

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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**Official Report  
of Debates  
(Hansard)**

No. 119A

**Journal  
des débats  
(Hansard)**

N° 119A

1<sup>st</sup> Session  
43<sup>rd</sup> Parliament

Monday  
4 December 2023

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

Lundi  
4 décembre 2023

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Speaker: Honourable Ted Arnott  
Clerk: Trevor Day

Président : L'honorable Ted Arnott  
Greffier : Trevor Day

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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  
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  
Publié par l'Assemblée législative de l'Ontario

ISSN 1180-2987

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 4 December 2023

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 4 décembre 2023

*The House met at 0900.*

**The Speaker (Hon. Ted Arnott):** Good morning. Let us pray.

*Prayers.*

**The Speaker (Hon. Ted Arnott):** Next, we'll have a moment of silence for inner thought and personal reflection.

ORDERS OF THE DAY

ENHANCING ACCESS TO JUSTICE  
ACT, 2023

LOI DE 2023 VISANT À AMÉLIORER  
L'ACCÈS À LA JUSTICE

Mr. Downey moved second reading of the following bill:

Bill 157, An Act to amend various Acts in relation to the courts and other justice matters / Projet de loi 157, Loi modifiant diverses lois en ce qui concerne les tribunaux et d'autres questions relatives à la justice.

**The Speaker (Hon. Ted Arnott):** Would the Attorney General care to lead off the debate.

**Hon. Doug Downey:** I'll be splitting my time with the Solicitor General and with the member from Simcoe–Grey as well, but I will begin.

Of course, good morning to everybody. Happy Monday. I am really pleased to rise in the House today to open debate on the Enhancing Access to Justice Act, 2023, a bill that would, if passed, improve access to justice, enhance community safety and modernize the justice system for Ontarians.

But before I begin discussing the bill we're introducing today, I must acknowledge and thank my colleague the Honourable Michael Kerzner, Solicitor General, and his team at the Ministry of the Solicitor General for their partnership, their co-operation and sheer hard work helped in pulling all the elements of this bill together. We're only as good as our partners, and so I appreciate the opportunity to work alongside my friend and the responsive and innovative team that he leads and the team itself at the Solicitor General's office.

I also want to thank some of the many stakeholders who have provided input by being the driving force behind so many of the proposals that I'm about to share with you—some of them you recognize: the Ontario Bar Association, the Federation of Ontario Law Associations, the Ontario Trial Lawyers Association, our colleagues at the Ministry of Public and Business Service Delivery. There are so

many people who have given input into this, and many of them participated in consultations during the last few years, not just recently, so that we can improve Ontario's justice system.

I'd also like to acknowledge the First Nations communities that engaged in one-on-one discussions to provide their perspectives on approaches to cannabis regulation that would work for them and how to support the cannabis regulation on-reserve.

I'd be remiss if I didn't mention my own team members that helped pull this together: the excellent professionals at the Ministry of the Attorney General and the people in my ministry office led by Joseph Hillier, my chief of staff, and my very capable team all the way through. It's really been phenomenal as they worked hard to put this together.

I must acknowledge the staff at the Ministry of the Attorney General. They're all over the province. There are some 8,000 employees across the province. They work tirelessly, and they're innovative. They make efforts to steer the justice system forward, no matter the challenges.

I have to say, their professionalism, drive and the collaboration to keep our system going and evolving is unparalleled, from every corner of this province. It really is something to see, when you go to a space in the north—I was up in Thunder Bay recently for a swearing in for a judge—the pride that they take in how they serve their communities. And it's no different whether you're in Pembroke or you're in Ottawa or you're in Windsor, the places that we go and the people that we see that have innovative ideas for how the system can be improved.

On top of that, I have to acknowledge all the practising lawyers, the paralegals and legal professionals on the front lines who have provided very important feedback and recommendations to us as we work toward a more responsive and more resilient system. I've had many different roles in our justice sector myself, including working as a clerk and a court registrar before I went to law school. I know that when positive change happens, it's truly the result of the determined and collaborative efforts all the way through the system.

I've also been struck by how keen people are who work in the system. They want to share their ideas; they just need an openness to it. We've made it very clear that we want to hear ideas from the people on the front lines, from the people who are actually meeting with the constituency, meeting with the people who are coming into conflict and then into court. Sometimes, people come to court for the first time, and it's a very confusing and sometimes cumbersome system, so the perspective of those on the front line to help streamline and take away unnecessary judicial red tape is critical. We've benefited from the motivation

to do better and the remarkable generosity of those on the front line.

This kind of dedication has led to the introduction of the act before us, the Enhancing Access to Justice Act. This act represents a necessary step forward for Ontario's justice system and the people who need it most. We're bringing forward changes that would allow us to take bold and immediate action to strengthen and modernize the justice system by simplifying court and government operations, strengthening community safety and ensuring access to justice for more victims of crime.

As you know, Mr. Speaker, keeping our communities safe and increasing access to justice for victims of crime is a vital priority for this government. Ontario's justice system needs to be accessible and responsive to all Ontarians, especially those who need it most. That's why we are proposing changes to the Victims' Bill of Rights that would make it easier and less traumatizing for certain victims to sue convicted offenders for emotional distress and related bodily harm.

Currently, three types of crimes are identified in the Victims' Bill of Rights where a victim can sue their convicted offender for emotional distress that is already presumed to be true. These crimes include assault by a spouse, sexual assault and attempted sexual assault. We are proposing to expand this list to include victims of human trafficking, victims of sexual offences against a minor or a person with a disability and victims of the distribution of a voyeuristic recording or an intimate image without that person's consent. There is well-documented evidence that victims of these crimes experience long-term effects like post-traumatic stress disorder, anxiety and other mental health conditions.

Take Ava, for example—a pseudonym, of course—Ava had intimate images of her posted on a website without her consent. The person who did this sent a link to her family, to her friends and to her co-workers. He was eventually convicted in criminal court. Ava was impacted by this crime in many ways, as you can well imagine. Because the pictures were distributed to her employer and co-workers, she was embarrassed to go back to work. She ultimately lost her job, and now she's in danger of losing her home. She experiences negative thoughts and nightmares about the images that were posted and lives in constant fear that people she meets, including prospective employers, will see the photos. Ava would like to sue her offender for emotional distress.

With the changes we're proposing, Ava would be able to launch a civil suit against her offender and would not have to prove to the court that she suffered emotional distress. This would help prevent her from experiencing and re-experiencing further distress and re-traumatization.

Many victims have told us that it's re-traumatizing for them to not only have to testify about crimes of such a personal nature but also to have to justify the trauma that they experienced and to do it in a courtroom.

#### 0910

Here's another example: Ben—another pseudonym—was sexually exploited as a child by his custodial parent.

It took Ben many years to come forward to the police, but his offender was eventually convicted in criminal court. Ben has been diagnosed with post-traumatic stress disorder and would like to sue his offender for the emotional distress he's experienced. With our proposed changes to the Victims' Bill of Rights, Ben will be able to do so without having to prove he suffered emotional distress in court.

We're listening to victims, like Ava and Ben, and we're making the necessary changes that would increase their access to justice. These amendments will complement the recent changes made to the regulation under the Victims' Bill of Rights where additional crimes, such as terrorism offences, motor vehicle theft and hate crimes that target religious officials and places of worship, were all added to the list of crimes where victims can sue their convicted offenders for emotional distress and related bodily harm.

Hate crimes and terrorism offences have devastating impacts on individuals and communities. We're seeing an increase in these acts reported throughout the province. These proposed amendments will make it easier for victims to sue their offenders for emotional distress in civil court and also send a clear signal that our government recognizes the serious nature of these crimes—and we are doing something about it.

On another topic, our government remains committed to protecting children and youth from the negative effects of cannabis, as we well should. Five years ago, the federal government legalized cannabis in Canada. Part of this new legislation allowed for the growth of up to four cannabis plants in people's homes. That means that, currently, recreational cannabis can be legally grown in homes with child care facilities—not something I would have thought of, but apparently it's happening. As another means of keeping our children and youth safe, we are proposing to ban the growth of recreational cannabis in both licensed and unlicensed homes offering child care services.

Now, we didn't think this up. British Columbia has already done it. British Columbia had a similar rule in place for years, and we feel it's a safe and measured way to limit youth exposure and access to cannabis.

We're also taking steps to negotiate and implement agreements with First Nations communities to support cannabis regulations on reserves. Entering into agreements with First Nation communities reinforces a shared commitment to keeping communities safe, protecting our youth, ensuring a safe supply of recreational cannabis and reducing the black market and unregulated activities. Currently, there are only seven licensed recreational cannabis retailers on First Nation reserves in Ontario. This means that all other retailers on reserves are operating outside the provincially regulated framework. That's why our government is proposing legislative amendments that would strengthen our ability to enter into and implement agreements with First Nations communities. This comes on the heels of much conversation with First Nations partners and communities, and the aspirations they have for a safe and regulated market to protect their youth and their communities, just as we seek to do the same in the rest of the province of Ontario.



Now, our government is also taking active steps to ensure that Ontario's justice system and laws meet the demands of the 21st century. Together, with the judiciary and partners across the justice system, we continue to harness new and existing technologies to improve and expand access to many different services. No matter the scope of the changes—be they big-picture or small changes in routine processes—our end goal has always been clear: to facilitate a modern and accessible legal system that works for everyone who uses it. Ontarians deserves nothing less.

Now, I have mentioned before, when I was a court clerk, back in the early 1990s, I was the one taking the filings over the counter. Law clerks would come in with filings, and they would do the filing. You couldn't pay with a credit card. You had to have a certified cheque from a trust account to be able to do that filing, and that seemed very cumbersome. Years later, when I became a lawyer and I was the one trying to file, I realized how cumbersome it was. I was practising in Orillia; I had to file in Barrie. So I have a half-hour trip to go, but I had to go and get the cheque from the bookkeeper. We had to get it certified. We had to put it with the filing. I had to get to Barrie. I had to file—Mr. Speaker, this is very antiquated, but that's okay: It was the early 1990s. But fast-forward to when I became the Attorney General in 2019. You still could not file a document with a credit card. Now, that is shocking to me. I can rent a condo by signing on my phone with my fingertip, but I couldn't file a court document with a Visa or a Mastercard. Obviously, that had to change, and that has changed.

That is one very small thing, but it's not for the convenience of lawyers, and it's not for the convenience of the courts. It's because all of that running around that I had to do to get the certified cheque, to put it with the thing, to drive to Barrie, to drive back—I didn't pay for that. The client paid for that. That drove up the cost for those trying to access the justice system. That's really what our focus is on; it's on the end-user—more customer-focus. You see that in some of the approaches that we take. I'll talk about a few of them in a moment, but it's really about making sure that we have the tools and the modern system that people would expect if you were to build a system from the start.

I'm going to turn to one of the other accomplishments. This past February, I was pleased to join many of my colleagues at the opening of the Ontario Court of Justice in Toronto down on Armoury Street—a facility that is absolutely remarkable. If you have a chance to see it, the architect, Renzo Piano, a famous Italian architect—he did the Shard. He's done others. It is a magnificent building, beyond its functionality. And it is very functional; I'll talk about that in a moment. It actually brings together six different court locations into an accessible and inclusive state-of-the-art courthouse.

It has technology that allows for virtual and hybrid hearings in every one of the building's 63 courtrooms and 10 conference settlement rooms. It's got top-of-the-line security features. This is a courthouse that was built with, quite frankly, everyone in mind.

It was a multi-year project and a multi-government project, but we got construction going when we took government, and we got construction done. I can tell you, Mr. Speaker, it's a real beacon. It's something I'm very proud of.

It's not just a building full of rooms. It has uniqueness to it. It has drug treatment courts. It has Gladue services. It has youth and mental health court users, and it provides supports for victims. It has space for people as they enter and interact with the justice system, in a modern way, in a way that suits the way that you would expect it to, in modern times. By building, upgrading, and modernizing our infrastructure across Ontario, as well as the ways we deliver justice, we will ensure that Ontario is built to last today and for future generations.

It's not intuitive for people to know that the Ministry of the Attorney General is the second-largest land manager in government, with some seven million square feet across the province, in big towns and in small towns. It's really the face of government for some people because that's what they see when they go downtown: historic buildings. The average age of infrastructure in the Ministry of the Attorney General is 75 years. We have some really old, beautiful buildings. We contrast that with the new Toronto courthouse, which is brand new, cutting edge and wired for sound, as they would say, Mr. Speaker. So I'm really proud of the great work that we're doing within the ministry to modernize, but it requires ongoing feedback about the ways we can strengthen the system for everyone who accesses it.

A few months ago, we also announced a significant new chapter in our plan for digital justice solutions to replace paper-based processes and deliver more justice services online. I mentioned about me running around as a student or as a clerk trying to file documents and driving from here to there. It doesn't need to be that way. We didn't need to invent the Internet to be able to use it. We just needed to harness the tools that are there.

Now we have an online filing system. We brought in CaseLines. It has worked fairly well—quite well—but we can do better, and we can do more. Not everybody will know this, but the digital transformation in our sector—well, of course, we know it was long overdue. Everybody knows that. But we're succeeding in making 21st-century technology a permanent fixture in the administration of justice in Ontario.

#### 0920

Just this last summer, in August in August, we announced a partnership for Thomson Reuters to deliver a one-size filing system. Currently, there are multiple filing systems, depending on the level of court and depending on the topic area. So if you're filing something up until recently in the criminal courts for the Superior Court, there's one system. If it's in the criminal courts for the Ontario Court of Justice, it's another system. That makes no sense to me in terms of how you would actually run something, but it's a historical anachronism because Superior Court judges are appointed by the federal government; the Ontario Court judges are appointed by the provincial govern-

ment. So they come from a different space, but the province is charged with running the administration for all of it.

You would think that there would be one system, but there hasn't been since the inception of Canada. But the judiciary and judicial partners and legal partners, we all got together and said, "There has to be a better way. Why are we doing this?" That's why we made the announcement that we're going to all come together and we're going to have one system that runs for everybody. It's going to be better for the people who have to deal with the system, and I don't mean the lawyers; I mean the public, because their lawyers aren't going to have to know two and three different systems. They're just going to have know one, and that's going to be much cheaper and it's going to be much better service in terms of judges being able to issue orders electronically, in terms of information flowing in real time, in terms of trials happening and the documents being there, in terms of scheduling and the other pieces. Really, it's stuff that when I talk about it, people go, "It doesn't work that way already?" No, it does not, but it will. It's a significant investment. It was a \$166-million investment for us to do this over the next couple of years, so I'm very excited about that. It's a very important milestone in moving us into the new era for justice in Ontario.

The platform is going to support access to both the Superior Court and Ontario court and be the most significant single step forward in the digital evolution of justice, not just in Ontario but in all of Canada. It will allow court users to quickly and easily file documents—as I said—pay fees, improve access for hearings and so much more. It's all going to be online, and it's all going to be a single platform.

When we talk about transformational change, this is exactly what we're talking about. The challenge in the years ahead will be how we continue to implement practical technology in meaningful ways across the courts and the justice sector at large—not whether we will but how we will. But the justice system is just that; it's a system, and we must ensure that each piece works as efficiently as possible. If we have choke points in the system, if we have a weak link in the system, we need to address that and make sure that it's not holding up the way we think things should be.

Modernizing the justice system to be one that is accessible to Ontarians is and will continue to be my driving motivation and my primary goal as Ontario's Attorney General. Almost three years ago, in March 2021, we launched the Justice Accelerated Strategy to break down long-standing barriers in the system and move more services online and closer to Ontarians, no matter where they lived. This includes rural, northern and First Nations communities.

Since the introduction of that initiative in 2021, we've expanded electronic filing to more than 700 types of civil, family, bankruptcy, divisional courts, small claims court documents through Justice Services Online. We've expanded our online court case search tool to ensure the

public can search basic court information and select civil and active criminal cases without having to line up or call a courthouse.

It's not just the public; the media is able to do that, and it makes it more transparent and open. We have an open-court principle. It makes it more accessible for the individual reporter to see what's going on without having to go into the courthouse, up the escalator and stand at a kiosk. It's online, where it should be.

We've enabled Ontarians to dispute traffic tickets and other provincial offences virtually where available, which saves them an extra trip to the local courthouse. As more processes move online, we have also substantially increased funding for Community Legal Education Ontario, known as CLEO. This latest funding supports the ongoing operation and expansion of guided pathways, which are online, interactive tools that help Ontarians complete court forms easily and accurately along with providing users with tailored legal information.

If you haven't been on the CLEO site, I encourage you to. It's really a phenomenal amount of information for people who are self-represented. It's largely in the family law area that we have self-represented individuals. There's a ton of information there, and it helps them fill out forms and helps them address the needs that they have 24/7, any time of day. Obviously, it's an electronic website with tools and is tailored to the needs of the individuals.

Now, we talk a lot about making our system more accessible, and I do think about it a lot. You have my commitment that we will not let this become another catchphrase. This is the way of the future. It's what the people of this province deserve and it's what they want.

Since 2021, we've also committed \$65 million to virtual and hybrid hearings and there have been more than a few. Since 2021, there have been over five million hearings online. Think about that. There were none before 2021. It just wasn't happening, but now, over five million hearings. This new technology will help ensure that hearings are available in courthouses in every region in every corner of this province, including more rural, northern and First Nations communities, helping to speed up people's access to justice and reduce their need to spend time and money to get to a courthouse.

We've hit some major milestones over the past year, but there's always more work to be done. Despite all our advances, some of Ontario's court processes are still pretty inflexible, which can lead to inefficiencies and challenges for court users. That's why we're putting forward proposals today to change the Courts of Justice Act and other statutes to create flexibility and fix current gaps and procedures for things like evictions enforcement, child protection cases and dealing with vexatious litigants. These changes will streamline processes, create efficiencies and free up court time and resources to support more high-priority items, including criminal cases, some of which you're hearing about in the news. Those are a priority.

I'm talking about making common-sense changes, like limiting the delays that can happen during a child protection trial when a provincial judge is appointed to

another court. What happens is, the odd time an Ontario judge is appointed as a Superior Court judge, if they're in the middle of a child protection case, it has to start all over again. That's not in the interests of the public and it's not in the interest of the child, quite frankly. So we're making a change to limit the disruption and allow that Ontario Court judge to continue to finish the trial, even though they're appointed a Superior Court judge. This kind of disruption could have negative impacts on the child or the family and it's clear we need to take steps to limit that.

We're also putting forward changes to make the procedures for judges in the Court of Appeal and Superior Court of Justice dealing with vexatious litigants more flexible to help reduce the use of court resources and the delays that vexatious litigants can cause. These delays are a significant challenge for the courts and a big drain on resources. I want to clarify that a vexatious litigant is someone who repeatedly brings forward legal proceedings that have no chance of succeeding in court; have an abusive purpose, like harassing or wearing down opposing parties; or meet other criteria that have been identified through case law. This depletes the court's time and resources, which are better used for legitimate attempts to resolve disputes. It also costs the other parties money to respond to each case and show up in court.

Currently, an order against a vexatious litigant can only be obtained in the Superior Court of Justice. Our proposal would allow not only Superior Court judges but also Court of Appeal judges to make orders declaring someone to be a vexatious litigant and stopping them from starting any cases in the future unless they get permission. At the same time, vexatious litigants' procedural rights will still be preserved, like the right to know that the court is thinking of making an order against them. These changes will speed up procedures and save our courts from unnecessary burdens on their time and resources.

We also need to address court-related legislation that is now outdated and which results in those laws being unclear or out of step with current technology or practices. We are making proposed changes that would make legislation clearer and more current, such as addressing outdated language in an act or clarifying details that can cause delays and frustration. There are obvious fixes to some long-standing problems, and we don't want to wait any longer to implement them.

One last item, Madam Speaker, before I finish. I want to briefly discuss another way our government is enhancing the justice system, strengthening our community and holding offenders accountable. It's something that we've previously announced and it's a crucial part of our commitment to keep our communities safe from crime while finding solutions to increase public safety.

Back in the spring we announced a \$112-million investment over three years to ensure that high-risk and repeat offenders comply with their bail conditions. As part of this, we're investing \$26 million over three years to establish Intensive Serious Violent Crime Bail Support Teams. Working alongside police services and bail compliance units, these teams make sure all the necessary evi-

dence is in place to make the best possible case when bail hearings are held for repeat offenders involved with serious crimes.

#### 0930

I want to update you today that these Intensive Serious Violent Crime Bail Support Teams, launched on September 25, are now working hard to help increase public safety by reducing the risk that persons accused of violent and serious crimes will reoffend.

And know this: Premier Ford and our government will continue advocating to the federal government for meaningful bail reform. We need to keep our communities safe.

In closing, I would like to thank you for the opportunity to discuss this legislation. If passed, the reforms in the Enhancing Access to Justice Act would support access to justice for victims of crime, simplify court and government operations and support communities.

Today's proposed changes would make it easier for victims of crime, such as victims of human trafficking and hate crimes, to sue an offender for emotional distress. They would protect children and youth by banning the growth of recreational cannabis in homes that offer child care services, which I can't believe we have to legislate, and explore ways to put an end to illegal online cannabis sales. They would limit interruptions to child protection trials that would happen when a provincial court judge is appointed to another court. They would help provide the tools and resources to keep Ontario communities safe and resilient.

If passed, the Enhancing Access to Justice Act would ensure that Ontario's justice system remains fair, responsive and accessible for those who need it most, while continuing to keep people safe.

I will now turn things over to the Solicitor General to discuss his ministry's items in the bill as well.

**The Acting Speaker (Ms. Bhutla Karpoche):** I recognize the Solicitor General.

**Hon. Michael S. Kerzner:** I want to say how wonderful it has been to collaborate with my colleague the Attorney General, and I thank him for his leadership on Bill 157, and I'm happy to speak about it as well.

Madam Speaker, a vital job of a government is not just to pass good laws but to revisit past acts and ensure the laws continue to meet the needs of the people of Ontario. Under Premier Ford's leadership, I'm proud to share that we have a government that takes the responsibility extremely seriously. We have consistently strived to ensure legislation is up to date, clear in its objectives and effectiveness.

It's my pleasure to rise and to follow my colleague and friend and speak about Bill 157 and to open the debate on the Ministry of the Solicitor General's section of Bill 157.

Madame la Présidente, certaines choses doivent compter. La primauté du droit doit compter et notre sécurité publique doit compter.

Je suis fier de soutenir nos policiers et nos pompiers et nos premiers intervenants et tous ceux qui assurent la sécurité de l'Ontario tous les jours. Ce sont des gens formidables qui nous protègent au quotidien.

Nous écoutons, madame la Présidente, et nous apprenons pour pouvoir diriger. Et, madame la Présidente, comme je l'ai déjà dit, rien pour moi, en tant que solliciteur général, n'est plus important que la sécurité de notre province. Tous ont le droit de se sentir en sécurité chez eux et dans leur collectivité. Chaque personne mérite d'être traitée avec dignité et respect.

Nous vivons une époque sans précédent mais nous avons des opportunités toutes aussi uniques. Qui dit Ontario sécuritaire dit Ontario fort.

A safe Ontario is a strong Ontario.

Passed laws are crucial because they provide a framework for maintaining order, justice and stability in our Ontario communities. To be effective, a law must be as relevant and responsive to the public's needs on any given day as it was on the day it received royal assent.

As Ontarians, we have—and I just said it—an inherent right to feel safe within our province. We thank everyone who keeps Ontario safe every day. We thank our police officers and our firefighters and all those that keep Ontario safe. I'll add the special constables; the auxiliary officers, civilian and sworn; those amazing 911 call operators and telecommunicators that always need to be acknowledged; the animal welfare inspectors—everyone that plays a role in keeping Ontario safe needs to be thanked and acknowledged. As I've said before, Madam Speaker, through our government's continued concern about public safety we will always have their backs.

Public safety is the most fundamental responsibility and, I might add, one of the highest priorities of our government, because it matters to people where they live and how they live. They want to be able to wake up their children in the morning and say goodbye to their loved ones. They want to be able to go to work. They want to be able to shop and see their kids home at the end of the day and have dinner with them around the dinner table. They want to be able to pray and they want to be able to do that safely.

Every day across government we work hard to ensure nothing falls through the cracks. The laws that hold the framework of public safety together must include tools to help the institutions that are the first line of defence when someone is experiencing or has experienced an emergency. My ministry's addition to this bill does just that. The changes you will see in my ministry's portion of the bill effect real change and will have direct impact within the institutions of policing and fire, and our death investigation system.

The proposed Enhancing Access to Justice Act introduces impactful amendments and additions across our justice system to clarify and make existing public safety regulations even more effective.

The first order of business for the proposed legislation on behalf of the Ministry of the Solicitor General will be to modernize pieces of existing public safety legislation. This includes proposed amendments to the Community Safety and Policing Act, 2019, that will be important before it officially comes into force next year.

As I have found out first-hand as I have travelled through the province, by speaking to chiefs and officers

and cadets—and I want to especially acknowledge the First Nations police chiefs all over Ontario—the nature of policing and community safety has drastically changed in the past 30 years. The Community Safety and Policing Act, 2019, replaces a piece of legislation that was introduced almost 33 years ago. We've come a long way since then and it's our responsibility as legislators to make sure that the justice system has the tools it needs to save lives and to ensure public order.

This bill is just one example of how our government is prioritizing public safety. The Community Safety and Policing Act, 2019, is about modernizing the province's policing and community safety framework to address these important changes. We are stepping up to keep people of this province safe, no matter the obstacles.

Regulations under the CSPA as of right now are being finalized, based on consultative input from our stakeholders and the public. I want to acknowledge many of the stakeholders. Some were here last week, as an example, in the Legislature. We had members representing the Police Association of Ontario. I speak regularly, in addition to that association, to the Toronto Police Association, to the Ontario Provincial Police Association, to the Ontario Association of Fire Chiefs, to the Ontario association of professional firefighters—the OPFFA—and many others, and their input and collaborative conversation with us has been very, very important.

We're listening to those who serve Ontario and keep Ontario safe. The Community Safety and Policing Act, 2019, will also increase the trust between communities and their police by ensuring that police work with communities, including those most vulnerable, and strengthening the minimum standards of policing to ensure that police services are well resourced and funded by municipal partners; by promoting effective, independent and effective governance of policing personnel; by promoting public confidence in policing through a robust and independent police discipline and oversight system; ensuring that the police have the competence, skills and training and continuous education necessary to perform their duties.

#### 0940

Section 207 of the CSPA sets out the timelines for hearings related to the expungement of disciplinary records. There is some ambiguity about the timelines in the English version of the act which must be clarified. The French version indicates that the expungement hearings must be completed within 30 days when an application for a hearing is made. Completing a hearing within 30 days of an application presents an operational and logistical challenge to all parties involved, including the officers at the centre of such a hearing. That's why language in the act must be amended to reflect the timelines for expungement hearings.

The proposed Enhancing Access to Justice Act, 2023, also includes an amendment to the CSPA that states the adjudicator must be appointed within 30 days. If passed, the proposed amendment will support the development of appropriate and responsive rules and procedure for expungement hearings.

Another proposed amendment to the Community Safety and Policing Act, or CSPA, involves a change in the French translation of “special constable” from “agent spécial” to “constable spécial.” “Agent spécial” has been used in Ontario for a long time, but its presence on the uniform of special constables can be confusing given that it may be mistranslated as “special agent” and not “special constable.” The change is also in alignment with the language used in French-speaking provinces like New Brunswick and Quebec. Inaccurate translations can lead to misunderstandings, confusion and even unintended offence. Precise translation helps prevent misinterpretation that could result in conflicts or misinformation. The amendment, if passed, would change the term in all Ontario statutes upon the Community Safety and Policing Act, 2019, coming into force in 2024 to ensure consistency and also respect the francophone community, something that is very important to me personally.

In addition to the Community Safety and Policing Act, 2019, the proposed Enhancing Access to Justice Act seeks amendments to the Fire Protection and Prevention Act, 1997. This will develop a new mechanism to strengthen enforcement and compliance of the act—and to the Coroners Act to improve construction-related accidental death investigations.

Administrative monetary penalties, or AMPs, will allow for monetary penalties to be imposed by authorized persons for a contravention of requirement in an act, regulation or bylaw. An authorized person may issue an AMP upon discovering that the contravention has occurred. These fines are important because they promote compliance without requiring the issue of a ticket in violation of requirements in an act, regulation or bylaw. AMPs are used by municipal law enforcement officers and police officers for parking violation and other bylaw infractions. For Ontario’s first responders, there is currently no authority for an AMP remedy under the Fire Protection and Prevention Act, 1997, and I’ve listened, and we are being responsive, as I’ve said, to the Ontario Association of Fire Chiefs and other stakeholders that have been advocating for such a compliance tool for years.

Bill 157 proposes an amendment to the Fire Protection and Prevention Act, 1997, to ensure the future development of AMPs as an additional enforcement tool. AMPs could potentially, depending on the regulation, be imposed upon anyone, including owners, tenants and corporations who are found to be in contravention of requirements in the Fire Protection and Prevention Act, 1997, and its regulations, such as the Ontario fire code.

Madam Speaker, to be clear, passing this amendment does not mean that AMPs will be introduced overnight. The amendments enable the Ministry of the Solicitor General to consult with stakeholders such as municipalities on a future framework, including identifying the contravention; determining the amount or range that the penalties could be set at; enforcement and collection details, including how AMPs could be administered in unincorporated areas of Ontario; and establishing a framework to review associated impacts during the regulatory process.

Existing requirements under the Fire Protection and Prevention Act would not be affected by the proposed amendment. Unlike previous governments, we are aiming to build on this relationship, not rewrite what has already been fought for.

Madam Speaker, I want to bring attention to those who have lost their lives on the job. This is serious, and this is imperative, when we understand these tragedies, to keeping Ontario safe. I’ve said it before; I said it in my remarks: There’s nothing more important than keeping Ontario safe. Every single death is a tragedy, and the Ministry of Labour, Immigration, Training and Skills Development thoroughly investigates all workplace fatalities to try to determine the cause of an incident.

The coroner’s office currently conducts an inquest for each incident causing one or multiple deaths. This process is time-consuming, resulting in repetitive recommendations. Construction-related inquests typically deal with individual deaths and therefore are not capable of identifying trends—and this is important, identifying trends—which a broader review may accomplish. Inquests are not designed to analyze deaths in aggregated fashion, thus trends and repeat factors are not identified, for example age, training, language, health status, workplace culture and safety.

Individual-death-based, construction-related inquests often deal with similar and repeated issues, leading to repetitive recommendations that are not found in a timely manner or that advance public safety. For example, it can take up to three years for an inquest to be scheduled, and that can only happen once all regulatory investigation and prosecutions under the Occupational Health and Safety Act have been completed.

The proposed Enhancing Access to Justice Act includes amendments to the Coroners Act that, if passed, would require an accidental construction-related death to be subject to a coroner-led, mandatory, annual review, rather than a mandatory inquest for an incident where one or multiple deaths have occurred. The motive for this change is to prevent further deaths by underlying trends by examining them cohesively.

But, Madam Speaker, it is important to note that while this change would remove mandatory inquests, families of those lost to construction-based accidents can still request a review through the coroner’s office, and one will be completed at their discretion. Their request will be reasonably considered. I want to repeat it again, because I think it is important: Families of those lost to construction-based accidents can still request a review.

The review process will include industry representatives, families and experts, and it is important to note that the proposed amendment would not apply to deaths in mining plants or mines. Families would be involved in the mandatory review process and could require that an inquest be held in addition to the review, which I’ve just said. Unlike an inquest for every incident where a death or multiple deaths occur, the proposed amendments would lead to a broader, systemic examination of safety issues in construction and would produce more realistic and sector-

relevant recommendations to prevent further deaths. The expectation would be that this would happen in a timely manner. Our government continues to build a modern and responsive justice sector for the 21st century.

**0950**

Madam Speaker, I've said this before: Our province is big. I've travelled the province; although I have not got to the furthest northern part of Ontario. On the north side, I've been up as far as Cochrane. I've been west to Sioux Lookout and to Lac Seul First Nation, and I look forward to going to Kenora and Fort Frances in the new year. I've been down to Windsor and Essex. I've been out to Hawkesbury and Ottawa. All you have to do is travel Ontario and you'll see how big it is. But together, we can make it a place that delivers safety for every single person within our borders.

Ontario was here before any of us. It will be here long after us, so it's our duty to be prepared not only for today but also for tomorrow. The proposed Enhancing Access to Justice Act supports this critical work, with amendments to existing public safety legislation.

I want to again say that the piece of legislation that the Community Safety and Policing Act, 2019, is replacing goes back to an act that was enacted in 1990. We are updating laws that are over 30 years old, and we're developing new legislative and regulatory tools to ensure that we address emerging trends in criminal activity and enhance our ability to keep the people of Ontario safe.

There is nothing more important than the safety of Ontario. This is a priority of this government, led by Premier Ford, who reminds us each and every day that we have an absolute right to live safely in our own homes and communities. This is fundamental. When we work hard, when our government works hard, when our message resonates all over Ontario—I will be, this Wednesday, marching past the largest class of cadets at the Ontario Police College, who will take their steps in a time-honoured tradition of keeping Ontario safe.

There is nothing more important fundamentally than our rights to live safely, and it is an honour to do my part along the way.

Thank you, Madam Speaker. Merci beaucoup. Meegwetch.

**The Acting Speaker (Ms. Bhutla Karpoche):** I recognize the member from Simcoe–Grey.

**Mr. Brian Saunderson:** Good morning. I want to thank the Attorney General and the Solicitor General for their remarks this morning and for giving me the opportunity to speak to the Enhancing Access to Justice Act as the parliamentary assistant to the Ministry of the Attorney General.

Speaker, our government believes in putting victims of crime first, protecting our children and ensuring that our neighbourhoods remain safe havens for all. Our Solicitor General spoke about the need to keep our communities safe and the rights of our individual citizens to expect that, and the hard work that the Solicitor General's office is doing in enforcement and the Attorney General's office is doing in making sure that we have the legislative tools for our courts to enforce those.

In order to do this, we are proposing comprehensive legislative updates that address the evolving challenges faced by victims, children and families across our great province. Our initiatives aim to strengthen the legal framework, ensuring justice, supports and protection for those who need it most.

First and foremost, we're proposing significant updates to the Victims' Bill of Rights, 1995, and its regulations. It is imperative that our legal system evolves to meet the changing landscapes of crime, methods of crime and the scope of crime. We seek to expand the list of crimes for which victims can seek redress for emotional distress and related bodily harm. This expansion will include such heinous and personal crimes as terrorism, vehicle theft and human trafficking. The expansion will also include hate-related crimes that are targeting our places of worship.

Speaker, Simcoe–Grey is a rapidly changing riding, with many new demographics moving into the beautiful towns of Collingwood, Alliston, Angus, Thornton, Thornbury and many more points in between. We are seeing the arrivals of different faiths and different belief systems.

I was down this past spring in Alliston, at an opening for a local mosque for our Muslim population, and this coming weekend, I will be attending a lighting of the menorah in the town of the Blue Mountains, which will be hosting its first synagogue in the coming months.

With geopolitical changes, recently, in the world, and particularly the Middle East, we've seen how tensions amongst some of our faiths have been exacerbated. We need methods to control that and to prevent those types of crime from proliferating.

