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Official Report of Debates (Hansard)

Tuesday 4 April 2017

Journal des débats (Hansard)

Mardi 4 avril 2017

**Standing Committee on
Social Policy**

Modernizing Ontario's Municipal
Legislation Act, 2017

**Comité permanent de
la politique sociale**

Loi de 2017 sur la modernisation
de la législation municipale
ontarienne

Chair: Peter Tabuns
Clerk: Katch Koch

Président : Peter Tabuns
Greffier : Katch Koch

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Hansard Reporting and Interpretation Services
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Tuesday 4 April 2017

Mardi 4 avril 2017

The committee met at 1620 in room 151.

**MODERNIZING ONTARIO'S MUNICIPAL
LEGISLATION ACT, 2017**

**LOI DE 2017 SUR LA MODERNISATION
DE LA LÉGISLATION MUNICIPALE
ONTARIENNE**

Consideration of the following bill:

Bill 68, An Act to amend various Acts in relation to municipalities / Projet de loi 68, Loi modifiant diverses lois en ce qui concerne les municipalités.

The Chair (Mr. Peter Tabuns): Good afternoon, committee members. I'm calling this meeting to consider Bill 68, An Act to amend various Acts in relation to municipalities.

**ONTARIO HOME BUILDERS'
ASSOCIATION**

The Chair (Mr. Peter Tabuns): I have my first witnesses here from the Ontario Home Builders' Association: Joe Vaccaro and Michael Collins-Williams.

Gentlemen, if you'll have a seat. You have about 10 minutes to present and then there will be 10 minutes of questions. If you'd introduce yourselves for Hansard, I'd appreciate it.

Mr. Joe Vaccaro: Joe Vaccaro with the Ontario Home Builders' Association.

Mr. Michael Collins-Williams: Mike Collins-Williams with the Ontario Home Builders' Association.

Mr. Joe Vaccaro: I serve as CEO of the Ontario Home Builders' Association; Michael is the director of policy.

OHBA represents 4,000 member companies and it's organized in a network of 29 local associations from across Ontario, from Windsor to Ottawa, Thunder Bay to Niagara.

I'm going to touch on a few things over the next nine minutes or so. First of all, an area of concern within the proposed amendments to the Municipal Act; secondly, an item that we are pleased the government made a decision not to include in the Municipal Act; and lastly, with everyone talking about the rapid escalating price of housing, not just in Toronto but communities across Ontario, I'm going to talk about the housing market and our support for the establishment of a housing panel.

First, the Municipal Act: Section 97.1 of the proposed legislation provides municipalities with the authority to pass bylaws for environmental standards for buildings, including putting new green roof requirements through bylaws. The city of Toronto has been operating with a similar green roof standard, and this legislation proposes to enable further expansion to other municipalities.

OHBA believes that Bill 68 should not extend this authority to other municipalities, nor broaden such authority to encompass other building standards. We are concerned that this legislation may inadvertently open the door to further municipal building standards, eroding the Ontario building code. I want to be clear, OHBA is supportive of many elements of the climate change action plan, and we are working with the Ministry of Municipal Affairs through a variety of technical committees on updates to the building code that will make our housing and buildings even more energy-efficient.

In fact, OHBA is a founding member, along with our partners in the Canadian Energy Efficiency Alliance, in the EnerQuality Corp. who are the number one certifier of energy-efficient homes in Canada. They have certified over 60,000 Energy Star homes, and they deliver training as well as a variety of green building programs, such as Energy Star, LEED, Level, R-2000, GreenHouse, EnerGuide and the Green Renovator Project.

I want to be crystal clear in our support for energy efficiency: We support building better homes, but our concern lies with the potential erosion of the building code. We believe that the code is king and that technical building standards should be established through a technical process at the provincial level where the proposed change is technically evaluated and cost analysis is included. We are very concerned about the fragmentation of the code and that proposed policies allowing for municipal environmental building standards open the door to 400 different sets of rules. Our recommendation is to remove section 97.1 and have the Ontario building code set provincial rules and standards.

I'll turn it over to Mike now.

Mr. Michael Collins-Williams: OHBA is concerned that the provincial land transfer tax is a growing barrier to housing affordability. We were opposed to granting the city of Toronto additional taxation powers when the City of Toronto Act was introduced in 2006, and throughout the Municipal Act consultations we were also very concerned that the legislative review would result in new amendments to permit municipalities the authority to

levy a local land transfer tax in communities across Ontario.

We had a variety of concerns:

(1) A municipal land transfer tax would be inequitable as it forces a very small segment of taxpayers to fund municipal services designed to benefit all citizens.

(2) Affordability concerns: in the city of Toronto the average price of a home now results in well over \$11,000, on average, being paid to the city of Toronto through land transfer taxes, plus an additional \$12,000 in provincial land transfer tax.

(3) Lastly, OHBA was concerned that a municipal land transfer tax could potentially have a high degree of year-over-year variability due to the cyclical nature of real estate markets. In the city of Toronto, they are relying on the land transfer tax for over \$640 million in revenue. As such, budgeting for municipal services using revenue from the municipal land transfer tax could result in unpredictable and detrimental budget shortfalls.

From OHBA's perspective, a municipal land transfer tax is not the answer to enhance municipal financial stability. As such, OHBA was pleased by former Minister of Municipal Affairs and Housing Ted McMeekin's announcement on December 1, 2015, that the provincial government would not be extending the land transfer tax as an option to municipalities other than Toronto. In his remarks on December 1, 2015, Minister McMeekin had noted that not a single municipality had asked for the municipal land transfer tax during the Municipal Act consultations.

At the time, OHBA had also supported MPP Steve Clark's proposed motion to stop the municipal land transfer tax, and I should also mention our support for OREA's advocacy on this particular issue. That announcement in 2015 was good news on this particular issue, and we thank the government for their very clear policy direction. But we need to do more to ensure that housing remains affordable for people to purchase in communities across Ontario.

Mr. Joe Vaccaro: So now here we are, 16 months later, and all anyone can talk about is the rapidly escalating cost of housing, be it the increasing cost to purchase a new home, multiple offers and the lack of new listings for resale homes, and even the cost to rent an apartment. Housing affordability is affecting everyone.

OHBA has, for the last year, consistently been sharing with the provincial government our concerns regarding growing challenges for the industry to actually deliver critically needed housing supply. The supply is not keeping up with demand and thus contributing to increasing housing prices.

OHBA has also been sharing with the government our concerns with respect to the cumulative tax burden on new homes, which is also contributing to the ever-increasing cost of housing. Michael mentioned to you our support for not authorizing municipalities outside of Toronto the ability to do a municipal land transfer tax. In our view, this was a good decision.

OHBA has also been supportive of the doubling of the maximum land transfer tax rebate for first-time home-

buyers. Again, OHBA views this as an opportunity for government to do more in the housing space.

That brings me to our last but perhaps most important recommendation for the standing committee to consider. In an environment of rapidly increasing housing prices, challenges in delivering housing supply, increasing development charges and other fees and the ever-changing planning approvals framework, I think it is time that the government take a complete view of the entire housing system and strike a panel to look carefully at the housing supply challenges and how they contribute to housing price, and I mean all contributing factors. Let's put all the demand-side and supply-side factors on the table and have an honest, data-driven dialogue with a full range of stakeholders from government, industry, planning, academia and financial institutions to drill down into the data.

