

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

Official Report of Debates (Hansard)

HE-5

Journal des débats (Hansard)

HE-5

Standing Committee on Heritage, Infrastructure and Cultural Policy

Strong Mayors,
Building Homes Act, 2022

1st Session
43rd Parliament

Wednesday 31 August 2022

Comité permanent du patrimoine, de l'infrastructure et de la culture

Loi de 2022 pour
des maires forts et pour
la construction de logements

1^{re} session
43^e législature

Mercredi 31 août 2022

Chair: Laurie Scott
Clerk: Isaiah Thorning

Présidente : Laurie Scott
Greffier : Isaiah Thorning

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<https://www.ola.org/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7400.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7400.

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



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

ISSN 2816-7252

CONTENTS

Wednesday 31 August 2022

Strong Mayors, Building Homes Act, 2022, Bill 3, Mr. Clark / Loi de 2022 pour des
maires forts et pour la construction de logements, projet de loi 3, M. Clark HE-59

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON HERITAGE,
INFRASTRUCTURE
AND CULTURAL POLICY**

**COMITÉ PERMANENT DU PATRIMOINE,
DE L'INFRASTRUCTURE
ET DE LA CULTURE**

Wednesday 31 August 2022

Mercredi 31 août 2022

The committee met at 0901 in committee room 1.

**STRONG MAYORS,
BUILDING HOMES ACT, 2022
LOI DE 2022 POUR DES MAIRES FORTS
ET POUR LA CONSTRUCTION
DE LOGEMENTS**

Consideration of the following bill:

Bill 3, An Act to amend various statutes with respect to special powers and duties of heads of council / Projet de loi 3, Loi modifiant diverses lois en ce qui concerne les pouvoirs et fonctions spéciaux des présidents du conseil.

The Chair (Ms. Laurie Scott): Good morning, everyone. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order. I want to start off by wishing MPP Pang a happy birthday.

Mr. Billy Pang: Thank you very much, Madam Chair.

The Chair (Ms. Laurie Scott): You're welcome.

We are here to conduct clause-by-clause consideration of Bill 3, An Act to amend various statutes with respect to special powers and duties of heads of council. We are joined by staff from legislative counsel, Hansard and broadcast and recording.

Please wait until I recognize you before starting to speak, and as always, all comments should go through the Chair. Are there any questions before we begin?

The Clerk has distributed the amendment package to all the members and staff electronically. Are there any comments or questions to any section or schedule of the bill, and if so, to which section? MPP Harden.

Mr. Joel Harden: Just a general question, Chair, which I'll only pose once to my friends in government: Did they consider the entirety of the package, as it's currently written, as we've been debating this week, after hearing from stakeholders, something that was worth presenting to the leadership of the city of Ottawa before granting the city of Ottawa's mayor these powers? Just so I can have that on the record this morning.

The Chair (Ms. Laurie Scott): I will ask anyone if there's any further debate.

Seeing none, we will begin clause-by-clause consideration of the bill.

Bill 3 is comprised of three sections which enact three schedules. In order to deal with the bill in an orderly fashion, I suggest we postpone these three sections in order to dispose of the schedules first. Is there agreement on this?

We're going to move over to schedule 1, section 1. Shall schedule 1—

Interjection.

The Chair (Ms. Laurie Scott): Sorry, is there any debate—I'll get in the swing of it in a minute—on section 1 of schedule 1? Is there any debate? I think I may have asked that. Seeing no debate, shall section 1 of schedule 1 carry? Carried.

Moving on to schedule 1, section 2, I believe we have amendment number 1. Who would like to move this motion?

Ms. Mary-Margaret McMahon: I will. Right, so I have—

The Chair (Ms. Laurie Scott): MPP McMahon.

Ms. Mary-Margaret McMahon: Thank you. I have section 2 of schedule 1. That is correct?

The Chair (Ms. Laurie Scott): Yes, section 2 of schedule 1.

Ms. Mary-Margaret McMahon: Okay, right.

