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**Standing Committee on
Finance and Economic Affairs**

Main Street Recovery Act, 2020

1st Session
42nd Parliament

Wednesday 25 November 2020

**Comité permanent
des finances
et des affaires économiques**

Loi de 2020 visant à redonner
vie aux rues commerçantes

1^{re} session
42^e législature

Mercredi 25 novembre 2020

Chair: Amarjot Sandhu
Clerk: Julia Douglas

Président : Amarjot Sandhu
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Wednesday 25 November 2020

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Mercredi 25 novembre 2020

The committee met at 0900 in committee room 2 and by video conference.

MAIN STREET RECOVERY ACT, 2020

LOI DE 2020 VISANT À REDONNER VIE
AUX RUES COMMERCANTES

Consideration of the following bill:

Bill 215, An Act to amend various statutes with respect to the economic recovery of Ontario and to make other amendments / Projet de loi 215, Loi modifiant diverses lois en ce qui concerne la reprise économique de l'Ontario et apportant d'autres modifications.

The Chair (Mr. Amarjot Sandhu): Good morning. We are assembled here today for clause-by-clause consideration of Bill 215, An Act to amend various statutes with respect to the economic recovery of Ontario and to make other amendments.

We have the following members in the committee room: We have MPP Fife, MPP Shaw and MPP Thanigasalam. The following members are participating remotely: We have MPP Pettapiece, MPP Smith, MPP Skelly, MPP Piccini, MPP Roberts and MPP Mamakwa.

Catherine Oh from legislative counsel is here on the call to assist us with our work should we have any questions for her.

A copy of the numbered amendments filed with the Clerk has been distributed electronically. The amendments are numbered in the order in which the sections and schedules appear in the bill.

To make sure that everyone can follow along, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. Since it could take a little time for your audio and video to come up after I recognize you, please take a brief pause before beginning. As always, all comments by members and witnesses should go through the Chair. Are there any questions before we start?

MPP Hunter, can you please confirm your attendance?

Ms. Mitzie Hunter: Yes, Chair. It's MPP Hunter and I'm in Toronto, and I do have a question as well.

The Chair (Mr. Amarjot Sandhu): Thank you—sorry, you have a question?

Ms. Mitzie Hunter: I do, yes.

The Chair (Mr. Amarjot Sandhu): Please go ahead.

Ms. Mitzie Hunter: Chair, I would like to seek unanimous consent from the members of the committee to add two schedules and to speak to them at this time.

The Chair (Mr. Amarjot Sandhu): Are those the amendments in your amendments package?

Ms. Mitzie Hunter: They are, Chair.

The Chair (Mr. Amarjot Sandhu): Okay, we'll get to that when we go to the schedules.

Ms. Mitzie Hunter: Okay. Thank you, Chair.

The Chair (Mr. Amarjot Sandhu): As you will notice, Bill 215 is comprised of three sections and four schedules. In order to deal with the bill in an orderly fashion, I suggest that we postpone the first three sections, in order to dispose of the schedules first. This allows the committee to consider the contents of the schedules before dealing with the sections on the commencement and short title of the bill. We would return to the three sections after completing consideration of the schedules. Is there unanimous consent to stand down the three sections and deal with the schedules first? Thank you.

Before we begin schedule 1, I will allow each party to make some brief comments on the bill as a whole. Afterwards, debate should be limited to the section or amendment under consideration. Are there any comments? Seeing none, let's go to schedule 1.

We'll go to page 2, schedule 1. Is there any debate on schedule 1, section 1? No debate. Are the members ready to vote? Shall schedule 1, section 1, carry? MPP Roberts?

Mr. Jeremy Roberts: I was just going to ask, Chair: Is it possible, seeing as though there are no amendments to schedule 1, that we can bundle sections 1 and 2?

The Chair (Mr. Amarjot Sandhu): Are the members in agreement? Agreed.

So, we're bundling sections 1 and 2 of schedule 1. Is there any debate? Are the members ready to vote? Shall schedule 1 carry? Carried.

We'll now move to page 3, schedule 2, Highway Traffic Act. Is there any debate on schedule 2, section 1?

