

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

Official Report of Debates (Hansard)

HE-64

Journal des débats (Hansard)

HE-64

Standing Committee on Heritage, Infrastructure and Cultural Policy

Reducing Gridlock, Saving
You Time Act, 2024

1st Session
43rd Parliament

Thursday 21 November 2024

Comité permanent du patrimoine, de l'infrastructure et de la culture

Loi de 2024 sur le
désengorgement
du réseau routier
et le gain de temps

1^{re} session
43^e législature

Jeudi 21 novembre 2024

Chair: Laurie Scott
Clerk: Isaiah Thorning

Présidente : Laurie Scott
Greffier : Isaiah Thorning

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



Service linguistique et des publications parlementaires
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Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

CONTENTS

Thursday 21 November 2024

Reducing Gridlock, Saving You Time Act, 2024, Bill 212, Mr. Sarkaria / Loi de 2024 sur le désengorgement du réseau routier et le gain de temps, projet de loi 212, M. Sarkaria.....	HE-1441
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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

**COMITÉ PERMANENT DU PATRIMOINE,
DE L'INFRASTRUCTURE
ET DE LA CULTURE**

Thursday 21 November 2024

Jeudi 21 novembre 2024

The committee met at 0900 in committee room 1.

The Clerk of the Committee (Mr. Isaiah Thorning):

Good morning, honourable members. In the absence of the Chair and Vice-Chair, it is my duty to call upon you to elect an Acting Chair. Are there any nominations? MPP Rae.

Mr. Matthew Rae: Good morning, Chair. I nominate MPP Sandhu.

The Clerk of the Committee (Mr. Isaiah Thorning): MPP Sandhu, do you accept the nomination?

Mr. Amarjot Sandhu: Yes, I do.

The Clerk of the Committee (Mr. Isaiah Thorning): Are there any further nominations? Okay. Seeing none, I declare nominations closed and MPP Sandhu elected Acting Chair.

**REDUCING GRIDLOCK, SAVING
YOU TIME ACT, 2024**

**LOI DE 2024 SUR LE DÉSENGORGEMENT
DU RÉSEAU ROUTIER ET LE GAIN
DE TEMPS**

Consideration of the following bill:

Bill 212, An Act to enact two Acts and amend various Acts with respect to highways, broadband-related expropriation and other transportation-related matters / Projet de loi 212, Loi visant à édicter deux lois et à modifier diverses lois en ce qui concerne les voies publiques, les expropriations liées aux projets d'Internet à haut débit et d'autres questions relatives au transport.

The Acting Chair (Mr. Amarjot Sandhu): Good morning, everyone. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order. We are here to conduct clause-by-clause consideration of Bill 212, An Act to enact two Acts and amend various Acts with respect to highways, broadband-related expropriation and other transportation-related matters.

We're joined by staff from legislative counsel, Hansard, broadcast and recording and also staff from the Ministry of Transportation.

Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair.

Mr. Joel Harden: Point of order?

The Acting Chair (Mr. Amarjot Sandhu): Point of order, Mr. Harden.

Mr. Joel Harden: Just wondering if I can make the request, as we begin discussion of the bill, clause-by-clause—because we consider the whole bill to be very important, the opposition does, that every vote be a recorded vote, sir. That's our request.

The Acting Chair (Mr. Amarjot Sandhu): Sure, we can go for that.

Mr. Joel Harden: To save the time doing it every single time.

The Acting Chair (Mr. Amarjot Sandhu): Yes.

The Clerk has distributed the amendment package to all members and staff electronically. Are there any comments or questions to any section or schedule of the bill, and if so, to which section?

We will now begin clause-by-clause consideration—

Interjection.

The Acting Chair (Mr. Amarjot Sandhu): Anyone who would like to speak? Mr. Harden.

Mr. Joel Harden: I'm just mindful of the fact that we only had one day of hearings for the bill, and I just want to impress upon that for the committee. This bill had, in my six years of service in the role I play for Ottawa Centre, the most interest I have ever seen. I just want to emphasize again for our collective benefit that it's unfortunate that more of those deputants weren't allowed to share their advice with us. I think we can all agree the people who presented to us on Monday offered a lot, were very passionate, very evidence-based.