We see many different faiths, cultures and religions are now being immersed in our communities, and we need to ensure the safety of places of worship and to prevent hate-related crimes. By doing so, we send a clear message that those who perpetuate such acts will be held accountable for the immeasurable pain they inflict on their victims.

We have talked before in this House about the importance of the Charter of Rights and Freedoms and how section 1 provides for the balancing of individual rights. We have freedom of expression. We have freedom of religion. We need to protect those rights, and we need to protect them from the other end of the spectrum, which is hate-related crimes, distortion and misinformation.

Madam Speaker, our commitment to protecting the most vulnerable members of our society is unwavering. To that end, we are proposing a ban on the growth of recreational cannabis in homes that offer child care services. As the Attorney General mentioned, it is surprising that we need to legislate this. This is following the lead of the government in BC, which has successfully combatted this by providing similar prohibitions. This measure is essential to ensure that our children and youth in my riding and across the province of Ontario are shielded from the potential risks associated with the cultivation of cannabis in environments where their well-being is entrusted to others.

We have also seen, during this session of Parliament, the proliferation of human trafficking. And as part of the justice standing committee, I can say that we heard on an

all-members' bill that was brought before the House looking at expunging debts related to human trafficking—we heard, over the course of two days, very concerning and disturbing testimony from our stakeholders indicating that the age of recruitment for young girls into the sex trade has gone from 15 to 14 and is still trending downwards.

We need to make sure that we are protecting the most vulnerable in our communities from such heinous crimes as human trafficking. I can speak from experience, because in the riding of Simcoe–Grey, just prior to the pandemic, a human trafficking ring was broken up. The members of that ring were being housed in a resort in the town of the Blue Mountains, unbeknownst to the resort owner. Larry Law, the owner of Living Waters, turned around and took those victims—he hired them, and he housed them. I can say, with great pride, that those victims are now living as residents of Simcoe–Grey, working at Living Waters and other jobs that have been successfully integrated into our population. It is another reminder of the proximity and the closeness of this type of crime right under our nose. We need to make sure that we're giving the victims of those crimes the ability to seek redress against their offenders, those oppressors, regardless of whether they're convicted under the Criminal Code.

Madam Speaker, by taking these steps to increase avenues of redress for victims of crime, we aim to create a safer and healthier environment for our future generations and make sure that they have the full scope of remedies available to them.

Additionally, we recognize the sacrifices that are made by the hard-working individuals in our construction industry, and the Solicitor General spoke of this in his comments. These individuals go to work each day to build our economy, to build our infrastructure, and to build the much-needed housing that we need, as we move forward with our commitment to build 1.5 million new homes by 2031. We need to make sure that those individuals are protected and that any injury or death is properly investigated, to make sure that we are making provisions to prevent that type of needless accident moving forward. Nobody should go to work not knowing whether they'll return home safely from their shift.

Through these amendments to the Coroners Act, we are determined to bring justice and closure to the families of construction workers who have tragically lost their lives on the job. This initiative is a testament to the ongoing commitment of this government to stand by those who build the foundations of our communities, ensuring they receive the recognition and support that they deserve.

**1000**

Madam Speaker, one other way that we are expanding the redress for victims of crime is in the auto theft sector. We know that this is a crime that is growing in scope and magnitude across our province. Just last week at the Port of Montreal, through random screening, they found a shipping container bound for overseas that contained 20 automobiles stolen from Ontario. We know from our discussions with the insurance industry that these crimes

are increasing in frequency. We know after the pandemic with the restriction on computer chip production that replacing stolen automobiles is becoming more difficult and they are becoming more in demand. So we are expanding that through the Victims' Bill of Rights, 1995, to ensure that those who have had their automobile stolen can bring action against those who stole their cars for redress for that crime.

The current legislation represents a significant stride towards building safer communities, supporting victims of crime, holding offenders accountable and protecting the most vulnerable among us, our youth and our children.

This piece of legislation builds on our government's advocacy and commitment to bail reform. We have seen—and the Attorney General mentioned it in his comments today—that through this government and over the past year, with the loss of life we've had of front-line officers in our law enforcement, that important steps are necessary to combat that small segment of our criminal population that will re-offend regardless of the circumstances.

We have broadened the scope for reverse onus provisions under the Criminal Code for those seeking bail to prove that they do not pose a threat, and we are moving forward through the creation of special bail teams to make sure that those that should remain behind bars pending trial will remain behind bars. This government is making significant investments in law enforcement, auto theft prevention and the digitization of court processes, and this is another important step along the way.

In conclusion, as members of the provincial Parliament, we have a duty to prioritize the safety and well-being of our constituents, and through these legislative proposals, we aim to create a society where justice is served, victims are empowered and our communities thrive. This legislation, if passed, will do just that, and it is part of this government's commitment to putting in place the levers for our justice system, for our law enforcement officers to make sure that we build a future where everyone feels secure, protected and confident in the strength of our legal system.

**The Acting Speaker (Ms. Bhutla Karpoche):** Questions?

**MPP Kristyn Wong-Tam:** Thank you to the government for their presentation on the new justice bill. I was actually very excited to see a bill that was entitled "accelerating access to justice," the short title of the bill, be tabled, because we've all heard about the extraordinary delays that we've seen in the courts, about certain charges being dropped. Whether it's criminal charges affecting sexual assaults of minors, rapists walking out the door, we've heard them all, oftentimes because it took too long.

What I'm very interested in knowing from the government is, why are we not seeing the investments come in through the bill specifically to address the shortage that we are seeing in the courts? We do not have enough law clerks. We do not have enough court reporters. We do not have enough trial coordinators, as well as judicial assistants. So why are the solutions for funding the courts not there?

**The Acting Speaker (Ms. Bhutla Karpoche):** The Attorney General.

**Hon. Doug Downey:** I'll just go back to where the investments have been made. We've put a lot of resources into hiring full-time and full-time-equivalent individuals, making court clerks permanent and full-time employees, not just part-time, making sure that they have the tools that they need—about 340 full-time staff, whether it be crowns, reporters, clerks within the system. So we have made investments to scale up. We've reclassified staff so that they are in a better position and will stay in the job and keep the experience on the job, so we've made a lot of those investments.

But this bill, Madam Speaker, is really about fixing process, because things like vexatious litigants are eating up a lot of resources and we have to make sure that we're making capacity in the system for those employees that we did hire to help bring those cases forward.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question?

**M<sup>me</sup> Lucille Collard:** I do have questions for the Attorney General. This is quite a substantive bill with a lot of good things in it, but one of the issues that was brought to my attention right after it was introduced was about schedule 1 and the new concept of limited licences that seems to be duplicating a licence process that already exists for the Association of Architectural Technologists of Ontario to license these architectural technologists.

Could you explain why we have this duplication that now seems to create more red tape and create confusion for the profession?

**Hon. Doug Downey:** I thank my friend for the question. There was a court case that talked about architectural technologists not being able to be regulated by the association, and yet they couldn't practise without being regulated, so it has created a glitch in the system. That's why we brought it forward. There are a number of people who are architectural technologists who are sitting in limbo, who can't be regulated by the organization until we do this change, and yet can't practise without it.

I'm happy to give more information. It's really hard to give it in one minute, but I'll give more information to you. We're trying to get these people back on the job, quite frankly.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question?

**Mr. Sheref Sabawy:** Thank you very much, Minister, for this presentation. It's good to bring some legislation which can help victims to get the justice they need to. But if that bill does allow victims to sue their offenders—even if there are no convictions, can they sue their offenders?

**Hon. Doug Downey:** Thank you for the question. The victims still can sue the offenders, but under the Victims' Bill of Rights, if they're convicted and then they sue, they don't have to go through proving the impact on themselves. If they're suing without that conviction in place, then they're in a normal civil proceeding.

With something like human trafficking, if somebody has been human trafficked and the perpetrator is convicted

criminally, I think everybody would agree that the victim shouldn't have to go through the trauma of explaining the impact on themselves. It's, quite frankly, patently obvious. That's what the Victims' Bill of Rights, as expanded under this bill, will allow us to do, is to not retraumatize those individual victims and allow them to get restitution.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question?

**MPP Lise Vaugeois:** In 2018, the Broken Trust report, written by the Office of the Independent Police Review Director, identified the importance of having a coroner's office in Thunder Bay. However, in 2023, that service is gone and the acting police chief at the time said the move will create further delays that will have significant adverse affects on their investigations, and potentially traumatize families who are waiting for the remains of their loved ones, while creating an indignity to the deceased. What's happening is that all bodies are being sent to Toronto.

*Interjection.*

**MPP Lise Vaugeois:** Yes. And we can imagine, with all the weather problems and so on, how many delays there can actually be.

So my question is: Will the government amend Bill 157 in order to establish a forensic pathology unit in Thunder Bay, as recommended in the 2018 Broken Trust report?

**The Acting Speaker (Ms. Bhutla Karpoche):** The Solicitor General.

**Hon. Michael S. Kerzner:** I want to thank the member for the question. Part of her comment is not entirely accurate, because some of the autopsies are being done in Thunder Bay. The coroner's office is sending a pathologist on a regular basis to Thunder Bay where appropriate, and when difficult cases are identified, then those bodies are being shipped to Toronto and they're being expedited.

To answer the question: Yes, Madam Speaker, we are looking into all alternatives and hopefully, one day, having an office in the northwest region. This is something that is being investigated right now.

1010

**The Acting Speaker (Ms. Bhutla Karpoche):** The next question.

**MPP Lise Vaugeois:** In 2020, the Conservative government decided to stop renewing an annual million-dollar funding boost to rape crisis and sexual assault support centres. Some of these centres have seen the longest wait-lists they've ever experienced. Centre workers warn that wait times act as a deterrent for victims because victims will stop trying to access services when they are told they have to wait. Obviously—we know people—the trauma is just intensified with the waiting.

Will you consider amending Bill 157 to increase funding to rape crisis and sexual assault support centres?

**The Acting Speaker (Ms. Bhutla Karpoche):** The Attorney General.

**Hon. Doug Downey:** We have put several supports and increased funding to not just support centres but to victim witness programs and into every sector of our expansion for the justice system. So it wouldn't be the tool, quite frankly, of this bill to do a funding increase per se.



I'm happy to chat more about where you think the system needs more supports, but we are supporting the system and we are supporting the victims of everything from serious sexual assaults to human trafficking all the way through the system, Madam Speaker. As they need the supports, we're providing them and, of course, we'll continue to provide more in the future.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question.

**Mr. Anthony Leardi:** I had a particular interest in the Architects Act, which might not be immediately obvious, but the Architects Act, obviously, governs architects in the province of Ontario, and under the current piece of proposed legislation, it proposes to create new categories within the Architects Act. I think that's very useful and particularly important in getting us towards our goal of building 1.5 million homes over the next 10 years, and I'm wondering if any of the speakers can comment on the changes to the Architects Act and what those changes might entail.

**The Acting Speaker (Ms. Bhutla Karpoche):** The Attorney General.

**Hon. Doug Downey:** Whenever I think about architecture, I think about George Costanza. I don't know why that's in my brain.

Look, the architects serve a very critical part of our housing strategy. Without the architects, we wouldn't be able to build the 1.5 million homes that we are going to.

The architectural technologist category does exist already, but as was mentioned to my friend from Ottawa-Vanier, there is a glitch in the system. The glitch is that they exist as an entity, as a part of the puzzle for moving us forward, but there was an issue around the architects association being able to provide regulatory oversight. So, Madam Speaker, we're taking the opportunity to fix that glitch and get them back to work.

**The Acting Speaker (Ms. Bhutla Karpoche):** It is now time for member statements.

*Second reading debate deemed adjourned.*

## MEMBERS' STATEMENTS

### LYNN ROY

**Ms. Goldie Ghamari:** Madam Speaker, Lynn Roy, who lives in the village of Greely in my riding of Carleton was living in the Philippines 10 years ago while her husband was working there on a contract. She was shown the San Pedro, Laguna garbage dump site, an enormous dump site with more than 1,000 families living in the dump with no water, no electricity and no opportunity. They are, as Lynn describes, the poorest of the poor.

In 2014, Lynn co-founded the Home for Alternative Learning and Motivational Strategies school, which provides an opportunity for impoverished children living in the San Pedro garbage dump site to go to school, and to also have breakfast and lunch every day.

Since moving back to the Carleton riding several years ago, Lynn has been working part time at the Manotick LCBO. Every single dollar she has ever made at the LCBO has been donated to the Home for Alternative Learning and Motivational Strategies school, and she continues to run the school from her home. She also takes a month's leave of absence without pay each year to go to the Philippines and to work at the school as a volunteer.

Lynn, thank you for being an inspiration.

Madam Speaker, Lynn is proof that there really are angels among us.

## GOVERNMENT'S RECORD

**Mr. Terence Kernaghan:** Selflessness is service without thought of reward or recompense. This is the heart of kindness. As we enter the holiday season, we as legislators should reflect on kindness, goodness and what it means to be in this role and how we can best serve our communities.

I'm reminded of the famous quotation, "The measure of a society is how it treats its weakest members."

Seniors raised us, built our communities, but this government has done scarce little to support those in their golden years and treat them with the utmost respect. CPP and OAS have not kept up with the cost of living, and the meagre increases under this government are nowhere near enough.

Vacancy decontrol puts people at risk. In 2003, Premier Dalton McGuinty promised tenants, "We will get rid of vacancy decontrol which allows unlimited rent increases...." Since then, we see more of the same wilful neglect.

Why is there ideological opposition to rent control and protecting tenants? Who does this blind adherence serve? Seniors, people living with disabilities, new Canadians, young people and those on a modest income are all at risk. Why won't this government help and serve them?

Why privatize health care? There's tough talk about price gouging and HVAC scams, but there's no action. Social assistance rates are below the poverty line, and food banks are at the risk of collapse from demand.

Rather than writing letters, I hope this government will look inside this Christmas and reflect on who they truly serve.

### BRIAN PATON

**Mr. Ernie Hardeman:** Oxford has a long and proud history of baseball and softball. In fact, Beachville is home to the first documented game of baseball in North America, taking place on June 4, 1838. It was not in Cooperstown, New York, as is commonly believed; it was in Oxford.

One of Canada's best professional baseball players, Tip O'Neill, started his career playing in Woodstock as well. Called Canada's Babe Ruth, O'Neill was one of the star players during the early years of the sport. The baseball diamond in Woodstock's Southside Park is now named after him.

Earlier this month, another chapter of this history was written when Woodstonian Brian Paton was inducted into the Softball Canada Hall of Fame. This honour only adds to his long list of accomplishments, including being a member of the International Softball Congress Hall of Fame and Woodstock Sports Wall of Fame.

Brian started his softball career as a catcher, later becoming an outfielder for the Woodstock Twins and Tornados. In 1987, Brian made the jump to Team Canada's softball team, helping them to win gold four times at the Pan Am Games and three World Cup medals. He remained a member of the team for 17 years, eight of them as team captain. He also played for the Toronto Gators, where he was MVP and the top hitter for the team.

Congratulations, Brian, for being named to the Softball Canada Hall of Fame, and thank you for your contributions to softball in Oxford and Ontario.

#### CTV LIONS CHILDREN'S CHRISTMAS TELETHON

**MPP Jamie West:** This weekend was CTV Lions Children's Christmas Telethon's 75th anniversary. That is 75 years of people giving back to the community. It's actually become a northern tradition when people kick off their Christmas decorating period or they do their baking or, as a tradition, they volunteer or they perform and, most importantly, they donate.

This year, they raised \$337,615, which is a mouthful, but it's a reflection of how much the community in northern Ontario loves to give back. The slogan is, "Putting a Christmas Smile on Children's Faces Since 1949," and you think about how many kids have a special Christmas because of it.

Last year, when I was volunteering, I answered the phone and a lady who was donating told me that when she was growing up, the only gift she got as a child came from the CTV Lions Children's Christmas Telethon, Speaker. Just imagine what that meant to her and the fact that for more than 20 years, she's been donating and giving back, making sure that other kids have a special Christmas.

I know it's a special time of year. It's something to be very proud as a northern tradition. I want to thank CTV, I want to thank the Lions Club, but most of all I want to thank the volunteers, the performers and everyone who comes together to ensure that these kids have a smile at Christmastime.

#### GOVERNMENT INVESTMENTS

**Mr. Hardeep Singh Grewal:** At the end of this month, it will conclude my first year here in the Ontario Legislature. It's an honour and privilege to represent the community of Brampton East, and I'm pleased to be part of a government that's finally delivering for the people of Brampton.

Under Premier's Ford's leadership, we're building a new second hospital for Brampton. We're building a new medical university, led by the Toronto Metropolitan

University. We're creating new jobs in Brampton, such as the new Magna plant that's being built on Mayfield Road in my riding of Brampton East. We're supporting drivers with the gas tax credit, giving them 5.7 cents per litre. We're supporting our economy and we're continuing to build the largest transit expansion in Ontario's history.

#### 1020

By supporting Brampton Transit and developing the Queen Street rapid bus transit route in my riding, our government shows its commitment to build the infrastructure that Brampton so desperately needs. We're building infrastructure, we're expanding existing highways such as the 401 and 410, and we're going to build Highway 413 to unlock all that gridlock that people are stuck in. We're the government that's going to get it done. And this list is going to go on. Under this government, Brampton will never again feel left behind.

I'd like to take a moment to thank my caucus colleagues for their support, as well as my staff, Anthony, Mumpree, Pinar, Harpinder, Jasmeen and Navi, for their hard work. Most importantly, I'd like to thank the people of Brampton East for their tremendous support and trust. I'm honoured to represent them here in the Legislative Assembly of Ontario.

With that, this being my last member's statement of the year, I'd like to wish everybody a merry Christmas, happy Hanukkah and happy holidays. I hope you enjoy this holiday season with your loved ones and friends. Have a great time.

#### COST OF LIVING

**Ms. Chandra Pasma:** Hunger in Ottawa is reaching record levels. One in seven Ottawa residents is now food insecure. Ottawa food banks have been visited nearly half a million times this year alone, the highest number of visits in their history. They have had to extend hours into evenings and weekends to accommodate people who are working full time and still need to use the food bank.

People are calling, desperate and hungry, and being given an appointment in three weeks because that's the earliest available time slot. Seniors organizations are receiving phone calls from hungry seniors looking for free meal programs because their fixed incomes are no longer covering the cost of food.

The school breakfast program provided by the Ottawa Network for Education is serving over 17,000 students every single day but it's still not enough to meet the demand. Nine new schools were added this year to the program, but for the first time ever, a wait-list was created because there are more schools that want to join than there are resources to support them.

We know what the solutions to hunger are, but this government is too busy pretending they're helpless in the face of an affordability crisis to implement any of them. It's time to stop price gouging; reinstate real rent control; fund and build not-for-profit, deeply affordable housing; increase Ontario Works and ODSP; raise the minimum wage; and crack down on wage theft. It's time for action, not excuses.

## EVENTS IN ETOBICOKE–LAKESHORE

**Ms. Christine Hogarth:** This weekend, what an excitement. Things were happening in Etobicoke–Lakeshore. It was an absolute pleasure to once again join the Etobicoke–Lakeshore Santa Claus Parade, which has been spreading holiday cheer since 1991. The parade sees a turnout of over 60,000 community members every year and this year was no less impressive. It was followed by Skate with Santa, another holiday highlight, amid music, games, hot beverages and lots of cookies.

Community events like these are not possible without the fantastic volunteers who run them, people like Carlos and Claudia, Jenn and Graham. I'd also like to thank the Lakeshore BIA, the Long Branch BIA and, of course, 22 Division—all the local organizations that ensured this year's holiday parade was fun and safe for everyone.

This festive season I also want to recognize the anonymous, unsung volunteers and donors in my riding who are helping bring joy to those who are struggling. To everyone in my riding, if you can, donate to our local charities to ensure that a joyous spirit warms every home and heart this holiday season.

Speaker, as we are coming to the end of 2023, I want to conclude by extending my best wishes to all the residents of Etobicoke–Lakeshore and all the people of Ontario. We wish them a joyous, happy and prosperous holiday season.

I know a lot of us in this Legislature have lost our moms over this year, so it's our first time having Christmas without them. I know there's a lot of colleagues out there. Please cherish the memories of our families and those who can't be with us this holiday season.

A special thank you to Pastor Charlie, who does God's work to make us smile and come to work every day. Thank you, Charlie.

## LIBERAL LEADERSHIP

**Mr. Ted Hsu:** I am honoured today to announce to this House that the Ontario Liberal Party has a new leader, Bonnie Crombie. I had the privilege of being one of five contestants in the leadership race, during which we all travelled across the province and listened to people telling us about their struggles. During a year-long contest, we proposed solutions, we challenged each other, refined our ideas. Now, the Liberal team is more prepared than ever to tackle the cost of living, housing, health care shortages, the climate crisis and hold the Conservative government to account on these and many other issues.

Ontario Liberals have elected Bonnie Crombie who, as mayor, understands the struggles that mayors and their municipalities face, and has the experience of fighting the negligence, interference and shady dealings of this Conservative government.

I and my Liberal caucus colleagues look forward to working hard in support of Bonnie Crombie as she leads the Liberal Party and fights for the people of Ontario.

## ANTI-RACISM ACTIVITIES

**Mr. Will Bouma:** Good morning, Speaker. I am honoured to rise to recognize a group of remarkable students from the Brantford–Brant community. This month, the North Park Collegiate Student Anti-Racism Coalition was awarded a peace medal by the YMCA in the youth category.

The group began as a safe place that provided students a secure platform to report instances of racism around the school. However, the anti-racism coalition has evolved into a distinct group that includes students from many different backgrounds and grades who strive to educate their peers on different cultures.

The coalition also places an important emphasis on the celebration of unique cultures, and it has organized fashion shows, international food days, anti-racism assemblies, educational campaigns and food drives. Despite having 20 core members, the coalition has interfaced with a multitude of students through its weekly meetings and has fostered a strong sense of community and inclusion at their school.

When speaking about the importance of the coalition, Bhumi Shah, one of the students who visited us here last week, said, “Something as simple as acknowledging Diwali, the Hindu festival of lights, as a celebration as meaningful to some as Christmas and Hanukkah, can help students feel less isolated.”

Speaker, I am proud to represent a riding that is home to such bright and talented youth. I'd like to say a big thank you to the members of the North Park anti-racism coalition. You are making Brantford–Brant proud.

## FIRST RESPONDERS

**Ms. Jess Dixon:** In September, I attended on a ride-along out of 51 Division with Toronto Police Service with officer Jeff Gough. Very shortly into that ride-along, we ended up responding to what ultimately became a death, the death of a very frail and elderly but much-beloved patriarch of a family. I was off in the corner while events were unfolding, but what I witnessed was one of the most remarkable things I've ever seen. It was managed by the firefighters, the paramedics and the police.

As I watched these individuals manage the scene and work on this elderly gentleman and work with his family, I saw something that I think will probably stick with me forever. What I noticed was, this is something that, for these first responders, may have been the first call in their night, but for me it was something absolutely incredible. The respect, the honour, the diligence with which they worked was absolutely breathtaking. It struck me that this is just part of their job. This is the job that they do as first responders. For me, it was epic, and for them it was business as usual.

It was absolutely my honour to invite them here today. They're sitting over there. We have officer Jeff Gough, officer Chris Atwood, officer Julia Grant, paramedic Christian Vantellingen, paramedic David Rundle, para-

medic superintendent Michael Larsen, and not present but involved, firefighter Joseph Luongo and firefighter Zachary Miller. Again, thank you so much for all of your service to Toronto and to our community at large.

1030

### INTRODUCTION OF VISITORS

**Mr. Ted Hsu:** I just want to introduce to this House my wife, Tara Sharkey, and my daughter Vera-Claire, who are here visiting this morning.

**Mr. Trevor Jones:** Today's page captain is Mustafa Arif from the riding of Sarnia–Lambton. I'd like to welcome Mustafa's family: Tahreem Fatima, Zuhair Arif, Ahmed Arif and Ali Arif. Welcome to our House.

**MPP Kristyn Wong-Tam:** I'd also like to lend my voice in support to the good, hard-working first responders from Toronto Centre who are here specifically to be recognized. Thank you for your hard work and ongoing efforts in making our communities safe. If you stick around, I actually have a question specifically around the incident coming up in question period.

**M<sup>me</sup> Lucille Collard:** It's my great pleasure to welcome for the first time at Queen's Park a great staffer that I have in Ottawa, Amanda Jackson; she's here in the gallery—also, Mark Kaluski, who's joining us today.

**Hon. Jill Dunlop:** I would like to welcome the constit staff from Simcoe North: Jacqueline Bayley; Hannah Jones; Leslie Stroud; Eric Sterling and his partner, Ally. Welcome to Queen's Park, and good luck on your training today.

**Ms. Catherine Fife:** I'd like to welcome Aislinn Clancy. She won the by-election on Thursday. She's my seatmate. Welcome to Queen's Park.

**Mr. Mike Schreiner:** It's an honour and an exciting day to introduce our newest colleague, the member-elect for Kitchener Centre, Aislinn Clancy.

**Mr. Kevin Holland:** I'd like to welcome my cousin to the House today, Karson Holland. Welcome to Queen's Park.

**Mrs. Robin Martin:** It is my great honour to introduce today guests from my riding today, Jane Ambrosino and Valois Ambrosino, who are here with their son Jack Ambrosino, a legislative assistant to my colleague Will Bouma and from my riding of Eglinton–Lawrence.

**Mr. Mike Harris:** It is a pleasure to introduce my constituency staff here today, Nathan Bahalbi and Scott McNab.

**Hon. Stan Cho:** Five friends I'm introducing: Vanessa, Jollee, Satnam, Deepak and Xiang. Welcome to the Legislature.

**Mr. Ric Bresee:** It's my pleasure to welcome and introduce Debra Vincent, a Haudenosaunee artist, a proud member of the Mohawks of the Bay of Quinte from the Tyendinaga Mohawk Territory in my riding, here with her husband, Tom. They are here today to watch question period and see one of Debra's pieces of art displayed in the Gathering Place in room 228. Welcome to our House.

**Ms. Jess Dixon:** In addition to the individuals I mentioned earlier, I also want to note that we have Toronto Paramedic Services Commander Ric Rangel-Bron, as well as Toronto Paramedic Services Deputy Chief Mike Wionzek, present in the gallery as well.

Again, thank you so much for coming and thank you for your service.

**Hon. Rob Flack:** It's my pleasure to welcome two great workers: Deb Ransom and Barb Gonyou, from my constituency office—two great workers, serving the people of Ontario, in Elgin–Middlesex–London.

**Hon. Parm Gill:** I just want to take a moment and welcome members of our team from our Milton office led by Kiren, Bavneet and Amarjot. Thank you for your hard work.

**The Speaker (Hon. Ted Arnott):** If there are no objections, I would like to continue with introduction of visitors.

**Mr. Mike Schreiner:** I would like to draw attention to the pages that I would also like to introduce former page and campaign manager for Aislinn Clancy, Maureen Balsillie.

**M. Stéphane Sarrazin:** J'aimerais souhaiter la bienvenue à mon équipe qui me représente dans la circonscription de Glengarry–Prescott–Russell: mon adjointe, Stephany Tessier, avec d'autres membres de l'équipe qui sont Ashley Bennett et Emilie Sabourin.

Je veux juste les remercier pour bien servir les gens de Glengarry–Prescott–Russell.

**Hon. Michael A. Tibollo:** I would like to introduce two constituents from my riding of Vaughan–Woodbridge: Dr. Sarah Capetola and Marcos Zottas. Welcome to Queen's Park.

**Mr. Anthony Leardi:** From the great riding of Essex, I'd like to welcome the greatest constituency assistant in the whole wide world, Mr. Ethan Wuerch. Welcome to your House.

**Mr. Dave Smith:** I would like to introduce my good friends the chair of the Council for People with Disabilities for Peterborough, Andrea Dodsworth.

**Ms. Goldie Ghamari:** I would like to introduce from the great riding of Carleton my constit staff: Candice Coates, John Jeff Morris, Gabriella Campagna and Chad Crew. Welcome to Queen's Park.

**Ms. Laura Smith:** It's my great honour to introduce the constituency staff from the great riding of Thornhill: Mr. Morris Maron and Chelsea Jones-Duval.

**The Speaker (Hon. Ted Arnott):** That concludes our introduction of visitors for this morning.

I want to acknowledge that we are meeting on lands traditionally inhabited by Indigenous peoples. We pay our respects to the many Indigenous nations who had gathered here and continue to gather here, including the Mississaugas of the Credit, meegwetch.

This morning we have with us, in the public gallery, the Bishop Strachan School choir from the riding of Toronto–St. Paul's to perform O Canada and God Save the King. Please stand and join them in the singing our national and royal anthem.

*Singing of the national anthem / Chant de l'hymne national.*

*Singing of the royal anthem / Chant de l'hymne royal.  
Applause.*

**The Speaker (Hon. Ted Arnott):** Thank you very much. Members may take their seats.

1040

## QUESTION PERIOD

### GOVERNMENT ACCOUNTABILITY

**Ms. Marit Stiles:** This question is for the Premier.

This government is fast-tracking its luxury spa bill, Bill 154. Last week, the opposition tried to find out why exactly the government is trying to pre-emptively block people from suing them for misrepresentation or misconduct when it comes to the Ontario Place scheme. We didn't get much of an answer from the minister, so I'm hoping the Premier can shed some light on this.

Why does his government need the power to commit acts of misfeasance, bad faith, breach of trust, and breach of fiduciary obligation while building this luxury spa at Ontario Place?

**The Speaker (Hon. Ted Arnott):** To reply, the Minister of Infrastructure.

**Hon. Kinga Surma:** Thank you very much to the member for the question.

Mr. Speaker, we've had a successful number of weeks in this House. We landed a historic deal with the city of Toronto to provide more supports for the TTC, be it in operations or safety. We released the business case which clearly defined everything our government has been saying for the last year and a half about the fact that it will save \$600 million of taxpayer money to move the science centre to Ontario Place. And now we're presenting legislation so that we can get on with it and start construction at Ontario Place, so that we can bring it back to life and make it a place that families can enjoy once again.

**The Speaker (Hon. Ted Arnott):** The supplementary question.

**Ms. Marit Stiles:** Very creative math there. And of course, let's not forget the government is planning to spend at least \$650 million of taxpayers' money to subsidize this luxury spa.

Speaker, Ontario's Environmental Bill of Rights gives the public the right to be consulted and heard on matters that affect our environment—matters that would include exemptions to the Environmental Assessment Act that are being included in the luxury spa act, Bill 154. But in an extraordinary step, the government won't even send Bill 154 to committee for public hearings.

Why is the Premier so afraid to hear what the public has to say about this bill?

**Hon. Kinga Surma:** Mr. Speaker, as I've explained many times in this House before, we have issued two environmental assessments: an environmental assessment for the site servicing work that is under way today and, of

course, an environmental class C assessment for the 50 acres of public realm space that will exist at Ontario Place.

As we submitted our development application to the city of Toronto, we also submitted 40 different studies that cover everything from air to wind to soil to stormwater—conservation plan, heritage impact assessment.

Mr. Speaker, government believes that we have done our due diligence and now it's time to move on and bring Ontario Place and the science centre back to life.

**The Speaker (Hon. Ted Arnott):** The final supplementary.

**Ms. Marit Stiles:** First of all, the minister knows perfectly well that the environmental assessment is not being done on the west island, where this luxury spa is happening.

Speaker, this government's luxury spa act, Bill 154, is another attack on democracy and basic norms of lawfulness and good governance. It specifically blocks people from suing the government for misrepresentation or misconduct. It specifically blocks remedies for people who have been harmed by this government. What's more, it gives a new minister the power to issue ministerial zoning orders, which this government has already, as we know, widely abused.

With this government currently under active police investigation by the RCMP, why is the Premier fast-tracking a bill to give his government the power to ignore the law?

**Hon. Kinga Surma:** What this bill helps us do is bring Ontario Place back to life, make it a place that families can enjoy 365 days of the year, which will include a brand new amphitheatre that will run all year long, a water park facility and a brand new science centre that will serve constituents and residents for the next 50 years.

What this bill also does, Mr. Speaker, is provide operational dollars to the TTC for the new transit lines that we are building. It also provides money for new trains. It also provides money so that people can be safe on the TTC when travelling to work.

We landed a historic deal and we're also making extreme progress on Ontario Place so that we can once again enjoy the site after years of neglect.

### GOVERNMENT ACCOUNTABILITY

**Ms. Marit Stiles:** We have just two weeks left at most, I think, in this Legislature this year and people are counting on us to deliver for them—all of us. Instead of using their majority to bring some relief to people, this government has spent this session reversing legislation that they had just passed and giving themselves sweeping new powers for pet projects, like the Ontario Place luxury spa.

Speaker, when the NDP brought forward positive solutions like paid sick days and free contraceptives, the government seemed to signal some support for those things. When push came to shove, though, they said no.

To the Premier: Don't Ontarians deserve better than a government mired in scandal and focused solely on their insiders?

**The Speaker (Hon. Ted Arnott):** Minister of Infrastructure.

**Hon. Kinga Surma:** I'd love an opportunity to talk about some of the things that this government is doing to provide relief for families: number one, the historic deal that we managed to accomplish with the city of Toronto, keeping people safe on the TTC. That is a huge priority in the city of Toronto. It certainly brings relief to my hard-working constituents in Etobicoke.

What about fare and service integration to make it easier for transit riders to cross boundaries, saving them \$1,600 a year? What about building more transit stations in the greater Toronto area? I would say we have had quite the productive session this fall session and we look forward to continuing on in the next two weeks.

**The Speaker (Hon. Ted Arnott):** Supplementary?

**Ms. Marit Stiles:** Speaker, while this government is mired in scandal and under criminal investigation by the RCMP, after five years of Conservative government, life is harder for Ontarians. The cost of everything, whether it's housing or groceries or transit, is out of control. When given the chance to do something about it, the Premier said no.

The NDP put forward a proposal to close the loopholes that let unscrupulous landlords gouge tenants. The government said no. We tabled a motion to invest in desperately needed non-market and affordable housing options. The government said no.

To the Premier: Why does he keep saying no to solutions that would actually help people keep a roof over their heads?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will take their seats.

The Minister of Municipal Affairs and Housing and government House leader.

**Hon. Paul Calandra:** First, let me just congratulate the leader of the Green Party and the new member of provincial Parliament here, for Kitchener. It's never easy turning a seat that has been historically Liberal and NDP, but you were able to accomplish that. I congratulate the both of you for doing that.

I would also suggest to the Leader of the Opposition that she might want to take a look at the results of the by-election. Yet another safe NDP seat has been lost, Mr. Speaker, and you know why that is? Because the Leader of the Opposition isn't focusing on the things that matter to the people of the province of Ontario. When we reduce costs for people the Leader of the Opposition votes against it. When we put more money back in the pockets of the people of the province of Ontario, they vote against it.

The Liberals have just elected a leader who spends—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order. The member for Ottawa South will come to order.

**Hon. Paul Calandra:**—more time in the Hamptons on private jets than the Prime Minister of Canada. But when it comes to listening to the people of the province of

Ontario there is one party that does it and it's the Progressive Conservative Party of Ontario.

**The Speaker (Hon. Ted Arnott):** Final supplementary.

**Ms. Marit Stiles:** Well, there you go, Speaker. This is a government that doesn't care—

*Interjections.*

1050

**The Speaker (Hon. Ted Arnott):** Stop the clock.

The Leader of the Opposition has the floor. She has the right to ask a question. I need to be able to hear it.

