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Standing Committee on Justice Policy

Less Red Tape, Stronger
Economy Act, 2023

1st Session
43rd Parliament

Wednesday 3 May 2023

Comité permanent de la justice

Loi de 2023 visant à réduire
les formalités administratives
pour une économie plus forte

1^{re} session
43^e législature

Mercredi 3 mai 2023

Chair: Goldie Ghamari
Clerk: Thushitha Kobikrishna

Présidente : Goldie Ghamari
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Wednesday 3 May 2023

Mercredi 3 mai 2023

The committee met at 1001 in committee room 2.

**LESS RED TAPE, STRONGER ECONOMY
ACT, 2023**

**LOI DE 2023 VISANT À RÉDUIRE
LES FORMALITÉS ADMINISTRATIVES
POUR UNE ÉCONOMIE PLUS FORTE**

Consideration of the following bill:

Bill 91, An Act to enact two Acts, amend various Acts and revoke various regulations / *Projet de loi 91, Loi visant à édicter deux lois, à modifier diverses lois et à abroger divers règlements.*

The Vice-Chair (Mr. Sol Mamakwa): Good morning. *Remarks in Anishiniimowin.* It's a good morning, everyone. I call this meeting of the Standing Committee on Justice Policy to order. We are meeting today to begin public hearings on Bill 91, An Act to enact two Acts, amend various Acts and revoke various regulations.

Before we begin, I would like to draw the members' attention to a motion that is currently on the floor. It was moved at our last meeting, on April 19, by MPP Vanthof. The motion is now out of order, as the dates mentioned in the motion have passed.

Are there any questions before we begin our public hearings? No.

**STATEMENT BY THE MINISTER
AND RESPONSES**

The Vice-Chair (Mr. Sol Mamakwa): I will now call on the Honourable Parm Gill, Minister of Red Tape Reduction, as our first witness. I'd like to note that the minister is joined by his deputy minister today. Do I have agreement from the committee to have the deputy minister appear in person with the minister? Agreed.

Minister, you will have up to 20 minutes for your presentation, followed by 40 minutes of questions from the members of the committee. The questions will be divided into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition members and two rounds of five minutes for the independent members of the committee as a group.

Minister, the floor is yours. Please begin. Meegwetch.

Hon. Parm Gill: Well, thank you very much, Chair, and I want to thank the committee for the opportunity to

allow me to appear before you guys this morning. I'm joined today by Maud Murray, the Deputy Minister of Red Tape Reduction, along with officials from various different relevant ministries.

It's great to be here to speak about latest red-tape-reduction bill, the Less Red Tape, Stronger Economy Act. Since 2018, one of our government's top priorities has been to remove unnecessary and outdated regulations that hold Ontario's businesses and people back. When we formed government, Ontario was the most heavily regulated province in the country. We knew that that had to change, and we had to work hard to make all of that happen, because red tape causes frustration, expenses, needless delays and complications for everyone: individuals, businesses, not-for-profit organizations and the broader public sector.

Regulatory burdens are a barrier to our productivity, innovation, economic competitiveness and development. We know that to build a stronger economy, improve services and save Ontarians time, we must continue to look for ways to reduce the red tape that people and businesses face in their everyday lives. We are committed to doing all of this while maintaining and strengthening those important rules and regulations that are necessary to keep people safe and to protect our environment, because our initiatives to reduce burden should never jeopardize public health, safety or the environment.

Working across government and in consultation with stakeholders, I am pleased to report that this government has reduced Ontario's total regulatory burden by more than 16,000 regulatory compliance requirements, or 6.5%, since 2018. To break that down further, as of April, the changes we have put in place have helped save businesses, non-profit organizations and the broader public sector nearly \$700 million in annual regulatory compliance costs, \$700 million that can now be reinvested in Ontario's economy. We have achieved the savings by making practical changes that save Ontario businesses time and money, like the nine high-impact pieces of red-tape-reduction legislation that have been passed by the Legislature since 2018, containing more than 450 burden-reducing actions.

We are extremely proud of our progress, but our work on this file, of course, is far from over. That's why our latest bill, the proposed Less Red Tape, Stronger Economy Act, 2023, is focused on paving the way for better services, helping Ontario businesses grow and saving people time and money.

But make no mistake: Reducing red tape is not just about counting the number of regulations and trying to reduce them; it's about the impact that those changes are having on real people and businesses across our great province. I can say with confidence that the Less Red Tape, Stronger Economy Act, 2023, proposes substantial changes that will have those real impacts on Ontario: changes like accelerating timelines for municipal approvals for broadband projects in support of our goal of bringing high-speed Internet to every community in Ontario by 2025; changes like helping businesses embrace new technologies, so that they can improve safety standards for their workers and reduce their carbon emissions; changes like saving people time and frustration when they access government programs by offering more services online, so people don't have to stand in line.

This package is the product of our ongoing and continued collaboration across government with our ministry partners and extensive consultations with a range of stakeholders and people across the province to develop an unparalleled inventory of red-tape-reduction ideas.

As always, we draw on seven guiding principles to consistently direct our efforts to reduce red tape, as enshrined in the Modernizing Ontario for People and Businesses Act. The first principle is that recognized national and international standards should be adopted when possible. This is because harmonizing requirements across jurisdictions reduces costs and make it easier to do business across borders.

Second, small businesses should have less onerous compliance requirements when compared to larger businesses. This recognizes that they don't have the same resources or expertise as their larger counterparts to focus on compliance.

Third is that any entity subject to regulations should be provided accessible digital service whenever possible, because in 2023, we shouldn't be asking people or businesses to fill out long paper forms anymore.

The fourth principle is that regulated entities like businesses, services and broader-public-sector organizations that demonstrate compliance should be recognized.

Fifth is that unnecessary reporting should be reduced and steps should be taken to avoid requiring regulated entities to provide the same information to government repeatedly, because nothing is more frustrating than repeatedly filling out the same information on multiple forms, or having to repeat the same story to multiple ministries or different levels of government.

The sixth is that government must focus on the user by using clear communication, setting reasonable response times and establishing a centralized point of contact. People and businesses should be able to understand the requirements imposed on them by government.

And the seventh principle is that regulations should specify the desired result that regulated entities must meet rather than specific methods used to attain the results, because good outcomes are what we are concerned about, and we recognize that there may be many ways to get to the same outcome.

1010

With those principles in mind, I would like to talk a little bit more about the items within the Less Red Tape, Stronger Economy Act, 2023, and how they will make life better for people right across our great province.

This bill is part of our larger spring red-tape-reduction package. It is our largest to date, with 37 different schedules, coming in at about 200 pages. As part of this bill, we are proposing to reduce red tape for 28,000 grain producers and 19,000 beef farmers in Ontario by repealing the three current acts governing financial protection programs. We are proposing to replace them with one consolidated, updated and streamlined act which would, if passed, support the current and future needs of the sector.

We are also proposing amendments to the Courts of Justice Act. Each year, the Office of the Children's Lawyer's financial position and records are reported in public accounts. We are proposing changes to the act that would remove requirements that the Auditor General also audit the Office of the Children's Lawyer, saving them both time and resources. We have consulted with the Auditor General on this proposal, and her office is supportive of proceeding with this change.

In addition to this, we are looking to amend the Substitute Decisions Act to clarify that an attorney has the power to access personal information about an incapable person. These amendments would provide clarity, simplify processes and make it easier for substitute decision-makers to do their job.

Building on this, we are also proposing an update to the Creditors' Relief Act to modernize the delivery of court services and make communications quicker and easier by allowing the Sheriff's Office to send enforcement documents by email.

We are also looking to fix legislation under the Execution Act for collection of judgment awards, including seizure of debtors' property to clarify when the principal residence exemption in forced sales can apply. The bill also includes proposed changes to the Trustee Act that would make it clear that investment managers of trust properties may invest in mutual funds, hold funds or segregated funds on behalf of a trustee.

And we have proposed amendments to the Cannabis Licence Act, which would reduce the cost and red tape for retailers who wish to transfer their operating licence, retail authorization and cannabis inventory to a new cannabis retail licence holder.

The proposed Less Red Tape, Stronger Economy Act, 2023, also seeks to bring the 2007 Hague Convention and the Interjurisdictional Support Orders Act into force in Ontario. This would help reduce frustration for families involved in the province's support order system by neighbouring enforcement of support orders in more than 55 countries across four continents.

In addition to this, we are proposing amendments to the coming-into-force date of unproclaimed provisions in the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act to a date to be named by the LG. This would allow better timing

alignment between the coming into force of unproclaimed provisions of the act and the path set out in *Journey to Belonging: Choice and Inclusion*.

We are also looking to make updates to the Private Career Colleges Act to enhance tools for collecting outstanding monetary penalties to ensure the accountability of training providers, protect students and promote a healthy and vibrant private training sector. While we're at it, we are proposing regular views of the act to stay responsive to the needs of the economy and employers in preparing students for great careers and keeping Ontario open for business. Lastly, we are proposing to update the name to Ontario Career Colleges Act to signal the importance of career colleges in preparing students for high-demand professions.

We are also having some exciting amendments to the Ontario Energy Board Act which would allow the Ontario Energy Board to facilitate innovative pilot and demonstration projects, such as exploring the idea of peer-to-peer energy trading. There is vast potential for energy innovation that could modernize the way we produce, distribute and consume energy, and eliminating red tape associated with pilot and demonstration projects has the potential to reveal real value for the sector and for customers. The bill also proposes changes to keep energy rates affordable for Ontarians by amending the Ontario Energy Board Act to prohibit any administrative monitoring penalties, fines or fees imposed by energy utilities from being recovered from consumers through energy rates.

In addition to this, we are looking to allow mutual insurers incorporated under the Corporations Act to decide the size of their boards of directors, to give companies greater flexibility, and to amend the Pension Benefits Act to remove requirements for plan administrators to provide additional notices to members who have already opted to receive communications in an electronic format when they retire.

We are also proposing to amend the Building Broadband Faster Act and update associated guidelines to help speed up the delivery of high-speed Internet projects to every community by the end of 2025. These changes, if passed, will provide guidance and predictability to municipalities and stakeholders on the permitting process, dispute resolution and cost allocations for building high-speed Internet projects faster.

The Less Red Tape, Stronger Economy Act, 2023, also proposes legislation to enable the next phases of carbon storage innovation in Ontario by piloting technology that has the potential to store 30 years of carbon emissions, as well as legislative changes to provide flexibility for dog train-and-trial facilities.

In addition to this, we are proposing to save time and reduce burdens by amending Ontario's business loss statutes and regulations to permanently enable businesses, not-for-profits and condominium corporations to hold virtual or hybrid meetings, facilitate virtual or hybrid voting, and enable certain notices or documents to be sent electronically.

And we're making updates to the Motor Vehicle Accident Claims Act to authorize the fund to make statutory payments from a designated-purpose account, consistent with the recommendations by the Auditor General.

We are also looking to strengthen board governance for Ontario's tourism and culture agencies by reducing unnecessary red tape and delays in appointment processes, supporting continuity of business operations, increasing flexibility in appointments to support strengthened agency oversight and clarifying board governance rules to reduce confusion and support business success.

Building on this, we are also proposing to modernize legislation for eight public agencies and publicly funded organizations to follow the best practices of other provincial agencies by incorporating a protection-from-personal-liability provision for board members. The proposed changes would clarify rules for public appointees and align these agencies with governance best practices, modernizing the governance framework for these organizations and making it easier and more attractive to serve on their boards.

The Less Red Tape, Stronger Economy Act, 2023, also proposes changes to the Niagara Parks Act which would make it easier and faster for routine land easements to be granted on the Niagara Parks Commission's properties. This change would allow for routine utility work to take place quicker, giving the residents of Niagara much-needed access to things such as cable, natural gas and water systems.

We are also proposing changes to the Art Gallery of Ontario Act that would support the government's and AGO's commitment to transparency by getting annual reporting information to the public faster.

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When it comes to highways, we're proposing to improve safety on Ontario's roads by updating the Highway Traffic Act to prohibit drivers from overtaking a working snowplow unless a full lane is available to complete the manoeuvre safely, to improve road safety.

Lastly, we are proposing amendments to the Municipal Act and City of Toronto Act, which will correspond to changes in the Towing and Storage Safety and Enforcement Act, to remove duplication and red tape by eliminating municipal licensing for the towing sector. These proposed amendments also ensure that operators and drivers in the towing and vehicle storage industry are not required to pay multiple licensing or certificate fees when the provincial certification program is in effect.

With that, I want to thank you, Chair, and all of the committee members for the time today and for your consideration of Bill 91. I look forward to answering any questions.

The Vice-Chair (Mr. Sol Mamakwa): Meegwetch. Thank you, Minister. This round of questions will start with the official opposition. MPP Kernaghan.

Mr. Terence Kernaghan: Thank you very much to the minister for your presentation. I wanted to think back to Ontario's recent pre-budget consultations. We heard from

many delegations from Ontario's proud farming community, and every single delegation was in support of increasing the Risk Management Program. As the committee is well aware, the previous Liberal government capped the Risk Management Program.

Will this government—are they looking at updating the Risk Management Program, respecting the farm community and increasing the Risk Management Program by \$100 million, as has been requested?

Hon. Parm Gill: Thank you for the question. Through you, Chair: I don't think there's any other government that has done more when it comes to looking after the needs of especially our agriculture sector. I obviously had the honour of working very closely with my colleague Minister Thompson on this.

Part of my role as the Minister of Red Tape Reduction—I regularly have an opportunity to meet with farmers and other stakeholders related to the industry. I get very positive feedback in terms of some of the changes we've introduced. That's not to say that there isn't more that can be done. This is why we continuously consult, and we speak to stakeholders and the sector itself to say, "Hey, what else can we do to improve?"

We want to make sure that, ultimately, Ontarians have access to local-grown food, especially with the cost of living going up, inflation and so forth—some of the factors that are obviously not necessarily in our control. I think we've done well. But is there more that can be done? For sure.

Mr. Terence Kernaghan: Absolutely. There definitely is more that can be done for our farming community.

My next question is in regard to schedule 33. During a briefing that the official opposition was provided, it was indicated that the timeline for implementation was between eight and 10 years. My question, though, is specifically about Passport funding.

Individuals have to reapply for Passport funding when they turn 18. It seems, in listening to Ontarian families, kind of ridiculous and quite frankly insulting and duplicative for parents of children with developmental disabilities to have to reapply for funding. As we know, people do not age out of developmental disabilities.

I wanted to ask the minister, what is the reasoning for having parents continue to reapply for this funding?

Hon. Parm Gill: I would love to maybe include my deputy in on this and possibly bring the appropriate officials from the ministry to answer the technicality on this.

Over to you, Deputy.

Ms. Maud Murray: Sure. We have Michelle Douglas-Cummings online from MCCSS who can help us answer that question.

Ms. Michelle Douglas-Cummings: Good morning, everyone. I am attending today on behalf of the Ministry of Children, Community and Social Services with respect to schedule 16, the Hague Convention. My—

Mr. Terence Kernaghan: No, schedule 29 is the question.

Ms. Michelle Douglas-Cummings: Excuse me?

Mr. Terence Kernaghan: Oh, schedule 33. Pardon me.

Ms. Michelle Douglas-Cummings: Schedule 33, I understand, is where the question is coming from. I'm attending today on schedule 16.

Ms. Maud Murray: Michelle, are there any other of your colleagues that can speak to that question specifically for schedule 33?

Ms. Michelle Douglas-Cummings: I see that Erin Sheard has their hand up.

Ms. Maud Murray: Okay, thank you.

The Vice-Chair (Mr. Sol Mamakwa): Once you start speaking, perhaps just introduce yourself. Thank you.

Ms. Maud Murray: Is Erin online?

Ms. Erin Sheard: Thank you. Sorry about that, I was not able to unmute myself. Thank you for the question. I'll start with the first piece around the timing of developmental services reform. As outlined in our document, *Journey to Belonging: Choice and Inclusion*, the ministry is taking a gradual approach to developmental services reform, and its full implementation is expected to take eight to 10 years, but certainly there are milestones along the way. Developmental services reform is in the design-and-build phase right now, and we are developing those key commitments outlined in *Journey to Belonging*.

So we are looking at system redesign from end to end, and taking in feedback such as what was just shared around the Passport Program. The current amendments before you won't change the current programming; they're more administrative in nature, so there will be no impact to adults currently seeking developmental services and supports. However, as part of developmental services reform, we are aiming to make a system that is certainly more transparent, more inclusive and has that greater sense of belonging for individuals and their families.

Mr. Terence Kernaghan: Thank you, Ms. Sheard. Will the government commit to removing that duplicative measure of having parents reapply for Passport funding for their children when they turn 18?

Ms. Erin Sheard: We are still in that design-and-build phase of developmental services reform, so at this time can't commit to what implementation might look like in eight to 10 years, but certainly are looking to make things easier for individuals with developmental disabilities and their families.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Terence Kernaghan: Thank you.

My next question is about schedule 29. Will there be a standard format for how private schools will have to notify students that the schools that they are wishing to attend are private?

Ms. Maud Murray: So with that question, my colleague is online: Chris Huey from MCU.

