

Legislative  
Assembly  
of Ontario



Assemblée  
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## **Official Report of Debates (Hansard)**

HE-8

## **Journal des débats (Hansard)**

HE-8

**Standing Committee  
on Heritage, Infrastructure  
and Cultural Policy**

Municipal Accountability  
Act, 2025

1<sup>st</sup> Session  
44<sup>th</sup> Parliament

Tuesday 26 August 2025

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

Loi de 2025 sur la responsabilité  
au niveau municipal

1<sup>re</sup> session  
44<sup>e</sup> législature

Mardi 26 août 2025

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Chair: Hon. Laurie Scott  
Clerk: Tanzima Khan

Présidente : L'hon. Laurie Scott  
Greffière : Tanzima Khan

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON HERITAGE,  
INFRASTRUCTURE  
AND CULTURAL POLICYCOMITÉ PERMANENT DU PATRIMOINE,  
DE L'INFRASTRUCTURE  
ET DE LA CULTURE

Tuesday 26 August 2025

Mardi 26 août 2025

*The committee met at 1002 in room 151.*MUNICIPAL ACCOUNTABILITY  
ACT, 2025LOI DE 2025 SUR LA RESPONSABILITÉ  
AU NIVEAU MUNICIPAL

Consideration of the following bill:

Bill 9, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct / Projet de loi 9, Loi modifiant la Loi de 2006 sur la cité de Toronto et la Loi de 2001 sur les municipalités en ce qui concerne les codes de déontologie.

**The Chair (Hon. Laurie Scott):** Good morning, everyone. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order. We are here to conduct clause-by-clause consideration of Bill 9, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct. We are joined by staff from legislative counsel, Hansard, and broadcast and recording.

Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair.

Are there any questions before we begin?

Seeing none, the Clerk has distributed the amendment package to all members and staff electronically. Are there any comments or questions to any section or schedule of the bill, and if so, to which section? I'll look to members if they want to make general comments.

MPP Burch.

**Mr. Jeff Burch:** From discussion with staff, I would just like to move our amendment number 10 to be considered after amendment number 1, as some of the other amendments are dependent on that.

**The Chair (Hon. Laurie Scott):** Did everyone hear the amendment that the member made? Is everybody in agreement? Agreed. MPP Burch.

**Mr. Jeff Burch:** Thank you, Chair. I do have a few brief comments.

This bill has been out there for a long time. It has been over four years. Having been the municipal affairs critic since 2018, I can recall former Minister Clark doing a consultation on a bill in 2021. It was actually a really good public consultation. He involved the opposition. We had a chance

for our comments, and out of that came some legislation. That legislation was never actually brought forward.

The reason I bring it up is because a lot of the amendments that we are proposing today are actually based on the government's own 2021 legislation that was consulted with the opposition and with stakeholders.

There has been a long history of this bill. My colleague MPP Blais brought forward a private member's bill that we supported around the removal of councillors. I brought forward a private member's bill that not only talked about that, but also the improvement to the system of integrity commissioners of Ontario. I'm happy to see that there are lots of improvements in this bill around making sure that integrity commissioners are qualified and how they're selected. We're going to be making some amendments to improving that as well. Of course, there is current stakeholder feedback around the main issue that we're discussing today, which is the process of removing a politician for egregious offences.

So, it's a long history and a long time coming, so we're happy that this bill has come forward. But we're also assuming that the government is open to some changes because we just had a session where almost every bill was rushed through the House and not sent to committee. But this bill was sent to committee. There have been committee hearings through the summer, so we have to assume that the government is going to be reasonable and open to some amendments that are broadly supported by stakeholders.

I just wanted to say a few words about the purpose of this bill. If there's a bill that should never be political, it's this one. We all have an interest in making sure that municipal politics in a municipal arena is safe for everyone. There is no reason that politicians should be held to a lower standard; they should be held to a higher standard. In an environment with increasing threats and violence against elected officials, this is a bill that should make politics safer municipally, especially for women. We want more women in politics, and we want to make sure that our daughters and mothers feel comfortable putting their name forward to represent their community in municipal politics.

Our main point of contention with this bill is around being able to remove councillors. We believe—and almost every stakeholder believes—that the bar that is set by this bill is too high. And so, we're going to be proposing an amendment around that.

Finally, I just want to thank all of the folks who have contributed to bringing forward suggestions and opinions about this bill, especially Women of Ontario Say No, who have worked with all opposition parties and the government to try to make improvements to this bill; Emily McIntosh; folks from my neck of the woods in Niagara—Haley Bateman, Vicki Smith and others; municipal workers who have come forward through the process; politicians; and all those who showed up to the hearings.

Today, there was an article in the Niagara newspaper around Welland in my riding where they've had some issues with integrity commissioner complaints and some pretty serious problems with their council. The mayor of Welland has very clearly said that to remove a councillor requiring unanimous consent from a council—the colleagues of the person who is the subject of removal—is just not a bar that is acceptable. I think that is a belief that is widely held across Ontario. As I said, I hope the government is open to making changes and working with us to make this bill better.

With that, I will wrap up my comments.

**The Chair (Hon. Laurie Scott):** Any further general comments? MPP Blais.

**Mr. Stephen Blais:** Good morning, everyone. It's nice to see everyone after several weeks away.

Just to follow-up on MPP Burch: This has been a discussion and a conversation we've been having at the Legislature for almost five years. I remember we first started talking about it around November of 2020, and this was following a series of investigations by the integrity commissioner in Ottawa that revealed outrageous and completely unacceptable behaviour by a councillor there. Directly as a result of the bravery and steadfastness of many women but three who came forward and put their names to it publicly and really went out on a limb from a personal, emotional perspective—and from a career perspective as well, actually—to call attention to this issue.

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And I have to agree with Mr. Burch: It was very helpful to have positive dialogue with Minister Clark in those early days and Minister Dunlop at the time, who was the minister responsible for women's issues at the time, around the need to address harassment and abuse, which, I think, in light of what started, or seemed to start, in Ottawa and we've learned more about over the last five years seems to be pretty pervasive if not systemic in our municipalities here in Ontario. It's likely not limited to Ontario, obviously, but across the board. Obviously, there's a need to strengthen the integrity and accountability system that exists for our municipalities. I think we can all agree that there are things that you can do at work that would require you to lose your job. And if you work at a library or in a school or a hospital or a bakery or basically anywhere else, I think we can agree that the types of harassment that we learned about in Ottawa and in cities across the province—in Mississauga, in Brampton, in Niagara and Barrie and countless others—that some of that, much of that, would rise to the level of losing your job, and at the moment, there isn't a process to do that for municipal elected officials.

In recent months, the collaboration and discussions with Minister Flack have been very positive. Even MPP

Saunderson, who I understood was the government's chair or coordinator for the bill—I'm not sure of the proper title for that, but quarterback, so to speak, on the government side—I've had very positive conversations and so, like MPP Burch, hope that the government members are open to some meaningful and common-sense amendments that are all driven from the feedback we received in hearings.

I thought it was very smart of the government to choose to travel the bill to get perspective from experts, from municipal leaders, from everyday Ontarians in all corners of the province. Certainly, they travelled the province at great expense to taxpayers—certainly into the tens of thousands, if not hundreds of thousands, of dollars—to do this travelling over the course of the summer. And I would hope that they heard that feedback from experts and from municipal leaders and would take into account the expense to taxpayers and exercise and support some of the amendments that I think are very thoughtful and well thought out that will be proposed later today.

Thank you again, Madam Chair, for the opportunity. I look forward to the conversation today.

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

Any further discussion? MPP McKenney.

**MPP Catherine McKenney:** Thank you, Chair, and thank you for the opportunity just to say a few words.

I was on the council when we learned of the egregious acts of Councillor Chiarelli that really spurred this. I know my colleague MPP Blais, who was on council with me prior to that, took the lead on this legislation, and it really isn't a partisan issue. We really all want people, staff—in particular, women—who are working for municipal politicians to be safe in their workplace.

You know, if we think about what we heard over the summer as we travelled this bill—I was in Ottawa, but I listened carefully to most of the delegations that came forward. I think the questions back and forth from all committee members were very thoughtful and left the impression certainly that we needed to make amendments that would ensure that this type of behaviour doesn't go unchecked. We do need a high bar for removing municipal elected officials; there's absolutely no doubt. But we also need a very high bar for protecting our staff who work for municipal politicians.

I'll just say that in terms of the amendments—and I'm not going to get into them right now, but we will be going through them. But I will say this: that at the time when I was on council and we heard back from the integrity commissioner the actions of the councillor in question, I was not impartial. I did not show any impartiality. I responded immediately. I believed the women when they came forward. It was very brave of them to come forward, and there was no way for me to be impartial, moving forward. And I stood—I remember I would not take my seat with the councillor when he came back to council. Many of us stood through an entire council meeting. So the notion that we, as humans, when we hear these stories—especially these most egregious examples of poor behaviour on the part of city councillors towards their staff—we can't be expected to stay impartial.

I look forward to the conversation today. I thank my colleagues MPPs Blais and Burch and everyone here and everyone who took the time this summer to go out, to listen to residents; to listen to the Women of Ontario Say No; to the women, who were two of the three former staff of the councillor from Ottawa, who came before us. Thank you everyone for taking that time. It's really critical that we are able to move forward and able to encourage women to enter politics, but certainly to ensure that they are safe when they do.

**The Chair (Hon. Laurie Scott):** Thank you very much. Any further comments?

Okay, we will now begin clause-by-clause consideration of the bill.

Bill 9 is comprised of three sections, which enact two schedules. In order to deal with the bill in an orderly fashion, I suggest we postpone these three sections in order to dispose of the schedules first. Is there agreement on this? Okay, thank you.

We will now go to schedule 1, section 1 and I will also recommend schedule 1, sections 2—there are no amendments. Can we bundle those together? Okay. Schedule 1, section 1 and section 2. Is there any debate on those sections? Seeing none, are the members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. The sections are carried.

We'll now move to section 2.1 of schedule 1, which is amendment 1. MPP Burch.