Again, I just want to state for the record my disappointment that the member for Kitchener Centre, who comes to this House and this committee wanting to contribute for her community, was not allowed to speak by virtue of the time allocation process, which I think is deeply unfortunate. I think all of us want to make sure that we can be on the record for our community. On behalf of the official opposition I want to state for the record my concern that we have not heard enough, that this is a serious matter of health and safety—life and death, we were told—and also a serious matter of democracy, when members can't actually express themselves and share their experience about the bill.

The Acting Chair (Mr. Amarjot Sandhu): Are there any other comments? MPP McMahon.

Ms. Mary-Margaret McMahon: I just want to comment that I feel that this bill jeopardizes people's safety—a matter of life and death; that extreme. It will create congestion. It is not a good use of tax dollars. Someone in Tiverton, Tillsonburg or Timmins does not want their tax dollars spent ripping out bike lanes in Toronto, and it's extreme municipal overreach.

I want those on record, in addition to the silencing of a member and not allowing enough time for community consultation.

The Acting Chair (Mr. Amarjot Sandhu): Are there any other comments? MPP Kanapathi.

Mr. Logan Kanapathi: Mr. Chair, through you to MPP Harden: What do you mean you "haven't heard enough"? As an MPP, you haven't heard enough about this issue, or the stakeholders haven't heard enough? Are you talking about community engagement or stakeholder engagement? Could you elaborate on that, please?

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: Thank you for the question. We had 10 pages' worth of people who registered to depute to the committee. That's my point.

More often than not, when I've been at committee in this House, we've had the benefit of learning from established organizations with great research capacity. Some of those folks were missed, organizations like Environmental Defence, for example.

But what was also special for me, going over the deputants' list, the 10 pages of names, was that we had a lot of regular citizens who were prepared to take a day off work, take time off work, take time away from their families, their responsibilities, to come here. Because of the time allocation process that we have, they were not afforded the opportunity to come to this committee and present.

In my opinion, if I were in your shoes, if I was the government, I would want to make sure there was enough hearing time to make sure all of those voices could be heard. That's essentially my point, MPP Kanapathi.

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: Further to what Mr. Harden just said, there were so many people, either on behalf of an organization or on behalf of their family or their community—just regular folks who were quite interested in this bill—who had to be denied the opportunity to present. Many of them made written submissions—I have no idea how many of the members around this table bothered to open up those submissions and look at them. Hopefully, the ministry does.

But at the same time, while we did have one full day, there was no flexibility. So where there was an open spot, we couldn't fill it with somebody who would like to have deputed.

The other thing: We didn't hear anybody in favour of what this bill was seeking to accomplish in terms of bike lanes and whatnot. Even with a full day of hearings, there wasn't anyone in support of it. I wonder if that's part of why—I mean, I can guess all day why the government

ultimately chose to do a time allocation motion and limit the hearings, but perhaps that is why.

Interruption.

Ms. Jennifer K. French: Also, Chair, whoever has got their phone on sound, could they turn it off? I find that quite disruptive. Thank you.

The Acting Chair (Mr. Amarjot Sandhu): Any other comments? If there are no other comments, we will now begin clause-by-clause consideration of the bill.

Bill 212 is comprised of three sections which enact five schedules. In order to deal with the bill in an orderly fashion, I suggest we postpone these three sections in order to dispose of the schedules first. Is there agreement on this? Agreed.

We'll now go to schedule 1 of the bill. There are no amendments to schedule 1, Building Broadband Faster Act, 2021. Therefore, I propose that we bundle sections 1 to 4. Is there agreement? Agreed.

Is there any debate on schedule 1, sections 1 to 4? MPP French.

Ms. Jennifer K. French: I would just be glad to say that I think every Ontarian acknowledges and appreciates the importance of broadband and ensuring that communities get broadband. It has been an uphill battle with this government to get them to spend money to get that broadband out the door. So while we could have a whole schedule called "building broadband faster," for years we have seen so much money left unspent that I'll believe it when I see it. But I'm a New Democrat; I'm always filled with hope. I hope that this time is different and that folks across Ontario actually get the broadband that they need. So here's hoping that we actually do indeed see the broadband, because I don't know why you can't get it out the door.

0910

The Acting Chair (Mr. Amarjot Sandhu): Is there any other further debate? Seeing none, are the members prepared to vote? Shall schedule 1, sections 1 to 4, inclusive, carry? Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? Accordingly carried.

Is there any debate on schedule 1 as a whole? Seeing none, are the members prepared to vote? Shall schedule 1 carry? Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? Schedule 1 is accordingly carried.