Mr. Chris Huey: Good morning, committee. My name is Chris Huey. I am from the Ministry of Colleges and Universities, and I work in the private career colleges branch that has oversight of the private career colleges sector.

To answer your question, every student who signs up with a currently private career college—and, should the act be passed, a career college—signs a contract that specifically outlines all the provisions of—

The Vice-Chair (Mr. Sol Mamakwa): Your time is up. Meegwetch for your questions.

Next round, we'll go to the government. MPP Bailey.

Mr. Robert Bailey: Yes, thank you, Mr. Chair, and good to see you in the Chair. Welcome, Minister Gill. My question—I was going to ask a different one, but when I heard you touch on energy storage and carbon sequestration, I've got a big interest in carbon sequestration. Obviously, in the part of the world I come from, industry is very interested in that. I've got more letters—the only letters I got, I think, from industry since I've been elected were about removing that part under the Ministry of Natural Resources to deal with carbon sequestration and CO₂ injection. Could you expand a little more on that? I know you touched a little bit on some pilot projects, but I'm very interested in that part.

1030

Hon. Parm Gill: Thank you for the question. Obviously, this is an area that we've been hearing quite a bit from the stakeholders, from Ontarians in general, and I think Ontario has taken far too long to move on the carbon capture side.

As I outlined in some of my remarks, obviously, the benefits of this, not just to the sector, to the industry, but also to the environment, to be able to store 30 years' worth of carbon underground is a no-brainer. I know it's been received really, really well not only by the sector but by Ontarians in general. And I think these are the sort of ideas and initiatives that as a government we need to focus on a bit more. Not only does it help the environment, but it also helps the industry. It also helps our economy, at the end of the day, for us to continue to be more competitive as a province.

I, of course, work very closely with the minister responsible, and I think we've done well. There's more work that we need to do. This is somewhat, obviously, of an initial stage, and there will be some projects that will be let on, on some of the private lands and so forth. But I'm really happy that this is obviously something that we as a government are moving forward with.

Mr. Robert Bailey: I'll yield my time to MPP Coe.

The Vice-Chair (Mr. Sol Mamakwa): MPP Coe.

Mr. Lorne Coe: Thank you, Chair. Through you: Minister, welcome to the committee and thank you for your deputation to the committee.

On building broadband faster and the amendments that are in the legislation before us today: I really was encouraged when you attended the round table in my riding with many of my constituents, the way that you described how the changes are going to help speed up the delivery of Internet infrastructure. And added to that, you talked about the role of municipalities in effecting that. Can you elaborate a little bit further for the benefit of committee members and for those who are watching this morning, please, Minister? And thank you for being here.

Hon. Parm Gill: Absolutely. Thank you, MPP Coe. I also want to thank you for organizing that great round table. We got some great feedback. Thank you for your work, being able to work with us to address some of these challenges.

It's a very interesting topic that you raised—broadband. We learned, especially over the last few years when faced with COVID, the impact that the communities are having that don't have reliable broadband Internet service across our province. There are many, many areas, including in my great riding of Milton—there are parts of Milton, believe it or not, even though it's part of the GTA. It's frustrating that individuals don't have reliable high-speed Internet.

So we, as a government, of course, put forward a plan to connect every single community across the province with high-speed broadband Internet service by 2025. And to get there, we committed a \$4-billion investment to address the issue. Along with that, obviously, as we're moving forward with our plan, there are areas that we're able to identify—working with our stakeholders, with Internet service providers and municipal partners—what are some of the hurdles or burdens that are causing delays along the way. And this bill addresses some of those delays, whether it be at the municipal level, working with some of the utility companies to make sure the Internet service providers are able to get the permits that are necessary to connect communities to high-speed broadband service.

This is the one, obviously, that's very near and dear to my heart. And I know it affects many, many Ontario residents, small businesses and farming communities. I mentioned our commitment is to connect every community by 2025. In order for us to get there, we will use every tool that is necessary, that we have at our disposal to make it happen.

Mr. Lorne Coe: Thank you, Minister, for that response.

And, Chair, through you to my colleague MPP Dixon, please.

The Vice-Chair (Mr. Sol Mamakwa): MPP Dixon.

Ms. Jess Dixon: Thank you, Minister. I'm moving to your comments about the dog train-and-trial facility amendments. How are these changes considering the welfare of wildlife that are kept captive?

Hon. Parm Gill: Great question. Obviously, that's where we work with the stakeholders to make sure that some of those concerns are addressed and we're not putting any animal unnecessarily in any sort of harm's way. I know that the ministry has done tremendous work, but I'd be happy to maybe pass that on to the ministry to speak to some of the details on that particular item.

Ms. Maud Murray: We have a colleague online, Aaron Walpole, who can speak to some of the consultation work that's been done.

Aaron, please go ahead.

Ms. Erin Sheard: I believe that you have unmuted the wrong Aaron. So Aaron Walpole, not Erin Sheard. Thank you.

Mr. Aaron Walpole: Thank you. Can you hear me?

Ms. Maud Murray: Yes.

Mr. Aaron Walpole: Okay. Yes, my name is Aaron Walpole. I am a legislative specialist with the Ministry of Natural Resources and Forestry, and I'm here to support questions about proposed changes under the Fish and Wildlife Conservation Act.

The question was about what mechanisms support welfare of wildlife that are captured or that are maintained within dog train and trial areas.

The Vice-Chair (Mr. Sol Mamakwa): You have 30 seconds left.

Mr. Aaron Walpole: Under the Fish and Wildlife Conservation Act, the wildlife in captivity regulation provides a list of provisions that help to ensure the welfare of wildlife in the facilities, including requirements for habitat, shelter features, water and other essential resources.

The ministry has identified a commitment to continue to discuss ways to improve animal welfare with stakeholders going forward if changes proceed and consequential amendments to the regulation are required. Thank you.

The Vice-Chair (Mr. Sol Mamakwa): Thank you, Aaron. That concludes the government's side of questions. I'll go back to the official opposition. Kristyn Wong-Tam.

MPP Kristyn Wong-Tam: Thank you for the presentation. I'm going to try to organize my questions so that we can sort of cascade from the schedules.

My first question is with respect to schedule 6, which affects what's commonly known as the Ontario Science Centre. This amendment is coming in at a time where the Ontario Science Centre is quite widely discussed in the public. Its potential relocation, its current management and structural integrity, current as well as future potential programming—all of that is being discussed openly in the media. You have a schedule that proposes to eliminate any liability as it relates to members of the board. Why the timing of this motion, considering we're having such public discussions about the Ontario Science Centre and this is a bit more quietly introduced?

Hon. Parm Gill: Thank you for the question. Honestly, I don't think this is being introduced quietly. This is before the Legislature; this is all public information, first and foremost. It's also addressing some of the liability concerns when it comes to some of the board members, just to make it uniform right across the board. Some boards, agencies are exempt from the personal liability point of view, and some aren't, so my understanding is just to kind of bring this in line. But I'm happy to go to the officials from the ministry if there's any sort of detailed technical information that you're looking for.

MPP Kristyn Wong-Tam: Thank you, Minister. I guess because schedule 6 is before us and it limits the liability and the exposure of the board of directors—the Premier has been very vocal about the mismanagement of the science centre; he's been very adamant that it's underperforming. He has, I think, in many ways through the media, laid the responsibility for the underperformance—

and these are his words, not mine, that the science centre is basically just not living up to its potential and that it has largely languished because of not well-managed operations.

1040

So I'm just curious with respect to what is being said out there, which is quite alarming—I think most of us care about the science centre. I certainly do. I remember my time there as a child. But at the same time, we've got the head of the provincial government out in the public lambasting the science centre for its poor performance, and at the same time, you now have a motion here, a schedule here, that protects the liability of the board members, which will be—and they are—entirely responsible for the operations of the science centre that the Premier is saying is underperforming.

Hon. Parm Gill: Absolutely. I would say to your question, as a government and, obviously, a Premier as responsible as the Premier of Ontario, he has a responsibility to make sure that he is doing everything he can to not only approve services, not only to address some of the challenges Ontarians are facing, but—I think we all remember the Ontario Science Centre. I remember attending the Ontario Science Centre as part of a school trip at the time many, many years ago, of course.

But with time, are there changes that are necessary to bring the Ontario Science Centre up to speed and up to date with everything, with technology, with innovation and all of the gains that we've made over the last number of decades and allow our future generations the opportunity to experience and to learn from the Ontario Science Centre? Absolutely. I think what is being contemplated, obviously what the Premier and the government is working on, is to make sure that is happening for our future generations. If that includes the relocation of the Ontario Science Centre, then that may be it, or anything else.

But going back to your other question regarding the liability issues on the board members, as I had mentioned previously, that's just to bring it in line. Board members with perfect intentions are responsible for making some, at times, difficult decisions and we want to make sure that they are protected from a personal liability perspective.

MPP Kristyn Wong-Tam: Would it not make sense, considering the government's intention to consult the community, as what I've heard, broadly, to also speak to the community about governance and programming? Perhaps the composition of the board would change. Perhaps the direction of the Ontario Science Centre with its future programming would change. We already know that the science centre is going to be shrunk in size, so I'm assuming that everything is up for review.

Would it not be more prudent to carve this piece out for now, just not knowing what is going to be happening over the next—it could happen in days, it could happen by another announcement, but definitely, I suspect, that the science centre, even as decisions are made to move it or relocate it or alter it, it's not going to be happening overnight. So why not package it together with the overview and the review of the science centre?

Hon. Parm Gill: One of the things I personally can tell you that I hear when I'm out and about and consulting and talking to Ontarians and businesses and so forth is the frustration from their perspective when it comes to—obviously governments love to consult and governments love to bring in different experts on different reporting processes and make recommendations and so forth. Ultimately, it's frustrating for Ontarians when they see that years, sometimes decades, pass by and nothing gets done.

And the Ontario Science Centre—let's use that example—like I said, the institution has been around for decades. Are some of those updates required? Absolutely. Should we sit around and maybe look at studying further and doing more consultation and bringing experts to learn about what potentially could be done and then, God knows, by then, whether we're around or something is at the end done based on the recommendations or not remains to be seen. But Ontarians expect us to take action.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Hon. Parm Gill: Ontarians expect us to deliver results on some of these important items that affect them and Ontario in general on a day-to-day basis. I think that, as a government, we take that responsibility very, very seriously and we'll continue to act on those.

MPP Kristyn Wong-Tam: Thank you, Minister. I'm not suggesting that we don't consult or that too much consultation has taken place. I'm suggesting that no consultation has taken place and that we would be best serving the community, the public, the residents of Ontario to ensure that they have adequate say in what happens to their publicly owned assets.

Thank you, Chair. I recognize I'm out of time.

The Vice-Chair (Mr. Sol Mamakwa): Yes, that concludes the round of questions from the official opposition.

Now it's the government: MPP Hogarth.

Ms. Christine Hogarth: Thank you, Minister and Deputy Minister, for being here. First of all, I want to touch on the Ministry of Transportation area of the bill. One thing I want to applaud you and your team on is the prohibiting of the overtaking of working snowplows. I think that's really important to maintain the safety of our snowplow drivers. We know the work they do. Being someone from northern Ontario originally, I've driven those roads many, many, many times, so I applaud the work to make sure that we keep people safe on the roads.

My second piece is with regard to towing and vehicle storage. We know that over the years we've had some concerns with towing. That has been brought to our attention in the Sol Gen arena also through, obviously, the Minister of Transportation. I was just wondering if you can elaborate on the province creating a new certification program for towing and storage sectors, if you can just elaborate a little bit on that.

Hon. Parm Gill: Thank you, MPP Hogarth, for that great question. I think both of your questions related to—first, the snowplows: We want to make sure that during the winter months especially our roads are kept as safe as

possible. We have noticed some drivers who attempt to veer around or go around. Trying to overtake the snowplows does cause some dangerous conditions and, in some instances, some serious collisions that involve serious injuries and so forth. So the Ministry of Transportation is proposing to prohibit drivers from overtaking snowplows unless there is a clear lane that's available for them to be able to do this safely. I think it's important. We've heard from the industry, heard from the sector. The Minister of Transportation has done a really good job in terms of addressing some of these, and we're happy to have this particular measure in our piece of legislation to help address the concern.

Your second question related to the towing and vehicle storage sector: We all understand the current process is also, to an extent, very—encumbrances for the small business or the tour operators or the vehicle storage facilities, because they were having to deal with each municipality separately. Once this makes it through and we do have a provincial framework in place, they would only require one licence to be able to operate across the province.

I think it also makes it easier for consumers, for Ontarians in general, to understand what are some of their potential obligations or rights when it comes to the towing industry or the vehicle storage sector itself. It's a win-win for both. It's a perfect example of eliminating unnecessary red tape even from a business perspective or from a consumer perspective. They don't need to go to each municipality to try to figure out what their requirements are at that particular municipality, and the same one would apply right across the board.

Ms. Christine Hogarth: Thank you.

I'm going to pass over to my colleague MPP McCarthy, Chair.

The Vice-Chair (Mr. Sol Mamakwa): MPP McCarthy.

Mr. Todd J. McCarthy: Through you, Chair, I do want to thank the minister for his presentation, first of all, and really to applaud the minister and his team for all aspects of Bill 91 but specifically two acts that would be affected if this legislation were to pass.

First, the Motor Vehicle Accident Claims Act: I certainly know as a trial lawyer and insurance litigation lawyer that that act properly protects the ability of individuals who are injured by an unidentified motorist or an uninsured motorist. I know that those individuals may not otherwise have access to compensation, so we have the fund as a payer of last resort when there is no other automobile or liability insurance available. This would be, for example, citizens living in an urban area who may ride a bike, not have their own vehicle, therefore not be insured or be a dependent of an insured person, and they happen to be injured by an unidentified or uninsured motorist.

My understanding is that the proposed change does help clarify accounting for the fund but does not impact on the ability to access the fund. Can the minister expand upon that?

Hon. Parm Gill: Yes, absolutely. You summed it up, I think, really well in terms of—there are cases, there are

instances, where either the individual themselves doesn't happen to have the insurance or they happen to have an accident with a vehicle that is uninsured. There needs to be some form of compensation for those who are involved in such an incident. My understanding, obviously coming from the Ministry of Finance, is based on the recommendations that were made by the Auditor General to make sure—obviously, again, we're eliminating red tape or kind of streamlining some of the processes and, ultimately, to your point, making sure that compensation is available and is there and is accessible, and that in the unfortunate situation that you do have to rely on it or get to it, it's available for those that are affected.

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Mr. Todd J. McCarthy: Thank you. And just a supplementary, if I may, Chair?

The Vice-Chair (Mr. Sol Mamakwa): Yes, go ahead.

Mr. Todd J. McCarthy: Drilling down even more specifically to the Courts of Justice Act, speaking about accounting accountability to the Auditor General's office, we know that the Auditor General's office certainly has its hands full and does excellent work in terms of the mandate of that office.

But I understand you consulted with respect to the proposed change to section 89(8) of the Courts of Justice Act in Bill 91. This appeared to be somewhat of a duplication, where the Auditor General would audit the accounts of the Office of the Children's Lawyer, but this was already being done in any event. Can you expand, then, on what changes are specifically being proposed to be made under 89(8) of the Courts of Justice Act?

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Hon. Parm Gill: Again, I think you answered that question perfectly. These are obviously duplications that have even been identified by the Auditor General in areas that we need to address and simplify. The Attorney General has come forward with some of these changes—we've included them in this piece of legislation—that will address some of the concerns in the justice sector.

Also, this is another example of everyone kind of putting their heads together and working together across government to say, "Hey, what is it that we can do? What are some of the areas that we can help not only eliminate burdens, but also streamline some of the processes and make it easier for, ultimately, all Ontarians?" And that's another great example.

The Vice-Chair (Mr. Sol Mamakwa): Thank you, Minister, for your time. That concludes our session for this round, so we'll continue with the next group. Meegwetch.

Hon. Parm Gill: Thank you very much.

ASSOCIATION OF MUNICIPALITIES
OF ONTARIO
INSURANCE BUREAU OF CANADA
STELCO INC.

The Vice-Chair (Mr. Sol Mamakwa): So we will have the other groups get ready. We are scheduled for 11 o'clock, but we'll just continue on. Association of Municipalities of Ontario, Insurance Bureau of Canada and Stelco Inc., just take a seat.

The remainder of our presenters today have been scheduled in groups of three for each one-hour time slot. Each presenter will have seven minutes for their presentation, and after we have heard from all the three presenters, the remaining 39 minutes of the time slot will be for questions from members of the committee. The time for questions will be broken down into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition and two rounds of four and a half minutes for the independent members as a group.

Please introduce yourselves. I will start with the Association of Municipalities of Ontario.

Mr. Craig Reid: Thank you very much. My name is Craig Reid. I am senior adviser for infrastructure and economy at the Association of Municipalities of Ontario. I thank all the members for having me here today to speak to you on the justice committee regarding Bill 91, the Less Red Tape, Stronger Economy Act, 2023.