I move that section 2 of schedule 1 to the bill be amended by adding the following section to the City of Toronto Act, 2006:

“Duty to ensure housing is built

“226.6.1(1) The head of council has the duty of ensuring that the amount of new housing built within the city in each year is proportionately sufficient to meet the goal of building 1.5 million new units of housing in Ontario by 2031.

“Proportionality

“(2) The required number of new units of housing that must be built in each year within the city shall be determined by assessing the number of new units of housing that must be built in each year across Ontario in order to meet the target described in subsection (1) and calculating a proportionate share based on the city's relative population size.

“Progress report

“(3) Before the end of each year up to and including 2031, the head of council shall prepare a report that,

“(a) assesses how well they have met the goal described in subsection (1); and

“(b) if the goal has not been met, describes the reasons why the goal has not been met and provides a plan to ensure the goal will be met in subsequent years.

“Publication and provision to minister

“(4) The head of council shall make the report described in subsection (3) available to the public and provide it to the minister before the end of each year.

“Tabling

“(5) The minister shall immediately table the report in the assembly or, if the assembly is not in session, shall table it as soon as possible at the beginning of the next session.”

Keep going? I have another one for—

The Chair (Ms. Laurie Scott): No, no. Wait. Just hold on for one second. It’s one amendment at a time. And this is on section—

Ms. Mary-Margaret McMahon: Sorry. I’m keen.

The Chair (Ms. Laurie Scott): That’s okay. We’re all just getting into motion here.

So section 2 of schedule 1: MPP McMahon has read an amendment. Committee members, this is a ruling that the proposed amendment is out of order. As Bosc and Gagnon note in the third edition of House of Commons Procedure and Practice, “An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.” So that’s a ruling that we have made, and—

Interjection.

The Chair (Ms. Laurie Scott): It’s not debatable.

Interjection.

The Chair (Ms. Laurie Scott): I’m sorry. The House procedures and rules are for committees.

We’re going to move on to section 2 of schedule 1, which I believe you—that’s amendment number 2, just to clarify. I will ask someone to introduce, which I believe—MPP McMahon?

Ms. Mary-Margaret McMahon: Okay. Here we go again.

I move that section 2 of schedule 1 to the bill be amended by adding the following section to the City of Toronto Act, 2006:

“Vacant housing inventory

“226.6.2(1) The head of council shall, before March 31 in each year, prepare an inventory of every unit of housing in the city that was vacant during the previous year.

“Vacancy

“(2) For the purposes of this section, a unit of housing is vacant during a year if it was unoccupied for at least six months during the year and was not the principal residence of the unit’s owner during that year.

“Publication of number of vacant units

“(3) The head of council shall determine the total number of vacant units of housing in the city in each year and make that number available to the public.

“Duty to reduce the list

“(4) The head of council has the duty of ensuring that the total number of vacant units in the city are reduced by at least 50 per cent every four years.

“Progress report

“(5) Before the end of each year, the head of council shall prepare a report that,

“(a) assesses how well they have met the goal described in subsection (4); and

“(b) if the goal has not been met, describes the reasons why the goal has not been met and provides a plan to ensure the goal will be met in subsequent years.

“Publication and provision to minister

“(6) The head of council shall make the report described in subsection (5) available to the public and provide it to the minister before the end of each year.

“Tabling

“(7) The minister shall immediately table the report in the assembly or, if the assembly is not in session, shall table it as soon as possible at the beginning of the next session.”

The Chair (Ms. Laurie Scott): Thank you very much.

The ruling by the Chair, committee members, is that the proposed amendment is out of order. As Bosc and Gagnon note in the third edition of House of Commons Procedure and Practice, “An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.”

0910

Is there any further debate on schedule 1, section 2? Any debate? Yes, MPP Burch.

Mr. Jeff Burch: Thank you, Chair. I actually just want to understand why it’s ruled out of order, just more for educational purposes for myself. Is it because it was proposed that the amendment was to the City of Toronto Act and that takes it out of the scope? Is that it?

The Chair (Ms. Laurie Scott): We’ll get the right wording for you in one second.

