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(Hansard)**

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des débats
(Hansard)**

A-16

**Standing Committee on
Government Agencies**

Intended appointments

1st Session
44th Parliament

Thursday 7 May 2026

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

1^{re} session
44^e législature

Jeudi 7 mai 2026

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Clerk: Vanessa Kattar

Présidente : Mary-Margaret McMahon
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Thursday 7 May 2026

Jeudi 7 mai 2026

The committee met at 0900 in room 151.

The Second Vice-Chair (MPP Wayne Gates): Good morning, everyone. The Standing Committee on Government Agencies will now come to order. As always, all comments by members and witnesses should go through the Chair.

We'll start with the adoption of subcommittee reports.

SUBCOMMITTEE REPORT

The Second Vice-Chair (MPP Wayne Gates): The first item of business will be the adoption of the subcommittee report. We have a subcommittee report dated Thursday April 23, 2026. Could I please have a motion?

Ms. Laura Smith: Good morning, Mr. Chair. I move adoption of subcommittee report on intended appointments dated Thursday, April 23, 2026, on the order-in-council certificate dated April 17, 2026.

The Second Vice-Chair (MPP Wayne Gates): Is there any discussion on the report? Are the members ready to vote? All those in favour? All those opposed? Carried.

We will now move to review the intended appointees.

INTENDED APPOINTMENTS

MR. JEFF SHABES

Review of intended appointment, selected by third party: Jeff Shabes, intended appointee as member, Landlord and Tenant Board.

The Second Vice-Chair (MPP Wayne Gates): Our first intended appointee today is Jeff Shabes, nominated as a member of the Landlord and Tenant Board.

You may make an initial statement at your discretion. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition and then the third party. Ten minutes will be allocated for each recognized party. Any time that you take with your statement will be deducted from the time allocated to the government.

Thank you very much. Go ahead.

Mr. Jeff Shabes: Thank you, members, and thank you, Chair, for availing me the opportunity to appear before this esteemed committee. I appreciate the opportunity to discuss my candidacy to be appointed as a part-time adjudicator at the Landlord and Tenant Board, especially in a building so rich with history and tradition.

I am a bit embarrassed to admit that I have not visited Queen's Park since a field trip while I was in junior high school. My late father, early on in my professional life, strongly suggested that I apply for a government job. He would go on to say that, "Not only would you have job security and great benefits, but you would be serving the country and province that gave our family such a good home and such a good life." Being a stubborn young man, of course I did not listen to him and entered into the field of property management. And here I am, several decades later, appearing in front of this committee in the hopes of being appointed as a part-time adjudicator. I can hear my dad's words: "It took a very long time, but, son, you finally took my advice."

My professional life commenced in the late 1970s when I entered the full-time work force as a property manager for a small firm. It was actually at that firm where I became involved with landlord-tenant matters, as part of my responsibilities involved preparing the necessary notices of terminations, applications and court appearances, either in front of a clerk on unopposed matters or in front of a judge on contested matters.

I then went to work for a much larger property management firm, mostly managing distressed and low-income properties, where I learned a great deal about tenant relations and the challenges facing landlords and tenants.

Following that, I chose to diversify my experience and manage condominiums prior to moving to the US. The experience I gained was truly helpful, and I had to deal with several boards of directors, administer budgets, schedule maintenance and deal with several hundred bosses.

While in the USA, I managed various types of properties throughout the northeast and spent time in Florida working as a regional property manager for a public company. I would then move back to Toronto in 1993 and spend the next 10 years in various forms of property management, including a position as a general manager supervising property managers, maintenance and on-site staff, as well as a few years managing commercial properties for a REIT.

Property management led to a natural progression of becoming a paralegal, as I was very familiar with the Landlord and Tenant Act that ultimately turned into the Residential Tenancies Act, and decades of experience dealing with landlords and tenants.

One of the major take-aways from my management experience was that each building has its own personality and needs to be managed as such, and the same thing applies to each case that I take on. There are the needs of the landlords and tenants that must be considered. Even though I have dealt with thousands of cases over the past 23 years, each case had its unique components.

When I founded my firm in 2003, which was well before licensing, I had several contacts in property management and knew other paralegal firms that I approached, and several retained my services. Ironically, one of my first clients was the management firm that I first worked for.

My primary focus is representing small and corporate landlords in various matters at the LTB. However, several of my higher-profile cases were while representing tenants. In one case, for example, I was able to get a tenant a significant abatement and have the landlord fined a substantial amount based on a bad-faith eviction for landlord's own use.

I have focused exclusively on LTB cases in order to properly represent my clients' best interests and devote all my energy and knowledge in the area I chose to practise. My philosophy has always been that, even though I primarily represented landlords, eviction is always a last resort, and that all options to salvage the tenancy should be explored. I will very often agree to mediate a file with a dispute-resolution officer or enter into a conversation with an opposing party. My company's policy has always been to try to negotiate or mediate a settlement or a mutually acceptable termination date. Unfortunately, this is not always possible.

At this stage of my professional life, it is my preference to utilize my vast experience in an area of law that I am so familiar with and truly enjoy. I am confident that my decades of experience as a paralegal and property manager provide me with unique qualities that will allow me to serve the public fairly and competently.

Thank you for considering my candidacy as a part-time adjudicator.

The Second Vice-Chair (MPP Wayne Gates): Thank you very much for your presentation.

We'll start with questions from the government. MPP Smith.

Ms. Laura Smith: First of all, I want to thank you, Mr. Shabes, for attending here today. You talked about your experience both as a property manager and as a paralegal, and you have knowledge of the caseloads that happen in the LTB. So, given your experience, can you tell us about how you would handle a heavy caseload? Because that is something that's imperative for that board. How would you ensure that you would stay on top of the workload and deliver the decisions within in a targeted processing time?

Mr. Jeff Shabes: Because of my large caseload as a paralegal—I do hundreds of cases a year—I'm very well organized. I have a proper system in place that allows me to keep track of cases coming up, deadlines. I have a tickler file that is on my desktop, on my laptop and on my phone. So I'm very cognizant of the deadlines that I need to meet.