Bill 91, as you know, is wide-ranging legislation and amends many Ontario statutes. While several of these acts may have relevance to municipal government, I have come here today prepared to speak to you regarding changes to the Building Broadband Faster Act, 2021, and more generally, efforts to bring and extend high-speed Internet and cellular services to Ontarians by the end of 2025.

The Association of Municipalities of Ontario and our member municipal governments strongly support Ontario's efforts to extend and connect all residents to high-speed Internet services by the end of 2025. The changes in Bill 91 to the Building Broadband Faster Act should help to expand high-speed Internet services to our communities faster and allow better project management and coordination for these builds. Faster expansion means our residents and businesses can realize the potential of this connectivity more quickly.

Extending high-speed broadband and Internet services to Ontario's unserved and underserved residents and communities has for many years been a major priority of municipal government. Years before the pandemic lockdowns Ontario's municipalities were consistently calling for investments to extend these critical services.

Despite connectivity being a federally regulated private sector responsibility, many communities grew tired of waiting and worked to create organizations such as the Eastern Ontario Regional Network—EORN—and the Southwestern Integrated Fibre Technology—SWIFT—amongst others to lead expansion of these services in their areas. This work was under way on a local and regional

basis, with partnership amongst federal, provincial and local governments and the private sector.

However, like in almost every sphere, the COVID-19 pandemic changed the game. The sudden need to stay home, to access work, school, connect with family put timelines to extend these services greatly forward. They were needed urgently. During the pandemic lockdowns, communities for which slower speed and lacking coverage had previously been an irritant suddenly recognized that the service had become essential. Several municipalities that were able to worked to extend their municipal networks into the parking lots of their facilities so that residents could actually access school or medical appointments or work while being socially distanced. Others worked through their libraries and other providers to extend these services. But coverage is still spotty.

Municipalities work hard to bring attention to their communities' needs and make the case for investment in these services. I'm pleased to say that the Ontario and Canadian governments took that seriously and made significant funds available and significant capacity. Ontario's historic commitment of up to \$4 billion to connect all Ontarians to high-speed broadband and cellular services was welcomed by AMO and our members. This answered the urgent call municipalities had been putting forward on behalf of their communities and residents for years. AMO worked closely with the Ministry of Infrastructure as it developed its connectivity strategy and we continue to do so today,

While the pandemic is certainly not what it was during the lockdowns, it has left us with a change in commuting and working patterns that seems to be continuing. While opinions differ, the ability to work from home several days a week has benefits for people and communities. The University of Guelph has suggested that a resident of southwestern Ontario working from home three days per week can save up to \$12,000 per year. The benefits are even more so if there are more people at home doing so.

Furthermore, telecommuting also lowers greenhouse gases, with the same source suggesting a reduction of nearly 2,500 kilos of CO₂ emissions or equivalent annually for each telecommuter. Investments in broadband typically also improve GDP. The World Bank indicates that developed economies can increase GDP by 1.2% for each 10-point increase in broadband penetration. For OECD countries, the expansion of GDP is 0.9% to 1.5% per 10% increase in penetration. These are obviously in addition to the social, skills and other benefits of Internet expansion.

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Municipalities are excited to have these services and are looking forward to getting them soon. With that in mind, AMO welcomed Minister Surma's announcement last week of an interactive mapping tool to track these expansion projects. AMO has consistently suggested this to the government to allow residents and communities to have basic information on their projects, their Internet providers and their project status. This will help answer questions and let residents know when to expect the services they are eager to receive.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Craig Reid: On a final note, these investments are likely to be the foundation of connectivity rather than the end point. Technology improvements generally require more bandwidth necessary to keep up. Municipalities look forward to continuing to work with the province, federal government and industry to keep connected to the services they need and to keep pace with improvements. Thank you for having me.

The Vice-Chair (Mr. Sol Mamakwa): Meegwetch. Thank you for your presentation.

I will now call on the Insurance Bureau of Canada. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. Arthur Lofsky: Thank you and good morning. I'm Arthur Lofsky, director of government relations for the Insurance Bureau of Canada, Ontario region. I'm joined virtually, I hope, by my colleague Evan Stubbings, who is the manager of policy, who works with me. And let me say, it's great to be back in the Legislature after three years.

IBC is the national association for Canada's private home, auto and business insurers. IBC members represent a vast majority of the Canadian property and casualty market. I'm here today to comment on schedule 36 of Bill 91, which amends the Towing and Storage Safety and Enforcement Act, the TSSEA.

Let me first say that IBC and the P&C insurance industry very much support the TSSEA and most of the supporting regulations that have been passed or are being proposed. Indeed, IBC has been advocating for provincial oversight of the towing and storage sector for over 10 years as the industry observed increasing instances of fraud, abuse and even violence affecting drivers and honest tow operators. The TSSEA is a once-in-a-generation reform that will protect drivers as well as honest industry participants. We commend Transportation Minister Mulroney, the government and legislators of all parties that supported the legislation. IBC continues to collaborate with the government toward the implementation of the provincial oversight regime, which will be effective January 1, 2024.

IBC would like to acknowledge and thank all those in the ministry who have put so much work into standing up a provincial oversight regime from scratch, but here I'm going to focus on how rates are determined for towing and storage operators. To ensure consumers are charged fair towing and storage fees, IBC has consistently called for a provincial rate schedule during various consultations on the new provincial oversight framework. While the Ministry of Transportation does acknowledge that "the regulatory oversight of the towing and storage industry will continue to evolve after the initial program implementation" and that "TSSEA allows for additional oversight ... such as ... setting maximum rates for towing and storage services," MTO has signalled that this additional, vital oversight is unlikely to take place at the outset of implementation on January 1. Instead, regulated operators

will be able to self-file their own rates to the director of towing and vehicle storage standards.

Prior to the introduction of Bill 91, IBC shared our concern with the ministry that the only obligation placed on towing and storage operators would be to submit their rate sheet to the director and that the director would have no authority to reject a proposed fee as unreasonable and all filed fees would be approved. IBC is thus encouraged that section 19 of the schedule amends TSSEA to permit the director to reject "unreasonable rates."

While this is a step in the right direction, it remains IBC's very strong conviction that the failure to mandate a maximum rate schedule at the outset of full implementation on January 1 will cause towing and storage rates to increase excessively and without regard for the fair value of the services delivered. For example, towing operators in Toronto are currently allowed to charge \$310 for a tow. Mississauga, on the other hand, inexplicably raised its towing fee from \$400 to \$750 last year, an increase of 87.5%. If towers that operate in Toronto city limits are allowed to charge Mississauga's rate once the TSSEA takes effect and the municipal authority to cap fees via bylaw ceases, which is what's intended, tows in Toronto would increase 142%. Other jurisdictions such as Ottawa at \$300, London at \$275 and New York City at C\$250 have succeeded in mandating much more reasonable towing and storage fee caps, proving that these services can be delivered at a reasonable price, while still protecting industry members' ability to earn a living.

With no clarity on what will be deemed an unreasonably high rate, we are concerned that excessively high towing fees permitted in places such as Mississauga will become the new floor for tow operators in the greater Toronto area and beyond. MTO's own tow zone pilot on GTA 400-series highways recognizes the need for a mandated fee schedule for those operators that are participating in the pilot.

Provincial intervention is thus required to prevent tow operators from charging unjustifiable fees once the municipal authority to licence the sector ceases. IBC has similar concerns regarding vehicle storage fees, which can accrue daily for weeks and months as insurers make efforts to secure the release of their customers' vehicles.

Since most roadside tows for motor vehicle collisions are not paid directly by the driver, but by insurers and, ultimately, all insurance consumers, there is little incentive for tow and storage operators to constrain their fees. Drivers involved in a vehicle collision are in a vulnerable situation. They are stressed and anxious to leave the scene. Realistically, they are not in a position to shop around for a better towing price. They are effectively forced to accept whatever price is offered. Thus, IBC strongly believes that a failure to mandate maximum rates province-wide risks undermining the provincial oversight regime by creating the conditions for a price spiral.

Now, a regulatory regime that permits a race to the top in pricing would be undesirable at any time. We know the government and all parties are concerned about record-high inflation impacting consumers. Many of the factors

causing this are outside the government's control. However, capping allowable fees in the newly regulated towing and storage sector is firmly under the government's control.

Fortunately, the authority to enact a provincial rate schedule is already in place. Amendments contained in Bill 91, schedule 36, if passed, will explicitly grant the minister the flexibility to regulate fees "governing amounts payable for towing services, vehicle storage services and any services related or ancillary to either."

To ensure that consumers are charged consistent, fair rates, IBC is recommending that the government exercise this authority to establish a towing and storage fee schedule at the outset.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Arthur Lofsky: Removing the provision that permits tow and storage operators to self-file their rates should also be considered. Otherwise, the government will be forced to mandate fee caps after the inevitable towing and storage price spikes occur. That would be disruptive for all involved in what is an otherwise comprehensive regulatory framework that protects consumers, lowers costs and brings stability and professionalism to the towing sector.

Thank you, and I'll be happy to answer questions later.

The Vice-Chair (Mr. Sol Mamakwa): Thank you.

I will call on Stelco Inc. You will have, again, seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. Trevor Harris: Good morning to all the members of the committee. My name is Trevor Harris, and I'm the vice-president of corporate affairs for Stelco.

This is the second time that I have appeared on behalf of Stelco to express our support for the government's proposed actions to enable and advance geologic carbon storage in Ontario. We believe it is of critical importance that the government move swiftly and decisively to provide the private sector with a robust suite of policy tools that will enable the transformative decarbonization actions needed to meet our mutual environmental goals. Geological sequestration of carbon is not the only pathway to net zero for our economy, but it will be an important piece of the puzzle while we collectively work to develop green new technologies and pathways to reduce carbon emissions.

For those of you who may not be familiar with Stelco's operations, we are a low-cost, independent steelmaker with one of the newest and most technologically advanced integrated steelmaking facilities in North America. Those facilities in Nanticoke and in Hamilton are home to over 2,300 employees, support approximately 10,000 additional contractors and ancillary jobs, and contribute to the livelihood of upwards of 15,000 pensioners and their dependents.

Since 2017, we have made more than \$900 million in strategic capital investments into our facilities to modernize our operations, improve our overall productivity and reduce our carbon footprint. Our investments have made Stelco a leading producer of the highest-quality flat-rolled

steel products, which support several end-use sectors that are vital to the Ontario economy, including the automotive, energy and construction sectors. As a company, Stelco shares the ambitious goal of achieving a net-zero carbon-emitting economy. To achieve this goal, we will require a robust suite of supportive policies and the active partnership of all levels of government.

Previously, we appeared to support the legislative amendments that brought an end to the prohibition on carbon sequestration in Ontario and we encouraged the government to move quickly in pursuit of the goals outlined in their roadmap towards regulating carbon storage. To that end, I would like to thank the government and express Stelco's full support for their continued work in this area and for the proposed additional legislative changes to the Oil, Gas and Salt Resource Act that are included in schedule 23 of Bill 91.

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The proposed amendments represent a necessary and environmentally responsible path forward that would allow the government and the private sector to fully assess the opportunity to deploy green technology by testing, assessing and demonstrating the viability of carbon sequestration in this province. While previous technological studies have identified the possibility for sequestration in Ontario, there must be additional geological work done to fully assess this potential opportunity.

The amendments before you in schedule 23 will do just that. They will provide the government with the authority to work with private sector partners, such as Stelco, to further assess the viability of both the geological formations that exist under southern Ontario, but also to validate the technology that can be utilized to sequester carbon safely and responsibly to aid our work to decarbonize and mitigate the impacts of climate change.

At Stelco, we view this technology as an important part of the decarbonization pathway for our industry and as an opportunity for us to further entrench ourselves as the lowest-carbon-intensity steel producing jurisdiction in the world. A 2019 study from the US-based Global Efficiency Intelligence shows Canada's steel industry is already leading the world in producing low-carbon-intensity steel, but that position is at risk if we do not act quickly and provide opportunity for companies like Stelco to continue to innovate and further improve our operations.

To be blunt, in the absence of a robust policy framework, domestic steel production risks being supplanted by offshore imports that do not bear the price of carbon. Our business along with many others and the tens of thousands of jobs that are employed there, will also be at risk.

The risk of carbon leakage in Ontario and Canada is real. By that I mean that if domestic industry is not supported by a robust, enabling policy framework that allows us to decarbonize, the resulting carbon taxes will make domestically manufactured goods unaffordable. The result will be a move to cheaper, more carbon-intensive products from jurisdictions that do not share Canada's resolve to take action and work to mitigate this global challenge.

In addition to the risk of lost business, employment and economic opportunity, enticing the import of more off-shore goods at the expense of domestically manufactured goods will in fact accelerate climate change by increasing global greenhouse gas emissions. The pursuit of sequestration testing, assessment and demonstration sites is the logical and responsible next step to help prevent this possibility. Schedule 23 is a positive signal from government and moves Ontario a step closer to other jurisdictions within Canada and around the world that are utilizing carbon sequestration to advance growth of green industry.

As of 2022, there were 30 sequestration facilities in operation around the world, with the capacity to capture 42.5 million tonnes of carbon per year. In addition, there are over 160 additional facilities in development or under construction that will add approximately 200 million additional tonnes of capacity. That represents the equivalent of removing approximately 45 million passenger vehicles from roadways. For context, in 2021, there were 26 million motor vehicles registered in all of Canada.

Of course, carbon sequestration is not the only tool required to decarbonize our economy, but it is an important one. At Stelco, the complexity of our operations means that our pathway to decarbonization will be robust and will require a wide range of technologies, some that currently exist and some that remain under development. Our plan will explore a wide range of potential new investments including operational and energy efficiency programs, strategic recovery and utilization of our by-product fuels, substitution of other fuels and end-of-pipe technologies including carbon capture and storage.

Our plan is ambitious. Stelco is ready to work hand-in-hand with the government to support the development of green industry in Ontario. Together, we can continue to lead the world in the development of a greener economy.

With that, I would like again to thank the members of the committee for the opportunity to share our comments today. I look forward to addressing any questions you may have.

The Vice-Chair (Mr. Sol Mamakwa): Meegwetch. Thank you to all the presenters: Mr. Reid, Mr. Lofsky and Mr. Harris.

This round of questions will start with the official opposition. MPP Kernaghan.

Mr. Terence Kernaghan: Thank you to all our presenters who have come to committee today. My first questions will be for Mr. Lofsky. Mr. Lofsky, I wanted to specifically ask about your position on the Licence Appeal Tribunal. It has been recommended that Ontario return to a model whereby the loser pays, that the unsuccessful party at the tribunal contributes toward the legal costs of the successful party. I wondered if you had any position on this.

Mr. Arthur Lofsky: I don't right now, no.

Mr. Terence Kernaghan: Additionally, just for the committee's reference: Right now, there's a secret deductible on pain and suffering that is administered. That is to say that it's unnecessary, it's redundant, it's unfair. Those injured in car accidents due to the negligence of another

driver—this secret deductible is not something that is announced to the jury. The jury will award compensation without understanding that there's \$40,000 that will be pulled off that judgment, and that secret deductible will actually then be transferred to the insurer of the at-fault driver, which seems very strange. Mr. Lofsky, I wanted to ask you, is it fair that the negligent driver's insurance company receives a windfall instead of an innocent accident victim?

Mr. Arthur Lofsky: Well, I wouldn't characterize that as a windfall. That was put in place over 20 years ago and has been kept by various governments. It was, I think, initially done to discourage frivolous lawsuits and to help try and get justice sooner for all involved.

Mr. Terence Kernaghan: I see. I think it's something that the committee and the government should seriously look at.

My next question is—I'd like to go over to Trevor from Stelco. Thank you, Trevor, for your presentation. It's good to see you again. Last time we met, we were discussing Bill 46 and carbon sequestration again. I think we can all agree that the value of carbon sequestration is abundantly clear.

Now, just for the committee's reference, the Ontario government's own discussion papers do not recommend lifting the prohibition on enhanced oil and gas recovery as it relates to the topic of carbon sequestration. When we discussed this during consultations on Bill 46, industry leaders alongside you indicated that the ministry should be inspecting the some 27,000 wells since, as we heard, only 19% of them have been inspected since 2005. To quote one of the leaders, "We have to bolster the geological capacity that MNRF has." I'm not aware of any increased inspections, unfortunately; I'm not sure whether you are.

But I wanted to specifically ask about subsection 11.6. It sets out that a special project "continues to be a well" even after the special project has concluded. Does Stelco have any upcoming projects that would fall under this new designation of a special project?

Mr. Trevor Harris: Well, I think that's frankly the reason we're here, to have the opportunity to be declared a special project and pursue the route of a demonstration pathway for carbon capture and sequestration, ultimately. With respect to your question about oil and gas wells and your comments there, that's certainly not a pathway that we are individually interested in. We sit on privately held property with no oil and gas wells currently on it. We would look to create a new pathway using that demonstration site to prove out that sequestration is valid underneath our facility.

Mr. Terence Kernaghan: Okay. I also wanted to take a look at subsection 11.4. It allows the minister to exempt a special project application from the requirements. Would Stelco have any examples of a special project where this might make sense?