Our members are having real challenges in many communities across Ontario in delivering housing supply to meet the market demand. There are public policy barriers that are stretching out the approvals process for both housing and for critical infrastructure that is needed in the ground before a building permit for a new home will be issued.

These issues are not limited to greenfield suburban development. We also see challenges on the infill and intensification side of the equation. Over the last year, we've seen people camping out overnight in lineups for sales offices for single-family homes in multiple communities, and we've also seen large condo towers completely sold out on the same day they opened. This is not a sign of a healthy marketplace; this is a sign of a marketplace in which demand exceeds the ability for our industry to deliver the supply of housing needed to meet that demand.

In fact, new housing inventories in the GTA for low-rise are at an all-time low. For high-rise, our industry is following provincial policy geared towards intensification as we set all-time sales records. I can tell you that the sales for high-rise are actually running ahead of last year's record year.

All these sales, combined with problems our members are having in getting projects approved and getting servicing capacity online, have created the perfect storm where high-rise inventories have plummeted. This supply crunch is leading to rapidly increasing prices, and these prices aren't just a Toronto problem. The 905 has had year-over-year increases, along with spillover effects in the 519, 705 and 613. In fact, we are seeing bidding wars in communities like Woodstock, Belleville and Chatham-Kent, communities that have never seen this type of activity, as many more people are driving to qualify to find a home that they can afford. The concerns we are bringing forward today are impacting all communities in Ontario: big cities or small, rural communities.

Housing prices are complicated. There are a lot of factors in the mix, be it approvals, environmental compliance approvals, critical water and waste water infrastructure, roads, transit, investors, interest rates, local

employment opportunities, skilled trades labour supply issues and the list goes on. This is why we are recommending a housing panel that should consist of a range of views and expertise. Complex issues require careful review and analysis if we are going to be able to adequately address affordability.

The federal government has brought together experts to take a look specifically at the Toronto and Vancouver markets. Just last week, Toronto Mayor John Tory held a round table of experts to discuss housing.

OHBA is calling on the provincial government to show leadership on this issue and bring together an expert panel and to bring in data from a variety of sources to deal with both the demand and supply issues. On March 6, OHBA, with OREA, formally called upon the provincial government to bring together a housing panel.

To be clear, OHBA will continue to support the greenbelt. It is important and valuable to the greater Toronto and Hamilton area, and to Ontario.

1630

The Chair (Mr. Peter Tabuns): Sir, I'm sorry to say you're out of time.

Mr. Joe Vaccaro: Then I guess I ended on a good note. Thank you.

The Chair (Mr. Peter Tabuns): You did.

I go first to the Progressive Conservatives: Mr. Coe.

Mr. Lorne Coe: Thank you, Chair. Through you, have we received a copy of your presentation?

Mr. Joe Vaccaro: Not as of yet.

Mr. Lorne Coe: Okay. If we could, through the Clerk, obtain a copy of the presentation.

I want to pursue your discussion about the housing panel and the composition of that panel. Is it your opinion that the housing panel would be supplementary to the 10-year housing plans that upper-tier municipalities are required to complete? It would just be a supplementary panel and would inform that process as part of a continuum?

Mr. Joe Vaccaro: I think that's a great question. Municipalities have a responsibility, obviously, when it comes to planning their communities. One of the challenges we're seeing is the provincial oversight and the framework they create.

In our view, this would be a provincially led panel. It would be an opportunity to bring together not just the housing industry, but other people who may have data, information or perspectives, and have a really complete look at not just the entire marketplace, but all the pieces that bring housing to the market, because in our mind, that's what seems to be missing. Municipalities do a very good job of planning, but in terms of actually implementing and bringing those housing options to the marketplace, you still require environmental approvals, financing of projects, and all the other pieces. That seems to be missing in the conversation.

A lot of time is being spent in this back-and-forth through the media on reports. Not a lot of time is being spent with people in the room, looking at the data, identifying the barriers and mapping a path forward.

Mr. Lorne Coe: Thank you for that answer. To my colleague.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: Yes, I just wanted to continue on that for a quick moment. To get a broad picture—and, I think, related to Lorne's question—who would you think should be on the panel? You mentioned the builders. Could you give me some oversight? My understanding is, this would be a panel that would come up with recommendations to the government as to what we collectively should do, as the provincial government, to help with the housing crisis that we're facing.

Mr. Joe Vaccaro: A provincially led panel would be focused on what the province can do to help facilitate more housing options in the marketplace. That's our view. As the industry that builds 95% of all new housing, obviously we want a seat at that table. But we think there's also an opportunity to bring in planners, municipal representatives and academics.

Michael, any other thoughts?

Mr. Michael Collins-Williams: Joe mentioned the planners and academics, as well as the financial institutions that are responsible for both the mortgage lending for consumers as well as the financing of large residential projects.

Within industry itself, OHBA obviously has representation on the new housing side, but there would be the resale as well as the rental side, to ensure that we have the full spectrum of housing, including both ownership and rental.

We think this is an opportunity for a really holistic view of the entire housing spectrum.

The Chair (Mr. Peter Tabuns): With that, we have to go on to the next questioner.

Mr. Hatfield.

Mr. Percy Hatfield: I just wonder, Joe, from the idea of the panel, would you still be in favour of a panel if the premise were such that we're going to do a panel, but we're going to keep our hands off the greenbelt? We're not going to talk about the greenbelt. The greenbelt is going to stay as it is, but we'll establish a panel.

Mr. Joe Vaccaro: Thank you for the question. OHBA has a long-standing history of supporting the greenbelt. We've made that very clear from day one, when the actual coordinated review started. The greenbelt is valuable and important to Ontario. That is not where housing supply discussions should be focused. They should be focused on making the growth plan work. Those are areas where we've decided growth should happen there, housing options should be provided there—how we build those communities. That has been our focus.

So in terms of the back-and-forth we see in the media around the greenbelt, it's not an OHBA discussion. We have been very focused on housing supply linked back to the growth plan. That has always been our approach. In our minds, the housing supply discussion is not linked back to the greenbelt. It's linked back to where we have decided the development should happen, what kind of development should happen there, and how we clear the

path for the approvals and the financing. The sooner we bring those projects forward, the sooner we can satisfy this marketplace and the demand.

Mr. Percy Hatfield: Would the home builders be interested in discussing, say, with Habitat for Humanity or the co-operative housing movement on affordable housing options as well?

Mr. Joe Vaccaro: Again, another great question. The value of a panel is that instead of discussing these things in silos, we bring everyone together into the room and talk about, if this is a problem we're trying to solve, what are all the solutions on the table.

My members are actively involved with Habitat at a whole bunch of different levels, whether by providing land or supplies or people. So, absolutely, that is the benefit of bringing people together and having that conversation.

Mr. Percy Hatfield: Let me say I was disappointed that you didn't mention Windsor in your bidding war lately, because for the first time ever, we're having a bidding war on homes there, as well, not just in Chatham-Kent, in my part of the province.

The other thing I wanted to ask: The last news release I think I saw from you was science-based evidence as it pertains to the greenbelt. What did you mean by "science-based"?

Mr. Joe Vaccaro: Well, the approach the government is taking to growing the greenbelt—our view of the world is, again, let's have an understanding of what we're trying to capture in those discussions. If it's environmentally sensitive lands, if it's the urban river valleys—which we are publicly supporting; that's a great new designation—then we're saying, let's look at the evidence and let's make sense of what we are protecting and why we're protecting it.

