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(Hansard)**

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(Hansard)**

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**Standing Committee on
Finance and Economic Affairs**

Cutting Red Tape to Build
More Homes Act, 2024

1st Session
43rd Parliament

Wednesday 29 May 2024

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

Loi de 2024 pour réduire
les formalités administratives
afin de construire plus
de logements

1^{re} session
43^e législature

Mercredi 29 mai 2024

Chair: Ernie Hardeman
Clerk: Vanessa Kattar

Président : Ernie Hardeman
Greffière : Vanessa Kattar

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES**

Wednesday 29 May 2024

Mercredi 29 mai 2024

The committee met at 0900 in room 151.

**CUTTING RED TAPE TO BUILD
MORE HOMES ACT, 2024
LOI DE 2024 POUR RÉDUIRE
LES FORMALITÉS ADMINISTRATIVES
AFIN DE CONSTRUIRE PLUS
DE LOGEMENTS**

Consideration of the following bill:

Bill 185, An Act to amend various Acts / Projet de loi 185, Loi modifiant diverses lois.

The Chair (Mr. Ernie Hardeman): Good morning. I call the meeting of the Standing Committee on Finance and Economic Affairs to order. We're meeting today for the clause-by-clause consideration of Bill 185, An Act to amend various Acts. Catherine Oh from legislative counsel is here to assist us with our work, should you have any questions. We also have ministry staff joining us on Zoom. A copy of the amendments filed with the Clerk has been distributed electronically; a hard copy has also been provided to the members of the committee.

Before we begin with consideration of the specific sections of the bill and accompanying schedules, I will allow members to make comments to the bill as a whole. Afterwards, debate will be limited to the specific amendment, section or schedule under consideration.

Committee members, pursuant to standing order 83, are there any comments or questions on the bill as a whole? MPP Bell.

Ms. Jessica Bell: I'm pleased to be here today to be going through clause-by-clause on Bill 185. Our goal is to make sure that housing is affordable for people to rent and buy, and our additional goal is that there are good public services in cities and towns across Ontario.

When I look at this bill, there are some things that we like about this bill and there are some things that we've got some concerns about, and we're going to be going through that in clause-by-clause.

The things that we like are the decision by this government to move forward with use-it-or-lose-it policies to allow municipalities to really encourage developers to build when they have permits—and we're also pleased that there is a move to recognize that municipalities are in a financially very difficult situation. There is a reversal of some of the really draconian measures in Bill 109 and Bill

23 to make it difficult for municipalities to partially pay for infrastructure through development fees.

The problems we have with the bill is that there's no commitment to affordability, there's no commitment to build affordable housing; there is a move to essentially weaponize the lands tribunal so that it's available to some people but not to everyone else; and there is a move to make it much easier for developers to build low-density housing on farmland in green space, when I think we can all agree that we need to protect and preserve one of the biggest economic drivers in Ontario, which is our farming industry.

I think people expect us to solve the housing crisis, and I don't think this bill goes far enough. That's my summary.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Hazell.

MPP Andrea Hazell: How many minutes do I have for this?

The Chair (Mr. Ernie Hardeman): Up to 20.

MPP Andrea Hazell: Chair, thank you for giving me this opportunity to speak for the last time on Bill 185 overall.

Here we are at the table to review another bill, and we've got many of these bills that we have reviewed in the past—I've actually lost count. Are we really seeing the results that we want to see? Are housing stats up? I think you're back at the 2018 level. That's six years. I think this government had enough time to address the housing issues and could have got us not into the crisis that we're in right now. Representing Scarborough and Scarborough-Guildwood, I haven't seen any success, to date, that I can share. What I'm seeing, though, is that the cost of housing keeps going up. The average home in the GTA, if I must say—it's almost \$2,500 for a one-bedroom.

The group of people I really want to speak about here today—because I've got three of those people—are the young people and young families in Ontario with no hopes and dreams of becoming homeowners.

I remember coming to this country in 1988, in Ontario. There were endless opportunities. Ontario is beautiful. I even called my brother three years after, when I was okay, and I said, "You've got to come to Ontario to live." That was the dream.

We are quickly seeing that dream and hope for the young families and young people of Ontario dwindling away.

Last year, 14,000 Ontarians in their 20s left the province because it's just too expensive to live here.

I want to talk about Scarborough because I know it very well. The average salary in Scarborough is roughly around \$42,000. Think about how a one-bedroom is almost \$3,000. Those families I have just spoken about—

The Chair (Mr. Ernie Hardeman): If I can just cut in: We'd like to hear about the bill; not the generalities. You have all the time in the world to talk about the bill—what's in the bill or what you would like from the bill.

MPP Andrea Hazell: Yes, and what I didn't see in the bill is the affordability of homes—being built to support the people I'm speaking about, and because there are no homes that are being built to support those people, they now have to turn to other means or measures to be able to afford to pay their rent. This bill does not impact the affordability of homes that have been built in Ontario. The people I'm speaking about today are really having a hard time finding homes. This is what this bill is about—building more homes.

I'm going to keep on track. I want to talk about the Housing Affordability Task Force report that this government has put into place, by their own Conservative Party leader Tim Hudak. That report never flowed through in Ontario. In that report, they talk about building density. That report was not followed on building density, but what was followed is building homes on the greenbelt. They have spent a year looking at how to build homes on the greenbelt, which—we all know that didn't happen; we all know that had to be reversed. So that's a whole year wasted on not being able to work with all levels of government to build homes and to increase our density in cities and not on farmlands. That's where I'm coming from.

The dreams of home ownership for the young families and young people in Ontario have dwindled to zero.

We're losing a lot of farmland. This government loves to talk about protecting the farmland. Every day, we're losing 319 acres of land. Those lands are gone forever.

All I'm saying is that I wanted to give my viewpoint on this Bill 185 because I do not see how it is impacting the middle-income people of Ontario, the young families of Ontario, to one day become homeowners in Ontario.

The Chair (Mr. Ernie Hardeman): Further debate?

Mr. Matthew Rae: I'll keep my remarks brief because I know we have a very ambitious agenda before us today. I just want to respond to some comments made by my Liberal colleague on the committee.

We heard in the standing committee on infrastructure, when we were doing a regional governance review earlier this year, from a former minister of Kathleen Wynne's government. The mayor of Vaughan admitted on the record that the housing crisis started under Kathleen Wynne, and they did nothing at the cabinet table to address it when that started. So I think it's rather rich, coming from the member opposite—talking about the housing crisis, when it started under Liberal Kathleen Wynne's government.

Two thousand people per day came to the province of Ontario last year alone. We are the fastest-growing sub-national region in North America—faster than Florida and Texas. Those people are coming to Ontario because of the

good investments we're attracting and the jobs we're creating—700,000 new jobs in Ontario since we've formed government. We're going to continue to make those important investments moving forward.

This bill will help reduce some of that burden for our home builders—cutting red tape, ensuring that we get more homes built quicker, ensuring that we get more student housing built in a timely fashion, ensuring that those students who come to our shores to get a good education in our education system have an opportunity to live in those communities as well, and ensuring that we get more shovels in the ground, as was in our provincial budget with infrastructure funding.

The Chair (Mr. Ernie Hardeman): Anything further?

Ms. Catherine Fife: It's a pleasure to be here this morning with all of you. It's going to be a fun day.

Bill 185 has some good things in it, as my colleague mentioned. One of the issues that we actually are very supportive of is eliminating the mandatory parking minimums in specified areas served by transit. This is a good move.

However, this is a piece of legislation that lacks the ambition and urgency with which we should be addressing the housing crisis in Ontario. It's a weak piece of legislation. It lacks the vision and the targeted investments that are needed to address housing gaps. I'm just going to give you a few examples because they'll come out as we try to make this piece of legislation stronger.

The bill continues to ignore the key recommendations of the government's own Housing Affordability Task Force, like legalizing fourplexes. This makes no sense at all—that the government is ignoring their own best advice.

The comments that have been made by the Premier with regard to fourplexes and their disruptive nature to neighbourhoods are farcical, quite honestly. The fact that he has commented that fourplexes can be eight stories high, disrupting the flow of neighbourhoods—this is NIMBYism at its best and defies logic. We all know that fourplexes are part of the housing solution. We heard from the home builders of Ontario that they want to build fourplexes, and they are a key stakeholder in the housing crisis.

The bill also doesn't invest in non-market housing. We need to build housing that's actually affordable, like co-op, supportive and non-profit homes; we have to get back in the business.

I was just reading through the Ontario Chamber of Commerce pre-budget consultation review because we're meeting with them later on. They recommend that the government invest in truly attainable housing, because this is the kind of housing that is not going to be built by the seven or eight developers that were part of the greenbelt scandal.

Much of the bill, actually, is just reversals to bad government policies. So instead of doing your due diligence and your proper consultation and listening to your own Housing Affordability Task Force, we are left with a piece of legislation which is essentially cleaning up some of your mistakes, but then intentionally leaving out some of the solutions.

0910

All told, this bill is not going to make it easier for you to find a home you can afford or protect you from illegal eviction.

In listening to the rental advocates who came before this committee, one of the key issues of stabilizing the housing market in Ontario is at least keeping people housed in their current rental situation, and to date, we have seen record renovations, demovictions and evictions.

So the work before us is immense, in trying to get this piece of legislation to meet the moment for Ontarians, but as New Democrats and as the official opposition, we're going to give it a good try.

The Chair (Mr. Ernie Hardeman): Any further discussion? If there's no further discussion, we'll move on.

As you will notice, Bill 185 is comprised of a preamble, three sections and 15 schedules. In order to deal with the bill in an orderly fashion, I suggest that we postpone the preamble and the three sections of the bill in order to dispose of the schedules first. This allows the committee to consider the contents of the schedules before dealing with the sections on the commencement and short title of the bill. We would return to the preamble and the three sections after completing consideration of the schedules.

Is there unanimous consent to stand down the preamble and the three sections of the bill and deal with the schedules first? There are no objections.

There are no amendments to schedule 1. I therefore propose that we bundle sections 1 to 3. Is there agreement? Okay.

Debate on schedule 1, sections 1 to 3? No debate. Are the members prepared to vote? All those in favour? All those opposed? The motion is carried.

Is there any debate on schedule 1? No debate on schedule 1. Are the members prepared to vote? All those in favour? Opposed? Schedule 1 carries.

There are no amendments to schedule 2. I therefore propose that we bundle sections 1 to 3. Is there agreement? There's no objection to that.

Any debate on sections 1 to 3? If not, are you prepared to vote? All those in favour? All those opposed? Sections 1 to 3 carry.

Is there any debate on schedule 2? Are the members ready to vote?

Mr. Matthew Rae: Recorded vote, Chair.

The Chair (Mr. Ernie Hardeman): A recorded vote has been requested.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): The motion is carried.

There are no amendments on schedule 3. I therefore propose that we bundle sections 1 and 2. Is there agreement? Agreement.

Any debate on sections 1 and 2? Are you ready to vote? All those in favour?

Interjections.

The Chair (Mr. Ernie Hardeman): You want it recorded?

Interjection: No.

The Chair (Mr. Ernie Hardeman): Okay.

All those in favour? Opposed? The motion is carried.

Is there any debate on schedule 3? If not, are you ready to vote?

Mr. Matthew Rae: Recorded vote now, Chair.

The Chair (Mr. Ernie Hardeman): All those in favour? A recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): Schedule 3 carries.

There are no amendments on schedule 4, sections 1 and 2. Therefore, I propose that we bundle sections 1 and 2. Is there agreement?