Mr. Trevor Harris: Specifically, no. Again, my understanding of the intent of the entire schedule is to provide the minister the opportunity and the government the opportunity to set forth a regulatory framework that would

allow a company like ours to work hand in hand with the government to prove out this technology and to assess the geology within Ontario and prove that carbon sequestration is, in fact, a safe and responsible path forward environmentally. While this legislative enacting piece is certainly the first step, I think it also indicates there would be a series of regulations that would also accompany that legislative framework to guide the operations of companies like ours that are pursuing this demonstration activity. So I think if we look solely at the legislative framework, there are still unanswered questions and I suspect those will come back in the form of the regulations the minister will have the power to enact.

Mr. Terence Kernaghan: Understood. Really, oversight is key and critical here. These are important developments that we must take in order to mitigate the climate crisis we are currently experiencing. But also, accountability is another question that we want to make sure is answered. Section 13.1, and I believe it's 13.1(2), grants the minister discretion, and it uses a "may" clause when considering whether or not the minister is granting a licence or transferring a licence as it relates to those changes here. It's in regard to when an individual or a corporation has been convicted under the act. My question, though, Trevor, is what is Stelco's position on this? Does Stelco believe that an individual or a corporation who has been convicted under the act should be treated that way? Does it make sense?

Mr. Trevor Harris: I'm not sure I fully understand the context to your question, but I believe what you're asking me is if a corporation that has previously been convicted under the act should be issued a second licence for the purposes of—

Mr. Terence Kernaghan: That is my understanding.
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Mr. Trevor Harris: It's not something I necessarily have a real comment on. I can assure you Stelco has never been subject to any sort of charge or conviction under the act. But I think that the important language there is "may." I think circumstances certainly will present themselves with the minister, and the government will want to use the appropriate discretion responsibly, ethically, using all the information available to determine whether or not certain licences should be granted.

Mr. Terence Kernaghan: Absolutely. It's always a concern whenever I see contracts. I think they've been called "weasel words" in the past, when there's "may" and "if." We want more strong language in there, to make sure that there are actual standards, because Stelco—and I know that it's important to Stelco because Stelco is very much an industry leader.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Terence Kernaghan: I want to thank you for your work.

My last questions will be for Craig. In terms of broadband expansion, we look to the Financial Accountability Office: In the first quarter of 2021-22, the government decreased broadband funding by \$179 million; and in the

third quarter of 2021-22, there was a \$207 million decrease; and in the third quarter of 2022-23, there was a \$98 million decrease.

I want to thank you for bringing up the great work that SWIFT has been doing. Do you have concerns about this funding that has now been announced going out the door?

Mr. Craig Reid: My understanding is that a good deal of funding has gone out the door at this point, and the government's change in the structure of the program has created some necessary change in the flow and most communities actually will see—

The Vice-Chair (Mr. Sol Mamakwa): That concludes the questions from the official opposition.

At this time, I will refer to questions from the government. MPP Saunderson.

Mr. Brian Saunderson: Thank you, Mr. Chair. Meegwetch. And thank you to each of our panellists this morning for coming in and speaking to this important bill.

My question is to Mr. Reid. As a former municipal councillor, I am very familiar with the work of SWIFT and EORN across the province. Certainly in my municipality during the pandemic, I know our library worked very hard to expand their WiFi, so that kids could come and park in the parking lot to do their homework if they couldn't do it at home.

We know how important Internet access is for our stakeholders and our businesses in my riding. There are many farmers that rely heavily on that, so making sure they have access to it is critical, and this government has an aggressive plan to invest \$4 billion to get the infrastructure in place. I've been to some announcements, most recently down in New Lowell, so it's exciting to see that come forward. It has been a long time in the works.

I'm wondering if you could comment on ways that the government could work with municipalities to help to accelerate that implementation.

Mr. Craig Reid: Thank you for your question. First of all, let me say all municipalities that will be receiving these projects are really excited to have them. It has been a long effort, and I think everyone is ready for this expansion to take place across Ontario. The commitment to make sure all Ontarians are connected by the end of 2025 is one that everyone looks forward to and it's going to be essential.

Regarding how the government can work with municipalities to accelerate these projects, my understanding at this point is that municipalities are preparing—most of the projects are now known and announced where they will be going. Municipalities will need to coordinate access to their rights of way to be able to actually allow these builds to take place. We are working with the Ministry of Infrastructure to try and ensure that process runs smoothly.

There will be, I think, certain smaller or more rural municipalities that have been advocating for a long time for this expansion, but don't necessarily have the capacity or the experience with managing multiple projects in their rights of way. The government is working to provide tools and project management with them. That is the first piece.

Longer-term, I think there may be quite a bit of work to coordinate between industry and local, provincial and

federal governments to ensure, as I said at the end of my comments, that we keep pace with the technology and expand as needed. Where fibre is put into the ground, I understand that that capacity is there and will last a lot longer. Some areas will be getting, essentially, airwave Internet, and there will be a need to improve that. So the coordination, just the ability to talk and provide some resources for project management will go a long way to smoothing this process in the longer term.

Mr. Brian Saunderson: If I could have a supplemental, Mr. Chair, just to follow up on that.

The Vice-Chair (Mr. Sol Mamakwa): Yes, please.

Mr. Brian Saunderson: We certainly saw programs like Digital Main Street that became very important for municipalities and local retail sectors during the pandemic to augment their business and find clientele. I'm wondering if you can speak to the opportunities for economic development as we get access in our smaller communities.

Mr. Craig Reid: For sure. As I said, the World Bank seems to suggest that there is a huge potential for Internet penetration and GDP growth, so that would suggest that getting people connected and getting businesses connected to services and goods will make our economy a little more efficient and will certainly provide multipliers. For smaller communities, certainly the ability to open a business and not have location necessarily as an obstacle I think is a major opportunity. For municipalities, the ability to market themselves in more niche media will help to increase their tourism and therefore their businesses.

The other thing I'd like to say is the opportunity to connect workers to work, regardless of place, is something that obviously has become more and more important and will be a boon for the skills that businesses need, and the ability to spread economic growth across Ontario.

Finally, there's also agriculture. Connected agriculture is a major business, and I've certainly heard from a lot of my members in rural areas that they're looking forward to being able to run newer machines more efficiently, being able to monitor their crops and their animals and to drive their productivity on their farms. Agribusiness is a huge business in Ontario, and we know that our farmers and our agricultural producers are looking forward to this, so I think it bodes well for us all in terms of economic development.

Mr. Brian Saunderson: Thank you very much for your answers.

Those are my questions. I'll share my time with my colleagues.

The Vice-Chair (Mr. Sol Mamakwa): MPP Bailey.

Mr. Robert Bailey: Thank you to all three presenters this morning. I don't have time for all of them, but Mr. Harris, I'd like to build on your comments. Carbon capture, storage etc. is very important to my riding, in my part of Ontario, southwestern Ontario, Sarnia-Lambton specifically, home to the Chemical Valley, petrochemical etc. We've got a lot of experience, a lot of know-how in my community with underground storage because of the geological formations there. I think we're going to hear after lunch from one of—

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Robert Bailey: Enbridge, I think, is going to be presenting after lunch. I'm looking forward to that.

But I want to say that I support, certainly, the work that Stelco is going to do. I'm looking forward to the work that you're proposing. I just saw a TV show the other night. It's in Texas, and of course it's big; it's Texas. I think they were talking in the billions of dollars they're going to invest in underground carbon sequestration and storage. So I think Stelco and Enbridge and others are on the right track. I'm looking forward to working with you.

That was the main ask I had from industry when we were looking at this bill: Remove that paragraph about underground storage, the capabilities of being able to access that.

So you've got a minute if you want to comment on that. You don't have much time, but go ahead.

Mr. Trevor Harris: I think I would generally agree with everything you said. Obviously, we see this as an opportunity for broader industry across southwestern Ontario. It's part of developing green industry and, really, taking the next step forward. We think Ontario—

The Vice-Chair (Mr. Sol Mamakwa): That concludes the round of questions from the government.

We'll go back to the official opposition. MPP Wong-Tam.

MPP Kristyn Wong-Tam: Thank you to the presenters for taking the time and appearing before the standing committee today. I'm going to start with the representative from AMO, Mr. Reid.

I wanted to ask you, with respect to your presentation, clearly we can all, I think, pretty much agree in the 21st century that faster, more reliable Internet is an enabler. It's deemed as a basic right, pretty much, by the UN and organizations around the world now, and we've certainly seen what happens with disruptions when kids don't have access to WiFi. They just simply can't go to school, you can't register your children for recreational services, and the list continues of what you don't get to do.

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I want to speak about municipal consent requirements, because right now, schedule 3, as it's written, gives the ministers some broad powers; we don't know what they are until we see the regulations that will come much, much later. I know that municipalities care very deeply about the state of their roads, their public realm, construction coordination and all sorts of other things that happen at the ground level if there isn't strong solid coordination. Not to mention, who's responsible for replacing like for like after the tearing-up and the construction?

Right now, as it stands, this schedule essentially gives the minister permission to disregard any of the consent requirements that are set out in the municipalities. Your members are municipalities. What consent requirements are they willing to give up, or conditions that they've expressed to you?

Mr. Craig Reid: First of all, thank you for your question. This is sort of the heart of our dealings with the government right now. It's extremely, extremely important to coordinate any work that takes place in the municipal rights of way. The more infrastructure in that right of way, the more important that coordination is.

We have been working with the government quite well and consistently to try to ensure that municipal rights of way and municipal authority over those rights of way are respected and understood. Our understanding is that the ISPs that will be active will be proactively reaching out to municipalities to give them lots of time to try to coordinate. There is also work under way to create, I understand, one platform to coordinate all Internet work and all rights-of-way work for projects that are receiving funding.

I'm not sure my members want to give up any authority at all, but they are very, very willing to coordinate and work with the ISPs, simply because they're excited to finally get this investment. It's just as important for urban areas as it is for rural areas.

I think the final point I would make is that municipal governments, generally speaking, manage the rights of way for their residents and for the benefit of their community. The community will benefit from this work, so they will be incentivized to coordinate.

MPP Kristyn Wong-Tam: What assurances has the government given you, considering you're coming out to speak in support of this schedule, that the coordination, as well as any type of capital expenditures, especially for above-grade requirements, is going to be fully recouped?

Mr. Craig Reid: In terms of assurances, I don't have any in terms of anything in the bill. I know that the government is working to make sure that whoever the project proponents are do respect municipal needs.

The other thing I would point out, MPP Wong-Tam, is that AMO recently provided to our members a municipal access agreement which has been used with several ISPs and is endorsed by the CRTC and is pretty pro forma. Members are encouraged to start negotiating those. Those lay out the terms of access between the company and the municipality proactively.

MPP Kristyn Wong-Tam: Thank you very much, Mr. Reid. I'm going to encourage you to get some assurances before continuing your level of enthusiasm. My experience has been that sometimes the intention and consequences don't always line up.

Mr. Lofsky, it's nice to see you. Thank you for coming and thank you for your presentation. I thought that was very illuminating. Considering that the bill is largely themed under the umbrella of red tape reduction, protecting consumers, what you've identified in your presentation, I think, is alarming, because it doesn't seem to protect consumers. The benefit of having some maximum price limits published in a way that is open, transparent and accessible to all—I certainly see the value of your presentation.

And you've mentioned you've been in consultation with the government for 10 years on a whole host of other measures that you were looking for, maybe not necessarily for this. What has the government's response been to your request for ceiling limits with respect to published prices?

Mr. Arthur Lofsky: As I indicated in my deputation, we have been recommending this for a number of years, when this process started approximately three years ago. While many of the regulations that have been proposed are very good in terms of licensing and operator standards and such, this is the one that is not happening. So the response from ministry officials—

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Arthur Lofsky: The response from ministry officials so far has been that they intend to just go ahead with the self-filing of rates and, if necessary, they may pivot as they see what happens in the market.

MPP Kristyn Wong-Tam: Which is what is out there right now—or, actually, sorry; we have large discrepancies, as you’ve noted. And certainly, as someone who has had my car towed—I’m sure all of us at some point in time will face that horrible experience—not knowing what the conditions are, the price set-ups, perhaps establishing an environment that sort of lets it go Wild, Wild West, is not encouraging to myself as someone who does drive or, I suspect, to any other driver who may be at the risk of losing their car and then being held hostage at an exorbitant price in order for them to get it back.

Thank you very much for your presentation.

The Vice-Chair (Mr. Sol Mamakwa): Meegwetch. Your time is up.

I’ll go back to the government for questions. MPP McCarthy.

Mr. Todd J. McCarthy: Through you, Chair, to Mr. Lofsky of the Insurance Bureau of Canada: Welcome. I wanted to ask a series of questions relating to MPP Kernaghan’s questions about what he termed the “secret deductible.” Would it surprise you to know that the so-called “secret deductible” actually originates in 1994, under the Bob Rae NDP government, as an amendment to the Insurance Statute Law Amendment Act? In other words, that it was an NDP government that first implemented this “secret deductible,” as he calls it?

Mr. Arthur Lofsky: Perhaps. I don’t know that. I’ll take your word for it. I know it was in place at least 20 years ago.

Mr. Todd J. McCarthy: You mentioned 20. Sorry, Mr. Chair, through you: You had said 20 years, but 1994 is 29 years ago. Does that sound more accurate?

Mr. Arthur Lofsky: I take your word for it.

Mr. Todd J. McCarthy: Further to that, if I may: Is it fair or unfair to characterize it as secret when, to the extent it exists today, it is fully public in the sense that it’s in a public statute called the Insurance Act? Is it fair to call it secret as a result?

Mr. Arthur Lofsky: No. All the legal profession trial lawyers know that it’s there, and they’ll probably advise their clients for that. So no, I don’t think it secret.

Mr. Todd J. McCarthy: Right. And in terms of the act, the Insurance Act, as it was in 1994 and as it is today, there are two features of this deductible first initiated by the NDP: the actual monetary deductible—the reduction of the head of damages for non-pecuniary loss by a fixed amount, called the deductible—and then there’s the

threshold, which is the verbal threshold or the verbal deductible. An injury can’t be—I think you put it that it’s designed to get rid of frivolous or small claims for personal injury and stabilize auto rates as a result. There’s the verbal threshold, which requires proof of a permanent, serious impairment. Is that correct?

Mr. Arthur Lofsky: Yes.

Mr. Todd J. McCarthy: And both the determination of whether something is permanent, serious and important as an impairment and the application of the public deductible are functions of a trial judge at trial, correct?

Mr. Arthur Lofsky: Yes. I just want to clarify that I think that permanent serious threshold is for “catastrophic,” but I stand to be corrected—yes, it’s there.

Mr. Todd J. McCarthy: But in any case, the fact that the Insurance Act amendments that certainly were part of the NDP’s package of automobile insurance reforms in 1994 and exist today have these two thresholds—the threshold which is the monetary deductible, public, and the verbal threshold, permanent, serious, important.

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The determination of those issues and the application of the deductible are the province and the jurisdiction of the trial judge, correct?

Mr. Arthur Lofsky: I believe so.

Mr. Todd J. McCarthy: Just as many things are at a trial for civil claims, some matters are, by statute or otherwise, for the trial judge to determine, and some are matters for the jury to determine, correct?

Mr. Arthur Lofsky: Correct.

Mr. Todd J. McCarthy: But each function is performed in a public trial open to the public and fully transparent, correct?

Mr. Arthur Lofsky: If it goes to court, yes.

Mr. Todd J. McCarthy: Yes. And it’s fair to say that if it doesn’t go to court, when matters are negotiated, the lawyers on both sides take into account the risks associated with the deductible and the threshold, correct?

Mr. Arthur Lofsky: I would think so.

Mr. Todd J. McCarthy: Lastly, is it fair to say that this deductible, when it is applied by a trial judge in a public trial, actually transfers money back to the insurer, or is it just a figure that reduces the amount of a particular head of damage?

Mr. Arthur Lofsky: No, it’s not transferred to the insurer. It’s just that—

Mr. Todd J. McCarthy: So you agree with me? It’s not fair to say that it transfers to the insurer.

Mr. Arthur Lofsky: No.

Mr. Todd J. McCarthy: Because MPP Kernaghan said this transfers to the insurer of a negligent driver. Is that fair or true?

Mr. Arthur Lofsky: Not directly, no—I mean, it just deducts from the overall settlement, which could be quite high.

Mr. Todd J. McCarthy: Right. But it only applies to non-pecuniary general damages, this deductible, correct?

Mr. Arthur Lofsky: I believe so, yes.

Mr. Todd J. McCarthy: The deductible doesn’t apply to any other head of damages?

Mr. Arthur Lofsky: No.

Mr. Todd J. McCarthy: Agreed?

Mr. Arthur Lofsky: Yes.

Mr. Todd J. McCarthy: I have it accurate, then?

Mr. Arthur Lofsky: I believe so. I'm not an expert on every detail, but—

Mr. Todd J. McCarthy: Nothing I have suggested to you in this form of leading questions sounds anything but completely accurate, correct?

Mr. Arthur Lofsky: Yes, I take your word for it.

Mr. Todd J. McCarthy: Thank you.

The Vice-Chair (Mr. Sol Mamakwa): MPP Coe.

Mr. Lorne Coe: How much time do we have, Chair?