Mr. Jeff Burch: Thanks.

The Chair (Ms. Laurie Scott): I’ll try to summarize this without the legalese. Basically, if a bill had been referred after first reading, it has a different—tone? Scope. “Scope” is the word I want. But because this is referred after second reading, the House has already agreed to the principle and scope of the bill. That’s why the amendments are out of order, based on that principle. And it’s quoted—as I have said specifically on two amendments—in the third edition of the House of Commons Procedure and Practice.

Further debate?

Ms. Mary-Margaret McMahon: Just to clarify again for educational purposes, it’s out of scope, but “housing” is in the title—Bill 3, strong mayors, building housing act. If someone could elaborate exactly how asking for an inventory of housing units built for a housing act would be out of order, that would be very helpful.

The Chair (Ms. Laurie Scott): As discussed in speaking with research and legal counsel, by and large, the operative part of the bill is contained in the text, not in the short title. That’s referring to your reference to the title.

That’s the ruling. I’ve given a couple of the rationales based on consulting with legal counsel, and we’re going to move forward. Thank you.

Now we’re back to, is there any further debate on schedule 1, section 2? MPP McMahon, did you have a comment?

Ms. Mary-Margaret McMahon: Well, I have two more amendments to move, for the Municipal Act.

The Chair (Ms. Laurie Scott): We're not quite—we'll let you know, for sure. Is that okay?

Ms. Mary-Margaret McMahon: Yes.

The Chair (Ms. Laurie Scott): Thank you.

Any further debate? Shall schedule 1, section 2, carry? All those in favour, please say "aye." All those opposed, please say "nay." Carried.

Interjection.

The Chair (Ms. Laurie Scott): Specifically, I just have to, for Hansard, say schedule 1, section 2, is carried.

Ms. Mary-Margaret McMahon: I haven't moved my—

The Chair (Ms. Laurie Scott): They're on another schedule. We'll guide you.

Interjection.

The Chair (Ms. Laurie Scott): Yes, it's very technical, but we'll get through here.

Schedule 1, section 3: Is there any debate? Shall schedule 1, section 3, carry? All those in favour, please say "aye." All those opposed? Schedule 1, section 3, is carried.

We're going to now move on to schedule 1 as a whole. Shall schedule 1 carry? Sorry, is there any debate? No. All those in favour, please say "aye." All those opposed, please say "nay." Schedule 1 is carried.

Moving to schedule 2, section 1, we have amendment number 3. Would anyone like to move amendment number 3? MPP McMahon.

Ms. Mary-Margaret McMahon: Here I am. Thank you very much.

I move that section 1 of schedule 2 to the bill be amended by adding the following section to the Municipal Act, 2001:

"Duty to ensure housing is built

"284.8.1(1) A head of council has the duty of ensuring that the amount of new housing built within their municipality in each year is proportionately sufficient to meet the goal of building 1.5 million new units of housing in Ontario by 2031.

"Proportionality

"(2) The required number of new units of housing that must be built in each year in the municipality shall be determined by assessing the number of new units of housing that must be built in each year across Ontario in order to meet the target described in subsection (1) and calculating a proportionate share based on the municipality's relative population size.

"Progress report

"(3) Before the end of each year up to and including 2031, the head of council shall prepare a report that,

"(a) assesses how well they have met the goal described in subsection (1); and

"(b) if the goal has not been met, describes the reasons why the goal has not been met and provides a plan to ensure the goal will be met in subsequent years.

"Publication and provision to minister

"(4) The head of council shall make the report described in subsection (3) available to the public and provide it to the minister before the end of each year.

"Tabling

"(5) The minister shall immediately table the report in the assembly or, if the assembly is not in session, shall table it as soon as possible at the beginning of the next session."

The Chair (Ms. Laurie Scott): Thank you.

We'll do another ruling by the Chair on amendment number 3. Committee members, the proposed amendment is out of order. As Bosc and Gagnon note in the third edition of House of Commons Procedure and Practice, "An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill."