Ms. Jessica Bell: Hold on. Where are we? We're on schedule 4? We definitely want to have some chats about—

The Chair (Mr. Ernie Hardeman): On schedule 4, sections 1 and 2, there's no debate. Are we ready to vote?

Ms. Jessica Bell: No, no, no. With schedule 4, schedule 6, schedule 9 and schedule 12, I don't want bundling.

With schedule 4.1, this is the move by the provincial government to move ahead with the use-it-or-lose-it policy. This is a measure that we support—

Ms. Catherine Fife: I don't think we're there yet.

Ms. Jessica Bell: Yes, we are.

Interjections.

The Chair (Mr. Ernie Hardeman): Could we please know where you're at?

Ms. Jessica Bell: I just want to make some comments on it—no bundling.

The Chair (Mr. Ernie Hardeman): There are no amendments.

Ms. Jessica Bell: Yes, but I can still chat about it.

The Chair (Mr. Ernie Hardeman): Okay. We're going to not bundle it. We're going to go to schedule 4, section 1. Discussion?

Ms. Jessica Bell: I'm pleased to see that the provincial government is moving ahead with use-it-or-lose-it policies. This is an ask that we have been advocating for for some time. The MPP for Niagara Centre has introduced a bill calling for use-it-or-lose-it policies. For those who were listening, it means that municipalities have additional powers to motivate developers to use the building permits that they have. The city spends a considerable amount of resources reviewing and approving plans to build, and in some cases, some developers are choosing to sit on those approvals and not build, because they want to wait for a more profitable time to build.

Given that we're in a housing affordability crisis and a housing supply crisis, I think it makes a lot of sense to move forward with use-it-or-lose-it policies.

I want to thank the city of Toronto, AMO and the many advocates who reached out to us and called for this. I'm pleased to see it in the bill.

The Chair (Mr. Ernie Hardeman): Any further debate on schedule 4, section 1? No further debate. Are you prepared to vote?

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Bell, Crawford, Fife, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): The motion is carried on schedule 4, section 1.

Schedule 4, section 2: Debate? MPP Bell.

Ms. Jessica Bell: Help me out here, Chair. We've done 1, so now we're at 2 and that is, "2. The act is amended by adding the following section: 'Authority to grant assistance....'" Is that where we're at?

The Chair (Mr. Ernie Hardeman): We're at schedule 4, section 2.

Ms. Jessica Bell: Okay. With this amendment, I have some concerns about it, because it does create a situation where municipalities might be forced to pay or give extra special—

Mr. Matthew Rae: Point of order, Chair.

Just for my colleague: We have to pass section 2 first. Then you can amend it. Then we can go to your motion.

Ms. Jessica Bell: This isn't a motion. There's no motion.

Ms. Catherine Fife: She's just speaking to the schedule.

The Chair (Mr. Ernie Hardeman): The debate is on schedule 4, section 2.

Mr. Matthew Rae: I'm just trying to clarify: You're speaking to schedule 2, and you're going to amend schedule 2 in a second?

Ms. Jessica Bell: No, I'm just speaking to it, which I can do.

Mr. Matthew Rae: Yes, I know. I'm just trying to clarify.

Ms. Jessica Bell: Thank you. Good.

The Chair (Mr. Ernie Hardeman): She doesn't have an amendment before us. She's speaking to the section.

MPP Bell.

Ms. Jessica Bell: I do have some concerns about this amendment, because I'm concerned that it will create a situation where municipalities will be forced to give discounts, funding or resources to industry. When I think about this, I think about Ontario Place and if the city of Toronto is going to be required to give additional resources or discounts to Ontario Place. I'm concerned about that, so my recommendation is that the government vote no on this section.

0920

The Chair (Mr. Ernie Hardeman): Further debate on schedule 4, section 2? If there's no further debate, shall I call the question?

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

Nays

Bell, Fife.

The Chair (Mr. Ernie Hardeman): The motion is carried.

There's an amendment to section 2.1, an NDP amendment. MPP Bell.

Ms. Jessica Bell: I move that section 2.1 be added to schedule 4 to the bill:

"2.1 Subsection 111(7) of the act is repealed and the following substituted:

“Regulations

“(7) The Minister of Municipal Affairs and Housing may make regulations prescribing minimum standards on the powers of the city under this section with respect to,

“(a) the protection and compensation of tenants;

“(b) the preservation of the stock of available residential units.”

The Chair (Mr. Ernie Hardeman): I just want to point out to the committee that the proposed amendment is out of order as it seeks to amend a section of the parent act that is not before the committee.

MPP Bell.

Ms. Jessica Bell: I'm just curious. Are we going to debating this amendment—

The Chair (Mr. Ernie Hardeman): No.

Ms. Jessica Bell: —or do we have to call for unanimous consent? I'd like to call for unanimous consent.

Interjections.

The Chair (Mr. Ernie Hardeman): Okay. You need unanimous consent to have a debate if the Chair has ruled it out of order.

Ms. Jessica Bell: Yes, I know.

The Chair (Mr. Ernie Hardeman): Do we have unanimous consent to debate this section? No? Thank you. MPP Bell.

Ms. Jessica Bell: I'd like to speak to the unanimous consent.

The Chair (Mr. Ernie Hardeman): No.

Ms. Jessica Bell: I can't speak to it?

The Chair (Mr. Ernie Hardeman): No. There's no speaking to unanimous consent. The amendment was ruled out of order, so you need unanimous consent to debate it, and you don't have unanimous consent. Okay?

Are there any amendments to schedule 4, sections 3 to 5? There are no amendments to schedule 4, sections 3 to 5. I therefore propose that we bundle sections 3 to 5. Is

there agreement to that? Okay. Are members ready to vote? All those—

Interjection.

The Chair (Mr. Ernie Hardeman): Is there any debate on schedule 4, sections 3 to 5?

Ms. Jessica Bell: Do we have an amendment as part of 4? No? Okay. Sure.

The Chair (Mr. Ernie Hardeman): Sections 3 to 5: Are the members prepared to vote?

Shall schedule 4, sections 3 to 5, inclusive, carry? All those in favour? Those opposed? The motion is carried.

Is there any debate on schedule 4? If not, are members ready to vote?

Ms. Jessica Bell: Chair—

The Chair (Mr. Ernie Hardeman): MPP Bell.

Ms. Jessica Bell: There are a few things here. Like I said, I am pleased that there is a decision to move ahead with use-it-or-lose-it policies.

What I am concerned about is that the city of Toronto has been consistently asking for the authority, certainty to regulate the demolition of purpose-built rentals, to convert them to condos. The reason why this is so important, that the city has certainty on doing this, is because we have over a hundred buildings in the city of Toronto—purpose-built rentals, thousands of units—that are being slated for demolition to be converted to condos, which are not protected by rent control. Many of these tenants who have been living in these purpose-built rentals are very worried because this is the affordable private market rental that the city of Toronto needs to preserve. They need to preserve it.

There is an organization that has been established called No Demovictions. They're just everyday tenants. Many of them are seniors who have been living in my riding and in Toronto Centre for many years. They do not know where they're going to go if their building is demolished, because the vacancy rate in Toronto is so low and rent is so high. These people are paying between \$1,100 and \$1,800 for a one- or two-bedroom apartment, and when they look to try to find another apartment—many of them are on fixed income—they're seeing rental prices going for \$2,500 or more. They are literally terrified.

The city of Toronto has been very clear. They've put in numerous requests to the provincial government to say we need to have the enshrined right to communicate with developers and require them to provide compensation throughout the entire construction period to tenants, so they can continue to live in the neighbourhoods that they call home, and to enshrine the guaranteed right of return once the building is completed, so that tenants know that they can move back into their home at the same rent and continue to live in the neighbourhood. It's absolutely essential.

I know my motion was voted out of order.

We will be continuing to campaign and push for this, because it is absolutely essential to keep our city affordable.

The Chair (Mr. Ernie Hardeman): Further debate on schedule 4? No further debate. Ready to vote? All those in favour?

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Bell, Crawford, Fife, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): Schedule 4 carries.

There are no amendments to schedule 5. I therefore propose that we bundle sections 1 to 3. Is there agreement? Is there any debate? Are the members ready to vote? All those in favour? Opposed? The motion is carried.

Is there any debate on schedule 5? No debate? Ready to vote?

Mr. Mike Harris: Recorded vote, Chair.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): Schedule 5 carries.

Schedule 6, section 0.1, is an amendment of the opposition.

Ms. Jessica Bell: I move that section 0.1 be added to schedule 6 to the bill:

“0.1 Subsection 2(4) of the Development Charges Act, 1997 is amended by adding the following paragraph:

“17. Housing services.”

The reason I would like to introduce—

The Chair (Mr. Ernie Hardeman): The proposed amendment is out of order, as it seeks to amend sections of the parent act that are not before the committee.

MPP Bell.

Ms. Jessica Bell: I'd like to move a motion calling for unanimous consent to debate this motion and speak to it.

The Chair (Mr. Ernie Hardeman): Unanimous consent is requested. I hear a no.

There are no amendments to schedule 6, sections 1 and 2. Therefore, I propose that we bundle sections 1 and 2. Is there agreement?

MPP Bell.

Ms. Jessica Bell: I would like to speak to sections 1 and 2.

We've heard from municipalities all across Ontario that they are in a very difficult financial situation. We heard from AMO, we heard from the city of Toronto, and they told us very clearly that, as a result of Bill 109 and Bill 23, they do not have the resources they need to build the infrastructure that is necessary to make sure our towns and cities work and we have the services that current Ontarians and future Ontarians need. They gave us numbers. AMO estimates that they're on track to lose \$9 billion in funding for infrastructure as a result of the proposed development fee cuts. That's a huge amount of money.

0930

In addition, while this government has made some headway in reversing some of the cuts, which is why we are in support of some of the measures in this bill, we don't believe it goes far enough. We do want to see a return to allowing developers to pay their fair share towards affordable housing and shelter in a city. Currently, the provincial government has banned them from doing it, and it is creating a very difficult situation, given that we're in a homelessness crisis, because municipalities don't have enough money for affordable housing and shelter, and a chunk of that money used to come and should be coming from developers when they build new units—and we're talking a lot of money. So I've got a lot of concerns about that. You've gone some way, but you need to go further to keep municipalities whole.

Every time someone gets their property tax bill and sees that their property tax increase has gone up and services haven't gone up, I hope that they think about the Ontario government's move to make developers pay less for infrastructure, because that cost is now being borne on taxpayers as a result.

The Chair (Mr. Ernie Hardeman): Any further debate on schedule 6, section 1? MPP Rae.

Mr. Matthew Rae: It's disappointing that the opposition voted against the provincial budget, which is spending \$3 billion on infrastructure over the next three years.

The Chair (Mr. Ernie Hardeman): MPP Fife.

Ms. Catherine Fife: It's unfortunate that the government does not design budget bills that meet the needs of the people of this province. If we have any example of how poorly constructed your legislation is—we're actually looking at another example with Bill 185.

The fact that this government destabilized municipalities with Bill 23, causing chaos—I have never seen AMO so upset with any government, and I've been here possibly too long.

So I want the government to actually know—

Mr. Mike Harris: On the record.

Ms. Catherine Fife: It feels like these committee sessions, where the government presents us with a piece of—

Interjections.

The Chair (Mr. Ernie Hardeman): Order.

Ms. Catherine Fife: Excuse me. Yes.

These meetings are long because, as you can see, the government refuses to actually even consider rational policy that comes from the lived experiences of people in this province, whether or not they are rental advocates, whether or not they are housing advocates, whether or not they are even health advocates—because I think that we've now learned, after being on this committee for a long time, that housing is health care.