The Vice-Chair (Mr. Sol Mamakwa): Two minutes, 45.

Mr. Lorne Coe: All right. Mr. Reid, welcome. I'm from the region of Durham, where I've served for 13 years on the Durham regional council. I would like you to speak about the effect of our government's investments in local sectors, particularly in the areas of agriculture, health, broadband that we're talking about overall. In your answer, talk about specifically how those investments are supporting local economic development, understanding what your title is at the Association of Municipalities of Ontario. You've got two minutes to respond.

Mr. Craig Reid: Thank you, MPP Coe. I will do my best to answer such a broad question. I think it's fair to say that investments of any kind in local economies are appreciated and have knock-on effects for all parts of the sector. Economies are, as you know, a bit of a network and a bit of a cluster on the local level, and so in rural areas where investments in agriculture take place and the ability for agricultural operators to adopt new technology take place, they have more money to spend on their local sector. They have jobs that they can create and equipment they can buy and services they can consume.

I will limit my comments right now to investments in Internet services, simply because that's what I've come here to speak upon.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Craig Reid: But mostly I would say that the broad-ranging impact on local economies is real. So every single dollar that is leveraged for investment in Internet services has both economic and social impacts that are quantifiable. I've provided you with one figure here, suggesting that saving some commuting time will get one resident of southwestern Ontario \$12,000 in savings out of their salary. That's \$12,000 that can be used in local services.

Other suggestions are that, as Internet services are expanded and economies are expanded, as well, and GDP increases, so do property values. This is a wide-ranging, almost game-changing sort of investment, so we're pleased to see it and we're hoping it comes—

The Vice-Chair (Mr. Sol Mamakwa): Time is up. That concludes our morning's session. Meegwetch again—thank you—to the presenters.

The committee will now recess until 1 p.m. sharp. Meegwetch.

The committee recessed from 1145 to 1300.

ONTARIO FEDERATION OF
ANGLERS AND HUNTERS

ENBRIDGE

IAA

The Vice-Chair (Mr. Sol Mamakwa): Good afternoon, members. The committee will resume its public hearings on Bill 91, An Act to enact two Acts, amend various Acts and revoke various regulations. You see the agenda for the afternoon.

I will call upon Ontario Federation of Anglers and Hunters. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. Mark Ryckman: Thank you. Mark Ryckman, Ontario Federation of Anglers and Hunters. Good afternoon, everyone—whoops. Sorry about that. I was reading the wrong sheet.

The Vice-Chair (Mr. Sol Mamakwa): It's okay.

Mr. Mark Ryckman: You do not want to hear about Sunday gun hunting. There we go—perfect.

Good morning, everyone—or afternoon, I guess. My name is Mark Ryckman, and I am the manager of the policy section with the Ontario Federation of Anglers and Hunters in Peterborough. The OFAH is the largest non-profit fish and wildlife conservation organization in Ontario, with 100,000 members, supporters and subscribers, and 725 member clubs. I am pleased to be here today to speak in support of schedule 14 of Bill 91, which proposes amendments to the Fish and Wildlife Conservation Act related to dog training and trialling areas.

I am joined virtually by Joe Wilson, who is a retired veterinarian and OFAH provincial director-at-large and chair of the OFAH Sporting Dogs Advisory Committee. The purpose of that committee is to discuss topics related to the use, regulation, licensing and welfare of dogs in regulated hunting activities and to bring to the OFAH board of directors such positions as they see fit to adopt as official positions of the OFAH. Accordingly, it is the policy of the OFAH to ensure that the use of sporting dogs is understood and protected in provincial wildlife management regulations, policies and programs, and support the use of licensed training and trialling areas for the purposes of running hounds on fox, coyote and rabbits for training and trialling purposes, including outside of hunting seasons.

Human beings have a long history with dogs. Anthropological evidence suggests that dogs were domesticated anywhere between 12,000 and 20,000 years ago, prior to the advent of agriculture. Dogs appear alongside hunters in many ancient cave paintings as hunting partners and as guard dogs. In the wild, dogs depend on their athletic abilities for survival, including their sense of sight and smell. Agility and speed are important to successfully obtain their next meal in the form of a prey animal that is likewise adapted to living in the wild, with keen senses and knowledge of their habitat, including escape opportunities. Do domestic dogs require those skills to survive in contemporary society? Most do not, but that inherited drive exists nonetheless.

Early humans also hunted to survive, which is an ancestral tendency that is shared between our two species. Many dog breeds have inherited abilities that have been specifically selected for over thousands of years. Certain contemporary breeds have evolved to track game by sight or smell, while others are highly adapted to flushing game, fetching game or pointing them out to their hunting partners. The common thread between all of them is the keenly developed sense of teamwork between dog and human. Hunting with certain breeds of dog is a popular activity and associated with important traditions, for which the cornerstone is a well-trained dog.

The benefits of training and trialling areas for training, testing and exercising hunting dogs are evident on many levels. These areas provide a safe and controlled environment for dogs and their handlers to become proficient in their specific hunting practice and provide a convenient location to expose youth to an important outdoor activity. Novice dogs and handlers require training before they begin hunting, and these areas are designed to provide real-life training experience with minimized risk of dogs running onto roads, getting into areas where they are not permitted, and chasing non-target wildlife or livestock.

In addition to creating well-trained hunting dogs, training and trialling areas are an economic opportunity for the owners and their local communities. Events in Ontario on average have around 100 people participating in some way, many of whom travel to attend. This provides local businesses such as hotels, restaurants and gas stations with an influx of customers. The loss of training and trialling areas in Ontario means the loss of this important economic benefit as competitors will no longer be coming into Ontario for these events. If training and trialling areas cease to exist in Ontario, provincial competitors will have to travel out of province to participate in training and trialling events. Furthermore, most training and trialling areas operate as small businesses supported by the fees paid by the dog owners who use a particular area.

Due to the current wording in the wildlife and captivity regulation under the Fish and Wildlife Conservation Act, only training and trialling areas that were licensed prior to June 9, 1997, can exist. There is currently no method to transfer those licences to a new licence holder, and there is no way to obtain a licence to establish a new training and trialling area. As a result, when a licence holder passes away or can no longer operate, Ontario loses a training and trialling area with no possibility of replacing it. Without changes, attrition will result in the elimination of these areas in Ontario.

The act was purposely written so that this specific aspect of our hunting heritage would die a slow death. This is something that the OFAH, the sporting dog community and the owners of these small businesses could not accept, and that is why we have been lobbying for these changes for well over 15 years.

Training and trialling areas are governed by a robust regulatory framework that includes limits on game species that can be used for training purposes, the size of the

enclosure, welfare considerations for the species in captivity, a prohibition on the use of firearms and restrictions on which dog breeds can be used for these purposes. I'd like to remind the committee that Bill 91 does not propose to change any of those requirements; it only proposes to permit the minister to issue more licences while maintaining the ultimate authority to decide which applications are approved and how many.

In closing, I would like to thank Minister Gill and Minister Smith for proposing these long-awaited changes—

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Mark Ryckman: and I respectfully urge this community to adopt schedule 14 of Bill 91 as written.

The Vice-Chair (Mr. Sol Mamakwa): Good timing. Thank you.

Enbridge?

Mr. Wayne Passmore: Good afternoon. I'm Wayne Passmore, a manager in the business development group at Enbridge Gas responsible for delivering emissions reductions opportunities for the 3.9 million customers in Ontario that rely on Enbridge Gas every day. My remarks today focus on schedule 23, proposed changes to the Oil, Gas and Salt Resources Act to regulate projects relating to carbon capture and storage, or CCS. First, I'll provide a background on Enbridge and what CSS is followed by why CCS is important to Ontario. Finally, I'll outline three recommended actions on how best to enable CCS in Ontario.

Enbridge Inc. is North America's premier energy infrastructure company. We transport 30% of the oil produced in North America and move 20% of the natural gas consumed in the United States. Our gas utilities serve 3.9 million customers in Ontario and Quebec. We own 2,100 megawatts of renewable power across North America and Europe. We've committed to net-zero operations by 2050 with an interim target to reduce emissions by 35% by 2030.

Enbridge is also a leader in underground storage, injecting and withdrawing over \$1 billion of natural gas in Ontario each year. And Enbridge is a North America leader on CCS projects under development in Alberta, the US Gulf Coast and Midwest.

Enbridge supports Ontario's intent to enable and support the safe and permanent sequestration of carbon dioxide.

Firstly, what is CCS? CCS involves capturing CO₂ from large sources, purifying, then transporting and injecting it into deep geological formations—typically saline aquifers or depleted oil and gas reservoirs—for permanent storage, using specially constructed wells. CCS is a safe, proven technology that offers an important pathway for greenhouse gas reductions, particularly hard-to-abate industries like steel, cement and fertilizer. Experts agree that widespread CCS deployment is needed to achieve net-zero by 2050. The government of Canada also sees this opportunity and has allotted significant funding and tax incentives to support CCS opportunities.

In Alberta, Enbridge is developing an open access carbon storage hub near Edmonton that will help avoid nearly four million tonnes per year of CO₂ emissions, making it one of the largest such projects globally. The projects involved with this hub target doubling the amount of CO₂ captured and stored in Canada today. We're doing this in partnership with industry and Indigenous communities.

Why is CCS important to Ontario now? Well, Ontario needs and will continue to need two things: first, more energy as the population increases and demand for energy grows; and second, energy solutions that will help reduce emissions to meet our climate change commitments. Recently, Enbridge commissioned an independent report that confirms that the path to net-zero in Ontario by 2050 is achievable, and the most cost-effective, reliable and resilient approach is a diversified path where CCS plays a key role.

So what is needed to best enable CCS in Ontario? Well, we were pleased to see the government of Ontario take action previously in Bill 46 by removing a legislative barrier, and now in Bill 91, to enable special projects pending further regulation. These are important steps, but further action is needed. I'll outline three actions.

Firstly, Ontario must take a whole-of-government approach, coordinated across other key ministries and other levels of government. Recent amendments to the emissions performance standards that recognized CCS as an eligible activity are a positive step, but these can go further. Industry needs a carbon offset system to allow offset credits to be issued to voluntary CCS project participants beyond the sectors already covered by EPS, and other ministries like energy, finance and economic development should all be involved in ensuring Ontario maximizes our CCS opportunity. It's also important for Ontario to send a clear signal to the federal government, like Alberta and British Columbia have done, to ensure Ontario is made eligible under the federal investment tax credit for CCS.

Secondly, the province must take a more strategic stewardship role in managing Ontario's pore space. In order to manage Ontario's saline aquifer resources most efficiently for CCS opportunities, Enbridge suggests that Ontario should amend the Mining Act and declare crown ownership of all pore space within Ontario's saline aquifers for the purposes of CO₂ storage. While roughly two thirds of the saline aquifer pore space is already under crown lands, vesting it all for purposes of CO₂ storage in Ontario is strongly recommended to ensure the maximum benefit to Ontarians while safeguarding people and the environment. This aligns with the best practices of other jurisdictions like Alberta and, recently, British Columbia, where those provinces have taken steps to vest their pore space. This would set up a more safe and efficient CCS system for Ontario's benefit, whereas an alternative ad hoc approach would likely result in delays, litigation between neighbouring projects and an inefficient use of the finite pore space resource, and means missed opportunities and delays in investment and, ultimately, emission reductions.

Thirdly, Ontario must continue working with industry to establish a streamlined regulatory framework with stringent technical, financial and safety requirements for proponents interested in proposing new CCS demonstration pilots or projects. This will be key to building and leveraging support from local communities and giving industry the certainty needed for planning capital-intensive long-term projects. We encourage Ontario to leverage best practices from other jurisdictions like Alberta and British Columbia, including existing Canadian Standards Association codes and standards and lessons from recent changes to the compressed-air-energy-storage regulations.

Enbridge remains committed to delivering the energy that Ontario relies on safely, reliably and affordably. We see tremendous opportunity for Ontario to leverage its unique advantages and unlock CCS opportunities to reduce emissions, attract investment and create jobs.

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. Wayne Passmore: We encourage Ontario to continue this important dialogue with industry to support next steps. Thank you, and I look forward to your questions.

The Vice-Chair (Mr. Sol Mamakwa): Thank you to Enbridge. Meegwetch.

Now, I will call on IAA. You will have, again, seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. Mark Opashinov: Thank you. I'm Mark Opashinov, a regulatory and business lawyer at McMillan LLP. I'm here today on behalf of my client, IAA. I'm joined by Mr. Serge Babineau, VP of IAA. IAA is a publicly traded company with corporate offices in Mississauga and vehicle auction facilities in Oshawa, Ottawa, London, Hamilton and Sudbury. IAA employs approximately 230 Ontarians.

As you know, in response to growing violence, corruption and criminal activity in Ontario's towing industry, in June of 2020, the province struck a task force to develop a comprehensive oversight regime. That resulted in the Towing and Storage Safety and Enforcement Act, which received royal assent on June 3, 2021.

The TSSEA is being rolled out in three phases. Phase 1 was completed on January 1 of this year. In phase 2, tow operators, tow truck drivers and vehicle storage operators must apply for a certificate required to operate in the sector, and the MTO will be authorized to refuse, cancel or suspend a certificate for non-compliance. It's about the scope of the phase 2 requirements that we're appearing here today, and the phase 2 requirements will be effective on July 1, so the matter is urgent.

Mr. Babineau will provide the committee with a background on IAA and why IAA is here today. I will then come back to you and give you a precise request concerning schedule 36 of Bill 91. As a preview, what we're asking the committee to do is to amend Bill 91 to address what appear to be two inadvertent overbroad definitions in the TSSEA which, if not amended, will have the effect of subjecting IAA and others in the salvage auction business to regulation intended for roadside towers and vehicle storage providers, adding cost and paperwork.

burdens, and ultimately adding needless costs to auto insurers and their policyholders.

Serge?

Mr. Serge Babineau: My name is Serge Babineau, VP of IAA. I specialize in the total-loss-vehicle salvage auction business. We sell total-loss vehicles almost exclusively on behalf of insurers—typically, more than 100,000 vehicles a year in Ontario. Total-loss vehicles are vehicles that insurers have determined are not economical to repair and have paid out their policyholders accordingly. Insurers engage us to auction them to registered motor vehicle dealers, recyclers and shredding yards, who usually buy them for parts or scrap value.

IAA has been and remains supportive of the act and its policy objective. So why are we here in front of you today? As IAA noted before, the act's definitions of "vehicle storage services" and "towing services" are so broad that they very likely capture players in the salvage auction business and others, even those players never the focus of the act. IAA raised these concerns at the time.

I want to explain the key reasons why this is problematic for IAA. First, an overbroad act risks imposing a significant financial and paperwork burden on us and towers who engage to move vehicles from storage facilities where they were towed from roadside to our auction yards. Second, additional costs and costs imposed on the total-loss salvage auction sector could impact the cost structures of the auto insurance industry, since our costs ultimately get passed on to insurers and from insurers to policyholders in the form of insurance premiums.

To be clear, we are not asking not to be regulated. Our business activities are already regulated under the Motor Vehicle Dealers Act and subject to oversight from the Ontario Motor Vehicle Industry Council, OMVIC. We take those regulatory obligations seriously since, as part of a multinational publicly traded company, regulatory compliance is very important to our board, our management and our shareholders. Rather, what we are asking is that a regulatory regime intended to regulate roadside towing and vehicle storage companies do just that: regulate roadside towing and vehicle storage companies.

Our sector is not part of the problem. We operate primarily as a business-to-business support to process and sell well after the vehicle is towed from roadside after an incident, and we know first-hand the challenges of getting cars out of storage yards once they have been towed. We are the ones trying to get them out on behalf of the insurers and paying the fees.

Back to you, Mark. Thank you.

Mr. Mark Opashinov: Mark Opashinov for IAA, again. We're asking the committee to amend the bill, as I said, to make just two changes to the TSSEA. The first is the definition of "vehicle storage services" which, as drafted in schedule 36 of Bill 91, reads, "the receiving and holding of towed ... motor vehicles and any other prescribed services." As IAA receives and holds about a hundred thousand vehicles a year before they are auctioned, this definition would make IAA a provider of vehicle storage services and thus potentially subject to the

act. Therefore, IAA would like to see section 2(3) of schedule 36 restated to read as follows, to ensure that salvage auction businesses are clearly not under the jurisdiction of the TSSEA:

"(3) The definition of 'vehicle storage services' in section 1 of the act is repealed and the following substituted:

""Vehicle storage services" means,

""(a) receiving a holding of towed motor vehicles; and

""(b) any other prescribed services; but

""(c) does not include the receiving and holding of towed motor vehicles or any other prescribed services by a registered motor vehicle dealer in connection with the sale or in preparation for the proposed sale of the vehicle if the primary business of the late registered motor vehicle dealer is the sale of total-loss vehicles for the insurance industry.""

The second definition that IAA would like the committee to consider changing is "towing services." IAA relies on towers to get vehicles from the storage yards, where they were towed from roadsides, to its own auction yards. If those towers, when acting for IAA, are treated as offering towing services under the TSSEA, they will have to, among other things, get the consent of the vehicle owner to tow the vehicle to IAA's yards, even though the owner will have already consented to the initial tow from roadside into storage several weeks before. And in most cases, because title of the vehicle will have already passed to the insurer, the insurer will have to give that consent literally thousands of times per year.