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

“2.1 Subsection 159(1) of the act is amended by adding the following paragraph:

“8. Recommending remedial actions that could be taken by council or a local board to address contraventions of the code of conduct, prevent further contraventions of the code of conduct and to promote ethical behaviours of their members.”

**The Chair (Hon. Laurie Scott):** Committee members, the proposed amendment is out of order because it seeks to amend a section of the parent act that is not before the committee. MPP Burch.

**Mr. Jeff Burch:** Thank you, Chair. I'd ask for unanimous consent to consider this amendment.

**The Chair (Hon. Laurie Scott):** MPP Burch is asking for unanimous consent to consider that. Is there unanimous consent? There is not unanimous consent.

Moving to amendment 10, which is an NDP amendment. MPP Burch, are you ready to go?

**Mr. Jeff Burch:** I move that section 5 of schedule 1 to the bill be amended by striking out sections 160.0.1 to 160.0.5 of the City of Toronto Act, 2006 and substituting the following:

“Application by commissioner

“160.0.1(1) Upon completion of an inquiry conducted under section 160, the commissioner may apply to a judge for an order that the member's seat be declared vacant or that the member be disqualified from being a member for

up to seven years if the commissioner is of the opinion that all of the following criteria are met:

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“1. The member has contravened the code of conduct.

“2. The contravention is of a serious nature.

“3. The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of any person.

“4. The penalties set out in subsection 160(5) are insufficient to address the contravention or to ensure that the contravention is not repeated.

“Same

“(2) In considering whether the contravention is of a serious nature for the purposes of paragraph 2 of subsection (1), the commissioner may consider, among other matters, whether the contravention is a repeated contravention.

“Same

“(3) An application under subsection (1) does not affect the power of the city or a local board to reprimand a member or suspend a member's remuneration under subsection 160(5) or (6).

“No application during regular election

“(4) No application shall be made during the period of time starting on nomination day for a regular election, as set out in section 31 of the Municipal Elections Act, 1996, and ending on voting day in a regular election, as set out in section 5 of that act.

“Limitation

“(5) No application shall be made after the sixth anniversary of the contravention.

“Costs

“(6) The commissioner's costs of applying to a judge shall be paid by the following:

“1. If the member is alleged to have contravened a code of conduct as a member of council, the city.

“2. If the member is alleged to have contravened a code of conduct as a member of a local board, the local board.”

“Regulations

“(7) The minister may make regulations governing transitional matters that arise out of the implementation of this section.

“Powers of judge

“160.0.2(1) With respect to an application under subsection 160.0.1(1), the judge may do any of the following:

“1. Declare the member's seat vacant.

“2. Disqualify the member from being a member during a period of not more than seven years after the date of the order.”

“Same

“(2) In exercising their discretion under subsection (1), the judge may consider, among other matters, whether,

“(a) there is a risk of serious harm to the health, safety or well-being of any person;

“(b) the contravention negatively impacts public confidence in the ability of the member to discharge their duties; or

“(c) the contravention negatively impacts public confidence in the ability of the council or local board to fulfil their role, including meeting their statutory obligations.

“Appeal to Divisional Court

“160.0.3(1) An appeal lies from any order made under section 160.0.2 to the Divisional Court in accordance with the rules of court.

“Judgment or new trial

“(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purposes of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal.”

**The Chair (Hon. Laurie Scott):** That’s amendment number 10. Is there any further discussion or debate? MPP Burch.

**Mr. Jeff Burch:** This is, as I mentioned when we started, the main point of contention of the bill and the main discussion point in the committee hearings that took place this summer.

This amendment establishes a process where, after a finding of serious misconduct—as my colleague discussed had occurred in Ottawa, for example—the local integrity commissioner may apply to a judge to have a council seat declared vacant and/or to prevent the member from being eligible to run for the seat for seven years. This replaces Bill 9’s process, where the local integrity commissioner would apply to the Ontario Integrity Commissioner for confirmation of the local IC’s findings, which is then followed by a reference to the local council, which would then be required to vote unanimously for the removal. I would point out that includes all councillors on council having to be present. So it’s not just unanimously the people that are there; it’s unanimous approval of that council, which is an incredibly high bar.

Stakeholders to the Bill 9 hearings were clear that the current requirement for a unanimous council vote was far too high a bar and could easily allow a councillor who had committed serious misconduct to escape consequences if a single political ally on that council voted against the removal. Under this, no one will ever be removed. Let’s be clear about that: It’s not going to happen. I’ve spent two terms on a council in St. Catharines. I’ve been part of the system, as my colleagues have, and this is never going to happen. It’s far too high of a bar.

In addition, by leaving politicians to make the final decision, there’s a major risk of politicizing what should be an independent and evidence-based process. You can’t have an independent, evidence-based process when the councillor or mayor in question’s colleagues are making the decision—colleagues they have to work with. You never see that in another workplace, where it’s up to the fellow workers of somebody whether or not they lose their job.

Stakeholders were clear that the final decision should be made by an independent judge, not a politicized council. The government once agreed on this principle and

included the same provisions in its proposed bill that I mentioned earlier, which was presented to the opposition back in 2021. That bill was much better than Bill 9, and we don’t believe the government should have abandoned it. But we have an opportunity here to look back not only on what the opposition is saying, not only what almost all of the stakeholders are saying, but what the government itself and its current ministers said back in 2021.

We believe this is a common-sense, necessary amendment that is supported very, very broadly by almost every stakeholder, including municipalities and municipal councillors—everyone in the opposition, certainly—and we’re very hopeful that the government will consider this amendment and listen to the people that came out to speak to them at the hearings that they themselves called through the summer. We hope that the government looks favourably on this amendment and we can make this improvement to really make a good bill, a bill that everyone can be proud of.

**The Chair (Hon. Laurie Scott):** Any further debate? MPP Blais.

**Mr. Stephen Blais:** This is certainly an amendment that I support and we support. As MPP Burch said, it mirrors closely the process that was articulated in the government’s consultation with us and with AMO—back in 2021, I believe it was, if memory serves—on the bill that Minister Clark was preparing to bring forward before that election the next spring.

It is certainly consistent with the testimony that we heard from witnesses, I believe, in every city that committee travelled to. It is what the victims who came forward talked about as a process. It is what most members of council who came forward to speak to the process spoke for, the need of a degree of political independence for this kind of decision.

I think it’s very difficult to ask politicians to take a non-political course of action. The very nature of their job is to be political, and we’re asking people to be unbiased and non-political in decision-making.

MPP McKenney rightly pointed out earlier that in Ottawa, when this first came up—I don’t think it was just MPP McKenney; I think it was probably pretty unanimous in terms of people’s instantaneous reactions to the allegations and their instantaneous determination or thoughts about things. That clearly biased the rest of the process, and not only do we know that as individual people; we know that because a court said so.

The accused in Ottawa took the decision of Ottawa city council to court, and the judge said that the decision was biased and not independent and actually threw out the decision of council.

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Fortunately, the judge then reimposed the decision based on their own interpretation of the investigation. But they were very clear that the actions of council, based on the very public comments of most members of council, the very public displays of most members of council, as MPP McKenney articulated already, biased the process from the beginning. If we are going to take actions as serious as un-



doing the results of a democratic election, I think we all want to ensure that that is done in an unbiased way, and the best way to ensure the lack of bias is to send that to a judge for the final decision-making. It allows the accused the opportunity to defend themselves in front of someone who is trained at great expense to taxpayers in the legal process and who has a record of arbitrating other important legal matters in our society. We give judges the authority and the responsibility of making enormously consequential decisions for our society, whether someone will be free the rest of their life, as, obviously, the most extreme example. I think we should have confidence in their legal training, in their scholarly education and in the authority that we've already decided as a society to give to them in some of these other serious matters. So having the decision ultimately taken by a judge I think is the most responsible course of action.

As I believe there were, what, five travelling sessions for this committee over the course of the summer in areas all across the province—and, as I mentioned before, at great expense to taxpayers did this committee to travel all those corners of this province and hear virtually unanimous feedback that having a judge be the final arbiter of the decision was the most appropriate way to go. So, certainly, we'll be supporting this amendment and others that bring that course of action forward.

Just before I conclude: This mirrors very closely, if not identically, to the conflict-of-interest provisions that already exist within the Municipal Act. I don't know why the government is choosing in their version to kind of reinvent the wheel. I think in trying to get a wheel, they've come up with a square. This motion and others try to round out those edges to have a process that moves the wagon down the road a little bit better.

**The Chair (Hon. Laurie Scott):** Is there any further debate? MPP Rae.

**Mr. Matthew Rae:** Thank you to my colleagues for the debate on the amendment before us this morning. It is surprising that the members of the opposition are advocating for a judge to vacate an elected official's seat. If this amendment is passed and this bill is passed, it would be the first in Canadian history a judge would have that power. A judge has never had the power in this country to vacate an elected official's seat. So we're recommending to vote against this amendment.

In fact, there are many other provisions—I know MPP Blais mentioned MPP Saunderson has been the “quarter-back,” in his words, for this bill, and before MPP Saunderson joined us in the Ministry of Municipal Affairs and Housing I had, under Minister Calandra, worked a little bit on the pre-positioning of this bill with the officials. I always viewed it as, we're looking at how our governance at the provincial level can help facilitate the governance at the municipal level. They are creatures of the province, but they are still elected bodies.

At our level in the provincial Legislature, we can censure colleagues, which happened in the last Parliament. There are many other avenues available to the assembly itself—not a government, not a Premier—to censure or provide punishment, to use that word, on a member for violations of

the members' code of conduct. Either the Integrity Commissioner finds something nefarious with a member—there are those avenues available. In fact, the House of Commons, federally, did expel a member, as their purview: Louis Riel, the only member they've ever expelled, two times in the 19th century. That's the only member that an elected body, again, Chair, expelled someone from—declared their seat vacant. A judge was not involved. Again, it was the elected members involved.

So this government will be voting down this amendment, because we do not believe it is the purview of a judge to rule on an elected official's seat to vacate that seat. So we'll be, unfortunately, voting this amendment down.