I know that part of that discussion is very much about agricultural lands and other features, but again, our view of the world is, let's have a science-based discussion about what we're trying to protect in terms of how we grow it out, because that is the opportunity now.

Mr. Percy Hatfield: Okay. Other than a housing panel, I heard you say—or maybe it was Michael—that we have to do more to decrease the cost of new homes. What do you propose for that?

The Chair (Mr. Peter Tabuns): Mr. Hatfield, I'm sorry. You've run out of time. We go on to Mr. Rinaldi.

Mr. Lou Rinaldi: Thanks, folks, for being here. It seems that in the last year and a half we've spent a lot of time together.

Mr. Ted McMeekin: Leave me a minute, Lou.

Mr. Lou Rinaldi: Leave you a minute? Okay. I'll make it very quick.

Thank you for the OHBA's participation in provincial policy. I think you guys have been instrumental and always been straightforward, or at least what I've found. I think we've built a pretty good relationship.

Just quickly: You talked so fast, and you just kind of skipped over it, but can you elaborate a little bit on the importance of the first-time homebuyers' land transfer rebate? I've got to leave a minute for Ted here.

Mr. Michael Collins-Williams: I think that the biggest challenge for new homebuyers—or resale homebuyers, for that matter, or young people, millennials—is saving up for that initial down payment. For those already in the housing market, they have the opportunity to increase their investment over time and move on, but it's a real challenge, especially for young people, so I think it was a very positive move by the government to double the first-time homebuyers' rebate. That really supports young people in their opportunity to get into the housing market. With the escalation of housing prices, I think it's a big fear for a lot of young people wanting to be able to move on and get a new home.

Mr. Lou Rinaldi: I think my good friend here has a question.

Mr. Ted McMeekin: I just want to say thanks. You guys have been great partners. I think when I was Minister of Municipal Affairs and Housing, the first three meetings I had were with the home builders. That was appropriate, because you taught this then-minister an awful lot about the industry and the challenges, so I just want to say thanks.

We did have long discussions about a housing panel and some of the people who may be on it. I'm a big supporter of that. I think it's the way to go. I think there are some planners in Toronto who have made some comments about what they'd like to see; they should be on that panel to explain what they meant by 11,000 new units in the next three years if we give them inclusive zoning and stuff like that.

But thanks, Joe and Mike, for your leadership, for being here today and for all that you've contributed to the discussion. We would not have a long-term housing policy before the House right now if it weren't for the great input of many stakeholders, and I would hold you the highest amongst them all.

Mr. Joe Vaccaro: Thank you.

The Chair (Mr. Peter Tabuns): Any further questions? There being none, gentlemen, thank you very much. We appreciate your presentation today.

Mr. Joe Vaccaro: Thank you.

Mr. Michael Collins-Williams: Good to see you all.

GREEN PARTY OF TORONTO

The Chair (Mr. Peter Tabuns): Our next speaker is Alan Kasperski of the Green Party of Toronto. Mr. Kasperski, you have up to 10 minutes to present. As you've heard, there is then a round robin of questions from the three parties. If you'd introduce yourself for Hansard, we'll go from there.

Mr. Alan Kasperski: My name is Alan Kasperski. I'm the founder of the Green Party of Toronto. It's a municipal electoral association, commonly referred to as a municipal political party.

Good afternoon, ladies and gentlemen. Thank you very much for the opportunity to speak to you this afternoon about Bill 68. I do not envy you your task in reviewing multiple pieces of legislation, but it's what is expected of you by the people of Ontario.

1640

Needlessly complicating your task is when staff provides you with amendments that are unconstitutional, that are problematic. I'd like to bring one issue to your particular attention about the Municipal Elections Act. I expect that you will want to make changes to eliminate the problems that will plague the legislation if it is left as written today.

Some brief background: I'm not going to go into great, long detail about the Canadian Constitution, but there are four fundamental freedoms that the charter lays out. The last one on the list, and probably the least understood, is freedom of association. All of you take advantage of that freedom of association: You joined your political parties, you joined various groups. Freedom of association allows us to join a group. It's fairly simple.

The charter also guarantees equality under the law, so if somebody is part of a group in British Columbia or in Quebec, somebody in Ontario should be able to join a similar group or the same group.

The charter applies to the laws and actions of federal, provincial and municipal governments. Infringing on the charter by a government must be demonstrably justified.

The second piece of background: About 14 or 15 years ago, the Supreme Court upheld that the definition of a political party is two candidates. Any two of you running under a particular political philosophy, a platform, during an election declares your intention to be a political party. The Supreme Court said you are a political party. Further, they wrote that "the restriction on the right of candidates to include their party affiliation on the ballot paper also undermines the right of each citizen to make an informed choice from among the various candidates."

In my presentation, I've given you the citations for the three court cases.

I titled my deputation *A Problem, a Bigger Problem and a Much Bigger Problem.* Let me get to the first one, the "problem."

Bill 68 seeks to address the contribution limits that people can make to third-party advertisers. You want to raise it from \$750 to \$1,200. It's a meaningless amendment. I'll tell you why: I'm not bound by that guideline. I can spend anything I like. I can raise whatever I like from whomever I like. I'm under no obligation to report who makes donations to us. We can spend it during an election however we want to.

During a Toronto city council meeting, a number of councillors were up in arms about "dark money." They didn't like the idea. The city of Toronto's position was to ban third-party advertisers. That didn't pass.

Why am I not bound by that? Three reasons: I'm not an individual—I'm part of a group, a municipal electoral association—I'm not a trade union; I'm not a corporation. I tried to register as a corporation, as a not-for-profit. We were not allowed to. Why? Because we're political. We have political advocacy as part of our mandate. So we were directed, provincially and federally, to the appropriate bodies. Municipally, municipal clerks don't know how to deal with this.

As I'm not required to register as a third-party advertiser, the limit of \$1,200 doesn't apply to me. I'm not unique in that. There are groups across the province who recognize that by being a group, a political group, they can avoid having to register. If you think that I'm the only one who sees where that can be abused, I would suggest that's not the case.

The solution, a very simple solution: Register municipal electoral associations.

I wrote to 48 clerks—48 city solicitors—across the province, and their mayors, as well, and I asked them, "How do I register a municipal political party in your particular town or city?" The response I got was, "We don't know. We don't think we can."

Rick O'Connor, who is the city solicitor in Ottawa, wrote back with an in-depth, four-page response to our letter. What we didn't know was that Rick sent a copy of the letter that we'd sent to him and his response to AMCTO. The association sent it to all their members. It saved us an awful lot of work. It went to every municipality across the province. They all know that this is going to be happening in the next municipal election cycle.

Registering a political party is fairly straightforward. Elections BC has a program to do that. It's a simple process, a simple amount of paperwork, so there's an example that the province could use to achieve this.

You could use the Ontario Election Finances Act to pattern a municipal finances legislation, as well. This would make the participation of local political parties transparent and accountable. They would not be third-party advertisers.

There's a bigger problem if the Ministry of Municipal Affairs does not provide a process to register municipal electoral associations in Ontario and to provide for the affiliation of a candidate to appear on the ballot—this is done elsewhere in Canada. By denying it, you open the ministry up to a constitutional challenge. The former minister and Mr. Rinaldi would be very familiar with that, because they're aware that there is a constitutional challenge on right now. At the end of June, they're setting dates to appear before the judge, hopefully this fall. We've been asked to be a co-applicant. The solution is very simple: Register municipal political parties and the constitutional challenges go away.