The Clerk of the Committee (Ms. Julia Douglas): We have some amendments.

The Chair (Mr. Amarjot Sandhu): We have some amendments to move. MPP Fife?

Ms. Catherine Fife: Thank you, Chair. I'll read the amendment into the record: I move that subsection 1(2) of schedule 2 to the bill be amended by adding the following subsections to section 39.1 of the Highway Traffic Act:

“Administrative seven-day licence suspension

“(8.1) Where a police officer, officer appointed for carrying out the provisions of this act or municipal law enforcement officer believes on reasonable and probable grounds that a person is driving, or has driven, a motor vehicle on a highway in contravention of subsection (1), the officer shall,

“(a) request that the person surrender his or her driver’s licence; and

“(b) detain the motor vehicle that was being driven by the person until it is impounded under clause (8.3)(b).

“Same

“(8.2) Upon a request being made under clause (8.1)(a), the person to whom the request is made shall immediately surrender his or her driver’s licence to the officer and, whether or not the person is unable or fails to surrender the licence to the officer, his or her driver’s licence is suspended for a period of seven days from the time the request is made.

“Administrative vehicle impoundment

“(8.3) Upon a motor vehicle being detained under clause (8.1)(b), the motor vehicle shall, at the cost of and risk to its owner,

“(a) be removed to an impound facility as directed by the officer; and

“(b) be impounded for seven days from the time it was detained under clause (8.1)(b).

“No appeal or hearing

“(8.4) There is no appeal from, or right to be heard before, a vehicle detention, driver’s licence suspension or vehicle impoundment under this section.”

That concludes this amendment put forward by the NDP. I would be pleased to speak to it, if you wish.

The Chair (Mr. Amarjot Sandhu): A motion has been moved by MPP Fife. Is there any debate? MPP Fife?

Ms. Catherine Fife: I just want to say that this amendment came directly from the feedback that we received during the delegations. Members will also know that MPP MacLeod, back in 2014, introduced an exact amendment like this, which asked that unlicensed and uninsured taxi and limo drivers—she made a very compelling case at that time about them making the road less safe because they are uninsured, they are unlicensed and then they’re also hurting the legitimate service of licensed taxi and limo drivers.

We heard very clearly from delegations that the fine is not enough and that automobile licence suspension and vehicle impoundment would be a better mechanism to hold unlicensed and uninsured taxi and limo drivers to account, just as they do in Quebec. This is not precedent-setting; this is a reasonable course of action that we have put forward for the committee’s consideration.

I will also just remind MPPs on the line that MPP Tangri told a personal story of her going to the airport and being almost accosted by an unlicensed limo driver. She even took a picture of him, because there was no mechanism for her, as an independent citizen at that time, to get any kind of accountability.

You know my feelings about this bill. I don’t feel it’s very strong, but if we’re going through this process, why not make it actionable and more effective in doing so?

Thank you, Chair, and I would like a recorded vote on this, please.

The Chair (Mr. Amarjot Sandhu): Thank you. Any further comments? Seeing none, are the members ready to vote on this motion? A recorded vote.

Ayes

Fife, Hunter, Shaw.

Nays

Pettapiece, Piccini, Roberts, Skelly, Dave Smith, Thanigasalam.

The Chair (Mr. Amarjot Sandhu): The motion is lost. There is another motion to section 1 of schedule 2 to the bill. MPP Fife?

0910

Ms. Catherine Fife: Because the government side did not support making this bill stronger, this amendment needs to be withdrawn, so we withdraw it.

The Chair (Mr. Amarjot Sandhu): Thank you. There is another motion: section 1 of schedule 2 to the bill, a government motion. Does anyone want to move the motion? MPP Skelly.

Ms. Donna Skelly: I’ve got to find it here, folks, sorry. Can you hear me?

The Chair (Mr. Amarjot Sandhu): Yes.

Ms. Donna Skelly: Okay. I move that section 1 of schedule 2 to the bill be amended by adding the following subsection:

“(3) Subsection 39.1(11) of the act is amended by adding the following definition:

““driver” includes a person who has care or control of a motor vehicle; (“conducteur”)”

The Chair (Mr. Amarjot Sandhu): Thank you. A motion has been moved by MPP Skelly. Is there any debate? MPP Fife?