It would be the same way with working at the board. There is a heavy caseload, and cases have to be done in an organized manner, like starting with simple cases like adjournments, withdrawals, consents, discontinuances—then, after that, deal with the other easier matters such as unopposed, and then deal with the contested matters.

It's really important that an adjudicator and a paralegal are organized enough that they can come into a hearing or prepare a case and everything is in front of them and laid out. Frankly, even though I'm applying for a part-time position, I know the hours involved, and I'm not a stranger to it.

Ms. Laura Smith: Writing your own orders every night can be ominous.

Mr. Jeff Shabes: Yes, especially when you are not used to writing them. You're given significant on-boarding, which will help, but still that decision has to come from you within the parameters of the law. That takes time.

Ms. Laura Smith: Thank you.

The Second Vice-Chair (MPP Wayne Gates): MPP Pinsonneault.

0910

Mr. Steve Pinsonneault: Thank you for being here today.

Mr. Jeff Shabes: You're welcome. It's my pleasure.

Mr. Steve Pinsonneault: You've had a wide range of professional experiences in your career. I was listening to you explain them to us. Could you please share how these experiences would prepare you for the work with the Landlord and Tenant Board?

Mr. Jeff Shabes: That's a terrific question. I live, eat and breathe the Landlord and Tenant Board. My entire professional career as a paralegal has been around the board itself. I will always analyze a case.

I'll give you an example: You have an arrears case; the tenant owes \$15,000. I will make sure that I understand the needs of the landlord, the needs of the tenant, what the tenant's resources are, what the landlord's resources are and, from there, form an opinion that I hope will not necessarily satisfy all parties but be fair and something that will give every party, the landlord and the tenant, a chance to have their needs represented.

Mr. Steve Pinsonneault: Yes. Thanks. And that's what we're looking for.

Mr. Jeff Shabes: That's what I try to do, because I know—

The Second Vice-Chair (MPP Wayne Gates): You have one minute left.

Mr. Jeff Shabes:—I know so many adjudicators and I can feel their struggles, because I have been on the other end.

Mr. Steve Pinsonneault: Thank you.

The Second Vice-Chair (MPP Wayne Gates): We'll move to MPP Denault.

MPP Billy Denault: Thank you, Mr. Shabes, for coming in. You don't have a lot of time, so I just was wondering if—one thing that wasn't really mentioned in the introduction is any community work that you may have done in the past, if you have any of that, and how that will form your experience on the Landlord and Tenant Board.

Mr. Jeff Shabes: I'm glad you asked that. I have been president of our synagogue for the last 15 years. Every time, I try to give it up, and this year is the year that I'm going to, hopefully, give it up because I finally have a couple of people that might be willing to take over. I'm dealing with personalities, different needs on a daily basis, running a small synagogue that has staff that has to be managed—

The Second Vice-Chair (MPP Wayne Gates): Thanks very much. Your time is up.

We'll now move to the NDP. MPP Gilmour.

MPP Alexa Gilmour: Thank you so much, Mr. Shabes. It's great to have you here. I was very much enjoying that last bit. I'm a United Church minister, so very, very familiar with getting talented folks on board, volunteering and seeing that go on and on. So thank you for the service that you've given to your community there.

Mr. Jeff Shabes: Likewise, thank you to you. It's a thankless job at times, isn't it?

MPP Alexa Gilmour: It can be. And then there's moments where you really know why you're doing it.

Mr. Jeff Shabes: Exactly.

MPP Alexa Gilmour: So thank you for that, and thank you for appearing before us this morning.

We tend to ask a few questions that are typical, that we ask every one of our folks that are before us, and then I'll go more specifically into questions related to the role, your experience.

One of the first questions that I'd like to know is if you've ever donated to a political party, either provincially or federally.

Mr. Jeff Shabes: No.

MPP Alexa Gilmour: Okay. And are you a member of any political party?

Mr. Jeff Shabes: No.

MPP Alexa Gilmour: Great.

I'm wondering if you can tell me just a little bit about how this current nomination came about. Your story about your father—but what led you to—did you see it? Did someone ask you about it? How did you come to be nominated here?

Mr. Jeff Shabes: Many years ago, when it was under the old system, a vice-chair, who's still with the board, ran into me in Burlington and said, "You should apply." I thought, "No. I'm pretty young. I don't want to do that. I like what I'm doing. I'm flattered, but thank you."

And then a couple of years ago, I decided that maybe it's time to give back and apply for a position to the board, and I did. I was nominated, but I couldn't in good conscience at the time take the position, as much as I wanted to, because of my caseload. My caseload kept growing, cases became more complicated and it wasn't fair to my clients or to the system. I have an obligation to the LSO as well not to give them up, so I decided to stay on.

Ultimately, I decided to shrink my practice. And now I'm in a position that I want to do it, if you'll have me.

MPP Alexa Gilmour: Yes. Well, I can see your passion, and that's certainly an important part when the days

are long and, like your other roles, sometimes there can be thankless pieces to it.

I'm aware that you have this front-row seat to it from a different angle. You've been in this space for quite a while. I'm wondering if you could speak to the lessons that you've learned supporting landlords and tenants that you think very specifically will make you an ideal candidate to step into this new role on the board.

Mr. Jeff Shabes: Well, being a property manager and a paralegal has really taught me how to read people and analyze both parties' needs. There are times admittedly I will be in negotiations with another party and they simply don't have the resources, so we go to the next phase: How much time do you need to leave, what can we do to facilitate it?

As I said in my remarks, every case has its individual component. Every case involves individuals, involves their livelihoods and their lives and the places where they live. Without that sensitivity and being aware of the full picture, it's impossible to be an effective paralegal, property manager and even more so to an adjudicator. That's why sometimes paralegals don't agree with the adjudicator's decisions, but when you sit back you realize why those decisions were made.

MPP Alexa Gilmour: Thank you. So then, as you look at this right now and the possibility of this new role, what is the biggest challenge that you see facing the Landlord and Tenant Board, and if you are appointed as member, how would you hope to solve that challenge?