Finally, the much bigger problem is when people like myself walk down to Toronto elections and want to register as a candidate, and are denied as being a candidate for municipal city council under the umbrella of a municipal political party. This is true of every municipality across the province. The clerk says, "We don't know how. There's nothing in legislation that specifically tells us how to do this."

We're of the opinion that the legislation allows them to do this because this is necessary, but they will turn around and say, "We don't know how to do this," and point us back towards the ministry, at which point we will say, "Thank you very much," and file suit on the municipality. It's unnecessary. Let the election happen,

and then you file suit challenging the results of the election. It's completely unnecessary—a waste of money. It would be a mess, but if it only takes two candidates to be a party, you could see that any municipality across the province faces this same problem.

The solution is the same as before: Create a process to register municipal electoral associations. Look to our friends in BC and how they do it, and to Quebec and how they do it, because I know that coming up for the next municipal election in Toronto, the Green Party of Toronto will be running candidates—45 to 48, depending on if the ward boundaries get extended. We know that the Liberal Party of Toronto will be running candidates; they're preparing for it now, preparing materials to help their candidates campaign.

Our friends talked about the land transfer tax. There is a group within the Toronto Real Estate Board that wants to set up a party because they recognize that if they set up a party, they can go past the \$5,000 limit that a group can totally contribute in third-party advertising, because their issue is getting rid of the land transfer tax. The Pirate Party of Toronto, the Metro NDP, Vision Toronto—there are any number of groups we've heard from; Vision Vancouver have had inquiries from Hamilton, Peterborough, Ottawa, Toronto and London.

Thank you very much for your time. I think there is a simple solution to this. I'd be happy to work with the committee, with you individually or with the Legislature to make this happen and avoid the much bigger problem that I spoke about.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Kasperski. Questions start with Mr. Hatfield.

Mr. Percy Hatfield: You mentioned the constitutional challenge that's before the courts now. Which court is that in front of?

Mr. Alan Kasperski: The Superior Court of Justice.

Mr. Percy Hatfield: In Ontario?

Mr. Alan Kasperski: Correct.

Mr. Percy Hatfield: I'm unfamiliar with that court, so I don't know how long it takes them to hear and decide. Do you expect they would have a decision by the nomination date next year?

Mr. Alan Kasperski: This was originally launched about the time of the last municipal election in 2014. The applicant, at the time, was asked to delay six months so that something could be worked out to deal with this. It delayed and delayed. It has gotten to the point now where this is not a jury trial; it's affidavits in front of a justice.

1650

We set dates in the third week in June. The expectation is that we'd get before the judge in September or October.

In our estimation, it's a fairly simple determination. The Supreme Court has already said, "Here's what a party is. Here's why affiliation belongs on the ballot." As a result of that case 15 years ago, legislation was changed provincially and federally. Why it wasn't changed municipally in Ontario, we don't know.

Our expectation is, yes, we would get some kind of decision before the end of the year. If the courts say, "You have six months to come up with a remedy," the timelines would be tight, but it's possible.

Mr. Percy Hatfield: When they decided to do it in British Columbia, for example, did it take a court challenge, or did the BC provincial government just say, "Yes, we'll do it"?

Mr. Alan Kasperski: Political parties have been in British Columbia for 70 or 80 years. It was part of the way they do things. I'd have to go back and research whether it took a court challenge, but my understanding is, it's common practice.

Mr. Percy Hatfield: So they do it in Quebec and they do it in BC.

Mr. Alan Kasperski: Correct.

Mr. Percy Hatfield: Did they ever do it in Manitoba?

Mr. Alan Kasperski: Yes. There were parties municipally in Manitoba in the 1950s. The NDP were involved. There were—

Mr. Percy Hatfield: The Communists, too, I think.

Mr. Alan Kasperski: Yes, the Communists. There were a number of different groups that put parties together—Social Credit. They haven't had parties since, I think, about the 1950s and 1960s.

There was some attempt here locally. Jack Layton and Olivia Chow put together the Metro NDP in the late 1970s, and he ran for mayor under an unofficial banner. There was no official registration or party status at the time.

Mr. Percy Hatfield: All right. Thank you.

Mr. Alan Kasperski: You're welcome.

The Chair (Mr. Peter Tabuns): We go to Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Mr. Kasperski, for being here today. It's pretty obvious how passionate you are about this, and I thank you for spending some time.

I hope you understand this. There is a court challenge dealing with the issue, and I think it would only be fair—I think it restricts us, as politicians here, to talk about that issue while it's in the hands of the courts. Like any other decision, I think we have to wait for their adjudication and the outcomes. It makes it very difficult, because I think it could interfere with a court case that's in play right now.

What I would ask you, though, is if you could talk, if you feel like it, about some of what else is in this proposed bill, Bill 68. For example, I know you touched on the fundraising piece a little bit, but I wonder if you could elaborate a little bit more on that piece.

Mr. Alan Kasperski: Sorry, I'm not sure I understand.

Mr. Lou Rinaldi: I'm not prepared to talk about your issue specifically—to be recognized as a party—because it's before the courts. I just wondered if you wanted to talk about the fundraising aspect, the new rules.

Mr. Alan Kasperski: Okay. Let me speak to this suggestion that you can't address something that's before the courts. That's a fiction. There's nothing in law that

says you cannot do that, unless a judge puts a publication ban—typically, on a criminal case. But there’s nothing to say that you can’t address this. The suggestion that you’d be influencing the court, especially on a constitutional matter—we’ve asked this; it doesn’t exist. So you can address it. I don’t think that the judge hearing this—or others—would give more weight to a constitutional matter of what I say or what anybody else does. Hence, I think that is the one issue that I can speak most to.

It’s part of a wider issue, obviously, about municipal politics and making it better. This is not a discussion, or at least my view is that it’s not whether municipal parties belong at city hall. An argument could be made: Do parties belong provincially or federally? What are matters that parties need to deal with?

I have a fundamental freedom to organize an association. That’s all I want the province to recognize—and to avoid that case, because I know if the province said, “Yes, we’re going to put a process in place,” the judge—the Attorney General’s people—would say, “Terrific, fine. Are we satisfied with that?”

The Chair (Mr. Peter Tabuns): Mr. Kasperski, I’m sorry to say you’re out of time with this questioner. We go to the official opposition.

Mr. Alan Kasperski: Thank you.

Mr. Ernie Hardeman: Thank you very much for your presentation. You did mention—no, I still have my turn.

Mr. Alan Kasperski: Oh, sorry. I apologize.

Mr. Ernie Hardeman: All three parties—

The Chair (Mr. Peter Tabuns): All three parties get a shot. Mr. Hardeman, it’s your turn.

Mr. Alan Kasperski: Yes, sir.

Mr. Ernie Hardeman: You mentioned—and I think you were here presenting on the municipal modernization act—

Mr. Alan Kasperski: Bill 181, yes.

Mr. Ernie Hardeman: —the financing act.

Mr. Alan Kasperski: Yes.

Mr. Ernie Hardeman: And at that time, of course, we talked considerably about the amount of money people could donate. The reason I ask this is because obviously you talked about the donation and how there’s going to be a bit of a challenge between not having parties and being able to raise funds. Obviously when you presented to the elections financing act, we didn’t expect to be talking about the financing this soon again in another act. We’re actually changing the numbers that came out of those hearings in this act.