Ms. Catherine Fife: We have no real problem with this amendment, but I just wonder: You’re very concerned about the definition of what constitutes a driver and yet you didn’t support actually making licensed drivers and insured drivers a priority. I was just curious: Why go through the smallest measure that you could take when you didn’t take an opportunity to actually make Bill 215 effective?

The Chair (Mr. Amarjot Sandhu): Any further comments? Seeing none, are the members ready to vote? All those in favour, please raise your hand. All those opposed? It’s accordingly carried.

Shall schedule 2, section 1, as amended, carry? Are the members ready to vote. All those in favour? All those opposed? It’s accordingly carried.

We’ll go to section 2, schedule 2. Is there any debate on section 2, schedule 2? Are the members ready to vote?

Shall section 2, schedule 2, carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

Shall schedule 2, as amended, carry? Is there any debate on this? No debate. All those in favour, please raise your hand. All those opposed? It's accordingly carried.

We'll move to the next one. We have amendment number 4, to create new schedule 2.1. Do I have a mover? MPP Hunter.

Ms. Mitzie Hunter: I move that schedule 2.1 be added to the bill:

“Schedule 2.1

“Ministry of Economic Development and Trade Act

“1. The Ministry of Economic Development and Trade Act is amended by adding the following section:

“Requirements re: personal protective equipment grants

“11.1 The minister shall ensure that the following entities are made eligible for any grants issued by the province to assist with the cost of personal protective equipment:

“1. Home-based businesses and other businesses that do not have a storefront.

“2. Independent contractors.”

“2. This schedule comes into force on the day the Main Street Recovery Act, 2020 receives royal assent.”

The Chair (Mr. Amarjot Sandhu): A motion has been moved by MPP Hunter. Is there any debate?

On this motion, an amendment is inadmissible if it proposes to amend a statute that is not before the committee. I therefore rule the motion out of order, because the Ministry of Economic Development and Trade Act is not opened by the bill.

MPP Fife.

Ms. Catherine Fife: Chair, just a procedural question: The member has asked for unanimous consent. She has the right to put a question of unanimous consent. You never asked the committee about unanimous consent. We were willing to offer unanimous consent to this amendment.

Interjections.

The Chair (Mr. Amarjot Sandhu): The Chair can give the ruling first, and then the member can request unanimous consent.

Ms. Catherine Fife: I thought she did at the very beginning of the meeting.

The Chair (Mr. Amarjot Sandhu): But the Chair has to give the ruling first.

Ms. Catherine Fife: Okay.

The Chair (Mr. Amarjot Sandhu): Is there unanimous consent? Okay. No, there's not unanimous consent.

Ms. Catherine Fife: Can we request a recorded vote on unanimous consent, Chair?

The Chair (Mr. Amarjot Sandhu): It's just agreement. We cannot have a recorded vote.

Ms. Donna Skelly: It's too late to ask for it afterwards.

The Chair (Mr. Amarjot Sandhu): No, it's not.

So we'll ask once again, is there unanimous consent to consider this motion? No, there's not unanimous consent.

Since there was no unanimous consent, we'll move to schedule 3. Since there are no amendments to schedule 3, I recommend that we bundle these sections. Is there agreement? Thank you. Since we bundled sections 1 and 2 of schedule 3, is there any debate? No debate? Are the members ready—MPP Hunter, do you have any comments?

Ms. Mitzie Hunter: I do. There was a fifth item, and I'm just wondering when that will be addressed, Chair, for the motion that I have before the committee.

The Chair (Mr. Amarjot Sandhu): When we get to that point in the bill, then we can address that. We're going through the bill in order, so when we get to that point, you can do that.

Ms. Mitzie Hunter: Okay. Thank you, Chair.

The Chair (Mr. Amarjot Sandhu): Are the members ready to vote on schedule 3?

Mr. Jeremy Roberts: Chair?

The Chair (Mr. Amarjot Sandhu): MPP Roberts.