Mr. Jeff Shabes: Oh, I was waiting for that question.

MPP Alexa Gilmour: Good.

Mr. Jeff Shabes: I'm not a member of the board yet, so I really can't comment that much on it. Once I'm done my on-boarding, ask me that question, and I will give you the most detailed answer possible.

I can tell you as a stakeholder what a couple of my concerns are. Those involve the waits for certain kinds of hearings. As you all know, it used to take six months to get a hearing for arrears. That's down to eight to 10 weeks, which is much closer to in line with the way other courts operate. We're spoiled; it used to be three weeks that we could get a hearing. Those days are gone, the system has changed and, frankly, that is something that still needs to be worked on.

There are tenant applications that take a year to be heard. I have a client who has an illegal occupant application. The wait time for that: five months, and somebody is sitting in the unit because the police won't do anything about it—"I have to get this order."

There is the misconception of the board that it's not a very friendly place and it's quite adversarial. That needs to be worked on. There are a number of members that I see are trying to do that—and that falls on paralegals, as well. There has to be that camaraderie, that working together that I think is getting better but still needs to be done. Those are two of the major things. If I had half an hour, I could tell you a little bit more, but those are the things that, really, as a stakeholder I want to see improved.

MPP Alexa Gilmour: Thank you. Yes. I would agree certainly around the delays, the sense of—you called it friendliness, and I think that’s right.

Some it is accessibility, how accessible is it to tenants. One of the things that’s changed recently is the online piece, which has the potential, for those who have trouble getting out, to be an accessibility piece. But for a lot of our tenants who are low-income, who don’t have WiFi, who are in places where they can’t have privacy, it’s become a barrier, and yet we’re seeing that while it was supposed to be a right to have an in-person, in practice, we’re not seeing that. I wondered if you might comment on that and what your hopes would be as a member to improve the accessibility, the fairness of a case for each person.

Mr. Jeff Shabes: I’m glad you asked that, because I’ve had that discussion many times. First of all, the board has accommodation for low-income families, tenants. They will arrange to have you brought into a private room on Grosvenor and set a tenant up who doesn’t even know how to turn on a computer; work with them and show them how to do it. That’s firstly.

0920

Secondly—and I have been involved in a few of these—under accommodation, there’s a request to have a hearing in person, and there’s criteria for it. Should those criteria be loosened up? I don’t know; I don’t have that answer. But I do know that there are some cases that are heard downtown and they cater to somebody’s needs.

Now, there are a lot of people that can’t leave their houses, and this online system really works well for them. I know of cases where cellphones have been provided and brought to the house or the apartment. Most of us have cellphones. Most of us know how to use cellphones. Frankly, sometimes, they can be a bit of an albatross because they don’t go off. I had to shut mine off, and I guarantee you, when I turn it on, it’s going to be going crazy.

So everybody does have the ability to use a phone. You can still use a land line to call in, and the instructions now on how to call in are easier than they were before. Could the system be improved? Anything can be improved, right? But I can’t really tell you what, if anything, as a board member, I would be able to—

The Second Vice-Chair (MPP Wayne Gates): One minute.

MPP Alexa Gilmour: Can I ask you one more question before we lose our time?

Mr. Jeff Shabes: Sure.

MPP Alexa Gilmour: In the last legislative session, the government passed Bill 60, Fighting Delays, Building Faster Act. This was over the outcry of a lot of tenants because it reduces the delays by shortening tenant eviction periods from 14 days to one week and speeding up those evictions, giving tenants just 15 days to request a review. I’m wondering whether you support those measures and what your experience might be that relates to those measures.

Mr. Jeff Shabes: I support the measures because I feel everybody’s pain. But there is something called section 83

of the act which can delay or deny an eviction. The fact that the landlords can file a week earlier still is great in one sense for the landlord, but there’s still section 83, and that’s used all the time. I know a lot of my clients have said, “Jeff, I’m not going to file for the week. You’re too expensive”—

The Second Vice-Chair (MPP Wayne Gates): Excuse me. Yes?

Ms. Laura Smith: I’m sorry, Mr. Chair; if we could keep the questioning in line with the individual’s qualifications and the role that—

The Second Vice-Chair (MPP Wayne Gates): Well, time’s up, so we’re lucky about that. I don’t have to make a big ruling.

MPP Alexa Gilmour: I thought it was within your qualifications as a paralegal to discuss that.

Thank you very much.

The Second Vice-Chair (MPP Wayne Gates): Time is up.

We’ll now move to the third party. MPP Smyth.

MPP Stephanie Smyth: It’s nice to see you, Mr. Shabes. Thank you very much for putting yourself forward for this position and bringing your experience and expertise here.

I know there was that point that was made, but I am curious: Could you explain section 83 to me again?

Mr. Jeff Shabes: Sure. Section 83 of the act, there are several components to it, but in a nutshell, it means that the adjudicator has the ability to delay an eviction or deny an eviction or issue an order with a payment plan under section 78—which has breaches to it, like if a tenant doesn’t pay the rent on time, the landlord has 30 days to file an application for an order to terminate the tenancy without a hearing. However, the tenant still has rights, and those orders lay out what those rights are. So the tenants have mechanisms to extend their tenancies and try to salvage them.

It’s really important, as I said before—the board’s policy has always been, and it’s become even more evident, that eviction is a last resort. I know I don’t want to lose my house. I own, and I wouldn’t want to lose my house and have my mortgage foreclosed upon.

MPP Stephanie Smyth: And so many people are living that way these days, right?

Based on your experience, which seems like a wealth on both sides, in a sense, watching from landlords’ and tenants’ perspectives, can you give me an example in your career where you’ve had to balance compassion with the strict application of the law?

Mr. Jeff Shabes: I had a case not that long ago where a single mother owed a small landlord who relied on the money to pay for the mortgage and so on. She could not pay the rent. It was a sad story. She was in an accident with her child, a car accident. The child couldn’t go to school for a while, and the mom had to go on disability. The case comes in front of an adjudicator, and the adjudicator wants to know the story. I pulled the tenant aside and I said, “Look, my client has needs—needs this money. I know you have some ability, some challenges.”