When we have communities—and I'm thinking of Waterloo region in particular, where we have governments that are struggling to accommodate the opioid crisis, housing crisis, shelter, women's crisis. All of these downloads are impacting municipalities. And when AMO came to us and said that, in total, \$9 billion will be lost—that's

a huge deficit that municipalities cannot build back stronger from.

So if the government wants to rebuild those relationships with our municipalities, who are, quite honestly, at the local level—they're supposed to be the most accountable level, and yet the provincial government keeps stirring the pot with regard to inconsistent policy.

Bill 23 was downright aggressive against municipalities in the favour of developers and against the people we're elected to serve.

So, yes, these are long days, when we're dealing with a government who uses their supermajority to shut down good policy ideas that would actually positively impact the people of Ontario.

The Chair (Mr. Ernie Hardeman): Further debate on schedule 6, sections 1 and 2? MPP Bell.

Ms. Jessica Bell: I'd like to read into the record the Association of Municipalities of Ontario's statement when it comes to development charges; specifically, the bit about housing services. AMO was very clear. They said that they're calling for the right to “reinstatement of the cost of housing services as an eligible DC expense. Capital to repair and build more community housing and emergency shelters is needed Ontario-wide.”

The decision to remove this measure and not to re-include it in this bill will put municipalities on the hook. It means they're losing \$2 billion that should be earmarked to housing services that will impact an estimated 47,000 units.

When we're talking about solving the housing affordability crisis for low income people, people on social assistance, we're talking about making sure that municipalities have the revenue they need to build and maintain affordable housing and properly maintain shelters.

It is unfortunate that the government is just really not interested in acknowledging the affordability piece of our housing crisis. We're seeing that here with this debate.

The Chair (Mr. Ernie Hardeman): Further debate on schedule 6, section 1? No further debate? Is the committee ready to vote? All those in favour? Opposed? Schedule 6, section 1, carries.

Schedule 6, section 2: Any debate? There's no debate. Shall I call the question? All those in favour? Opposed? Schedule 6, section 2, carries.

Schedule 6, section 3: There is an amendment from the government. MPP Rae.

Mr. Matthew Rae: I move that section 3 of schedule 6 to the bill be amended by adding the following subsection:

“(3) Section 26.2 of the act is amended by adding the following subsection:

““Special rule, city of Ottawa

“(8) If an application referred to in clause (1)(a) or (b) is made to the city of Ottawa between May 14, 2024 and the day that is 15 days after the day subsection 3(3) of schedule 6 to the Cutting Red Tape to Build More Homes Act, 2024 comes into force, the application shall be deemed for the purposes of this section to have been made on the day that is 16 days after the day subsection 3(3) of

schedule 6 to the Cutting Red Tape to Build More Homes Act, 2024 comes into force.”

The Chair (Mr. Ernie Hardeman): Discussion? MPP Rae.

Mr. Matthew Rae: This motion before the committee today reflects the commitment from the government of Ontario to the city of Ottawa in accordance with the Ontario-Ottawa new deal agreement and to help ensure the city’s sustainable long-term growth and prosperity, in addition to the vast infrastructure funds we provided in the provincial budget: \$1 billion for the Municipal Housing Infrastructure Program, \$125 million for the housing-enabling infrastructure program, and \$1.2 billion through the Building Faster Fund.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Fife.

Ms. Catherine Fife: This is an interesting amendment from the government. It’s good to see that the government has finally realized where Ottawa is, and the special appointee with, I think it was, Sean Webster—one of your failed candidates, who now has their own office in Ottawa.

Is this something that other municipalities will be expecting—that they’ll have their own special access and special office to do the government’s bidding in municipalities? I ask this question of MPP Rae, since he spoke to the amendment.

The Chair (Mr. Ernie Hardeman): MPP Rae.

Mr. Matthew Rae: Thank you, Chair, and, through you, to my colleague MPP Fife: I can tell you my commitment to Ottawa—and our entire government—is very, very strong.

For example, yesterday, I had the opportunity to be in Ottawa. I was originally supposed to fly to Ottawa yesterday morning at 7:30. My flight was cancelled. To honour my commitment to the people of Ottawa and the home builders there, where I spoke and met with them, I got in my vehicle and drove to Ottawa, and then drove back for this committee this morning.

So I’m 100% committed to the city of Ottawa and continue to be, as all of my government colleagues are.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Fife.

Ms. Catherine Fife: Well, I’m sure the people of Ottawa are so happy that you went the distance and drove to Ottawa to meet with the home builders.

I do want to say, the Premier was asked about that office that he was setting up, and he said that there’s no direct representation from Ottawa in his cabinet. But it is interesting to see that the government is actively reworking their own piece of legislation that was meant to undo some of the damage that was done by Bill 185.

0940

The Chair (Mr. Ernie Hardeman): Further discussion on the amendment to schedule 6, section 26.2? If not, are you ready to vote? All those in favour? Opposed? The motion is carried.

Shall schedule 6, section 3, as amended, carry? Ready to vote? All those in favour? Opposed? The motion is carried.

Schedule 6, section 4: Is there any debate on schedule 6, section 4? If not, are the members ready to vote? All those in favour? Opposed? The motion is carried. Section 4 carries.

Is there any debate on schedule 6, as amended? MPP Bell.

Ms. Jessica Bell: Catherine Fife has referred to this earlier. I’d say almost the entirety of schedule 6 is a move by this government to fix up its mistakes in previous bills. While it is good that there is a move to give municipalities more power to raise revenue to partially pay for infrastructure, I wish we didn’t have to do this at all.

My request in future bills is that this government does significant and sustained consultation before a bill is introduced, so that this government is not fixing up its mistakes as it goes.

The Chair (Mr. Ernie Hardeman): Further debate? Ready to vote?

Mr. Matthew Rae: Recorded vote.

Ayes

Anand, Bell, Crawford, Fife, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): All those opposed? The motion is carried.

Schedule 7: There are no amendments to schedule 7, sections 1 and 2. I therefore propose that we bundle sections 1 and 2. Is there agreement?

Any debate on sections 1 and 2 of schedule 7? If not, shall I call the vote? All those in favour? All those opposed? The motion is carried.

Schedule 7 has an NDP amendment to section 3: amendment number 4.

Ms. Jessica Bell: I move that section 3 of schedule 7 to the bill be amended by adding the following subsection:

“(1.1) Subsection 3(5) of the act is amended by adding the following paragraphs:

“1.1 Provide an assessment of the financial impacts of acting on the recommendations provided under paragraph 1 on municipal taxpayers and uses of municipal services and impacts on the quality of municipal services.

“1.2 Publish the recommendations provided under paragraph 1 and assessment provided under paragraph 1.1 on a website of the government of Ontario.”

The Chair (Mr. Ernie Hardeman): Debate? MPP Bell.

Ms. Jessica Bell: The reason why we’re introducing this amendment is that the government really took a really draconian move to, without any consultation at all, attempt to merge three regions and get rid of the region of Peel. It caused a lot of concern and upset. And now we’re in a situation where Peel region is being given a bill of over \$4 million to pay for the government’s failed attempt to get rid of a regional level of government.

I think it’s reasonable to ask the government to provide more information on how much it’s costing to embark on this process and then reverse on this process and then embark on a partial part of this process again, so that the

region knows what's at stake for them and what it means. How is it going to impact services? How much is it going to cost? It brings transparency to a very concerning move by this government.

The Chair (Mr. Ernie Hardeman): Further discussion? MPP Rae.

Mr. Matthew Rae: I recommend, along with my government colleagues, voting against this motion because the proposed amendment would be redundant with what the government has already proposed and what the minister has already publicly directed the transition board to do. The board's recommendations are expected to touch a range of sensitive matters, Chair, as you may know, including labour relations. As such, they will be treated as confidential to the minister and the executive council of Ontario at this time.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Fife.

Ms. Catherine Fife: The reason that we brought forward this motion is because Mississauga—once the Hazel McCallion Act around the Peel dissolution happened, we heard even at pre-budget consultation why the region as a whole had suffered, financially, from a morale perspective around staffing, and the fact that the mandate of the Peel Region Transition Board has been changed midway to remove references to dissolving the region—I guess that is progress. However, the transition board continues to have a mandate to make recommendations concerning the transfer of assets, powers, responsibilities with respect to land use planning, water and waste water and stormwater, highways and waste management. There has been a real lack of transparency with regard to this transition board. The fact that Peel as a whole is going to end up with a massive bill for the incompetence of this decision is stunning.

Of course, schedule 7 also deals with the fact that it broadens the existing immunity provisions to block lawsuits related to any amendment or repeal of the act, as well as anything else done under the act. This includes any revocation of property rights, any misrepresentation or any misconduct related to anything done under the act. And it's important to note that no costs or damages are payable for anything done under the act, including acts of misfeasance, bad faith, breach of trust or breach of fiduciary obligations, and these provisions apply retroactively.

There is a cost for not doing your basic due diligence and basic consultation. Unfortunately, Peel is going to be left with that bill. This amendment was really to provide an assessment of the financial impacts of acting on recommendations provided under paragraph 1. Why would the government not want to actually be more transparent with regard to this reversal?

I think the bill is at \$4 million to find efficiencies, okay? That's inefficient. I hope that we can agree on that. We said that we're going to try to make the bill stronger, and this amendment was brought forward to do so.

We'll be asking for a recorded vote on this, please, Chair.

The Chair (Mr. Ernie Hardeman): Further debate? If not, are members ready to vote?

Ayes

Bell, Fife, Hazell.

Nays

Anand, Crawford, Harris, Hogarth, Rae, Triantafylou.

The Chair (Mr. Ernie Hardeman): The motion is lost.

We have another amendment to section 3 of schedule 7.

Ms. Jessica Bell: I move that section 3 of schedule 7 to the bill be amended by adding the following subsection:

“(2.1) Subsection 3(6) of the act is amended by striking out ‘and may be apportioned by the minister from among the regional municipality of Peel, the city of Mississauga, the city of Brampton and the town of Caledon’ at the end.”

0950

The Chair (Mr. Ernie Hardeman): You heard the motion.

MPP Bell.

Ms. Jessica Bell: What does this amendment mean? This amendment is essentially saying that the region of Mississauga and Peel and Brampton and Caledon should not be paying for the provincial government's mistakes. It is the provincial government that appointed the board, did the work and controls the process, so it is the provincial government that should be paying the costs for this failed experiment, or partial failed experiment, to divide up these regions. It is not fair to ask these regions to pay when they didn't want this work to be done, they haven't done the work, and they have very little say over the outcome of the work. That's what this amendment aims to do.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Rae.

Mr. Matthew Rae: We recommend voting against this motion because the proposed amendment will remove the minister's authority to allocate costs incurred by the transition board to the region of Peel and its lower-tier municipalities. Retaining this wording will maintain flexibility for the minister to determine if and how costs can be allocated.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Fife.

Ms. Catherine Fife: The comments by MPP Rae are interesting, because when we spoke with the minister, there was some assurance—we pressed him on this—that something would be done.

In fact, this amendment actually protects the region of Peel and would then ensure that they don't end up with the bill. They shouldn't pay any of the bill for the Ford government's mistakes. This was a poorly thought-out decision. It was a rash decision. It was a last-minute decision. It took Brampton, Mississauga and Caledon all by surprise.

I will say it was one of the most entertaining press conferences I ever watched—between Mayor Brown and Mayor Crombie—at the time. I’ve never seen people dance like that.

But I will say that it is not the fault of those municipalities that they are going to end up with this bill—and for what? Now this is just political theatre on the Hazel McCallion Act, which was repealed.

This is just giving the government an opportunity to acknowledge your mistakes, to acknowledge that there’s a price to be paid and that these municipalities shouldn’t pay. The government of Ontario should pay.

