

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

PH-30

**Journal
des débats
(Hansard)**

PH-30

**Standing Committee
on Procedure
and House Affairs**

**Comité permanent
de la procédure
et des affaires de la Chambre**

1st Session
43rd Parliament

Wednesday 4 December 2024

1^{re} session
43^e législature

Mercredi 4 décembre 2024

Chair: Jennifer K. French
Clerk: Christopher Tyrell

Présidente : Jennifer K. French
Greffier : Christopher Tyrell

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



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

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON PROCEDURE
AND HOUSE AFFAIRS**

**COMITÉ PERMANENT
DE LA PROCÉDURE
ET DES AFFAIRES DE LA CHAMBRE**

Wednesday 4 December 2024

Mercredi 4 décembre 2024

The committee met at 1301 in room 151.

**MOUNT PLEASANT
GROUP OF CEMETERIES ACT, 2024**

Consideration of the following bill:

Bill Pr55, An Act respecting Mount Pleasant Group of Cemeteries.

The Chair (Ms. Jennifer K. French): Good afternoon, everyone. The Standing Committee on Procedure and House Affairs will now come to order. On the agenda today, we have the consideration of Bill Pr55, An Act respecting Mount Pleasant Group of Cemeteries.

You're waving at me. What does that mean?

MPP Kristyn Wong-Tam: Point of order.

The Chair (Ms. Jennifer K. French): I recognize MPP Wong-Tam on a point of order.

MPP Kristyn Wong-Tam: Thank you, Chair. I just want to seek clarification around the process. This is my very first time at this particular committee. If the Clerk can explain the process and procedure, and if there's an opportunity to ask questions of legislative counsel regarding the appropriateness of the bill before us—

The Chair (Ms. Jennifer K. French): I will ask the Clerk to answer that in terms of process.

The Clerk of the Committee (Mr. Christopher Tyrell): Okay, so to your question in terms of the process for considering private bills: Typically, the sponsor of the bill, or someone acting on his behalf, presents the bill. The applicant is then asked to introduce themselves. The sponsor, if they have any comments, is able to make them and then the floor is essentially turned over to the applicant, who will go through the reasons why they are seeking the private bill. Following that, there's an opportunity for the committee members to ask any questions they may have of the applicant.

Then the Chair would look to any interested parties in attendance—today, we have some interested parties, so they would be invited one at a time to come up, present their opposition or support for the bill and answer questions from committee members. Once all of the interested parties have been heard, it is then up to the committee to decide how it wants to proceed with the bill. Typically, clause-by-clause on the bill would follow; however, it's up to the committee if they want to do that.

MPP Kristyn Wong-Tam: With respect to the sponsor not being here, is it possible for someone else to step in to speak on behalf of the MPP who tabled the bill?

The Clerk of the Committee (Mr. Christopher Tyrell): Yes. It has happened in the past where the sponsor was not available. Any member can present the bill on behalf of the sponsor and then return to their seat for questioning.

MPP Kristyn Wong-Tam: And to clarify, what is the time allocations for the applicant, for the public witnesses, for question period?

The Clerk of the Committee (Mr. Christopher Tyrell): There's nothing concrete in terms of allocation of time. It would be at the discretion of the Chair how much time to allow for questioning, for opening statements, any of that.

MPP Kristyn Wong-Tam: I want to also just seek some further clarification. The bill that's before us pertains to Mount Pleasant Group of Cemeteries. Section 8 of the bill goes very heavily into repealing 13 different portions of acts that go back to 1874. My understanding is that this committee has generally dealt with private bills pertaining to private matters, but this seems to be a very public matter that's being tabled through a private bill. So is this bill properly before us?

The Chair (Ms. Jennifer K. French): I'm going to start: Private bills that come before this committee or come before the House have gone through the legislative process—that they're seeking some sort of exception. For it to come to this point, it has been through a process. I'm going to invite legislative counsel to answer that more specifically, but if it's before us, then it has been through the legislative process to this point.

Ms. Catherine Oh: All of the bills that are being repealed by this bill originally started out as private acts. They were started by petition, back in the day, or more recently they started by private bill, and then they proceeded through the Legislature as private acts. A couple of them, dating from the 1850s or 1840s, had a provision in them saying that this act is deemed to be a public act. However, it's not really clear why those were designated that way, since every other act dealing with this corporation was a private act.