She did apply for ODSF, which is a story within itself and how that works. I sent her to the rent bank and a couple of other agencies. This was out in Durham. At the time, Johns Hopkins was supporting tenants with start-up money or to salvage tenancies. We did a payment plan; we gave her time. Everything was paid.

It happens all the time. As I said, I will listen to any possible method to settle a case. I've had tear-jerkers, I have to admit. I've had a case where there was a tenant that had a gun and the adjudicator didn't want to evict the tenant right away for certain reasons. Ultimately, the tenant left, but in the meantime, the owner of the house was scared. So I see this every day.

MPP Stephanie Smyth: What steps do you think you would take to ensure that all parties appearing before you feel heard, feel respected, regardless of whether they have legal representation?

Mr. Jeff Shabes: Not having legal representation is a problem, because it is a formal process, and most landlords and tenants choose not to.

On the tenant's side: Please see duty counsel. If you've waived the rights to see duty counsel, why? I'm going to give you a chance to tell your story, and then I'm going to ask you some questions, as is the other side. Then if you have anything that you want to ask, go ahead and ask. I will do the same thing for an unsophisticated landlord as well.

There are many times where a tenant or a landlord is rushed by a member. That's something that has bothered me in the past and bothered a lot of my colleagues. That's too because of what was asked before: the caseload. The caseload is so large. If I can't get through a caseload properly, I'd rather adjourn certain matters and bring them back quickly, even seize them if I can so that they get heard. I don't want anybody to feel rushed or intimidated, but we do have to follow the rules.

MPP Stephanie Smyth: Right. In my riding of Toronto—St. Paul's, 60% of people are renters. What's become abundantly clear is that they are all very worried about above-guideline rent increases, which I brought forward a private member's bill on, but it was not passed.

I want to understand your thinking on AGIs—how familiar you are with them, how they are applied and, in some cases, if they are always fair and needed.

Mr. Jeff Shabes: It's a loaded question. I don't do AGIs, and the paperwork involved in AGIs just takes way too much time. I can tell you that I've talked to colleagues who do them. They feel that the system is cumbersome because it takes a very long time to do this.

Landlords apply for AGIs for capital improvements. It's amortized over a number of years. Yes, there are tenants that cannot afford them. Several of my landlord clients that have done AGIs have deferred them; others in more affluent buildings will not. But the legislation is that the landlords are entitled to them.

I have to be perfectly honest: A lot of the landlords that I know won't do them because the system takes too long, it's too expensive. What they will do, when the tenant

vacates, is then they'll raise the rent. So it's a whole mixture of things.

MPP Stephanie Smyth: In your experience, have you seen many unfair AGIs—"aggies," as you call them?

Mr. Jeff Shabes: I've seen AGIs that have been tossed or dismissed. I've seen most AGIs get mediated so that it's fair. I've seen a plethora of all. But again, I don't litigate them, so it's hard for me to say.

0930

MPP Stephanie Smyth: I guess the last question I want to ask you is, what does fairness look like to you?

Mr. Jeff Shabes: That's a loaded question.

Nobody is ever really pleased with a decision or a mediated agreement. If everybody walks away a little bit displeased and gave up a little bit, that's fair to me, because both sides gave in.

I have cases where a tenant hasn't paid rent in 12 months, and if I get what is known as a standard 11-day order, to me that's fair. It may not be to the tenant, but according to the law, it's fair—and the tenant has demonstrated ability to pay. Generally, though, I think fairness is a compromise, in one word.

MPP Stephanie Smyth: If you succeed in this quest to be a part-time member, could you ever see yourself doing this full-time?

Mr. Jeff Shabes: Look at me. I'm a senior. I don't want to do it full-time. One of the reasons I want to do this is, I want to travel a bit. I want to have some time to myself. But I've already told the powers that be at the board that if they're short-staffed—I know what it's like—I will take on more, a heavier caseload.

MPP Stephanie Smyth: Okay. Thank you very much.

Mr. Jeff Shabes: You're welcome. Thank you.

The Second Vice-Chair (MPP Wayne Gates): Thank you very much, and thank you for your presentation. You can stay until after the second presentation for the vote, if you'd like. Once again, thank you very much on behalf of the committee for coming.

Mr. Jeff Shabes: Again, thank you for having me.

MR. STUART WEIR

Review of intended appointment, selected by official opposition party and third party: Mr. Stuart Weir, intended appointee as member, Human Rights Tribunal of Ontario.

The Second Vice-Chair (MPP Wayne Gates): We will now move to the review of the second intended appointee. Stuart Weir is nominated as member of the Human Rights Tribunal of Ontario.

You may make an initial statement at your discretion. Following this, there will be questions from the members of the committee.

You're not the golfer, Mr. Weir, right?

Mr. Stuart Weir: I wish. I'm more of a mathlete than an athlete.

The Second Vice-Chair (MPP Wayne Gates): Thanks very much for being here. You can start whenever you like.

Mr. Stuart Weir: Thank you, Mr. Chair and members of the committee, and good morning. I'm humbled and honoured to appear before you today for your consideration of my appointment to the Ontario Human Rights Tribunal.

I believe that my strong legal background, combined with a commitment to fairness and accessibility, have allowed me to develop the skills necessary to make a meaningful contribution to this tribunal. I'll begin with a brief overview of my background, education and approach to human rights.

My interest in human rights has been lifelong. I was born and raised in Timmins, Ontario, to a Catholic father and Jewish mother, and my upbringing as a Jew has made human rights essential as a part of my identity from a very early age.

I obtained a joint honours baccalaureate from the University of Ottawa in 2012 in history and political science. During my first year of university, I was employed as a House of Commons page, which gave me a front-row view of parliamentary procedure and practices. The experience instilled very early in my post-secondary education a keen interest in the rules and procedures of decision-making bodies, an interest that has followed me through my studies and into my professional practice.