**The Chair (Hon. Laurie Scott):** Any further debate or discussion? MPP Burch.

**Mr. Jeff Burch:** I just wanted to clarify something: The government called travelling committee for the summer on this bill. This isn't something that's coming forward from the opposition; it's coming forward from pretty much everyone, unanimously, that we heard from.

If the members travelled around and listened to the input from stakeholders, from local politicians, from pretty much everyone concerned, including victims—they agree with this amendment. It's really the government standing pretty much alone in wanting this to go back to a council.

I just also want to clarify that we're not talking about a judge removing someone by themselves. What we're talking about is, at the end of a very stringent process, that judge having the final look at the process and agreeing with the process that has already occurred.

So it's not just a judge making a decision and it's not something that the opposition is coming forward with. Everyone in the opposition is giving voice to what we heard from members of the public, from politicians, from stakeholders and from victims throughout the committee process. That's what's happening here. It's really pretty much everyone that wants this change. So I just wanted to make that clarification.

**The Chair (Hon. Laurie Scott):** Further debate? I see MPP McKenney and then I'll go to MPP Blais.

**MPP Catherine McKenney:** I just want to add to that. I think that when we consider a unanimous vote of council to remove a member, to declare their seat vacant, it just will never happen. The bill on its own will not be workable. The act will not protect staff.

If I think back even to the council in Ottawa, I'm not certain that there would have been a unanimous—and that's probably the most egregious example of sexual harassment, of harassment, of abuse that a city councillor could possibly bear upon their staff, and I'm not certain that someone wouldn't have stepped out of the room. I don't know that we would have had unanimous consent.

When I think about moving forward and responding to people, responding to the people who came before us but who have been asking for action for the last five years—you know, we're not talking just about censuring these. Yes, the Legislature can censure, but it doesn't remove anyone. This is about removal. This about ensuring that someone who has gone through the process, the integrity

commissioner process, that is then referred onto a judge—that we will have that ability to remove.

It is still an exceptionally high bar, but it cannot be one that cannot be overcome, and without this amendment, I feel that we will not have a bill that makes any real change.

**The Chair (Hon. Laurie Scott):** Thank you for the debate.

MPP Blais.

**Mr. Stephen Blais:** You know, the simple fact that the House of Commons has only removed someone once in the history of our country, and it was for high treason, demonstrates just how difficult achieving a political consensus on something like this might be, and certainly I don't believe the House of Commons required a unanimous vote—not just of those present in the room voting, but of everyone, unless you have some kind of pre-approved absence by the mayor or the clerk for some reason.

So I think the government's own defence of their proposal and their refusal to accept amendments betrays exactly the point the opposition is trying to make, or reveals the point the opposition is trying to make, in that unanimous political consensus is extraordinarily difficult to achieve and if the bar for removal is high treason, then they admit themselves that that won't be achieved and this bill won't actually achieve it.

Moreover, Louis Riel is not the only politician to be removed from office. Municipal councillors have been removed from office without a vote of council and without the decision of a judge. Do you know why? Because they spent a couple extra bucks on their victory party. That is the default consequence of overspending your victory party allowance in the Municipal Act. The default consequence is the voiding of the election.

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So if you buy an extra beer at your victory party after all the votes have been cast—and presumably, if it's a victory party, counted—if you buy one extra beer beyond what the allowance says you're allowed to do, the automatic consequence is voiding the results of the election. No judge, no vote, nothing; that's the consequence. So I don't think the government's arguments on the rationale for their decision truly hold up when you look at it in historical context or, frankly, the common-sense context of modern society.

**The Chair (Hon. Laurie Scott):** Any further debate or discussion? Okay. Are the members ready to vote on amendment number 10?

**Mr. Jeff Burch:** Point of order, Chair: I'd ask for a recorded vote, please.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** Amendment 10 is lost.

We're going to go back now, as was decided, to amendment number 2, which is still schedule 1, section 3. MPP Burch, please.

**Mr. Jeff Burch:** I withdraw this amendment.

**The Chair (Hon. Laurie Scott):** Okay. Amendment number 2 is withdrawn.

Moving to amendment number 3: MPP Burch?

**Mr. Jeff Burch:** I move that section 3 of schedule 1 to the bill be amended by adding the following paragraph to subsection 159.1(1) of the City of Toronto Act, 2006:

“(6) Advise the city, on request, about whether a person being considered for appointment as the commissioner meets the prescribed qualifications.”

**The Chair (Hon. Laurie Scott):** Thank you. Debate? Discussion? MPP Burch?

**Mr. Jeff Burch:** The current bill empowers the provincial Integrity Commissioner to advise the municipality on whether a candidate being considered for the integrity commissioner role has a conflict of interest. This amendment would also empower the Ontario Integrity Commissioner to advise the municipality on whether a candidate meets the prescribed qualifications. Several stakeholders recommended this during the Bill 9 hearings, and we think that it's a good suggestion that strengthens what is actually a good part of this bill, which is asking for more qualifications for integrity commissioners.

**The Chair (Hon. Laurie Scott):** Further debate? MPP Blais.

**Mr. Stephen Blais:** We heard quite a lot about this at committee from some very learned people with expertise in this area, most notably Guy Giorno, who should be well known to members of the government. He is a prominent and senior Conservative who has worked for ministers and Prime Ministers and actively is an integrity commissioner for—I believe he mentioned a number of municipalities in the province.

I think he quite rightly pointed out that many integrity commissioners—currently appointed and presumably, potentially, in the future—don't, in his view, have the requisite qualifications to do the kind of job that he believes is required of them. Moreover, especially in many of our smaller municipalities, where budgets are quite limited, these are not permanent positions; these are positions that are contracted out, almost certainly at an hourly basis, and, of course, the award of that contract is to the lowest bidder.

And so, do we want the lowest bidder to be advising us on some very serious ethical considerations? Or do we want some scrutiny of their qualifications, both educational and life experience, temperament etc.? I think we can agree that having a predetermined list of those who are qualified is very similar to how we do quite a lot of other procurement. The best practice of procurement is having a standing offer list etc., so I think that matches current government policy quite nicely and reflects the feedback from a learned and experienced Conservative lawyer and operative.

**The Chair (Hon. Laurie Scott):** Any further debate or discussion? Are the members ready to vote on amendment number 3?

**Mr. Stephen Blais:** I'd like a recorded vote, please.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** Amendment number 3 is lost.

Moving to amendment number 4: MPP Burch.

**Mr. Jeff Burch:** I move that section 3 of schedule 1 to the bill be amended by adding the following paragraph to subsection 159.1(1) of the City of Toronto Act, 2006:

"7. Maintain a database of completed inquiries by the commissioner, in accordance with the prescribed requirements, if any, and make the database available to the commissioner and, subject to such exceptions as may be prescribed, to the public."

**The Chair (Hon. Laurie Scott):** Further debate?

**Mr. Jeff Burch:** This is very simply to require the Ontario Integrity Commissioner to maintain a database of completed inquiries. This is something that was actually recommended by a former provincial Integrity Commissioner, David Wake.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none, are the members ready to vote on amendment number 4?

**Mr. Jeff Burch:** Recorded vote.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** Amendment number 4 is lost.

Amendment number 5: MPP Burch.

**Mr. Jeff Burch:** I withdraw this amendment as it depended on the passing of amendment 3.

**The Chair (Hon. Laurie Scott):** Amendment number 5 is withdrawn.

Moving to amendment number 6: MPP Burch.

**Mr. Jeff Burch:** I withdraw this amendment as it depended on the passage of amendment 4.

**The Chair (Hon. Laurie Scott):** Amendment number 6 is withdrawn.

Shall schedule 1, section 3, carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Schedule 1, section 3, is carried.

Moving now to schedule 1, section 4: NDP amendment number 7. MPP Burch.

**Mr. Jeff Burch:** I move that section 4 of schedule 1 to the bill be amended by adding the following subsection:

"(2) Section 160 of the act is amended by adding the following subsection:

"Refusal to conduct, continue

"(11) The commissioner may refuse to conduct or continue with an inquiry if, in the commissioner's opinion, a request referred to in subsection (1) is frivolous, vexatious or not made in good faith."

**The Chair (Hon. Laurie Scott):** Debate? MPP Burch.

**Mr. Jeff Burch:** By way of explanation, this amendment empowers the local integrity commissioner to dismiss a frivolous or vexatious complaint. This was in the government's proposed but abandoned bill in 2021, and it's something we heard quite clearly in committee hearings, especially from local politicians. There needs to be a mechanism to dismiss frivolous and vexatious complaints, which are fairly common.

**The Chair (Hon. Laurie Scott):** Further debate?

**Mr. Stephen Blais:** This is something we heard consistently at committee. I think anyone who pays attention to city councillors or municipal councils in Ontario has seen examples of this, unfortunately: frivolous and vexatious complaints—complaints that are used as a political weapon—which I think the government was trying to avoid in writing their bill.

Moreover, as I mentioned before, most municipalities hire their integrity commissioners on an hourly basis. And so, continuing with a complaint that is clearly vexatious not only wastes everyone's time but wastes an extraordinary amount of precious taxpayer dollars. In these smaller communities, that money could otherwise be better spent on other aspects of governance, or repairing roads and bridges and infrastructure etc.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none—

**Mr. Jeff Burch:** Recorded vote.

#### Ayes

Anand, Babikian, Blais, Burch, Grewal, McKenney, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 7 passed.

#### 1050

Moving to amendment number 8: MPP Burch, please.

**Mr. Jeff Burch:** I move that section 4 of schedule 1 to the bill be amended by adding the following subsection:

"(3) Section 160 of the act is amended by adding the following subsection:

"No fee

"(12) Despite this act, no fee may be charged in respect of a request for an inquiry under this section."

**The Chair (Hon. Laurie Scott):** Debate? MPP Burch.

**Mr. Jeff Burch:** The city of Toronto doesn't currently charge a fee to make an application to the integrity com-

missioner, but other municipalities charge hundreds of dollars. Stakeholders to the Bill 9 hearings said this is unfair. It's a barrier that could result in impunity for misconduct, and municipalities should not charge such fees.