You talked about the issue of—because there are no parties, that the people could raise money and use it any way they see fit, with no limits and no scrutiny. Can you explain a little clearer how that would work, to get the third-party money into the system without having to register either as a candidate or a third party and spend the money in that way?

Mr. Alan Kasperski: I understand. We set up—it could be a municipal political party; it could be any kind of a group—a residents’ association. You get your neigh-

bours together, you sit down over coffee and you say, “You know what? We really don’t like the city councillor. We want him to go. We can’t support her any longer. Anybody agree?” “Yes, we all agree.” “Fine. Write us a cheque.” So the group gets together and they write a bunch of cheques and they raise \$50,000. I say \$50,000 because typically a city councillor is going to spend \$30,000, \$40,000 in Toronto because of the limits they’re allowed to.

My understanding is, third-party advertisers that are registered are going to be able to spend about the same amount as a candidate, which makes sense. But because I don’t have to register, I open a bank account, the Tangle Briarway residents’ association. I go down to my local bank and I set up an account. I put the money in and then we decide to flood the neighbourhood with signs two days before the election. We go and spend the money; we put up the signs three days before overnight saying, “Don’t vote”—

Mr. Ernie Hardeman: What would the signs say?

Mr. Alan Kasperski: “Don’t vote for—Shelley Carroll is my city councillor. I’ll use her; she won’t mind. “Don’t vote for Shelley Carroll,” or, “Say no to the development at Sheppard and Bessarion.” You could say something negative about an issue about a particular person or you could say, “Don’t vote for Shelley Carroll.” She’s not running again anyway. “Vote for somebody else.” That’s how you could spend your money.

The Chair (Mr. Peter Tabuns): I’m sorry to cut you short on this, Mr. Hardeman. We are out of time, and that’s the last party that gets to ask you questions. Thank you very much for your presentation.

Mr. Alan Kasperski: Thank you.

PATTISON OUTDOOR ADVERTISING

The Chair (Mr. Peter Tabuns): Our next presentation: Sid Catalano from Pattison Outdoor Advertising.

Mr. Catalano, as you’ve heard, you have up to 10 minutes to present and then up to 10 minutes of questions from the three parties.

Mr. Sid Catalano: I’m going to hold off, Chair. I wanted the members to all get this handout. I just handed it out so you’re going to be getting it.

The Chair (Mr. Peter Tabuns): Sure.

Mr. Sid Catalano: I’ve got the time to do it, so I just want you to be able to get a moment to have a quick read through it, and I can then give you about six or seven bullet points to get the highlights of it.

The Chair (Mr. Peter Tabuns): You have nothing to say?

Mr. Sid Catalano: That’s okay. My name’s Sid Catalano. I’m director of legislation with Pattison Outdoor Advertising, one of the prominent outdoor advertising companies in Canada and Ontario.

I’m going to limit my comments today on Bill 68 as they pertain to section 99(1) of the Municipal Act and section 110 of the City of Toronto Act. The repealing of

these two acts will result in a term called the “grandfathering rights” being removed for property owners who have had rights acquired in the past and are legal non-conforming for simplicity.

What does the passing of this legislation do? The repealing will remove the legal non-conforming and the grandfathering rights of all property owners across the entire province and specifically those property owners who have advertising devices, such as signs, on their property.

1700

Essentially, for every property owner who has acquired this right over time, be it two years ago, three years ago, five or 10 years ago, and has signage, the risk of grandfathering will be that this signage on their property will be removed. This action will affect every municipality from Hawkesbury to Sarnia, all 440-plus municipalities which make up the great and prosperous province that we’re proud to call Ontario.

The action on the sign companies is that we could be forced to remove signs on properties across the province and the cities. We won’t have the ability to replace, because as we move forward, municipal bylaws become stringent, tighter and tighter, and your ability to replace becomes slimmer and slimmer. The action, we think, could possibly dissolve our industry that has been in existence for about 100 years, and we think that’s unthinkable.

Toronto, Ontario, like many other industries, is the focal point or the engine that drives our industry advertising dollars in this country. Toronto, Vancouver and Montreal are pretty well your dominant markets for advertising.

The removal will also mean the loss of jobs, and the loss of incomes and the rents paid to these property owners. For our company only, we have about 1,000 property owners who would be affected in Ontario. These are property owners who have a sign on their property and they’re receiving a lease payment on an annual basis. All the costs to build that sign on their property were borne by us. They simply wait and get their cheques semi-annually or annually.

Under the Municipal Act, the only structure that really requires a permit—I’m pretty sure I’ve covered it all—is either a sign or a fence. Under the Municipal Act, with the action the government is contemplating, these will no longer have the grandfathering protection, whereas other types of structures, under the Planning Act, will continue to have the protection and have the OMB to appeal a decision, rightly or wrongly.

I firmly believe the action that the government of Ontario is taking with respect to these two sections is regressive. We’re stepping back instead of moving forward. There’s nothing positive to this action that’s contemplated, other than we’re taking money out of the pockets of a number of business owners and property owners across the province. I believe the government has not really worked out what impacts these perceived changes to the Municipal Act and the City of Toronto Act will bring about.

In the past little while, while doing my regular course of duties and jobs and going through municipalities, I would ask the odd municipal person, a senior planner, “Hey, do you know about Bill 68? Do you know about grandfathering? Do you know that grandfathering could be removed?” There doesn’t seem to be a high level of understanding or knowledge of what this little clause, 110(1) and 99(1), will mean for a number of property owners in Ontario.

I’m going to request an action. Should the province go ahead with repealing it, I have proposed to the minister a friendly amendment for his consideration, as it pertains to advertising devices. It’s a table. On the left-hand side, it pertains to the Municipal Act, section 99, and on the right-hand side, it pertains to the City of Toronto Act, section 110. What it says is that, basically, in all of this, let’s allow grandfathering to stay, and let’s not go back and take people’s rights away and leave them susceptible to God knows what the governments are going to do in future.

The fallback position is to possibly look at this a little further and look at grandfathering being phased over a period of time. It was hard to come up with a year. Ten years sounds wonderful for us, but that’s probably not acceptable to the government. But I thought maybe if we could look at putting a five-year horizon on it, so that it will also give us a chance to further look at this and prepare ourselves. And in the event that it does happen, how do we regroup? Because this taking away of a right that I have acquired, to me, is just not right. That’s where I’ll end my speech.

The Acting Chair (Ms. Cheri DiNovo): We now go to the government side: Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Mr. Catalano, for being here today and for your presentation about the signage.

Just a quick note: part of my background, I spent about 12 years in the municipal field in a rural community, and I remember—I just bring this for information—that a particular business—not in our community, but quite a ways away—within a year’s time, just blitzed the whole landscape of beautiful rural Ontario with four-by-eight signs promoting his business. There were no bylaws in place.

At that time—although a bit late—council was a bit stunned. We did pass a bylaw to regulate signs of businesses not within that community and also off-site from their business. It’s still in place today, I believe, if I understand correctly. I guess the point I’m trying to make is that municipalities have certain powers, regardless of what the province does and what the province doesn’t do.

Obviously, you’ve been working on this for a while. Have you had the opportunity to get some feedback? I presume that you’re mostly referring to Toronto or other municipalities, but I’m guessing probably Toronto the most. What kind of feedback do you get from them?

Mr. Sid Catalano: From Toronto?

Mr. Lou Rinaldi: Yes, because, frankly, they could stay the status quo.