The history component of my degree focused on Canadian political and social history, studying the movements and changes that have ushered in our human rights system. My focus in political science was primarily in ethics and political philosophy, which provided a foundation in the principles underlying the recognition and protection of human rights.

I obtained my Juris Doctor from Osgoode Hall Law School in 2015. My course load was varied, reflecting my intention to become a general practitioner in my hometown. Among other areas, I studied administrative law and civil procedure, further developing my skill and interest in legal processes and practice.

In my law school experience, I volunteered with the Osgoode Hall family law project, assisting low-income, self-represented litigants with drafting their legal documents at the courthouse at 311 Jarvis. I also served for one year as the president of the Osgoode Hall Family Law Association.

With respect to my professional experience, I began my articles of clerkship in 2015 in a small general-practice firm in Timmins. A significant portion of my articling experience was in criminal law, child protection and tribunal work, assisting my principals and serving low-income and legally aided clients to preserve and defend their rights.

Following my call to the bar, I continued with this firm, maintaining a general practice for six and a half years. My work included representing clients in criminal and family law matters, child protection cases and proceedings before tribunals, including the Ontario Human Rights Tribunal and the Landlord and Tenant Board. I assisted clients throughout northeastern Ontario, including in remote Indigenous communities along the James Bay coast, including Moosonee, Fort Albany, Moose

Factory and Kashechewan. This experience deepened my understandings of the unique challenges facing our Indigenous communities and Indigenous people broadly.

I later served as a staff duty counsel lawyer with Legal Aid Ontario for two and a half years, assisting low-income clients in bail courts and criminal case management courts before returning to private practice in January of this year. I opened my own firm. I continue to work with clients throughout northeastern Ontario to defend their rights.

My time in practice has taught me that when reviewing cases I must remain attentive to factors such as systemic racism; historical disadvantage; socio-economic barriers; mental illness, including substance use disorder; and any other form of discrimination that may bear on their matter.

The work of a barrister requires at the outset a strong understanding of the rules, procedures and policies of the court or tribunal before which I'm appearing to identify the available remedies and determine what information an adjudicator requires to reach a decision. It has also taught me the importance of identifying claims that lack merit and having difficult but necessary conversations with clients in order to support the efficient functioning of an already burdened system. It further requires meticulous attention to detail, effective collaboration and the ability to communicate complex legal concepts clearly and in plain language, particularly to self-represented litigants.

I believe that I have consistently demonstrated sound professional judgment, strong interpersonal listening skills and commitment to ethical practice. I have a proven ability to manage a demanding workload while maintaining high standards of integrity and professionalism.

I'd welcome the opportunity to apply these skills as a part-time adjudicator with the Human Rights Tribunal.

I'm happy to answer your questions and grateful for your consideration today.

The Second Vice-Chair (MPP Wayne Gates): Thank you very much for your presentation. With that, we'll start questioning with the government. We have five minutes and 14 seconds left. I'll move to MPP Dowie.

Mr. Andrew Dowie: Mr. Weir, thank you so much for being with us this morning. We know that the Human Rights Tribunal has a historically lengthy caseload volume, and so I was hoping to inquire with you about, just in your past experience—you've done some community work as well—how you have been able to manage large and sometimes unwieldy caseloads and how you stay on top of those caseloads in your day-to-day life.

Mr. Stuart Weir: It's certainly an important question. In practice, I rely on technology in order to have effective reminders, particularly scheduling, time management and time blocking to be able to help me to set aside and properly work my calendar to ensure that work is completed in a timely fashion, while not sacrificing any quality of work or result of the product. So that's one method and strategy that I use regularly.

In addition to that, my experience has taught me effective legal writing in a concise fashion. I'm able to manage that in a fashion which allows me to complete materials on time and on schedule.

The bulk of my practice in private practice is in family law, which has very tight turnaround times and is very paper-intensive. Even now, having returned to private practice relatively recently, my caseload has expanded significantly, and I rely on those strategies to ensure that my work is done on time and is effective in advocating for my client. I would apply those skills to the tribunal.

The Second Vice-Chair (MPP Wayne Gates): Thank you very much for your question. We'll move to MPP Cooper, please.

Mrs. Michelle Cooper: Thank you for being here this morning with all of us. You've had a wide range of professional experiences that you did bring up in your introduction. Can you please share with this committee how these experiences will and have prepared you to work with the Human Rights Tribunal?

Mr. Stuart Weir: That was one of the appeals to me in returning to Timmins to work: that I would be given a very broad range of experience and be able to grapple with different pieces of legislation, different adjudicative bodies, different rules, different procedures. I think the skills that I developed in the past 10 years, particularly in terms of statutory interpretation, of being able to grapple with legislation—read it, understand it, understand the mechanics of it—is something which is going to render me a very positive, contributing member of the tribunal.

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Beyond that, it has also taught me how to have difficult conversations with clients in relation to difficult subject matters, and it has provided me with experience—that practical experience in appearing before the tribunal, in defending claims of discrimination and harassment, as well as prosecuting them on behalf of applicants and respondents.

I believe that the experience, the soft skills in terms of legislative interpretation and grappling with that is directly transferable to the tribunal and the practical skills and appearing before the tribunal are going to be assets for me.

Mrs. Michelle Cooper: Thank you.

The Second Vice-Chair (MPP Wayne Gates): MPP Sabawy.

Mr. Sheref Sabawy: In many cases, parties appearing before the human rights might not have legal representation. This can create some challenges for those individuals. How do you ensure that all parties involved in a case understand the proceedings?

Mr. Stuart Weir: Excellent question. Again, having worked largely in family law, I'm not unfamiliar with dealing with people who are self-represented on the other side. I have had the benefit of appearing before some excellent judges through northeastern Ontario and have watched and observed—

The Second Vice-Chair (MPP Wayne Gates): One minute.

Mr. Stuart Weir: —those types of skills that they apply in dealing with self-represented litigants.