We heard this very clearly in committee hearings, especially in my neck of the woods, in Niagara Falls. The committee hearing in Niagara was held in Niagara Falls, and that council actually has a fee of hundreds of dollars. I believe it's \$500 to file.

We need to normalize this across the province, and most stakeholders agree that there should not be a fee. We listened to what people told us, and we hope that the government will listen as well.

**The Chair (Hon. Laurie Scott):** Further debate on amendment number 8? Seeing none, are the members ready to vote?

**Mr. Jeff Burch:** Recorded vote.

### Ayes

Blais, Burch, McKenney.

### Nays

Anand, Babikian, Grewal, Sandhu, Rae.

**The Chair (Hon. Laurie Scott):** I declare amendment number 8 lost.

Moving to amendment number 9: MPP Burch.

**Mr. Jeff Burch:** I move that section 4 of schedule 1 to the bill be amended by adding the following subsection:

“(4) Section 160 of the act amended by adding the following subsection:

“Delegation to commissioner

“(13) For greater certainty, subsection 21(1) authorizes the city to delegate its powers to impose penalties under subsection (5) of this section to the commissioner.”

**The Chair (Hon. Laurie Scott):** Further debate? MPP Burch.

**Mr. Jeff Burch:** This amendment clarifies that council may delegate the power to impose penalties to the local integrity commissioner. This has been repeatedly requested by AMO, which has been concerned about the risk that council-imposed penalties could politicize the integrity of the system and undermine its credibility. This provision was, once again, in the government's proposed-but-abandoned 2021 bill.

This is another common-sense amendment to improve this bill. I think we all agree that we need to listen to AMO, which represents—we just had an AMO conference in Ottawa; they do a great job making recommendations and they were certainly interested to make recommendations on this bill. I think we should listen to AMO, to the over 400 municipalities that it represents, and listen to the government's own recommendations from 2021 and make this change.

**The Chair (Hon. Laurie Scott):** Thank you for the debate. MPP Blais.

**Mr. Stephen Blais:** I disagree with the logic being proposed by this motion. I think what we heard consistently

through the hearings and just the balance of our judicial system is that those investigating the offence should not be the person making the judgment or the determination of the, for lack of a better term, innocence or guilt of the offender and the consequences related. That's why we have judges who are separate from police. That's why we have decision-makers who are different from the investigators.

So I think, consistent with the balance of our judicial system, we should allow for someone who is not associated with the investigation itself to be the determining factor of the consequences.

**The Chair (Hon. Laurie Scott):** Further debate?

**Mr. Jeff Burch:** Recorded vote.

**The Chair (Hon. Laurie Scott):** Okay.

Seeing none, are the members ready to vote for a recorded vote on amendment number nine?

### Ayes

Burch, McKenney.

### Nays

Blais, Anand, Babikian, Grewal, Sandhu, Rae.

**The Chair (Hon. Laurie Scott):** I declare amendment number 9 lost.

We're now moving to amendment 11—no, wait. Sorry; I'm moving ahead.

Going back, shall schedule 1, section 4, as amended, carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

Schedule 1, section 5, is where we're going to go to amendment 11—sorry; going backwards. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out subsection 160.0.1(4) of the City of Toronto Act, 2006.

Effectively, what this would do is to remove the condition or the prohibition against investigating or having consequences for situations that are older than, I believe, six years. This is consistent with how sexual assault is handled in civil court. There is no time constraint on civil proceedings for things like sexual harassment and sexual abuse in civil court, and I don't think that there should be a time limitation for that kind of behaviour when it comes to our elected officials.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 11? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

### Ayes

Blais, Burch, McKenney.

### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** Amendment number 11 is lost.

We're going to amendment number 12. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by adding the following subsection to section 160.0.2 of the City of Toronto Act, 2006:

"Exception, separate inquiry not needed

"(1.1) Despite subsection (1), if the Integrity Commissioner of Ontario determines that the commissioner's inquiry into the matter is sufficient to determine that the member's conduct meets all of the criteria set out in subsection 160.0.1(1) without the need for a separate inquiry, the Integrity Commissioner of Ontario may choose not to conduct an inquiry under this section and shall instead immediately take the action described in paragraph 2 of subsection (4)."

Effectively, as we know, what the bill proposed does is—the local integrity commissioner would do an investigation. If they determine that the consequence should be removal, they would refer that to the provincial Integrity Commissioner, who would conduct an investigation. If it proceeds from there, it would go to city council.

What this motion allows for is that the provincial Integrity Commissioner could decide on his or her own that the investigation at the local level was sufficient, and in order to save time, to provide justice to victims faster, to save precious taxpayer dollars, he or she could then decide simply to refer that matter back to council for council's consideration, as the government has described in the bill.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 12? Seeing none, are the members ready to vote? Recorded vote.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** Amendment number 12 is lost.

Moving on to amendment number 13: MPP Blais.

**Mr. Stephen Blais:** Withdraw. This was contingent on the previous motion passing.

**The Chair (Hon. Laurie Scott):** Amendment number 13 is withdrawn.

Moving to amendment number 14: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out paragraph 2 of subsection 160.0.2(4) of the City of Toronto Act, 2006 and substituting the following:

"2. If the Integrity Commissioner of Ontario determines that the member's conduct does meet all of the criteria set out in subsection 160.0.1(1), the Integrity Commissioner of Ontario shall apply to a judge of the Superior Court of Justice in accordance with section 160.0.4 to declare the member's seat vacant."

As we have discussed already this morning, we heard quite consistently throughout testimonies at committee and in—

**The Chair (Hon. Laurie Scott):** MPP Blais, I'm sorry to interrupt you.

Committee members, I am ruling that this amendment is out of order as it is referring to something that is not currently in the bill.

Do you want further explanation?

**Mr. Stephen Blais:** If there was a further explanation that would be helpful, considering it's a draft of this.

*Interjections.*

**The Chair (Hon. Laurie Scott):** Committee members, we're going to have a five-minute recess.

*The committee recessed from 1101 to 1115.*

**The Chair (Hon. Laurie Scott):** Thank you, everyone. We will now go back to Bill 9 clause-by-clause. We're on amendment number 14, and we will pick that up.

MPP Blais, would you—

**Mr. Stephen Blais:** I'll seek unanimous consent to consider the amendment.

**The Chair (Hon. Laurie Scott):** MPP Blais is seeking unanimous consent to consider his motion, amendment number 14. Okay, there's not unanimous consent. Amendment number 14 is ruled out of order.

We'll now go to amendment number 15. MPP Blais.

**Mr. Stephen Blais:** Withdraw, as it was contingent on a previous amendment.

**The Chair (Hon. Laurie Scott):** MPP Blais has withdrawn amendment number 15.

Going now to amendment number 16: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by adding the following subsection to section 160.0.4 of the City of Toronto Act, 2006:

"Clerk shall call meeting

"(1.1) The clerk shall call a meeting of city council within the 30-day deadline described in subsection (1) to vote on the recommendation."

**The Chair (Hon. Laurie Scott):** Debate? MPP Blais.

**Mr. Stephen Blais:** There is in the provisions of the bill a requirement that the final determination of council happen within 30 days of the recommendation from the integrity commissioner. This is a simple amendment to require the clerk of the municipality to actually call the meeting. If, for instance, the 30 days comes up during Christmas or over the summer, when council is not meeting, you could run out the clock on the 30 days. If the accused is the mayor, the mayor could simply cancel the meeting or not call a meeting, and therefore you would run out the clock on the 30 days. So this is just requiring that the clerk of the municipality actually ensure that a meeting take place within the 30 days prescribed in the government's bill.

**The Chair (Hon. Laurie Scott):** Amendment 16: any further debate or discussion? Seeing none, are the members ready to vote on amendment number 16?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Anand, Babikian, Blais, Burch, Grewal, McKenney, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment number 16 carried.

Moving to amendment number 17: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out subsection 160.0.4(2) of the City of Toronto Act, 2006 and substituting the following:

“Vote

“(2) A recommendation referred to in subsection (1) shall be approved only if a majority of the members who are present and voting at the meeting vote in favour of the recommendation.”

**The Chair (Hon. Laurie Scott):** Yes, MPP Blais.

**Mr. Stephen Blais:** So, Madam Chair, as we’ve discussed previously and as we heard throughout the presentations at committee, there was, I think, a fairly unanimous feeling that a unanimous vote of council where no one can be absent from the meeting was an extraordinarily high bar. So this would amend the majority that’s required to be a simple majority of those present at the meeting, so if council has quorum to have a meeting, those who are there would participate in voting, and a majority would win the day one way or the another.

**The Chair (Hon. Laurie Scott):** Further debate or discussion on amendment 17? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 17 lost.

Moving to amendment 18: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out subsection 160.0.4(2) of the City of Toronto Act, 2006 and substituting the following:

“Vote

“(2) A recommendation referred to in subsection (1) shall be approved only if the members who vote in favour of the recommendation constitute a majority of the members of city council.

“Determination of majority

“(2.1) For the purposes of subsection (2), any member who is excluded from taking part in the vote under subsection (3) shall not be counted when determining the number of members that constitute a majority of the members of city council.”

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So again, similar to the idea that unanimous vote with all those present is a high bar that will never be achieved, this would bring the bar down to a majority: a simple majority of council in its totality minus the members who have the pre-approved absences and the accused, which is the case in the government’s bill.

So it would be a simple majority of the entirety of council minus the councillors who have a pre-approved absence and the accused member.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 18 lost.

Moving to amendment 19: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out subsection 160.0.4(2) of the City of Toronto Act, 2006 and substituting the following:

“Vote

“(2) A recommendation referred to in subsection (1) shall be approved only if at least two thirds of the members who are present and voting at the meeting vote in favour of the recommendation.”

**The Chair (Hon. Laurie Scott):** MPP Blais.

**Mr. Stephen Blais:** Thank you again, Madam Chair. Understanding that a unanimous vote of council with everyone present is an extraordinarily high bar, this would amend the bill to a two-thirds majority of council.

