

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

M-22

**Journal
des débats
(Hansard)**

M-22

**Standing Committee on
the Legislative Assembly**

Committee business

**Comité permanent de
l'Assemblée législative**

Travaux du comité

1st Session
42nd Parliament
Thursday 4 March 2021

1^{re} session
42^e législature
Jeudi 4 mars 2021

Chair: Kaleed Rasheed
Clerk: Tonia Grannum

Président : Kaleed Rasheed
Greffière : Tonia Grannum

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House Publications and Language Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service linguistique et des publications parlementaires
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

ISSN 1180-436X

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Thursday 4 March 2021

Jeudi 4 mars 2021

The committee met at 0901 in room 151 and by video conference.

COMMITTEE BUSINESS

The Vice-Chair (Mr. Vijay Thanigasalam): Good morning, everyone. I'll call this meeting to order. We are meeting to consider the method of proceeding with respect to Bill 245, An Act to amend and repeal various statutes, to revoke various regulations and to enact the Ontario Land Tribunal Act, 2021.

Are there any questions before we begin?

Interjection.

The Vice-Chair (Mr. Vijay Thanigasalam): I see MPP Bell has joined. Can you please confirm that you are present and that you are MPP Bell, and can you confirm whether you are currently in Ontario?

Ms. Jessica Bell: This is Jessica Bell. I'm at Queen's Park, Ontario.

The Vice-Chair (Mr. Vijay Thanigasalam): Thank you. All right. Are there any motions? MPP Park.

Ms. Lindsey Park: Thank you, Chair. I move that the committee enter closed session for the purposes of organizing committee business and that broadcasting staff be permitted to remain in the closed session meeting for the purposes of operating the electronic meeting technology.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP Singh?

Mr. Gurratan Singh: I think it's very important that we do not move this bill into closed session. This bill is a bill that addresses and impacts the fundamentals to access to justice in our province with respect to the fact that a lot of people have come out saying that this actually doesn't help access to justice. There's a lot of issues with respect to how it favours developers over Ontarians. There's no mention of legal aid.

Recently, racialized lawyers have come out and criticized the government's position that this is not a bill about diversity; it's actually a bill that is a power grab. It's already being presented in the news as such, and it's really important that people see an open discussion about this matter. That's why I recommend to all members that we do not move into closed session and, instead, keep this conversation public, as a committee should be open to the public to see and view.

The Vice-Chair (Mr. Vijay Thanigasalam): Okay. I see MPP Hassan. Your hand is up, and then followed by MPP Bell.

Mr. Faisal Hassan: I concur with my colleague Mr. Singh. This is a very important bill. As such, we need to have a public hearing, and this committee is a public hearing. Also, I want for us to have a recorded vote on this, the fact that we move into a closed session.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP Bell?

Ms. Jessica Bell: I have a lot of concerns about moving this committee into closed session. I have not heard the member explain why we should be in closed session. We have the responsibility as MPPs to make sure that what we do is transparent, because we are making decisions that affect the people of our province and the people who got us into office.

I have read through the bill. I have heard from stakeholders. They have a lot of concerns about the very significant changes to land use planning that are proposed in this bill, which would tip the balance in favour of big developers at the expense of municipalities and communities.

It is also very concerning that this bill has not been posted on the Environmental Registry. It impacts environmental issues. It should be posted on the Environmental Registry so that people will have 30 days or more to comment, and this bill hasn't even been posted.

I think we should do a vote on whether we remain in open session, public session, or in closed session so that we have it on the record that there are some MPPs who think these kinds of decisions should be made in secret, behind closed doors.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP Park, followed by MPP McDonell.

Ms. Lindsey Park: We've been organizing committee business this way for a year now and it shouldn't be a surprise to the opposition, unless they were checked out when we were in committee meetings. When committee business is organized by the subcommittee, it's done in camera. Given that it's the standard, we believe the same should happen here when the full committee organizes business. There is a public record for committees and that should focus on substantive work, not administration.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP McDonell, followed by MPP Mitas.

Mr. Jim McDonell: I just find that the opposition is almost trying to mislead the public. This business is always done in camera. It is organizational in nature. It's generally done by the subcommittee, as said before. We

would have to change our procedures to do this differently. Really, the business of the committee is done in public. The hearings, the votes on amendments, all that is done in public. This is simply just the typical standard set-up of the meeting procedures—you know, the number of delegates coming through.

I just find that it seems to be a coordinated effect, just to make it look to the public like we're trying to hide something when we're applying procedures set up for hundreds of years.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP Mitas.