Mr. Jeremy Roberts: Just quickly: It appears MPP Piccini was booted out of the room. If the Clerk could just let him back in, that would be great.

The Chair (Mr. Amarjot Sandhu): Sure, we'll do that. Thank you. He's back in.

Are the members ready to vote on schedule 3? All those in favour, please raise your hand. All those opposed? Thank you. Schedule 3 is accordingly carried.

We'll move to schedule 4. I don't see any amendments to schedule 4 as well, so I recommend that we bundle sections 1 to 7 of schedule 4. Is there agreement? Thank you. Is there any debate on schedule 4, sections 1 to 7? No debate? Are the members ready to vote? Shall schedule 4 carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

Now we're at a new schedule 5. We have amendment number 5 to create a new schedule 5. Do I have a motion? MPP Hunter.

Ms. Mitzie Hunter: Chair, the motion that I put before the committee: I move that schedule 5 be added to the bill:

“Schedule 5

“Reopening Ontario (A Flexible Response to COVID-19) Act, 2020

“1. The Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 is amended by adding the following section:

0920

“Limitations on opening

“2.1 Despite anything in Ontario Regulation 82/20 (Rules for Areas in Stage 1) made under this act, supermarkets, grocery stores, discount and big box retailers to which that regulation applies may open only for the purpose of providing groceries and essential supplies to the public.

“2. Subsection 10(1) of the act is amended by striking out ‘subsection 9.1(2) or (3)’ is the proportion before clause (a) and substituting ‘section 2.1 or subsection 9.1(2) or (3)’.

“3. This schedule comes into force on the day the Main Street Recovery Act, 2020 receives royal assent.”

I would like to speak to this as well if there's an opportunity.

The Chair (Mr. Amarjot Sandhu): MPP Hunter, can you repeat 2.1, the first paragraph?

Ms. Mitzie Hunter: "Limitation on opening

"2.1 Despite anything in Ontario Regulation 82/20 (Rules for Areas in Stage 1)"—

The Chair (Mr. Amarjot Sandhu): Thank you so much. Yes, we just needed a correction on that, so it's good now.

"2. Subsection 10(1)": Can you repeat that as well, where it says "'(3)' in the proportion," the second line? Can you repeat that?

Ms. Mitzie Hunter: "2. Subsection 10(1) of the act is amended by striking out 'subsection 9.1(2) or (3)' in the portion before clause (a) and substituting 'section 2.1 or subsection 9.1(2) or (3)'."

The Chair (Mr. Amarjot Sandhu): Thank you, MPP Hunter.

We have the option of ruling this out. An amendment is inadmissible if it proposes to amend a statute that is not before the committee. I therefore rule the motion out of order because the reopening Ontario act, 2020, is not opened by the bill.

MPP Hunter?

Ms. Mitzie Hunter: I would like to seek unanimous consent from this committee to allow this schedule to be added, given that we are focusing on main street recovery, and that is the purpose of this schedule 5.

The Chair (Mr. Amarjot Sandhu): Thank you. MPP Hunter is seeking unanimous consent to add this schedule 5. Is there unanimous consent? All those in favour? No?

No, there's not unanimous consent, so we'll rule this out of order.

Now we move back to section 1 of the bill. Is there any debate on section 1 of the bill? Are the members ready to vote? Shall section 1 carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

We move to section 2 now. Is there any debate on section 2 of the bill? Are the members ready to vote? Shall section 2 carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

We'll move to section 3. Is there any debate on section 3 of the bill? Shall section 3 carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

We'll move to the title of the bill now. Is there any debate on the title of the bill? No debate? Shall the title of the bill carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

Shall Bill 215, as amended, carry? Is there any debate? Are the members ready to vote? Shall Bill 215, as amended, carry? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

Shall I report the bill, as amended, to the House? Are the members ready to vote? All those in favour, please raise your hand. All those opposed? It's accordingly carried.

That concludes our business for today. Does anyone have any questions before we adjourn the meeting for today? Seeing none, the committee is now adjourned until 9 a.m. on Monday, November 30. Thank you so much.

The committee adjourned at 0927.

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