I analyzed all of those old acts and, to me, it seems that the nature of the amendments or the nature of the legislative changes that were made in all of them—they were

appropriately treated as private acts. So a private bill can repeal old private acts. This has happened before for other kinds of corporations.

MPP Kristyn Wong-Tam: Is it proper for a private bill to also repeal the public sections of the act? They themselves have not been repealed. By way of adoption of this bill, we will then repeal those public governing sections of the act.

Ms. Catherine Oh: What public governing sections are you talking about?

MPP Kristyn Wong-Tam: Any act that's pertaining to public matters that have not been amended—or reported as amended, as you've said—through additional bills, they would still be left standing, would they not?

Ms. Catherine Oh: Yes. The acts that are listed here are all private acts that pertained only to the Mount Pleasant Group of Cemeteries. In section 8, number 13 repeals section 88 of the Cemeteries Act, 1989. That one section pertained, I believe, only to Mount Pleasant, so it had very limited effects. That's the only public act that is being amended. All of these other acts are private acts and were not public acts to begin with.

MPP Kristyn Wong-Tam: But, before we proceed any further, this is not a matter that is without public interest. You have a number of speakers who are registered to this matter. Obviously, this is an issue that has significant public impact: 1,200 acres of land, 12 public cemeteries. Would it not be proper for this to have been tabled as a private member's bill as opposed to a private bill?

Ms. Catherine Oh: I think that's something for this committee to consider. Like I said, every previous act dealing with this corporation has been a private act. In many respects, if you read the contents of the bill, they are very similar to other acts that this committee has considered and carried. It deals with internal board governance matters, powers of the board, that sort of thing. The fact that this has, potentially, a greater effect on a greater number of people, that might be a reason for this committee to think that it should not proceed as a private bill. But I don't think that's an issue with the bill itself; that's more of a judgment call for the committee to make.

Other previous sorts of corporations that have had bills like this have been bills for hospitals and other cemeteries. This is not the first time something like this has come before the committee. The level of public interest is clearly greater, though, in this case than it has been in previous cases.

MPP Kristyn Wong-Tam: If the sponsor of this bill was to put this through the private member's bill process, we would have a very different process before us. This is rather truncated. If members of the public didn't flag it and say, "We have interest in the matter," and wanted to speak to the matter, it would have gone back to the House for second and third reading and passed within one day. Is that not correct?

Ms. Catherine Oh: The process is different, and usually it's because, for private bills, often they are considered

very local matters that don't affect people outside of the corporation.

MPP Kristyn Wong-Tam: Fantastic. Thank you.

The Chair (Ms. Jennifer K. French): Okay, you're waving at me.

Mr. Matthew Rae: Point of order, Chair.

The Chair (Ms. Jennifer K. French): Mr. Rae, I recognize you.

Mr. Matthew Rae: I'm moving a motion, Chair. I move that the Standing Committee on Procedure and House Affairs postpone consideration of Bill Pr55, An Act respecting Mount Pleasant Group of Cemeteries, until a date and time to be determined by the committee at a future date.

1310

The Chair (Ms. Jennifer K. French): Okay. Just a moment. Logistically speaking, I recognized you on a point of order. Technically, you cannot move a motion on a point of order. So I recognized you on a point of order; would you like to be recognized for something else?

Mr. Matthew Rae: Sure.

MPP Kristyn Wong-Tam: In that case, so would I. Point of order, Chair.

Mr. Matthew Rae: You can't move a motion on a point of order. Sorry.

MPP Kristyn Wong-Tam: I know. I want to be recognized for something else.

The Chair (Ms. Jennifer K. French): Just a moment. Clerk?

Interjections.

The Chair (Ms. Jennifer K. French): Would anyone like to be recognized? Mr. Rae, I recognize you on a point of order, but forget the point of order. Mr. Rae, you have the floor. You have something to add before we proceed?

Mr. Matthew Rae: Yes, thank you, Chair. My apologies for that. I'm moving a motion:

I move that the Standing Committee on Procedure and House Affairs postpone consideration of Bill Pr55, An Act respecting Mount Pleasant Group of Cemeteries, until a date and time to be determined by the committee at a future date.