I apologize to the Leader of the Opposition for the interruption. Start the clock. Leader of the Opposition?

**Ms. Marit Stiles:** Well, Speaker, there you go again, right?

I'm glad to see the Premier finally join us this morning. This government—

*Interjections.*

**Ms. Marit Stiles:** I didn't point out when he wasn't here.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** The clock is ticking. It appears it's necessary for the Speaker to once again remind the members, for the 999th time, that it's totally inappropriate to make reference to the absence of another member, because from time to time all of us might be absent for good reason. So let's see if we can reach a little higher on that one.

The Leader of the Opposition.

**Ms. Marit Stiles:** Speaker, I've got to say, once again we see this government's priorities are just not consistent with the burden that so many people in this province are carrying right now.

Let's take the rising cost of energy, shall we? New Democrats proposed a smart solution to help people reduce the cost of heating and lower emissions at the same time. The Conservatives said no. Their solution? Write a letter to Ottawa and hope someone else does something.

You've been in power for five long years. People are struggling. There are real issues that people deserve answers to.

Speaker, as we head into the holidays, when will this government start saying no to their insiders and start saying yes to regular Ontarians?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will take their seats.

The Minister of Municipal Affairs and Housing.

**Hon. Paul Calandra:** Mr. Speaker, this, of course, is an NDP leader who has to battle with her own executive council to retain her job as the leader, who ran unopposed and has just lost a by-election in one of the safest NDP seats in the province of Ontario, and she says we're not connected with people? We have put 700,000 people to work who didn't have the dignity of a job before.

This is a leader who could call Jagmeet Singh right now and say, "Bring down the Liberal government in Ottawa if you don't take away the carbon tax." Will she do it? I doubt it, Mr. Speaker, because for the NDP it's about

increasing taxes. It's more red tape and regulations. That's what they do best. The people of the province of Ontario have turned their backs on that like her party has turned their backs on her and like the people in Kitchener did just on Thursday.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order. Stop the clock.

The member for Kitchener–Conestoga will come to order. The member for Mississauga–Malton will come to order.

*Interjection.*

**The Speaker (Hon. Ted Arnott):** It's usually you.

Start the clock. I apologize. The member for Ottawa Centre.

#### PUBLIC TRANSIT

**Mr. Joel Harden:** My question this morning is for the Premier.

Phil Verster, the million-dollar CEO of Metrolinx, missed yet another deadline last week with the Eglinton Crosstown LRT. In September, Mr. Verster told us we needed to give him some space, and he would get back to us with an update in two months on this failing project. What was that update, Speaker? That we would find out 60 days before the Eglinton Crosstown might open.

A simple question, Premier: Were you satisfied with that answer?

**The Speaker (Hon. Ted Arnott):** Members will make their comments through the Chair, not directly across the floor of the House.

The Minister of Transportation can reply.

**Hon. Prabmeet Singh Sarkaria:** We have launched one of the largest investments into public infrastructure and transit in the history of North America. In fact, that member and the leader of the official opposition have voted against every single one of those measures, including the Kitchener line. The NDP has just lost one of their safest seats in Kitchener, Mr. Speaker, and that's because they have voted against the Kitchener line and the upgrades and the investments that we have made into the Kitchener line every step of the way.

It's about time that the NDP support public transit and the investments that we are making—\$70 billion, whether it's the Crosstown, whether it's the Ontario Line, whether it's all-way, two-way GO, Mr. Speaker. It's time for the NDP to shift focus and support this government as we build public transit across this province.

**The Speaker (Hon. Ted Arnott):** The supplementary question?

**Mr. Joel Harden:** Back to the Premier: Now, colleagues, you have to answer—why aren't we getting an answer to this question that we keep raising? Why is it that Mr. Verster can earn a million dollars, preside over a project which is three years late and a billion dollars over budget, and just told us that we might get an update 60 days before it opens? Why aren't we getting an answer? Why are we hearing the government talk about its aspira-

tional plans, while somewhere in this province, someone is waiting in the rain for a bus that is late because this government, in cities outside Toronto, is not funding public transit?

Why does Mr. Verster still have his job? Why does he still have 78 executives serving him, soaking up the sunshine list? Answer the question this morning. Lean into the microphone. Are you happy with the answer Mr. Verster gave us or are you going to fire him like a competent government would?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will please take their seats.

To reply, the Premier.

**Hon. Doug Ford:** I'll respond to the carbon-tax king that wants the highest carbon tax in the entire world. He gouged the people—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order.

**Hon. Doug Ford:** —gouged the people in the riding—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** The Premier will take his seat.

Now, the Premier has the floor. He has the right to answer the question. I need to be able to hear him.

Premier.

**Hon. Doug Ford:** Thank you, Mr. Speaker. I could have sworn he said we aren't funding transit. So \$70 billion is not funding transit? The largest transportation project, the largest subway project in North America, spending \$28 billion, making sure that we have the Eglinton West line—that's ahead of schedule, on time and on budget. We're going full steam on the Yonge North, Mr. Speaker, and the folks of Scarborough are finally getting a subway. They have been waiting for decades and—

**The Speaker (Hon. Ted Arnott):** Thank you.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order. The opposition will come to order.

The next question—

**Miss Monique Taylor:** Brought to you by Grimms' fairy tales.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** I didn't hear who said that.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order. Order.

The next question.

#### TAXATION

**Mr. Will Bouma:** My question is for the Minister of Indigenous Affairs.

Speaker, the carbon tax is essentially a tax on everything and the residents of northern, remote and Indigenous communities feel the effects of this tax most severely. For more than a year, the Chiefs of Ontario have been calling on the federal government to consult with them on the effects of this harmful and regressive tax on their com-

munities. Sadly, the federal government has failed to consult with Indigenous communities and properly address their concerns.

The Chiefs of Ontario have recently filed for a judicial review into the application of the carbon tax in Indigenous communities in Ontario, calling this tax both anti-reconciliatory and discriminatory. Speaker, can the minister please comment on the judicial review process of the federal carbon tax for Indigenous communities in Ontario?

**Hon. Greg Rickford:** In an effort to take the grin off the Leader of the Opposition's face on this question—it's actually shifted to a very serious tone. We saw a federal government choose, hand-pick, a region of Canada for relief from the carbon tax. For weeks, we've been talking about the hardship of this tax on all Ontarians, but particularly vulnerable populations in regions of Ontario. Premiers across the country have chimed in with policy solutions to address this tax. Now, Mr. Speaker, that debate is moving into a courtroom.

Last Thursday, the Chiefs of Ontario said in their statement that Canada has refused to enter into good-faith conversations to resolve the harms caused by the carbon charge. The federal government, of course, responded by saying, "We are pledging 0.7% relief from the carbon charge to Indigenous populations in Canada." Mr. Speaker, that is a mere pittance.

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The people of Ontario, including our Indigenous communities, deserve relief from this. The Prime Minister must now scrap the tax before the court does.

**The Speaker (Hon. Ted Arnott):** Supplementary?

**Mr. Will Bouma:** Thank you, Minister, for that response. It is difficult to witness the federal government place this punitive tax on the north. The carbon tax negatively impacts affordability and increases the cost of living in northern and Indigenous communities. It is sad and unfortunate that the federal government is ignoring these critical concerns.

First Nations communities across Ontario are having to endure higher operating costs, higher fuel bills, higher heating bills and out-of-control food prices. That is why it is so disappointing to see how the opposition consistently downplays the crippling economic impact that the carbon tax is having.

The reality is that Canada's carbon pricing regime disproportionately impacts First Nations communities. Speaker, can the minister please explain how our government is supporting First Nations in responding to the negative impacts of the carbon tax?

**Hon. Greg Rickford:** Last week, we saw an extraordinary action taken by the Chiefs of Ontario, and it's one that we strongly support, and I hope that the member from Kiiwetinoong will stand in solidarity with the Indigenous leadership from across the province, in fact, who have filed this injunction. Grand Chief Abram Benedict of Akwesasne said on Thursday that "Canada should be working with us to confront the climate crisis and close gaps on reserve instead of creating policy in an ivory tower

that exacerbates the affordability issues our citizens face." It's an incredibly insightful comment, Mr. Speaker.

We know that our government has worked to reduce the cost of fuel for planes flying into the north, for people operating vehicles across the province and building electrification projects to a scale never seen before in this province. We just hope that the federal government will finally get the message and scrap this tax before the court—

**The Speaker (Hon. Ted Arnott):** Thank you.  
The next question.

## UNIVERSITY FUNDING

**Ms. Peggy Sattler:** My question is to the Premier. Since this government came to office, the post-secondary sector has seen a 12% decline in operating grants. Per-student funding now accounts for less than one third of university operating revenues—by far the lowest in Canada—while the need for investment in student mental health, housing and other supports has never been greater.

Last week, the Council of Ontario Universities released a report on the extensive efforts already being made by the sector to find efficiencies and cost savings. Speaker, how can this government possibly think that the funding crisis they created can be magically solved by universities just finding more efficiencies?

**The Speaker (Hon. Ted Arnott):** To respond, the Minister of Colleges and Universities.

**Hon. Jill Dunlop:** Thank you to the member for that question. We are taking our time and reviewing the 31 recommendations from the blue-ribbon panel's report. We're working very closely with Colleges Ontario and the Council of Ontario Universities as well. We're putting working groups together to work directly with my ministry on those recommendations.

But we launched the blue-ribbon panel because we wanted independent and expert-driven advice to help form a practical and principled way forward for the sector. I'll tell you, if we wanted to waste tax dollars, we would have called it the orange or the red panel.

But while the Liberals and NDP blew their chance to prioritize students when they held the balance of power, our government will always put the needs and future of students first. Unlike our blue-ribbon panel that focused on a shared approach to supporting post-secondary education in Ontario, the Liberals and NDP previously partnered in blowing through spending, blowing off the needs of students and blowing off their responsibility to the taxpayers of this province. That is why our government struck a blue-ribbon panel to ensure that the student experience and access to education—

**The Speaker (Hon. Ted Arnott):** Thank you.  
Supplementary question?

**Ms. Peggy Sattler:** The Council of Ontario Universities warns that changes to tuition in 2019 coupled with the reduced operating grants and rising inflation have created a perfect storm for the sector. Eight universities are reporting deficits, including Queen's and the University of Waterloo. More universities may face insolvency.



At the same time, Ontario university tuition fees remain among the highest in Canada. Students should not have to make up for this government's failure to properly fund universities, especially during an affordability crisis.

Will this government commit today to a sustainability plan for the sector that increases operating grants without increasing student tuition?

**Hon. Jill Dunlop:** Do I need to remind the member, as well as the Liberal caucus, that they voted against tuition decreases in 2019?

My ministry has already begun working with institutions on a financial accountability framework that will allow for early detection of financial challenges and require immediate action to correct bad practices. In order for our sector to be sustainable for the long term, institutions need to take leadership and review their operations from top to bottom. From governance practices, program offerings, day-to-day operations, and everything in between, colleges and universities across the province need to become the best possible version of themselves. This is not a change that will happen overnight, but it is one that is necessary so that students, families and of course the taxpayers can have confidence that every dollar is being allocated appropriately and with complete transparency.

#### LONG-TERM CARE

**Mrs. Daisy Wai:** My question is for the Minister of Long-Term Care.

Our government must ensure that Ontario's seniors receive the quality of care they need. By building 30,000 new long-term-care beds and upgrading 28,000 beds, seniors in communities across the province will receive care that is close to home. Seniors and families in Richmond Hill are relieved.

However, our government must continue to make investments that will expand programs and provide specialized services to our seniors. That said, in order to implement specialized services and increase the number of direct care hours per day, there must be sufficient staff.

Can the minister please explain what steps our government is taking to deliver high-quality care to residents in long-term-care homes?

**Hon. Stan Cho:** That member's question is very well timed because last week, on November 23, alongside General Jones, we announced \$300 million in provincial funding to help recruit thousands of PSWs in the long-term-care community—that's \$25,400 in incentives to PSW students and recent graduates. Here's how it breaks down: \$10,000 to those who commit to working in a long-term-care home or community care for at least 12 months; another \$10,000 to help with relocation costs for those who commit to working in rural, remote or northern communities for 12 months; plus a \$5,400 allowance to students while they complete their clinical placement in a long-term-care home or community care.

Speaker, by recruiting thousands of new PSWs into the sector, we are ensuring that people who need care in the

long-term-care setting have the best care available to them—working towards that four hours of daily care for residents.

We're getting it done for seniors in Ontario.

**The Speaker (Hon. Ted Arnott):** The supplementary question.

**Mrs. Daisy Wai:** It is great to hear about our government's investments to recruit more PSWs. We know that PSWs are essential in providing care to our seniors living in long-term care each and every day.

However, it takes an entire team of care providers to ensure that our residents receive the care and services they need. This includes nurses, who are vital in order to meet the growing needs of Ontario's seniors.

By recruiting and investing in additional staff, our government is ensuring that our seniors receive the high quality of care they deserve.

Can the minister please elaborate on how our government is supporting long-term-care homes to deliver safe and effective care?

**Hon. Stan Cho:** Do you know what? Beds are furniture. We're building homes for our great seniors in this province. And that means it takes more than just the 58,000 spaces we're creating; it takes more than the \$4.9 billion we're investing into health human resources. We need to give hope to these workers who do the work for our loved ones that many of us cannot do, Speaker. That's why we are investing in recruiting more PSWs.

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We are also providing \$100 million to help PSWs who want to become practical nurses and advance their careers and practical nurses who want to become registered nurses to do the same—an opportunity to scale up and to continue to prosper and succeed while they help our seniors, Speaker. Our efforts are leading to results: 2,000 new nurses to the long-term-care sector will be added by 2025, which will ultimately help reach our goal, as the member said, of four hours of daily care per resident.

Let's remember, Speaker: Seniors built our lives as we know it. They built our communities. They took care of us; we have a moral imperative to take care of them. That's exactly what this government is doing by investing in them, Speaker. We're getting it done for seniors.

#### GOVERNMENT ACCOUNTABILITY

**MPP Jill Andrew:** Last week, the government presented a so-called business case to justify its decision to build a half-sized Ontario Science Centre on top of a public-funded parking garage the Premier wants to build for a luxury spa company. The business case actually showed that the cost of building a new science centre at half the size is twice the cost of repairing the existing heritage building. Not only that, according to the province's lease with the city of Toronto, the province is already required to make these repairs, regardless of what happens to the science centre.

So my question is to the Premier, and hopefully he answers today: Why does the business case misleadingly present the choice as—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** I heard the comment. Thank you very much for drawing it to my attention.

The member must withdraw her unparliamentary comment—

**MPP Jill Andrew:** Withdraw.

**The Speaker (Hon. Ted Arnott):** —and conclude her question.

**MPP Jill Andrew:** My question to the Premier: Why does the business case interestingly present the choice as relocate versus repair when the province is already required to make these repairs no matter what?

**The Speaker (Hon. Ted Arnott):** To respond, the Minister of Infrastructure.

**Hon. Kinga Surma:** I don't know where to start. It was the NDP that's been crying for months to make the business case public, and we have. And do you know what the business case says? That taxpayers will be saving \$257 million over a 50-year span in today's dollars, but \$600 million over 50 years if you take into account inflation.

We are building a brand new science centre—one that will be modern; one with new exhibits, new technology, and one that will have 10,000 square feet more of exhibition space for the children to enjoy.

**The Speaker (Hon. Ted Arnott):** Supplementary question?

**MPP Jill Andrew:** The only way the province can legally avoid its responsibility for repairing the Ontario Science Centre is by negotiating the decommissioning of the existing building with the city of Toronto. This is a heritage building, Speaker. Even if the city of Toronto was willing to negotiate its destruction, the minister responsible for the Ontario Heritage Act would need to approve. Turns out, right after the last election, the Premier transferred this responsibility to his nephew, the Minister of Citizenship and Multiculturalism.

The question back to the Premier: Did the Premier put his nephew in charge of the Ontario Heritage Act because he was already planning the destruction of the Ontario Science Centre?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will take their seats. Order.

Minister of Infrastructure.

**Hon. Kinga Surma:** Mr. Speaker, the results of the business case were very clear. The science centre is 54 years old. It is end-of-life. The business case was done by third-party experts in the field. In the business case, it said we had to start exploring future options.

Now, I know what the NDP would like to do. They would like to just leave the building and let it continue to fall apart until they are forced to close it. What we would like to do, Mr. Speaker, is be responsible and provide a long-term solution. We want a science centre for the next 50 to 100 years, and we will have one at Ontario Place.

## PUBLIC TRANSIT

**Ms. Mary-Margaret McMahon:** Good morning, everyone. Congratulations to our new leader, Bonnie Crombie. I'll start with that.

Mr. Speaker, my question is to the Premier. The people of Ontario are sick of deceit. They deserve transparency and—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** I'm going to ask the member to withdraw the unparliamentary comment.

**Ms. Mary-Margaret McMahon:** Withdraw.

They deserve a trustworthy government that sticks up for them instead of wealthy insiders. Might I mention the RCMP criminal investigation into the \$8.3-billion greenbelt land swap again?

Ontarians need to know why Metrolinx continues to delay, delay, delay. It has been over 12 years of construction on the Eglinton LRT. Where are the answers? There's no timeline for its opening, and Metrolinx announced last week that there would be no announcement—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Government side, come to order.

**Ms. Mary-Margaret McMahon:** —with just three months—

**The Speaker (Hon. Ted Arnott):** Question?

**Ms. Mary-Margaret McMahon:** My question, Speaker: When will he step up and demand accountability from his friend Metrolinx CEO Phil Verster, and finally get an opening date for the Eglinton LRT and broadcast it to the public?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order.

Minister of Transportation.

**Hon. Prabmeet Singh Sarkaria:** Mr. Speaker, that former Liberal government was responsible for signing that horrible contract. They were the reason this project is so delayed. But we're going to deliver it, just like we're delivering our \$70-billion transit plan.

When the Liberals had a chance for 15 years to build transit in this province, they did absolutely nothing. They ignored the people of Scarborough, but this Premier, under his leadership, is building the Scarborough subway extension.

Under the leadership of this Premier, we're building the Ontario Line. The former Liberal government ignored the concerns and the support that transit needed in this province. The Ontario Line will take 28,000 cars off the road. The Liberals have voted against \$70 billion of public transit investment in this province every single time they've had a chance, whether it has been in our budget or whether it has been in the FES. They did absolutely nothing for this province. Thank you to the Premier of this province, who's building public transit across—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order.

The supplementary question.

**Ms. Mary-Margaret McMahon:** As a public sector entity, Metrolinx has an obligation to be transparent, fair and honest with Ontarians. Instead, they hide valuable information from all of us. Even their organizational structure is a mystery. Why does an agency of the government of Ontario get to conceal who their highest-earning employees are and how many executive-level staff they employ? My team and I have searched their website and asked our Metrolinx contacts for this information, but apparently it's not available to be shared publicly. What? Pardon me? A public sector agency not sharing their information publicly? Who can get away with this kind of conduct? It's unacceptable.

Speaker, to the Premier: Will you commit to requiring Metrolinx to post an entire organizational chart publicly and show the people of Ontario that you actually care about transparency and accountability?

**Hon. Prabmeet Singh Sarkaria:** We took our plan to build Ontario to the people of this province on December 2, and we received a resounding response to that plan to build, one that the Liberals did absolutely nothing to support, or have done absolutely nothing to support transit in this province.

Let's take a look at the projects that we're doing across Ontario: the Ontario Line; the Scarborough subway extension; the Yonge North subway extension, which we just announced a huge milestone on this past Friday; the Eglinton Crosstown west extension and Eglinton West project; the Finch West LRT; the Hazel McCallion Line; the Hamilton LRT.

Then, let's talk about our highways: Highway 413, the Bradford Bypass. We are building this province, and the Liberals, when they had a chance to do anything to support public transit, to support highways, did absolutely nothing. They did absolutely nothing for the people of this province. Under the leadership of Premier Ford, we are changing the face of transportation in this province, building highways, building subways.

## HOUSING

**Ms. Laura Smith:** My question is for the Associate Minister of Housing. When the previous Liberal government took office in 2003, Ontario was registering 85,000 home starts per year, and after 2004, Ontario never hit 80,000 housing starts until the Liberals were removed from office. The NDP record was even worse. In fact, based on their policies, it would take 50 years to build 1.5 million homes.

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The housing crisis that we've inherited was the result of the failures of previous Liberal governments, supported by the NDP, to plan ahead for the future needs of Ontario. In contrast, our government must be focused on helping Ontarians find homes that meet their needs and budget.

Speaker, can the associate minister please explain how our government is increasing housing supplies?

**Hon. Rob Flack:** Thank you for the well-researched question from the member from Thornhill.

Speaker, last week on November 27, Ontario held its first-ever housing forum, at Exhibition Place. It was a great event. We had home builders there. Modular home builders were there. The great not-for-profit sector was represented. Municipalities, councillors, mayors and wardens were there, planners and, obviously, all industry stakeholders. It was a great event where everyone shared their expertise and experience.

And what happened? We had a great cross-pollination of ideas and solutions came forward. These solutions are going to be incorporated into our next housing supply action plan—by the way, which is working, because we've seen record housing starts in the last three years and record rental starts in the last three years. The plan is working.

We know there are headwinds. We're going to work hard to challenge those. It might even be inflation and maybe the carbon tax—maybe, maybe not.

At the end, Speaker, we're building—

**The Speaker (Hon. Ted Arnott):** Thank you.

The supplementary question.

**Ms. Laura Smith:** Thank you to the associate minister for that response, and thank you for his hard work for the people of Ontario.

When the associate minister was appointed, the Premier identified the importance of focusing on solutions to increase the supply of affordable housing. Individuals and families across Ontario deserve an opportunity to find a home that meets their needs. This includes modular homes that could increase the speed of home construction in Ontario, helping to make home ownership attainable for more people. Innovative construction techniques like this could allow Ontario to use manufacturing skills to build factory-made homes more efficiently.

So, Speaker, can the associate minister please update the Legislature on what progress has been made on modular housing construction?

**Hon. Rob Flack:** In fact, last week, as the member will learn here, one of the four breakout sessions was totally dedicated towards the modular building sector for the province. The modular home framework is being developed—again, part of our housing action supply.

We're working with our municipal partners. In fact, Speaker, a couple of weeks ago, I was joined with the great member of Scarborough Centre, along with the mayor of Toronto, Olivia Chow, and we visited 39 Dundalk Drive in Scarborough, where they put up 57 supportive housing units, all modular. And I would point out that modular construction was built here in Ontario, built in Cambridge, Ontario, an Ontario-made solution that will continue to succeed.

Scale and speed is what this is about, Speaker. Modular is another tool in the toolbox. It will support our housing supply action plan and our homelessness prevention plan. Everyone deserves a roof over their head. The job is getting done.

## GOVERNMENT ACCOUNTABILITY

**Mr. Wayne Gates:** My question is to the Premier. We have an affordability crisis in the province of Ontario and

people in my community of Niagara are suffering. We have a historic increase in the use of food banks. In Niagara Falls, Project Share food banks serve more than 11,000 people. That's one in every eight residents. Think about that. It represents a 71% increase from the year before.

Despite these challenges, the Premier thinks we should be spending \$650 million of hard-earned tax dollars on a private spa. Speaker, when is the Premier going to take real action to address the affordability crisis?

**The Speaker (Hon. Ted Arnott):** To respond, the Minister of Children, Community and Social Services.

**Hon. Michael Parsa:** I thank my honourable colleague for the question.

Affordability for the people of Ontario has been our primary focus from the day we got elected. Just recently, I joined the wonderful Minister of Education in increasing the Student Nutrition Program in the province of Ontario by \$5 million to help families.

Mr. Speaker, we have either reduced or eliminated the LIFT tax credit, which helps the lowest-income earners in our province; the child care tax credit; the Resilient Communities Fund, which provides \$96 million of funding to non-profits in our communities, including to food banks; as well as increasing the minimum wage. We have reduced the gas tax for the people of Ontario. We have removed tolls and removed licence plate stickers.

There's only one problem here, Mr. Speaker. Do you know the one thing that we have in common here? We've done all this to reduce costs for the people of Ontario, and the NDP has voted systematically—

**The Speaker (Hon. Ted Arnott):** Supplementary question?

**Mr. Wayne Gates:** Back to the Premier: Minister, 25% of children in the province of Ontario are using food banks. Right across the province of Ontario and in Niagara, people are dying on the streets. This government can continue to point fingers and list their superficial affordability accomplishments, but it doesn't change the fact that real people are suffering.

The Feed Ontario report was clear, Mr. Speaker: The driver of food bank usage was precarious employment, legislated poverty, housing and the high cost of living. The Premier has refused to raise social assistance rates and he wasted—wasted—a year on his greenbelt scandal, instead of building the houses we need. When is the Premier going to stop the handouts to developers and private interests and instead deliver for Ontarians and stop the dying on the streets in the province of Ontario?

**Hon. Michael Parsa:** Thanks very much for the follow-up question. I will remind my colleague and everybody in the House here that it was this government that provided over \$1.2 billion of social assistance in the social services relief fund to our communities across the province. The member referenced social assistance. We increased ODSP rates—the highest in the history of the program—by 5% and indexed it to inflation, which, as a result, is now nearly 12% in less than one year.

When it comes to the cost of living, I will remind my honourable colleague and everybody across there that we have said from the beginning there is one thing that is raising the cost of everything in this province. The government House leader has even been so gracious as to provide phone numbers to the opposition to call their colleagues in Ottawa to stop the carbon tax, which is adding a cost to everything and is hurting our most vulnerable. It's time for them to stand up for Ontarians, help us, and tell the federal government—

**The Speaker (Hon. Ted Arnott):** Thank you. The next question.

#### AGRI-FOOD INDUSTRY

**Mr. Dave Smith:** My question is to the Minister of Agriculture, Food and Rural Affairs. Ontario has a robust agriculture and food industry that contributes over \$48 billion to our province's GDP and economy. And it represents more than 800,000 jobs. I'd like to point out that about one in 10 of our jobs are in agriculture, but I guarantee you that 10 out of every 10 consumes what comes from agriculture. That is why it's so vital that this sector continues to grow and produce more food for Ontario's growing population and expanding export market.

The agriculture and food industries must continue adopting new processes and implementing new equipment and technologies to expand production and enhance efficiency. That's why our government must do all that we can do to strengthen our province's vital agriculture and agri-food sector. Can the minister please explain how our government is supporting the growth of Ontario's agriculture and food sector?

**Hon. Lisa M. Thompson:** I appreciate the question coming from the member for Peterborough because he actually has an innovation cluster in his riding, in the city of Peterborough, that really is all-encompassing, including food production. I very much appreciated the opportunity to visit that with him recently.

I want to touch on the fact that we are not resting on our laurels, Speaker. We're continuing to invest so that farmers and processors alike understand that they finally have a government in Ontario that is working with them to continue to increase production. We're investing \$25 million, in partnership with the feds, through the Sustainable CAP program. But the total results are going to be driven by Ontario farmers and processors through the Agri-Tech Innovation Initiative. This is going to reap incredible returns.

I think we need to recognize that all of our sectors are increasing production, and now we need the food processing to continue to innovate and match what the farmers are doing on the land.

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**The Speaker (Hon. Ted Arnott):** Supplementary question.

**Mr. Dave Smith:** From the minister's response, it's clear that adopting new innovations and technology pro-

cesses is crucial to ensuring the continuous growth of our agriculture and food sectors, and she's absolutely correct: The innovation cluster in Peterborough does a fantastic job of promoting it. But beyond that, I'm going to take a second and say Trent University has an experimental farm that is absolutely fantastic, and invite everyone to come down and see it.

At a time when food security is paramount, meeting the goals of the Grow Ontario strategy remains a top priority. All Ontarians deserve consistent and reliable access to affordable and nutritious food, and that's why our government must continue to make investments that will support our farmers and food producers to enhance food production.

Speaker, can the minister please elaborate on how the Agri-Tech Innovation Initiative will help to strengthen Ontario's agriculture and food sector?

**Hon. Lisa M. Thompson:** I think it's safe to say that we appreciate very much that farmers are early adopters of new technologies and best practices to drive production numbers, and our processors stand beside them in that regard. I read recently that researchers are forecasting an increase of US\$12 billion to be invested in information technology, robotics and sensors that are going to continue to drive innovation, and it's important that our legislation here provincially in Ontario matches what is happening on the ground.

And so that is why it's very important that in tandem to investing in significant processes that lead to innovation, we need to make sure we catch up our legislation as well. That's why I was very pleased to present Bill 155 last week, so we can amend the Agricultural Research Institute of Ontario Act and make sure it's modernized and supporting farmers and processors alike, so we continue to stay on the forefront—

**The Speaker (Hon. Ted Arnott):** Thank you very much.

The next question.

#### MENTAL HEALTH AND ADDICTION SERVICES

**MPP Kristyn Wong-Tam:** My question is to the Premier. Last week, there were at least two overdoses at the corner of Church and Wellesley in broad daylight, just three city blocks from this very building. The community members were horrified to learn that getting someone into an addiction treatment and recovery bed takes at least a year, when we all know that mental health and addiction services are provincially funded. This government has been making one-off announcements for one-time funding, and it's clearly not meeting the basic needs.

Can the Premier explain to this community and to those across the city how someone struggling with addiction is supposed to get help when there's no shelter and the wait-lists for basic recovery beds are at least one year long?

**The Speaker (Hon. Ted Arnott):** The Associate Minister of Mental Health and Addictions.

**Hon. Michael A. Tibollo:** Thank you for that question. As the member opposite knows, this government, the first government to make such substantial investments in mental health and addiction supports in the history of this province, is making a difference by building a continuum of care in the communities.

What does that mean? Just recently, in February of this year, we opened up 400 new treatment beds, 7,000 new treatment spots to support individuals both with respect to withdrawal management, to support individuals with addiction treatment and, of course, the supportive housing that's necessary in that continuum of care.

Mr. Speaker, we are serious about the investments that we are making to ensure that every Ontarian gets the support they need, wherever they are in the province of Ontario.

**The Speaker (Hon. Ted Arnott):** Supplementary question: the member for Windsor West.

**Mrs. Lisa Gretzky:** Maybe the minister didn't hear my colleague. Two people died just last week, three blocks from this building. Whatever you are doing is not enough. It's not enough.

Speaker, back to the Premier: People wait months for detox beds, wait again for withdrawal management, and then again for rehab—unless, of course, they can pay tens of thousands of dollars to get into a private clinic. In that time, many relapse or die.

The Windsor-Essex County Health Unit has shown that Windsor's SafePoint CTS is safe and effective: Hundreds of visits from people in need of care and referrals to addiction treatment, mental health supports and social services have occurred, in addition to primary care, wound care and foot care on-site. It will close at the end of this year due to the lack of government funding.

The Conservatives haven't provided a timeline of when the provincial review that was declared in August will be completed, and the longer it takes, the more people will die. Speaker, when will this government finally treat mental health and addictions as a public health crisis and properly fund wraparound supports that will actually save lives?

**Hon. Michael A. Tibollo:** Thank you again for that question. Again, if the member opposite was listening, our government is investing in a continuum of care and ensuring that we build a system of care for individuals wherever they are in the province of Ontario.

With respect to the CTS site, the member opposite should be familiar at this point that it is under a review as a result of the incident that occurred in Leslieville. That review is ongoing, and it will determine the best course of conduct within the province of Ontario.

Public safety is a priority for this government, and we're going to ensure that individuals are safe—not just the individuals who are using the consumption and treatment sites but also the people who reside in the areas where they are located. It's a priority of this government. Until that review is completed—and we will await that review—the member opposite has the ability to also determine and to also participate by contacting the indivi-

dual at Unity Health through their email address and perhaps engaging with them—

**The Speaker (Hon. Ted Arnott):** Thank you very much.

### SMALL BUSINESS

**Ms. Natalie Pierre:** My question is to the Associate Minister of Small Business.

Under the previous Liberal government, supported by the NDP, businesses left our province in droves. In contrast, under the leadership of the Premier, our government has welcomed record levels of investment, job growth and businesses. It's both unfortunate and sad that the independent Liberals and opposition NDP continue to sit on the sidelines, criticizing our businesses and voting no to measures that help make things better.

Small businesses in my riding have been vocal about the negative impact that increasing taxes and expanding red tape will have on affordability for all Ontarians.

Speaker, can the associate minister please explain the negative impacts of increasing taxes on our small businesses?

**Hon. Nina Tangri:** Thank you to the great member from Burlington for her unwavering support of her amazing job creators. I know that so many of our small business owners are trying their best to keep their businesses alive. They're working long hours, paying their bills and doing their part to create opportunities in their communities.

Businesses simply can't pass the cost from the additional taxes and red tape onto their customers. Many in their communities are already feeling the pinch on gas, on groceries, on heating and much more. The reality that the Liberals and the NDP refuse to acknowledge are the tough choices businesses are making due to higher costs, like having to scale back staff or reduce inventory.

Higher taxes increase costs and negatively impact every single aspect of our economy, from the main streets to the farmhouses. We're calling on Ottawa to give our entrepreneurs a fair shot at success.

**The Speaker (Hon. Ted Arnott):** Supplementary question.

**Ms. Natalie Pierre:** As we heard in the minister's response, high taxes, rising interest rates and ongoing international supply chain challenges negatively impact our province's economic growth. That's why our government must continue to advocate for the people of Ontario, particularly our small businesses, to provide them with the support they require. Entrepreneurs need opportunities, not obstacles, to drive innovation and growth.

While the Ontario Liberals have doubled down on their claims that families and businesses are better off with less money in their pockets, we know that couldn't be further from the truth.

Speaker, can the associate minister please elaborate on the consequences that increasing taxes, high interest rates and burdensome red tape will have on our small businesses?

**Hon. Nina Tangri:** Thank you again to the member from Burlington for the question. I've been talking to

entrepreneurs and business associations across the province, and the consensus is clear—and it's not just our government that is speaking out. The Canadian Federation of Independent Business's latest research shows that three in five small businesses have seen their overall energy costs increase over 10% in the last year; 60% of small businesses cannot pass the increase in energy costs to consumers, leaving them to either reduce operations or reduce staff.

Speaker, it gets even worse: The 2022 report from the Parliamentary Budget Officer showed that the carbon tax will reduce real GDP across Canada by 1.3% by 2030 and could cost us a whopping 200,000 jobs nationally by 2030. That is what this opposition needs to start thinking about: the people of this province. Start making life more affordable and join us in calling Ottawa to scrap the tax now.

1140

### MENTAL HEALTH AND ADDICTION SERVICES

**MPP Jamie West:** For two years and four months, the Spot has been waiting to hear about provincial funding for Sudbury's supervised consumption site. Last year, Sudbury averaged nine opioid overdose deaths a month. In less than a month, the Spot will run out of municipal funding and their doors will close forever. More people will die in Sudbury.

My question is, will the Premier finally help to save lives in northern Ontario and fund Sudbury's supervised consumption site?