Now we'll go to schedule 2, section 1, the Building Highways Faster Act, 2021. Is there any debate?

Ms. Mary-Margaret McMahon: The title of the bill?

The Acting Chair (Mr. Amarjot Sandhu): No. Schedule 2, section 1.

Any debate on schedule 2, section 1? All right. Are the members prepared to vote? Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? None. Schedule 2, section 1, is accordingly carried.

We'll now go to schedule 2, section 2. Is there any debate?

Interjection.

The Acting Chair (Mr. Amarjot Sandhu): We have NDP amendment number 2 in schedule 2, section 2. Is there any motion? MPP Harden.

Mr. Joel Harden: I'll just direct members of the committee to item 2 of the amendments list and package that we received.

I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.1) the Highway 11/17 widening project, being the collective projects to widen sections of Highway 11 and 17 from two to four lanes between the Manitoba border and Arnprior and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: This amendment would designate the four-laning of Highway 11/17 as a priority highway project. It's a long-planned and long-delayed project. This project is crucial for highway safety and mobility in northern Ontario, improving a vital lifeline for northern communities.

Two years ago, the Auditor General reported that the government had delayed this project and reallocated \$158 million in funding away from Highway 11 and 17 to highway projects in southern Ontario. This project deserves to be prioritized at least as much as highway projects in the Toronto area benefiting the Premier's folks. This would benefit northern Ontarians, and I think that this is important to support.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Rae.

Mr. Matthew Rae: I know we're going to have a few other amendments on priority highway projects. I think it's very ironic that the NDP is against Highway 413, but now they want to build highways elsewhere in the province.

Our government is always focused on building highways, and section 18 of the Building Highways Faster Act gives powers to the Lieutenant Governor in Council with regulation-making authority to potentially add future highways to that, and I know our government will continue to build infrastructure across Ontario, including northern Ontario.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden?

Mr. Joel Harden: What I didn't hear in the government's response to this now, Chair, was any justification as to why \$158 million was reallocated from Highways 11 and 17. There are northern Ontarians who are suffering catastrophic collisions on these highways as the government is deciding to reallocate, again, for the record, \$158 million from these critical highway projects and Highways 11 and 17.

The southern end of this proposed project, Chair, just for the record, as an Ottawa person—this impacts people in my community, people who go up to work at CFB, the Petawawa folks, the nuclear industry folks. This is critical, and I have not heard from the government as to why they felt it necessary to reallocate \$158 million from that critical project to southern Ontario projects. Why wouldn't they simply pursue, if—and we'll debate the southern Ontario highway projects. Why wouldn't they pursue those projects with some of the money that the government has available to it and decide in fact to shortchange northern Ontario residents? I don't think it makes any sense, and it would be nice to hear the government's rationale for doing so this morning.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Minister Sarkaria.

Hon. Prabmeet Singh Sarkaria: Obviously, this government's been very committed to supporting the expansion of highways. All the highways we've referenced here, those members have voted against—in their expansion and also in our budgets. What we've listed here is \$28 billion over the next 10 years to support them.

I was just curious—through you, Mr. Chair—if the members of the NDP have consulted with the First Nation communities before proposing what they have here today.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: I'm happy to answer that. It's not difficult for our caucus to consult because our deputy leader is the member for Kiiwetinoong, one of the province's Indigenous leaders. It's not difficult for us to consult on road safety.

I'm also just going to note for the record that, sadly, on September 24, there was a fatal crash on Highway 17 in Verner, Ontario. I know if the House leader, MPP Vanthof, was in the room, he would be wanting to talk about the fact that that family deserves justice and that Highways 11 and 17 need immediate help to ensure they are safe, and this government has reallocated \$158 million from those projects to projects in southern Ontario.

I don't understand—and again, we can agree to disagree on highway projects proposed by this government, but why is the government deciding to shortchange northerners? Meanwhile, as we see—again, reporting on September 24, another fatal crash—these crashes, according to the OPP, according to other traffic safety experts that we've had the benefit to talk to, according to Indigenous leadership inside our own caucus, according to members of the caucus I'm proud to serve in who come from northern Ontario, could be preventable if highways up

north were treated with the same respect as highways down south.

It would be nice to know from the government why they are shortchanging northern Ontario on this particular highway project to the tune of \$158 million. Could we maybe have a meeting of the minds this morning and commit to put that money back into northern Ontario, where it belongs?