The Chair (Mr. Ernie Hardeman): Further discussion? If not, are we ready to vote? All those in favour? All those opposed? The motion is lost.

Shall schedule 7, section 3, carry? Any debate? If there is no debate, shall I call the question? All those in favour of schedule 7, section 3? All those opposed? The motion is carried.

There are no amendments to schedule 7, sections 4 to 8. I therefore propose that we bundle sections 4 to 8. Is there agreement?

Any debate on schedule 7, sections 4 to 8? If there’s no debate, ready to vote? All those in favour? All those opposed? The motion is carried.

Is there any debate on schedule 7? Are you ready for the question? All those in favour of schedule 7?

Mr. Matthew Rae: Recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): The motion is carried. Schedule 7 carries.

There are no amendments to schedule 8. I therefore propose that we bundle sections 1 to 21. Is there agreement? Aha, agreement.

Is there any debate on schedule 8, sections 1 to 21? There’s no debate. Are we ready to call the question?

Mr. Mike Harris: Recorded vote, Chair.

The Chair (Mr. Ernie Hardeman): A recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): The motion is carried.

Is there any debate on schedule 8? No? Are members ready to vote?

Mr. Matthew Rae: Recorded vote.

The Chair (Mr. Ernie Hardeman): Recorded vote on schedule 8.

Ayes

Anand, Bell, Crawford, Fife, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): Schedule 8 carries. Schedule 9: Is there any debate on schedule 9, section 1? MPP Bell.

Ms. Jessica Bell: This government is making some changes to the Municipal Act which we support; most notably, the decision to bring in use-it-or-lose-it policies so municipalities have more options available to them to motivate developers to not sit on the permits that have already been received, but to build. We support it. We think it’s a good move. We want to thank the MPP for Niagara Centre for advocating for this, as well as AMO and many other organizations.

The Chair (Mr. Ernie Hardeman): Any further debate? If not, ready to vote on schedule 9, section 1? All those in favour? Opposed? The motion is carried.

We have an amendment.

Ms. Jessica Bell: I’ll read it in.

I move that section 1.1 be added to schedule 9 to the bill:

“1.1 Subsection 99.1(7) of the act is repealed and the following substituted:

“Regulations

“(7) The minister may make regulations prescribing minimum standards regarding the powers of the city under this section with respect to,

“(a) the protection and compensation of tenants;

“(b) the preservation of the stock of available residential units.”

The Chair (Mr. Ernie Hardeman): The proposed amendment is out of order as it seeks to amend a section of the parent act that is not before the committee.

MPP—

Ms. Jessica Bell: I’d like to move a motion calling for unanimous consent to debate this amendment.

The Chair (Mr. Ernie Hardeman): A request for unanimous consent? I hear a no.

There are no amendments to schedule 9, sections 2 and 3. I therefore propose that we bundle sections 2 and 3. Is there agreement? MPP Bell.

Ms. Jessica Bell: I have some concerns about section 2 of schedule 9, which would give the Lieutenant Governor in Council and cabinet—they have the power to make regulations authorizing a municipality to grant assistance directly or indirectly to a manufacturing business or other industrial or commercial enterprise during a specified period. This is very concerning. It would mean that the province could say, “Hey, municipality, you need to give discounts and favours to this business.” This is a—

The Chair (Mr. Ernie Hardeman): If I could just stop you for a moment. If you are opposed to bundling—we can’t be debating number 2.

Ms. Jessica Bell: Oh, sure. I didn’t know we were on bundling.

The Chair (Mr. Ernie Hardeman): We have to do them separately—and the motion before us is on one.

Ms. Jessica Bell: Sure.

The Chair (Mr. Ernie Hardeman): Any discussions on schedule 9, section 2—

Interjection.

The Chair (Mr. Ernie Hardeman): Oh. Is there agreement to bundle sections 2 and 3? MPP—

Ms. Jessica Bell: Chair, I would like to speak to section 2. So if that means that if we bundle, I can't speak to section 2, then I'm not okay with bundling.

1000

The Chair (Mr. Ernie Hardeman): You can speak to both if you bundle them.

Interjection.

The Chair (Mr. Ernie Hardeman): Carry on with your debate.

Interjection.

Ms. Jessica Bell: Sure. We're getting through it.

The Chair (Mr. Ernie Hardeman): Okay.

Ms. Jessica Bell: Thank you. I have some concerns with schedule 9, section 2, because it gives cabinet blanket authority to direct a municipality to provide favours and benefits to a municipality.

I think of what's happening in Wilmot. The municipality is going to be forced to give special favours to businesses without even knowing what the information is. I don't know, but I am concerned that this specific amendment would give the province the power to do that. I've got a lot of concerns about that.

I am recommending that the government look at this very seriously, and we will be voting no to this section.

The Chair (Mr. Ernie Hardeman): Further discussion? Shall schedule 9, section 2, carry? Are you ready for the vote?

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

Nays

Bell, Fife, Hazell.

The Chair (Mr. Ernie Hardeman): The motion is carried.

Shall schedule 9, section 3, carry? Debate? No debate on section 3. I'll call the vote. All those in favour? Opposed? Section 3 carries.

Is there any debate on schedule 9? There's no debate. Ready for the vote? All those in favour? Opposed? The motion is carried.

Schedule 10: There are no amendments to schedule 10. I therefore propose that we bundle sections 1 and 2. Is there agreement? Everybody happy with bundling?

Is there any debate on schedule 10, sections 1 and 2? There's no debate. Are the members prepared to vote? All

those in favour? All those opposed? Schedule 10, sections 1 and 2, carries.

Any debate on schedule 10?

Mr. Matthew Rae: Recorded vote.

The Chair (Mr. Ernie Hardeman): No debate? Is the committee ready to vote? A recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): The motion is carried. Schedule 10 carries.

Schedule 11: There are no amendments on schedule 11. I therefore propose that we bundle sections 1 to 3. Is there agreement?

Is there any debate on schedule 11, sections 1 to 3? No debate? Ready to vote? All those in favour? All those opposed? Schedule 11, sections 1 to 3, carries.

Is there any debate on schedule 11? No debate? Are you ready to vote?

Mr. Matthew Rae: Recorded vote.

Ayes

Anand, Crawford, Harris, Hogarth, Rae, Triantafilopoulos.

The Chair (Mr. Ernie Hardeman): Schedule 11 carries. Schedule 12, section 1: The government has an amendment—amendment number 7.

Mr. Matthew Rae: To my opposition colleagues, we have plenty of time to talk on this schedule, I'm sure.

So the first motion I move, motion 7:

I move that section 1 of schedule 12 to the bill be amended by adding the following subsection:

“(0.1) The definition of ‘public body’ in subsection 1(1) of the Planning Act is amended by striking out ‘a local board, a ministry’ and substituting ‘a local board, a hospital as defined in section 1 of the Public Hospitals Act, a ministry’.”

The Chair (Mr. Ernie Hardeman): Debate? MPP Rae.

Mr. Matthew Rae: The government is recommending the committee members vote for this amendment. The proposed motion would ensure that hospitals could appeal development proposals that could create land use compatibility issues; for example, impacting flight paths for our local hospital helicopters.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Bell.

Ms. Jessica Bell: One of the biggest issues I have with schedule 12 is the move by this government to make it okay for some entities to complain to the lands tribunal but not allow everybody else. You can be a hospital, you can be an airport authority, you can be industry, you can be a landowner, and you're allowed to go to the lands tribunal

to complain, but then individuals, lawyers and environmental groups can't.

Why make the lands tribunal okay and available for some people but not others? I think that is extremely concerning. I'd say it's bringing considerable bias to a tribunal system, and I have a lot of concerns about it.

The Chair (Mr. Ernie Hardeman): Further debate? No further debate on the amendment. Shall I call the question? All those in favour? All those opposed? The amendment carries.

We have amendment number 8, a government amendment.

Mr. Matthew Rae: This is a substantial amendment, Chair, and I am looking at the clock. I defer to your—am I able to call a two-minute recess? I will not be able to read all of this in.

Interjections.

Mr. Matthew Rae: Four minutes? Okay.

I move that section 1 of schedule 12 to the bill be amended by adding the following subsection:

“(0.2) The definition of ‘specified person’ in subsection 1(1) of the act is amended by striking out ‘or’ at the end of clause (g) and by adding the following clauses:

“(i) NAV Canada,

“(j) the owner or operator of an airport as defined in subsection 3(1) of the Aeronautics Act (Canada) if a zoning regulation under section 5.4 of the act has been made with respect to lands adjacent to or in the vicinity of the airport and if any part of those lands is within the area to which the relevant planning matter would apply,

“(k) a licensee or permittee in respect of a site, as those terms are defined in subsection 1(1) of the Aggregate Resources Act, if any part of the site is within 300 metres of any part of the area to which the relevant planning matter would apply,

“(l) the holder of an environmental compliance approval to engage in an activity mentioned in subsection 9(1) of the Environmental Protection Act if any of the lands on which the activity is undertaken are within an area of employment and are within 300 metres of any part of the area to which the relevant planning matter would apply, but only if the holder of the approval intends to appeal the relevant decision or conditions, as the case may be, on the basis of inconsistency with land use compatibility policies in any policy statements issued under section 3 of this act,

“(m) a person who has registered an activity on the Environmental Activity and Sector Registry that would, but for being prescribed for the purposes of subsection 20.21(1) of the Environmental Protection Act, require an environmental compliance approval in accordance with subsection 9(1) of that act if any of the lands on which the activity is undertaken are within an area of employment and are within 300 metres of any part of the area to which the relevant planning matter would apply, but only if the person intends to appeal the relevant decision or conditions, as the case may be, on the basis of inconsistency with land use compatibility policies in any policy statements issued under section 3 of this act, or

“(n) the owner of any land described in clause (k), (l) or (m).”

The Chair (Mr. Ernie Hardeman): Could you read (j) again?

Mr. Matthew Rae: I can read (j) again:

“the owner or operator of an airport as defined in subsection 3(1) of the Aeronautics Act (Canada) if a zoning regulation under section 5.4 of that act has been made with respect to lands adjacent to or in the vicinity of the airport and if any part of those lands is within the area to which the relevant planning matter would apply,”

The Chair (Mr. Ernie Hardeman): Thank you very much. I just wanted to make sure we used up all the time we have.

The committee is adjourned until 1 o'clock.

The committee recessed from 1014 to 1301.

The Chair (Mr. Ernie Hardeman): Good afternoon, everyone. I call the meeting of the Standing Committee on Finance and Economic Affairs to order. We will now resume clause-by-clause consideration of Bill 185, An Act to amend various Acts.

When we recessed, MPP Rae moved amendment number 8. I look to MPP Rae for any debate on the amendment.

Mr. Matthew Rae: Amendment number 8 before this committee: I recommend, obviously, voting for this motion, because it would address concerns we have heard from stakeholders and help mitigate potential concerns regarding land use compatibility issues for developments proposed near airports, aggregate operations and major industrial facilities. It responds to the feedback while ensuring that the government is committed to lowering the number of frivolous appeals. I know eliminating the frivolous kinds of appeals that have historically happened with third-party appeals could reduce project delays by up to 18 months, and so, obviously, it would help us continue building the homes that Ontarians need across Ontario.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Bell.

Ms. Jessica Bell: I'm very concerned about the government's decision to give access to the land tribunal to some players but not others. Developers, in some cases, can appeal to the land tribunal; airports can; some landowners, some industry can appeal—but everyone else, you can't. And I have a lot of challenges with that. I think it is undemocratic, and it will mean that planning decisions are made that could have unintended consequences and negative consequences.