**The Speaker (Hon. Ted Arnott):** To reply, the Associate Minister of Mental Health and Addictions.

**Hon. Michael A. Tibollo:** Thank you once again for that question. We are presently in a review with respect to the consumption and treatment sites. We all know what happened in Leslieville. We all know that we need to ensure public safety. We have an independent individual who is reviewing the consumption and treatment sites to ensure the public safety, as well as that the safety of people using the sites is taken care of. Until that decision is made, the decision is on pause as to what will occur. In addition, if there are concerns, I've mentioned that there is a possibility of contacting the individual doing the review and providing them with your views with respect to the issues.

But, Mr. Speaker, one thing I have to say is that the situation we've had when it comes to addictions and having a treatment continuing—this government is the one government that understands the need and is building the continuum of care to ensure that the needs of individuals are met, wherever they are in the province.

**The Speaker (Hon. Ted Arnott):** Supplementary question.

**MPP Jamie West:** Frankly, no one believes that. Nine people a month for two and a half years? No one believes this.

Crosses for Change is a memorial in Sudbury for people who have died by overdose. Three years ago, there was one cross. Now, there are nearly 250 of them.

Last Thursday, there was a rally in support of Sudbury's supervised consumption site, and we marched to those crosses. People were asked to speak, but no one could find the words because they couldn't choke past the tears. Those aren't crosses; those are people. They're best friends; they're work friends; they're neighbours; they're sons, daughters, mothers and fathers.

Speaker, how many more people will have to die, and how many more crosses will Sudbury have to raise before the Premier funds Sudbury's supervised consumption site?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will please take their seats.

The Associate Minister of Mental Health and Addictions can reply.

**Hon. Michael A. Tibollo:** As I've said, the decision is on pause until a decision is made, and it is being looked at from the perspective of public safety and ensuring that the places are safe for individuals as well.

Mr. Speaker, I listen to the questions being raised by the opposite side, and I ask myself, why did we do where we are in the province? You should look at your own record and the reckless nature of the record you had when you were in government and supporting the Liberals in the past.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Order.

**Hon. Michael A. Tibollo:** You cut the number of beds in the province of Ontario by almost 10,000 beds. You cut the funding to mental health spending.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Opposition, come to order.

**Hon. Michael A. Tibollo:** There was never a commitment by anyone on that side to invest in mental health. This government has increased investment to the tune of \$525 million each and every year—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Question period has come to a conclusion.

## DEFERRED VOTES

### CLEANING UP CORRUPTION ACT, 2023

### LOI DE 2023 CONCERNANT LA LUTTE CONTRE LA CORRUPTION

Deferred vote on the motion for second reading of the following bill:

Bill 148, An Act to amend the Auditor General Act and Members' Integrity Act, 1994 / Projet de loi 148, Loi modifiant la Loi sur le vérificateur général et la Loi de 1994 sur l'intégrité des députés.

**The Speaker (Hon. Ted Arnott):** Call in the members. This is a five-minute bell.

*The division bells rang from 1144 to 1149.*

**The Speaker (Hon. Ted Arnott):** Members will please take their seats.

On November 30, 2023, MPP Glover moved second reading of Bill 148, An Act to amend the Auditor General Act and Members' Integrity Act, 1994.

All those in favour will please rise and remain standing until recognized by the Clerk.

### Ayes

Andrew, Jill	Glover, Chris	Rakocevic, Tom
Armstrong, Teresa J.	Gretzky, Lisa	Sattler, Peggy
Bell, Jessica	Harden, Joel	Schreiner, Mike
Blais, Stephen	Hazell, Andrea	Shamji, Adil
Bourgouin, Guy	Hsu, Ted	Shaw, Sandy
Bowman, Stephanie	Karpoche, Bhutla	Stevens, Jennifer (Jennie)
Collard, Lucille	Kernaghan, Terence	Stiles, Marit
Fife, Catherine	Mamakwa, Sol	Taylor, Monique
Fraser, John	Mantha, Michael	Vanthof, John
French, Jennifer K.	McCrimmon, Karen	Vaugeois, Lise
Gates, Wayne	McMahon, Mary-Margaret	West, Jamie
Gélinas, France	Pasma, Chandra	Wong-Tam, Kristyn

**The Speaker (Hon. Ted Arnott):** All those opposed to the motion will please rise and remain standing until recognized by the Clerk.

### Nays

Anand, Deepak	Gill, Parm	Rickford, Greg
Babikian, Aris	Grewal, Hardeep Singh	Romano, Ross
Barnes, Patrice	Hardeman, Ernie	Sabawy, Sheref
Bouma, Will	Harris, Mike	Sandhu, Amarjot
Bresee, Ric	Hogarth, Christine	Sarkaria, Prabmeet Singh
Byers, Rick	Holland, Kevin	Sarrazin, Stéphane
Calandra, Paul	Jones, Trevor	Saunderson, Brian
Cho, Raymond Sung Joon	Jordan, John	Scott, Laurie
Cho, Stan	Kanapathi, Logan	Skelly, Donna
Clark, Steve	Kerzner, Michael S.	Smith, Dave
Coe, Lorne	Learidi, Anthony	Smith, David
Crawford, Stephen	Lecce, Stephen	Smith, Graydon
Cuzzetto, Rudy	Lumsden, Neil	Smith, Laura
Dixon, Jess	Martin, Robin	Surma, Kinga
Dowie, Andrew	McCarthy, Todd J.	Tangri, Nina
Downey, Doug	McGregor, Graham	Thompson, Lisa M.
Dunlop, Jill	Pang, Billy	Tibollo, Michael A.
Flack, Rob	Parsa, Michael	Triantafilopoulos, Effie J.
Ford, Michael D.	Pierre, Natalie	Wai, Daisy
Gallagher Murphy, Dawn	Quinn, Nolan	Williams, Charmaine A.
Ghamari, Goldie	Rae, Matthew	Yakabuski, John

**The Clerk of the Assembly (Mr. Trevor Day):** The ayes are 36; the nays are 63.

**The Speaker (Hon. Ted Arnott):** I declare the motion lost.

*Second reading negatived.*

## RECEPTION

**The Speaker (Hon. Ted Arnott):** A number of members have informed me that they have points of order they wish to raise. We'll start with the Minister of Agriculture, Food and Rural Affairs.

**Hon. Lisa M. Thompson:** I just want to remind everyone that the Grain Farmers of Ontario will be here this

afternoon and please take time to pop by rooms 228 and 230. We'd really appreciate it.

#### MEMBER'S BIRTHDAY

**The Speaker (Hon. Ted Arnott):** Next, the member for Chatham-Kent–Leamington.

**Mr. Trevor Jones:** I just want to congratulate our deputy government whip, my neighbour and friend, the MPP from Essex for a wonderful happy birthday today.

#### INDEPENDENT MEMBERS

**The Speaker (Hon. Ted Arnott):** The member for Ottawa South.

**Mr. John Fraser:** Quickly, the time allocation motions for Bill 150, 154 and 136 exclude 12% of the members in this Legislature. That is undemocratic with an expectation that we'll vote on third reading. To not let all these members here speak—have two minutes, have one minute—is undemocratic and not in keeping with this House.

#### MEMBER'S BIRTHDAY

**The Speaker (Hon. Ted Arnott):** The Associate Minister of Small Business.

**Hon. Nina Tangri:** I just also want to wish our great colleague Ernie Hardeman a very, very happy birthday.

#### VISITORS

**The Speaker (Hon. Ted Arnott):** The member for Brampton North.

**Mr. Amarjot Sandhu:** I would like to take a moment to welcome the parents of page Jessy Ashraph, who is also the page captain today: her dad, Ashraph Sulaiman, and mom, Auxeeliya Jesudoss. Welcome to Queen's Park.

**The Speaker (Hon. Ted Arnott):** This House stands in recess until 1 p.m.

*The House recessed from 1155 to 1300.*

#### INTRODUCTION OF VISITORS

**Hon. Michael S. Kerzner:** I'm delighted to welcome Drew Woodley, the director of government relations for Ontario SPCA and Humane Society. Welcome to the Ontario Legislature.

**Ms. Christine Hogarth:** I know they're on their way up, but I want to introduce two people: one Lynn Perrier, who has been an amazing advocate for animal welfare. She is going to be here in the audience today with her friend Esther Verred. Welcome to the legislature, ladies.

**MPP Jill Andrew:** I just wanted to thank Bishop Strachan students, teachers and parents for coming out to Queen's Park—their House—today, singing the national anthem and also singing wonderful holiday carols at the main staircase over the lunch hour.

Thank you and welcome. I hope you enjoy your tour at your House, Bishop Strachan.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON HERITAGE, INFRASTRUCTURE AND CULTURAL POLICY

**Ms. Laurie Scott:** I beg leave to present a report from the Standing Committee on Heritage, Infrastructure and Cultural Policy and move its adoption.

**The Clerk-at-the-Table (Ms. Julia Douglas):** Your committee begs to report the following bill, as amended:

Bill 136, An Act to amend the Greenbelt Act, 2005 and certain other Acts, to enact the Duffins Rouge Agricultural Preserve Act, 2023, to repeal an Act and to revoke various regulations / Loi modifiant la Loi de 2005 sur la ceinture de verdure et d'autres lois, édictant la Loi de 2023 sur la Réserve agricole de Duffins-Rouge et abrogeant une loi et divers règlements.

**The Speaker (Hon. Ted Arnott):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

**The Speaker (Hon. Ted Arnott):** The bill is therefore ordered for third reading.

#### INTRODUCTION OF GOVERNMENT BILLS

##### PREVENTING UNETHICAL PUPPY SALES ACT, 2023

##### LOI DE 2023 SUR LA PRÉVENTION DE LA VENTE DE CHIOTS CONTRAIRE À L'ÉTHIQUE

Mr. Kerzner moved first reading of the following bill:

Bill 159, An Act to amend the Provincial Animal Welfare Services Act, 2019 / Projet de loi 159, Loi modifiant la Loi de 2019 sur les services provinciaux visant le bien-être des animaux.

**The Speaker (Hon. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Ted Arnott):** Would the minister like to briefly explain his bill?

**Hon. Michael S. Kerzner:** The Provincial Animal Welfare Services Act, 2019, is amended. Amongst the changes are the following: the Lieutenant Governor in Council may make regulations governing record-keeping with respect to dogs; the Lieutenant Governor in Council may make regulations prohibiting the sale or transfer of dogs under certain circumstances; and the operation of puppy mills is prohibited.



## PETITIONS

### EDUCATION FUNDING

**MPP Jill Andrew:** This petition comes from Brown Junior Public School in the riding of St. Paul's, our community, along with many other signatures from keen students and educators and community members in the area. It's entitled "Public Education Funding.

"To the Legislative Assembly of Ontario:

"Whereas it has been widely acknowledged that the learning, mental health, safety and well-being needs of Ontario children, including the provision of a 'normal, stable, enjoyable school year' are a priority of the Ontario government;

"Whereas we are parents, guardians, education staff and community members concerned about the learning and well-being supports children in Ontario schools are receiving;

"Whereas we continue to experience negative repercussions related to and stemming from the ongoing global pandemic;

"Whereas Toronto, along with Peel region, was most frequently the epicentre of the COVID pandemic (prevalence of the disease on a per-capita basis) in Canada from March 2020 through the Spring of 2022 and, as such, the TDSB worked closely with Toronto Public Health to make modifications to practice in order to keep staff and students as safe as possible;

"Whereas these modifications were associated with significant financial costs to the TDSB and likely to school boards across Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"—that the Ontario government" is "to reimburse school boards for the COVID-related expenses they paid out of pocket;

"—that the Ontario government continue to provide pandemic funding for the 2023-24 school year, which will prevent the elimination of hundreds of staff positions within Ontario schools."

I saw this on my desk this morning and I'm more than happy to table these petitions. I'm going to affix my signature and pass them over to Emma for tabling.

### LONG-TERM CARE

**Mr. Sol Mamakwa:** I'm happy to read out this petition:

"Petition to Expand Long-Term Care in Sioux Lookout.

"To the Legislative Assembly of Ontario:

"Whereas the current long-term-care facility at Sioux Lookout Meno Ya Win Health Centre has 21 beds;

"Whereas Sioux Lookout is a hub for 33 surrounding First Nations, 28 of which are not accessible by road;

"Whereas Sioux Lookout has 5,800 permanent residents and thousands of people travel there for medical appointments and social services;

"Whereas the wait time for a long-term-care bed in Sioux Lookout is five to six years;

"Whereas this long wait time puts an additional strain on Meno Ya Win Health Centre's emergency department and its alternate-level-of-care beds; and

"Whereas these long wait-lists are preventing residents from receiving necessary care in a timely manner in close proximity to their homes;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to commit to building and resourcing 76 long-term-care beds in Sioux Lookout, Ontario."

I'm happy to sign this petition and give it to page Martel.

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### DENTAL CARE

**Ms. Jennifer K. French:** I am pleased to be able to read this petition entitled "Expand Ontario Seniors Dental Plan.

"To the Legislative Assembly of Ontario:

"Whereas seniors have to access the Ontario seniors dental plan through local public health units;

"Whereas the number of dentists registered with public health units to be covered under the Ontario seniors dental plan is low in northern Ontario;

"Whereas the small number of dentists registered with the Ontario seniors dental plan limits the capacity of public health units to serve their patients in northern Ontario; and

"Whereas the income threshold for seniors to be eligible for the Ontario seniors dental plan is unreasonably low—an annual net income of \$22,200 or less for a single senior; a combined annual net income of \$37,100 or less for a couple—thus creating a huge barrier for low-income seniors to access dental care;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"—to invest into community health centres, aboriginal health access centres, and public health units to build and expand dental suites and to hire more dentists; and

"—to facilitate the implementation of the federal dental care plan, which covers all seniors with income lower than \$75,000, when it becomes law."

Of course, I support this petition, will affix my signature and send it to the table with page Alina.

### LONG-TERM CARE

**Ms. Doly Begum:** I am pleased to also present this petition.

"Petition to Expand Long-Term Care in Sioux Lookout.

"To the Legislative Assembly of Ontario:

"Whereas the current long-term-care facility at Sioux Lookout Meno Ya Win Health Centre has 21 beds;

"Whereas Sioux Lookout is a hub for 33 surrounding First Nations, 28 of which are not accessible by road;

"Whereas Sioux Lookout has 5,800 permanent residents and thousands of people travel there for medical appointments and social services;

“Whereas the wait time for a long-term-care bed in Sioux Lookout is five to six years;

“Whereas this long wait time puts an additional strain on Meno Ya Win Health Centre’s emergency department and its alternate-level-of-care beds; and

“Whereas these long wait-lists are preventing residents from receiving necessary care in a timely manner in close proximity to their homes;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to commit to building and resourcing 76 long-term-care beds in Sioux Lookout, Ontario.”

Speaker, it’s just 76 long-term-care beds. I am happy to affix my signature to this and give it to page Brooke to take to the Clerks.

### SEXUAL VIOLENCE AND HARASSMENT

**Ms. Peggy Sattler:** I have a petition entitled “Pass the Safe Night Out Act.” It reads:

“To the Legislative Assembly of Ontario:

“Whereas we are experiencing a sexual violence epidemic, with Statistics Canada reporting in 2021 that sexual assault was at its highest level in 25 years and community support organizations reporting more crisis calls than ever;

“Whereas 65% of women report experiencing unwanted sexual advances while socializing in a bar or restaurant, and incidents of sexual assaults involving drugs and alcohol most often occur immediately after leaving a licensed establishment or event; and

“Whereas there is no legal requirement for the people who hold liquor licences and permits, sell and serve liquor, or provide security at licensed establishments and events to be trained in recognizing and safely intervening in sexual harassment and violence;

“Whereas servers in licensed establishments also face high risk of sexual violence and harassment from co-workers and patrons;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately pass the Ontario NDP’s Safe Night Out Act to make Ontario’s bars and nightclubs safer for patrons and staff by requiring training in sexual violence and harassment prevention, by strengthening protections for servers from workplace sexual violence, and by requiring every establishment to develop and post a policy on how sexual violence and harassment will be handled, including accessing local resources and supports.”

I couldn’t agree more with this petition, affix my signature and will send it to the table with page Peter.

### SOCIAL ASSISTANCE

**Mr. Sol Mamakwa:** Meegwetch, Speaker. I’m happy to present this petition.

“To Raise Social Assistance Rates.

“To the Legislative Assembly of Ontario:

“Whereas Ontario’s social assistance rates are well below Canada’s official Market Basket Measure poverty line and far from adequate to cover the rising costs of food and rent: \$733 for individuals on OW and (soon) \$1,227 for ODSP;

“Whereas an open letter to the Premier and two cabinet ministers, signed by over 230 organizations, recommends that social assistance rates be doubled for both Ontario Works (OW) and the Ontario Disability Support Program (ODSP);

“Whereas the recent small budget increase of 5% for ODSP still leaves these citizens below the poverty line, both they and those receiving the frozen OW rates continue struggling to live during a period of alarming inflation;

“Whereas the government of Canada recognized in its CERB program that a ‘basic income’ of \$2,000 per month was the standard support required by individuals who lost their employment during the pandemic;

“We, the undersigned citizens of Ontario, petition the Legislative Assembly to double social assistance rates for OW and ODSP.”

I’m happy to sign this petition. Meegwetch.

### SOCIAL ASSISTANCE

**MPP Jill Andrew:** I’d like to thank Dr. Sally Palmer, professor and advocate, for sending my office this petition.

“To Raise Social Assistance Rates.

“To the Legislative Assembly of Ontario:

“Whereas Ontario’s social assistance rates are well below Canada’s official Market Basket Measure poverty line and far from adequate to cover the rising costs of food and rent: \$733 for individuals on OW and \$1,308 for ODSP;

“Whereas an open letter to the Premier and two cabinet ministers, signed by over 230 organizations, recommends that social assistance rates be doubled”—at least—“for both Ontario Works (OW) and the Ontario Disability Support Program (ODSP);

“Whereas small increases to ODSP have still left these citizens” well “below the poverty line. Both they and those receiving the frozen OW rates are struggling to survive at this time of alarming inflation;

“Whereas the government of Canada recognized in its CERB program that a ‘basic income’ of \$2,000 per month was the standard support required by individuals who lost their employment during the pandemic;

“We, the undersigned citizens of Ontario, petition the Legislative Assembly to double social assistance rates for OW and ODSP” for starters.

I couldn’t agree more with the petition. I’ve affixed my name, and I’m handing it over to Harris for tabling.

### HEALTH CARE WORKERS

**Ms. Doly Begum:** I have a petition here for better staffing, better wages and better care in Ontario’s public hospitals.

“To the Legislative Assembly of Ontario:

“Whereas registered nurses and health care professionals are the backbone of Ontario’s public health care system; and

“Whereas nurses and health care professionals are fighting for better staffing, better wages and better care in Ontario’s public hospitals; and

“Whereas the government has the power to direct the funding and priorities for the Ontario Hospital Association in this bargaining process;

“We, the undersigned, petition the Legislative Assembly of Ontario ...

“Support nurses and health care professionals represented by the Ontario Nurses’ Association”—and the Ontario Hospital Association.

I fully support this petition. I will affix my signature to it and give it to page Fouegap to give to the Clerks.

### LABOUR LEGISLATION

**MPP Jamie West:** This petition is entitled “Pass Anti-Scab Labour Legislation.

“To the Legislative Assembly of Ontario:

“Whereas the use of replacement workers undermines workers’ collective power, unnecessarily prolongs labour disputes, and removes the essential power that the withdrawal of labour is supposed to give workers to help end a dispute, that is, the ability to apply economic pressure;

“Whereas the use of scab labour contributes to higher-conflict picket lines, jeopardizes workplace safety, destabilizes normalized labour relations between workers and their employers and removes the employer incentive to negotiate and settle fair contracts; and

“Whereas strong and fair anti-scab legislation will help lead to shorter labour disputes, safer workplaces, and less hostile picket lines;

“Whereas similar legislation has been introduced in British Columbia and Quebec with no increases to the number of strike or lockout days;

“Whereas Ontario had anti-scab legislation under an NDP government, that was unfortunately ripped away from workers by the Harris Conservatives;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

**1320**

“To prohibit employers from using replacement labour for the duration of any legal strike or lockout;

“To prohibit employers from using both external and internal replacement workers;

“To include significant financial penalties for employers who defy the anti-scab legislation; and

“To support Ontario’s workers and pass anti-scab labour legislation, like the Ontario NDP Bill 90, Anti-Scab Labour Act, 2023.”

I support this petition. I’ll affix my signature and provide it page Mustafa for the table.

### EHLERS-DANLOS SYNDROME

**MPP Jill Andrew:** This petition comes from Ontarians. Thousands of Ontarians have been putting this

petition forward now for months. It is to the Legislative Assembly of Ontario:

“Whereas the Canada Health Act requires provinces to fund medically necessary treatment for Canadians; and

“Whereas a growing number of people in Ontario suffering from Ehlers-Danlos syndrome (EDS) have to seek out-of-country treatment at their own expense because doctors in Ontario don’t have the knowledge or skills to understand EDS symptoms and perform the required delicate and complicated surgeries; and

“Whereas those EDS victims who can’t afford the expensive treatment outside of Ontario are forced to suffer a deteriorating existence and risk irreversible tissue and nerve damage; and

“Whereas EDS victims suffer severe dislocations, chronic pain, blackouts, nausea, migraines, lost vision, tremors, bowel and bladder issues, heart problems, mobility issues, digestive disorders, severe fatigue and many others resulting in little or very poor quality of life; and

“Whereas despite Ontario Ministry of Health claims that there are neurosurgeon doctors in Ontario who can perform surgeries on EDS patients when surgery is recommended, the Ontario referring physicians” often “fail to identify any Ontario neurosurgeon willing or able to see and treat the patient;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Require the Minister of Health to provide funding to hire one neurosurgeon who can and will perform neurosurgeries on EDS patients with equivalent or identical skills to the international EDS neurosurgeon specialists, including funding for a state-of-the-art operating room with diagnostic equipment for treatments for EDS patients; and meet the Canada Health Act’s requirement to afford equal access to medical treatment for patients, regardless of their ability to pay for out-of-country services.”

I want to thank St. Paul’s and the folks across Ontario who are surviving with EDS. I’m glad to see this petition here, and I look forward to supporting them further. I affix my signature and will pass it—

**The Acting Speaker (Ms. Bhutla Karpoche):** Thank you.

### MEMBER’S BIRTHDAY

**The Acting Speaker (Ms. Bhutla Karpoche):** I understand the member from Timiskaming–Cochrane has a point of order.

**Mr. John Vanthof:** I would like to wish my Uncle Ernie a happy birthday, who happens to be the member from Oxford.

**The Acting Speaker (Ms. Bhutla Karpoche):** Thank you—

**Mr. John Vanthof:** Another point of order.

**The Acting Speaker (Ms. Bhutla Karpoche):** Point of order.

**Mr. John Vanthof:** I believe, Speaker, if you will seek it, we will have unanimous consent that from here until the

end of this session up until December, whenever an independent Liberal speaks, they have to start with, “You always need to have at least one person in the House.”

**The Acting Speaker (Ms. Bhutla Karpoche):** The member from Timiskaming–Cochrane—I will wait to get advice from the Clerks.

*Interjections.*

**The Acting Speaker (Ms. Bhutla Karpoche):** I ask the member from Timiskaming–Cochrane to clarify and repeat the request for unanimous consent.

**Mr. John Vanthof:** I believe, Speaker, if you ask, you will find unanimous agreement that, for the rest of the session, whenever an independent Liberal member speaks, they start their remarks with, “We have to remember to always have one member in the House.”

**The Acting Speaker (Ms. Bhutla Karpoche):** Okay, that unanimous consent is ruled out of order.

Orders of the day.

## ORDERS OF THE DAY

### TIME ALLOCATION

**The Acting Speaker (Ms. Bhutla Karpoche):** I turn back to the minister.

**Hon. Todd J. McCarthy:** I move that, pursuant to standing order 50, and notwithstanding any other standing order or special order of the House relating to Bill 136, An Act to amend the Greenbelt Act, 2005 and certain other Acts, to enact the Duffins Rouge Agricultural Preserve Act, 2023, to repeal an Act and to revoke various regulations, Bill 150, An Act to enact the Official Plan Adjustments Act, 2023 and to amend the Planning Act with respect to remedies, and Bill 154, An Act to enact the Recovery Through Growth Act (City of Toronto), 2023 and the Rebuilding Ontario Place Act, 2023;

That when Bill 136 and Bill 150 are called for third reading, one hour of debate shall be allotted to the third reading stages of each bill, with 30 minutes apportioned to the members of His Majesty’s government and 30 minutes to the members of His Majesty’s loyal opposition; and at the end of the time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of each bill, without further debate or amendment; and

That when Bill 154 is next called as a government order, the Speaker shall immediately put every question necessary to dispose of the second reading stage of the bill without further debate or amendment; and

That Bill 154 shall be ordered for third reading, which order shall be immediately called; and

That when the order for third reading is called, the Speaker shall put every question necessary to dispose of the third reading stage of Bill 154 without further debate or amendment; and

That no deferral be permitted on any votes on Bill 136, Bill 150 or Bill 154.

**The Acting Speaker (Ms. Bhutla Karpoche):** The Minister for Public and Business Service Delivery has moved government motion number 20.

I return to the minister to lead off the debate.

**Hon. Todd J. McCarthy:** It’s always a pleasure to stand in this chamber to represent the good people of my riding of Durham.

Speaker, I would like to put forward an amendment to the motion. I move that the motion be amended by adding “and that, in the case of any division relating to any proceedings on the bills, the division bells shall be limited to five minutes” at the end of the motion.

**The Acting Speaker (Ms. Bhutla Karpoche):** The minister has moved an amendment to the motion that the motion be amended by adding “and that, in the case of any division relating to any proceedings on the bills, the division bells shall be limited to five minutes” at the end of the motion.

I return to the minister.

**Hon. Todd J. McCarthy:** I look forward to hearing from my colleagues on my amendment to the motion.

**The Acting Speaker (Ms. Bhutla Karpoche):** Further debate?

**Mr. John Vanthof:** It’s always an honour to be able to stand in this House and speak on the amendment to the motion. And to actually fully talk about the amendment, you have to refer to the motion as well, so that’s what I’m planning to do as I make my presentation.

Before you really get into that, you have to understand how time allocation—what it is, how it works. To fully understand that, you have to go back a few more steps on how this House actually works.

We’re here this afternoon. A bill was introduced, I believe, on the PAWS Act by the Solicitor General, and it was introduced for first reading. It’s customary that the first reading is—we all agree to first reading. You want it introduced. A couple of times—one, in particular, I know of that the official opposition, when we were third party, voted against first reading, and that was when the Liberal government of the time tried to sell Hydro One—or did sell Hydro One. We were so opposed to that that we voted against first reading. But normally, you allow legislation into the House.

Then, if it’s government legislation, it’s brought forward for second reading, and at second reading, customarily, you have eight hours of debate. That can be shortened or lengthened, but customarily it’s eight hours of debate.

**1330**

The bill, now that we have a majority government, is passed by the government, obviously, if it’s a government bill, put forward to committee—committee is actually as important or, in some cases, more important than the debate in the Legislature, because committee is when people who are directly impacted by the bill or who have a special interest in the bill normally get to come before the committee and talk about their interest, their expertise to try to impact the bill, to try to change the bill, hopefully, to make it work better. That’s why this place exists: for the

government of the day to introduce legislation for the Legislature and the committees to improve it. Although we may disagree philosophically with the reason for the legislation, it is incumbent on us all to try to make it as good as it can be for Ontarians.

So, the bill goes to committee, the committee hears depositions, and then based on those depositions, the committee members can make amendments, which are either accepted or voted down by their fellow committee members. Then the bill goes back to the House for third reading. Again, it will be debated, and third reading debates usually aren't as long as second, because we've already gone through the committee process. So, let's be realistic: Not much is going to change in the bill at third reading. Bills that we're really opposed to—we get to make our points; try to make Ontarians understand what's wrong with the bill, what's right with the bill; and the government will try to make Ontarians understand why they're putting forward the bill. Then there's third reading—the last vote, the third vote, and then the bill goes for royal assent and is proclaimed.

That's how it's usually done, and there's a few changes, but time allocation changes it totally. So, time allocation: The government decides that one or several of the steps aren't needed, or they don't want to deal with several of the steps.

This time allocation motion and the amendment to the motion are quite unique, because in my time here—and I've been here 12 years—this is the first time I've seen three bills in the same time allocation motion and three bills at three completely different stages, and they're also treated differently. I'll have to delve a little bit into the details to try to make people understand.

The three bills that are dealt with are Bill 136, more commonly known, to me, as the greenbelt reversal bill. If you will recall, the government tried to help some speculator friends profit in the greenbelt. Public pressure and the Auditor General, the Information and Privacy Commissioner, and Integrity Commissioner raised big concerns, and the government backtracked. That's Bill 136, the backtrack bill. We understand why the government doesn't want to hear a lot more about that. The government has got other problems with that, because the RCMP is looking into that.

Bill 150 is also kind of the same type of situation. It's on urban boundary expansion. Actually, that was a bigger attack on farmland, on open space than the greenbelt legislation. It didn't receive as much public response, but actually, it was as big an attack, and the government has been forced to backtrack. So they've put forward Bill 150, An Act to enact the Official Plan Adjustments Act, 2023 and to amend the Planning Act with respect to remedies. That's basically—they tried to overreach, and now they're having to back up.

It's interesting, for members who are new to this place, or newer: That's not something that commonly happens, that governments severely overreach and then have to backtrack.

This government is—remember when they severely, severely overreached and tried to use the “notwithstanding” clause?

**Interjection:** Oh yes.

**Mr. John Vanthof:** Remember that? And then a few weeks later, the Men in Black bill came: “This never, ever happened.” Remember? It was rescinded to the day before it was passed, and I remember them all—I'm not sure if the member from Oxford did, but I remember everybody else clapped themselves on the back and they were so proud that they implemented the “notwithstanding” clause to override workers' rights. They weren't as happy two weeks later when they had to rescind.

Now, both these bills are the same type, Bills 136 and 150, both the greenbelt and urban boundaries retraction acts: “We're so sorry. The Premier said he's sorry.” The one thing he didn't say is, “I'm not going to do it again.” Because when you look at Bill 154, the other bill in this time allocation motion, it says, “Sorry, not so sorry.” That's what that is.

This time allocation motion actually is Bill 136, “Sorry, we tried, but the RCMP got involved”; Bill 150, “Sorry, we tried, but the RCMP got involved”; and Bill 154, on Ontario Place, is, “Okay, we're going to try again, but we're going to change the law so, hopefully, no one else can get involved after the fact.” That's what this bill is.

In order to do that, the government has now employed the time allocation motion. But Bill 154, An Act to enact the Recovery Through Growth Act—basically the greenbelt; not the greenbelt, the Ontario Place bill. It has only had 6.5 hours of debate on second reading. It hasn't passed second reading and hasn't gone to committee, so what the allocation motion is doing is, it's going to go to second reading vote; no committee; and then direct to third reading vote, no debate.

The government is so sure—no, they're not, actually. If they were sure that people were actually in favour of this, they would hold committee hearings about Ontario Place in the city of Toronto, and the hundreds of people, the thousands of people who are in favour of this would come and congratulate the government. But that's not what they're doing. They're shutting it down.

Especially the newer members can say, “Oh, well, you know, it's close to Christmas. We're done talking and no one wants to hear this.” Regardless of whether you agree that we should spend \$650 million on a parking garage for a private spa, or whether you don't; whether you agree that it's a good idea to lease some of the best waterfront public land in the province in the city of Toronto to a private spa company for 95 years, whether you agree or not, there are some things in this bill that should cause everyone, agree or not—and especially the members on the government side, it should cost them some sleep at night.

Because at the end of the day we all know they're going to vote for this. But there are things in this bill where, and I'll read—I'm not a lawyer; I'm not a legalese person. But “No remedy,” section 2—oh, I just got a note. Okay. Good note.

1340

So, “No remedy

“(2) Except as otherwise provided under 4, in an order under section 13 or in a regulation ... compensation or damages, including for loss of revenues or loss of profit, are owing or payable to any person and no remedy, including but not limited to a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation....”

So this bill basically prohibits, under this act, suing the government with respect to anything done under the act, including government misrepresentation, misconduct, misfeasance, bad faith, breach of trust, or breach of fiduciary obligation.

I thought the government was here to make sure that people respected laws, not give yourselves the right to break them or know, with this legislation, that they are going to be broken and you’re trying to stop it from happening—not stop the laws from being broken, but stop from getting caught. Now, I know that most of you—I think that I’m safe to say that all of you did not work so hard to get elected, work so hard to represent your people, to vote for stuff to introduce bad-faith legislation like this. What kind of government puts forward legislation insulating themselves from bad-faith decision-making? Come on.

**Ms. Doly Begum:** The Ford government.

**Mr. John Vanthof:** The Ford government—and it’s got a great track record.

**Ms. Peggy Sattler:** Forty-five bills.

**Mr. John Vanthof:** Forty-five bills.

But the “notwithstanding” clause, the greenbelt reversal, the urban boundaries reversal, and now you’re trying to legalize your own mismanagement and bad faith and who knows what else. You’re trying to head the RCMP off at the pass on this one—really.

You’re going to vote in favour of this; I understand this. But if you think about it, why don’t you let the Legislature do its job? If the Ontario Place lease is such a good thing, if it’s going to revitalize the province for the next 95 years, release the details. We’ll all be so happy. Not a made-up business case—release the details of the lease. Release the details of the lease. It would make us so happy. If people are so in favour of this legislation, hold committee hearings. Do you know what? You’re not even going to have to spend money on travel. I’m sure if you hold them here, they’ll come to you. They will come to you.

Part of the reason for why they’re doing a shortcut here—I believe there is some legal action already started, and this legislation is retroactive. So people who are trying to do the right thing, they’re cutting them off at the pass before they even get there. And everyone is so happy on the government side. They’ll go home and be so proud of this.

I’ve got a challenge. I’ve got a challenge. This little thing I read—you know when you have political ads? Would you buy a car, a refrigerator, a house or anything else if it said, “This contract prohibits lawsuits against the government or remedies with respect to anything done under the act, including government misrepresentation,

misconduct, misfeasance, bad faith, breach of trust or breach of fiduciary obligation”? I guarantee you would never, ever, ever deal with a company who did that—ever—and yet this government is passing legislation like that. I challenge all the members on the other side to put that at the bottom of your political ads. I challenge you. I challenge you to do that and see how well it works.

Now, you’re hoping that no one will ever remember this, that you’re passing laws to break laws, but it’s our job as the official opposition to actually hold the government to account, and that’s what we’re doing.

**Ms. Doly Begum:** People have lost trust.

**Mr. John Vanthof:** People have lost trust, but it’s like the Premier expects—he said sorry for the ones he did previously, and do you know what? I think a lot of people accepted that, respected that. But this shows that they haven’t changed at all. There’s a saying that a leopard doesn’t change its spots; well, this government hasn’t changed their actions. They’re sorry they got caught. They haven’t learned from what they’ve done, because what they’re doing now is exactly the same thing.

And for the members who I am sure aren’t actually on the other side and who aren’t actually in favour of this—they’re just going along with the flow, hoping that they don’t get tagged with this bad-faith breach of trust, but they just might. You just might. Some of you will. And if something goes wrong, the people who came up with this idea are not going to have your backs. You’re going to be all on your own. So in order to give you a bit more time to think about that, I would like to amend the amendment and say that the division bells shall be one hour at the end of the motion.