Mr. Sid Catalano: Toronto is a particular animal, as you all know, that seems to be driven by the left of coun-

cil. Toronto council, as a whole, is not a fan favourite of the sign industry. I think what has happened over a number of years has been either good or bad to the city, in terms of signage. I think this opportunity, if adopted, will give them the full control to do what they want to do, and that's frightening.

Having control is one thing, but if you're going to do things that you want to do—for example, I'm hearing that, if a bill like this would be passed, councillor A wants to make sure that this, this and this sign is removed out of his or her ward, with no rationale. But the fact that we now can do things *carte blanche* is very scary.

The city of Oshawa, up until recently—I didn't realize that they had their legal nonconformity removed out of their sign bylaw. I just appeared before them to get a variance on a sign. At the end of the day, I thought, "You know what? If they wanted to, they could have removed every sign," because the nonconformity clause has been removed—I didn't know—since 1998 in the city of Oshawa.

But the city of Toronto, I think, is more of—let's put it this way: They've got a bone to pick with this industry. The city probably, to be fair, has been inundated with signs as well. But to take this away, these rights that we've acquired, and now allow them *carte blanche* to do as they please, already having a bias, is a very, very scary proposition, as far as I'm concerned and as far as our industry is.

Mr. Lou Rinaldi: Thank you.

The Acting Chair (Ms. Cheri DiNovo): We now move to the official opposition: Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much for your presentation. I'm just going to ask, if this passes and the grandfathering clause disappears—and I agree with you; I spent quite a number of years in municipal politics, and municipalities never had the power to make bylaws retroactive. If the bylaw approved that sign at some point, if they want to change that bylaw, they have to grandfather the building that already exists or the sign that exists. This bill will allow that to change, so they can make the sign bylaw retroactive.

Is it possible then—this is just hypothetical—of the 44 members of city council in Toronto, if 23 of them wanted to have a more pristine view as they drive down the Gardiner, they could pass a bylaw that, within 200 yards of the Gardiner, no one could put up a sign? They could technically pass that, and remove all of those signs. Is that right?

Mr. Sid Catalano: They could technically wipe out all of those signs, yes. The only light you'll have on the Gardiner driving will be the overhead streetlights and cars. I couldn't imagine how dark it will be.

Mr. Ernie Hardeman: I'm not suggesting that they would do that, but, I guess I can see, if that was my means of income, and someone is passing a law that allowed someone else to control whether I was going to stay in business, I'd be a little concerned about looking at that and making sure that that was—

Mr. Sid Catalano: That would be the extreme, and you're quite correct.

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Mr. Ernie Hardeman: It would be quite the extreme.

Mr. Sid Catalano: That's extreme, yes.

Mr. Ernie Hardeman: Have you got any idea how much rent the signs—let's just take the Gardiner—how much rent do the people who put the signs up pay? What kind of revenue would that generate?

Mr. Sid Catalano: Let's talk about the majority, which is your average, I'll call it mom-and-pop; let's go with that. I would say, on the average, those people are receiving \$8,000 to \$15,000 annually. A mom-and-pop who have a property, whether it's on a main street or in Markham or Vaughan, are probably receiving in the order—I'm being very general with that number—\$8,000 to \$15,000 per year. And some of them have been receiving that for a number of years—and the hydro we pay as well, so they receive that.

Mr. Ernie Hardeman: I also see in your presentation that you talk about a number of rooftop signs that, of course, you can see in downtown Toronto. Why should the city have more control over a sign on a roof rather than a fancy roof? Does it mean the city is now governing, in your opinion, the airspace above a building?

Mr. Sid Catalano: Yes. I think if you were to talk to the city architects and the urban design people, they have a view as to what the build form should be along these major avenues. Keep in mind, they've got this view today, but I would say a good part of these roof signs that are on these roofs probably were built in the 1960s or the 1970s. They've been there for quite a while.

Instead of building signs on roofs, instead of building a typical sign—they call it the Popsicle stick, that sticks out in the middle of the roof with a sign—they would rather see you come in and do something creative, like on the corner of Gerrard and Yonge, where you take signage and put it against the parapet walls so the signage now forms part of the building. In essence, you have a two-storey building, and when you put the signage on the wall, the building looks like it's three storeys. It's a much cleaner look. So there are ways of improving the landscape, yes.

The Acting Chair (Ms. Cheri DiNovo): Now we move to the third party. Mr. Hatfield?

Mr. Percy Hatfield: Thank you for being here, Sid. You talked about 1,000 property owners across Ontario, yet you quoted prices, I believe, for Toronto: \$8,000 to \$15,000 annually. Out in the country or in smaller municipalities, how much would those annual lease agreements—what would be the range?

Mr. Sid Catalano: I would drop it down to maybe \$2,000 to \$3,000. But when I said "\$8,000 to \$15,000," I was probably trying to incorporate the majority of those property owners, both being in Toronto and on the outskirts as well.

Mr. Percy Hatfield: I remember covering city council in Windsor in the 1980s. The new mayor came in and spoke of advertising signs as visual pollution and en-

vironmental pollution. I'm sure, at that time, few of us looked at advertising in that way, but restrictions started to come in.

I know that along an expressway in Windsor there was a big debate over an electronic sign going up that would divert the driver's attention to try to read what was over there as you were driving here, trying to catch up on the crawl as it went across.

Mr. Sid Catalano: That's mine.

Mr. Percy Hatfield: That's one of yours?

Mr. Sid Catalano: That's my debate we're having right now. It goes back next Monday.

Mr. Percy Hatfield: All right. I guess my question is—I imagine signage matures. Society matures in its understanding or acceptance of signage. Did it come as a surprise to you that Toronto was getting out of the grandfathering signage issue?

Mr. Sid Catalano: Not at all. In my 22 years with Pattison—and I was a city planner for five years with the city of Toronto—you could see this thing coming.

But the interesting thing about this thing: It's twofold. On one hand, the city is receiving very good sums of money through a sign tax bylaw, but if you remove the grandfathering, you also remove the revenues they're receiving from the tax bylaw. So what do you want? Do you want the money or do you want the signs? It's sort of like they're flipping the coin, heads I win and tails I win, waiting to see where the coin lands.

Mr. Percy Hatfield: Do you believe there are any signs, say in downtown Toronto, that in your opinion have reached their best-before date, their shelf life?

Mr. Sid Catalano: Sure. There are locations downtown where, in my personal opinion, some of those signs should come down. But then the argument is presented: Who was first—the sign or the condo building? To be a good Samaritan, I think that where there are these signs and development has occurred, maybe the proper route is to look at these now possibly offending signs.

The Acting Chair (Ms. Cheri DiNovo): Thank you very much, Mr. Catalano. Your time is now up.

TORONTO PARTY FOR A BETTER CITY

The Acting Chair (Ms. Cheri DiNovo): We move to the Toronto Party for a Better City: Mr. Thiele, president.

Mr. Stephen Thiele: Thank you, Madam Chair. Good afternoon, committee members. Thank you for once again having the Toronto Party here providing a deputation. I want to speak to, essentially, the modernization of the Municipal Elections Act, 1996.

Last May, the Toronto Party appeared before the Standing Committee on Finance and Economic Affairs to provide a deputation on Bill 181, which was an act to modernize the Municipal Elections Act, 1996. At that time, we asked the committee to amend the bill to include language that would permit a municipal electoral organization's name to appear alongside or beneath the name of their candidate on the municipal election ballot.