We do need land tribunal reform; there's no question. My hope is that the land tribunal is a tribunal of last resort so people can go to the land tribunal if there's a clear violation of municipal or provincial law. Right now, it's used as a tool of first resort, and it's my hope that the Ontario government can use the considerable jurisdiction it has to work with municipalities to ensure they meet their housing targets and their housing affordability targets.

This really smacks of bias, and I urge us to vote against it.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Fife.

Ms. Catherine Fife: Just to echo my colleague's concerns with this amendment: It very much looks like active lobbying enshrined in legislation, quite honestly. To have these specific three operators have priority access to the land tribunal—I don't think I've ever seen anything like it. This is just a blatant, in-your-face "we'll scratch your back if you scratch ours" sort of situation.

Why the government would bring in this amendment at this point in time is a great question—nor has the government given us any rationale for these three, specifically: "the owner or operator of an airport," "a licensee or permittee" around aggregate or "the holder of an environmental compliance approval to engage in an activity mentioned" under the Environmental Protection Act.

I guess this is the new way the government is doing business—that you meet with these folks, then they get a piece of legislation, and then they get priority access to the land tribunal. I didn't even see this under the Liberals. Even the Liberals, quite honestly, would bury it somewhere under regulation; they wouldn't enshrine in a piece of legislation. So of course we're going to be voting against this. This is not the way the government should be working.

Cash for access: I remember working with the official opposition prior to 2018. They were dead set against where the Liberals were going to, in that direction. And now it looks like this government has really essentially doubled down and then accelerated access to government and then basically tailored legislation. It's quite shocking that this has been added as an amendment to an already flawed piece of legislation.

The Chair (Mr. Ernie Hardeman): Further debate?

Mr. Matthew Rae: We heard it from the opposition, colleagues: You can't say this government is not transparent—putting in legislation, right for the public to see, and at a public committee meeting.

As I mentioned in my remarks, we heard this from consultations with a variety of stakeholders. We heard it at committee as well, and the opposition members did as well.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Bell.

Ms. Jessica Bell: I hear the concerns that the lands tribunal is the place where projects can be held up. The point, though, is that at the lands tribunal, the adjudicators already have the authority to deny an appeal if they believe that the appeal has no chance or very little chance of success. They already have the ability to remove frivolous or unsubstantiated lawsuits or appeals.

Honestly, I can see why you did the airport one, because Minister Clark did an MZO for a condo in Vaughan, I believe, and then the Greater Toronto Airports Authority said, "Whoa, that's on a flight path." I can see why you'd allow the airport to appeal. But the reality is that there are a whole lot of unintended consequences that many third parties have concerns about, and they should have the opportunity to voice them to an impartial adjudicator.

The Chair (Mr. Ernie Hardeman): Further debate? If there's no further debate, shall I call the question?

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

Nays

Bell, Fife.

The Chair (Mr. Ernie Hardeman): The motion is carried.

Shall schedule 12, section 1, as amended, carry? Any debate? No debate. Shall I call the question?

MPP Bell.

Ms. Jessica Bell: So you're on schedule 12, section 1. This is where we are beginning to talk about removing the power of upper-tier municipalities to plan, correct? I do have some concerns about that that I would like to read into the record. Many organizations contacted us, from AMO to the National Farmers Union of Ontario, saying this is not a wise decision to make. If we separate service planning with building approvals, it means we could be overbuilding or underbuilding, because it's not properly coordinated, and it will mean, or could mean, that property taxpayers are paying way too much to provide necessary infrastructure.

I have a lot of concerns around this decision to really sever the ability for regional governments to plan.

The Chair (Mr. Ernie Hardeman): MPP Fife.

Ms. Catherine Fife: Because Waterloo region, of course, is caught into this government's agenda to break up that sustainable, long-term, proven practice of regional planning, I can only really refer to what AMO brought to us. They said that the outstanding issues that have not been dealt with, with Bill 185, include the eliminating of regional official plans and planning responsibilities. They say, on breaking the logical link between planning and servicing: "In a rapid growth environment, the lack of a way to coordinate planning approvals and infrastructure creates a significant risk of either underservicing or overbuilding and an overburdening of the property tax base."

So this is the wrong direction. We don't want to underbuild, we don't want to build the wrong kind of housing, and we certainly don't want to continue to overburden the local tax base. Waterloo region advocates and activists and politicians of all stripes have raised concerns about this direction that the government is going in. They also cite the downloading of environmental risks by preventing municipalities from entering into agreements with conservation authorities. We're going to get to that in a little bit.

But one thing that AMO really did stress with us, with regard to the entirety of schedule 12, is that the government remains vague on Indigenous consultation and consent in the face of First Nations calls to more explicitly incorporate the United Nations Declaration on the Rights of Indigenous Peoples, UNDRIP, provisions for free, prior

and informed consent into land use planning and development processes.

I know we had a very good day here yesterday in this House, where MPP Mamakwa was able to speak his Indigenous language. He asked a question. It was a powerful moment. But those moments lose their significance and their weight when you continue to ignore the responsibilities around prior and informed consent into land use planning and development processes.

AMO specifically said, “Detailed guidance is required to support a shared understanding of obligations and best practices to underpin strong Indigenous-municipal relationships.” And that, of course, would extend to the province.

The other points specifically around schedule 12 I’d like to bring up—because the expropriation of the 770 acres in Waterloo region has really been a very divisive issue in our region and a fairly significant departure from the way that we’ve done business in the past. There are some genuine concerns from an environmental perspective around the permissiveness of this government that’s embedded in Bill 185. We do know that Bill 185 will increase the rate at which Ontario farmland is lost to urban sprawl. This is a fact.

Certain aspects of the bill which are especially detrimental for farmland and which must be amended or removed are:

- the proposed changes to the settlement area boundaries, which limit urban sprawl by restricting the size of municipalities;

- the ability for developers to appeal Ontario Land Tribunal development rulings that restrict building on farmland, wetland or environmentally sensitive areas, as this is counterintuitive to where we are in 2024; and

- removing the ability for third parties to appeal such rulings that would allow the destruction of farmland or wetlands.

Make no mistake about it. Obviously, people do want this government to actually follow through on their housing promises, but not at the expense of their water, increased infrastructure costs and, essentially, quality of life.

Sprawl is expensive. It is not the wave of the future. The fact that schedule 12 really doesn’t address any of these core issues—in fact, it doubles down on really poor policy in this regard.

1310

The Chair (Mr. Ernie Hardeman): Further debate? No further debate. Shall I call the question? All those in favour? All those opposed? Section 1 carries.

We have new section 1.1, an NDP amendment.

Ms. Jessica Bell: I move that section 1.1 be added to schedule 12 to the bill:

“1.1(1) Subsection 16(1) of the act is amended by striking out ‘and’ at the end of clause (b) and adding the following clauses:

“(b. 1) policies that authorize, on a parcel of urban residential land, the use of,

“(i) up to four residential units in a detached house, semi-detached house or rowhouse, and

“(ii) multi-unit residential buildings of up to four storeys;

“(b.2) policies that authorize, on a parcel of urban residential land, residential buildings of between six and 11 storeys high along transit corridors, where sufficient sewage and water capacity exists; and’

“(2) Section 16 of the act is amended by adding the following subsections:

“No minimum lot size

“(1.1) Policies contained in an official plan in accordance with clause (1)(b.1) may not impose a minimum lot size requirement, a floor-to-area ratio or a minimum parking requirement.

“No appeal

“(1.2) There is no appeal of policies contained in an official plan in accordance with clause (1)(b.1) or (b.2).”

The Chair (Mr. Ernie Hardeman): We’ve heard the amendment. Discussion? MPP Bell.

Ms. Jessica Bell: The reason why we’re introducing this amendment is because all political parties, except for the Conservative government, acknowledge that we need to build more homes in towns and cities to meet our housing supply needs. In order for us to do that, it is essential that we make it easier to build townhomes, duplexes, threeplexes—yay—and fourplexes, as well as apartments along transit corridors.

We know that some municipalities have moved ahead with meeting their housing targets—Hamilton and Toronto are some very good examples.

I believe we, as a provincial government, need to make it much easier to get more affordable homes built in other regions aside from Hamilton and Toronto and areas that have already approved fourplexes.

The government’s own Housing Affordability Task Force has recommended that fourplexes be allowed as of right in towns and cities. I know that there are many members who also agree. Stakeholders are saying the same thing, from the Ontario Home Builders’ Association to Environmental Defence to the National Farmers Union to the Ontario Federation of Agriculture. We heard it again and again in committee that this is something they want the Ontario government to do. You will be lauded by doing this. Think of all the good and positive feedback you’ll get as a result of doing this. It’s a win-win.

We’re introducing this amendment in the hopes that the government does the right thing and allows this measure to be one of many measures we need to take to address our housing supply shortages.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Rae.

Mr. Matthew Rae: We recommend voting against this amendment. We are not going to micromanage our municipal partners—70% of Ontario already has four as of right, as decided by their councils, and they are completely free to do that under the Municipal Act, obviously, in Ontario.

We’re going to continue to work with our municipal partners. Time and time again, they have told us that the

number one obstacle is infrastructure—pipes in the ground, shovels in the ground. It's the lack of this housing-enabling infrastructure, after 15 years of a Liberal government, supported by the NDP—they built very little waste water infrastructure, and now we're in this housing supply crisis. They want to get more homes built, but they need pipes in the ground.

We're not going to pass a motion to virtue-signal to the people of Ontario.

We're going to continue to take action, such as \$3 billion in our provincial budget for housing-enabling infrastructure, municipal infrastructure—roads, bridges—and other needed infrastructure to get homes built.

In the last three years, Chair, as you know, we've seen the highest numbers of housing starts in Ontario—in the history of three decades. Over three decades, we've seen the highest number of starts. However, obviously, there are challenging headwinds currently in Ontario—high interest rates, high inflation. As we heard from some of our witnesses at committee, the carbon tax is contributing to the increased costs of housing and materials, obviously, for the homes that are built in Ontario, and our home builders are facing this challenging economic climate moving forward.

We've introduced exclusionary zoning around three as-of-right, as you know, Chair, province-wide. There has been some uptake across Ontario on that, but in this piece of legislation before this committee, we are ensuring that that is becoming more seamless, more streamlined, and working to ensure that is moving forward as well.

We haven't seen a huge uptake in fourplexes in those cities that do have them since they passed those motions to make them as of right.

Again, any municipality can have four units as of right if they choose to do so, or allow four units.

In the town I live in in my riding, I live down the street from a four-unit townhome. It looks beautiful. The municipality decided what was best for their community, and they continue to do that.

Under our government, we'll continue to work with them—ensuring that we continue to support our municipalities with the supports that will actually make a difference, and not just grandstand.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Fife.

Ms. Catherine Fife: It's interesting, because this government virtue-signals all the time, quite honestly.

This the line in the sand that the government has chosen. Threeplexes, triplexes have a right of way, but on the fourplexes—that's where the government has decided that this is not part of the solution.

I just want to quote a couple of the mayors who actually, ironically, posted pictures to educate the Premier at the time. One of them was Cam Guthrie, the mayor of Guelph, who demonstrated what a fourplex looks like. It is not an eight-storey, six-storey high-rise in a neighbourhood, as the Premier described; it is, in fact, a fourplex. It fits into the neighbourhood as a whole. And Kitchener mayor Berry Vrbancic, who I just saw out at the Croatian flag-

raising—they both feel that the idea to allow fourplexes in their cities is part of addressing the housing crisis. However, not every municipality is going to do this.

And that the province has said, "Do you know what? Threeplexes are good enough"—why set the bar so low for the people of this province? Why not be more assertive and aggressive and, really, be stronger advocates for these models?