0920

If we could, we'll move on to amendment 4, section 1, of schedule 2. Is there anyone willing to move the amendment? MPP McMahon.

Ms. Mary-Margaret McMahon: My last attempt—here I go:

I move that section 1 of schedule 2 to the bill be amended by adding the following section to the Municipal Act, 2001:

"Vacant housing inventory

"284.8.2(1) A head of council shall, before March 31 in each year, prepare an inventory of every unit of housing in the municipality that was vacant during the previous year.

"Vacancy

"(2) For the purposes of this section, a unit of housing is vacant during a year if it was unoccupied for at least six months during the year and was not the principal residence of the unit's owner during that year.

"Publication of number of vacant units

"(3) The head of council shall determine the total number of vacant units of housing in the municipality in each year and make that number available to the public.

"Duty to reduce list

"(4) The head of council has the duty of ensuring that the total number of vacant units in the municipality are reduced by at least 50 per cent every four years.

"Progress report

"(5) Before the end of each year, the head of council shall prepare a report that,

"(a) assesses how well they have met the goal described in subsection (4); and

"(b) if the goal has not been met, describes the reasons why the goal has not been met and provides a plan to ensure the goal will be met in subsequent years.

"Publication and provision to minister

"(6) The head of council shall make the report described in subsection (5) available to the public and provide it to the minister before the end of each year.

"Tabling

"(7) The minister shall immediately table the report in the assembly or, if the assembly is not in session, shall table it as soon as possible at the beginning of the next session."

The Chair (Ms. Laurie Scott): Thank you.

Committee members, the proposed amendment is out of order. As Bosc and Gagnon note in the third edition of House of Commons Procedure and Practice, "An amendment to a bill that was referred to a committee after second

reading is out of order if it is beyond the scope and principle of the bill.”

On schedule 2, section 1, is there any debate? Shall schedule 2, section 1, carry? All those in favour, please say “aye.” All those opposed, say “nay.” Schedule 2, section 1, is carried.

Now we’re moving to schedule 2, section 2. Is there any debate? Shall schedule 2, section 2, carry? All those in favour, please say “aye.” All those opposed, please say “nay.” Schedule 2, section 2, is carried. We’ve got the rhythm down here.

Now I’ll ask, shall schedule 2 carry? All those in favour? All those opposed? Thank you. Schedule 2 as a whole is carried.

Moving on to schedule 3, there are no amendments to sections 1 to 5 of schedule 3. I propose we bundle them. Is that agreed by committee? I see agreement.

Is there any debate on schedule 3, sections 1 to 5? Seeing none, shall schedule 3, sections 1 to 5, carry? All those in favour? All those opposed? Thank you. Sections 1 to 5 of schedule 3 are carried.

Now I’m asking, is schedule 3 as a whole carried? All those in favour? All those opposed? Thank you. Schedule 3 as a whole is carried.

We’re now going to return to section—oh, MPP Harden, do you have a question?

Mr. Joel Harden: Just a brief point of order, Chair. I’ll signal it to you now: We’d appreciate a heads-up when we’re voting on the entire piece of legislation. We’d like a recorded vote when that happens.

The Chair (Ms. Laurie Scott): Yes.

Mr. Joel Harden: Thank you.

The Chair (Ms. Laurie Scott): We’re going to go back to the beginning: Bill 3, section 1. Shall section 1 of the bill carry? Is there any debate? No. All those in favour, please say “aye.” All those opposed, say “nay.” Section 1 is carried.

Moving on to section 2, “Commencement,” is there any debate? Shall section 2 carry? All those in favour? All those opposed, please say “nay.” Section 2 is carried.

Now we’re moving on to section 3, the short title. Is there any debate? All those in favour, please say “aye.” All those opposed, please say “nay.” Section 3 is carried.

We’re going to return to the first page to vote on sections—

Interjection.

The Chair (Ms. Laurie Scott): Shall the title of the bill carry? Any debate? All those in favour? All those opposed? Carried. I can’t get these questions out fast enough.