I think, first of all, patience is a key. Second of all, ensuring that the expectations of the tribunal are clearly expressed to them in plain language, in a way that they can

understand, is very significant and important, as well as being able to draft materials in very plain language, accessible language that can be understood by these litigants.

Beyond that, there are, I am aware, services and resources available to the tribunal, including the legal support centre. Referring clients, or I guess self-represented litigants, to those services would be something that I would definitely be employing as a strategy in assisting them as well, while ensuring that I'm not overstepping and providing legal advice or otherwise compromising the fairness and the impartiality of the tribunal.

The Second Vice-Chair (MPP Wayne Gates): You have four seconds left.

Mr. Sheref Sabawy: Thank you.

Mr. Stuart Weir: Thank you.

The Second Vice-Chair (MPP Wayne Gates): We'll move to the official opposition and MPP Gilmour.

MPP Alexa Gilmour: Thank you so much for being before us. Mr. Weir, we usually ask a few simple questions—you may have been here when I asked our other nominee—and then I will go more specifically into questions about your qualifications and the role itself.

So just off the top, my first question is, are you a member of any political party, federally or provincially?

Mr. Stuart Weir: I am not.

MPP Alexa Gilmour: Have you ever donated to a political party?

Mr. Stuart Weir: I have not.

MPP Alexa Gilmour: Have you ever volunteered or worked for a political party?

Mr. Stuart Weir: I have not.

MPP Alexa Gilmour: Thank you for those answers.

You have worked as an associate at Maisonneuve Dawkins from 2016 to 2023.

Mr. Stuart Weir: That's correct.

MPP Alexa Gilmour: And that firm listed the areas of practice as business, corporate, commercial, real estate, criminal, wills and estates. Now, none of these areas encompass human rights law. Can you describe what human rights work, if any, you conducted during those seven years?

Mr. Stuart Weir: Certainly. I think you may have been looking at that description of practice areas since my departure.

MPP Alexa Gilmour: Okay.

Mr. Stuart Weir: The lawyers that have remained at that firm now—it has shrunk since my departure—and the principals of that firm do mostly restrict their practices, now, to those areas.

I did litigate matters before the Human Rights Tribunal. I appeared both in terms of applicants and respondents. In terms of the respondent side, typically it was in an employment context, defending claims against discrimination. And on the applicant side: ranging from various grounds of discrimination, including disability, gender, as well as sexual orientation.

MPP Alexa Gilmour: Okay. I would like to go a little deeper into this piece, because your Law Society of Ontario profile lists your areas of expertise and practice as

family law, criminal law, civil litigation, but human rights and administrative law does not appear at all. I'm hoping you can explain why a lawyer without that listed specialty in human rights would be a good fit for a tribunal that resolves exclusively human rights applications.

Mr. Stuart Weir: So just to clarify a term of art, I'm not presenting myself as an "expert," one of the words that you had referenced, just as I'm not representing myself as a "specialist."

Certainly, in the law society context, there is a specific definition of "specialist," and there are minimum practice requirements to be able to obtain that designation, and I'm not pretending that I cross that threshold.

As I indicated, my ongoing practice, at this point, is largely limited to those areas. However, my experience base is more broad than those areas suggest, and I do still accept files that exceed those described grounds that you've indicated.

I would suggest that, first of all, it's not a requirement to even be a lawyer or have the specialized experience of human rights to be able to be appointed to the tribunal. I am aware that there will be extensive training.

That being said, I do have personal experience in litigating applications under the act. And, as I indicated in my statement, the soft skills that I've developed in terms of legislative interpretation, client management, interpersonal skills, effective communication and strong legal writing will assist me in this role.

MPP Alexa Gilmour: Thank you. So, you're quite right. There is some training. The research background that the committee was given talks about how the human rights tribunal adjudicators are assessed on their experience, their knowledge, their training in the subject matter and the legal issues dealt with, with the board.

And you've spoken to the limited human rights training that you have at this point. I'm wondering if you can point to specific cases or files in your career where human rights law was the primary area you engaged in—not tangentially, but the primary area of focus.

Mr. Stuart Weir: I think doing that is going to get into a bit of confidential and solicitor-client privileged information. I can't get into specifics about particular files—

MPP Alexa Gilmour: That's fine. I can move on.

I'm just looking here, because the other piece is that you spoke about drafting assisting principles. A search of CanLII, the national repository of reported decisions, shows that your name only appears as counsel in two decisions, and both of them were before the Ontario College of Teachers.

So can you describe the full scope of your advocate experience before administrative tribunals, and specifically, before the human rights tribunal or other analogous human rights bodies?

Mr. Stuart Weir: You're right. Those are the only reported decisions. That being said, I have conducted dozens of trials, including criminal trials and family trials. In terms of human rights specifically, I have litigated matters, as I indicated, before the tribunal both on the applicant and respondent sides.

In terms of particular numbers, I can't say with a degree of precision in terms of the number of files that I've worked on, but I have been counsel listed on them. Those files are included in the human rights tribunal information.

So, in terms of the specifics, I'm a little bit unclear as to what exactly it is that you're looking for.

MPP Alexa Gilmour: That's okay. I can move on from there.

I'm just trying to decide where to go. Give me a moment here.

Part of what we're seeing and what we're trying to address here is that non-partisan watchdogs have found that the tribunal system in Ontario has been a bit bogged down of late, because of members being appointed without the experience to adjudicate. That's what the critique is.

And so, that's speaking to some of that piece of, "How do we get good litigators in front of the tribunal?" Now, the Ombudsman report notes that the complaints about the human rights tribunals, they rose to 199 in 2024-25 and that the tribunal has struggled specifically with recruiting and retaining adjudicators.

I'm wondering what about your background makes you the right person to be appointed at the particular moment, given the need for the experienced human rights adjudicators?

Mr. Stuart Weir: I'm not a member of the tribunal yet. I don't have personal experience with the reports that you've described. That being said, I don't think it's a secret that tribunals and courts are dealing with significant backlogs of cases.