The fact that Bill 185 allows the minister to prescribe criteria for small, multi-unit residences—triplexes—but not fourplexes has no rationale. There is no evidence to support this decision. This is primarily because the Premier has expressed a not-in-my-backyard sort of sentiment around fourplexes.

What a missed opportunity to address some of the missing housing options that we should actually be looking at. The fact that we've tried to honour the voices, the lived experiences and the professionals across this province from municipalities, ironically, and they've come out and said fourplexes are part of the solution—if you're going to try to fix the mistakes that you've made on the housing file, which are many and numerous, then why not deal with it in Bill 185?

I urge the government to vote in favour of this amendment. It's in your interests, and it's in the interests of the people of Ontario.

The Chair (Mr. Ernie Hardeman): MPP Harris.

Mr. Mike Harris: I appreciate the opportunity to speak a little bit. I want to get something on the record, and I want to make it very clear for anyone who might be listening, or even members of the opposition: There's a lot of this term thrown around, of—"The provincial government should make it as of right." Well, 70% of municipalities already have as-of-right provisions built into their own—and this is what, I think, is very clear that we need to make sure that we're getting on the record, is that they have made the choice locally to allow fourplexes as of right. There is the ability for the other 30% of municipalities here in the province to go ahead and decide if they want to do that, as well. The opposition likes to say this is going to completely alleviate the housing crisis, when the 70% that already have it as of right haven't built that many fourplexes, because it's just not something that, I guess, you could say folks in their municipalities have been looking for and want to live in. So I don't think focusing solely on one of these pieces of a larger puzzle is fair.

Everybody needs to have the opportunity to own a home and should be able to choose where they want to live. I can tell you from my perspective, as a family of seven, with my five kids, I can't fit in a fourplex. There need to be options for everyone. We want to leave it to municipalities to decide what is best for their municipality. I think that is crucial.

1320

I wholeheartedly agree with the parliamentary assistant to the Minister of Municipal Affairs and Housing. He has made some very valid points here this afternoon. It has to be a holistic approach, and there is opportunity for these

municipalities to go ahead and do that and make it as of right, should those municipalities choose.

I think that is a very important piece that we need to get on the record here this afternoon.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Bell.

Ms. Jessica Bell: I don't buy the government's argument that this is about municipal choice. The reason I don't buy this argument is because this is a government that gutted the ability for municipalities to raise revenue from developers for infrastructure without any consultation, with Bill 23. You rewrote the city of Toronto and London and Kingston's elections in the middle of the election.

The government brought in strong-mayor powers without any kind of consultation to many cities, including the city of Toronto, and in this very bill this government is proposing to eliminate planning responsibilities for entire regions of government, likely without any consultation, either. So I don't buy the argument that you're doing this because you want to give municipalities the choice, when there have been so many examples over the last six years where this government has given municipalities very little choice.

This is a winner. It's just one of a whole slew of measures that we need to take to solve the housing crisis and address the housing supply issues, and this is a good one.

I also want to point out that one of the challenges with building triplexes and fourplexes is that municipalities can on occasion create roadblocks that make it difficult for triplexes or fourplexes to be built. The government recognizes this.

I want to commend the government for bringing in measures that restrict the ability for municipalities to put up roadblocks to build triplexes. It's something in this bill that I support, that we support. My hope is that we can go further to permit fourplexes and also to reduce some of the roadblocks that municipalities can put up that stop the number of fourplexes from being built in towns and cities.

I look at how much it costs to buy a semi-detached home or a single-family home in Toronto. It's crazy—\$1.5 million or more. When you look at what it can cost if you buy a smaller duplex or a triplex within an entire property, you're looking at buying a home that might be 1,400 square feet, and it's easily \$500,000 to \$700,000 cheaper. And it gives people the choice. Some people want to live in a larger home—some people have to live in a larger home—and some people can only afford to live in a smaller home, or want to. Our housing market is doing a really good job at building 600-square-foot condos and larger homes, but they're doing a very poor job at building those more affordable units that are 1,000 to 2,000 square feet in size. That's really where we need to be focusing. This is a very pro-development approach to doing that.

Literally every stakeholder who came in, including stakeholders you work with closely, came in and said, "Just do fourplexes. Just get it done." It's a no-brainer. And so can you.

The Chair (Mr. Ernie Hardeman): MPP Harris.

Mr. Mike Harris: I don't want to drag debate out on this too, too much, but I do think it's important. If the opposition is going to bring up facts like reducing revenues through development charges, I just want to again make it very clear that these are on affordable housing builds where we're reducing development charges. These are on housing builds that are purpose-built rentals. We've actually seen the highest amount of purpose-built rentals begin construction in 30 years since we've put these provisions into place. These are for not-for-profit agencies that are building supportive housing and other types of deeply affordable rental. So it's nice for them to say, "Oh, the government is reducing revenues," but we're doing this because this is what these types of builds and these types of agencies need to be able to do it—because, as not-for-profits, we know that they don't have the ability to go ahead and really build and do all these kinds of starts. They're paying sometimes millions of dollars in development charges that could be rolled back into those supportive housing units, which I think is very important.

Just on the planning piece, the member from Waterloo was talking about having an opportunity to see the Kitchener mayor today. The Kitchener mayor and five other municipal mayors in Waterloo region are all calling for planning to be given to them so they're able to make local decisions.

The opposition like to talk a lot about how they think they're on the right side of the issues and they like to use these examples, but they don't talk about the other side of the issue, which we believe is the best way to go—and we're not placating. We're not doing things for the "wrong reasons" they seem to perpetuate. If they want to use that type of narrative, then I guess that's their prerogative to do it, but at the end of the day, we're meeting with these people, we're giving real-life examples, and we've seen it today.

It's just tough, I guess, to hear what's coming from the opposition when you don't have the opportunity to refute it with the facts.

The Chair (Mr. Ernie Hardeman): I expect both sides feel mutually about the other.

MPP Fife.

Ms. Catherine Fife: Yes, let's talk about some facts. The member from Kitchener-Conestoga said that we're presenting fourplexes as the only solution. This is completely untrue. This is actually just a part of a larger spectrum of housing options that we actually have proposed to the government.

I just want to say that fourplexes check so many of the boxes. Of course, we're supportive of it because we've consulted with planners, and with sustainable planners, across the province. One of them is Dawn Parker. She's a professor of planning at the University of Waterloo who researches the missing-middle housing, and she said that fourplexes are a good example of what is meant by the term. Missing middle is often a building with three bedrooms that can accommodate family-sized units—even your family—on one parcel of land. It can also be defined as housing for moderate-income family households. She

went on to say that it fits in with the fabric of a residential neighbourhood.

This is a recommendation from your own affordable housing task force. Why would you establish a task force and then ignore them almost in their entirety?

The fact of the matter is that not all municipalities are going to embrace fourplexes, but making it as of right would really clear the way for those councillors on those individual municipal councils to say, “The provincial government is supportive of this.”

Brian Doucet, who is also a housing specialist, said that there are lots of good reasons to get rid of the idea that one property is for one residential unit, and for municipalities to adopt zoning that can adapt to changing circumstances and priorities.

This would streamline the housing—so this won’t get held up at committee. This is a signal—and not a virtue signal. This is a pragmatic solution to address the housing crisis.

Why the government is dug in on this makes no sense whatsoever, except that the Premier has adopted this “not in my backyard” philosophy with this one kind of home—just this one kind of home. To hear his comments about what fourplexes look like and how they’re going to ruin neighbourhoods—this is not helpful to the housing crisis.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Bell.

Ms. Jessica Bell: Just to be clear, the reduction in development charges and the exemption for development charges for non-market homes and affordable homes is not yet enforced. The biggest bulk of development fee reductions are just coming from market units. So I just want to make that clear.

We’re looking forward to the government making those changes in force, but currently, we’re still waiting for the Minister of Municipal Affairs and Housing’s affordable housing definition before they come in force. And it has been a while now. It has been a year and a half.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Rae.

Mr. Matthew Rae: I meet with home builders a lot. As I mentioned earlier this morning, I was at a home builder event—the number one thing they mention is shovels in the ground.

The members of the opposition—the Liberals and the NDP and the Green members of the Legislative Assembly—voted against the provincial budget, which is investing \$3 billion over the next few years and has the enabling infrastructure to build that critical infrastructure to get those homes built.

1330

The second-biggest issue is the current high inflation we have. We continue to call on the federal government to require the Bank of Canada to lower that interest rate as soon as possible, because we know it is hurting home building in Ontario, and it has essentially wiped out the good work our government has done on removing the HST on purpose-built rental. Because of that increase in the

interest rate, that has wiped out that advantage, and those projects can’t move forward because of that federal policy.

The Chair (Mr. Ernie Hardeman): Further debate? Shall I call the question on the amendment?

Ms. Jessica Bell: Recorded vote.

Ayes

Bell.

Nays

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): The motion is lost.

The next amendment is amendment number 10, an NDP amendment to section 1.2.

Ms. Jessica Bell: I move that section 1.2 be added to schedule 12 to the bill:

“1.2 Subsection 16(5) of the act is amended by striking out ‘or’ at the end of clause (a), by adding ‘or’ at the end of clause (b) and by adding the following clause:

“(c) any other area.”

The Chair (Mr. Ernie Hardeman): Debate? MPP Bell.

Ms. Jessica Bell: I’d like to explain this amendment. This amendment would allow municipalities to apply inclusionary zoning where they see fit, instead of it being limited to just being near transit stations.

Inclusionary zoning is when cities work with developers and require that a certain percentage of homes in any new, big development are affordable. In the city of Toronto, it’s any development that is a hundred units or more, so these are big developments. The reason why this is so important is that you have to earn a lot of money, sometimes high five figures or low six figures, to be able to afford to rent a condo or buy a condo in the city of Toronto. It’s extraordinarily expensive.

By mandating affordable housing, you’re providing more options to middle-income people, entry-level workers, health care workers, trades workers, entry-level teachers, firefighters to be able to afford a home near a transit station or elsewhere. I think that this is really important.

Inclusionary zoning is something that the city of Toronto has been waiting for the province to approve for nearly two years now, and they’re still waiting. Because of the delay in approving inclusionary zoning, some experts estimate that we have lost the opportunity to build 6,000 affordable homes. Once a developer gets their permit in, they’re exempt from abiding by inclusionary zoning rules. So we’ve had all these developments go up, and there is not a single bit of affordable housing in all these big condos that are going up in the city of Toronto. I think that’s a shame, because it has a significant impact on the affordability of our city.

So that’s what this motion does. It gives municipalities the authority to apply inclusionary zoning where they see fit. It’s about choice.

The Chair (Mr. Ernie Hardeman): Further debate? No further debate? Shall I put the question?

Ms. Jessica Bell: Recorded vote.

Ayes

Bell.

Nays

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): The amendment is lost.

Next is schedule 12, section 2. Any debate? MPP Bell.

Ms. Jessica Bell: This is a comment; I don't have an amendment. This section is about permitting developers to decide how many parking spots they want to have in a new development—so eliminating parking minimums. I support this principle.

Groups from Environmental Defence to home builders have come in and said, "This will allow us to lower costs, and it is good in the long term for the environment."

So we support this principle, but we have heard some concerns in committee, and my job is to raise them with you now.

One, there are challenges with whether this restriction on parking facilities would meet accessibility requirements, because there are some people in some of these buildings who need a car in order to move around their city or their town. That's something to consider, maybe in future legislation.