**The Acting Speaker (Ms. Bhutla Karpoche):** The member from Timiskaming–Cochrane has moved an amendment to the amendment by replacing the words “five minutes” with “one hour.”

Further debate?

**Mr. Anthony Leardi:** Once again, I thought this was going to be a boring debate about procedure. The procedure that we’re talking about today is how long we should ring bells.

**Ms. Christine Hogarth:** Well, it is your birthday.

**Mr. Anthony Leardi:** Well, yes, that’s true. Today is my birthday. I suppose they could ring the bells for me. But in the words of the famous poet, John Donne, “Any man’s death diminishes me, because I am involved in mankind, and therefore never send to know for whom the bell tolls; it tolls for thee.”

On the question of tolling the bells, we have rules in the procedural book, which is called the standing orders of the Legislative Assembly. The bells are set out in rule 30 of the standing orders, referred to primarily as “deferral of requested division,” and also, under the same rule, the division bells and how long they should be rung. So it’s worth, first of all, explaining what all that means.

For those who are watching these proceedings and might not know the technical language that’s being dealt with before us, the word “division” refers to, of course, a vote, and that, of course, refers to how the parties divide

on a vote—not necessarily dividing along, but frequently dividing along, party lines. Any member of this 124-member House may vote in any way they see fit, and that's called a division. In our common parlance, it's called a vote.

**1350**

It's called a division because that's archaic language meaning, "How do you divide to one side or the other?" That reminds me of the favourite song where the line goes, "The parting on the left / Is now the parting on the right," and that's from The Who, probably one of the greatest rock bands in the history of rock 'n' roll.

We do the same thing here. We call for a division, which is a vote, and people part to one side or the other side. In fact, that was the common way of doing it back before, when assemblies such as this did not necessarily meet in one chamber, as we do on a regular basis, but sometimes met, for example, in an open field, where the king would call an assembly and all of the great powers of the land would assemble, together with their knights and retainers, and they would meet in a field. This was sometimes referred to as a "parlement," which is an old-fashioned word employed to describe that kind of meeting. If there were a vote in the "parlement," there would be a parting. Some people would part to the left and some would part to the right, and that's how you would indicate how you were voting. That parting was called a division, and the division, of course, is, just as I said, an old-fashioned way of talking about how you vote.

The method that we are proposing to resolve the issues before us today is to limit the amount of further debate taken on issues that we've already debated an awful long time about. I don't have the exact time allocations in front of me at this very time, but we can actually talk about each of these previous bills that we've already discussed and probably look back through the record and determine exactly how long we've discussed each bill.

The three bills were already read into the record. I was personally in this House when we debated all three of those bills. I can tell you that with regard to the greenbelt, I think we've had an exhaustively long discussion about that. In fact, it has actually occupied the time and attention of many members of this House, and of course, we don't need to beat that dead horse anymore. I would imagine that members of this House would be very, very much in favour of limiting any further discussion on that bill, which we've already discussed at incredible length. I mean, I can't imagine any other topic that we've discussed more than that. Certainly, the opposition has discussed it a lot as well. So I don't see any reason for us to really draw that out anymore. There's other business we need to get along to.

Similarly, on the Planning Act legislation, the same could be said. We've beaten that dead horse so much that it's not to be beaten anymore. I would imagine that members of the opposition would be in a hurry to get that done, right? You would imagine they'd be in a hurry to get those pieces of legislation finalized since they've talked so much about it. I do want to go over how much we've

talked about that in relation to the housing crisis, and so it's worthy to simply go through the Hansard and see how many times the opposition has talked about the housing crisis.

I can tell you that I've had a brief opportunity to go through the number of times that the Leader of the Opposition has referred to the housing crisis. She referred to it most recently on November 29—that is of this year, of course—then again on November 28 of this year. Again, on November 22 of this year, she did so twice—in fact, three times. The Leader of the Opposition talked about a housing crisis again on October 24 a minimum of three times, perhaps even four times. She talked about it at length on October 23, when she delivered lengthy comments to this chamber with regard to that issue. I'm going through the comments now, and it looks like the comments take up at least three and a half pages of Hansard. Again, the Leader of the Opposition delivered a lengthy speech about the housing crisis on October 3 and—just going through the material that I have before me—took up more than four pages of Hansard records with regard to those comments. Again, on September 25, and then again on April 24—on the same date, April 24, she gave a lengthy dissertation on the housing crisis. On March 27, again, she spoke to the housing crisis, then again on March 1.

Going back to last year: On November 17, she made reference to the housing crisis. On September 7, she gave a lengthy address to this assembly of over two pages in length in the Hansard, again on the same topic, being the housing crisis. She also gave a lengthy address to this House on August 11 on the same topic, being the housing crisis.

If indeed we are to take the comments of the Leader of the Opposition at their face value, then we would imagine that the Leader of the Opposition believes that there is a housing crisis in Ontario. One would conclude that she wishes that we would proceed with as much expedition as possible, and therefore, it makes perfect sense that we do so with regard to Bill 136 and Bill 150 and Bill 154, all of which intend to deal with the housing crisis. And the faster that we can get that passed, the better we can tackle the housing crisis, of which the Leader of the Opposition has spoken of so often and at length in this assembly.

I, myself, had the opportunity to be at St. Clair College on Friday of last week, and I had the good fortune of speaking with approximately 75 students at St. Clair College. They appeared to range from the ages of 18 to 19 or 20 or 21. We had a good two-hour discussion. Of course, as is my style, I did not talk during the entire two hours; I invited them to talk to me for the entire two-hour period.

Madam Speaker, let me tell you what these young people at St. Clair College were concerned about. They were concerned about housing and, most specifically, they were concerned about their ability to purchase housing. That, I suppose, would give credence to the Leader of the Opposition and many other members of this assembly, all of whom agree that housing in the province of Ontario has become very expensive and we need to do what we can in order to put that housing back into an attainable situation

so that young people, like my friends at St. Clair College, who I spoke to on Friday, can attain and purchase those houses. These young people were in a training course, and their training course was the police foundations course, and they were particularly interested in policing issues and associated issues such as that. But I can tell you, during the entire two-hour discussion, the topic that dominated the discussion was their ability to purchase houses. That was the number one topic, and so, as it is linked to these statutes or the bills that are before us today, the proposal that the bells should be rung for five minutes so that we can expedite the hearing of these bills and pass them into legislation is quite apropos, I would say.

Let's talk about what these young people at St. Clair College told me on Friday, because, of course, it is directly related to our topic of discussion. They were interested in getting into the housing market. Some of them will graduate from their program and they will get employment and they will start at what I consider to be a very favourable salary, probably with a nice benefits package and a pension to go with it. If they land employment within the policing sector—and, of course, in order to do that, they'll be greatly aided by other legislation that has already been passed in this Legislature by this government, and that was legislation that provided that people who are seeking employment in the policing field would be able to do so and would be able to do so faster, as long as they could fulfill certain requirements.

**1400**

One of the other measures that has been taken by this government is to provide enhanced options for people to get into police colleges by waiving the tuition that applies to that college. I'm sure that's going to be very attractive to those young people I spoke to on Friday at St. Clair College. That's going to get them into their employment faster; that's going to get them into a good-paying job faster. And hopefully if we can resolve the amount of supply available in the housing market by increasing the supply by a dramatic point, then those people, like these young people from St. Clair College, will be able to afford that attainable housing which all of us really want to provide.

One of the bills that's before us is Bill 154, the New Deal for Toronto Act, and I can see that that has received a certain amount of comment since it's been introduced into this chamber. Now, the New Deal for Toronto Act is certainly an interesting situation. It's got certain proposals in it. One of those proposals is to return the Don Valley Parkway and also the Gardiner to the jurisdiction of the province of Ontario.

I suppose some people would look at that and ask themselves why that needs to be done or whether or not that's a good idea or a bad idea. I suppose some people might look at that situation and say that they would like the province of Ontario, perhaps, to take over those highways because of certain reasons related to the number of people who travel into the city of Toronto on a daily basis from the surrounding areas. That is certainly something that members of this assembly know a lot about because

the majority of the members of this assembly must travel into the city of Toronto in order to be at this assembly at any given time. I myself have travelled along both of those expressways. They're no mystery to me, and I'm sure they're no mystery to many members of this House.

The question is to what extent these are being used by people who don't reside in the city of Toronto. I suppose there are traffic counts that could tell you the amount of traffic that's on either one of those. Then you could extrapolate that data and determine how many people are entering the city from the exterior based on the number of people who actually reside in Toronto and also based on statistics which might suggest how many people residing in the city of Toronto actually own automobiles. Then you would have to make an educated analysis of all that data and decide whether or not the amount of traffic travelling along those auto routes is actually traffic that emanates from within the city or emanates from without the city or at the exterior of the city.

I would think that if we had done such an analysis, it would be pretty simple. It would probably demonstrate without any shadow of a doubt that those two auto routes are carrying a considerable amount of traffic that emanates from outside the city of Toronto and for people who are travelling into the city for various reasons, such as employment. That might be used as one justification for saying that the route in question might preferably be operated and maintained by the province of Ontario.

On the opposite side, of course, you could have reasons for not doing so as well, but the whole deal is exactly that: It's a package deal. There's give and take in any package deal, and I think that the give and take in this particular package deal is probably something that ought to be very good, not only for the city of Toronto but for the people of Ontario as well, because we want to keep Ontario moving and in order to keep Ontario moving, we have to have the routes that we're talking about.

So that would be part of the reason why we would want to expedite the New Deal for Toronto Act, which is Bill 154.

Now, I'd like to refer to the amendment to the amendment, which is to change the ringing of the bells from five minutes to 60 minutes. I'm not quite sure why the member from Timiskaming-Cochrane wanted to change that from five minutes to 60 minutes. The debate that we're going to have on the amendment and then the amendment to the amendment and perhaps even the main body of the motion itself will probably last longer than 60 minutes, so any member who needs to get to this assembly probably has plenty of time to get here, as long as they're notified that we're having this debate right now.

I would imagine that each of the parties represented in the chamber is already notifying their members that there could be a potential vote this afternoon, so it, of course, is probably redundant to ring the bells for 60 minutes. In fact, I would suspect that if we had to do so, there would be a lot of standing around. But I'm not entirely committed to not ringing the bells for extended periods of time. I can understand why members might need to have that bell



rung for longer than five minutes or for perhaps five minutes. I haven't heard quite yet an explanation as to why, but perhaps I'll hear an explanation during this lengthy debate about why we should ring the bells that long. Perhaps I'll be persuaded during this debate that the bells should be rung longer. I'm not a person who can't be persuaded. Some people have persuaded me to do things that I thought I would not do. That's pretty reasonable and fair, to talk about that.

With regard to Bill 150, which is the planning statute law, that is, of course, an issue that we've talked about already at length in this Legislature. It's been the topic of conversation for quite some time, and there's been a long, long debate about that. I think that people have had plenty of time to say what they wanted to say and get it on the record. If you were in favour of that bill, you could have stood in this House and you could have given a 20-minute speech and let the members of this assembly know how you felt about it.

I had the opportunity to do that myself. I spoke to the planning statute act, which is, at this stage, only a bill. I had my own opportunity to do that and spoke to it for quite some time. During my remarks on that particular bill, I explained the process of an official plan and how official plans are adopted and passed in the province of Ontario. During the course of that discussion, I explained how official plans are the official and basic planning document of any given municipality and that the municipalities themselves go through a very long process with regard to passing their official plans and that during that very long process there's also a public consultation stage. During the public consultation stage, people are invited not only to send in their comments but at the same time may actually personally attend public planning meetings to give their views at a public planning meeting. That, of course, demonstrates that the opportunity to take a look at planning already has gone through a considerable public consultation process at the municipal stage, which is not to say that it can't go through another consultation process at other stages or at other levels, but I'm just pointing out that the official plans have already been through a public consultation stage.

Therein official plans are adopted or passed by their own municipal council and then passed up to what is the higher authorizing authority for official plans. In certain circumstances, the higher authorization authority is a regional form of government. It could be a county; it could be a regional municipality. In some circumstances, for other, smaller municipalities, the authorization body is actually the province of Ontario. Those are the two situations that could apply under Bill 150.

As I've said, we've had a considerable amount of discussion and debate on Bill 150 already, and if the housing crisis, as it has been described, is to be dealt with, it might be a good idea to do it expeditiously and in particular with relation to these three bills that are before us.

I'm not sure, with regard to Bill 136, what more could be said. As I said, Bill 136 had already been the topic of a

considerable amount of discussion, and I don't see any further reason why we would be extending discussion on that any further. I think that all members of this House had more than one more opportunity to speak to that particular bill, and those opportunities were definitely used, and I think that members of this House used them very well.

**1410**

To speak to the greater issue of housing: I had been talking about the approximately 75 young people that I had been having the honour of speaking with last Friday. Their main concern was getting into the housing market, and one can understand that concern because many of those people were at the age when they were going to get their first job in the relatively near future and start earning money. Perhaps some of them have already started doing that, and perhaps some of them have already managed to save a considerable amount of money and perhaps save up for a down payment.

Of course, in this housing market, to get a down payment is somewhat of a challenge. The typical down payment, if you want to avoid the CMHC financing rules, has something to do with a 20% down payment of the purchase price. If we take a very modest home in the current market and in the current atmosphere that we have today, you might find that a modest starting home might be in the neighbourhood of \$500,000. Now, that of course depends on where you are in the province of Ontario, so that's a somewhat unilateral figure that I'm choosing. If you wanted to put a down payment on a \$500,000 starter home, you would need to put a down payment of \$100,000 if you wanted to avoid CMHC financing rules.

That was a common thing to do when housing prices were not as high as they are today. Even with regard to today's housing market, attempting to put down a down payment of 20% in order to avoid the CMHC's financing rules would be a challenge for many people, because saving up \$100,000, even if you have a good-paying job, is not easy to do. It might take you several years. It might take many years for some people. Still, it's a good goal. It's a good goal for people to have in mind, and it's a goal that I know several people have achieved in the past.

One of our goals as a government is to make sure that in the future, going forward, the opportunities that were afforded to those of us in the past who were able to buy houses and get into the housing market are also opportunities that will be afforded to others going forward into the future, and that includes those young people I was speaking to on Friday at St. Clair College in the police foundations course.

Now, there are other rules that can apply. If you don't attempt to get out of the CMHC financing rules, you can also put 10% down, and 10% down on a \$500,000 home is \$50,000. That's a more obtainable objective—certainly more obtainable than \$100,000—and that might be the objective that most people are going to try to get to these days. Of course, even if you put the 10% down at \$50,000, you would then have to deal with CMHC financing, and that might entail certain conditions that you have to comply with in order to get the mortgage.

I can speak to the issue of many people attempting to deal with the down payment by, I'll say, reverting to various methods so that they can perhaps get into the housing market earlier, and that's what these three bills are talking about: 136, 150 and 154. All of these bills have to do with getting housing into the market and increasing the housing supply, so that by increasing the housing supply, the price of attainable housing can move downward.

One of the other things that has forced up the cost of housing supply in the province of Ontario is the increase in interest rates. Now, there was a certain point not that long ago when interest rates had gotten to a point that was so low, nobody believed they could go any lower, and perhaps the people who believed that they could not go any lower were correct, because it appears that they're not. In fact, interest rates have now started to head in the opposite direction. Interest rates have started to increase and go up. It's not surprising for a first-time homebuyer to now be seeking to finance a mortgage at perhaps a 5% or 6% or even 7% interest rate. Of course, interest rates are challenging, and all through life we face all sorts of challenges.

I'm about to propose a challenge to the House today, and so I will do so: I move the adjournment of the debate.

**The Acting Speaker (Ms. Bhutla Karpoche):** Mr. Leardi has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the nays have it.

Call in the members. This is a 30-minute bell.

*The division bells rang from 1416 to 1446.*

**The Acting Speaker (Ms. Bhutla Karpoche):** Members, please be seated.

Mr. Leardi has moved adjournment of the debate.

All those in favour of the motion, please rise and remain standing to be counted by the Clerks.

All those opposed to the motion, please rise and remain standing to be counted by the Clerks.

**The Clerk of the Assembly (Mr. Trevor Day):** The ayes are 0; the nays are 95.

**The Acting Speaker (Ms. Bhutla Karpoche):** I declare the motion lost.

I'll give members a moment to leave the chamber before we proceed.

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Acting Speaker (Ms. Bhutla Karpoche):** I beg to inform the House that in the name of His Majesty the King, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

**The Clerk-at-the-Table (Ms. Julia Douglas):** The following are the titles of the bills to which Her Honour did assent:

An Act to amend the Consumer Reporting Act and the Prevention of and Remedies for Human Trafficking Act,

2017 with respect to certain debts incurred in relation to human trafficking / Loi modifiant la Loi sur les renseignements concernant le consommateur et la Loi de 2017 sur la prévention de la traite de personnes et les recours en la matière à l'égard de certaines dettes contractées dans un contexte de traite de personnes.

An Act to enact the GO Transit Station Funding Act, 2023 and to amend the City of Toronto Act, 2006 / Loi édictant la Loi de 2023 sur le financement des stations du réseau GO et modifiant la Loi de 2006 sur la cité de Toronto.

An Act to amend the Development Charges Act, 1997 and the St. Thomas-Central Elgin Boundary Adjustment Act, 2023 / Loi modifiant la Loi de 1997 sur les redevances d'aménagement et la Loi de 2023 sur la modification des limites territoriales entre St. Thomas et Central Elgin.

An Act to amend the Connecting Care Act, 2019 with respect to home and community care services and health governance and to make related amendments to other Acts / Loi modifiant la Loi de 2019 pour des soins interconnectés en ce qui concerne les services de soins à domicile et en milieu communautaire et la gouvernance de la santé et apportant des modifications connexes à d'autres lois.

An Act to amend various Acts / Loi modifiant diverses lois.

An Act to implement Budget measures and to enact and amend various statutes / Loi visant à mettre en oeuvre les mesures budgétaires et à édicter et à modifier diverses lois.

#### TIME ALLOCATION

**The Acting Speaker (Ms. Bhutla Karpoche):** I recognize the member from Oshawa.

**Ms. Jennifer K. French:** I am pleased to be able to stand and get a chance to put some thoughts on the record here as we're debating a time allocation motion—another heavy-handed tactic of this government, unfortunately, to stifle debate. In fact, we just saw in this Legislature the government move to adjourn the debate and ring the bells for half an hour to further cut into the limited, limited time that has been allocated for any type of discussion on this time allocation motion.

I'll briefly explain what this time allocation motion is about, but then there are some other issues that we would like to raise about the bills that are included in this time allocation motion. Here we are, discussing something that I haven't seen in my nine and a half years. While I've seen time allocation motions—the Liberals loved them, but this government has perfected them; they are just such an overreach and such a heavy-handed measure.

In this case, this is a time allocation motion that deals with three separate bills. Generally speaking, a time allocation motion is one bill at a time. But, here, we see that pursuant to standing order 50 and notwithstanding any other standing order or special order of the House relating to Bill 136—which is an act to amend the greenbelt act, and certain other acts, to enact the Duffins Rouge Agri-

cultural Preserve Act, 2023. Speaker, you'll remember that's the bill that the Premier so eloquently said people didn't "give two hoots about." However, at committee, the committee room was packed with people who weren't even allowed to speak because Bill 136, while it didn't allow public engagement, gave the replacement Minister of Municipal Affairs and Housing—the only time of anyone to speak was for the minister, which is also unusual.

But, anyway, here we are, back to the time allocation motion, which addresses Bill 136—about the greenbelt and Duffins Rouge Agricultural Preserve Act; and also Bill 150, an act to enact the Official Plan Adjustments Act; and also Bill 154—which is the Rebuilding Ontario Place Act. Those three bills are pulled into this time allocation motion.

A time allocation motion—for the folks at home who are wondering what we're talking about—gives the government a tool to do something other than what is normal flow and process of this space. So a bill usually, when it gets tabled, comes for second reading; folks debate it. When it reaches its end of debate time, it goes to committee, where hopefully it is thoughtfully addressed, maybe amended, as needed. Then it comes out the other side for third reading, where we're supposed to debate an amended piece of legislation, or whatnot, and then it passes. But the time allocation motion says, "Nope." It says, "We're going to skip those steps. We don't want those steps."

In this case, Bill 136, the bill that deals with the greenbelt, which is of significant interest to folks, and Bill 150, the act to enact the Official Plan Adjustments Act—both of those bills will get one hour of debate when they come back to this House for third reading, divided amongst the parties. That's all, folks.

What's interesting is, when Bill 154, that third piece of legislation that I'm looking forward to talking a bit about today, is next called, it says the Speaker shall immediately put every question necessary to dispose of the second reading stage of the bill without further debate or amendment—so, basically, it's gone. Then, Bill 154 shall be ordered for third reading, all of a sudden, without committee, and then, when the order for third reading is called, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment. Then, no deferral on any votes on these bills—so basically, it is just to take it, throw it through the process and out the other side, without the opportunity for folks to debate or discuss. That is highly problematic. When we put up our hands to run for election, we think we're going to come to this space and debate thoughtfully, maybe do some homework from time to time, really get into the work of this place. I find it interesting that the government members don't seem to be upset about the prospect of skipping all of those legislative steps in order to rush things without public access, without thoughtful consideration. I don't understand, but they're the ones who have to sleep at night, so hopefully they have found a way.

Speaker, that's what we're here talking about—this government time allocation motion. Bill 154, which this motion has said will not be getting committee hearings, will not be going to third reading and back before this House to debate—Bill 154 is the Ontario Place redevelopment stuff.

This government, lately, has been operating under a huge cloud of suspicion for all sorts of things. Right now, they're under criminal investigation by the RCMP. During question period, when this comes up, the government points to the Liberals and reminds the Liberals that their former chief of staff went to jail—and this Premier is like, "David Livingston, here, hold my beer." Everything they do is under a cloud of suspicion.

You're under active criminal investigation by the RCMP—first of all, not a good look, but not a good practice. There are steps that have been taken to get to this point. I raise that because this bill is about Ontario Place and the redevelopment. There are so many questions about Ontario Place, and here we are rushing through the process so that that bill can't go to committee. Why not? Who is this government afraid to hear from? Do you not think that it would be a packed house in that committee room? Why wouldn't you want to find out? What on earth do Ontarians have to say about Ontario Place? Let's ask them. Just kidding. Time allocation: There shall be no committee, there shall be no third reading—no consultation. That case is closed. It is happening.

We have a minister of mega spas and a legacy project. We've got an unbelievable obsession with this luxury mega spa in this province, which is absurd. People cannot find affordable housing. People cannot afford to feed themselves. And while the government can talk about their affordability measures or their stickers on cars or what have you, real people need real solutions to really be able to get through the day and survive—forget thrive; right now, people are looking to get by. They are not making their plans, not even likely in the next 95 years, to spend a day at the luxury spa.

**1500**

Maybe I'm wrong. Maybe the minister knows something we don't, but because they are so short on details about how this is going to meet the needs of Ontarians—their business case that we've been begging for: I stood in this House, and I said, "I don't believe she has one." Well, then we got one. Well, what a load of malarkey. That business case—to call it that, I think, is being awfully generous—is insufficient.

So, Speaker, Bill 154, which doesn't get its day in court, which doesn't get its day in committee, which doesn't get to come back for third reading because of this time allocation motion, allows the minister to do all sorts of stuff. The Minister of Infrastructure, whose baby this is—this is her legacy project, or the Premier's; I'm not sure. We don't get to really know what on earth is driving this. But schedule 2 of this bill enacts the Rebuilding Ontario Place Act. It gives the government extraordinary powers over the Ontario Place redevelopment. It gives them legal indemnifications that go much further than previous bills

to fast-track construction projects, and much further than previous bills. It is an overreach.

Again, this allows the Minister of Infrastructure to issue minister's zoning orders. Why? It gives this Minister of Infrastructure the power to unilaterally rewrite Toronto's official plan with respect to the Ontario Place site. The minister can ignore the provincial policy statement and provincial plans. The Environmental Assessment Act does not apply to any undertaking of the Ontario Place site or any infrastructure projects outside the Ontario Place site that further the Ontario Place redevelopment, including water or sewage projects, highway projects or parking facilities.

The Environmental Assessment Act does not apply—and this government thinks it doesn't deserve time in committee. This time allocation motion says there will be no third reading debate.

The Ontario Heritage Act does not apply to the Ontario Place site or to any buildings or structures on the site. Cabinet can prescribe land, buildings or structures within the Ontario Place site to which the Ontario Heritage Act does apply, which may include the Cinesphere and the Pods—may or may not. The Ontario Heritage Act does not apply to the Ontario Place site or any of its buildings—well, it used to, and now it doesn't. And I believe that the minister who would be making the decisions around which parts are heritage and which parts aren't is the minister responsible for heritage, even though it's not in his portfolio title because they've rebranded all of the ministries and it's the Minister of Citizenship and Multiculturalism—we don't even say the word "heritage" anymore—but he gets to decide. It's the Premier's nephew, the Minister of Citizenship and Multiculturalism, who gets to decide which parts are worth it, I guess. What a load of nonsense.

So here is, from the article—no, excuse me; I'm going to read more about heritage. "Architectural Conservancy Ontario strongly opposes the Rebuilding Ontario Place Act...." And I will note that our critic responsible for heritage, among other things—oh, hi; nice to have you here—is not only keeping me company but has been raising this in this House and we still haven't heard anything from the government.

And these folks, I'm willing to bet, would have loved to come to committee. But what they have said is, regarding Bill 154, "To plow ahead with developing the highly criticized Therme Spa, the Ontario Heritage Act says the Ontario government would need to prove this development would not harm the cultural significance and heritage value of this internationally renowned site.

"For months, Architectural Conservancy Ontario ... has been saying the Ontario Heritage Act won't permit this to happen.... Rather than argue their proposal to cut down 850 trees and build a mega spa does not undermine the designated heritage features of Ontario Place—an argument they would surely lose—rather than play according to the rules the provincial Legislature passed for the protection of Ontario's cultural heritage, this government just says, we'll change the rules.

"Not only that, we'll give our Minister of Infrastructure ... the right to make up her own rules, via ministerial zoning orders, as she goes.

"By exempting Ontario Place from the protection of the Ontario Heritage Act, the Rebuilding Ontario Place Act not only threatens one of Canada's most important contributions to modern design, it threatens all provincially owned heritage properties.

"If the OHA can be tossed aside for such a frivolous, irresponsible project that Ontarians clearly do not want—and that will embarrass us all in front of the world—then all provincially owned heritage properties are at risk.

"Where is the minister responsible for the protection of Ontario's heritage in all this? ... Ever since he was appointed, ACO has been trying to meet Minister Ford. To date, we haven't even had any acknowledgement of our requests.

"ACO deplores this act of cowardice...."

That is from the media release regarding Bill 154. That's Architectural Conservancy Ontario. These are folks who would have loved the chance to come to committee, but they don't get to have that chance, because this government, in its heavy-handed time allocation motion, says nobody is allowed to weigh in. I wonder why.

Also regarding Bill 154, John Lorinc has written, "In it, the province re-gifts itself powers it already has, enlarges loopholes it had already created, and effectively guts the provisions of any kind of environmental or heritage oversight as they might apply to this tiny yet contentious corner of Ontario."

"It's difficult to think of another instance when a government made the conditions for a private sector company quite as easy as" these "Tories have done in this spot. Subsidies? Check. Enabling infrastructure? Check. Regulatory approvals? Well, if you want to call them that, check.

"As far as I can see," writes John Lorinc, this act "also kicks the struts out from under the Ontario Place for All lawsuit, the gist of which was that Infrastructure Ontario hadn't obeyed the province's own environmental assessment rules. Given that those rules have been reverse gutted, the logic of the application seems to fall apart.

"Hard to imagine how Therme could now fail to deliver what the Premier so desperately craves: a giant water's edge monument to his time in office, which will sit there like a misshapen glass boulder for time immemorial, or at least until that moment off in the middle distance when all and sundry realize that this edifice is simply too expensive to operate in a climate crisis."

Speaker, folks do not support the government's move to do such irreversible harm to one of Ontario's treasures that we see at Ontario Place. This luxury spa is almost like a snow globe. Like, we all picture this big glass dome. The Minister of Infrastructure had the—the audacity? The nerve? I don't know. But she stood in this place when I raised that it was a 50-year-old cement structure, the Ontario Science Centre, and that minister suggested that 50 years was a long time for a building, that we all needed to acknowledge that 50 years was, I guess, beyond its

prime. Well, Speaker, how well do we think a glass-and-water structure on the water's edge is going to fare after 95 years? If you're going to use logic, let's walk that all the way through.

Speaker, I will continue with this article from John Lorinc. "To fully grasp the significance of this move, it's worth briefly revisiting the history of the garage. The original 2019 call for proposals made no mention of new parking; in fact, bidders were told they'd have to make do with whatever was on or near Ontario Place. Then Infrastructure Ontario—or someone!—selects Therme, and suddenly we're talking about indoor underground parking."

Speaker, the parking garage is its own fascinating story, its own interesting journey. There's a lot of money that the province is throwing into this, in public funds—a lot of money. And we don't have a copy of the lease. We don't get to know the details of this, which is why the Auditor General is now looking into it.

1510

From a CBC article on November 3:

"The province's auditor general is moving ahead with a value-for-money audit of the Ford government's controversial Ontario Place redevelopment." They've "also said the office would be auditing the Ontario Science Centre, which is set to be moved to the Ontario Place grounds in 2025."

The Premier "and his government have faced considerable public opposition to their Ontario Place plan, which includes a long-term lease on the site's west island for Austria-based company Therme to build a sprawling, private indoor water park and spa...."

"The province has earmarked some \$650 million in public funds for infrastructure upgrades across the Ontario Place grounds and a new 2,000-space underground parking garage"—underground at the water's edge. Is it underwater, or do we wait and see? I don't know.

What's interesting about this bill—the one that doesn't get to go to committee, the one that doesn't get to be amended, the one that doesn't get to make it to third reading—is there's a lot of protections in that bill for the government. We've raised it in this Legislature, just how problematic that wording is. The government gives themselves all sorts of fun protections and basically makes it law that they can break the law. In section 17, the "no remedy" part of this bill is really something else, basically protecting themselves:

"If any, no costs, compensation or damages, including for loss of revenues or loss of profit, are owing or payable to any person and no remedy, including but not limited to a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation, any equitable remedy or any remedy under any statute, is available to any person in connection with anything referred to in subsection ... against any person referred to in that subsection."

Lots of words, but the key ones there are "contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation." What on earth are you protecting yourselves from? What irons do you have in the fire? What is already

under way, or what are your plans? How is this okay? What do you need this for? Nobody trusts you already, and that doesn't help.

Speaker, I do recognize, though, that we have an injunction in the works. Here in an article from November 23, Jack Hauen had written:

"A citizens' group is turning to the courts to try to trip up the Ontario Place spa project.

"Ontario Place for All ... has asked the Superior Court for an injunction that would stop the Ford government from making progress on the Toronto waterfront project until it completes an environmental assessment of the area...."

"Ontario Place for All is committed to using all possible avenues to hold the provincial government accountable for their actions at Ontario Place, and ensuring that they follow the proper process which would involve public consultation on the west island," the group's co-chair, Norm Di Pasquale, said at a press conference at Queen's Park on Tuesday.

"The government has done an environmental assessment of the site—but it didn't take into account the creation of a mega-spa and water park"—what? "The project was exempted since it's a private project on government land."

*Interjections.*

**Ms. Jennifer K. French:** The government members on the opposite are highlighting the political affiliations of folks that I'm reading about—okay. I'm standing here as a New Democrat, and I also support an injunction or using the courts. I would say, "Use this building," but we can't because we have a time allocation motion that says, "Shut 'er down," that says we can't go to committee, that says how dare we bring this back for discussion.

So, yes, people in the community—some of them are New Democrats, but I think you're probably also losing a lot of your base, because there are such people as Conservatives who like to spend time at their public treasures like Ontario Place, like the Ontario Science Centre. I thank the member for reminding me of that. That was a good point to have made.

I had mentioned earlier about the business case and the parking garage, and I have put on the record about the process with the parking garage and the redevelopment of Ontario Place, because I sat at estimates committee, and I had the opportunity to ask the Minister of Infrastructure a number of questions. I took the opportunity to ask Michael Lindsay, the CEO of Infrastructure Ontario, all sorts of questions. I found out that there had been no fairness monitor in the process, which is highly unusual. The, sort of, feeling of "Just trust us. Don't worry. It was a fair and equitable process," but no fairness monitor? In terms of scoring of the criteria, there was no scoring. What was the criteria? I was told—and you can review the Hansard; it was back on June 7, 2023, at infrastructure estimates—that there were folks in the room who discussed it. I asked who the folks in the room were, and it was like, "Oh, we'll take that back and see if we can provide that to the committee."

We're still waiting. But that's how business gets done? Like, that's wild.

Something else that I will go back in time—here's the question I asked about Mark Saunders. Some of you may remember that Mark Saunders had been special adviser or whatever his title was on Ontario Place. He made like \$70,000 for the year and four months that he was employed as the special adviser on Ontario Place.

I asked, "Can we have copies of the reports or recommendations from Mark Saunders, as the special adviser on Ontario Place redevelopment?"

The minister said, "He fulfilled that role. We can take that back and respond."

I said, "I'll take from that that there were reports or recommendations from his work."

The minister said, "It was largely before my time as minister. My understanding is, his preliminary role was really to be a liaison with the city of Toronto."

I asked, "Were there formal recommendations or reports? If so, can we have them?"

And Mr. Michael Robertson said, "My name is Michael Robertson. I'm the assistant deputy minister of the Ontario Place Redevelopment Secretariat in the Ministry of Infrastructure.

"As the minister has said, Mr. Saunders was a special adviser on the project and provided his advice directly to government. The ministry does not have any reports that he may have made. As for his contract with the government, this was through an order in council. We can get that information and provide it to the committee."

Guys, this is how business gets done. He's a liaison. He's not responsible for producing anything. He gets 70 grand for a year and four months of what?

**Interjection:** Sign me up.

**Ms. Jennifer K. French:** Well, you'd have to live with yourself and do nothing; I don't think you could actually handle that. We do things on this side, and I don't know what he was doing there, but there's nothing to show for it. And that's what we're building this case for Ontario Place on?

So the business case is the next chapter that I want to talk about here. The business case I've been begging for, for quite some time. I'm the critic for infrastructure in the province, and I had asked why the Ontario Science Centre needs to be moved to Ontario Place, and, Speaker, there's no rationale that has been thus provided.

I've looked at the business case for relocating the Ontario Science Centre that they just released the other day. Here's from an article from Canadian Architect:

"Scratch below the surface, and there's some clear problems with the province's math....

"The new science centre is proposed to sit on top of a 2,000-space underground parking garage, which, if built, will cost about half a billion dollars. If the parking moves to a different location ... the science centre will need to build its own basement and foundations—at a cost of perhaps some hundreds of millions of dollars."

Beyond this, it "also excludes the cost for a 150-metre-long underground, two-level link between the new Science

Pavilion on the mainland and the bridge to the pods—an enormously expensive component of the project due to its proximity to the waterfront, and an essential element for allowing ticketed visitors to move from the main science pavilion to the Pods and Cinesphere," which is just not included, just not there.