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Minister Sarkaria.

Hon. Prabmeet Singh Sarkaria: Maybe I'll just go back to my question that MPP Harden didn't answer there. I'll ask MPPs French or Harden, on the specific projects that they have proposed to make a priority, so Highway 69, Highway 7, 11 and 17, have they consulted with First Nations communities before proposing them to go to priority projects, and through this legislation, the impacts of that?

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: I've been here awhile at the Legislature, and Highways 11 and 17 has been a conversation through those 10 years. To my knowledge, there isn't, unless it's government, opposition to improving safety on northern roads.

0920

I'm going to say that if we're going to be talking about Indigenous partners in this room, we should probably not refer to them as "our" First Nations. They don't actually belong to us—just a note for the folks in this room to watch our language.

I would also say that it's interesting that the government, which does have a duty to consult with First Nations, is choosing to start Highway 413 work before Indigenous consultations end. I've got an article here dated earlier in November of this year.

I think, to the minister's point, it's an important question that anything that we are undertaking, anything that we are hoping to achieve in terms of roadwork or infrastructure, absolutely should be done appropriately, in consultation with First Nations and impacted communities. It is our job in opposition to make suggestions on how to do things better or do things differently, and it is absolutely a duty of this elected government to consult.

That's a great question. If the government were actually willing to move forward with this work, which it would seem that they're not, I trust, then, by the minister's interest in this that they would indeed undertake the appropriate consultation with First Nations.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are members ready to vote on NDP amendment number 2? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): The amendment is lost.

We'll now move to amendment 3 of section 2 of schedule 2. Are there any motions? MPP French.

Ms. Jennifer K. French: I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.2) the Highway 7 Kitchener-to-Guelph project, being the project to construct a four-lane highway between Kitchener and Guelph and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French?

Ms. Jennifer K. French: Again, here we have an amendment highlighting another priority for Ontario. This would designate the four-laning of Highway 7 as a priority highway project.

This is another long-planned and long-delayed project. It is also crucial to highway safety. According to MTO figures, crashes along the Highway 7 corridor increased after the government delayed the project in 2019. This project deserves to be prioritized at least as much as highway projects in the Toronto area that are benefiting the Premier and his friends and donors.

I would say that MPP Fife, who isn't in this room right now, went to the ground-breaking of this project in 2007. This project is so unsafe and it's so delayed. Over \$200 million has been spent expropriating land for the expansion. Safety's a concern. I'm really hopeful that the government will agree with this amendment.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Harden.

Mr. Joel Harden: I just want to be on the record saying I love Highway 7. When I drive, it's how I get here. The beautiful communities of Tweed and on through to Peterborough—I mean, this is a beautiful stretch of road. But I'm talking about the extension. I'm talking about the run-up. I would hope members of the committee that know those parts better than me would—

Mr. Ric Bresee: I know the 7 and that section.

Mr. Joel Harden: Yes, yes. I know.

This is an important highway in Ontario, Chair, and this is a critical moment at which the demand for the highway gets even greater. It is shocking to know that there was a ground-breaking ceremony our colleague from Waterloo went to in 2007, and this project is still—no shovels are hitting the ground. But we're talking about shovels hitting the ground on projects for which there hasn't been appropriate consultation with Indigenous communities, which we're bypassing if the government has its way today, or environmental assessments. I would hope we could have the government's support for this, because they can take credit for being the government that makes sure that people who use this critical stretch of Highway 7 can do so safely.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Rae.

Mr. Matthew Rae: I know Highway 7 between Kitchener and Guelph is very important to the region of Waterloo, Guelph, Wellington county as well, which it passes through. I know our government has made it a top priority. The members opposite, when they held the balance of power under the former Liberal government, had an opportunity to make this project a priority, and they did not. Our government will continue to act.

Again, the amendments in section 18 of the Building Highways Faster Act give the Lieutenant Governor in Council the authority to expand the priority highway designation projects to future highways as we consult with the First Nations in this province—with all of them—and where we work with our municipal partners and those landowners as well.

We will continue to advocate and work towards getting Highway 7 and those four lanes built where other governments failed to do so.

The Acting Chair (Mr. Amarjot Sandhu): MPP French?

Ms. Jennifer K. French: I appreciate the interest in this stretch of highway. The member from Waterloo actually provided me with an article worth sharing, so I'm just going to share some highlights as—

Interjection.