Therefore, IAA would like to see section 2(1) of schedule 36 changed by the addition of the conjunction "but" at the end of section 2(1)(b) and a new section 2(1)(c) that reads as follows:

The Vice-Chair (Mr. Sol Mamakwa): One minute.

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Mr. Mark Opashinov: "(c) does not include towing recovery, transportation or any other prescribed activity in respect of motor vehicles if

"(i) done at the request of a registered motor vehicle dealer in connection with the sale or in preparation for the proposed sale of a motor vehicle; and

"(ii) the primary business of the registered motor vehicle dealer is the sale of total-loss vehicles for the insurance industry."

To conclude, IAA supports the TSSEA in its policy objectives and wants a well-regulated towing sector and vehicle storage sector because it relies on it for its own business, but is asking for these two modest changes in order to give IAA and others in the total-loss auction business regulatory certainty and to avoid adding needless costs and red tape that ultimately are borne by auto insurers and their policy holders.

We both thank you for your time and look forward to your questions.

The Vice-Chair (Mr. Sol Mamakwa): Meegwetch. Thank you to the Ontario Federation of Anglers and Hunters and also Enbridge and IAA for the presentations.

The round of questions will start with the government. MPP Kusendova-Bashta.

Ms. Natalia Kusendova-Bashta: Thank you to all the presenters this afternoon. My first question is directed to Mark from the Ontario Federation of Anglers and Hunters. I'm a proud dog mom, so I do have a bias here. I was very happy to see this particular schedule in this particular bill, which would enable more licencing of dog training and trial areas in Ontario. My husband and I were actually looking for a trainer for our puppy, our German shepherd, and there are not that many around, so I'm really glad to see that the government is taking steps after 15 years of advocacy from your organization and enabling more of these facilities to come out.

I wanted to ask: You mentioned that the establishments that came about before 2009 are able to hold a licence, but not after 2009. That seems very arbitrary. Do you know why that is the case?

Mr. Mark Ryckman: Great question and thank you for that. Just for clarity, it was actually June 9, 1997, which is when the Game and Fish Act became the current Fish and Wildlife Conservation Act. Upon royal assent of the new act, which is what exists today and governs all hunting and fishing and various regulations, that is the date after which no new licences for training and trialling areas could be issued. It was written right into the act. The purpose of the time was to ensure that—as I've said, there was a slow death knell for training and trialling areas in Ontario, and the purpose of putting it in the act was to ensure that it would be much more difficult to change legislatively.

Ms. Natalia Kusendova-Bashta: Okay, thank you. You also spoke about the need to have the real-life training experience to enable sporting dogs to pursue animals like rabbits, foxes and coyotes in a controlled and safe environment, which makes total sense for me when we think about training our professionals. Whether it comes to policing, firemen or nurses, we also do real-life scenarios and simulations. Can you speak to that? Why is it important to have these facilities to enable these real-life training experiences?

Mr. Mark Ryckman: Another great question, thank you. If we back up very slightly—sorry, how much time do we have? I don't want to filibuster. I don't want to waste all your time here.

The Vice-Chair (Mr. Sol Mamakwa): It's five minutes 15.

Mr. Mark Ryckman: Okay, I do want to say very quickly that hunters themselves—before we even get into the very specific and niche topic of training and trialling areas and sporting dogs, hunters themselves are highly trained. Specifically in Ontario, they're probably the most well-trained in terms of the training requirements, both the hunter education program as well as the Canadian firearms safety course. So the people that are involved in hunting in general are highly trained.

As I said, the sporting dog community is a very small portion of the overall hunting community. When it comes to training dogs, running wildlife, one of the utmost concerns is the safety of not just the hunter, the human hunter,

but also the dog, as well as the wildlife in captivity. Ensuring that both the dog and the wildlife are contained within a specific area and the wildlife have escape routes and so on and so forth ensures that the training activity is limited to being on the trail of wildlife rather than catching up to wildlife and killing them, which might happen in hunting itself.

The training occurs in an enclosed area where dogs, once they are off leash, there's no risk of them running onto a neighbouring property, which might be private property, nor risk of those dogs running across a busy road, for instance, nor risk of a dog simply running off and being on the trail of non-target wildlife, for instance. You can imagine running a coyote through the bush and a dog might get the scent of a white-tailed deer, for instance, and all of a sudden is going in a completely different and unexpected direction. So these enclosures really serve multiple purposes that really enhance the safety of the activity for everyone: the human hunter, the dog as well as the wildlife that are in captivity.

Ms. Natalia Kusendova-Bashta: Excellent. Can you speak a little bit of the economic impact that these train-and-trial facilities have on the communities in which they currently exist?

Mr. Mark Ryckman: Yes, but not really in specifics. The Ontario Federation of Anglers and Hunters is here today to support the Ontario Sporting Dog Association, who will be appearing at 2 p.m. In hindsight, it may have made more logical sense if they appeared before we did, because they have decades of first-hand experience operating these areas, and they know first-hand—John will tell you stories, if you ask him—of the impact on not just hunters and dogs but also families in those areas. So I strongly recommend that you ask John that question.

Ms. Natalia Kusendova-Bashta: We certainly look forward to that. Thank you.

That's all for me. My colleagues—

Mr. Lorne Coe: How much time, Chair?

The Vice-Chair (Mr. Sol Mamakwa): Two minutes, 38, MPP Coe.

Mr. Lorne Coe: I'm going to be very quick.

Mr. Ryckman, I know that this legislation supports your members in their role as conservationists. They've been good stewards. I have a hunt club up in Brooklin. I know they're good stewards of natural resources in general.

I would like you to speak about that, because we haven't really heard a whole lot about that in committee. Can you elaborate about their role in accomplishing what I just described, please?

Mr. Mark Ryckman: Absolutely, yes. A lot of, as you say, anglers and hunters alike consider themselves conservationists and, in a different term, you can call them stewards of the resource, for instance. It is not in the best interest of any angler or hunter to comport themselves or to be involved in activity that is detrimental to the resource that they rely on for their recreational activity. In the most simplistic terms, that is why anglers and hunters are conservationists: because they abide by the rules. They contribute significant funds to, for instance, the provincial

Fish and Wildlife Special Purpose Account through the sale of licences. That money is dedicated to supporting the provincial Fish and Wildlife Program, whether it's research, management, so on and so forth.

Between being stewards of the resource and ensuring that the resources are healthy, not just currently but in perpetuity, for future generations, as well as the significant economic contributions that both anglers and hunters—

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. Mark Ryckman:—contribute to support wildlife management and fish management in the province of Ontario—those are probably the two main points that I have that I can squeeze in there.

Mr. Lorne Coe: Thank you.

To MPP McCarthy, please.

The Vice-Chair (Mr. Sol Mamakwa): MPP McCarthy, go ahead.

Mr. Todd J. McCarthy: Chair, through you to the IAA council and Mr. Babineau, I just wanted to see if we can get something clearer in terms of an explanation on the negative impact the proposed requirements would have on the business model of IAA outside of invoicing, when no charges are applied specific to vehicle storage.

Mr. Serge Babineau: Mark, do you want to take that one?

Mr. Mark Opashinov: Sure, I can start. Mark Opashinov, again, for IAA. As I noted in my prepared remarks, one of the implications to the act is there will be consent required by every tow operator when it tows vehicles from the yards which the vehicles were first brought from roadside after a collision—

The Vice-Chair (Mr. Sol Mamakwa): That concludes the questions from the government.

I will now refer to questions from the official opposition. MPP Kernaghan.

Mr. Terence Kernaghan: Thank you to our presenters who have arrived here at committee today, both in person as well as virtually.

My first question will be to the Ontario Federation of Anglers and Hunters. Thank you very much, Mark and Joe, for coming here today. It's concerning to hear that without legislative action, it will be the slow death knell for training and trialling areas.

The Ontario Sporting Dog Association have voiced concern about urban sprawl as it relates to the impact on areas. Here in Ontario, we're losing 319 acres of prime farmland per day in the province. Many Ontario residents have reached out with concerns about the parceling off of the greenbelt, the ecological impact, the impact on flora and fauna and so many more. Is that something that the Ontario Federation of Anglers and Hunters—a concern that they share?

Mr. Mark Ryckman: I'll preface my remarks by saying I'm certainly not a land use policy expert by any means or an expert on urban sprawl, but whenever we see, whether they're legislative, regulatory or policy, changes made that threaten fish and wildlife or the habitats that support them, that is something that generates attention from the OFAH. So whether that is urban sprawl from the

GTA outward or whatever the case may be, any of those concerns, if they have that ultimate impact on the things that we care about and the mandate of the Ontario Federation of Anglers and Hunters, which is the conservation of our resources, that would garner our attention for sure.

Mr. Terence Kernaghan: Absolutely. You've also mentioned the loss of training ground due to attrition of owners. It's a deep concern, because what would happen if someone were to attempt to train in the wild, for instance?

Mr. Mark Ryckman: That question would probably be better addressed to John Bell. I will say, though, however, that in the wild, generally that is considered hunting, and wildlife in captivity and training and trialling are governed slightly differently in regulation and under the FWCA than hunting with a dog is.

Mr. Terence Kernaghan: Absolutely. Thank you very much.

My next questions will be for Wayne. It's good to see you again, Wayne. In thinking back to our discussions on Bill 46, the Ontario government's own discussion papers didn't recommend lifting the prohibition on enhanced oil and gas extraction as it relates to carbon sequestration, and it's something that delegations were concerned about. Also, at that time we heard from industry leaders who were concerned about the state and the status of the 27,000 wells in Ontario, hearing that only 19% of them had been inspected since 2005. I was wondering, Wayne, if you were aware of any increased inspections by the Ministry of Natural Resources and Forestry?

Mr. Wayne Passmore: I am not personally aware of any of those. Enbridge, of course, does own and operate natural gas wells that are subject to that for our underground natural-gas-storage business, so our operators are definitely familiar with that.

I think it's important to note that CCS is a brand new thing for Ontario—it's not brand new to North America; it's just brand new to Ontario—and it's going to be using state-of-the-art, purpose-built and engineered wells that will be going much deeper and be built to a very significant standard that is going to make sure it's absolutely safe. They're not going to have those same kind of issues that an unregulated industry had over a hundred years ago.

Mr. Terence Kernaghan: Understood. When taking a look at section 11.6, it sets out that a special project "continues to be a well" even after the special project has concluded. Does Enbridge have any concerns about certain special projects that might take place within a well? What would be the remediation, or what would be the responsibility of the person who has administered the special project after that is done?

Mr. Wayne Passmore: Well, so far all we've seen is enabling legislation, so the regulations are yet to come, and that's where the details would be, of course. We have faith that we can work with the government to make the regulations work for everybody.

In the end, when you put a well in, it's a long-term responsibility, and Enbridge takes that very seriously. We would do everything that we need to do to make sure that

that's safe for the long term, even after maybe a special project or a demonstration or something like that. But our hope would be that we can bring one of those projects forward and try to do that, and if it's successful in terms of an evaluation, then move it towards a commercial project thereafter.

Mr. Terence Kernaghan: Understood. Also, in discussions, thinking about subsection 13.1(2): It has added a "may" clause where the minister may consider granting or transferring a licence to, possibly, an individual or corporation who has been convicted under the act. I wanted to know if Enbridge had any concerns about that particular change.

Mr. Wayne Passmore: Well, I think you're referring to the discretionary nature of that. That's not something that causes us concern, personally, because we work with the ministry to make these things safe long-term. It's also something where we believe that a strong, very high bar for the technical capability, the financial competency—the ability to actually carry out a project and make sure that it stays safe and it's clean long-term for everybody is important, and we support the ministry having tools to deal with, potentially, a few bad actors out there that may try to get in there. We really aren't that concerned with that. We confidently can work with the government on that.

Mr. Terence Kernaghan: Understood. I think, as well, I've heard from many constituents who are concerned about their current price of energy in Ontario. Many people have seen increases on their Enbridge bill. In particular, I want to ask about the open bill program. I know that it's a program that allows third-party companies who sell energy-related products to be included on Enbridge's bill.

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. Terence Kernaghan: I believe that the open bill program—I heard a commitment that it's going to be phased out in October 2024. I wonder if you had any comments about the open bill program and if you could confirm that it will indeed be phased out.

Mr. Wayne Passmore: I believe that proposal is currently before the Ontario Energy Board and that it will get dealt with in the due course of that regulatory proceeding.

Energy costs are a concern for everyone. Of course, Enbridge takes that very seriously, trying to find a balance between meeting the energy needs that our customers want and need and trying to do it affordably. At the end of the day, Enbridge doesn't make any money on the commodity of the natural gas that we sell our end-use customers. We only make a return on the capital that we deploy to actually deliver the natural gas.

Natural gas is a North American commodity and, more lately, a global commodity, that—the prices have gone up, and they've also come back down a little bit. Those prices that we're allowed to charge are regulated by the Ontario Energy Board. So we sympathize and empathize. We're—

The Vice-Chair (Mr. Sol Mamakwa): Thank you. That concludes that seven minutes from the opposition.

Now, I'm going to go to the government side. MPP McCarthy.

Mr. Todd J. McCarthy: Chair, through you, back to counsel, sorry; I just want to make sure—I think you were cut off and I want to continue to give you ample time, to counsel, for Mr. Babineau and the IAA. Just to repeat so we're clear: The potential impact to impose a significant financial and administrative burden on your operations and additional costs that may be borne by auto insurance consumers—I would be concerned about that, if that's your position, and why.

Interjection.

Mr. Todd J. McCarthy: We don't have sound, Chair.

Mr. Mark Opashinov: I think I'm unmuted now.

Thank you, Mr. McCarthy. That's absolutely the concern of IAA, that this additional red tape—and that really is what it is, because this is a business-to-business relationship that IAA has with insurers—

Mr. Todd J. McCarthy: We don't like red tape, so we definitely don't want more red tape. So explain that.

Mr. Mark Opashinov: We certainly don't want more red tape.

This is, critically, a legislation that's designed to address the relationship between roadside towers and storage providers and consumers. IAA does not have any consumer-facing function nor does anybody else in the salvage automobile business. Instead, what's happening is, because of the over-broad scope of these definitions, IAA is brought within the scope of the legislation. The result is these costs have to be borne at first instance by IAA, but those will ultimately get passed on to insurers. We can only surmise insurers will want to, at least in part, pass those on to policyholders. The costs are needless, and they're going to get passed on down the line, ultimately, we think, on policyholders.

There really is no public interest here in regulating this business, which is a business-to-business service. It stores vehicles on consignment for sale by insurers, and its customers are chiefly insurers. The storage that IAA provides—that storage service is entirely incidental to the rest of the business, which is a vehicle auction business.

It's not the type of storage that the act is intended to capture, but the unfortunate wording, we're sure inadvertently, nevertheless arguably captures IAA's activities.

Mr. Todd J. McCarthy: Thank you for that. Again, through you, Mr. Chair, you've been very specific about the language in certain provisions of the act as it's proposed to be amended, and that's schedule 36 of Bill 91. Can't we just agree on this, to the extent—to be very specific, then—that the proposals change "tow driver's certificate" to "tow driver certificate," counsel would not have any objection to that?

Mr. Mark Opashinov: We don't think we would. You're right.

Mr. Todd J. McCarthy: All right. Changing the terminology or proposing to change the terminology of a certificate being revoked to a certificate being cancelled, you would have no objection to that?

Mr. Mark Opashinov: None.

Mr. Todd J. McCarthy: Replacing references from “certificate holders” to “tow truck drivers, tow operators or vehicle storage operators, as the case may be,” you would have on objection to that?

Mr. Mark Opashinov: That’s correct.

Mr. Todd J. McCarthy: To the extent that the schedule 36 to Bill 91 proposes clarifying when consent and estimates are required, you would have no objection to that?

Mr. Mark Opashinov: If there were proper clarification, no objections.

Mr. Todd J. McCarthy: I guess we always agree, through you, Chair, that the devil’s in the details when it comes to regulations promulgated under an act. The witness is smiling, so that’s almost a cliché, I suppose.

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Clarifying the authority to regulate amounts operators may charge in the process regarding submission of these amounts, including authority to reject excessive amounts: That’s in schedule 36 of the bill. Any objection to that, counsel?

Mr. Mark Opashinov: None.

Mr. Todd J. McCarthy: Clarifying the scope of persons to whom the director may request information concerning complaints: Any objection to that?

Mr. Mark Opashinov: None.

Mr. Todd J. McCarthy: Providing authority to allow regulations to apply to vehicles that are not motor vehicles: You would have no objection to that?

Mr. Mark Opashinov: Correct.

Mr. Todd J. McCarthy: Also, and finally, you’re familiar with the consequential amendments to the Municipal Act, 2001, and the City of Toronto Act, 2006, to remove references to the municipal business licensing of tow trucks? You would agree that those consequential amendments, as proposed, are appropriate?

Mr. Mark Opashinov: No concerns with that, correct.