"On the other side of the equation ... the science centre's required repairs result from the government choosing not to invest in the building over many years. Someone will need to pay for those repairs eventually, should the building continue to be used, either as a cultural building or for another purpose. 'If it survives, the province is saving money by dumping perhaps \$300 million in liabilities on the city. It's a shell game, nothing more,'" they write.

"The business case's costing for the relocated Ontario Place omits the costing for the rehabilitation of the pods and Cinesphere"—it's just not in there; shh, don't talk about it—"as well as the cost for building the underground Science Link, shown in the site plan above, and detailed in the test fit documents as a two-storey underground link."

"It doesn't include most of the renovations to the heritage pods, including the \$25.5 million currently being spent on recladding those structures....

#### 1520

"There's also a human cost to the math. The government's case for relocating the Ontario Science Centre is strongly based on the efficiencies of a smaller facility, but also on its ability, paradoxically, to attract more visitors. It estimates that 1.15 million people will visit the relocated science centre in its first years. It also expects to accrue cost savings through staffing reductions: The estimates count on laying off 53 people, or one out of every six people who currently work at the science centre."

For the people, eh?

"Of course, it's not surprising that the business case contorts itself an attempt to justify the relocation... the provincial government had already determined, more than two years before any public announcement, that it was determined to relocate the Ontario Science Centre to Ontario Place. The business case was specifically constructed to justify this decision....

"While we may take it for granted, there is value in taking care of what we have: a magnificent, much-loved museum at the Ontario Science Centre that is in need of some TLC. The value of such a gem isn't something we usually quantify, but if we did—in a neutral way that accounted for cultural value, economic value, social value, and sustainability—it's clear how the business case would land."

That was a thoughtful piece by Canadian Architect.

Basically, when we have looked at the mess that has been this process, the need for FOIs, the need to try to get answers at committee, we have seen that this government has not been forthcoming with any actual numbers. We have seen that this is hidden, that the lease is not allowed to be for public consumption, that this bill is not allowed to go to committee; we cannot hear from people.

What on earth this government is hiding from—you're literally hiding from the people, which is shameful. And if you think you have such buy-in, if every single mom with three kids that the Minister of Infrastructure talks about all the time, that she just wants a day at the wellness centre—she wants to be able to feed her kids. She wants her kids to go to school and have the supports that they need. She wants a place that she can afford. She wants rent control, in all likelihood. I'm sure that everybody could use a day at the spa, but I don't think that this is what this is about.

We don't know anything about the deal. I know that I have stood in this Legislature and asked what the government can point to to ensure that the financing is even there. Therme has made promises all around the world, pledging to spend billions on new luxury spas. Therme promised to invest \$350 million in Ontario, but we have seen that it's Ontario taxpayers who are going to be paying \$650 million for a new parking garage, new water infrastructure and other site prep for public land that Therme is going to be in control of for 95 years. I wonder if spas are still going to be a thing in 95 years. Maybe. Honestly, is this like the fountain of youth? With the way the minister of mega spas, or Minister of Infrastructure, is all about this project—what's in the water? Speaker, 95 years is a really long time, and a really long time when Ontarians don't get to see the numbers, don't get to see the lease. Therme was on the brink of bankruptcy only three years ago. We don't even know if they actually have the money. And 95 years is a long time for a company that barely made it through the decade.

So we've asked the Premier—I stood in this House and I asked the government to prove to the public that any due diligence has been done to confirm the source of Therme's financing. Crickets—and not to say crickets are financing it; I'm saying that's all we've heard, is nothing. You don't have to justify yourself to anyone—no committee, no answers. We're not the boss of you; we get it. But you still are the government in the province of Ontario, and you owe Ontarians some kind of accountability.

A lot of other folks have been looking into Therme's financing, and it is a convoluted, tangled, interesting web. It's four pages of who knows who in all of the different—I will read this piece, also from John Lorinc. He examined how the company behind the Ontario Place mega spa makes money.

He said, "What's apparent from the company's nested corporate and philanthropic relationships is that it is exceptionally well connected to the worlds of art, philanthropy, finance and real estate...."

"What's less clear is the origin of Therme's capital, and, in particular, the funding required to build an almost half-billion-dollar facility on the west island at Ontario Place. Given that the Ford government is executing a 95-year lease through a process overseen by Infrastructure Ontario, it would seem prudent for provincial officials to know precisely who it is dealing with, the ultimate source and terms of the firm's financing."

But we don't get to know, and here we have a time allocation motion which says, "Shh. There's no com-

mittee. No one gets to come and ask questions. There's no third reading debate." This is the last chance that we're going to have to talk about Ontario Place in terms of the piece of legislation. It's my remaining six minutes to talk about the fact that I only have six minutes, because of the time allocation motion before us. It's something else.

We've got a conversation about Ontario Place and a conversation about the Ontario Science Centre. The Ontario Science Centre is a beloved piece of public infrastructure. People love to go there. We've had letters written in about people who have been going there for a generation. They remember going there as kids. I remember being there as a kid. Moriyama had said that with proper investment, it would last over 250 years. Well, guess what? We didn't have that proper investment. Do you know why? Because Infrastructure Ontario is the landlord. This province is the landlord—

**The Acting Speaker (Ms. Bhutla Karpoche):** I'm sorry to interrupt the member, but pursuant to standing order 50, I am now required to interrupt and put the question.

Mr. McCarthy has moved government notice of motion number 20.

Mr. McCarthy then moved an amendment to the motion as follows: that the motion be amended by adding "and that, in the case of any division relating to any proceedings on the bills, the division bells shall be limited to five minutes" at the end of the motion.

Mr. Vanthof has moved that the amendment be amended by replacing the words "five minutes" with "one hour." Is it the pleasure of the House that Mr. Vanthof's motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

A recorded vote being required, it will be deferred until the next instance of deferred votes.

*Vote deferred.*

BETTER FOR CONSUMERS,  
BETTER FOR BUSINESSES ACT, 2023  
LOI DE 2023 POUR MIEUX  
SERVIR LES CONSOMMATEURS  
ET LES ENTREPRISES

Mr. McCarthy moved third reading of the following bill:

Bill 142, An Act to enact the Consumer Protection Act, 2023, to amend the Consumer Reporting Act and to amend or repeal various other Acts / Projet de loi 142, Loi visant à édicter la Loi de 2023 sur la protection du consommateur, à modifier la Loi sur les renseignements concernant le consommateur et à modifier ou abroger diverses autres lois.

**The Acting Speaker (Ms. Bhutla Karpoche):** I return to the minister.

**Hon. Todd J. McCarthy:** It is an honour, Speaker, to rise to begin third reading debate with respect to our

proposed Bill 142, the Better for Consumers, Better for Businesses Act, 2023. This important piece of legislation would, if passed, modernize Ontario's consumer protection legislation, creating stronger safeguards for consumers in our modern marketplace. Clarifying consumer protection laws for both the public and for businesses would make it more difficult for those few bad actors to take advantage of vulnerable members of our communities. Simply put, consumer protection is integral to building consumer trust, and it is a cornerstone of a competitive and vibrant economy.

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Our government has an obligation to all Ontarians to ensure that they are protected against unfair business practices, aggressive sales tactics and misleading or false claims. At a time when many families are struggling to pay for household essentials and to make every dollar count, we must make sure they do not face unnecessary hardships and challenges.

Our proposed legislation would better protect consumers in the marketplace, strengthening their rights and their confidence, and make it easier for businesses to comply with consumer protection rules. In addition, our proposed changes to the Consumer Reporting Act would improve and clarify that act, while helping Ontarians monitor and protect and access their information and their credit scores. Together, these landmark proposals would position Ontario as the leader in consumer protection.

I want to talk a little bit about the history of consumer protection legislation in our province, and in doing so, I want to reiterate a few points I have referenced during the second reading debate, such as the old common-law doctrine of "caveat emptor," and why these updates to our consumer protection legislation are so important, even less than 20 years after the Consumer Protection Act of 2002 came into force. Just for the record, it's clear that although that act is called the Consumer Protection Act of 2002, it was not ultimately proclaimed until 2005. And so much has changed in less than two decades, in our digital economy and our modern world of 2023.

There is a doctrine at common-law—or there still is, technically, this doctrine, although it has been watered down over the years by case law and legislation. The common-law doctrine that I reference, "caveat emptor," which means "let the buyer beware," provides that absent fraud, mistake or misrepresentation, a purchaser takes something that that purchaser is buying as the purchaser finds it, unless the purchaser protects himself or herself by asking for a contract that contains terms governing the quality of the goods or services. Over the years, this doctrine, although softened, still exists. It has been softened by certain concepts like implied warranties. An example of this, in terms of legislative implied warranties, is the Sale of Goods Act, which establishes that goods supplied by a business must be reasonably fit for their intended purpose.

The Consumer Protection Act has always stated that businesses are deemed to warrant that the services supplied under a consumer agreement are of reasonably

acceptable quality. The Consumer Protection Act also prohibits businesses from including terms in contracts that attempt to negate any implied conditions or warranties; in fact, the Consumer Protection Act provides that any such terms are deemed to be void.

Our proposed, new Consumer Protection Act, 2023, if passed, would carry forward those important protections for consumers. Of course, the act will ensure that consumers continue to be protected from unscrupulous individuals who may try to take advantage of them—especially vulnerable consumers, such as the elderly and newcomers to our province. The proposed legislation would also set out baseline disclosure requirements and protections that apply across all consumer transactions. This will ensure both fairness to consumers and a level playing field for businesses.

Consumers are encouraged to do their research and learn more about the many excellent businesses that operate in our communities across Ontario. They should do that research and then decide to purchase goods and services for themselves and their families, based on the best choice available. I might add that while this is proposed legislation that is designed to enforce the law against bad actors, I can say proudly that most businesses, large and small, are good businesses who put their customer, the consumer, first—recognizing, Speaker, that we all are consumers at one point or another.

Both the federal and provincial governments do share responsibility for consumer protection in Canada, but consumer protection legislation is largely the purview of the provinces. Municipalities and other organizations also have a role in protecting consumers.

The journey of this act here in the province of Ontario began almost 60 years ago when this House passed the Consumer Protection Act of 1966. Early consumer protection acts such as that piece of legislation were initially focused on door-to-door sales, consumer credit and repossession. Other legislation passed by the provinces included provisions providing relief from unconscionable transactions and restricting certain business practices.

The current Consumer Protection Act, the one I refer to as the Consumer Protection Act, 2002, which was proclaimed in force in 2005, is entitled the Consumer Protection Statute Law Amendment Act, the CPSLAA, 2002. At that time, it was implemented to modernize and harmonize consumer protection laws to better serve and safeguard Ontarians for the world as it was two decades ago. That, I might add, is before the iPhone in the late aughties, which is the primary device that's used by so many consumers to enter into a number of transactions, including consumer transactions.

The 2002 legislation consolidated six different pieces of legislation that had been developed between the first Consumer Protection Act of 1966 and other legislation up to and including legislation dating from 1994. These different pieces of legislation included the Business Practices Act of 1974, the Consumer Protection Act of 1966, the Consumer Protection Bureau Act of 1966, the Loan Brokers Act of 1994, the Motor Vehicle Repair Act of 1988 and the Prepaid Services Act of the same year, 1988.



The 1966 and 2002 Consumer Protection Acts were statutes that were clearly for the protection of Ontarians and—I might add, proudly so—they were introduced by Progressive Conservative governments in this House. Our current proposal, the Better for Consumers, Better for Businesses Act, 2023, is a continuation of this great legacy, a legacy of putting Ontarians' well-being at the forefront and ensuring that our fellow citizens and residents have the protections needed in our rapidly evolving economy.

Speaker, since the current act came into force in 2005, the existing Consumer Protection Act, having been that major consolidation of six statutes over a period of 40 years at the time, was designed to bring the law up to date, but it has quickly been eclipsed by massive changes in the consumer market and the economy generally and in terms of how we ourselves, our fellow citizens and residents, conduct business online. And so, after less than two decades, updates to this legislation are long overdue, and rather than have piecemeal amendments proposed to this House, it was thought wise and prudent that this Consumer Protection Act, the current one dating from 2002, be entirely replaced by a 2023 statute. I'm proud to say that it was unanimously passed by this House at second reading before going to committee, and we are addressing this piece of legislation, this proposed legislation, having received some amendments from the committee process.

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The legislation that will remain in force unless and until it is replaced by this proposed bill still defines rules for consumer protection in Ontario and contains many amendments since it was passed. It remains, and will remain until the regulation-making process is complete, the key consumer protection framework that applies to most transactions between consumers and businesses.

With our increasingly online world, consumer habits and business practices have evolved rapidly. Stronger consumer protections and better compliance by businesses would help strengthen confidence in the marketplace while supporting Ontario's continued economic growth. E-commerce and other digital transactions mean that consumers have more choices at their fingertips and the chance to navigate the marketplace with greater freedom and security.

With so many more ways for businesses to connect with consumers, they have more avenues to advertise and to sell their products and services and become even more successful in the process. However, this has also made those interactions between consumers and businesses much more complex. That is why my ministry, the Ministry of Public and Business Service Delivery, has a duty to enforce consumer protection legislation and safeguard our fellow citizens and residents from those who would try to take advantage of them and not comply with the letter and spirit of the law.

Whether they are entering contracts to buy a water heater, join a gym, subscribe to a weekly publication or have their roof replaced on their home, Ontarians need to know that their government has their backs. To do so, we

need modern tools in place, tools that can help us protect consumers from harm whenever they purchase goods or services. Whether shopping in person or online, consumers and businesses need to have clarity about what the rules are.

With consumer transactions, we must ensure that they are focused more and more on digital service delivery. The rules defining our interactions therefore need to be brought into the modern age, an age that was not envisioned even when the Consumer Protection Act, 2002, was proclaimed in force in 2005. That is why, I submit, Bill 142 is essential legislation for this, the third decade of the 21st century, to keep up with our ever-changing world.

It's aptly named, I submit, the Better for Consumers, Better for Businesses Act, 2023, because it is. It has that balance. It is a comprehensive response to years of feedback received from the public and stakeholders about harmful, misleading and costly business practices.

Ontario needs to protect the most vulnerable consumers and support a fair and competitive economy. This includes seniors, new Canadians, families struggling to keep up with their monthly bills and small businesses facing an ever-more-challenging economy and ever-changing conditions.

Bill 142 would repeal the Consumer Protection Act, 2002, in its entirety and replace it with stronger protections for consumers. By adapting to address changing technology and marketplace innovations, we can add streamlined, clear requirements to improve consumer understanding and business compliance.

It is important to note that the new proposed Consumer Protection Act, 2023, would not be proclaimed into force until regulations are developed and approved. Until then, the existing Consumer Protection Act, 2002, will remain in effect.

As we move into 2024, my ministry plans to begin stakeholder consultations on draft regulations. These consultations will include businesses large and small, the legal community and the public. These will begin upon passage of the new act, if this House sees fit to pass it on third reading and if royal assent is then granted. These consultations would continue through the regulation-making process through to 2025, followed by the filing of final regulations. The proposed new act and its regulations would then come into effect on a date to be set by proclamation.

Ontarians agree, I submit, Speaker, that this legislation is a step in the right direction and I believe that all members of the House, by the vote on second reading, share that view. We heard loud and clear in presentations during public hearings last week—and I began that process with my remarks to the committee before that—the need to move in this right direction to strengthen consumer protection, to modernize the laws surrounding consumer protection that reflect our modern world. We heard all of this at the Standing Committee on Justice Policy, which considered amendments and proposals for amendments after the bill passed second reading in this House.

I want to thank the many individual consumer and advocacy groups, particularly those who are standing up

for the elderly, new Canadians and the vulnerable. I want to thank all of them for taking the time to share their suggestions with the Standing Committee on Justice Policy.

Stakeholders, representatives from the legal community and industry and members of this House have all made important contributions to what is before us today. I sincerely appreciate the support and thoughtful consideration given by all who examined this comprehensive piece of legislation, and for the useful recommendations that were shared to improve upon it.

From all of our consultations, to drafting and work at the committee, I would like to recognize and thank Kelly Houston-Routley and her team at the Ministry of Public and Business Service Delivery for their hard work and dedication in helping us get Bill 142 to third reading. There was a series of particularly long days on weekends and evenings while the bill was being considered at committee and when many suggestions were made, so I salute the team, the entire team, both the political staff and the professional ministry staff, who worked hard to get us to this point today. I know our committee members are very grateful for all of their guidance and their support throughout the process of public hearings and the clause-by-clause process. We could not have gotten this far without each and every one of you, and I salute you all and thank you for your dedication.

As many of you in this House know quite well, as bills move through the legislative process, the support from stakeholders can play a vitally important role. I would like to take some time, Speaker, to express my gratitude to some of our stakeholders who dedicate themselves fully for the service and protection of the most vulnerable in our communities, organizations such as the Huron Perth Community Legal Clinic, Elder Abuse Prevention Ontario and the Advocacy Centre for the Elderly, as well as community legal aid. I want to thank them for all that they do for our province as well as for their feedback and insights on what needs to be done to strengthen our consumer protection efforts. My ministry and I look forward to working with each one of them as we develop regulations in the upcoming months to support our shared goals to make sure that our most vulnerable have the protections they need as they interact with the marketplace.

For important and targeted next steps to protect homeowners against the fraudulent use of notices of security interest, or NOSIs, we greatly appreciate in particular the Advocacy Centre for the Elderly and its support in the efforts to target those unscrupulous bad actors engaged in harmful tactics, while at the same time enhancing consumer protection and confidence.

#### 1550

The Waterloo Regional Police Service have also provided invaluable feedback and information to our examination of solutions with respect to these unethical and fraudulent practices. My ministry looks forward to continuing the ongoing work with them as we move into the regulatory consultation process.

The Better for Consumers, Better for Businesses Act, 2023, will also provide Ontarians with modern and enhanced tools for managing their credit information: The kind of changes that will continue to empower consumers and that will, with the support of credit reporting agencies like TransUnion, most certainly better serve Ontarians, if these changes are approved by this House.

Under the leadership of Premier Ford, we are ensuring that our seniors, vulnerable groups and, indeed, all Ontarians are receiving the consumer protections they expect and deserve. My ministry has been receiving positive feedback for Bill 142 and for the critical steps it takes and proposes to protect vulnerable consumers to benefit businesses, and in doing so, providing for both sides of transactions in relation to consumer goods and services clear and streamlined regulations to provide our government with modern and enhanced tools to stop those few bad actors in the marketplace.

However, recommendations to enhance the bill included the need to go further in addressing consumer protection. Stronger enforcement of existing and proposed laws also was a common thread running through numerous submissions and amendments proposed during the deliberations of the Standing Committee on Justice Policy. The law, after all, is only as strong and effective as its enforcement.

Those recommendations highlighted the critical need to address the impact of unfair business practices on those citizens and residents of our province who are least able to understand the increasing complexity of contracts, especially in this digital age. We heard of the need for greater awareness and education for consumers on their rights and for businesses on relevant requirements to ensure compliance. Business and legal representatives that we have worked with believe that enhanced consumer protection will help reduce legal and reputational risks, promote fair competition and promote regulatory compliance. Again, enforcement is a concern with many businesses, who point to unfair competition if regulatory obligations are not imposed on less-compliant suppliers and vendors.

Speaker, overall, I am very pleased to report a strong engagement involving Ontario's legal profession, community associations, law enforcement industry and consumers with respect to this important legislative package. I also note their willingness to work with our government as we develop the regulations in the months to come, beginning in early 2024.

At the Standing Committee on Justice Policy, members discussed and debated 31 motions brought forward by government and opposition. In the end, I believe we have placed before this House a comprehensive legislative package that is consistent with the intent of protecting consumers, while also making it easier for businesses to be in compliance with the law.

There is one motion, in particular, that I want to highlight, and that is motion 23: amendments passed during clause-by-clause that would improve our government's ability to enforce the offence provisions in the act against the officers or directors of corporations to hold the

unscrupulous accountable. This means that corporate officers or directors would be required to provide evidence in their defence that they took all reasonable care to prevent the corporation from committing any offence under the Consumer Protection Act, 2023.

Speaker, let me remind members of this House of the broader aims of this proposed legislation, which we will be voting on, hopefully, this week. Schedule 1 of the proposed Better for Consumers, Better for Businesses Act, 2023, would build on existing protections to strengthen consumer rights and better protect and empower all Ontarians. Additionally, it would, as I've indicated, streamline and clarify the rules and the requirements to make it easier for businesses to understand and follow the law. That means not increasing red tape and regulation, but streamlining and clarifying the core values and rules of consumer protection so that businesses big and small can more easily comply. And, very importantly, to deal with those few unscrupulous individuals and businesses, the bill, if passed, would introduce new enforcement powers to better enable my ministry to hold those bad actors accountable and support consumers in the meantime.

As I've said, Ontario needs consumer protection regulations for the new modern times we live in. We need to modernize contract rules for the digital and e-commerce economy as well as adapt to changing technology and innovations in the marketplace. This legislation would address consumer concerns and harms from unilateral contract amendments, renewals or extensions.

It bears repeating that our proposed legislation is not intended to place extra burdens on Ontario businesses who treat their customers fairly and honestly. We know that the vast majority of businesses large and small are compliant and want to have the great reputation that comes with putting the customer first. However, we know that there are some—very few—bad actors with unscrupulous practices that can cause real harm to our fellow citizens and residents.

To provide some examples: Punitive exit options for time-shares can no longer be tolerated. High termination costs for leases on home-related equipment if a consumer wishes to end the contract early cannot be tolerated. Unfair practices such as aggressive sales tactics and misleading claims and difficult-to-understand contract terms will not be tolerated. That is why Ontario needs legislative and enforcement powers to curtail all of these practices.

We need to simplify and clarify the rules governing consumer contracts with a single set of core values and rules. By establishing clear and prominent disclosure requirements for businesses in our province, as well as easy-to-understand, fair and transparent contracts between businesses and consumers, this will ensure greater compliance and greater fairness.

Consumers also need a better understanding of the rights they have under this proposed legislation. This applies to a range of products and services, including gift cards that we are all snapping up at this festive time of the year. With the upcoming holiday season, this is of particular concern. Our proposed act makes it clear and

would enshrine in law that the gift cards that we so often purchase for our loved ones and for friends in our community cannot expire. Regardless of how gift cards are purchased—in store, online or via an app—they can never expire, and we would make sure both buyers and sellers are aware of this core rule or core value.

Ontario consumers should never feel trapped in contracts when businesses have decided to unilaterally amend, renew or extend without their express consent. This is another area of harm that is addressed by this proposed legislation. Under the current Consumer Protection Act, 2002, proclaimed in 2005, businesses are allowed to amend, renew or extend most contracts by simply providing a notice to a consumer, and the act then allows price escalation clauses where charges paid by consumers can increase during the contract. As part of the regulatory development process, our government will consider how to make consumer consent and choice the number one consideration by limiting when businesses can make unilateral contract amendments and conduct renewals and extensions.

We also propose to develop regulations to make it easier for consumers to cancel subscriptions and memberships when they no longer want to utilize them. These changes are good for consumers' pocketbooks. They increase consumer choice, and they encourage businesses to compete in a thriving economy.

Speaker, I said earlier that our government has a duty to safeguard our fellow citizens and residents from those few unscrupulous players in the marketplace, and through the development of this legislation, we have heard time and again from individual consumers, families, law enforcement, legal groups and consumer advocacy groups of the need for these proposed changes.

#### 1600

I am certain that members across the aisle and on this side of the aisle have heard countless stories from their own constituents of some salespeople who are out there thinking it is fair game to make false claims of government oversight or authorization, or to make bogus prize offers. The changes we are proposing under this bill would specifically target and prohibit these unfair practices. Our proposed legislation would clarify and strengthen prohibitions against unconscionable conduct by explicitly prohibiting specific unfair business practices that involve taking advantage of a consumer's inability to understand language in a contract. In the event that a business engaged in an unfair practice, the new act would give consumers the right to rescind a contract for one year after entering the contract or one year after the unfair practice takes place, whichever is later.

Furthermore, we are strengthening consumer rights against businesses that do not provide refunds when the Consumer Protection Act, 2002, would require it. For example, a consumer buys a water purifier from a supplier for, say, \$600. Soon, it's found out that the supplier lied to them about the purifier's capacity. Under the changes we are proposing, the consumer would have the legal right to rescind the contract because of the unfair practice and

obtain a refund of \$600. However, if the business refused to provide the refund within the 15-day period that would be required by the act, thinking that the consumer will simply drop the matter because the refund amount is too small and not enough to take the matter to Small Claims Court, under the new act, it would give the consumer the right to sue to enforce such payment and, if successful in Small Claims Court, could triple the amount owed to \$1,800. The courts could furthermore provide for exemplary or punitive damages to a consumer—depending, of course, on the particular facts of a case before the court.

And I know and trust in the discretion and wisdom of deputy judges, having served as a deputy judge in the Small Claims Court myself in Durham region for almost a decade, from 2002 to 2011.

This triple refund would be a deterrent, both specific and general, to businesses refusing to provide a statutory right of refund to a consumer. More importantly, I want to reiterate that this is not about punishing business. Most businesses do not go out of their way to deceive their actual or potential customers. It is about zeroing in on those few non-compliant businesses that do operate with deceptive practices and encouraging them to do the right thing by refunding the consumer the money that that consumer is owed, or otherwise face paying triple the amount, plus punitive and exemplary damages. That's an important remedy that, depending on the facts of the case, could be granted by a deputy judge of the Small Claims Court.

To keep these matters out of court—because there's always going to be a delay, Speaker; there will, because of this, always be a delay between someone being aggrieved and the seeking of a remedy and the granting of a remedy in court—the \$600 refund, a relatively small amount, could be granted sooner rather than later. But if the delay is caused by an unscrupulous business, they would face those civil consequences of triple the damages plus exemplary and punitive damages. And, of course, decisions of the Small Claims Court, like any other court, are published and those involved are named. It acts not only as a general deterrent but, of course, as a specific deterrent.

Our proposed new legislation under Bill 142, Speaker, also addresses what I would call the predatory practices of some suppliers of long-term leases on items like water heaters, furnaces and other home comfort equipment. In Ontario, it is much more common for homeowners—more so than those in other provinces—to lease or rent water heaters, furnaces and other home services equipment on a long-term basis. The terms in these long-term leases can be complicated to understand, and the actual cost of renting as opposed to purchasing an essential piece of equipment like a water heater can be hard for a homeowner to calculate. It can even be trickier for seniors and newcomers to our province.

The existing 2002 Consumer Protection Act already restricts door-to-door sales of items such as furnaces, water heaters, air conditioners, and water filtration systems. It is clear, though, that we still hear about homeowners who felt that they were persuaded or misled by

aggressive salespeople into signing long-term, expensive contracts due to high-pressure tactics. These salespeople may not be going door to door; however, they have now migrated to Web and telephone marketing. The aim is the same: to get into your space and get you to sign up, even if they're not at your doorstep. The cost to terminate these leases early is not always made clear to homeowners, and once signed up, some suppliers make it exceedingly difficult and costly for consumers to exit these long-term contracts.

Our proposed changes under the new act would also establish specific rules for a new category of high-cost leases that would include leases for home comfort appliances like furnaces and water heaters. Businesses would need to provide consumers with a buyout schedule where the cost to buy out the contract and obtain ownership of the equipment would decline over time to zero, and there would be a need to disclose this schedule early, clearly, and prominently in the initial lease.

The proposed act would also maintain a 10-day cooling-off period and would set limits on termination costs for these high-cost leases if a consumer wishes to end the lease early. Our focus is always going to be on Ontario consumers getting the clarity that they deserve and choice when they make these kinds of important purchases—real choice that includes that cooling-off period based upon full disclosure at the outset.

We are also tacking the issues related to time-share properties—a topic that has received a good deal of media coverage due to the high level of consumer harm associated with it. There are consumers who have bought into time-share properties only to find themselves and their families locked in indefinitely. This can cause real concern if an owner's travel or financial situation changes. Some can no longer afford the recurring fees of a time-share, and some no longer get to use or enjoy any of the time-share, but they find it impossible to exit from the unending time-share contract. Similarly, or alternatively, if an original time-share purchaser passes away, the time-share contract is left to their children to deal with, again, indefinitely. It is understandable that Ontarians have good reason to be frustrated, then. That is why we have listened to consumers and time-share providers about these long-term, indefinite time-share contracts.

Our proposed act would provide consumers with the right to exit a time-share contract if they so choose, after 25 years have passed since entering the contract. This would apply retroactively, therefore, to new and existing time-share contracts. The time-share exit proposal is unique to Ontario and would be the first initiative of its kind in North America. It would also provide a similar exit option for the owner's heirs upon a time-share owner's death. There would be limits placed on the costs that a consumer may be charged for exercising an exit option, with details to be determined in the regulation consulting period.

Additionally, we are proposing to develop improved disclosure requirements for time-share contracts to help make sure that consumers are better informed about the long-term implications of time-share agreements.

Speaker, I believe the name of this bill, as I've said before—Better for Consumers, Better for Businesses Act, 2023—does accurately reflect how the changes we are putting forward and propose in this bill will benefit both consumers and businesses. The bill has been years in development, responding, I believe, to the real needs of Ontario consumers and Ontario businesses. During consultations on this landmark legislation, over a three-year period starting just before COVID restrictions were imposed, just before March 2020—this included online and written submissions and round tables over the past three years, before the bill was introduced at first reading. In that time, we heard and received submissions from individual consumers with personal anecdotes, families of those affected, law enforcement, legal groups and consumer advocacy groups, as well as specific groups representing the elderly.

**1610**

We also heard from business groups and from some of the businesses that would be directly affected by the proposed changes. We heard about regulatory burden and the need for clear rules to avoid inadvertent non-compliance. Some businesses felt they needed time to adjust before new rules would come into force and have been asking for more consumer and business education, and better enforcement of existing rules. Those very same comments are also coming through loud and clear from our stakeholders and consumers, and that was as recently as the consideration of amendments during the recent Standing Committee on Justice Policy public hearings.

Speaker, the changes we propose respond, I submit, to all of the concerns raised. A streamlined act would make it easier for businesses to understand and comply. Businesses, in particular small businesses, would benefit from clearer, simpler contract requirements and, of course, consumers, likewise, would as well. The consolidation of contract disclosure rules could reduce the burden on those businesses that enter into contracts with consumers through multiple channels.

In some cases, our proposals would reduce burden for businesses and actually help level the playing field by targeting the few unscrupulous actors and avoiding unnecessary regulatory burden for the good actors. As we move forward, businesses would be consulted on the specifics of regulations and on the amount of time needed to bring their operations into compliance.

Our overall government strategy, as we make these proposals, Speaker, then, is that this proposed bill, this proposed legislation, is part of our government's overall strategy for building a stronger Ontario—one that supports a fair and competitive economy, while also improving services and protections for consumers, for Ontarians. This is done by responding to market and technological changes, supporting longer-term economic growth and job creation by strengthening consumer protections and confidence in the marketplace. As I've said, after all, we are all consumers.

We know Ontario's businesses are a key driver of the economy in that they create well-paying jobs for workers

and growing communities all across our province. That is why our government has taken significant action to lower costs for businesses to help them compete, grow and weather today's economic uncertainty. As my colleague the Minister of Finance outlined in the recent fall economic statement, in 2023, our government is enabling an estimated \$8 billion in cost savings and supports for Ontario businesses, of which \$3.6 billion would go to small businesses.

Reducing red tape is a key part of building a stronger economy, and since 2018, under the leadership of Premier Ford, our government has saved businesses, not-for-profit organizations and the broader public sector almost \$1 billion—specifically, \$939 million in gross annual regulatory compliance costs have been saved by reducing red tape, without impacting public or workplace safety.

We continue to introduce new tools to help build critical infrastructure faster and smarter, to attract investments and to attract more jobs and, at the same time, providing better services for our people as our population grows by at least 500,000 newcomers each year. We are on track for a population of 20 million Ontarians before this decade concludes. By remaining laser-focused on building a strong and resilient economy, we can roll out initiatives like the new Ontario Infrastructure Bank and a strengthened Invest Ontario Fund. In doing so, we help attract more leading companies to our province, we further support businesses already here and we create well-paying jobs in communities in Ontario.

Another critical element of our proposed legislation is the enhancement of enforcement powers to ensure the measures under the act are successful. That is what the rule of law is about. As I've indicated, any statute, any law is only as strong as its enforcement.

The Better for Consumers, Better for Businesses Act, 2023 would maintain the current law's intent and consumer protections, while better empowering and protecting consumers by allowing my ministry to have stronger enforcement powers against the few bad actors. The key is to target those unethical business practices without adding regulatory burden on the compliant, excellent business enterprises, large and small, that serve the public and provide value in goods and services sold to consumers.

In keeping with the principles of a modern regulator, my ministry takes an evidence-based and proportionate response to business non-compliance that focuses on addressing consumer harm. Before using its strongest enforcement tools, my ministry would need to be satisfied that there are reasonable and probable grounds to believe an offence under the proposed new act has been committed and that the public interest requires further action to be taken. That's a conjunctive test that would be proposed—that would be the law if this proposal, this bill, is passed by this House.

Now, there are cases where a business uses an intermediary, like an online platform or a billing service. This effectively supports the business' contravention of the act. A consumer may sign a contract for heating, ventilation, and air conditioning—also known as HVAC.

The consumer may sign a contract for such services, goods and supplies by an aggressive salesperson who misrepresents the genuine costs of the contract. When the consumer realizes they have been a target of such an unfair business practice, they turn to the government and the Consumer Protection Act, 2002, to attempt to rescind the contract. However, the business continues to collect monthly payments through a third-party billing service. That is what is permitted and possible currently. So my ministry then could only issue compliance orders against those persons who are contravening the act, not the intermediaries. That means we cannot issue a compliance order against the billing agency directing it to stop collecting payments on behalf of that non-compliant business. Our proposed changes therefore would extend enforcement powers to cover the actions of intermediaries, like the billing agency, that assist the business in the contravention of the act.

Further, proposed changes, if passed, would assist my ministry in those cases in which a third party might be willing to co-operate with our efforts to address contraventions of the act by another business, but are hesitant to provide information voluntarily without a court order. Under the current act, my ministry would have to apply to the court for a search warrant. The execution of a search warrant by the ministry can be a highly disruptive process for the third party. The proposed changes, therefore, would authorize a justice of the peace to issue a production order upon application by an investigator to collect evidence. A production order puts greater control of the collection and release of information in the hands of the third party and is much less disruptive to the third party's operations.

The new act would also allow for the sharing of information obtained over the course of exercising a power or carrying out a duty related to the administration of the Consumer Protection Act, 2023, with other government regulatory entities, and that would apply whether they are involved in consumer protection or not. So to be clear, that duty related to the administration of the act would allow for sharing of information with other government regulatory entities, consumer protection-related or not.

Let us remember that, under the proposed changes, businesses would be prohibited from including certain contract terms that could mislead consumers about their statutory rights. Similarly, the proposed changes could prohibit contract clauses that prevent consumers from sharing public reviews about a business's products or services or seek to limit the business's liability for damages arising out of its failure to deliver goods or services of a reasonable quality.

**1620**

I want to stress that these stronger enforcement measures are not intended to add costs or burdens to businesses, particularly to the vast majority of businesses that are compliant and take pride in excellence and fairness in dealing with all of us who are consumers. Most businesses do provide that excellent service. They do take pride in their work, they value their good reputation and they want it to be shared with other customers. That is simply good business practice.