My experience in legal writing, my experience in statutory interpretation and my experience in being able to understand effectively the piece of legislation that's being considered, the principles around its interpretation and what facts might be required in order to ground certain types and forms of relief, as well as what ultimately that relief may be, in the circumstances, I would suggest that that's something that I can bring to the tribunal. I understand there will be challenges, and I'm happy to work on those.

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MPP Alexa Gilmour: Thank you. I want to just move on to a couple of questions. I've only got two minutes left.

Your bio submitted to this committee lists you as being in Hamilton; however, the law society registration lists your practice as Cochrane, Ontario, associated with Stuart R. Weir Professional Corp. We know that lawyers are obligated to keep their law society registration current. Can you clarify where your practice is actually located and whether your law society registration is up to date?

Mr. Stuart Weir: It is. My office is based in Cochrane, Ontario—

MPP Alexa Gilmour: Okay, thank you.

I also wanted to just ask around, again, connection. The Conservative government of late has faced some criticism for patronage appointments to provincial agencies and tribunals. So I'm hoping you might be able to tell the committee a little bit about how you came to apply for this position. Did anyone in the government or connected to

the government encourage you to apply or assist you with the application?

Mr. Stuart Weir: No, I monitored the public secretariat—

The Second Vice-Chair (MPP Wayne Gates): Excuse me, MPP Smith?

Ms. Laura Smith: If we could just keep the questions aligned with the individual's qualifications, please, that would be positive.

The Second Vice-Chair (MPP Wayne Gates): I appreciate that.

Please keep your questions in line with the committee.

MPP Alexa Gilmour: Perfect. So I do want to ask one—

The Second Vice-Chair (MPP Wayne Gates): We have one minute left.

MPP Alexa Gilmour: I have one final question. I want to just ask you this directly, in light of my previous question: Sean Weir is the executive chair of Tribunals Ontario, the very cluster of tribunals that you're going to be appointed to. Are you in any way related to Sean Weir?

Mr. Stuart Weir: I'm not. I've never met him.

MPP Alexa Gilmour: Perfect.

Mr. Stuart Weir: I did notice that as well when I was applying.

MPP Alexa Gilmour: Thank you very much; I appreciate it.

Mr. Stuart Weir: Thank you.

The Second Vice-Chair (MPP Wayne Gates): You have 30 seconds left. Do you have anything else?

MPP Alexa Gilmour: No, I'm good. I'm going to cede my time.

The Second Vice-Chair (MPP Wayne Gates): Thank you very much.

Mr. Weir, thank you for your presentation.

Interjection.

The Second Vice-Chair (MPP Wayne Gates): Oh, I'm sorry; we've got one more. My mistake. I didn't do that on purpose, let's make that clear.

We'll move to the third party. MPP Smyth.

MPP Stephanie Smyth: Thank you, Chair, I think.

So now that we know you're not related to Mike Weir and Sean Weir, we have the one and only Stuart Weir, who should suffice.

I just want to go back again to—can you describe for us again how your legal experience has prepared you for the kind of service that is required on the Human Rights Tribunal?

Mr. Stuart Weir: Certainly. I appreciate that I'm going to be dealing with a number of very significant cases. I'm going to be dealing with a significant caseload. That being said, my experience, based in terms of understanding legislation, understanding the Human Rights Code in my practice before the tribunal, and in understanding effective legal writing and what is required to ensure that a decision is properly drafted and addresses all of the points requisite to ensure that it's going to stand up if it is ultimately reviewed by judicial review or appeal—those are the skills that I'm going to be bringing to the tribunal. As well, my

focus on effective time management and completing my work in a timely fashion I know will be an asset in terms of being able to effectively discharge those and to make a contribution towards clearing the backlog.

MPP Stephanie Smyth: Are those what you would call the hard skills?

Mr. Stuart Weir: Those would be soft skills, which are transferable between areas of law.

MPP Stephanie Smyth: Okay. Let's talk again about the direct experience you have specifically dealing with human rights issues, discrimination claims or equity-related matters. Can you describe those experiences?

Mr. Stuart Weir: You mean equity—there's a couple of different legal definitions of equity. I'm assuming equity in terms of accommodation and addressing disability—

MPP Stephanie Smyth: Right, and as it would relate to a human rights issue.

Mr. Stuart Weir: Yes. In dealing with my professional experience, my appearances before the tribunal and caseload involving claims of discrimination and harassment, litigating those both on behalf of applicants and respondents, have given me practical experience in terms of the mechanics of how those work.

In addition, I'll indicate that, seeing in my résumé as well, that I did work extensively in a volunteer capacity with Camp Bickell, which is a summer camp for children in northeastern Ontario. In that capacity, I did direct the human resources component of that operation and was very attuned to ensuring that our employment practices complied with the required legislation in dealing with what was a very diverse range of staff members and ensuring that our employment practices were fair and would be above reproach in terms of possible issues before the Human Rights Tribunal. I'm very proud that we never had an issue during my time in that capacity.

MPP Stephanie Smyth: Have you watched many tribunal hearings?

Mr. Stuart Weir: Yes, both in terms of the Human Rights Tribunal, Landlord and Tenant Board as well as other tribunals.

MPP Stephanie Smyth: What do you believe are the most pressing human rights issues that are currently facing Ontarians?

Mr. Stuart Weir: I don't know how I can do that question justice in the amount of time that we have left. I can indicate that, certainly, challenges of the tribunal specifically will involve clearing the backlog, as well as maintaining credibility and maintaining accessibility and fairness to our litigants.

In terms of specifics, I'm not a member of the tribunal yet, so I won't be able to say with certainty. I don't know if you're looking for something more specific than that.

MPP Stephanie Smyth: Just what you see, maybe in your work, that has maybe helped to inspire you to want to be on this kind of board to effect change?

Mr. Stuart Weir: Certainly. So I'm professionally working in criminal law. In particular, there have been

substantial issues in working through questions of systemic discrimination—particularly working in northeastern Ontario—involving racial minorities as well as Indigenous people. That’s something that I grappled with regularly from the start of my practice. Certainly, in the criminal context, being able to effectively litigate those issues was a significant component to what I did. That has inspired an interest in being able to move towards working for discrimination claims in relation to Ontario Human Rights Tribunal matters.