Shall Bill 3 carry? And I believe the member has asked for a recorded vote. Is there any debate? MPP Bell.

Ms. Jessica Bell: I’ll be brief. Just before we conclude, I do want us to be very clear that, as this bill is written, I don’t believe it’s going to be building more homes. We had the professional planners come in and state very clearly that they’re concerned that it will actually slow down housing construction, and the consequences of this bill for democracy and the influence that city councillors have in

two of Canada’s largest cities is negative. That’s one of the reasons why I’m voting against this bill.

The Chair (Ms. Laurie Scott): Any further debate? MPP Harden.

Mr. Joel Harden: Well, just to add also, for the record, Chair, as we’ve heard, the mayor of Ottawa—and no officials in our city were consulted on this. He’s asked me to make that part of the record today. I also just want to note that Mayor Watson has also asked all folks presenting themselves as candidates for the current mayoral election not to use the powers in this legislation. I want that to also be part of the record. And I hope my government colleagues do better in the future when there’s legislation pertaining to our city, that they should talk to members of our city first.

The Chair (Ms. Laurie Scott): Further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: I, too, feel that housing could be built if we are serious. We could be using current provincial powers to be doing that and working collaboratively with mayors all across Ontario.

I am disappointed that my amendments did not pass, because they allowed for accountability. Actually, if the goals were achieved for the housing units built, that would be something to be proud of. Why wouldn’t we want accountability for building—if the lofty goal of 1.5 million over 10 years is there, let’s try to measure it. As we’ve heard over and over again and as we know, what is measured actually gets done. I would think that all the members here would support that type of inventory and transparent accountability.

And then with regard to the vacant homes, we’re going to need every tool in the tool box to solve this housing crisis. We’re going to have to get creative and really think outside the box. Assessing and dealing with the vacant homes is one of the many ways to do that. It’s something that should be looked at, and I’m disappointed it’s not.

The Chair (Ms. Laurie Scott): Thank you. Any further debate? Seeing none, shall we have the recorded vote now? Okay.

Ayes

Coe, Grewal, Pang, Sabawy, Laura Smith, Thanigasalam.

Nays

Bell, Burch, Harden, McMahon.

The Chair (Ms. Laurie Scott): Bill 3 is carried.

Shall I report the bill to the House? Any debate? All those in favour? All those opposed? So we will report the bill back today.

There being no further business, this committee now stands adjourned. Thank you so much, everyone, for your patience.

The committee adjourned at 0931.

STANDING COMMITTEE ON HERITAGE, INFRASTRUCTURE AND CULTURAL POLICY

Chair / Présidente

Ms. Laurie Scott (Haliburton–Kawartha Lakes–Brock PC)

Vice-Chair / Vice-Présidente

Ms. Laura Mae Lindo (Kitchener Centre / Kitchener-Centre ND)

Ms. Jill Andrew (Toronto–St. Paul’s ND)

Mr. Hardeep Singh Grewal (Brampton East / Brampton-Est PC)

Mr. Joel Harden (Ottawa Centre / Ottawa-Centre ND)

Mr. Kevin Holland (Thunder Bay–Atikokan PC)

Ms. Laura Mae Lindo (Kitchener Centre / Kitchener-Centre ND)

Mr. Graham McGregor (Brampton North / Brampton-Nord PC)

Ms. Mary-Margaret McMahon (Beaches–East York L)

Mr. Billy Pang (Markham–Unionville PC)

Mr. Sheref Sabawy (Mississauga–Erin Mills PC)

Ms. Laurie Scott (Haliburton–Kawartha Lakes–Brock PC)

Ms. Laura Smith (Thornhill PC)

Mr. Vijay Thanigasalam (Scarborough–Rouge Park PC)

Substitutions / Membres remplaçants

Ms. Jessica Bell (University–Rosedale ND)

Mr. Jeff Burch (Niagara Centre / Niagara-Centre ND)

Mr. Lorne Coe (Whitby PC)

Clerk / Greffier

Mr. Isaiah Thorning

Staff / Personnel

Mr. Eric Chamney, legislative counsel