Schedule 2 of this proposed legislation addresses the Consumer Reporting Act. We know Ontario's economic outlook is strongly affected by high inflation, along with the Bank of Canada's rapid interest rate increases over the course of this calendar year. These are factors weighing on the provincial budget for the rest of this year and into the near and distant future. As our province faces economic uncertainty, so are all Ontarians, collectively and individually.

Along with the proposed new Consumer Protection Act, 2023, our government continues to find even more ways to protect consumers. Now more than ever, consumers recognize the importance of being able to access credit, to take part in the market and to monitor their overall financial well-being. Our proposed legislation has not only the first schedule dealing with the Consumer Protection Act overhaul but also a second schedule that addresses the Consumer Reporting Act. We are proposing to make amendments to the Consumer Reporting Act to provide all citizens and residents of Ontario with more tools to help them better protect their consumer or credit scores. This would provide consumers with easier access to their consumer reports and scores, along with additional tools to prevent the serious harms resulting from identity theft. These changes would particularly help seniors, newcomers and vulnerable Ontarians who may be more susceptible to identity theft.

The Consumer Reporting Act governs consumer reporting agencies, also known as credit bureaus or agencies. There are 29 such agencies or bureaus registered under the Consumer Reporting Act. Equifax and Trans-Union are two of the largest. These agencies supply information about consumers' credit histories, such as their borrowing and bill-paying habits. They provide those histories to third parties, and they include creditors, insurers, employers and landlords.

The amendments to the Consumer Reporting Act would, if passed, improve and clarify that act. Consumer reporting agencies would be able to effectively implement improved versions of provisions that were passed as amendments to the act in 2018 but have not yet been proclaimed in force. Those amendments made changes related to consumer access, to consumer reports and scores, security freezes and ministry enforcement powers. Consumers would be able to deploy more tools to correct and protect their information and seek recourse when agencies operate in contravention of the act and its regulations. My ministry would be able to enforce the act more effectively through enhanced compliance and enforcement tools.

Ontarians would also be able to receive free electronic access to their consumer reports and credit scores once per month, for free.

In developing these proposed amendments to the Consumer Reporting Act, ministry staff met with key stakeholders representing consumer reporting agencies, consumer groups, creditors, legal professionals and other industry groups to ensure additional changes would enable more consumer choice and clarity for reporting agencies.

Upon passage of this bill, additional consultation would be needed to ensure that regulations are developed in a manner that works for both industry stakeholders and consumers.

Now, I want to talk about next steps and regulation development as I near the end of my submission today, Speaker. Bill 142 sets out a new framework for consumer protection. A significant portion of the act would require that new regulations be developed with the details of these requirements. As I mentioned earlier, the new act would not be proclaimed into force until these regulations are developed, consulted upon and approved; until then, we would still have in place the Consumer Protection Act of 2002, in force for the last 18 years.

By proposing to set out detailed rules on contract disclosures and amendments in regulation, we are providing ongoing flexibility to respond to emerging issues and market trends in the future because there are rapid changes as we speak, quarter by quarter, year by year. This also means wanting to know how rules can be enhanced and work better for everyone.

The many stakeholders affected by the 2023 proposed bill are aware that my ministry will be consulting them on draft regulations, and we will be continuing further discussion on implementation timelines. Given the vital importance of this legislation to both consumers and businesses, I know stakeholders will be highly engaged throughout this process. We will consider ways to ensure the best feedback possible. We want to listen, we have listened, and we will continue to listen to strengthen consumer protections in our province as much as possible.

Speaker, before I wrap up completely in my time here—and I thank everyone for their patience because I know this is a one-hour submission—I would like to raise another important matter. I've spoken in this House about our government's commitment to address and reduce the misuse of notices of security interest, or NOSIs. These are instruments that are used abusively and as a form of blackmail against unsuspecting consumers by a few bad actors. This has been the subject of ongoing police investigations and has had significant media coverage; I spoke to CBC News about it just today.

We know that those few bad actors who use NOSIs to take advantage of vulnerable consumers are getting bolder by the day. So, on October 17, 2023, until last Friday, December 1, I launched public consultations on this issue. Our goal is to develop a comprehensive approach to address the misuse of NOSIs, which could include proposing changes to legislation or regulations, operational changes or other recommendations.

A NOSI is a notice that can be registered on the land registry system by a business when it finances or leases goods or services installed on a property. The usual use is associated with a water heater or a furnace, but it has been more widely used in an unfair and inappropriate way, even a way that rises to the level of criminal fraud. We have seen a massive increase from just over 400 NOSIs registered in the land registry system in 2001 to over 38,000 in 2022.

It's important to note that this is not a lien. This is not an interest in land. It does not give the lenders or lessor an interest in or a claim against the land, but it is leveraged by bad actors to extort exorbitant fees and high interest and sometimes have the NOSI replaced with a registered charge or mortgage.

During our consultations, we received many submissions from affected consumers, and we will continue to study all of the submissions that were made by individuals and groups up until last Friday. Through submissions on the new Consumer Protection Act, we heard from groups like Ontario's Advocacy Centre for the Elderly and from police services about the improper use of NOSIs. We have not yet decided what specific action to take with respect to NOSIs in the here and now, but the purpose of the consultation period was to determine what we can do now under existing legislation and regulations, bearing in mind that section 60 of the new act of 2023 does contain reforms that will be of great assistance when proclaimed.

Speaker and members of this House, the legislation we have presented, I submit, is comprehensive. I know it has taken a good deal of time to digest it and understand it. I appreciate the support on second reading from all members of the opposition. I appreciate the work of my ministry team and all who made this possible and all who have consulted on it and submitted on it. I hope and believe that this deserves unanimous consent of this House.

**The Acting Speaker (Ms. Bhutila Karpoche):** Questions?

**Mr. Tom Rakocevic:** I want to first begin by congratulating the minister and his ministry on this legislation and also congratulating him for personally taking the entire lead to describe and discuss this bill that I know he's worked hard on.

**1630**

As he's discussed, he's reviewed the submissions. There were 21 submissions that came on this legislation and pretty much all of them suggested that this was definitely supportable, but that more work had to be done, that more work needed to be done with regard to this. As a result, we drafted in the opposition 34 amendments to this legislation, of which 33 were rejected.

At justice committee, government members did suggest and state that they would very strongly consider and look at these amendments and recommendations in the regulatory phase and the further consultations on this bill. Will the minister confirm that he, in fact, will be doing so?

**Hon. Todd J. McCarthy:** I thank the member for his question and for his input. I was, of course, present for my deputation to start off the committee's analysis of the bill, and I was present to observe, as well, some of the deliberations.

One of the amendments that was proposed by the opposition was a plain-language quote. But I submit that this is captured in the existing term "comprehensible" in the provisions that we proposed, so while we welcome the input that was given in the proposed amendments, we didn't accept the proposals because we believe the act was sufficient in its terminology.

But we welcome further input from all, including the opposition members and including the member himself, with respect to the regulation-making process.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question?

**Mr. Lorne Coe:** Speaker, through you to the minister: Congratulations, Minister, on that one-hour presentation.

Speaker, you should know that the minister has been a long-standing advocate for seniors and other sectors of our community, particularly the vulnerable populations in the region of Durham—that's on the verge of a million people. I'd like the minister to speak about his views on the impacts of this legislation as it relates to seniors, and in particular, vulnerable populations and those with disabilities.

**Hon. Todd J. McCarthy:** I thank the excellent member for Whitby, who is such a strong advocate for his community, his riding and all residents and citizens of Whitby. He's been elected, by the way, nine times in a row, including in 2022, both as a councillor and as a member of provincial Parliament—including in a very cold winter by-election in 2016.

What's important are the core principles. When the rules are clear, then everyone understands, consumers and businesses. And secondly, when an unscrupulous business attempts to put something in that violates the law, that is in contravention of what is identified as an unconscionable practice or an unfair practice, it's void—end of story. Caveat emptor is fully abolished by the provisions of this act.

**The Acting Speaker (Ms. Bhutla Karpoche):** Question?

**Ms. Chandra Pasma:** I was very happy to hear the minister say multiple times this afternoon that the law is only as strong as its enforcement, because I have constituents in Ottawa West-Nepean who, five years ago, paid tens of thousands of dollars for deposits for new homes that have yet to be delivered. Twenty-nine months ago, they filed a complaint with the Home Construction Regulatory Authority and have not received any kind of action from the HCRA since then.

They appealed to the former Minister of Public and Business Service Delivery in May and to the Premier in June. They were here in October to appeal to the minister. It's been six weeks since I sent a letter to the minister with additional information showing how this developer has been skirting legislative requirements, and yet my constituents have not even received a response, let alone any action from this government.

I'm wondering, when can my constituents count on the minister to enforce the law and protect homebuyers in Ontario?

**Hon. Todd J. McCarthy:** I thank the member for the question, Speaker, and I am very concerned, as the member is, about homeowners losing out on not only their dream of home ownership, but the deposits that they put down towards that goal. That's why the HCRA, the Home Construction Regulatory Authority, oversees a compensation fund. That fund will restore deposits of up to \$100,000 for freehold homes. I hope the member under-

stands that the in-trust condominium deposit rule doesn't apply to freeholds; hence, we need the HCRA fund to protect depositors.

At the same time, there are matters before the courts, both civil and criminal, that I can't comment on directly, and I have to let those play out independently of my role as a minister and our role as parliamentarians, respecting the separation of powers.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question?

**Ms. Christine Hogarth:** Thank you to the member for his hour speech—not everybody can just do that. I know the minister is a quick study. I think he was associate minister for a couple of days, and then he jumped into being the minister, and what a great minister he is. I'm very proud to have him leading this charge.

I sat in the committee hearings and listened to our advocates out there—businesses, seniors' groups, various groups.

My question to the minister: Why should we be doing this now? Why is it important that we get this done today?

**Hon. Todd J. McCarthy:** I thank the member for the question. She is an excellent advocate for her community as well. She believes in consumer protection and that important balance—better for consumers, better for businesses—that is in this legislation.

Why now? Because we've seen such rapid change in how we interact with each other and how businesses interact with consumers—changes that were never even anticipated just two decades ago. What was thought to be modern legislation has quickly become outdated, and the piecemeal amendments that we could make were just not going to be sufficient. So with the input we received, starting in March 2020, it was thought best to completely replace the existing legislation and allow us to keep up with the times, and keep the legislation and regulations associated with it nimble enough to continue to keep up with times that will continue to change rapidly.

**The Acting Speaker (Ms. Bhutla Karpoche):** Next question?

**Mr. Joel Harden:** I want to thank the member for his remarks.

As I'm looking over this bill, I want to agree with colleagues who've said there's lots that's supportable here.

I'm wondering if the member could elaborate with his expertise on whether or not the entire payday loan industry may be implicated by this particular bill—payday loans being regulated provincially, the maximum interest rates being set federally. I note in particular that the language in the bill talks about it being an unconscionable act to enter into a contract with a consumer if the person knows or ought to know that there is no reasonable probability the consumer will be able to pay the total amount owing under the contract. I just want to point out to the House that, currently, it is the business practice of this industry to allow for short-term loans of amounts of \$1,500 or less, over two weeks, to have interest rates between 400% to 600%.



I want to ask the minister, given his expertise, if he thinks it's fair, given what Bill 142 has tried to accomplish, to allow this industry to continue to gouge people with disabilities, low-income folks, people who need help. Does he believe the bill provides an—

**The Acting Speaker (Ms. Bhutla Karpoche):** Thank you. Response?

**Hon. Todd J. McCarthy:** I thank the member for the question. I know the member cares about consumer protection passionately, as I do, as I know all members of this House do—and that's reflected in the fact that His Majesty's loyal opposition supported this bill with us on second reading.

To be clear, the bill applies to most consumer transactions, not all consumer transactions. The member's colleague on the other side of the House asked about the Home Construction Regulatory Authority and the fact that consumers who purchased a house were left without their deposit or their home. That particular regulatory authority is not addressed in this act. It's part of consumer protection—it's within my ministry. We have tried to cover most consumer transactions, but keep in mind that there are 12 regulatory authorities or administrative authorities under my ministry's jurisdiction, and not everything is covered by this specific legislation. But we definitely cover all consumer protection.

**The Acting Speaker (Ms. Bhutla Karpoche):** A very quick question?

**Ms. Christine Hogarth:** I have another question for the minister. This one is about time-shares. We hear some stories about time-shares, and it was also brought up in committee. I wonder if you can share with those who are watching a little bit of what we're doing in this legislation to address time-shares.

**Hon. Todd J. McCarthy:** I thank the member for that question. Time-shares are specifically addressed in this legislation, in the proposals in Bill 142, and it's one of a range of consumer contracts. Memberships in gyms and subscriptions for publications are the smaller amounts of money, but the time-shares are a big investment. They went on forever, in perpetuity, and it had to be addressed. There was talk of an exit period of 10 years; it was decided after listening to everybody that 25 was the right time frame. And it's going to be retroactive; it will cover existing time-shares when it comes into force.

**The Acting Speaker (Ms. Bhutla Karpoche):** Further debate?

1640

**Mr. Tom Rakocevic:** Today I rise as the official opposition's critic for consumer protection and lead response to the third reading of government Bill 142, known as the Better for Consumers, Better for Businesses Act, 2023. This bill received the support of Ontario's official opposition at second reading. The need for a more modern consumer protection act is essential in this rapidly changing online consumer market and time of increasingly cunning sales practices often targeted at our most vulnerable.

I begin by acknowledging and thanking the Minister of Public and Business Service Delivery and all ministry staff. He has said that this bill is the culmination of three years of consultation, and I thank all who have contributed in this process. While much of the legislation we debate here represents anything from minor to major amendments of acts, this bill entirely repeals and replaces the Consumer Protection Act, 2002—certainly no minor task.

There were also 21 written submissions in response to the tabling of this bill. I will now name and acknowledge all of them as follows: the Law Commission of Ontario; the Huron Perth Community Legal Clinic; Community Legal Aid; the Canadian Life and Health Insurance Association; the Ontario Bar Association; Barbara Captijn; the Canadian Bankers Association; the Canadian Federation of Independent Business; the Advocacy Centre for the Elderly; the Canadian Telecommunications Association; Canadians for Properly Built Homes; CanAge; Community Legal Clinic-Simcoe, Haliburton, Kawartha Lakes; the Consumers Council of Canada; Reliance Home Comfort; Eastlink; and Nina Deeb.

Furthermore, we heard directly from the following who recently participated in hearings held by the Standing Committee on Justice Policy. Their informative presentations were appreciated and it is important to name and acknowledge them here in this prestigious House of government. I will also be sharing excerpts from some of these submissions within my presentation today. They were Nina Deeb; Barbara Captijn; Marina Pavlović; the president of Canadians for Properly Built Homes, Karen Somerville; and the executive director of the Huron Perth Community Legal Clinic, Jamie Hildebrand.

From the Law Commission of Ontario, we heard from executive director Nye Thomas and legal counsel Ryan Fritsch. From TransUnion Canada, we heard from director of government relations Clarke Cross and managing counsel Johanna FitzPatrick.

The Ontario Bar Association sent their chair of the business law section, Dan Edmondstone; secretary of their board and counsel, Mohsen Seddigh; and member of their property security committee, Jennifer Babe. Representatives of CanAge were as follows: CEO Laura Tamblin Watts; senior policy and affairs specialist, Nathan Welch; and policy officers Borana Demaj and Aiman Malhi.

As well, we heard from Graham Webb, executive director of the Advocacy Centre for the Elderly; the Consumers Council of Canada, represented by their president, Chris Ballard and executive director Kenneth Whitehurst; and Angelina Mason, senior legal counsel and vice president of the Canadian Bankers Association. Finally, the committee heard Lilian Bahgat from Community Legal Aid, University of Windsor, and the Canadian Prepaid Providers Organization, who sent their executive director, Jennifer Tramontana, and legal adviser, Tracy Molino.

Most written submissions and committee hearing presentations stated that this new consumer protection act would in fact strengthen protections, but most also recommended that still more legislative work was required for

better consumer protection, especially for the most vulnerable. When asked at justice committee whether this legislation went far enough to ideally protect consumers, virtually all said no.

As a strong example of the thought, work and relevant experience that these submissions represent to the bill-drafting process, I will now share some of the highlights of the submission from the Law Commission of Ontario, beginning with their rationale, methods and aims. Many of our amendments came from the LCO submission, and I highly recommend everyone read them as well as all other submissions to the committee.

The Law Commission of Ontario was established in 2008 and is a premier law reform agency here in our province, where they broadly consult Ontarians on law reform issues and have completed several major projects in a wide variety of legal issues: “The LCO’s key recommendation is that Bill 142 be amended to establish a modern and flexible legal framework to protect Ontario’s consumers from the well-documented risks and business practices in online ... contracting. Online consumer contracts are the most significant new form of contracting for Ontario’s consumers since the CPA was passed more than 20 years ago. Bill 142 gives the provincial government the singular opportunity to modernize Ontario’s consumer protection legislation to address these risks.

“Fortunately, the reforms and measures needed to address many of these risks have been researched and tested in many other jurisdictions. As a result, the LCO is recommending several practical, targeted and proven amendments to the current bill.”

Further on, they list their recommendations: “LCO Recommendations to ... Bill 142:

“The LCO commends the province for adopting several recommendations the LCO identified in its consultation paper and submission to Ministry of Public and Business Service Delivery, including:

“—expanding the right to cancel contracts if notice/disclosure do not comply with the CPA;

“—adding a ‘discoverability doctrine’ for unfair terms and practices;

“—limiting business’ ability to unilaterally amend, extend or renew contracts without express consumer consent;

“—prohibiting contractual terms or punitive actions that limit online reviews;

“—expanding some forms of consumer remedies;

“—enacting more penalties and fines, including new administrative fines and court-ordered penalties.

“These provisions will improve consumer protection in Ontario, improve clarity and compliance for business, and ensure greater accountability and transparency for consumer rights in Ontario.

“The LCO also agrees that Bill 142 establishes a framework that, as” the minister “suggests, ‘can better adapt to today’s evolving marketplace’ and ‘make it easier for businesses to comply with consumer protection rules in our increasingly digital-first marketplace.’

“Notwithstanding these reforms, the LCO believes Bill 142 does not go far enough to protect Ontario’s online consumers and businesses. As a result, we recommend several practical, targeted and proven amendments to the current bill:

“—including more explicit recognition of online contracting and establish an explicit authority to prescribe regulations governing online consumer contracts;

“—eliminating the CPA’s monetary threshold unless explicitly exempt by regulation;

“—improving consumer protections against unilateral contract changes;

“—improving notice and disclosure for online consumers;

“—prohibiting the use of ‘dark pattern’ practices designed to deceive Ontario’s consumers;

“—including stronger protections against unfair or unconscionable online practices;

“—including stronger enforcement by government and remedies for consumers.

“The LCO believes many of these reforms could be achieved through legislative or regulatory measures....

“The LCO recognizes that effective consumer protection reform depends not just on legislative amendments but regulatory guidance and other initiatives.

“The LCO understands there is likely to be an opportunity in 2024 to comment on potential regulatory reforms and other initiatives. The LCO’s final consumer protection report will address these issues.”

The LCO also submitted a list of the amendments they referenced in this letter, as well as their June 2023 consultation paper, entitled Consumer Protection in the Digital Marketplace.

As you can see, they clearly stated that this newly proposed consumer protection act still requires more protection.

Speaker, similar to the LCO, most presentations to committee, whether written or verbal, requested changes to this legislation, with many providing detailed amendments to further build on the consumer protection aims of this bill. We in the official opposition poured through these submissions and tabled 34 amendments in justice committee to further enhance consumer protection within this legislation. Again, I will be sharing many of these amendments within debate today, and I would like to again thank those presenters who made these excellent amendment suggestions, as well as a special thanks to my staff, legislative counsel and our brilliant researcher, Caitlin Hipkiss.

Consumer protection is and should be a non-partisan issue. The official opposition recognize the improvements to consumer protection contained within this new act and, as such, supported it at second reading. But as with all bills, the committee process allows for changes and improvements to legislation at the clause-by-clause stage. There, bills go through final refinements and improvements before they are retabled for the third and final reading.

The 34 amendments tabled by the NDP official opposition were crafted with the weight of the experience and wisdom of the experts who participated, such as the Law Commission of Ontario, the bar association and many others. I will now summarize the NDP official opposition amendments to this proposed consumer protection act and present them to you within the framework of the Ministry of Public and Business Service Delivery media release on October 23, at the time of the bill's first reading.

The ministry distilled the bill down to five highlights of how they intend to improve consumer protection with their new act. You will now see how each of our amendments provided even further, much-needed consumer protection in these areas.

(1) "Prohibiting unfair business practices such as taking advantage of a consumer's inability to understand language in a contract."

**1650**

We proposed amendments to ensure that contracts were not only comprehensible but that they be written in plain language. We called for the use of key disclosure boxes that summarize the key points of a contract, adding better clarity for consumers, and we also called for contracts to be properly accessible, including having the right to a free paper copy and ensuring that consumers who required necessary accommodations during the contracting phase would receive them. Finally, we tabled an amendment that would ensure any contract with a consumer who is mentally incapable at the time the contract is made should be presumptively void.

(2) "Limiting when businesses can make one-sided contract amendments, renewals, and extensions without express consumer consent." We sought the clear establishment of a good-faith requirement on unilateral contract changes, which are prevalent.

(3) "Prohibiting businesses from creating unnecessary barriers when consumers are trying to cancel a subscription or membership-based contract." We proposed expanding the cooling off period from 10 days to 30 days. We also recognized that dark patterns have emerged as a dangerous trend that pose a threat to consumers, and proposed amendments to prohibit their use.

(4) "Providing fairer exit options to consumers and their families who find themselves locked indefinitely into a time-share contract as well as homeowners tied to long-term leases for home comfort appliances like HVAC systems." We tabled an amendment to further improve the exit option for time-shares from the proposed 25 years down to 10 years. We also called for goods and services to be clearly separated in purchase-plus-cost leases, that these leases automatically be discharged if the contract has been performed or forgiven, and that credit reporting agencies be notified of the termination.

(5) "Providing stronger enforcement powers to better enable the ministry to hold bad actors accountable including doubling maximum fines to further deter offences and egregious business behaviour." We proposed amendments to the types of damages that could be used as court remedies, including statutory and disgorgement damages.

We also suggested that rebates, in addition to prizes, as mentioned in this bill, be included as prohibited representations. As well, we tabled an amendment that would ensure the Consumer Protection Act would always apply, regardless of the value of the transaction.

As you can see, these amendments would strengthen and improve this newly proposed Consumer Protection Act in all of its highlighted areas and more. So I will now provide you with details on many of these amendments and inform the House on whether the government decided to include them in the final copy of this bill that we are debating here today.

Let's begin with our amendment intended to improve the government's aim to introduce a new Consumer Protection Act that would "prohibit unfair business practices such as taking advantage of a consumer's inability to understand language in a contract." Okay, so let's begin with our amendment requiring that disclosures be clear and not misleading. This amendment came from the Law Commission of Ontario, who stated: "Section 8(2) para 17 makes it an 'unfair practice for a person to make a false, misleading or deceptive representation ... using exaggeration, innuendo or ambiguity as to a material fact or failing to state a material fact if such use or failure deceives or tends to deceive.'"

"The need to ensure clear, comprehensible, and prominent disclosure is acute in online consumer contracts. Accordingly, section 4(1) should be amended, or regulations prescribed, to require disclosure in online consumer contracts to be 'clear, comprehensible, prominent and not misleading.'" The government voted this down.

How about requiring them to be accessible? Our next amendment was to ensure that disclosures of information must be accessible. Similar to the previous amendment, this was also suggested by the LCO, who noted, "The need to protect vulnerable consumers is acute in online consumer contracts. Accessibility should be a 'core protection' in contracts, consistent with the Ontario Human Rights Code and Accessibility for Ontarians with Disabilities Act. Whereas 'accommodation' is typically made individually and on request, 'accessibility' confirms the duty to create an inclusive environment for all." An accommodation can take many forms. The spirit of this important amendment is in line with Ontario's commitment to human rights and the AODA. Unfortunately, the government voted no to this as well.

So how about placing key information sections in a prominent disclosure box for online consumers? Since the government was unwilling to include additional language to ensure that disclosures be clear and not misleading as well as accessible, would they at least agree to ensuring it would be placed in a way that a consumer could not miss? We would all benefit from this requirement as we have all faced terms of service and other disclosures added as an incomprehensible wall of text, both difficult to read and comprehend. Imagine key information presented in bullet form right there, front and centre, highlighting the key obligations for consumers. This, in fact, would benefit honest businesses from any headaches that could arise from unintended disputes.

In the words of the LCO, “The LCO recommends two important strategies to improve notice to consumers in online contracts: (1) specifying ‘key information’ that must be disclosed in online contracts and (2) requiring a ‘prominent disclosure box.’

“‘Key information’ would relay the practical risks and consequences of an online contract to consumers in plain language and do so prominently. This is the original bargain at the heart of standard form contracts. It puts risks and consequences to consumers upfront in a simple bullet list, rather than buried in the confusing language of contract drafting.

“‘Key information’ disclosure is also crucial for other consumers: Youth, the elderly, and other vulnerable groups need to understand what they are agreeing to. Key information is particularly supportive of parents, relatives, or friends to better assist vulnerable consumers.

“‘Key information’ will help ameliorate the use of buried, implied, and vague terms typical in most online consumer contracts. It will also encourage a marketplace where suppliers compete on terms and to the benefit of consumers.

“Consistent with s.17(1) and (2), ‘key information’ would be made available before entering a consumer contract and with the express option to decline it. These rights should be precedent to any consumer disclosure of personal details, contact information, credit card information, and the like.

“Key information and prominent disclosure boxes have proven to a very effective consumer protection. Current examples include banking disclosure requirements mandated in Canada and the ‘Schumer Box’ that summarizes credit card terms in the United States. In consultations LCO heard from several businesses who use prominent disclosure boxes voluntarily and find them effective for both parties.”

“Development of a category or categories of ‘key information’ will also be able to target well known and concerning practices in the digital marketplace while leaving honest businesses without further regulatory burdens. These require both explicit notice and consent, and may also identify issues that are, or may be, unfair or unconscionable to consumers in an ever-evolving digital marketplace.”

This too was voted against, so we tried asking that contracts and disclosures be written in plain language. Now, the new act called for language to be “comprehensible,” but remember, what is comprehensible to a nuclear physicist might not be comprehensible to an everyday consumer. According to plainlanguage.gov, plain language is “communication your audience can understand the first time they read or hear it.” The audience is the everyday consumer.

Further, this comes from the International Plain Language Federation: “A communication is in plain language if its wording, structure and design are so clear that the intended” audience “can easily find what they need, understand what they find, and use that information.” I believe we can all agree that this requirement would

represent an even higher and much-needed standard for consumer protection.

Now, I’m sure you’re all convinced that this is an improvement, but let’s hear the rationale of the LCO for this amendment. They stated, “Plain language requirements are understood as being more than ‘clear and comprehensible.’ Plain language requirements connote action. In contracts, it could help consumers find what they need; understand what they find the first time they read it; and use what they find to meet their needs.

“This would concisely communicate the consumers’ risks and consequences if they enter into a contract. It reduces the need for consumers to complain or litigate when terms are later discovered.

“Business would also benefit. A plain language requirement would protect businesses from void terms and contracts under section 5 (where contractual ‘ambiguities are to the benefit of the consumer’). Plain language requirements” are “increasingly legislated in the United States, such as the federal Plain Writing Act of 2010.”

Yet again, the government struck down this plain-language-requirement amendment in committee.

We then submitted an amendment to ensure that consumers be provided information in paper-based written form when requested and that it be free. While those who communicate exclusively online trends ever upward, there are many who still require and prefer hard-copy information for a variety of reasons. The reasons may be rooted in accessibility issues, including access to reliable internet or a computer altogether, and many more. Many are our elderly. When debating this in committee, my colleague and seatmate from Toronto Centre rightly pointed out to look around the room at the papers on all of our desks, and I can say the same right now here in our chamber. The government also said no to this, as well.

**1700**

We also submitted another suggested amendment from the LCO that would require necessary accommodations to a consumer who requires it during the contracting process. The LCO stated, “Section 9(2) para 1: Make it an unfair practice to ‘take advantage’ of a vulnerable consumer ‘because of disability, ignorance, illiteracy, inability to understand the language of a consumer contract or similar factors.’

“Disability advocates strongly recommend that the CPA additionally reflect language of the Ontario Human Rights Code that would make it a violation of consumer rights to fail to accommodate consumers throughout the contracting process. It was emphasized the CPA could provide more immediate, practical and appropriate remedies for vulnerable consumers than litigating through Ontario’s Human Rights Tribunal.” Again, the government refused this.

It goes without saying that all these suggested changes were fair and represented an improvement to the government’s aim to “prohibit unfair business practices such as taking advantage of a consumer’s inability to understand language in a contract.” Yet, all of these amendments were refused.

That leads me to the final amendment for this first highlighted section. This essential amendment was requested by the Advocacy Centre for the Elderly, known as ACE, a community legal clinic for low-income seniors across the province. This clinic is among the longest-running legal clinics in Canada to specialize in legal challenges faced by seniors. Speaker, this amendment would presumptively void “any ... contract entered into with a consumer who is mentally incapable at the time the contract” is made, and voidable at the sole prerogative of the consumer and/or their decision-maker without any time limitations by operation of statute.

In the words of ACE, “In view of the rampant financial abuse of low-income, cognitively impaired, community-dwelling older adults, these amendments would further reflect the nature of the marketplace and are immediately necessary to ensure the fair administration of justice and the enforcement of consumer rights.” Speaker, the government voted this one down, as well.

What is worse than a predatory salesperson preying on our most vulnerable—perhaps an elderly widow on a meagre pension and living with early dementia? Often, it is the children of such elderly parents who discover that their loved one was scammed into a contract they didn’t have the capacity to understand, signed up to a product or service they couldn’t have possibly agreed to. This is the one powerful amendment that would have enabled those affected individuals and their families the right to have these contracts easily declared null and void, no matter what length of time that had passed since they were signed. The government wouldn’t even support this.

So let’s move on to the next highlighted section: “Limiting when businesses can make one-sided contract amendments, renewals and extensions without express consumer consent.” Speaker, we tabled one amendment applicable to this highlight. This amendment would establish a good faith requirement and unilateral contract changes to balance consumer interests with routine business practices. Here was yet another reasonable amendment ensuring that once a contract has been signed, any changes to the contract must be balanced and in good faith. Imagine signing a contract and, after the fact, having the other side unilaterally change a fundamental aspect like price, delivery date or other terms without your consent.

The rationale of the LCO for suggesting this amendment is as follows: “Section 19 should establish a ‘duty of good faith’ in relation to unilateral contract changes to balance consumer interests with routine business practices within reasonable standards of fair dealing. The LCO recommends the approach endorsed by the American Law Institute (ALI) (5th Restatement on Consumer Contracts, 2022 at chapter 3). The ALI sets out four requirements allowing unilateral changes to a consumer contract:

“—notice of the unilateral changes;

“—a chance for the consumer to exit the contract;

“—a requirement for affirmative consent to the modified services/product; or

“—minor amendments can be made ‘in good faith.’

“This amendment improves consumer protection while allowing suppliers to make minor amendments that would otherwise ‘spam’ consumers with inconsequential or routine changes.” Yet again, the government voted down this amendment.

I will now move to the next highlighted section: “Prohibiting businesses from creating unnecessary barriers when consumers are trying to cancel a subscription or membership-based contract.” Speaker, the cooling-off period is a common part of consumer rights legislation and exists in many jurisdictions, allowing consumers to cancel a purchase and return supplied goods for a full refund. We asked for it to be increased to 30 days, which was promptly rejected.

Now I will move on to the next amendment involving what are called “dark patterns,” also referred to as “deceptive design patterns.” These are online user interfaces created to trick users into things like signing up for something they don’t want, and yes, they can make it difficult, prohibitive or even seemingly impossible to cancel a subscription.

In their 2023 report, the Law Commission of Ontario discussed the need for the regulation of dark patterns. In their own words, “‘dark patterns’ are practices that aim to obscure information and coerce or trick consumers into consenting to” terms of service “and other business practices without understanding what they are consenting to. Leading studies suggest the ‘core of dark patterns is their objectionable effect on consumers’ ability to make free and informed choices, with the likelihood of entailing consumer detriment.’”

This suggests that dark pattern practices play a role in subverting the effective operation of consumer protection principles, including fundamental principles like notice and disclosure. In response to these impacts, leading studies further find that—and again, from the LCO:

“—Market forces alone are unlikely to address dark patterns effectively and may further incentivise use of dark patterns;

“—Disclosure and transparency measures are not sufficient in isolation to protect consumers from dark pattern coercion;

“—The effectiveness of certain kinds of disclosures is mixed and strongly dependent on their design. In some contexts, disclosure requirements may harm consumers by, for example, burdening them with ‘consent spam’;

“—Complaints-based mechanisms are too narrow, reactive and slow to effectively regulate practices as varied and widespread as dark patterns;

“—Priority should be given to regulating ‘quick wins’ for easily defined and obviously deceptive dark pattern practices—like hidden information, false hierarchies, consumer option pre-selections and choices that are hard to cancel/opt out—while further investigating more subtle and challenging issues.”

Speaker, dark patterns are on the rise. I think that we can all imagine a time when we had great difficulty trying to unsubscribe from a service, leading to even greater frustration.

As I've mentioned earlier, we have all faced a wall of incredibly long text that is required to be accepted before proceeding to a sale or enter into an agreement, but how many of us, if any, actually read, let alone comprehend, the terms?

Dark patterns also occur at the retail level. Price comparison prevention refers to when a retailer makes it difficult to compare the price of an item with another item. Online, obscured pricing is when the total cost of the product or service is hidden until the last step of the checkout process. Sometimes additional items may appear in the checkout cart, like insurance or similar services without your knowledge. Hidden costs like shipping and handling can also appear to be added at the last and final stages of a checkout screen. All of these tactics are what are referred to as dark patterns, requiring consumers to be more vigilant than ever.

As the LCO pointed out, "A 2021 OECD survey of online shoppers in 13 countries reveals that around 70% of consumers who have faced a problem in e-commerce simply trust the terms and conditions of an online purchase to be acceptable, rather than to actually read them before every online purchase."

Speaker, we called for these dark patterns to be reined in, but the government disagreed and the amendment failed.

The next highlight was "providing fairer exit options to consumers and their families who find themselves locked indefinitely into a time-share contract as well as homeowners tied to a long-term leases for home comfort appliances like HVAC systems."

We tabled an amendment to further improve the exit option for time-shares from the proposed 25 years down to 10 years. We also called for goods and services to be clearly separated in purchase-plus-cost leases and credit score protection when these leases are terminated.

At justice committee, Graham Webb, representing the Advocacy Centre for the Elderly, said that when it comes to time-shares, 25 years can be a life sentence. Speaker, many who enter into time-shares are seniors. Many of us have heard of stories of couples locked into time-share agreements that they couldn't get out of after suffering a personal tragedy or health issue that compromised their ability to enjoy the property.