At that time we submitted, as set out in our written submission submitted to this committee, that a modern

Municipal Elections Act must correct the problems of low voter turnout, encourage the election of more women and visible minorities, and reduce the power of incumbency, and that the answer to resolving these problems lay in the recognition of municipal electoral organizations.

We also submitted that allowing party affiliation on a municipal election ballot was consistent with Canada's Charter of Rights and Freedoms, which recognizes that the right to vote includes the right of the elector to be informed about whether a candidate is running as a candidate of a particular political party.

We submitted, as well, that it was approximately 10 years ago that Queen's Park recognized the value of including party affiliation on provincial election ballots, and that all parties agreed with this change.

We also submitted that municipal electoral organizations have been the norm for decades in British Columbia and Quebec and that party affiliation is permitted on election ballots in those provinces.

Lastly, we submitted that it is well known that party politics exist at city halls across Ontario, that individual councillors or trustees are affiliated with particular political parties, and that, indeed, one political party, the NDP, has gone so far as to hold nomination meetings to choose council candidates in Toronto, despite section 70 of the Municipal Elections Act, which prohibits federal and provincial parties from contributing to municipal election campaigns.

Yet that committee and this Legislature refused to amend Bill 181 to grant formal recognition to municipal electoral organizations, or at least to identify their candidates on a municipal election ballot by allowing party affiliation on that ballot.

Given the rights held by Quebecers and British Columbians, and the rights granted to Canadians under the charter, for the last year I have scratched my head wondering why in Ontario we are deprived of the rights enjoyed by our fellow Canadians when it comes to being fully informed when exercising our right to vote in municipal elections, a right that has been enshrined in provincial law. I have scratched my head wondering why all parties here see the value of including party affiliation on provincial election ballots, but yet prohibit the very same electors and their constituents from being similarly informed when they vote in municipal elections.

The right to lawful association and assembly is a hallmark of a free and democratic society. Surely Queen's Park would not deny that Ontarians can freely come together and associate with one another and express their political beliefs at the municipal level under the name of a municipal political party. Clearly, it is not illegal to do so. So why do political parties here at Queen's Park continue to refuse to amend the Municipal Elections Act to allow party affiliation on a municipal election ballot?

1720

To my fellow Ontarians who are watching: Some politicians will tell you that we simply do not need

political parties at the municipal level, because all issues at the municipal level are local. You don't need to understand the political affiliation of your councillors or mayors. You don't need to be informed of what their ideology and platform are. We don't need municipal political parties to fix a sidewalk, or to install a new stop sign or traffic light, or to fill in a pothole. But for many Ontarians, there is no more impactful level of government than the municipal level, and nowhere does the right to be an informed voter matter more.

As demonstrated by the recent decision of Toronto city council to waste \$3.5 billion on a one-stop subway extension in Scarborough, the issues that our modern cities face are complex and extend beyond the sidewalk repairs and the regulation of traffic. They extend to transportation and infrastructure, to the growing need for social housing and repair of that housing, to schools and school closures, and to garbage collection and whether it should be public or private or whether we should use incinerators, among other issues.

Our major cities are populated by hundreds of thousands and, in the case of Toronto, by millions. Yet when it comes to the recognition of municipal political parties and the issue of their need, our law is designed as though Ontarians still lived in villages and hamlets where we all know each other personally, and that the major issues facing them are, for example, whether the local park bench should get a new coat of paint and whether it should be brown or green or some other colour.

When we were last here at Queen's Park and respectfully asked for the ability to include our party's affiliation on a municipal election ballot so that the voter could identify with our candidates, a suggestion was made that simply because we called ourselves the Toronto Party, we were a separatist party, seeking to separate Toronto from Ontario. Of course, that suggestion was utterly false and frankly ridiculous. Just as in Saskatchewan, where the ruling party is called the Saskatchewan Party, the Toronto Party is focused on Toronto and the significant and complex issues this metropolis faces.

We were then asked, if we wanted to be a formally recognized party, why not simply register to be a provincial party—even though, as previously stated, if we then sought to run candidates in the municipal election, we would be breaking the law. We are not here to break the law but to bring the law into the realities of 21st-century urban political life. We are certainly not here to advocate for the separation of Toronto from Ontario.

We are here to advocate for making our municipal governments modern, and to give them better tools to grow our economy by allowing municipal elector organizations to freely organize in this province and to be formally recognized on municipal election ballots.

In our brief written submission, you will see that we have proposed three ways to do this. The first is the simplest and the easiest: Simply amend section 41 of the Municipal Elections Act so that party affiliation can be included on a municipal election ballot.

The second is to include provisions similar to those that exist in British Columbia law, to establish param-

eters and minimal operating criteria for municipal elector organizations.

The third is to give municipalities the authority to establish systems and rules to govern the registration of municipal elector organizations, just as Queen's Park has given them the authority to regulate third-party advertisers.

What we seek is not radical or new. What we seek is simply to modernize our municipal election law so that Ontarians can be more engaged at the municipal level and so that we can achieve greater participation among women and ethnic minorities in municipal politics and actually see representation at city halls that truly reflects our diverse cities.

We have faith in the electorate and believe they should have the informed choice between candidates. The electorate can choose to vote for a candidate with a party affiliation where they have a full understanding of the candidate's political platform and ideology, or not vote for such a candidate and reject that party affiliation. The current legislation denies voters that information and thereby disenfranchises voters from making clear and informed decisions about their government.

Surely the members here and in this Legislature believe in correcting the problems we have identified, and will help Ontario achieve a 21st-century municipal election law by implementing one of our three proposals.

I thank you for your time and your consideration, and I look forward to your questions.

The Acting Chair (Ms. Cheri DiNovo): We go to the government: Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Mr. Thiele, for being here. I certainly appreciate your comments, and I'll certainly bring it to the attention of the minister.

I would comment that this particular issue you talked about today is really not part of Bill 68. I just offer this as a comment: There is nothing in the legislation—this or others in the past—that would prevent a group of like-minded individuals from campaigning as a group or as a slate. Frankly, I know that in the communities that I represent—and that's eight of them—especially in the last couple of elections, there has been a group of like-minded folks that ran as a slate. Not in my riding, but in other ridings, there have been cases where the whole council was changed because they ran as a slate. So you're allowed to do that now without any changes. I just offer that. I don't have any questions, but I just thought I would bring that up for your consideration. If you want to respond, that's fine.

Mr. Stephen Thiele: My only comment to the committee member, through you, Madam Chair, is that, if indeed that is what is recognized here by this provincial government, by all the parties here, all we ask is for one simple thing: Allow us to inform the electorate that we are running as a slate on the ballot, that we are running as a political party. That's a simple change.

Mr. Lou Rinaldi: Thank you.

The Chair (Mr. Peter Tabuns): Okay, we'll go to Mr. Hardeman. Mr. Hardeman?

Mr. Ernie Hardeman: Thank you very much for your presentation. I had here a note—I was going to ask you why you had to come back so quickly. Did you think that that was out of the ordinary? Because, obviously, you did make a presentation here on the last bill. Having said that—and obviously, your presentation didn't have to change much because your concern and your request is similar to what it was when we did the review of the elections financing act.

The issue of printing the name on the ballot register: Unless they change the structure of the actual governance, what is the advantage of putting an affiliation on? Is it any different than putting the nationality on or the age of the person or something? Because, going in, they are all going to have to be individual, because that's how the structure of the system works.