The second thing we heard about is, in cases where a building is demolished and then replaced with a new, bigger building, many residents who live in that original building say, "Well, we have the right to move back into the new building at the same rent, but also, we want to retain the same services that we had in the previous building, including access to parking." I think that this is a valid concern, especially if someone has moved into this building and maybe they're a senior or maybe their job depends on them having a car. It would mean that they would no longer be able to see that new building as a place where they can live.

So these are the two concerns that were raised in committee, and my hope is that the government looks into these concerns in future legislation, because I do think they're valid.

The Chair (Mr. Ernie Hardeman): Okay. Schedule 12, section 2—

Interjection.

The Chair (Mr. Ernie Hardeman): Any further debate? I didn't think so.

Shall schedule 12, section 2, carry? All those in favour? Opposed? Motion is carried.

Schedule 12, section 3: There are amendments to section 3. The first amendment is government amendment number 11. MPP Rae.

Mr. Matthew Rae: I move subsection 3(1) of schedule 12 to the bill be amended by adding the following paragraph to subsection 17(24) of the Planning Act:

"1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council."

The Chair (Mr. Ernie Hardeman): You've heard the motion. Debate? MPP Rae.

Mr. Matthew Rae: I obviously encourage my colleagues to vote for this motion. It would address some of the concerns we've heard from our municipal partners and other stakeholders, ensuring that we restore second-party landowner appeals but continue to limit third-party appeals for non-landowners—again, eliminating the frivolous kinds of appeals I referred to in my earlier motion.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Bell.

Ms. Jessica Bell: Similar to the other amendments that have been introduced, I do have some concerns with this change. It basically makes the lands tribunal a court for some people but not for others. Some landowners, industry, airports, developers, municipalities can appeal, but residents, farmers, environmental groups, people who are opposed or concerned about a garbage dump, pollution, quarries—sometimes valid concerns—do not have access to the lands tribunal. I do not think that we should be weaponizing and biasing our tribunals in that way. I think it really sets us up for people losing trust in the tribunal process.

I read carefully the comments that stakeholders wrote to us to have us consider when we were going into clause-by-clause, and even the Ontario Federation of Agriculture stresses the value in having third-party appeals to the Ontario Land Tribunal. Farmers sometimes need to use this, as well.

I understand that there is a concern about frivolous appeals, but I do want to emphasize that the lands tribunal already has the authority to dismiss an appeal that has limited or no chance of success. An adjudicator can already move those frivolous appeals off the docket.

The Chair (Mr. Ernie Hardeman): Further debate? 1340

Mr. Matthew Rae: I will point out that, obviously, farmers are landowners, so they would have the ability to appeal under the proposed amendment. Also, any residents who own the piece of property they may reside on would have the opportunity to appeal.

The Chair (Mr. Ernie Hardeman): Further debate? If not, ready for the question on the amendment?

Mr. Matthew Rae: A recorded vote, please.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): Opposed? The motion is carried.

Next amendment, amendment number 11.1: MPP Rae.

Mr. Matthew Rae: I move that subsection 3(2) of schedule 12 to the bill be amended by,

(a) striking out “paragraph 1, 1.1, 2, 3 or 4 of subsection (24)” in the portion before clause 17(24.0.2)(a) of the Planning Act and substituting “paragraph 1, 1.1, 1.2, 2, 3 or 4 of subsection (24)”;

(b) striking out “paragraph 1, 1.1, 2, 3 or 4 of subsection (24)” in clause 17(24.0.2)(b) of the Planning Act and substituting “paragraph 1, 1.1, 1.2, 2, 3 or 4 of subsection (24) of this section as it reads on the day subsection 3(1) of schedule 12 to the Cutting Red Tape to Build More Homes Act, 2024 comes into force”.

The Chair (Mr. Ernie Hardeman): You’ve heard the amendment. Discussion? MPP Rae.

Mr. Matthew Rae: Obviously, Bill 185 proposes to limit certain third-party appeals for official plans and zoning matters. The bill also includes a transition provision for these changes, hence the amendment.

The Chair (Mr. Ernie Hardeman): Further discussion? If not, I’ll call the question. All those in favour? Opposed? The motion is carried.

Next, we have government amendment 12, section 3(3) of schedule 12. MPP Rae.

Mr. Matthew Rae: I move that subsection 3(3) of schedule 12 to the bill be amended by adding the following paragraph to subsection 17(36) of the Planning Act:

“1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council.”

The Chair (Mr. Ernie Hardeman): You’ve heard the motion. Discussion? MPP Rae.

Mr. Matthew Rae: Obviously, I encourage my colleagues to vote for this motion. Again, addressing concerns we heard from our municipal partners and other stakeholders, as well, during our deliberations of Bill 185—again, restoring second-party landowner appeals, but obviously continuing to limit the frivolous third-party appeals, as I referred to earlier in my other motions.

The Chair (Mr. Ernie Hardeman): Further discussion? No further discussion. Are you ready to vote? All those in favour? All those opposed? The motion is carried for section 3(3) of schedule 12.

The next one is also a government amendment, 12.1, section 3(4) of schedule 12. MPP Rae.

Mr. Matthew Rae: I move that subsection 3(4) of schedule 12 to the bill be amended by,

(a) striking out “paragraph 1, 1.1, 2 or 3 of subsection (36)” in the portion before clause 17(36.0.2)(a) of the Planning Act and substituting “paragraph 1, 1.1, 1.2, 2 or 3 of subsection (36);” and

(b) striking out “paragraph 1, 1.1, 2 or 3 of subsection (36)” in clause 17(36.0.2)(b) of the Planning Act and substituting “paragraph 1, 1.1, 1.2, 2 or 3 of subsection (36) of this section as it reads on the day subsection 3(3) of schedule 12 to the Cutting Red Tape to Build More Homes Act, 2024 comes into force”.

The Chair (Mr. Ernie Hardeman): You’ve heard the amendment. Discussion? MPP Rae.

Mr. Matthew Rae: Obviously, I again encourage my colleagues, if they choose to do so, to vote for this motion.

It’s around the transition provisions revolving around dismissals of matters appealed only by landlords who have not been scheduled a hearing on the day Bill 185, if it is to pass, was introduced.

The Chair (Mr. Ernie Hardeman): Further debate? No further debate. I’ll call the vote. All those in favour? All those opposed? The motion is carried.

Debate on schedule 12, section 3, as amended?

Ms. Jessica Bell: We have a lot of concerns, and we will be recommending that this government vote against section 3 of schedule 12 to the bill. I think it’s really problematic that we create this group of people who can apply to the lands tribunal and people who can’t apply to the lands tribunal. I think that’s very concerning.

I think we do need lands tribunal reform. We’ve been very clear about that. We see lands tribunal reform being a case of making it the tribunal of last resort, not the tribunal of first resort—where appeals can be made to the lands tribunal if there are clear violations of municipal or provincial law.

Making it so that broad sections of the public cannot apply to the lands tribunal, I see as being harmful to long-term planning and undemocratic, and I urge this government to vote against this section of the bill.

The Chair (Mr. Ernie Hardeman): Further debate? No further debate? I’ll put the question.

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

Nays

Bell.

The Chair (Mr. Ernie Hardeman): The motion is carried.

Schedule 12, section 4: NDP amendment number 13.

Ms. Jessica Bell: I move that subsection 4(4) of schedule 12 to the bill be struck out.

The Chair (Mr. Ernie Hardeman): You’ve heard the amendment. Discussion?

Ms. Jessica Bell: The reason why we’re introducing this amendment is because we heard from stakeholders, including the Waterloo Federation of Agriculture, Environmental Defence, AMO and many organizations that were extremely concerned about this government’s move to make it easier to open up farmland and green space near a municipal boundary to low-density development. How the government is looking at doing this in this bill is, they are giving municipalities permission to redraw a municipal boundary whenever they want, with very little justification. Previously, a municipality could apply to have their boundary redrawn once every five years and provide a justification.

The other thing the government is doing is, they’re making it so that the lands tribunal is this place where low-density development can be approved, but you can never

say no to it. If a municipality says no to a request by a developer to open up farmland near an urban boundary, the developer can go to the lands tribunal to complain, but if a municipality says yes to opening up development near a municipal boundary, then no one can appeal it—so it's sprawl, sprawl, sprawl.

I think that is very, very concerning, especially since we have presented amendments today in Bill 185 to move forward with a planning approach that encourages development in areas that are already open to development, so allowing increased density in towns and cities—fourplexes, triplexes, duplexes, townhomes, apartments on major transit corridors. It makes a lot of sense. We've seen the city of Toronto move forward with this approach. We've seen Hamilton move forward with this approach. From a long-term planning perspective, I think it makes sense for Ontario as a whole to take this approach, as well. It will mean that we can meet our housing supply targets, and it will also mean that we can preserve our farming economy, which is essential.

1350

So we're introducing this amendment here to essentially stop the lands tribunal from being a place that can only say yes to low-density development—and it's not a place where you can say no to it.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Rae.

Mr. Matthew Rae: I encourage my colleagues to vote against the motion before us right now. By allowing privately initiated settlement area boundary expansions to be heard by an independent tribunal, this can help ensure that development applications are considered in a balanced manner, even in communities that may be resistant, potentially, to urban boundary expansion.

Again, as we've reiterated throughout today, we work with our municipal partners, and we trust them to make the decisions that are best for their communities. We're not assuming it's going to be low-density—they could be needing a boundary extension for high-density homes to be built. That is up to the decision of a local municipality—working with their home builders.

The Chair (Mr. Ernie Hardeman): Further discussion? MPP Bell.

Ms. Jessica Bell: There's already a plan in place to allow municipal boundaries to be withdrawn; it's the careful and deliberate and democratic process of rewriting an official plan. And when municipalities review and rewrite their official plan, they factor in a whole lot of things. They factor in: Are they meeting their provincially prescribed housing targets? Do they have space available for employment lands? What are we going to be doing to ensure that our farmland can be preserved and protected? It's a holistic approach.

Making it so that municipalities can just redraw boundaries whenever they want is going to have a negative effect on our farmland, and it's going to increase property taxes, because servicing low-density is much more expensive than servicing higher-density areas. I'm very worried

about what it means for green space and infrastructure. It's not a sensible way to plan.

The Chair (Mr. Ernie Hardeman): Further debate? If not, I'll call the question on striking out section 4(4).

Ms. Jessica Bell: Recorded vote.

Ayes

Bell.

Nays

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): The vote is defeated on the amendment.

Shall schedule 12, section 4, carry?

Interjections.

The Chair (Mr. Ernie Hardeman): All those in favour?

Ms. Jessica Bell: Can we do a recorded vote?

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

Nays

Bell.

The Chair (Mr. Ernie Hardeman): Motion is carried. Schedule 12, section 5: NDP amendment number 14.

Ms. Jessica Bell: I move that subsection 5(6) of schedule 12 to the bill be struck out.

The Chair (Mr. Ernie Hardeman): Debate?

Ms. Jessica Bell: Amendment 13—they're twinned. Essentially, it focuses on the lands tribunal only being a place where you can appeal to approve sprawl, but you can never go to the lands tribunal to say no to redrawing a municipal boundary and saying no to sprawl. I think that's very problematic for the many reasons that I outlined in the previous amendment. It's not good for property tax bills. It's not good for planning. It's not good for transportation. It locks people into very long commutes. It's not good for the environment. It's not good for municipalities—especially since we already know that we can meet our housing targets by building in areas that are already zoned for development.

The Chair (Mr. Ernie Hardeman): Further debate on amendment number 14? No further debate? I'll put the question.

Ms. Jessica Bell: Recorded vote.

Ayes

Bell.

Nays

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): I declare the amendment lost.

Amendment number 15 is a government amendment. MPP Rae.