**1710**

Allowing consumers an automatic exit option at 25 years, as suggested by this bill, is an improvement, but is it enough? The Advocacy Centre for the Elderly noted that "25 years in relation to an older adult is a very long period of time. Someone who buys a time-share in midlife or while nearing retirement may continue to be saddled with the time-share obligation well into retirement and after their health and financial conditions have fundamentally changed. A shorter period of 10 years would more closely reflect the dynamic health and financial conditions that are incumbent on older adults as they pass from midlife to early and late retirement. A 10-year limitation of time-share agreements would more accurately provide the type of consumer protection that older adults tend to require."

We in the official opposition agreed with this recommendation and tabled an amendment to reduce the automatic exit option to 10 years. The government again said no.

Now, I will move onto two recommended amendments suggested by the Ontario Bar Association. Established in 1907, the Ontario Bar Association is the largest and most diverse volunteer lawyer association in Ontario, with close to 16,000 members practising in every area of law in every region of the province. Their submission was "prepared by a working group composed of members of the OBA's business law, class-action law and civil litigation sections in addition to members of the personal property security law subcommittee and other subject matter experts. Members of these sections include barristers and solicitors in large, medium, and small firms, and in-house counsel across every region in Ontario. These members have deep experience and expertise in dealing with matters related to consumer protection."

The OBA asked that the cost of goods and services should be clearly separated in a purchase-cost-plus lease. Their submission stated, "The introduction of a regulated buyout schedule is a positive addition to the act. We recommend mandating that suppliers separate the cost of goods and services, and that the buyout figure for the goods factor into depreciation and the amounts already paid, excluding the cost of services that would never be provided after termination.

"Requirements around a buyout schedule are important, as this is a favoured tactic by bad actors to pressure consumers into paying unreasonably large sums to terminate their leases (and in many cases, to discharge the associated NOSI on their title). It is often the case that consumers are unaware that a NOSI has been placed on their property until they are the midst of selling or refinancing, and therefore under external pressure to quickly resolve the issue. The details of the buyout regime are not included in the act and will instead come through future regulations, so we are not able to comment on the particulars of the buyout schedule at this time.

"We do want to note that these future regulations should factor in the common situation where the costs of goods and services are blended together, making it impossible for the consumer to know what the actual price of the goods is aside from the services. The cost attributed to services can often far exceed the value or payment of the goods itself, yet the consumer is unaware of the situation. When considering a buyout, it is not fair for a consumer to pay for the price of services that they will never receive in the event of a buyout. To this end, we recommend mandating that suppliers must separate the costs of goods and services, and that the buyout figure for the goods factor in depreciation and the amounts already paid and exclude cost of services that would never be provided after termination."

Again, the government did not support this amendment, and it failed. As you've just heard, this amendment involves notices of security interest, known as NOSIs, a type of lien that many unsuspecting consumers find on their home after interacting with a home equipment

salesperson, very often involving HVACs. In recent years, many consumers have been preyed upon in increasing numbers by HVAC salespersons and their companies, ending up with several NOSIs on their properties totalling tens of thousands of dollars or more. As you can expect, many consumers find themselves on a wild goose chase trying to discharge these NOSIs, often being forced to unjustly pay. I shared examples of this harm during the second reading of this bill, and since then, I continue to hear more stories of affected consumers.

As is known, the government is currently holding a consultation on NOSIs running parallel to this bill. I again urge the government to consider all options in protecting consumers against NOSIs. Increasingly, we are hearing from consumer protection advocates, lawyers and consumers calling for an end to NOSIs altogether, especially on HVAC sales.

I recently spoke with an experienced lawyer who referred to these NOSIs as nothing more than “extortion tools” and called for their ban, stating that the companies using them have other options to protect themselves.

This leads me to the next Ontario Bar Association suggested amendment, which could improve the current situation with NOSIs. This amendment added language that purchase-cost-plus leases be discharged if the contracts had been performed or forgiven.

In the words of the association, “The OBA strongly supports the addition of a statutory requirement for suppliers to discharge NOSIs on cancelled contracts. Lingering NOSIs was a problem in the old act that could only be dealt with through the Superior Court of Justice. This section could potentially be expanded to include all cancelled, terminated, or otherwise concluded contracts. This is a problem for many contracts (including, for example, high-interest loans) and should have broad application.”

Yet again, the government voted no.

How about the OBA’s request that “suppliers should be required to notify relevant credit reporting agencies about the subject consumer debt and security being terminated or satisfied, so that the consumer’s credit reports are cleaned.”

Again, the government would not support this.

Speaker, I ask you, how does rejecting these sensible amendments help consumers?

Finally, I will now move on to the final highlighted area of this newly proposed Consumer Protection Act, entitled, “providing stronger enforcement powers to better enable the ministry to hold bad actors accountable including doubling maximum fines to further deter offences and egregious business behaviour.”

At the end of the day, all of these new powers hinge on enforcement. A government can set up all the new rules and laws it wants, but without strong deterrence, bad actors will continue their bad business as usual.

Firstly, we tabled an amendment that would ensure that the Consumer Protection Act would apply regardless of the value of the purchase or transaction. This amendment would remove the \$50 monetary threshold for the CPA to apply. The rationale for this sensible amendment is

provided by the Law Commission of Ontario as follows: “LCO consultations broadly supported elimination of CPA minimum monetary thresholds. British Columbia and other jurisdictions do not have a monetary threshold, ensuring all digital consumers are protected. This is an important reform because:

“—many of the largest platforms and most common services used by Ontarians are provided on a low- or no-cost basis. These are some of the biggest services used by consumers and should not be exempt from consumer protections.

“—Ontarians may be required to use online products for work, school, or to access government services with no option to accept or reject the terms of service.

“—many Ontarians also rely on online products in which small ‘microtransactions’ fall short of minimum monetary thresholds but have significant value over time.

“Experience in jurisdictions with no minimum threshold—such as British Columbia and elsewhere—demonstrates the risks to businesses of this change are minimal and that trivial complaints go through ministry complaints process or courts, both of which dissuade vexatious complaints.

“For clarity and certainty, the LCO recommends that the CPA 2023 specify there is no minimum transaction threshold unless the threshold is otherwise exempt by regulation.”

The government disagreed, and its members voted this down too.

The Ontario Bar Association also suggested an amendment that would expand the list of false and misleading practices to prohibit the misuse of rebates. Bad actors sometimes lure consumers by offering or misrepresenting prizes or rebates with purchases. For example, a consumer might be led to believe that they were eligible for a large rebate when in fact they were not. The association wrote, “The OBA supports the expanded list of false, misleading and deceptive practices in section 8 of the act and would recommend adding explicit mention of rebates to the list of examples in section 8(2). While the general categories in section 8(2) may be broad enough to capture rebates, it would be beneficial to specifically mention this as reference to such rebates is a common deceptive practice used by bad actors. By way of example, bad actors will tell consumers that they will receive substantial government rebates in order to mislead consumers as to the actual amount they will be paying out of pocket.”

The government voted no again.

Finally, we tabled amendments that would expand consumer remedies by allowing a court to order statutory and disgorgement damages. Statutory damages would allow a consumer to opt for damages defined in legislation and regulation as an alternative to court-ordered damages. This makes enforcement faster and more predictable and clarifies non-compliance risks to businesses. Here’s a quote from the LCO on this matter: “LCO consultations demonstrate support for adopting a model of statutory damages into CPA 2023. Statutory damages would allow a consumer to opt for damages defined in

legislation/regulation as an alternative to court-ordered damages.

“This makes enforcement faster and more predictable and clarifies non-compliance risks to businesses.

“The LCO also heard that existing damages for consumers—including exemplary and punitive—set a high legal and evidentiary bar and are often of such a low amount that the consumer has little incentive to act on their rights.

“A scheme for statutory damages could also mirror regulations governing fines and penalties issued by the minister (as prescribed under s. 108) and better ensure the ability of consumers to pursue rights where the minister may not have the capacity or desire to investigate and issue orders.

“The best-known statutory damages scheme in Canada is the Copyright Act s. 38.1, which has been in operation for over two decades. The LCO’s recommendation proposes to establish a statutory right to damages in legislation while leaving prescribed amounts to regulation.”

The government voted no.

#### 1720

With regard to disgorgement, the LCO stated, “CPA 2023, s. 69(2-3) specifies that a consumer who successfully brings an action under the act may seek: court order to recover ‘full payment’ to which they are entitled; ‘three times the amount of refund;’ and/or ‘the court may order exemplary or punitive damages or such other relief as the court considers proper.’

“The LCO heard that damages available to consumers are generally for low amounts, while punitive damages set a high legal and evidentiary bar for consumers to meet (such as having to show clear intent and gross negligence) and are only available by court order. Consumers consequently have little incentive to act on their rights in most transactions. In fact, for many consumers and transactions, it would be a disproportionate personal expense to enforce their rights. In addition, these types of damages may not address practices and online contracting that impact consumer interests but which do not cause direct losses.

“Disgorgement is a type of damages based on ill-gotten gains rather than causing a measurable harm. Claimants can seek damages not just for how much they’ve been harmed, but also in some proportion to how much the offending party gained or profited from the infringement.

“US states that have disgorgement damages see it as an effective way to systemically discourage unfair practices that may not result in loss or cost to an individual consumer. In the digital marketplace, for instance, a disgorgement remedy might be available where a platform profits from deceptive software or contract design practices resulting in unwanted purchases. Another example might be a platform that uses a consumer’s likeness in advertisements targeted at their friends. A legislative amendment would help clarify competing case law.

“To be clear, damages for disgorgement would be court-ordered.”

And yet again, the government voted no.

Speaker, as you can see for this section, seeking to deter bad actors, the official opposition tabled amendments to expand the act to cover all purchases, regardless of value, expand the list of misleading practices and award additional types of court-ordered damages as a consumer remedy. All of these would surely further deter bad actors, but the government still voted against them all.

So there you have it. I presented to you in the government’s own words their five highlighted areas of the bill to improve the new Consumer Protection Act. For each of these worthy areas, experienced and concerned stakeholders requested changes and further consumer protection. These suggestions were well-thought-out and were created based on years of experience and consultation. And from these important improvements, the official opposition tabled amendments to enhance this new piece of legislation. Unfortunately, thus far, the government voted against every single one I’ve so far discussed. Now, at least for some of these amendments, the government pledged to consider these improvements at the regulatory stage, but of course, this is not binding.

In the previous 42nd Parliament, the government consulted on new home warranty reform in Ontario. Out of this consultation came legislation that made changes, including the creation of an entire new regulatory body, the HCRA. At the time, the official opposition requested that the government prohibit builders from using the furnaces in newly built home during the construction phase, due to the ensuing damage it can cause. The ministry indicated to me, at the time, that they would indeed consider making the change during regulations. Of course, this has yet to happen, prompting Dr. Karen Somerville, president of Canadians for Properly Built Homes, a trusted non-profit organization that has been a strong voice of consumer experience and advocacy for 19 years, to appear in committee hearings and ask for this to be considered yet again. We agree with her and call on the government to make this regulatory change.

Speaker, there were additional amendments that go beyond the highlights I have just shared. A home is often the biggest consumer purchase a person ever makes. Esteemed consumer advocate Barbara Captijn spoke about the dire need for better protection for consumers when it comes to making the biggest purchase of their life: a new home. She points out that new-home purchase contracts are often filled with weasel clauses, making it all too easy for a bad builder to leave new home owners out in the cold. We have heard about builders cancelling contracts or demanding more money after the fact.

As such, based on the request by consumer advocate Barbara Captijn, realtor Nina Deeb and CPBH, a further amendment was tabled to include newly constructed homes within the Consumer Protection Act to provide greater consumer protection. This would allow purchasers of newly built freehold homes access to the cooling-off period provisions of this bill, as Barbara Captijn is strongly advocating for. This right already exists for newly built condominium purchases through the Condominium Act. This too was refused by the government.



As I said earlier, the official opposition tabled 34 amendments to further strengthen this legislation. But the government did not vote against every single one. They did in fact support one of them. This legislation puts in new language that no contract can include parameters that would limit a person from joining a class action lawsuit. Our amendment maintained this right but struck the reference to the Ontario Class Proceedings Act.

Stakeholders have noted that changes in recent years to the act make it hard to access. As a result, most class actions are launched in other jurisdictions. Again, I would like to thank the government for supporting this important amendment, suggested by Marina Pavlović, faculty member at the Centre for Law, Technology and Society and an associate professor within the faculty of law at the University of Ottawa, as well as the Law Commission of Ontario and many other legal experts.

This brings me to the final part of my presentation today. At second reading, the official opposition acknowledged that this newly proposed Consumer Protection Act improved consumer protection in Ontario. As such, we voted in support. But just like the vast majority of stakeholder submissions, we also stated that further consumer protection was required.

If this act were to receive royal assent and become law, consumer justice would only be available to most through hard-fought battles in the court. This is because widespread industry issues will continue to be ignored by the ministry, which is either unwilling or unable to take them on.

As I've said many times, industry bands together and has powerful associations to protect them and lobby governments to either change laws to their favour, or at least turn a blind eye. Who does the consumer have? The occasional attention of media to shame a bad actor into compliance and consumer protection laws that still require further improvement, as pointed out by stakeholders, ultimately leaving many outgunned in the courtroom. Too often, it is a battle of David versus Goliath.

As such, the final amendment I will discuss today is our amendment calling on the government to create a consumer watchdog in Ontario—an amendment that the government promptly rejected, just as they voted against it when I tabled it as a private member's bill in the 42nd session of Parliament. I've re-tabled a strengthened version of it, known as Bill 122, the Ontario Consumer Watchdog Act, 2023.

When asked in committee, all presenters said that the creation of a consumer watchdog warranted further exploration, with most vigorously supporting it. In fact, many came to committee asking for its establishment. CanAge, a national seniors advocacy organization that works to improve the lives of older adults through advocacy, policy and community engagement, listed the creation of an independent consumer watchdog as one of their five recommendations to improve the new CPA legislation. They pointed out that one in six Ontarians are victims of elder abuse and an expected one in four fall prey to financial exploitation. They said:

“CanAge supports the establishment of an independent consumer watchdog organization as proposed in Bill 122, Ontario Consumer Watchdog Act, 2023. Such an organization would allow for the unbiased handling of consumer rights violations and appropriate complaints, could aid in advocacy assistance of consumers, provide educational resources, and could conduct systemic investigations into common issues and practices.

“A government-backed watchdog would have both the means and the authority to support and protect consumers' rights and interests as well as provide meaningful judicial pressure to businesses or individuals seeking to undermine or subvert those rights and interests.

“CanAge supports the establishment of an independent consumer watchdog organization as proposed in Bill 122, Ontario Consumer Watchdog Act, 2023.”

As well, the Consumers Council of Canada, a strong and tireless voice of consumer protection here in Canada, provided written submissions to this bill as well as spoke in hearings. They have long asked for the creation of the office of the consumer advocate and strongly support the creation of a consumer watchdog here in Ontario.

#### 1730

I also had the opportunity to speak with Nathaniel Welch from CanAge regarding consumer protection within the European Union. This region is known as being a gold standard of consumer protection and has powerful and active consumer protection bodies and offices that help establish powerful laws and punish bad actors. Nathaniel drafted a submission to me that described some aspects of consumer protection law there that we would be wise to follow here. He began by referencing transparency.

“Transparency: EU law mandates that business transactions conducted in the digital marketplace have minimum transparency measures in place such as the status of any sellers. Anyone offering a product or service online must declare whether they are a trader (registered company or individual) or a private seller. EU consumer protection legislation applies only to transactions between a consumer and a trader, and digital marketplaces must warn consumers about these risks when performing transactions with private individuals.

“Digital fairness: The EU commission launched a public consultation and a ‘fitness check’ of EU consumer law on digital fairness in 2020, and published a report of their findings in 2022. The investigation evaluated whether or not consumers were treated equally, and whether their rights applied to the same degree in physical and digital marketplaces.

“Recommendation: Ontario should incorporate mechanisms into consumer rights legislation that will regularly evaluate the conditions of physical and digital marketplaces to ensure that consumers' rights are adequately and equally protected across all business environments.

“Pricing and payments: EU consumer protection law helps prevent traders from charging unfair, hidden or discriminatory prices. All prices must be listed as the total price including all taxes, fees, and additional charges.

Additionally, additional fees for the use of credit or debit cards is forbidden, with only a few exceptions that include corporate/business cards where the consumer is not billed directly. Any additional charges for a product or service must be explicitly consented to by the consumer through an opt-in process such as a checkbox in an online form (pre-ticked boxes are specifically forbidden).

“Recommendation: Require that sellers of products and services, especially those on a digital marketplace, display both the flat price (current model) as well as the point-of-sale price (adjusted to include taxes, fees, or other charges) at all times. Consumers should not be expected to be able to presume and calculate all additional charges based on a sticker price.

“Personal information and data privacy: In addition to the standard personal data protection rules laid out in EU law, providers of free online services are obliged to inform consumers on how any personal data they have collected is being stored and used. They must also provide information on the right to withdraw and contract termination conditions in addition to the default 14-day withdrawal period.

“Recommendation: Strengthen consumer data protection, especially for free online services, and require that consumers be explicitly informed about how their personal data will be used, by whom, and to what extent, before they are asked to consent to these terms. Additionally, implement a time limit on how long businesses may retain consumer information after a transaction has been concluded, and require consumers to re-consent after the same period for continual-use services/subscriptions.

“Guarantees and returns: The EU mandates that sellers must repair, replace or refund (either fully or partially) a product if it is faulty or does not work/look as advertised. All EU consumers have the right to a minimum two-year guarantee, at no cost. Additionally, any purchase can be returned within 14 days of purchase without justification (some exceptions apply).

“Unfair contracts: ... The EU Consumer Rights Directive ensures that consumers across EU hold the same rights and are provided similar information before the purchase of goods or services along with their rights to cancel online purchases.

“Recommendation: In the revised CPA, Ontario should include legal interpretations of practices in digital markets, including dark patterns, data-driven personalization, influencer marketing, along with the obligation of sellers on online marketplaces in order to protect consumers from exploitation and unfair practices.”

Speaker, to end, I stated in the preamble of the Consumer Watchdog Act, 2023:

“Consumers should expect to be treated with fairness and honesty by the businesses and other entities that interact with them. However, anti-consumer activities or practices on the part of some businesses and other entities is a real and serious problem in Ontario. Challenges to consumers include price gouging and other forms of unfair treatment, a lack of transparency in the marketplace, products and services that fall short of expectations in

terms of value for money and quality and consumer protection information and remedies that are not available, accessible or reliable.

“Consumers must be confident and aware of what protections are available to them when making purchases. Businesses and other entities must help to maintain a fair marketplace for consumers. To ensure both consumers and businesses and other entities know their respective rights and responsibilities, it may be necessary to put certain processes in place including investigating potential predatory and illegal behaviours of businesses and other entities, providing for a consumer complaints process, imposing penalties and other remedies on bad actors and maintaining a public website on consumer protection matters.

“The current level of consumer protection in Ontario is not adequate. The establishment of a consumer watchdog organization may fill that gap by serving as a comprehensive consumer protection organization that is dedicated to consumers and that will provide consumers with the confidence that their rights are protected. A consumer watchdog organization of this type has never existed previously in Ontario and now is the time to establish one.”

Speaker, the legislation before us represents improvements to consumer protection here in Ontario. The official opposition agrees with the strong sentiment of those who have weighed in on this new Consumer Protection Act calling for greater and much-needed protections, especially now in this rapidly changing online consumer environment and a time when bad actors continue to find sneaky and harmful ways to exploit us, especially our most vulnerable.

I hope that the government will be true to their word and explore our amendments at the regulatory stage. They will only strengthen the act by doing so. Again, these amendments were drafted through the work and the thorough thought of experts. You’ve received those submissions; you’ve heard them in hearings. These are definitely improvements to consumer protection in Ontario.

Again, it is time for the government to begin the creation of a consumer watchdog here in Ontario. It is the right thing to do and will help bring us to the gold standard of consumer protection. Again, in committee, every single person I asked in the hearings said this warranted a further look. And most said this is something we should have and something we should do. In fact, as I had mentioned earlier, many came at the hearing already asking for it, and many have been calling for its creation for a long time.

Let’s face it: The ministry here is not going to change large-scale bad practices of entire industries. They are just not equipped to do so. Those same industries have entire associations right at their backs. They pay money to them, and those associations in turn lobby governments. In fact, many consumers themselves are confused about these associations. They’ll often call these associations asking for help, not even understanding that they’re reaching out to essentially a lobbying arm of the industry itself.

This act improves consumer protection and, as such, we voted for it at second reading. But as you have all heard,

consumer protection advocates, experts, legal experts and more are calling for more to be done. It is supportable. It is an improvement. But more work is required. We as legislators owe it to the people of Ontario—consumers—to deliver to them a gold standard of consumer protection. This standard exists in other jurisdictions around the world. This standard is great for consumers and great for honest businesses too. It is truly a legacy of which this government could be proud if they bring it into effect.

So I again call on members of this House and this government to bring into effect and begin the plan for a consumer watchdog here in Ontario, to bring consumers the next standard, the gold standard, of consumer protection in Ontario. It's the right thing to do. Let's get it done.

1740

**The Acting Speaker (Mr. Lorne Coe):** Thank you to the member for Humber River–Black Creek for his presentation.

We're now under questions and comments.

**Hon. Todd J. McCarthy:** I greatly appreciate the member's submissions on third reading of Bill 142. The member for Humber River–Black Creek is truly an excellent parliamentarian, a thoughtful member in this House, and his work on the committee was very diligent and dedicated.

But the act is called the Better for Consumers, Better For Businesses Act—if passed, that would be the title. I appreciate the full support of this bill in second reading, and hopefully on third reading. One of the proposals he makes to his last point is a consumer protection watchdog. Why does the member think that we need yet another oversight branch when there's already in existence a fulsome mechanism within the Ministry of Public and Business Service Delivery that is directly responsible for consumer protection and enforcing the law? Because, after all, we don't want more burdens, red tape and regulation. It's got to be better for consumers and better for businesses. What is the point of a redundant consumer watchdog?

**Mr. Tom Rakocevic:** I thank the minister for his kind words, and again congratulate and acknowledge the hard work that he and his ministry did on this bill.

I will remind the minister that, during the pandemic, some of the hardest times we faced here in Ontario, a huge amount of gouging was happening, to the point that the Premier was on television going after—and I'm not going to name that business, in particular. At the time, he announced a consumer protection hotline and encouraged Ontarians to call it. In committee, I heard members again echo that call.

The minister says that the ministry is equipped and capable of doing this, but I will remind the minister that of the 30,000 complaints made to the consumer protection hot line, not a single one resulted in a fine or action. This, without a shadow of a doubt, shows that the ministry is either unable or unwilling to take action when necessary. This type of organization—

**The Acting Speaker (Mr. Lorne Coe):** Thank you for that response.

We're under questions.

**Ms. Teresa J. Armstrong:** Thank you to the member for Humber River–Black Creek for that detailed information about what happens in committee and how informative it is when people present on bills and how changes could be made to strengthen legislation. I particularly paid attention to when you were talking about the consumer watchdog, as you mentioned later in your debate.

My question is, around the table, when the presenters were agreeing with the question, obviously, about the consumer watchdog, what were some of the responses from the government side as to why they're so set in not passing Bill 122 and providing that consumer protection?

To your point: 30,000 complaints have not been enforced. This government is about enforcing the bad actors—I think a consumer watchdog would help protect that. So what were the members saying about that around the table in committee?

**Mr. Tom Rakocevic:** The responses were somewhat similar to what the minister had stated just now. But the reality is, in other jurisdictions around the world where consumer protection advocates, legal experts and others look to as a gold standard for consumer protection, these types of offices, individuals and bodies exist to be able to stand up to bad practice across entire industries. It is something that we can and should do here.

If you don't want to listen to the official opposition, listen to the experts that deputed in hearings. Listen to the experts that have made submissions and continue to go out there and talk to consumer protection experts. They will tell you that this will only strengthen the ministry and provide them an ally to stand up to huge industries when they want to gouge or do other things that our consumers in Ontario do not appreciate and that harm consumers. It's the right thing to do.

**The Acting Speaker (Mr. Lorne Coe):** I have the member from Simcoe–Grey, please.

**Mr. Brian Saunderson:** I want to thank the member opposite for his comments. He went the full hour, and that was a nice counterpart to the minister going the full hour. I don't know if we need a members' protection act about the length of speeches, but I'll leave that to people smarter than me.

I also am a member of the justice policy committee, so I had heard the member's comments and we had extensive hearings there. I think that the member is correct: I think there's agreement on both sides of the House that the act is old, the act needs strengthening, and that this takes significant steps forward to do that. It may not have everything the opposition would like.

My question is simple: My question to the member opposite is, will he support this bill on third reading?

**Mr. Tom Rakocevic:** First off, thank you for the kind words. I also want to commend the member for his strong role as Chair as part of the justice committee. You did a great job.

As everyone in the House knows, this legislation was supported by the official opposition at second reading. Though we believe it doesn't go far enough, it is certainly

an improvement over the 2002 act. We have stated this many times, just like I stated it during my presentation today. I have also stated this is, in fact, supportable moving forward.

We hope that the 34 amendments that were tabled, of which one was taken—that this government will take them very seriously and review these during the further consultations of the regulatory phase of this bill because they come from the experts, and they will only strengthen this legislation and improve it further.

**The Acting Speaker (Mr. Lorne Coe):** Thank you for that answer. The member from Windsor West, please.

**Mrs. Lisa Gretzky:** It's my pleasure to ask a question of my colleagues who just did a comprehensive hour lead on this bill. I just want to point out to the member from Simcoe–Grey: It's not about just us getting what we want in the bill. We bring the voice of our constituents and people across the province. My colleague referenced several advocates and experts who asked for amendments that this government voted down. They weren't our amendments. They came from the public.

It's interesting. My colleague had talked about the cost of new home purchases and how there are protections for condo buyers for new builds, but there aren't for single-family homes. I know in my riding, I have a realtor who actually sells new builds who purchased one himself, only to have the builder tell him that in order for him to finish building that house and take possession, the real estate agent, who's an expert in the field, would have to cough up another \$150,000 above what he had agreed to. I know it's happening all over the GTA and other parts of the province as well.

So I'm wondering if my colleague could talk a little bit more about the amendment that we had tabled, being the voice of people like the one that I just mentioned, and talk about what kind of protection that would have brought in for people who are purchasing new home builds and why he thinks maybe the government decided to vote against that amendment.

**Mr. Tom Rakocevic:** Thank you very much for the question—most definitely. As I stated in my debate today, the purchase of a new home is often the largest purchase anyone ever makes, and because we're discussing a newly formed Consumer Protection Act, it makes sense to include the purchase of a new home there as well.

Now, the government will probably say that the HCRA is there and they're another regulatory body that could address that, but if you ask home warranty experts and consumer advocates who are fighting for increased protections under that, they will tell you that what exists under the current HCRA doesn't go far enough, and they will give you countless examples that you will find in the news of developers cancelling a build and the harm that results for consumers.

It makes sense. We believe that it was a sensible request and, as such, we tabled it as an amendment and, ultimately, the government voted against it for the reasons that are theirs and theirs alone.

**The Acting Speaker (Mr. Lorne Coe):** Thank you for that response. I have the member from Essex, please.

**Mr. Anthony Leardi:** I thank the member from Humber River–Black Creek for his thoughtful comments during this debate.

I want to ask the member, with regard to prepaid cards—prepaid cards are a very common consumer purchase and, of course, they're given frequently as gifts to other people. Sometimes, even during this season, prepaid cards become a very popular and very common purchase.

This particular bill suggests that, if passed, there shall be no expiries on prepaid cards anymore, and they shall be treated always as having no expiry date. I invite the member to offer his views and comments with regard to that proposal.

**Mr. Tom Rakocevic:** Thank you to the member for that question. Certainly, that is supportable, as well as the discussion about gift cards that we didn't discuss today—actually, I think the minister did.

I would turn it back, though, simply to say this to the minister: I would consider that with those same prepaid and other cards, it's not just about the expiry date, but many of them have other built-in mechanisms that, right at the moment that you actually activate it, you lose money right off the top. They tend to decline, administratively, in terms of balance. And, often, there's money left on those cards that will never get used in some cases, even if you have them with no expiry date. I think that this warrants a further look, and I'm sure it's something that many consumer protection advocates have asked for and would probably appreciate.

1750

It was an honour to participate in this debate.

**The Acting Speaker (Mr. Lorne Coe):** Further debate?

The member from Perth–Wellington, please.

**Mr. Matthew Rae:** Thank you, Speaker. It's nice to see you in the Chair this evening.

It's wonderful to rise to speak to third reading of the Better for Consumers, Better for Businesses Act.

Each and every day, members of our government caucus come to work for the people of Ontario. Consumer protection and small business promotion are the very principles that allow our economy to continue to work for everyday Ontarians.

Today, as we move forward on debate on our government's updated Consumer Protection Act, I will note that it is disappointing that it took so long for us to get to this moment in updating our Consumer Protection Act, as has been mentioned by the minister in his hour-long remarks.

Again, I commend the minister and my colleague from across the way for their hour-long remarks.

I will let my colleagues know that I will not be doing an hour deputation, because it's not allowed in the standing orders now, and I would not have enough material, to be honest.

*Interjection.*

**Mr. Matthew Rae:** No unanimous consent.

As I mentioned, it was disappointing. As was mentioned earlier, the proclamation of the act was in 2005, but,

as was noted by the minister, it was introduced and passed by a Progressive Conservative government in 2002.

*Interjections.*

**Mr. Matthew Rae:** Yes. Very important.

Speaker, when it was passed and then proclaimed subsequently in 2005—the world has changed a lot since 2005. I know that some staff who serve some of our government members were born in this century. I was talking with them recently, and they don't know what MSN was. That made me feel really old.

**Hon. Stephen Lecce:** What was your MSN name?

**Mr. Matthew Rae:** The Minister of Education is asking what my MSN name is. I will not say my MSN name for the record.

In 2005, as was mentioned by the minister, the iPhone did not exist. Twitter—or, now, X—did not exist. Facebook was merely on Harvard campus and some other university campuses, I believe, at the time. Instagram, obviously, did not exist. The world was a happier place. It was a nicer time.

*Interjection.*

**Mr. Matthew Rae:** Truly, it was. You don't want to read the comments on my X profile, Speaker.

Online shopping wasn't commonplace, either. Obviously, when we think of online shopping now, we think of Amazon, but even more, since the pandemic and the movement to more online transactions—even small businesses in my riding now are shipping around Ontario, Canada and North America through online mechanisms. A great example, not in my riding, but close to my heart: My sister is a small business owner, and she ships her products online, across North America. So I know it has become more commonplace.

It's heartening to see that our government continues to work for Ontarians and update the Consumer Protection Act. That's why our government is updating the Consumer Protection Act through the bill called Better for Consumers, Better for Businesses Act. It takes concrete steps to ensure that there are reliable consumer protection standards that reflect the needs of Ontarians today, and that there are enforcement mechanisms to protect the integrity of our marketplace.

Speaker, we're prohibiting unfair business practices such as taking advantage of consumers' inability to understand language in a contract. We're limiting when a business can make one-sided contract amendments, renewals and extensions without the express consent of a consumer. We're prohibiting businesses from creating unnecessary barriers when consumers are trying to cancel a subscription or membership-based contract. We're providing fair exit options to consumers and families who find themselves locked indefinitely into a time-share contract, as well as homeowners tied to long-term leases for appliances. And we're giving stronger enforcement powers to better enable the Minister of Public and Business Service Delivery to hold bad actors to account, including by doubling fines.

As the minister mentioned earlier, the vast majority of our businesses and small businesses in Ontario operate

very well, with upstanding standards. However, obviously there are still bad actors. It's good to see that we will continue to ensure that those bad actors are punished with higher fines.

Ontarians deserve a business climate where they can trust that their best interests are being looked after and that they're being protected from unfair manipulation, and these changes are particularly important in the housing sector, helping Ontarians participate in the housing market in good faith.

Speaker, if you'll indulge me, I'll quote from Tim Hudak, president and CEO of the Ontario Real Estate Association, when he was referring to the bill before us, Better for Consumers, Better for Businesses Act, 2023:

“The Ontario Real Estate Association is a strong proponent of measures to improve consumer protection so people have peace of mind when acquiring home services or products. Ontario realtors commend the Ministry of Public and Business Service Delivery for updating protections on contract disclosure or leases to better safeguard consumers in the modern marketplace and enhancing the ability of businesses to meet their obligations. We look forward to seeing the positive effect this will have for future homebuyers across the province.”

*Interjection.*

**Mr. Matthew Rae:** Yes, as my member from Essex is clapping—it is a good quote. It shows us working with stakeholders in the sector to ensure that we improve consumer protection.

Speaker, we have an understanding in this country that if you work hard and you pull up your bootstraps, you can afford that house; you can afford that Canadian dream or the Ontario dream. But without an updated Consumer Protection Act—since 2005—Ontarians are falling behind and have been at the risk of unfair manipulation and bad actors in the marketplace. Now that our government is taking action on this important piece of legislation to protect consumers and better support businesses, we can once again have faith in the idea that hard work will reward Ontarians without risking them being taken advantage of.

This legislation also takes important steps to support businesses and help them succeed in an ever-changing marketplace. Each member in this place comes from a different and unique community, each of which relies on its small businesses for economic growth and development. Whether it's here in downtown Toronto, in northern Ontario, in my riding of Perth—Wellington or anywhere in between, I think we can all agree that our small businesses are the primary representation of the capitalist and free enterprise society that we live in and that will keep our economy growing and allow our communities and families to thrive.

I know I mentioned earlier a quote from Mr. Hudak. As a young, first-time homeowner, I know there's a lot of stress in that process; there's a lot of questions. For most in Ontario, it will be the largest purchase you ever make in your life. I know there are challenges, and there are bad actors, to be frank, in that sector, Speaker. I know our

government continues to take steps, some outlined in this bill, to ensure that we protect first-time homebuyers and protect our seniors as well. I think of the liens and NOSI consultations the minister is undertaking—the seniors in my riding of Perth–Wellington and those liens they may not even know they have agreed to—and ensuring that those aren't on title, ensuring that that headache is not there as well for the people who inherit the property when they pass on. Knowing that experience as well when my grandparents passed away and seeing—even if there are no challenges around consumer protection, still it is a process for anyone obviously going through that, dealing with bank accounts and property. So ensuring that these NOSIs and liens are not unduly placed on a title of a property will ensure that this difficult time for those families is not made even more difficult by those extra challenges and those bad actors trying to take advantage of our seniors.

Speaker, I know our government will take steps to ensure that consumers and a fair marketplace is upheld

across Ontario, ensuring that we continue to support the many businesses in Ontario and in my riding of Perth–Wellington.

While I have the floor, Speaker, I also want to briefly thank Jamie from the Huron Perth Community Legal Clinic for his submissions to the committee. I know I always appreciate meeting with Jamie, and his thoughts and our discussions.

I would like to believe that consumer protection, especially in the context of this legislation and within the larger free-enterprise society we have in Ontario, is something that we can all come together and agree to support.

Speaker, I am heartened to hear the support from the opposition, and I hope we see that this evening, once we get to the vote on—I'm doing wishful thinking that we'll vote on this right away. Maybe we'll get unanimous consent to do that.

With that, I conclude my remarks.

*Report continues in volume B.*







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