Mr. Todd J. McCarthy: You were very specific in your opening about the sections you would like to see considered for change, and I don’t see any written submission in that regard. Could you provide the committee with what you are—I mean, I went through eight items that you have no objection to, but the specific sections that you say would add the regulatory burden or costs that could be passed onto consumers through auto insurance premiums—we would be concerned about that. So can we see those?

Mr. Mark Opashinov: Absolutely. We’ll provide you with a written version of our remarks today. But just to clarify for the benefit of the committee right now, it’s the two definitions that we were focusing on: “vehicle storage services” and how that’s defined, because as I said at the outset, it’s—

Mr. Todd J. McCarthy: Through you, Chair: You would have a proposal as to how it should be defined?

Mr. Mark Opashinov: We do indeed, yes, and we’ll provide it in writing.

Mr. Todd J. McCarthy: Secondly, the other big proposal or big ask is what?

Mr. Mark Opashinov: It was to add a clarifying section at the conclusion of the definition of “towing services,” to make it clear that the secondary towing from roadside storage facilities to IAA yards, where the vehicles are auctioned, is not the type of towing service that should be included within the scope of the act.

Mr. Todd J. McCarthy: All right. I thank the witness.

Chair, what is the timing and the form in which these suggested changes would come from these witnesses?

The Vice-Chair (Mr. Sol Mamakwa): I know that submissions will be available once they’re submitted. But also, the deadline to provide a written submission is Thursday, May 4, at 7 p.m.

Mr. Todd J. McCarthy: All right. So through you, Chair: Does that deadline work for counsel and Mr. Babineau in terms of getting that to the Chair and the supporting staff?

Mr. Mark Opashinov: It does. Thank you very much.

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. Mark Opashinov: We’re aware of that timeline and we’re working towards it.

Mr. Todd J. McCarthy: Through you, Mr. Chair: Given the eight you had no concerns with in schedule 36, there are two that we’re going to receive very specific proposals on. Correct?

Mr. Mark Opashinov: That’s correct.

I’ll just underscore that my client has provided written submissions on April 17, which largely echo what you heard from me today and will be reflected in what you get from us before the end of the day tomorrow.

Mr. Todd J. McCarthy: The more focused, the better, I would submit, through you, Mr. Chair.

Mr. Mark Opashinov: Okay.

Mr. Todd J. McCarthy: Thank you.

Mr. Mark Opashinov: Thank you.

Mr. Brian Saunderson: How much time left?

The Vice-Chair (Mr. Sol Mamakwa): There’s 20 seconds.

Mr. Brian Saunderson: Oh, 20 seconds? Thank you very much for your thoughts today. I appreciate you coming out. I’ll save my questions for offline. I appreciate it.

The Vice-Chair (Mr. Sol Mamakwa): At this time, I’m going to go back to the official opposition. MPP Kernaghan.

Mr. Terence Kernaghan: Earlier in the committee, we were discussing the economic benefits of trialling and training. I also wanted to put forward the written submission by the Ontario Sporting Dog Association, just for the committee’s consideration. They indicate that they bring a huge economic boost to the areas in which they’re located: that the average cost of hotel rooms is about \$125 per night, \$375 per room for three days, 62 rooms for judges, and it will actually generate \$23,250 directly to local economies. There are also competitors who take their campers. And if we take a look as well, the average person spends about \$45 on meals per day. With 100 people, that \$4,500 for three days, \$13,500. It’s local restaurants, local

grocery stores. And as well, people in Quebec, New York, Ohio and even as far as South Carolina come to these events. They say that the average foxhound three-day field trial brings an average of \$54,000. I guess my question, though, is, I wondered: Do you have any amendments to this legislation? Is there anything you see that is missing, anything that the committee should consider in order to strengthen it or to make it better?

Mr. Mark Ryckman: No, nothing that would need to be necessarily repealed. As I said, the Ontario Federation of Anglers and Hunters would be perfectly fine if schedule 14 of Bill 91 was adopted as written. There are some questions about how the 90-day application period for new licences was determined and whether or not that's necessary. But we understand that given the volume of applications that are expected, 90 days would be more than sufficient.

Mr. Terence Kernaghan: Understood.

Just to Mr. Passmore, I noticed, I think it was in the Toronto Star, that they reported that Enbridge was going to wind down the Open Bill Program in phases through October 2024. There was a statement to the Toronto Star "that the long-standing service is 'no longer consistent with the utility's strategic direction.'" That's good news, just to answer that concern. But, to Mr. Passmore, are there any amendments or any concerns? Do you have anything that you would like to see strengthened within this legislation?

Mr. Wayne Passmore: Well, not so much the legislation, because it's really enabling legislation that then sets up further regulation.

As I mentioned several times in my remarks, we see that the province should take a much more assertive, much more aggressive role in helping to manage the pore space. This is a relatively limited resource that Ontario has, and we've got a lot of emissions. So we want to make sure that this is done right, in a way that benefits most of the large emitters and the province's businesses so that carbon capture and sequestration becomes available to all.

Our goal is to try to get this to utility scale, and we see vesting of pore space as absolutely strategic to doing that. It's what Alberta has done, it's what British Columbia has done, and they are both moving strongly ahead. We see that as one key step that would set up and enable Ontario to actively compete with some of those jurisdictions and most likely set Ontario up to be successful in being added to the federal list of provinces eligible for the investment tax credit that is available for carbon capture and sequestration projects.

These projects will be billions of dollars and thousands and thousands of jobs. This is a huge opportunity if we get it right, and it represents a significant cost if we get it wrong. We need to recognize that a lot of industry is looking for the solution to get this done, and if they can't get it done in Ontario, they're likely to leave and go elsewhere. That's not in anybody's best interests. We need to work with the industry, work with the government to move this forward and try to make sure that we're setting up a

regime that benefits as many businesses and Ontarians as possible.

The Vice-Chair (Mr. Sol Mamakwa): MPP Wong-Tam.

MPP Kristyn Wong-Tam: If I can just have a quick time check?

The Vice-Chair (Mr. Sol Mamakwa): Three minutes, 17.

MPP Kristyn Wong-Tam: Thank you very much.

Thank you for your deputations, everyone who has presented thus far. My question is largely regarding CCS, so that is for my friend at the end. I'm sorry, I didn't catch your name.

Mr. Wayne Passmore: Wayne Passmore.

MPP Kristyn Wong-Tam: Thank you, Wayne Passmore. CCS has largely been touted as a significant move to allow for, I guess, some form of green transitioning—if I can describe it as that—largely championed by the oil and gas industries. Yet we know that CCS, with respect to large-scale success, with respect to reducing emissions, with respect to the costs—it is fairly heavy in terms of both. Therefore, its intensive use of new technology, new facilities to produce those outcomes, as well as the cost to build those facilities to remove emissions sometimes has been questioned as perhaps not necessarily beneficial.

Will those new costs, the money that's required to build these new facilities to capture the carbon and put it into the ground—is it sustainable in the long run when what we're looking for is truly sustainable outcomes? At the same time, will those additional costs ever be passed along to the consumer?

Mr. Wayne Passmore: That's a great question. Carbon capture and storage is really made up of three components of it: the capture of it, and that, traditionally, is very expensive; the transportation, which is most effectively done by pipeline—of course, that's Enbridge's forte, and that's where we see a very active role there—as well as storage or sequestration. Of course, we are the largest storer of natural gas underground and we get it all back, so we think we can put some CO₂ down there and make it stay down there.

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In terms of the cost, what we're seeing when we talk to our large-emitter customers is they're asking our help for solutions to try to meet their greenhouse gas reduction targets in a cost-effective way. When they look at the carbon charges and the cost of those and start comparing that with, potentially, the costs of carbon capture, if they can do carbon capture and sequestration for a—

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. Wayne Passmore: —lower price, then that's going to be a business case that helps them move forward to get their costs down, to help keep the services that they provide to industry and society more competitive. While this represents a significant investment, it also represents an opportunity to reduce these emissions in a cost-effective manner and keep these businesses competitive. So that's absolutely critical.

MPP Kristyn Wong-Tam: I recognize that it's important to remove the emissions largely as we transition to a green, sustainable economy. That is the responsibility of industry. My question is, will any of those capital costs and also energy-intensive efforts be passed along to the consumer? Will the consumer see higher gas prices, oil prices, fuel prices, because your industry has to spend a lot more in order to enable you to continue digging, drilling, extracting?

Mr. Wayne Passmore: That's a great question. The costs of trying to reduce greenhouse gas emissions—

The Vice-Chair (Mr. Sol Mamakwa): Time has ended for the question-and-answer. Thank you, Meegwetch to the Ontario Federation of Anglers and Hunters for your presentation, same with Enbridge and also IAA. That concludes our question-and-answer.

We'll get the next group to get ready. I will wait for the Ontario Sporting Dog Association, and also the Landscape Ontario Horticultural Trades Association.

If you can get back to your seats, and then we will start the sessions again.

THE ONTARIO SPORTING
DOG ASSOCIATION

LANDSCAPE ONTARIO HORTICULTURAL
TRADES ASSOCIATION

The Vice-Chair (Mr. Sol Mamakwa): We're just about getting ready for the next presentation. I will now call upon The Ontario Sporting Dog Association. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. John Bell: My name is John Bell. I am the president of the Ontario Sporting Dog Association and also the Ontario training and trialling association, which are the people with the enclosures.

We have come here today to try and talk to everybody and make sure there is no uncertainty about what we're doing here. We want to try and get this date removed and a 90-day window open to get people into new pens.

Many of these facilities are open to the public, and some of these areas have as many as 50 different trainers working in the facility. Even the loss of one facility puts a big burden on the other training enclosures, because there wasn't that many to begin with. What it has done is put a lot of pressure on the other pen owners.

We're losing pens all the time because of attrition and urban sprawl, because once you have houses all the way around your enclosure, you're going to end up having to move. We can't do that because we can't transfer our licences.

The reason that we need these enclosures, the main reason that we need these areas is for the safety of the dogs and the safety of the people who are competing with the dogs or training their dogs.

The biggest problem we have right now is there aren't enough enclosures. The elimination of one enclosure causes people to have to run in the wild. Nowadays, with

the amount of traffic, the population has gone up 18% and the traffic has doubled in the wild where we run our dogs and where we hunt.

The second thing is that participants have complete control over the hounds in a training area. It provides the maximum control of the dogs at all times during the training and trialling functions.

The training and trialling areas allow today's youth to actively get involved in the sport of training and handling of hounds and gives them access to other handlers to help them know how to train their dogs, who would not be available to them otherwise.

The training and trialling areas completely eliminate the chasing of non-target animals specifically. This is very important to every hunter and to the government. We don't want them chasing deer out of season. We train our dogs to hunt specific animals.

The training and trialling areas bring a real economic boost to the area where each of the training and trialling enclosures were built. The numbers that are in this file that the gentleman brought up a little while ago—I did that three years ago. That number is probably between \$75,000 and \$80,000 now. That doesn't include the cost of ATVs and side-by-sides that we use to catch dogs and the thousands of dollars that we spend on tracking equipment every year.

I'm kind of nervous doing this. I don't do this every day of the week like Ryck does.

MPP Kristyn Wong-Tam: You're doing great.

The Vice-Chair (Mr. Sol Mamakwa): You're doing great.

Mr. John Bell: I'm doing the best I can.

This doesn't include the hours of training that people take to train their dogs before they go to an enclosure for an event.

The field trials are made so that we can get field trial champions. The clubs run at zero profit. Our clubs make no money on a field trial. In fact, usually, the clubs throw money into the hat to make sure the bills all get paid. This is specifically about winning a trophy or gaining points to get a championship. That's all that matters—to us, anyway.

1400

The training and trialling areas have been in operation in a legal, ethical fashion for over 25 years, with very few problems or complaints. The first recorded field trial in Ontario was in 1887. This is a huge part of the history and indeed the heritage of hunting in Ontario. We need to protect the heritage activity of training and trialling areas, which are essential for our youth.

We would like to request at this time that the date of June 9, 1997, be removed from O. Reg. 668/98, section 29, and replaced with a 90-day window for Ontario residents to put up new enclosures on their properties—that that be granted.

We can live with the rules; we have done for 25 years. The training and trialling areas are supported by the Canadian Kennel Club, the UKC, the CKC, the Ontario Federation of Anglers and Hunters, south central Ontario

big game association, every beagle club, every fox-hunting club and every member of our association—we have 33,000 members; we have 164 clubs. We have also sent several hundred letters in support to the minister's office and handed-delivered hundreds more when we met with the minister and his staff last year.

Ladies and gentlemen, I came here—

The Vice-Chair (Mr. Sol Mamakwa): One minute left.

Mr. John Bell: I came here as a pen owner and as the president of a pen-owners' association. I've owned and operated a training enclosure for 25 years; that's 225 acres of my own land. I have never had a complaint, and I'm here today to try and quell any thoughts that there's a problem with what we're doing.

The Vice-Chair (Mr. Sol Mamakwa): Thank you. I'll go to the Landscape Ontario Horticultural Trades Association. You have seven minutes. Please state your name for Hansard, and you may begin.

Mr. Dave Wright: Thank you. My name is Dave Wright. I'm the president of Wright Landscape Services and the current past president of Landscape Ontario. Thank you for allowing me to speak on behalf of Landscape Ontario today.

Landscape Ontario is the province's premier horticultural trades association and has 11 sector groups to address the specific needs of the profession. The snow and ice management sector group represents over 8,000 small businesses who employ a massive workforce in every riding in Ontario and provide an essential public service that allows people to live their lives, get to work, attend school and access emergency services when needed. Our goals are to create safe conditions for all Ontarians, reform the liability system for improved fairness and establish a regulatory framework for the improvement of snow and ice management across the province.

Landscape Ontario supports the proposed change to the Highway Traffic Act under schedule 15 of Bill 91. Specifically, the snow and ice management sector group strongly supports the creation of a fine for drivers overtaking snowplows in echelon formation on multi-lane highways unless a full lane is available to complete the manoeuvre safely and requests that this measure be extended to all public roadways. This speaks to our core mission to create safe conditions for all Ontarian roadusers through our clearing of highways, roads and private parking lots, as well as for our own members operating snowplows and other equipment.

We believe that this legislative amendment to make it illegal to pass snowplows on multi-lane highways unless a full lane is available should be law on all Ontario roadways. All too often, our members are faced with dangerous situations from impatient drivers who view our snow equipment as an annoying obstruction, despite the essential work our members are performing for the public. Not only do these careless drivers put our lives and those of others in jeopardy, they also contribute to the increase in insurance rates for snow removal companies that threatens to put many of our members' businesses out of operation.

Snow and ice contractors strive to create safe conditions in an environment that can often be dangerous for operators. In fact, we're seeing an alarming increase in aggressive behaviour from the public that is putting our members in danger. For example, plow operators in Toronto, Mississauga, Brampton and Caledon reported numerous incidents of physical and verbal abuse from residents after heavy snowfalls this past winter. Our members are facing risky situations on both the roads and private property along with skyrocketing insurance costs. The creation of a Highway Traffic Act offence to protect snowplow operators on multi-lane highways is helpful, but our industry urgently needs more.

In conclusion, Landscape Ontario supports the proposed change to the Highway Traffic Act under schedule 15 of Bill 91—specifically, the snow and ice sector group strongly supports the creation of a fine for drivers overtaking snowplows in echelon formation on multi-lane highways unless a full lane is available to complete this manoeuvre safely—and further requests that this measure be extended to all public roadways.

Thank you again for allowing me time to speak on behalf of Landscape Ontario.

The Vice-Chair (Mr. Sol Mamakwa): Thank you for the presentations.

For this round of questions, I'm going to start with the government. MPP Saunderson.

Mr. Brian Saunderson: Thank you to both presenters this afternoon.

Mr. Bell, I just want you to know that Mr. Ryckman spoke very highly of you and said we should direct all dog questions to you, so we're very happy to have you here. I have a dog at home that could use some training. He loves fishing. He's a sled dog, actually, but now he loves to go fishing when the salmon and the trout are running. In my area of Collingwood, the trout are running right now.

I was very interested to hear your comments about your organization, about your efforts and your personal experience as an owner of a trial and training centre. I'm wondering if you would have any advice for the government, then, in terms of not just regulations that we're proposing in Bill 91 but any other aspect of your business or dog training that you think could use some shoring up.

Mr. John Bell: There are some things in the regulations that need to be addressed slightly, and I've talked before a little bit about it. It's just minor things. We can live with the rules; we've done it for 25 years. We stay out of trouble, we keep our noses clean and hopefully we can keep it that way. It would be nice to see this date gone completely, but I don't think that's possible. The 90-day window, we'll grab it in a heartbeat because we have probably got—I've been inundated with phone calls because people know I was coming here today, asking me, "What's happening? When is it happening? When can we apply for a licence?" This has been 25 years people have been waiting for this.

