already has serious concerns about Tarion’s reporting, they are free to write to the minister with their concerns. That, of course, is already permitted, so we don’t believe it’s necessary.

The Chair (Ms. Laurie Scott): Further discussion? Seeing none—

Mr. Jeff Burch: Recorded vote, please, Chair.

Ayes

Bell, Burch, Hassan.

Nays

Bouma, Kramp, Oosterhoff, Pang, Sabawy.

The Chair (Ms. Laurie Scott): The motion is lost.

Shall schedule 3, section 1, carry? All those in favour? All those opposed? Section 3 is carried.

Moving to schedule 3, section 2, I believe there’s an amendment. I will turn to MPP Burch to read the amendment, please.

Mr. Jeff Burch: I move that section 2 of schedule 3 to the bill be amended by adding section 56.2 to the New Home Construction Licensing Act, 2017:

“Timelines re complaints, actions

“56.2 The registrar shall comply with the prescribed requirements respecting notices and timelines in responding to complaints under section 56 or exercising powers under section 56.1.”

0910

The Chair (Ms. Laurie Scott): Further discussion? MPP Oosterhoff, please.

Mr. Sam Oosterhoff: We are going to be voting against this motion, because we believe that if this motion is carried it could impact the independence of the registrar and the Home Construction Regulatory Authority. It would be subject to procedures and timelines imposed by the government. But we also believe that this motion is repetitive of the current section 83(1)(k) of the New Home Construction Licensing Act, which states: “The Lieutenant Governor in Council may make regulations ... specifying procedures and other matters for handling complaints under section 56....”

The Chair (Ms. Laurie Scott): Further discussion?

Mr. Jeff Burch: Recorded vote, please, Chair.

Ayes

Bell, Burch, Hassan.

Nays

Bouma, Kramp, Oosterhoff, Pang, Sabawy.

The Chair (Ms. Laurie Scott): The motion is lost.

Now, shall schedule 3, section 2 carry? All those in favour? All those opposed? Schedule 3, section 2 is carried.

There are no proposed amendments to sections 3 to 8 of schedule 3. I propose we bundle these sections together. Agreed? Okay. Is there any debate on the bundled sections? None. Shall sections 3 to 8 of schedule 3, inclusive, carry? All those in favour? All those opposed? Carried.

Does schedule 3 carry? Carried.

On schedule 4, section 0.1, I believe we have an amendment. I’ll turn to MPP Burch, please.

Mr. Jeff Burch: I move that schedule 4 to the bill be amended by adding the following section:

“0.1 The Ontario New Home Warranties Plan Act is amended by adding the following section:

“Ombudsman Act

“2.0.4 The corporation is deemed to be a governmental organization for the purposes of the Ombudsman Act and, for the purposes of that act, the chair appointed under section 2.5 is deemed to be its head.”

The Chair (Ms. Laurie Scott): This amendment is beyond the scope of the bill. If passed, the amendment would vicariously amend the Ombudsman Act, 1990, which is an act that is not opened by Bill 109. It is not possible to do indirectly what cannot be done directly. I therefore rule the amendment out of order.

On schedule 4, there are no proposed amendments to sections 1 to 3 of schedule 4. I propose we bundle these sections together. Agreed? Okay. Is there any debate on the bundled sections? Seeing none, shall sections 1 to 3 of schedule 4, inclusive, carry? Carried.

Does schedule 4 carry? Carried.

Moving to schedule 5, there are no proposed amendments to sections 1 to 14 of schedule 5. I propose these bundling sections together. Agreed?

Ms. Jessica Bell: I just have one comment.

The Chair (Ms. Laurie Scott): Sure, of course.

Ms. Jessica Bell: I'm not in support of schedule 5 overall because, in general, I don't believe punishing municipalities is the best way to build more homes. I think we need to work with municipalities to build new homes. The essence of schedule 5 is punitive. In fact, it could actually lead to lengthier construction approvals, because developers will then turn to the backlogged Ontario Land Tribunal to get their approval done because the municipality will just reject an application outright because they don't want to risk having to reimburse a developer for the fee. That is my overall concern with schedule 5, and that will be the extent of my comments on it.

The Chair (Ms. Laurie Scott): Is there any further debate? Okay.

Shall sections 1 to 14 of schedule 5, inclusive, carry? All those in favour? All those opposed? The motion is carried.

Ms. Jessica Bell: Could we do a—

The Chair (Ms. Laurie Scott): I think it's too late for a recorded vote. So sorry.

Shall schedule 5 carry? Carried.

We'll go back to section 1. There were no amendments.

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the title of the bill carry? Carried.

Shall Bill 109 carry? Carried.

Shall I report the bill to the House? Okay.

That concludes the business for today. Thank you, everyone. The committee is now adjourned.

The committee adjourned at 0916.

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