**The Chair (Hon. Laurie Scott):** Any further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment number 19 lost.

Moving to amendment number 20: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out subsection 160.0.4(2) of the City of Toronto Act, 2006, and substituting the following:

“Vote

“(2) A recommendation referred to in subsection (1) shall be approved only if the members voting in favour of the recommendation constitute at least two thirds of the members of city council.

“Determination

“(2.1) For the purpose of subsection (2), any member who is excluded from taking part in the vote under subsection (3) shall not be counted when determining the number of members that constitute two thirds of the members of city council.”

Again, similarly to the previous motion, this is a two-thirds majority when counted by those who have their pre-determined absence or the accused member subtracted from the total majority of council.

**The Chair (Hon. Laurie Scott):** Any further discussion on amendment number 20? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Yes. Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 20 lost.

Moving to amendment 21: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 1 to the bill be amended by striking out subsection 160.0.4(6) of the City of Toronto Act, 2006, and substituting the following:

“No vacancy

“(6) If city council does not approve the recommendation under subsection (1), the member of city council or of the local board (restricted definition) is not removed from their seat and the seat is not declared vacant.”

**The Chair (Hon. Laurie Scott):** Debate? MPP Blais.

**Mr. Stephen Blais:** What this does is that in the event that city council chooses not to remove the person from council and vacate their seat, it provides that council can then make another determination of consequences. There could be a decision made by council that they don't agree with the conclusion of the Integrity Commissioner that arises to the level of removal, but the other consequences that are prescribed in the act might still be required such as a suspension of pay, as an example.

The current bill removes the ability for council to have any kind of decision-making authority in this regard and solely leaves the discretion on consequences to the Integrity Commissioner, and I think the government's intention is to give a degree of discretion to members of council. This would seem to follow that logic, that if you might be opposed to the whole idea of removing someone from council or you might think that the offence doesn't rise to the level of needing to lose your job, you could still impose other penalties that are already prescribed in the legislation.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 21? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Sandhu, Rae.

**The Chair (Hon. Laurie Scott):** I declare amendment 21 lost.

Shall schedule 1, section 5, as amended, carry?

**Mr. Matthew Rae:** Recorded vote.

**Ayes**

Anand, Babikian, Grewal, Sandhu, Rae.

**The Chair (Hon. Laurie Scott):** I declare schedule 1, section 5, as amended, carried.

We're now moving on to schedule 1, section 6. There's an NDP notice. I'll turn it over, then, for debate to—we're on schedule 1, section 6. There's a notice by the NDP.

**Mr. Jeff Burch:** We'll withdraw that as it's contingent on motion number 10.

**The Chair (Hon. Laurie Scott):** Okay. Shall schedule 1, section 6, carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Schedule 1, section 6, is carried.

We're moving to schedule 1, section 7. Any debate? Are members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1, section 7, carried.

In schedule 1, section 8, there is also an NDP notice.

**Mr. Jeff Burch:** Withdrawn, Chair, as it's contingent on passage of number 10.

**The Chair (Hon. Laurie Scott):** Okay. That's withdrawn.

So shall schedule 1, section 8, carry? Are the members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1, section 8, carried.

Moving on to schedule 1, section 9: There is another NDP notice.

**Mr. Jeff Burch:** Withdrawn.

**The Chair (Hon. Laurie Scott):** MPP Burch has withdrawn that.

So shall schedule 1, section 9, carry? Any debate? Are members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1, section 9, carried.

Moving to schedule 1, section 10: Shall that part carry? Is everybody ready to vote? No debate? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1, section 10, carried.

Back to schedule 1, which was amended: So schedule 1, as amended, shall it carry?

**Mr. Matthew Rae:** Recorded vote.

### Ayes

Anand, Babikian, Grewal, Sandhu, Rae.

**The Chair (Hon. Laurie Scott):** Okay, I declare schedule 1 carried.

There's a Liberal amendment, number 22, a new schedule, 1.1. MPP Blais, would you like to—

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

I move that schedule 1.1 be added to the bill:

“Schedule 1.1

“1. (1) Subsection 33(2) of the Municipal Elections Act, 1996 is amended by adding the following clause:

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“(a.2) be accompanied by an up-to-date criminal record check for the person who is being nominated;”

“(2) Section 33 of the act is amended by adding the following subsections:

“Publication

“(7) The clerk shall make the nomination, including the nominee's criminal record check, available at no charge for viewing by the public on a website or in another electronic format.

“Transition

“(8) Clause (2)(a.2) and subsection (7) do not apply to any nominations that were made before the day the Municipal Accountability Act, 2025 received royal assent.”

**The Chair (Hon. Laurie Scott):** Committee members, an amendment is inadmissible if it proposes to amend a statute that is not before the committee. I therefore rule the motion is beyond the scope of this bill and is out of order because the Municipal Elections Act, 1996, is not opened by this bill.

**Mr. Stephen Blais:** I seek unanimous consent to consider.

**The Chair (Hon. Laurie Scott):** MPP Blais is seeking unanimous consent to consider. We do not have unanimous consent.

We're going to go to amendment number 23 on section 2. MPP Blais.

**Mr. Stephen Blais:** Withdrawn.

**The Chair (Hon. Laurie Scott):** Amendment 23 is withdrawn.

Moving on to schedule 2: There are no amendments to sections 1 and 2. Can we bundle them together and vote? Okay. Are the members ready to vote? On schedule 2, sections 1 and 2: All those in favour? All those opposed? I declare schedule 2, sections 1 and 2, carried.

Going to amendment number 24 in new section 2.1: MPP Burch.

**Mr. Jeff Burch:** I move that schedule 2 to the bill be amended by adding the following section:

“(2.1) Subsection 223.3(1) of the act is amended by adding the following paragraph:

“(8) Recommending remedial actions that could be taken by the council or a local board to address contraventions of the code of conduct, prevent further contraventions of

the code of conduct and to promote ethical behaviours of their members.”

**The Chair (Hon. Laurie Scott):** Committee members, the proposed amendment is out of order because it seeks to amend a section of the parent act that is not before the committee.

We'll now move on to schedule 2, section 3, amendment number 25. MPP Burch.

**Mr. Jeff Burch:** I move that section 3 of schedule 2 of the bill be amended by striking out paragraph 4 of subsection 223.3.1(1) of the Municipal Act, 2001.

**The Chair (Hon. Laurie Scott):** Debate or discussion? Are the members ready to vote? All those in favour of amendment number 25, please raise your hands. All those opposed, please raise your hands. I declare amendment number 25 lost.

Moving to amendment 26: MPP Burch.

**Mr. Jeff Burch:** Chair, I move that section 3 of schedule 2 to the bill be amended by adding the following paragraph to subsection 223.3.1(1) of the Municipal Act, 2001:

“6. Advise municipalities, on request, about whether a person being considered for appointment as the commissioner meets the prescribed qualifications.”

**The Chair (Hon. Laurie Scott):** Debate? MPP Burch.

**Mr. Jeff Burch:** Speaker, just by way of explanation, these are exactly the same amendments that were presented for the City of Toronto Act, but they're being presented to amend the Municipal Act, and so this is the same as our recommendation number 3.

**The Chair (Hon. Laurie Scott):** Further debate? Are the members ready to vote?

All those in favour of amendment number 26, please raise your hands. All those opposed, please raise your hands. I declare amendment number 26 lost.

Moving to amendment 27: MPP Burch.

**Mr. Jeff Burch:** I move that section 3 of schedule 2 of the bill be amended by adding the following paragraph to subsection 223.3.1(1) of the Municipal Act, 2001:

“7. Maintain a database of completed inquiries by the commissioner, in accordance with the prescribed requirements, if any, and make the database available to the commissioner and, subject to such exceptions as may be prescribed, to the public.”

**The Chair (Hon. Laurie Scott):** Any debate?

**Mr. Jeff Burch:** Chair, this is the same as our amendment number 4.

**The Chair (Hon. Laurie Scott):** Any further debate? Seeing none, are the members ready to vote? All those in favour of amendment number 27, please raise your hands. All those opposed, please raise your hands. I declare amendment 27 lost.

Moving on to amendment 28: MPP Burch.

**Mr. Jeff Burch:** I move that section 3 of schedule 2 to the bill be amended by adding the following paragraph to subsection 223.3.1(1) of the Municipal Act, 2001:

“8. Maintain a registry of the commissioners of every municipality, including the city of Toronto, in accordance with the regulations.”

**The Chair (Hon. Laurie Scott):** Any debate?



**Mr. Jeff Burch:** This again requires the Ontario Integrity Commissioner to maintain a registry of all municipal integrity commissioners. This was a recommendation of David Wake, our former Integrity Commissioner of Ontario.

**The Chair (Hon. Laurie Scott):** Any further debate?

**Mr. Stephen Blais:** I think this is important. We heard throughout the committee hearings that, in some municipalities, you can't actually find out who the integrity commissioner for that municipality is on the website of the municipality. If you can't actually go to the website of the municipality, how are you supposed to find out the information about the person you're supposed to make a complaint to?

Ensuring that the Integrity Commissioner of Ontario maintains that database and it's fully accessible to residents, I think, is the responsible course of action.

**The Chair (Hon. Laurie Scott):** Any further debate? Seeing none, are the members ready to vote? All those in favour of amendment number 28, please raise your hands. All those opposed, please raise your hands. I declare amendment 28 lost.

Moving on to amendment 29: MPP Burch.

**Mr. Jeff Burch:** I withdraw as it was contingent on amendment 26.

**The Chair (Hon. Laurie Scott):** Amendment 29 is withdrawn.

Moving on to amendment 30: MPP Burch.

**Mr. Jeff Burch:** I withdraw as it was contingent on number 27 passing.

**The Chair (Hon. Laurie Scott):** Amendment 30 is withdrawn.

Amendment 31: MPP Burch, please.