The other thing that I find a little concerning is that—the increase in voter turnout and the increase in women running for politics. When I hear the challenge of why we don't have more women running for politics, one of the things they always mention is the party structure. It's too structured. They don't want to fight two elections for every election, and they don't want to be—it's easier to get people who want to be municipal politicians who are not connected to a party than it is to get politicians that have to be connected to a party. Incidentally, I have been both, and I can say, as a politician—hate to say it, folks—I think municipal works better.

Any comments on that?

Mr. Stephen Thiele: I hope one of your opponents doesn't use that against you if you're running for re-election in provincial politics.

Mr. Ernie Hardeman: I will for the seventh time.

Mr. Stephen Thiele: You've asked, actually, a number of things there in that one question. I will try to address as many of them as possible.

First of all, you don't need to change the structure of any municipal government. All we're doing is saying to the voter, "We are a political party." We want you to understand, when you cast your ballot, that if one of our candidates is running you can see that on the election ballot, just like we have on a provincial election ballot or a federal election ballot.

Independents are not precluded from running in provincial or federal elections, and we're not asking that they be precluded from running in municipal elections. What we are saying is that, when we do have a candidate running for election who is a member of our party or who may be a member of the TO Green Party, the Toronto Green Party, or some other party, the elector is entitled to have that information. It is part of their right to vote that is enshrined in our provincial laws with respect to municipal elections. That right to vote includes the right to be informed.

1730

You made a comment about connected or not connected. I'm really not sure whether that's true. A candidate running in an election may be a popular candidate; they may be well known in their community; maybe

they're not well known; maybe their name is just on the ballot because they support the ideas of a particular platform or party—

The Chair (Mr. Peter Tabuns): Mr. Thiele, I'm sorry to say that you're out of time with this questioner, as enjoyable as he may be.

Mr. Stephen Thiele: Oh, sorry. He asked me a lot of things. We can take it off-line.

The Chair (Mr. Peter Tabuns): I know. It's his nature.

I go to Mr. Hatfield.

Mr. Percy Hatfield: Thank you, Mr. Chair. Stephen, welcome back. I'm surprised that you didn't say that the government members are always talking about being open and transparent. Wouldn't your argument make for a more open and transparent municipal election?

I want to take you down a different road. The people who work for me in my constituency office have people come in every day wanting help with a federal issue or a municipal issue, and we have to steer them in a different direction. Going by your argument on putting your party label on the ballot—for example, if someone came in and registered as a pro-life candidate and someone came in as a pro-choice candidate. At a meet on the candidates night, we're all of a sudden talking about pro-life and pro-choice at a municipal election night.

Mr. Ted McMeekin: That's federal.

Mr. Percy Hatfield: So the issue is, it would confuse. It would also take away from real municipal issues, as opposed to a federal or a provincial issue or whatever. Do you not see that side of the argument?

Mr. Stephen Thiele: I'm not sure what you're presenting me in terms of a side of the argument other than what you seem to be suggesting to me, which is that you have no faith in the electorate being able to discern the difference between a municipal issue, a federal issue and a provincial issue.

If I go to a meeting and there's a pro-life candidate or a pro-choice candidate running in a municipal election, why would I bother voting for a person who carries that label? That's not the issue that carries sway at the municipal level. It's whether we can build LRTs or subways or infrastructure. Those are the issues. I have better faith in the electorate to discern between fringe-party candidates who are running on single issues in elections. That's the same whether it's at a provincial level or a federal level.

Mr. Percy Hatfield: You called the subway vote a waste of money. I think the vote was 28-18. Somebody else might say that would be a good true solid majority vote or a democratic vote. Why would you say that time was wasted or that money is wasted, if the people who are elected made the decision after heated debate?

Mr. Stephen Thiele: I would say this to you: When Mayor Tory was elected on his mandate, he was not elected on the mandate of building a one-stop subway extension to Scarborough. He was elected on a different mandate.

Mr. Percy Hatfield: He's got one vote.

Mr. Stephen Thiele: None of those politicians down at city hall have ever gone back to the people of Toronto to ask whether they support a one-stop subway extension to Scarborough, and spent \$3.5 billion to have that extension. When the mayor ran on his mandate he had a SmartTrack proposal, which we know has not been fully realized. There were LRT proposals on the table. We have a city council that did not do a cost comparison study between a subway and an LRT.

We have no idea if we in Toronto are getting value for that money. That's a waste of \$3.5 billion—

The Chair (Mr. Peter Tabuns): Mr. Thiele, I'm sorry to interrupt you, but we've run out of time. I want to thank you for making your presentation today, and the members of the committee for asking questions.

Colleagues, I just want to inform you that we have more people who are applying to present than we have spots, so 9 a.m. on Friday you'll get notification; I want to remind you that you have to return your list by 11 a.m. to the Clerk.

Mr. Hardeman, you wanted to raise something?

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. I wasn't going to bring it up, but now I have to, because we actually had time today for six, and we only had four. Now we have more than we can hear in the time that's left—

Ms. Ann Hoggarth: Two cancelled.

The Chair (Mr. Peter Tabuns): We had all of the slots filled. Two cancelled.

Mr. Ernie Hardeman: When did we have all of the slots filled?

The Chair (Mr. Peter Tabuns): The Clerk can speak to that.

The Clerk of the Committee (Mr. Katch Koch): As of Monday, 9 o'clock, yesterday morning, we had six requests for the six time slots for today. We went ahead and scheduled them, but they ended up pulling out. It has just turned out that it was the first and the last presenter for this afternoon.

Mr. Ernie Hardeman: Thank you very much. I very much appreciate it, and that's what I wanted to hear. Because as I said yesterday when we had this debate, telling them on Monday morning that they have to be here with a presentation by Tuesday morning—even though they were already on the list, it does not give

sufficient time. Those people didn't cancel because of sickness in the family. I'm willing to bet that they cancelled because they didn't have time to get prepared, and they will be people whose presentations will not be heard now because we have no further time. I just want to put that on the record.

The Chair (Mr. Peter Tabuns): Okay, thank you.

Mr. Hatfield, you wanted to speak?

Mr. Percy Hatfield: I do—

Interjections.

The Chair (Mr. Peter Tabuns): Just a second, please. I have speakers' list: Mr. Hatfield. Does anyone else want to speak?

Mr. Percy Hatfield: I'm just looking at my schedule for Friday and your 11 o'clock deadline. I've got something at 7:45; I've got something at 9, something at 10:30, something at 11, something at 12:30 and something at 2 in my constituency office. I want to challenge that I've got to get back to you by 11 with my choices because, looking at my schedule, I may have some difficulty doing that.

The Chair (Mr. Peter Tabuns): I'll just say that that was the motion that was passed by the committee, and so the Clerk is compelled to operate within those parameters.

Mr. Percy Hatfield: Then I want to see the list before 9. The night before would be great.

The Chair (Mr. Peter Tabuns): I can ask the Clerk to send you an incomplete list the night before. I'm sure you'll do your best with that list.

Mr. Percy Hatfield: Thank you.

Interjection.

The Chair (Mr. Peter Tabuns): The Clerk correctly suggests: Do others want to see the incomplete list the evening before?

Mr. John Fraser: Yes.

The Chair (Mr. Peter Tabuns): Yes. Thank you, Mr. Clerk. And you will get final lists at 9 a.m. on Friday morning as well.

Mr. John Fraser: That's great.

The Chair (Mr. Peter Tabuns): Good. Excellent. And with that, I adjourn the committee until Monday, April 10, 2017, at 2 p.m.

The committee adjourned at 1736.

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