The Clerk has copies.

The Chair (Ms. Jennifer K. French): Okay. Mr. Rae has made a motion. I'm assuming, Clerk, that this is a debatable motion. Would Mr. Rae like to start with a comment? And then if there's any further discussion—Mr. Rae.

Mr. Matthew Rae: The committee members will know, the Speaker, because of the process that legislative counsel outlined already, received a lot of correspondence on this piece of legislation, and there's a lot of interest in it. We're proposing this motion to provide the minister and ministry responsible more time to collect and review the feedback the Speaker has received and then to address this PR bill at a future date as determined by the committee.

The Chair (Ms. Jennifer K. French): Is there any further discussion? MPP Wong-Tam.

MPP Kristyn Wong-Tam: I want to thank the honourable member for tabling his motion. I would like to support

his motion, with the caveat, unfortunately, that we have a number of speakers who have come, some of them from out of town, to speak to the matter. This is going to require additional study, so I want to thank the government members for recognizing that this is not a straightforward bill; it does require the level of scrutiny and research to understand the impact. I think that is a good thing, but because there are a number of deputants who are here who have taken time and energy to come to our House—their House—I think that we should at least allow them to speak, and then afterwards I think we should not consider doing clause-by-clause, sending it to, I would propose, the subcommittee and have the subcommittee members then work with the ministry to sort through when to bring it back.

To that effect, Chair, I do have a motion. When you recognize me procedurally, when it's time, I would like to move that motion.

The Chair (Ms. Jennifer K. French): This motion is on the floor; that motion is procedurally not appropriate at this time.

Further discussion? MPP Bell.

Ms. Jessica Bell: It's good to hear that MPP Rae is interested in having the ministry look at this issue in greater detail, because it has considerable impacts on a lot of people and a lot of residents, including residents in my riding of University–Rosedale.

My recommendation is that we listen to the individuals who have come to speak today, because it will help the ministry make an informed decision. They're here; see what they have to say, and then that information can be taken back.

The Chair (Ms. Jennifer K. French): Okay. Are there any other members that would like to speak, specific to this? MPP Wong-Tam.

MPP Kristyn Wong-Tam: I just want to clarify for the members that it's my intention that if MPP Rae's motion does not proceed, then I will table a motion that specifically allows us to hear from the witnesses who have travelled from out of town and then direct the consideration of this bill directly to the subcommittee for consideration afterwards. They obviously will work with the minister, but I just want to let everyone know that my intention is to move a motion specifically afterwards—and if you adopt MPP Rae's motion, then nothing gets done today, and we send all these people home without a chance to speak.

The Chair (Ms. Jennifer K. French): Mr. Rae, I will paraphrase what I've heard from MPP Wong-Tam and MPP Bell: Folks have travelled with the intent of being heard today on this issue—both the applicants as well as interested parties. It wouldn't be impossible, if the member were interested in amending his motion—I will refer back to the member, but that seems to be what I'm hearing from some committee members.

Mr. Matthew Rae: I appreciate my colleagues for their comments on the motion before us. I would not view those amendments as friendly, and I would stand with my current motion as I tabled it, for the consideration of the members.

The Chair (Ms. Jennifer K. French): Any further discussion on the motion before us? MPP Bell.

Ms. Jessica Bell: I think we should have a recorded vote.

The Chair (Ms. Jennifer K. French): Seeing no further debate on this, are members ready to vote on Mr. Rae's motion? Recorded vote.

Ayes

Allsopp, Bailey, Gallagher Murphy, Jordan, Pierre, Rae, Sarrazin.

Nays

Bell, Wong-Tam.

The Chair (Ms. Jennifer K. French): In that case, I declare the motion carried.

It being that the motion was for this committee to postpone consideration of this bill until a date and time to be determined by the committee at a future date—that has carried, so where does that leave us for procedure today?

Interjection.

The Chair (Ms. Jennifer K. French): In that case, there being no further business today, this committee is adjourned until Wednesday, December 11, when we will be meeting with officials from the Ministry of Infrastructure regarding the committee's study on the rehabilitation and restoration of the legislative precinct.

The committee adjourned at 1318.

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