**Mr. Jeff Burch:** I move that section 3 of schedule 2 to the bill be amended by adding the following clause to subsection 223.3.1(5) of that Municipal Act, 2001:

“(0.c) prescribing information that the registry referred to in paragraph 8 of subsection (1) must contain, and prescribing requirements with respect to the publication of the registry;”

**The Chair (Hon. Laurie Scott):** Committee members, the proposed amendment is out of order as it is dependent on a previous motion that did not carry. As Bosc and Gagnon note on page 771 of the third edition of the House of Commons Procedures and Practice, “An amendment is accordingly out of order ... if it is governed by or dependent on” an amendment which has already been negated.

Moving on to a vote on schedule 2, section 3: Shall it carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 2, section 3, carried.

We're going to now move on to section 4 of schedule 2, which will be amendment number 32. MPP Burch, when you're ready, please.

**Mr. Jeff Burch:** I move that section 4 of schedule 2 to the bill be amended by adding the following subsection:

“(2) Section 223.4 of the act is amended by adding the following subsection:

““Refusal to conduct, continue

“(11) The commissioner may refuse to conduct or continue with an inquiry if, in the commissioner's opinion, a request referred to in subsection (1) is frivolous, vexatious or not made in good faith.””

**The Chair (Hon. Laurie Scott):** Debate on amendment number 32? Seeing—yes?

**Mr. Jeff Burch:** Recorded vote.

1140

### Ayes

Anand, Babikian, Blais, Burch, Grewal, McKenney, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment number 32 carried.

Moving to amendment number 33: MPP Burch.

**Mr. Jeff Burch:** I move that section 4 of schedule 2 to the bill be amended by adding the following subsection:

“(3) Section 223.4 of the act is amended by adding the following subsection:

““No fee

“(12) Despite this act, no fee may be charged in respect of a request for an inquiry under this section.””

**The Chair (Hon. Laurie Scott):** Debate? MPP Burch.

**Mr. Jeff Burch:** As argued previously with our amendment number 8, this is something that came through loud and clear in committee hearings: that fees are prohibitive.

I want to say at this point that it's good that the government has accepted a couple of very minor amendments, but committee hearings happen for a purpose. All of the expense, the effort, not only through the government, but all the people that participate in committee hearings—it's hard to believe that the government would hold those hearings and then not listen to anyone who came forward.

We were in Niagara Falls, Ottawa, London. I heard loud and clear from folks about this and other amendments that we presented. It seems that this has been largely a waste of time if the government is not going to listen to very common-sense amendments coming not from the opposition, but from the very people who they wanted to consult with.

So I'll take the opportunity to say that we're disappointed with the level of co-operation that we've seen, which we expected and hoped would be much higher. This is a very clear improvement to the bill. There's no real explanation as to why the government wouldn't entertain it.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 33? Seeing none, are the members ready to vote?

**Mr. Jeff Burch:** Recorded vote.

### Ayes

Blais, Burch, McKenney.

### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment number 33 lost.

Moving to amendment 34. MPP Blais? I'm sorry. MPP Burch.

**Mr. Jeff Burch:** We're all Bs.

I move that section 4 of schedule 2 to the bill be amended by adding the following subsection:

"(4) Section 223.4 of the act is amended by adding the following subsection:

"Delegation to commissioner

"(13) For greater certainty, subsection 23.2(1) authorizes a municipality to delegate its powers to impose penalties under subsection (5) of this section to the commissioner."

**The Chair (Hon. Laurie Scott):** Debate? MPP Burch.

**Mr. Jeff Burch:** It's the same as our number 9, Chair.

**The Chair (Hon. Laurie Scott):** Any further debate? Seeing none, are the members ready to vote? All those in favour of amendment number 34, please raise your hands. All those opposed, please raise your hands. I declare amendment number 34 lost.

Shall schedule 2, section 4, as amended, carry?

**Mr. Matthew Rae:** Recorded vote, Chair.

### Ayes

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare schedule 2, section 4, as amended, carried.

Moving on to schedule 2, section 5: It will be amendment number 35, and I will go to MPP Burch.

**Mr. Jeff Burch:** I move that section 5 of schedule 2 to the bill be amended by striking out sections 223.4.0.1 to 223.4.0.5 of the Municipal Act, 2001 and substituting the following:

"Application by commissioner

"223.4.0.1(1) Upon completion of an inquiry conducted under section 223.4, the commissioner may apply to a judge for an order that the member's seat be declared vacant or that the member be disqualified from being a member for up to seven years if the commissioner is of the opinion that all of the following criteria are met:

"1. The member has contravened the code of conduct.

"2. The contravention is of a serious nature.

"3. The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of any person.

"4. The penalties set out in subsection 223.4(5) are insufficient to address the contravention or to ensure that the contravention is not repeated.

"Same

"(2) In considering whether the contravention is of a serious nature for the purposes of paragraph 2 of subsection (1), the commissioner may consider, among other matters, whether the contravention is a repeated contravention.

"Same

"(3) An application under subsection (1) does not affect the power of a municipality or a local board to reprimand

a member or suspend a member's remuneration under subsection 223.4(5) or (6).

"No application during regular election.

"(4) No application shall be made during the period of time starting on nomination day for a regular election, as set out in section 31 of the Municipal Elections Act, 1996, and ending on voting day in a regular election, as set out in section 5 of that act.

"Limitation

"(5) No application shall be made after the sixth anniversary of the contravention.

"Costs

"(6) The commissioner's costs of applying to a judge shall be paid by the following:

"1. If the member is alleged to have contravened a code of conduct as a member of council, the municipality.

"2. If the member is alleged to have contravened a code of conduct as a member of a local board, the local board.

"Regulations

"(7) The minister may make regulations governing transitional matters that arise out of the implementation of this section.

"Powers of judge

"223.4.0.2(1) With respect to an application under subsection 223.4.0.1(1), the judge may do any of the following:

"1. Declare the member's seat vacant.

"2. Disqualify the member from being a member during a period of not more than seven years after the date of the order.

"Same

"(2) In exercising their discretion under subsection (1), the judge may consider, among other matters, whether,

"(a) there is a risk of serious harm to the health, safety or well-being of any person;

"(b) the contravention negatively impacts public confidence in the ability of the member to discharge their duties; or

"(c) the contravention negatively impacts public confidence in the ability of the council or local board to fulfil their role, including meeting their statutory obligations.

"Appeal to Divisional Court

"223.4.0.3(1) An appeal lies from any order made under section 223.4.0.2 to the Divisional Court in accordance with the rules of court.

"Judgment or new trial

"(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purposes of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal."

**The Chair (Hon. Laurie Scott):** Any debate? MPP Burch.

**Mr. Jeff Burch:** This was obviously our number 10 amendment, and the crux of why we're here, trying to make sure that the bar is not too high for removal of a councillor, which we believe is a condition of making municipal council safe for all members, especially women, so that egregious

acts of harassment and misconduct, as my colleagues MPPs McKenney and Blais have talked about—in Ottawa, for example.

We had these committee hearings to hear from people. We heard clearly from them. We've heard from AMO. We've heard from the association of municipal managers. We've heard from councillors and mayors. We've heard from the Women of Ontario Say No for four years now. We've been working them and with victims. Everyone agrees that this is necessary, except the government. Why even have committee hearings if the government is not willing to listen to anything that people who show up to those hearings have to say? It doesn't make sense.

**1150**

We're disappointed, and obviously the government is going to vote against this as they voted against our amendment number 10, but they're going to have to answer to all of the people that have come forward and said that they wanted this change. We're going to be talking about this when the bill comes back in the fall.

I hope that they take some time to reflect after today because this bill, which could have been a very, very good bill that everyone agreed on, has this one fatal flaw that the government just is determined to leave in the bill. So we're disappointed by the government's actions today. I just wanted to make that clear before we vote, and I will be asking for a recorded vote as well.

**The Chair (Hon. Laurie Scott):** Further debate? MPP Blais.

**Mr. Stephen Blais:** One of the tenets of our judicial system in Canada is that an accuser gets to defend themselves to those who are accusing them. Sending the decision to remove someone from office to undo the results of a free and fair democratic election and asking other politicians to make that decision without the ability of the accused participating in the vote or presumably participating in the debate because that would violate the conflict-of-interest act completely removes the ability of the accused to defend themselves. Given this government's current position vis-à-vis judges in Ontario and across Canada, one would hope that they agree that someone who is accused of something should have the right to defend themselves against that accusation.

We've heard from legal experts and scholars, from integrity commissioners, from the association of municipal managers and clerks, from victims, from ordinary citizens in Ontario who think that a decision to undo a free and fair democratic election should be left to some form of independent body, and I agree.

We allow and we give the authority to judges today to remove a municipal councillor or mayor from office for conflicts of interest. That's in the law today and has been for, I'm going to guess, probably close to 25 or 30 years. We give the authority to the elections compliance audit committee to recommend the removal of councillors and mayors from office for election finance expense violations.

As I mentioned before, you can be removed from office for spending a single penny over the limit on your victory

party. For those who have never run in municipal elections before, you have a limit on how much you are allowed to spend on your victory party—just the party, which happens after all the votes have been cast, after all the communications on who to vote for have taken place. If you go one penny over, the automatic consequence is vacating the election, and it has happened in Ontario. Just so that we're not mistaking history here, this has happened in Ontario.

We don't have to cite Louis Riel and the uprisings of, you know, 125 or 130 years ago. In fairness, comparing the harassment and abuse of council colleagues or city staff or members of the public to what was considered at the time to be high treason is quite frankly preposterous.

We entered this debate and discussion some almost five years ago and the minister of the day was, I think, quite open to understanding that there needed to be a free and fair process for this to take place and that a degree of independence from that process needed to be present. That's why his bill at the time that was being worked on and being consulted on, to which both MPP Burch and I were briefed on by the ADM or the DM in the minister's office, included a judicial process for removal from office. It's why all the stakeholders have recommended that a judge be involved.

In Ottawa, when a decision was made by council to impose the penalties that already exist in the act, a judge determined that that decision was not made in an unbiased and free and fair way. Because—guess what—politicians are going to be political. It's just the nature of the beast, and we've seen it unfold itself already here today. We can't expect politicians—people that you work with, that you have sat beside for years—if you've been with them for years on council, you've probably met their spouse and their kids and gone to barbecues and all sorts of things together. You can't expect those people to be wholly unbiased. That's why sending the decision to undo a free and fair election to a neutral, learned outside party is the responsible thing to do.