MPP Stephanie Smyth: And, understanding that and that you’ve seen how the tribunal operates many times, can you speak to how tribunals could better address it and how you could impact that?

Mr. Stuart Weir: I think that the role of the adjudicator ought to be to be conscious of issues like unconscious bias and be sensitive to questions of systemic discrimination and systemic inequalities. That being said, as an adjudicator, my role is not to make policy or change policy; my role is to properly interpret and apply the legislation that I’m operating under. So I think being sensitive to any possible unconscious bias or cognitive issues or anything like that coming from me will impact how I’m able to treat members of vulnerable communities. Being able to ensure that they are given a platform, that they have the opportunity to have their voice heard and have their case heard will be an important component in ensuring that there is proper fairness in reaching a just and proper decision.

MPP Stephanie Smyth: And you’ve had some experience with that—if you could describe it for us—in your work with vulnerable populations and legal aid?

Mr. Stuart Weir: Certainly. Dealing in bail court regularly—as well as criminal case management court—with Indigenous clients, obviously being able to look at their file from a Gladue lens is a significant component to being able to effectively represent those people and effectively present their case to the court or to whatever adjudicative body I’m appearing before.

As well, in dealing with 493.1 and 493.2 of the Criminal Code and in dealing with vulnerable communities, those practices were part of my everyday work with Legal Aid Ontario, and I would suggest that those skills are directly transferrable to being able to be an effective adjudicative member and understanding how an individual’s background of being a member of a vulnerable community and the impact that that has had on their position before the adjudicative body directly impacts the appropriateness of any particular remedy or any particular decision that should be made.

MPP Stephanie Smyth: We might have touched on this before, but let’s talk about self-represented applicants. How would you ensure that proceedings do remain accessible and understandable for Ontarians without legal training?

Mr. Stuart Weir: Yes, it’s a challenge. It’s a huge challenge. That being said, there are resources available through the tribunal directly that would be able to assist self-represented litigants in terms of both attending ses-

sions that are held virtually as well as being able to provide them with substantive legal assistance. I referenced earlier the legal services centre through the Human Rights Tribunal that is available to assist self-represented litigants. Some of the options there are, obviously, receiving general information or resource materials but also in certain situations actually providing self-represented litigants with representation.

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But otherwise, in terms of acting as an adjudicator, the direct communication with the applicant to determine if they’re able to properly, effectively represent themselves, manage their case and present their case—and then beyond that, being able to ensure that they are given a platform to be heard, a fair opportunity to be heard and present their case. And being given a decision that is accessible in terms of language and in terms of using concepts that are readily understandable to somebody who doesn’t have legal training ensures both the credibility of the tribunal as well as the fairness and just procedure.

MPP Stephanie Smyth: So I guess the last question I want to ask you, understanding your legal qualifications etc.: What do you think makes an effective tribunal adjudicator—a fair, effective, balanced adjudicator?

Mr. Stuart Weir: Effective listening—being able to actively listen to be able to properly receive the evidence then allows you to properly consider the evidence. Having an understanding of the statute that you’re applying, having understanding of the jurisprudence that has developed then allows you to ensure that whatever information and evidence you’re receiving is applied to the law in a manner that is appropriate—

The Second Vice-Chair (MPP Wayne Gates): One minute.

Mr. Stuart Weir: —and that complies with the requirements of the code.

As well, being able to draft your decision effectively in plain language, in a manner that’s understandable, and being able to maintain your commitment to deadlines and statutorily required deadlines in order to ensure that the matter is heard in a timely fashion and a decision is rendered in a timely fashion—I think those skills in particular are key for a member of a tribunal.

But also, an understanding of the ethics to ensure that in the event of unconscious bias or a reasonable apprehension of bias, knowing to recuse oneself and certainly not being too proud to take that position and do what’s appropriate and ethical in the circumstances, I think, is also a very important component of being an effective adjudicator.

MPP Stephanie Smyth: Okay. Thank you very much.

The Second Vice-Chair (MPP Wayne Gates): Mr. Weir, thank you for your presentation. You’re welcome to stay for the vote, if you like, as well.

Mr. Stuart Weir: Thank you, Mr. Chair.

The Second Vice-Chair (MPP Wayne Gates): We will now consider the intended appointments of Jeff Shabes. Can I have a motion? MPP Smith.

Ms. Laura Smith: I move concurrence in the intended appointment of Jeff Shabes, nominated as member of the Landlord and Tenant Board.

The Second Vice-Chair (MPP Wayne Gates): Thank you. Any discussion?

MPP Alexa Gilmour: I'd like a recorded vote, please.

The Second Vice-Chair (MPP Wayne Gates): Recorded vote. Are the members ready to vote?

Ayes

Cooper, Denault, Dowie, Gilmour, Pinsonneault, Sabawy, Laura Smith, Smyth.

The Second Vice-Chair (MPP Wayne Gates): I think that was unanimous—just saying.

Mrs. Michelle Cooper: Congratulations.

The Second Vice-Chair (MPP Wayne Gates): Yes. First time as the Chair, or Vice-Chair, and we got a unanimous. We have to put that down in history.

We will now consider the intended appointment of Stuart Weir. Can I have a motion? MPP Smith.

Ms. Laura Smith: I move concurrence in the intended appointment of Stuart Weir, nominated as member of the Human Rights Tribunal of Ontario.

The Second Vice-Chair (MPP Wayne Gates): Any discussion? MPP Gilmour.

MPP Alexa Gilmour: Recorded vote, please.

The Second Vice-Chair (MPP Wayne Gates): Recorded vote. Are the members ready to vote?

Ayes

Cooper, Denault, Dowie, Pinsonneault, Sabawy, Laura Smith.

Nays

Gilmour, Smyth.

The Second Vice-Chair (MPP Wayne Gates): There goes our streak. It's carried.

Thank you very much. That concludes the business of today. This committee now stands adjourned.

The committee adjourned at 1003.

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