I've got a friend of mine whose daughter won a trophy when she was three. She's 22 years old. She goes to York University. She plays hockey for York University. She

also owns 15 foxhounds and runs in my pen every weekend, and she loves every minute of it. That's what this is about. Our sport is all family-orientated, both the foxhound pens and the beagle pens, and the kids come with us. Most people, when they come here to trial, they rent a cottage, because the dogs only run for five hours and then we catch them. Sorry, we don't get them in five hours; usually, we usually get them in an hour after the call-off. But then the kids will go back to the cottage, and they either go swimming or they go fishing and it's a heck of a lot better than them sitting in the room with an Xbox; let's put it that way.

The kids that were involved in this back in the 1970s, when I first got involved, are now the kids I'm competing against. They know what they're doing because they had an opportunity to get into these enclosures so the old guys—me—can show them what they're doing wrong.

This is about control of our dogs, not just in the enclosure, not just at the field trial, but when we go hunting on the outside. If I have a piece of property I'm not allowed on, I've got a collar on that dog; I hit the tone button and that dog will stop and come back to me. All I have to do is—if he can hear me or my car horn, because I've got a different horn on it, I hit that button, he'll stop, and if I hit it again, he comes right back.

When I run in my own enclosure, I might have 15 dogs out there. I'll come home for lunch when I'm done running after five and a half hours. When I drive out to the pen, I'll hit the button on every collar, and by the time I get to my kennels, my dogs are standing at the kennels.

1410

Mr. Brian Saunderson: You don't have to answer this question, but I'm interested to know from all the work that you've done: Who is easier to train, the dogs or the humans?

Mr. John Bell: With the equipment we have nowadays, the dogs, definitely the dogs. Some humans are never trainable.

Mr. Brian Saunderson: I've had three dogs and three sons. I totally agree with you: It's easier to train the dogs.

My next question is to you, Mr. Wright. You spoke at length about your support of the snowplow regulations. I just wanted to get a sense from you—you gave some anecdotal evidence, but how frequently do these types of incidents happen in your experience, which you're hearing from your members?

Mr. Dave Wright: In my experience, they're happening just about every snowfall. There are a lot of angry people out there. They don't want us making noise, they don't want us in the way, and we're just trying to make things safe for people.

Mr. Brian Saunderson: I appreciate your answer. Maybe you need some of Mr. Bell's little buttons so that you can zap the offending drivers. That might be helpful too.

Those are my questions, Mr. Chair. I'm prepared to share my time.

The Vice-Chair (Mr. Sol Mamakwa): MPP Hogarth.

Ms. Christine Hogarth: Thank you for being here. This is a question I asked before you sat down, which is

really important to me and to many people who call my office about animal welfare and animal health. We know we brought in the PAWS Act, which is one of the strongest legislations for animals and animal welfare, really, in Canada. It's something we're very proud of.

I would love for you to share with us: What do you do in your train-and-trial facilities and what do you do to ensure the safety of all the animals in your facilities?

Mr. John Bell: The regulations call for us to have brush piles, dens or manmade escape units—we call them pods. What it is is a 10- or 12-inch concrete culvert going into a 45-gallon drum buried under the ground and there's a vent cut and put above the ground so they can't get overheated in there. What we do is we feed in those culverts during the wintertime because it stops the crows from stealing the coyote food anyway—or ravens. We put it inside the edge of the culverts so the animals know where every one of these culverts are. If they are in danger, they're in the ground, and I can assure you, there's not very many dogs that are going to go in a 10-inch culvert when there's an alligator at the other end. That's, again, a good way to put it, but that's the truth. We're there and we're concerned about their safety.

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. John Bell: At a field trial, we have three guys with side-by-sides—two guys in each one—with poles and cages on the back. A judge phones the master and says, "We've got an animal; the dogs are getting too close to him," and they immediately take off in that direction. If the dogs come up trees, they're there in a matter of seconds; they get the animal and get it out of there before it gets injured.

Ms. Christine Hogarth: Okay, thank you. I have no further questions.

The Vice-Chair (Mr. Sol Mamakwa): Okay. Go ahead; there are 30 seconds left. MPP Oosterhoff.

Mr. Sam Oosterhoff: My question is for the Landscape Ontario Horticultural Trades Association. I was just wondering about when you started to see this acceleration of aggression. I actually did snow clearing and landscaping for some years and I have family members who do as well up in Owen Sound and across the province. I'm just wondering when you started to see this increase.

Mr. Dave Wright: I can't say that I can say a specific time, but there's always been people. You're seeing more and more of it in the news, but certainly—

The Vice-Chair (Mr. Sol Mamakwa): That concludes the question-and-answer from the government side.

This time around I'm going to go to the official opposition: MPP Kernaghan.

Mr. Terence Kernaghan: Thank you very much to our presenters today. Mr. Bell, I just wanted to thank you. You mentioned that the Ontario Sporting Dog Association has been very active, as well as its members, making sure that they wrote letters to the government and contacted the government, so I just want to thank you for that advocacy. I'm glad to hear that the government is not simply listening to but is also acting upon your concerns.

It's interesting to note as well that your economic benefits that you've laid out very well in your presentation are also three years old—

Mr. John Bell: That's right.

Mr. Terence Kernaghan: So that's quite interesting, because that means yet more economic benefit. It's concerning to hear that, without legislative action, this would be the death knell for trialling and training areas.

I wanted to know: We've also heard from many delegations during the pre-budget consultations about the continued urban sprawl and about the fact that Ontario is losing 319 acres of prime farmland per day and that people are very concerned about the impact not only ecologically, but also on wildlife. I wanted to know if you had any concerns about urban sprawl.

Mr. John Bell: We do, because obviously the dogs are noisy when they're running and when they're being trained. If you've got a subdivision built right up to the back of your enclosure, you're going to have to move because you'll have nothing but complaints for the noise.

As far as us taking up farmland, we don't want open fields. We don't want any of that. Between the foxhound people and the beagle guys, we want the roughest piece of ground that you can find. We don't want the dogs to be able to see that animals. That's not what it's about. It's not about seeing the animal and chasing it; it's about following their nose.

My property, I walk my fence with hip waders on in the middle of the summer. In fact, I have a young guy who walks it for me most of the time now because I've had both of my knees replaced, but I did. For 20 years, I walked it with hip waders, and right now he probably needs chest waders it's been raining so bad. But the coyotes go in there and they'll run all day.

The good thing is you can go in there, you can run the dogs until you feel that they've had enough, and you can stop them right away. You're in an enclosed area. You can cut them off, you can catch them up. With the technology we have today, it's a lot better than it was four years ago. I remember standing at the side of the road at midnight, trying to catch dogs. It wasn't fun—

Mr. Terence Kernaghan: I guess not.

Mr. John Bell: —and going back the next day, trying to find them.

Mr. Terence Kernaghan: Absolutely. I also wanted to ask, John—you had mentioned there are certain things that we've seen with population growth, that traffic has doubled. I wanted to know what would be some of the unintended consequences if people were to train in the wild without enclosures.

Mr. John Bell: There are people who train in the wild. I did, until I had a litter of pups went out in the road and got killed, and I said, "That's it." I bought my farm; I bought 300 acres for my dogs.

Right now, it's pretty dangerous. In front of my house in the wintertime, there might be one car every half an hour; in the summertime when the cottages are on, it's like the 401. That's the difference between running in an enclosure and running in the wild.

You also have to look at it in another way. When you're hunting in the wild, most of us are hunting in minus 10 or minus 15, and there is not the traffic there is during the summer, okay? Very few people run their dogs in the wild in the summertime, and if they do, it's at night and it's usually in the middle of nowhere.

But believe it or not, in the middle of nowhere, there will be one car coming down that road in the middle of the night and if you're not there with that collar on them to stop them going in the road—I could be driving up the road and yell at a guy next to me, "Tone those dogs," and he can tone them, and I'll yell out the window, and they'll sit down right at the side of the Glenarm Road, which is a very busy road. And that's why we need the training enclosures: to get the dog to that point.

I hunt six days a week, from November till Good Friday usually; I hunt coyotes all the time. I have written permission for 284 farms, and the reason I have so many is because if the farmer has a problem with coyotes, I go trap them for them.

Mr. Terence Kernaghan: Understood. Thank you very much, John, and thank you for your presentation today.

My next questions will be for Dave from the Landscape Ontario Horticultural Trades Association. I want to thank you, Dave, for your presentation. You've mentioned the changes to the Highway Traffic Act and you'd like to see these be law on all Ontario roadways. I wonder if you could explain a little bit further for the committee.

Mr. Dave Wright: Well, I think it should be the passing of snowplows on all roads, not just on multi-lane roads.

Mr. Terence Kernaghan: Absolutely. You know, we've seen a great deal of increase in careless driving.

I just want to thank you for your presentations today. At this time, I'll cede the rest of my time to MPP Wong-Tam.

The Vice-Chair (Mr. Sol Mamakwa): MPP Wong-Tam.

MPP Kristyn Wong-Tam: Thank you. A kind request to you, Chair: time check?

The Vice-Chair (Mr. Sol Mamakwa): Two minutes.

MPP Kristyn Wong-Tam: Okay. Thank you.

Mr. Bell, thank you very much for your presentation. I listened to it very intently. I marvel at this remarkable place called Queen's Park, because I'm an urban politician; I don't get out very often and, certainly, I don't get out to hunt. But I have gone both spin- as well as fly-fishing and enjoy those sports immensely, and I, too, own a pair of chest waders.

I'm just really curious. With respect to your presentation, you really outlined the things that you'd like to see. But specifically the language that you're looking for in terms of any type of amendments to the bill: Is that something that you can provide to this committee as well?

1420

Mr. John Bell: Well, like I say, we can live with the regulations the way they are. Kyle and I have been talking

for the last two years on little things here and there. It's nothing substantial, really.

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. John Bell: The thing we need is that we need to be able to build more enclosures for our youth and for the future of our dogs. The only thing that would be better is if the 90 days was forever, but it's not going to be.

MPP Kristyn Wong-Tam: And without the enclosures, do you see it as an imminent threat to the sport?

Mr. John Bell: Without enclosures, I personally would run in the wild. I would run at night and I would be very careful, what I was doing. But we can go to these pens on the weekend. We have only one training corridor right now that we can run a field trial in. It's in Kingston. You're allowed over 200 dogs in that enclosure. It's almost 700 acres. There will be 100 dogs there on a Saturday, just on a day when people want to go train their dogs. The guy is getting inundated with people to the point where—I'm getting phone calls all the time because I have a 225-acre pen behind my house. I don't like running my pen every day. I never run it every day. I run it for—

The Vice-Chair (Mr. Sol Mamakwa): That concludes the questions from the official opposition.

This time, I'm going to go the government side. MPP Oosterhoff.

Mr. Sam Oosterhoff: I'm going to go back to Dave from Landscape Ontario. And again, I also just want to pass along gratitude for the work that your members do. I know they are out there, sometimes watching the sun come up while everyone's off to work, and they're snow clearing. And then they see everyone come home from work and they're still snow clearing.

I have had that experience myself. I just ran a cleanup shovel crew behind the commercial guys. But even so, I remember those days and I know that it's work that a lot of people don't really see, because a lot of it happens at night, but it is very important. I've also had that experience on the other side of being behind a snowplow and understanding the frustration, but also knowing that the work is very, very important. I'm sure a lot of people haven't had that lived experience and appreciation for the difficulty that they're in and the hazards that are presenting.

I'm wondering if you could you build a little bit on your conversation that you had with regard to the multi-lane highways and how that would actually work in practice on a municipal road, on the smaller roads. I'm just curious what you think that would mean in areas—saying all municipal roads is really, really broad. So I'm just wondering, in practice, what that would look like. Are you saying, essentially, no passing, period? I know you said unless there's a clear lane. But I'm just wondering how would that change from what the law currently is, where I don't believe you're allowed to pass anyone unless there's a clean lane beside and a dotted line. I'm just wondering if you could clarify some of that for the sake of the committee this afternoon.

Mr. Dave Wright: And you're probably right that the current laws cover that. But we want to make sure that the drivers of the snow equipment and drivers at large are safe.

Passing snow equipment when it's not safe to do so, there need to be laws against it. I think it should cover all municipal roads, not just multi-lane.

Mr. Sam Oosterhoff: I understand that. I'm just trying to understand, if it's already illegal to unsafely pass someone, would you want to see it, I guess, made doubly illegal to pass someone or just a strengthened fine or awareness around it—

Mr. Dave Wright: I think if it's illegal, it's illegal—

Mr. Sam Oosterhoff: No, I'm just trying to understand how it would actually be implemented, I guess. And again, I totally respect the desire to see that, but—

Mr. Dave Wright: Yes, I don't know how that would be—

Mr. Sam Oosterhoff: Pardon?

Mr. Dave Wright: I don't how that would be implemented.

Mr. Sam Oosterhoff: Okay. All right, I appreciate that.

I'm also wondering if you could speak a little bit about the insurance premium issue that you've raised. It's something I'm hearing from a number of different stakeholders—your sector as well, but also from the trucking sector. Getting new people into trucking is hugely important, but we're seeing the premiums rise at a rate that is, I would say, unsustainable in that space.

I'm wondering if you could share a little bit about the rationale that your sector is hearing from the insurance companies about why they feel they have to charge such prices. If you could maybe walk through some of that, because I know it is a cost pressure for you, and that's ultimately also going to be carried by people who want to get their properties snow cleared.

Mr. Dave Wright: The problem is that these high insurance premiums are pushing companies out of business. The small companies and the medium-sized companies are under pressure, and the large companies are doing okay, but they're paying huge premiums. What's going to happen is that property owners and municipalities are going to find that there are no more snow contractors. There's not enough capacity in the contractors that are left to do the work. The system is broken.

We're looking at some legislative reform to change how liability is placed on snow management companies. Property owners want to put all of the liability on the contractor when there are so many things that are out of the contractor's control. Contracts are unfairly written, and contractors are signing them, unfortunately, which puts them at a disadvantage with the insurance companies.

Mr. Sam Oosterhoff: I think it's fair to say that we've seen, over the last 30 years, governments of all stripes and sizes attempt to make different changes and tweaks within the insurance system, but we still see these premiums continue to rise. That's something that's very disconcerting for myself, having been here for six and a half years and always trying to raise this issue, and hearing from my colleagues who are also working on that. I know it's something the Minister of Finance wants to address. I get different answers from different people about what's leading to this increase. The insurance companies claim

that a lot of it has to do with fraud. That's their justification for a lot of the increases that we're seeing in some of the more urbanized areas—fraud and theft and things like that.

I can't imagine that there's a lot of fraud in your sector. You're a sector that's very public. Everyone knows what the snowplow is—you all have names on the side of your trucks; people can know what's going on.

I'm just trying to better understand the rationale that they're giving to you as to why they're increasing the rates so much.

Mr. Dave Wright: It's not fraud by the contractors. It's false slip-and-fall claims. In any given snowfall, there's the probability of having slip-and-falls with snow conditions. Whether they were with dry pavement or wet pavement, there are slip-and-falls that are occurring, or there are alleged slip-and-falls that are occurring. They're coming, in the past, two years after the fact. Companies are having to defend themselves with information that—they're digging back through files and notes on how that storm went. We're dealing with weather records that aren't necessarily all that accurate; they're for a space that may not be close to where the site was that the accident occurred. In response to that, the property owners are writing contracts to put all of the liability on the snow contractor. And then the snow contractor is putting down more salt than is necessary, but they're doing that in order to mitigate the liability. So there's an environmental issue. It's not just insurance, but it's environmental as well. We're jammed up with it.

The Vice-Chair (Mr. Sol Mamakwa): One minute.

Mr. Sam Oosterhoff: Dave, how long have you been landscaping?

Mr. Dave Wright: I've been in the business my entire life. My business is 55 years old, and I've been running it for the last 22 years.

Mr. Sam Oosterhoff: Have you seen those claims increase over time? I know a lot of the things that, even 20 years ago, we were able to do without people being

worried about suing each other or getting sued over everything. It seems like a lot of that stuff has kind of—I'm talking sliding on different hills and different things. Nowadays, it's all—

Interjection: Tobogganing.

Mr. Sam Oosterhoff: Yes, tobogganing. It's all kind of cut off.

I'm wondering if you're seeing a massive increase in the number of these slip-and-fall cases and if that's something you've seen in your entire career or if it is really growing in the last number of years.

Mr. Dave Wright: It has been in the last number of years. Like I said, the business has been around for 55 years. It wasn't until 2019 that I had my first insurance slip-and-fall claim, and I had three in one month. Our services haven't changed from what they were. We've—

The Vice-Chair (Mr. Sol Mamakwa): That concludes the question-and-answer period for the government. I'm going to go to the official opposition.

Mr. Terence Kernaghan: No further questions, Chair.

The Vice-Chair (Mr. Sol Mamakwa): That concludes our public hearings on Bill 91.

As a reminder, the deadline to send in a written submission will be 7 p.m. on Thursday, May 4, 2023. May the 4th be with you.

Is there any additional committee business before we adjourn? MPP Hogarth.

Ms. Christine Hogarth: Thank you, Chair. Sorry, I jumped the gun on that. I move that committee enter closed session for the purpose of organizing committee business.

The Vice-Chair (Mr. Sol Mamakwa): Is there any debate? Are the members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is carried.

We will go into closed session now.

The committee continued in closed session at 1433.

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Vice-Chair / Vice-Président

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