Moreover, as MPP Burch said, if the government was intending to simply ram this through as they've done so far today, why did they incur the expense of travelling to five different cities across the province, at great expense to taxpayers? Travel, accommodations, catering, hotel booking fees for the banquet etc. Why would the government have gone through that great expense if they were intending to basically not hear any of the recommendations coming from the public?

I don't know what five travelling meetings cost. It's certainly into the tens of thousands of dollars, if not exceeding hundreds of thousands of dollars. That money could have been better spent in any number of other ways within both provincial government and municipal government. But to incur that expense and then not actually take seriously the feedback they heard, including feedback from prominent Progressive Conservative activists and lawyers who have worked for Progressive Conservative ministers—and I believe in the Premier's office and perhaps the Prime Minister's office—just shows a complete disregard for the process, and as has recently been pointed out, is nothing but political theatre.

So, let's be clear: The reason the Premier wants a unanimous vote of council is because he knows that, 20 years ago, his brother would not have been kicked off of council with a unanimous vote, because they had one in the bag. It was him. The Premier was his brother's vote in the bag to avoid his brother getting kicked off of Toronto city council. And he knows that there would always be a good old boy available to save someone from the vote, and that's why he wants a unanimous vote of council and that's why he doesn't want to send this to a judicial process.

We thought that there would be a co-operative endeavour by the government. I pointed out members of the government who have been quite deliberate and co-operative and understanding and collegial in their discussions over the last number of years. I am, as a result of today's discussion, not surprised that the government chose not to have any of them here at committee. Those who supported many of the amendments that have been proposed today and who have participated in the public consultations and were deemed to be the stickhandlers for the government are remarkably absent from actually needing to vote on these things today. I think it just demonstrates again the disregard the government has had for this problem that is pervasive within municipalities across Ontario and likely the rest of the country.

Quite clearly, the direction from the Premier's office has been to not move forward with any common-sense changes that have been proposed today. As MPP Burch said, all of the amendments proposed today are a direct result of feedback at committee and consultations with experts and stakeholders.

**The Chair (Hon. Laurie Scott):** Further debate?

**MPP Catherine McKenney:** As far as I can tell today, after much ado and travel and expense, we have one small change: that a commissioner may refuse to conduct an inquiry that is thought to be frivolous or vexatious. So after visiting five cities, as my colleague pointed out, at great expense, this is where we've come to.

I remember when this happened in Ottawa—

**The Chair (Hon. Laurie Scott):** MPP McKenney, I just have to interrupt because it is noon. I don't know if there is unanimous consent and you want to keep going to the end of this and have this vote or resume at noon. I'll just put that out there. Or we can recess now and come back at 1.

**Mr. Stephen Blais:** Two minutes—

**Mr. Matthew Rae:** Come back at 1.

*Interjections.*

**The Chair (Hon. Laurie Scott):** So, what was the decision? If there are any members that want to comment, do you want to keep going or just recess and come back at 1?

**Mr. Stephen Blais:** We can continue this amendment.

**The Chair (Hon. Laurie Scott):** Can we continue this amendment?

**Mr. Matthew Rae:** Would we then come back at 1? Your lunch is going to be—

**Mr. Deepak Anand:** Let's do it at 1.

*Interjections.*

**The Chair (Hon. Laurie Scott):** Okay. Come back—

**Mr. Stephen Blais:** You could vote now because you're not actually interested in listening to—

**The Chair (Hon. Laurie Scott):** Okay. I guess, basically, we're coming back at 1? Committee is coming back at 1.

Sorry I decided to throw that out there, MPP McKenney. I'm sorry, but noon came quickly.

Thank you. This committee is recessed until 1 p.m.

*The committee recessed from 1201 to 1301.*

**The Chair (Hon. Laurie Scott):** Good afternoon, everyone. We're going to resume clause-by-clause of Bill 9, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct.

We were on amendment number 35, and MPP McKenney had the floor, so please resume.

**MPP Catherine McKenney:** Just on the substantive change that we are asking for, after months of hearings across five municipalities, we've asked residents, experts, survivors to come to hearings to advise on how to make this bill workable to ensure that it meets its intended consequences of removing a municipal councillor for egregious code of conduct violations. We're talking about sexual abuse, sexual harassment towards staff, and the only change will likely be a minor amendment that allows for frivolous and vexatious complaints to be denied.

When the integrity commissioner in Ottawa presented their findings and made a ruling on the severe code of conduct violations of then-Councillor Rick Chiarelli, people across the city were rightfully shocked and angered that we could not remove this councillor from the council table. They questioned us for months on the fact that we seem to be ineffective at doing what we were put there to do—and that is to oversee a council—and we were unable to remove him.

Instead, this councillor came back and took his seat amongst us. While the women that he abused for years continued to deal with their trauma, he took his seat at council as an equal among us.

This bill is drafted with that fatal flaw of requiring unanimous consent of council. It means that one councillor can get up and use the washroom and walk out of the room and that vote is not effective.

To my colleague's point that at least allowing a judicial review allows the person who is being accused the right to defend themselves, what this bill also does is it allows that person who is being accused, that councillor who has been found to be guilty by both the local integrity commissioner and the Ontario Integrity Commissioner, to then lobby their own council unrestricted to find a way to keep them on council.

So if we walk out of here today with this draft bill with one small amendment, we're no further ahead. We're no further ahead in protecting staff, especially women, in the workplace of municipal councils across Ontario.

If I just may finish, I've been texting back and forth with Joanne Chianello, who is the reporter who worked for months breaking this story in Ottawa; worked with the victims of this councillor for months. This is what she said when we went back and forth. She said, "A giant waste of time and money. I feel like an idiot participating in this process. I really

gave the PC government the benefit of the doubt and applauded the fact that they travelled the bill, but apparently that was just for show.”

If this is how it ends up today, I can guarantee you that that will be the sentiment of people across this province who want to see changes so that we can protect staff—staff of municipal councillors, especially women, especially young women—from being harassed, from being sexually abused. Well, they’re out of work, and that councillor can come back and take his seat.

So I’ll leave it at that, Madam Chair, and hope that we can find a way of improving this bill so that it will actually have its intended consequences and the people of Ontario will not feel like fools. Thank you.

**The Chair (Hon. Laurie Scott):** Further debate? MPP Rae.

**Mr. Matthew Rae:** I just want to say, for anyone watching at home, the committee as a whole has already accepted three opposition amendments. The afternoon is still young—I’m not going to presuppose the will of the committee—so further amendments could be accepted from my colleagues as they’re proposing them this afternoon.

I heard from one of the members opposite—I may be mistaken; we don’t have instant Hansard with committee hearings, but if I remember correctly, I heard from one of the opposition members that they said the committee process was a waste of time. The government members do not view any committee process as a waste of time. It’s an important part of our democracy. We don’t view spending money to travel committee as a waste of money. It’s, again, an important process of our democracy to go to communities across Ontario to hear from people on the ground where they’re at.

I had the pleasure of hosting the standing committee on finance right before the provincial election for part of the pre-budget consultations. It was a great opportunity for local stakeholders in my area to present to the committee—the first time a standing committee of the Legislative Assembly of Ontario that has come to Perth–Wellington in many, many, many years, to my recollection, Chair. So I know we’ll continue to support the important work that committees do in our Legislative Assembly and the process and procedure with that.

I think the members, a few short months ago, Chair, when we were still in session—and they said the government doesn’t travel committee enough. They said we need to take committee on the road more. So, today, Chair, I think the members of the opposition are a little confused about what they want. But we’ll continue to work with all parties across all of Ontario, continue to travel committees and continue the important work that committees do before us. Thank you, Chair.

**The Chair (Hon. Laurie Scott):** Thank you. Any—I’m not sure whose hand went up first, but I’ll go to MPP Blais and then back to MPP Burch, please.

**Mr. Stephen Blais:** In fairness to my colleague, I believe she was reading a quote from a third party that described her particular point of view and her thoughts on what the process was. I think everyone agrees that travel-

ling bills across Ontario is important, to receive feedback. But the value is degraded if you’re not going to hear the feedback and take the feedback and at least try to implement that feedback in some way, shape or form.

I think, in fairness, today—and we’ll see how the rest of the day goes, but so far today, it has demonstrated that the government wasn’t actually open to hearing the feedback. And how do I know? Because they didn’t present a single amendment. They thought they were perfect—perfection in our midst, ladies and gentlemen, perfection in our midst over there. The bill was perfect. They had no changes whatsoever. And they have adopted a couple of technical changes today that don’t substantially change what was ultimately the goal of the bill, which was to create a process to remove poorly behaving councillors or mayors from office should they commit egregious acts that in society we all agree are egregious and would remove you from your job and basically any other job you have.

My colleagues are perfectly capable of speaking for themselves, but I think everyone agrees with the value of travelling bills so that you can get that feedback long as that feedback is listened to and heard and provides for an opportunity to improve things and actually makes a difference in the legislation that we vote on and ultimately implement.

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**The Chair (Hon. Laurie Scott):** Further debate? MPP Burch.

**Mr. Jeff Burch:** Not to be repetitive, but from our point of view, the whole purpose of a committee is to listen to people, so it definitely is a waste of time and money if you don’t listen to anybody.

It’s pretty clear, as my colleague has just said, that there have been no amendments presented by the government; they haven’t listened to stakeholders. The test is going to be when we hear from all of the people—the professional organizations, the municipal officials—who participated in the process, when they all say they feel they weren’t listened to, which I guarantee they will. That is really the final verdict.

So it definitely is a waste of time and money if you don’t listen to people, which is the main purpose of committee hearings.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 35? Are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment number 35 lost.

We’re moving on to amendment number 36. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out subsection 223.4.0.1(4) of the Municipal Act, 2001.

This is the Municipal Act duplicate of motion 11. It eliminates the time constraint on the ability to bring concerns forward, and that's consistent with civil law. As I understand, there is no time limitation on civil actions as it relates to sexual harassment, sexual abuse and issues of that nature, and I don't think there should be a time limit for these kinds of violations for elected officials either.