Miss Christina Maria Mitas: Just to echo my colleagues, I think it's very important that we get it on the record that we're not proposing that this bill be studied in closed session. We're merely organizing business in closed session, as is regular practice for all subcommittees. Our public hearings will, of course, be public, and I ask the opposition not to engage in political grandstanding right now. This is merely to organize our business. Again, this is a practice that all subcommittees engage in. Let's just get this done so that we can move on to public hearings, where they will be public and everyone will have their say.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP Singh.

Mr. Gurratan Singh: It's very important just to get this on the record. The government is putting forward a piece of legislation that's going to change our process for appointing judges, which racialized lawyers have accused of being a power grab—not to increase diversity, as the government has described. There are huge changes to our tribunal system which are going to favour developers over everyday Ontarians and limit access to justice, and there's going to be changes for people to actually challenge the minister on development projects that could jeopardize our environment and beyond.

This is a discussion that's crucial to Ontarians. This is a discussion—even in organization, because organization details how long we hear individuals, how much notice is given to individuals. That conversation must be made public, because we've seen a track record from this government in which they ensure that there are smaller windows for people to provide their content and to provide their feedback to bills and they provide limited notice. We've seen this time and again.

So because of that, it's important that even organization is put on the record. If the government has no fear about the fact that they're going to do anything which could result in limited access towards this committee, then have this conversation in public so Ontarians can know what's going on. We, clearly, in the opposition have a problem with it being in private. It should not be something that is closed off to Ontarians, and that's why we're raising this issue.

The Vice-Chair (Mr. Vijay Thanigasalam): Next, MPP Hassan; followed by MPP Oosterhoff.

Mr. Faisal Hassan: I echo my colleague's concerns, and I do believe that the organization part of the committee, the work we are doing, is also supposed to be public.

Also, this bill is a very important bill in which the government brings a lot of changes that affect a lot of members of our communities and across the province. So this is very important, Chair, that we—also, the work of organization should be part of the committee and should be public, and the public should be able to see the work we are doing. This government said when they were campaigning that they're transparent, they're accountable to the people. The work of the committee should also reflect that.

I want also, before we proceed, that we put a vote into the record that we are wanting this, and we want to continue to be transparent and to show the people of Ontario that we want—every work of the Parliament should be public.

The Vice-Chair (Mr. Vijay Thanigasalam): MPP Oosterhoff.

Mr. Sam Oosterhoff: Yes, I just want to echo some of the comments made by my colleagues. I recognize that the NDP have a task, which is opposition, but I think the political theatrics such as what we're seeing in front of this committee regularly when it comes to the very mundane organizing of committee business is, frankly, disappointing for those who are watching this committee.

To be very clear, we're organizing the schedule of this committee in closed session, as happens with every other committee at a meeting of the subcommittee. This is not a discussion on the legislation itself. That will be held openly and transparently, as it always is.

I hope the members of the opposition will realize that they're being a bit disingenuous with this concern.

The Vice-Chair (Mr. Vijay Thanigasalam): Thank you. I don't see anyone else. MPP Bell, do you have a comment?

Ms. Jessica Bell: Yes. It is important to recognize that this is not the meeting of the subcommittee. This is the meeting of the full committee.

It is also important to recognize that I have sat in closed-session committee hearings where a proposed schedule for when people can speak and the timeline people have to register is truncated to the point where people are not having an adequate time to voice their concerns. With Bill 22, because one day was a holiday, people had less than 48 hours to register to speak. That is a very, very short window of time for people to find out what is happening in Queen's Park and to register.

That is a reason why this session, the organizational piece, should be public as well, so we are very clear who is making the decision to create an exceptionally short window for people to have a say of these very important decisions. This is not mundane; this is important.

The Vice-Chair (Mr. Vijay Thanigasalam): All right, are members ready to vote to have this as a closed session? MPP Hassan, you have your hand raised?

Mr. Faisal Hassan: Yes, Mr. Chair. I want the voting to be a recorded vote.

The Vice-Chair (Mr. Vijay Thanigasalam): All right. Thank you. Shall the motion carry?

Ayes

Kanopathi, McDonell, Mitas, Oosterhoff, Park, Skelly.

Nays

Bell, Collard, Hassan, Gurratan Singh.

The Vice-Chair (Mr. Vijay Thanigasalam): The motion is accordingly carried.

We will now move into closed session.

The committee continued in closed session at 0915.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

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Substitutions / Membres remplaçants

Ms. Jessica Bell (University–Rosedale ND)

M^{me} Lucille Collard (Ottawa–Vanier L)

Ms. Lindsey Park (Durham PC)

Mr. Gurratan Singh (Brampton East / Brampton-Est ND)

Also taking part / Autres participants et participantes

Clerk pro tem / Greffière par intérim

Ms. Thushitha Kobikrishna

Staff / Personnel

Ms. Lauren Warner, research officer,
Research Services