Mr. Matthew Rae: I move that subsection 5(7) of schedule 12 to the bill be amended by adding the following paragraph to subsection 34(19) of the Planning Act:

“2.2 The registered owner of any land to which the bylaw would apply, if, before the bylaw was passed, the owner made oral submissions at a public meeting or written submissions to the council.”

The Chair (Mr. Ernie Hardeman): You’ve heard the motion. Debate?

Mr. Matthew Rae: Again, addressing concerns we heard from our municipal partners and other stakeholders to committee, we believe this motion would provide the appropriate balance between speeding up planning approvals by reducing certain third-party appeals and maintaining an avenue for impacted landowners.

The Chair (Mr. Ernie Hardeman): Further debate? No further debate. I’ll call the question.

Ms. Jessica Bell: Recorded vote.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

Nays

Bell.

The Chair (Mr. Ernie Hardeman): The motion is carried.

The next is amendment number 16, an NDP amendment for section 5 of schedule 12.

Ms. Jessica Bell: I move that subsection 5(7) of schedule 12 to the bill be struck out.

The Chair (Mr. Ernie Hardeman): A ruling of the Chair here: The proposed amendment is out of order, as it is inconsistent with the previous decision the committee made on the section of the bill. As Bosc and Gagnon note on page 769 of the third edition of House of Commons Procedure and Practice, “Once a line of a clause has been amended by the committee, it cannot be further amended by a subsequent amendment as a given line may be amended only once.”

Ms. Jessica Bell: I’d like to move a motion allowing for—

The Chair (Mr. Ernie Hardeman): Unanimous consent? A request for unanimous consent—I heard a no.

The next amendment is amendment 16.1, a government amendment for subsection 5(8) of schedule 12. MPP Rae.

Mr. Matthew Rae: Motion 17.1? Sorry, I’m just clarifying.

The Chair (Mr. Ernie Hardeman): It’s 16.1.

Mr. Matthew Rae: Okay. Correct me if I’m wrong, Clerk.

I move that subsection 5(8) of schedule 12 to the bill be amended by,

(a) striking out “paragraph 1, 2, 2.1 or 3 of subsection (19)” in the portion before clause 34(19.0.2)(a) of the Planning Act and substituting “paragraph 1, 2, 2.1, 2.2 or 3 of subsection (19)”; and

(b) striking out “paragraph 1, 2, 2.1 or 3 of subsection (19) of this section” in clause 34(19.0.2)(b) of the Planning Act and substituting “paragraph 1, 2, 2.1, 2.2 or 3 of subsection (19) of this section as it reads on the day subsection 5(7) of schedule 12 to the Cutting Red Tape to Build More Homes Act, 2024 comes into force”.

1400

Mr. Matthew Rae: I encourage my colleagues to vote for this motion and amendment. It would—again, around the transition provisions around dismissal of matters appealed by only landlords that haven’t been scheduled currently.

The Chair (Mr. Ernie Hardeman): Further debate? If not, I’ll call the question—recorded?

Ms. Jessica Bell: Yes, sure.

The Chair (Mr. Ernie Hardeman): Okay.

Ayes

Anand, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): All those opposed? The motion is carried.

Next, we have amendment number 17, NDP amendment, section 5 of schedule 12.

Ms. Jessica Bell: I move that subsection 5(8) of schedule 12 to the bill be struck out.

The Chair (Mr. Ernie Hardeman): This amendment is out of order. It is inconsistent with the previous decision of the committee made in this section of the bill, as Bosc and Gagnon note on page 769 of the third edition of the House of Commons Procedure and Practice: “Amendments must be proposed following the order of the text to be amended. Once a line of a clause has been amended by the committee, it cannot be further amended by a subsequent amendment as a given line may be amended only once.”

Ms. Jessica Bell: Chair?

The Chair (Mr. Ernie Hardeman): MPP Bell.

Ms. Jessica Bell: I want to express a complaint about this process. The two amendments that resulted in my amendments being not allowed to be debated came in at the eleventh hour. They came in last night at 8 p.m., and I was given no indication that that meant the other amendments I had introduced quite some time earlier were going to be ruled out of order. So I don’t love that.

The Chair (Mr. Ernie Hardeman): I do not control the timing the day before the meeting, only what’s happening at the meeting. And so, as I read, they are out of order.

Shall schedule 12, section 5, as amended, carry? Is there any debate? No debate on section 5, schedule 12? If there is no debate, I’ll put the question—

Interjection.

The Chair (Mr. Ernie Hardeman): Oh—

Ms. Jessica Bell: I'll do it at the end.

The Chair (Mr. Ernie Hardeman): Okay. All those in favour of schedule 12, section 5? All those opposed? The motion is carried. Section 5 of schedule 12 is carried.

There are no amendments to schedule 12, sections 6 to 11. Therefore, I propose that we bundle sections 6 to 11. Is there agreement? Okay, agreed.

Is there any debate on schedule 12, sections 6 to 11? MPP Bell.

Ms. Jessica Bell: So, 6 to 11 is pretty comprehensive. I want to point out some of the positive things in this bill that are in this section. Although we are very opposed to moves to limit the ability of third-party appeals, which is in the Planning Act, we are pleased to see that there is a move to make it harder for municipalities to put up unnecessary roadblocks when someone wants to convert a single-family lot into a triplex, so having three homes on that one lot. That is a good decision.

We are pleased to see that there are changes to use-it-or-lose-it policies so that municipalities have more authority to compel developers to build. And we are also pleased to see that there are changes to municipalities' ability to not refund a developer—which they were forced to do in previous bills. It means there's just more certainty with planning.

We congratulate the government for bringing those measures in and listening to municipalities.

The Chair (Mr. Ernie Hardeman): Further debate? MPP Rae.

Mr. Matthew Rae: Thank you.

The Chair (Mr. Ernie Hardeman): I guess that ends the debate.

I'll call the question. All those in favour of schedule 12, 6 to 11, inclusive? All those in favour? All those opposed? Carried.

On schedule 12, section 12: amendment number 18—

Ms. Jessica Bell: That must be yours.

The Chair (Mr. Ernie Hardeman): Yes, it's a government amendment, so let's hear it, MPP Rae.

Mr. Matthew Rae: I move that section 12 of schedule 12 to the bill be amended by adding the following subsection:

“(4) Section 70 of the act is amended by adding the following subsection:

““Non-application in greenbelt area:

“(3) A regulation under clause 70(j) does not apply to any land in the greenbelt area within the meaning of the Greenbelt Act, 2005.””

The Chair (Mr. Ernie Hardeman): You've heard the motion. Discussion? MPP Rae.

Mr. Matthew Rae: As the committee knows, the government has put in place enhanced protections for the greenbelt through Bill 136, the Greenbelt Statute Law Amendment Act, 2023, so any further amendments to its areas would require legislative changes, and this motion simply reflects that reality.

The Chair (Mr. Ernie Hardeman): Further debate? If not, I'll call the question. All those in favour of the amendment?

Mr. Matthew Rae: Recorded vote.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

The Chair (Mr. Ernie Hardeman): The motion is carried.

Shall schedule 12, section 12, as amended, carry? Discussion? No discussion. All those in favour—

Ms. Jessica Bell: Hold on. So this is just one section of schedule 12, or are we debating all of schedule 12 right now?

The Chair (Mr. Ernie Hardeman): This is schedule 12, section 12.

Ms. Jessica Bell: I just wanted to make sure. I'm on my own here.

The Chair (Mr. Ernie Hardeman): All those in favour? All those opposed? The motion is carried. That's schedule 12, section 12.

There are no amendments to schedule 12, sections 13 to 19. I therefore propose that we bundle sections 13 to 19. Is there agreement?

Schedule 12, 13 to 19: Any debate? Members are ready to vote? All those in favour? All those opposed? The motion is carried.

Is there any debate on schedule 12, as amended, in total? MPP Bell.

Ms. Jessica Bell: We will be voting against this schedule. There are some good things in this section that are certainly supportable—the use-it-or-lose-it policies; reversing some of the worst development fee cuts that were imposed on municipalities—but the challenge we have is that this schedule eliminates third-party appeals, and it makes it much easier for municipal boundaries to be withdrawn so that low-density housing can be built on farmland and green space. That makes this schedule un-supportable.

1410

The Chair (Mr. Ernie Hardeman): Further debate? Are the members ready to vote?

Mr. Matthew Rae: Recorded vote.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

Nays

Bell.

The Chair (Mr. Ernie Hardeman): The motion is carried.

There are no amendments to schedule 13. I therefore propose that we bundle sections 1 and 2. Is there agreement? Agreement.

Is there any debate on schedule 13, sections 1 and 2? Are the members prepared to vote? All those in favour? All those opposed? The motion is carried.

Is there any debate on schedule 13? If there's no debate on schedule 13, are the members prepared to vote? All those in favour? All those opposed? The motion is carried. Schedule 13 carries.

Schedule 14: There are no amendments to schedule 14. I therefore propose that we bundle sections 1 to 6. Is there agreement?

Is there any debate on schedule 14, sections 1 to 6? Are the members prepared to vote? All those in favour? All those opposed? The motion is carried.

Is there any debate on schedule 14? If not, are the members prepared to vote? All those in favour? All those opposed? Schedule 14 carries.

There are no amendments to schedule 15. I therefore propose that we bundle sections 1 to 3. Is there agreement?

Ms. Jessica Bell: No, I have some comments, Chair.

The Chair (Mr. Ernie Hardeman): Is there any debate on schedule 15, sections 1 to 3?

Ms. Jessica Bell: Yes, Chair.

The Chair (Mr. Ernie Hardeman): MPP Bell.

Ms. Jessica Bell: This is a comment. I won't be introducing any amendments.

This came in from the Canadian Association of University Teachers after the deadline for amendments to be introduced. It was concerning the Hearst university and the decision to reduce the number of board positions. I'm going to give this to the Chair and to the MPPs opposite. This organization, CAUT, expressed a lot of concern that reducing the board members from 24 to 20 could have a negative impact on the composition of the board, because they have people who are staff and people who are teachers and people who are members of the teaching staff who are non-teaching employees of the university. They did express this concern; I'm raising it with you. I will give you a copy of the letter so you can take a look at it. Maybe it's something that can be addressed through regulation afterwards.

The Chair (Mr. Ernie Hardeman): Further debate? Shall schedule 15, sections 1 to 3, carry? Are you ready to vote? All those in favour? Opposed? Carried.

Is there any debate on schedule 15? If there's no debate, are you ready for the vote? All those in favour of schedule 15? All those opposed? Schedule 15 carries.

We're going back to section 1 of the bill. Shall section 1 carry? All those in favour? All those opposed? The motion is carried.

Shall section 2 carry? Ready for the vote? All those in favour? All those opposed? Section 2 carries.

Shall section 3, the short title, carry? All those in favour? Opposed? Motion carried.

Shall the preamble carry? All those in favour? Opposed? Carried.

Shall the title of the bill carry? All those in favour? Opposed? The motion is carried.

Shall Bill 185, as amended, carry?

Mr. Matthew Rae: Recorded vote.

Ayes

Anand, Babikian, Crawford, Harris, Hogarth, Rae.

Nays

Bell.

The Chair (Mr. Ernie Hardeman): I declare it carried. Shall I report the bill, as amended, to the House? All those in favour? All those opposed, if any? Carried.

Mr. Mike Harris: Before we wrap up, Chair, I do have a quick question.

The Chair (Mr. Ernie Hardeman): A quick question—

Mr. Mike Harris: We can address it afterwards.

The Chair (Mr. Ernie Hardeman): Yes, okay.

With that, that concludes the meeting. I shall report the bill to the House.

The committee adjourned at 1421.

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