**The Chair (Hon. Laurie Scott):** Further debate on amendment number 36? Seeing none, are the members ready to vote? All those in favour of amendment number 36, please raise your hands. All those opposed, please raise your hands. I declare amendment 36 lost.

We're going to amendment number 37. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by adding the following subsection to section 223.4.0.2 of the Municipal Act, 2001:

"Exception, separate inquiry not needed

"(1.1) Despite subsection (1), if the Integrity Commissioner of Ontario determines that the commissioner's inquiry into the matter is sufficient to determine that the member's conduct meets all of the criteria set out in subsection 223.4.0.1(1) without the need for a separate inquiry, the Integrity Commissioner of Ontario may choose not to conduct an inquiry under this section and shall instead immediately take the action described in paragraph 2 of subsection (4)."

Madam Chair, this is the Municipal Act duplication of amendment 12, which gives the provincial Integrity Commissioner the ability to decide at his or her discretion that the work of the local integrity commissioner was sufficient and accurate, and to then avoid duplicating that work, save taxpayers money, cut red tape, and send the decision back to council to use the process illuminated by the government in their version of the bill to go forward.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 37? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** Amendment number 37 is lost.

We're moving on to amendment number 38. MPP Blais. Is that correct?

**Mr. Stephen Blais:** So, 39?

**The Chair (Hon. Laurie Scott):** Yes.

**The Clerk of the Committee (Ms. Tanzima Khan):** Thirty-eight.

**The Chair (Hon. Laurie Scott):** Thirty-eight.

**Mr. Stephen Blais:** Thirty-eight, excuse me. Yes, okay, thank you.

I move that section 5 of schedule 2 to the bill be amended by striking out "On completion of an inquiry under subsection (1)" in the portion before paragraph 1 of subsection 223.4.0.2(4) of the Municipal Act, 2001 and substituting "On completion of an inquiry under subsection (1) or in accordance with subsection (1.1)".

**The Chair (Hon. Laurie Scott):** Debate? Apparently not.

**Mr. Stephen Blais:** Sorry, I think this was contingent on the previous bill having passed, so we can withdraw that, Madam Chair. I apologize.

**The Chair (Hon. Laurie Scott):** Okay. Amendment number 38 was withdrawn.

Amendment number 39.

**Mr. Stephen Blais:** I have a substitute, which I believe has been circulated to members of the committee.

**The Chair (Hon. Laurie Scott):** Do you want to withdraw?

**Mr. Stephen Blais:** I'll withdraw 39 as was presented earlier, and there is a substitute called 39R. Is that correct?

**The Chair (Hon. Laurie Scott):** So the member has withdrawn amendment number 39, and we're now going to 39R. Everyone has the copies, so please go ahead and read it in, MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out paragraph 2 of subsection 223.4.0.2(4) of the Municipal Act, 2001 and substituting the following:

"2. If the Integrity Commissioner of Ontario determines that the member's conduct does meet all of the criteria set out in subsection 223.4.0.1(1), the Integrity Commissioner of Ontario shall apply to a judge of the Superior Court of Justice to declare the member's seat vacant."

**The Chair (Hon. Laurie Scott):** Debate? MPP Blais.

**Mr. Stephen Blais:** This is very similar to the motion presented by New Democrats and at least in the same vein as the government's original bill from a number of years ago—or at least the consultations on that bill—and my private member's bill. It maintains the government's duplicative red-tape-ridden process to have two separate integrity commissioner investigations, but it provides that the final decision on removal from office is made by a judge at the Superior Court.

**The Chair (Hon. Laurie Scott):** Thank you. Further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 39R lost.

Moving to amendment number 40: MPP Blais, when you're ready.

**Mr. Stephen Blais:** I'll withdraw this as it's contingent on the previous having passed.

**The Chair (Hon. Laurie Scott):** Amendment number 40 is withdrawn.

Moving to amendment number 41: MPP Blais?

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by adding the following subsection to section 223.4.0.4 of the Municipal Act, 2001:

"Clerk shall call meeting

"(1.1) The clerk of the relevant municipality shall call a meeting of the council of the municipality within the 30-day deadline described in subsection (1) to vote on the recommendation."

This is similar to the previous approved motion in the City of Toronto Act. In the event that the 30-day period falls in a time where council isn't meeting or, in fairness, in the event that the mayor is the accused and decides to cancel a meeting to not face the consequences, the clerk is obligated to ensure that the meeting happens within the prescribed timeline set out in the act.

**The Chair (Hon. Laurie Scott):** Any further debate? Seeing none, are the members ready to vote on amendment number 41?

**Mr. Stephen Blais:** Recorded vote, please.

#### Ayes

Anand, Babikian, Blais, Burch, Grewal, McKenney, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 41 carried.

Moving to amendment 42: MPP Blais, when you're ready.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out subsection 223.4.0.4(2) of the Municipal Act, 2001 and substituting the following:  
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"Vote

"(2) A recommendation referred to in subsection (1) shall be approved only if a majority of the members who are present and voting at the meeting vote in favour of the recommendation."

**The Chair (Hon. Laurie Scott):** Debate?

**Mr. Stephen Blais:** This changes the threshold for removal from council from the nearly impossible task of achieving unanimity with no one absent to being a majority of council.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 42 lost.

We're moving to amendment 43. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out subsection 223.4.0.4(2) of the Municipal Act, 2001 and substituting the following:

"Vote

"(2) A recommendation referred to in subsection (1) shall be approved only if the members who vote in favour of the recommendation constitute a majority of the members of the council of the municipality.

"Determination of majority

"(2.1) For the purposes of subsection (2), any member who is excluded from taking part in the vote under subsection (3) shall not be counted when determining the number of members that constitute a majority of the members of the council of the municipality."

This is a simple majority of council, with the total number of councillors being defined as those who have approved absences, as previously described in the government's legislation.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

#### Ayes

Blais, Burch, McKenney.

#### Nays

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 43 lost.

We're moving to amendment 44. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out subsection 223.4.0.4(2) of the Municipal Act, 2001 and substituting the following:

"Vote

"(2) A recommendation referred to in subsection (1) shall be approved only if at least two thirds of the members who are present and voting at the meeting vote in favour of the recommendation."

**The Chair (Hon. Laurie Scott):** Debate? MPP Blais.

**Mr. Stephen Blais:** Again, Madam Chair, this changes the threshold from unanimity of everyone to a two-thirds vote of those present at the meeting.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

#### Ayes

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 44 lost.

We're moving on to amendment 45. MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out subsection 223.4.0.4(2) of the Municipal Act, 2001 and substituting the following:

"Vote

"(2) A recommendation referred to in subsection (1) shall be approved only if the members who vote in favour of the recommendation constitute at least two thirds of the members of the council of the municipality.

"Determination

"(2.1) For the purposes of subsection (2), any member who is excluded from taking part in the vote under subsection (3) shall not be counted when determining the number of members that constitute two thirds of the members of the council of the municipality."

Again, this is two thirds of all members of the municipality minus those who are eliminated from the counting of the total number of councillors, based on the previously denoted exclusions.

**The Chair (Hon. Laurie Scott):** Any further debate on amendment number 45? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 45 lost.

Moving on to amendment number 46: MPP Blais.

**Mr. Stephen Blais:** I move that section 5 of schedule 2 to the bill be amended by striking out subsection 223.4.0.4(6) of the Municipal Act, 2001 and substituting the following:

"No vacancy

"(6) If the council of the municipality does not approve the recommendation under subsection (1), the member of council or of the local board is not removed from their seat and the seat is not declared vacant."

Madam Chair, the effect of this would be that if such a vote were to take place and the councillor was deemed to not need to vacate their seat, the other punishment options articulated in the legislation could still be used to provide some degree of consequence against the accused.

**The Chair (Hon. Laurie Scott):** Further debate? Seeing none, are the members ready to vote?

**Mr. Stephen Blais:** Recorded vote.

**Ayes**

Blais, Burch, McKenney.

**Nays**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare amendment 46 lost.

Shall schedule 2, section 5, as amended, carry? Any discussion? Are the members ready to vote?

**Mr. Matthew Rae:** Recorded vote.

**Ayes**

Anand, Babikian, Grewal, Rae, Sandhu.

**The Chair (Hon. Laurie Scott):** I declare schedule 2, section 5, as amended, carried.

Moving to schedule 2, section 6: I believe we have an NDP notice.

**Mr. Jeff Burch:** Withdrawn, Chair.

**The Chair (Hon. Laurie Scott):** Notice of motion is withdrawn.

Shall schedule 2, section 6, carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 2, section 6, carried.

Moving to schedule 2, section 7: Shall it carry? Any debate? Ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 2, section 7, carried.

Moving on to schedule 2, section 8: NDP notice.

**Mr. Jeff Burch:** Withdrawn, Chair.

**The Chair (Hon. Laurie Scott):** MPP Burch has withdrawn.

Moving now to ask, shall schedule 2, section 8 carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 2, section 8, carried.

Again, schedule 2, section 9: NDP notice—

**Mr. Jeff Burch:** Withdrawn.

**The Chair (Hon. Laurie Scott):** —is withdrawn.

The question being, shall schedule 2, section 9 carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Schedule 2, section 9, is carried.

Moving on to schedule 2, section 10: Shall it carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 2, section 10, carried.

Shall schedule 2, as amended, carry?

**Mr. Matthew Rae:** Recorded vote.

**Ayes**

Anand, Babikian, Grewal, Rae, Sandhu.



**The Chair (Hon. Laurie Scott):** I declare, after a recorded vote, schedule 2, as amended, carried.

We're now going to go back to the beginning, to sections 1 to 3. Shall section 1 carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare section 1 carried.

Shall section 2 carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

Shall section 3 carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare section 3 carried.

Shall the title of the bill carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

Shall Bill 9, as amended, carry? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

Shall I report the bill, as amended, to the House? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

There being no further business, this committee now stands adjourned. Thank you, everyone.

*The committee adjourned at 1331.*





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