Ms. Jennifer K. French: Yes.

This is from the Waterloo Record:

“It was 2007 when the province approved a divided Highway 7 to improve safety, reduce congestion, and speed the movement of goods and services between the cities. Property has been acquired; advance work and design is under way or completed, but the province has repeatedly delayed major components.

“In 2008”—admittedly before this government's time—“the Ministry of Transportation reported 36 collisions along a rural stretch of two-lane Highway 7 between the cities, public records show. By 2019 after crashes climbed, the province”—this government—“reported 50 collisions along the same rural section of six kilometres....

“Completing the new Highway 7 requires the construction of twin bridges over the Grand River, estimated to cost more than \$80 million. Ontario previously said it would finish the bridges by 2020”—that's under this government—“but never started them and proposes no date to launch construction.”

The article finishes with: “The province has provided no date to complete the new Highway 7 and has not released an estimate of its final cost.”

So I am glad to hear that this government is calling it a priority. I don't know what “priority” means to them if it still hasn't happened and doesn't appear to be happening in a prioritized fashion.

So again, I'd ask them to change their minds and support this motion.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden?

Mr. Joel Harden: I just want to add to what my friend from Oshawa just said. The argument that I heard from government members before, about New Democrats holding the balance of power and being able to implement this project—I'm just wondering if the government could furnish us with any evidence that we, in fact, didn't do precisely that and put demands on the table with the Liberal government of the day that they promptly ignored. I'm just wondering if the member who raised that point has any evidence, because it's important to make evidence-based decisions here. There was a claim made; I'm just wondering if the member could produce any evidence to that fact.

And also, while we're talking about evidence, I have an idea. If the project here costs about \$80 million, if the government would kindly retract its ridiculous war on bike lanes in this bill, from my understanding from the city of Toronto, they could raise almost immediately \$49 million of unnecessary spending, removing bike lanes that are helping improve traffic congestion in our city, giving people another choice to get around.

If I understood the minister correctly last time I was here, because he's proposing to take bike lanes off arterial roads and onto what he calls “secondary streets,” there's a cost associated with that too. Those secondary streets have a lot of parking on them. There will be a lot of issues in negotiating the creation and construction of bike lanes. I mean, my goodness—according to the researchers that I've heard, the cost of this government's war on bike lanes could add up: \$70 million, \$71 million; you're almost there. We could almost pay for this critical piece of highway infrastructure if they would just commit this morning to stop the ridiculous war on bike lanes. I'm wondering if anybody from the government could commit to that.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Rae.

Mr. Matthew Rae: They had an opportunity to call an election or force an election on this very issue, and they chose not to, just like their federal NDP colleagues will not do on a federal carbon-tax election, which we all want in this country.

0930

I will leave it at that for now, Chair.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: It was an attempt at evidence, but what I would remind my friend opposite is that the federal NDP has negotiated universal contraception medication in this country, universal diabetes medication in this country—things that actually make people's lives affordable, as opposed to bloviating about carbon pricing 170-plus times in the people's House.

The New Democratic Party is the party of affordability. We don't talk; we do. We're a “show me, don't tell me” party.

So the member can rely on rhetoric as much as he wants—I often enjoy his rhetoric; it's very colourful. But my point is this: If they want to implement this critical

stretch of Highway 7, they could do so by retracting their completely ridiculous, without-evidence war on bike lanes. They could stop the wasteful spending and they could invest in making sure we don't have any more of the collisions my colleague from Oshawa talked about—because there are people and families behind those tragedies. They could make a very important and bold statement today.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, are members ready to vote on the NDP's amendment number 3? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): The amendment is accordingly lost.

We'll now move to section 2 of schedule 2, amendment number 4. Are there any motions? MPP French.

Ms. Jennifer K. French: I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.3) the Morriston bypass project, being the collective projects to construct a four-lane highway from Highway 6 at Maddaugh Road in Hamilton northerly to Highway 401 and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: Again, we have here an opportunity to do better. This is a project that the people of Puslinch have been waiting a long time for, and the government promised to build it. The government deferred this project in order to give greater priority to Highway 413 and the Bradford Bypass, whose top beneficiaries are well-connected land speculators who own land near the highway corridors, including many of the same speculators who benefited from the government's changes to the greenbelt. But the Morriston bypass project is crucial for highway safety and truck movement and deserves to be prioritized. So here we are. Hopefully, the government will support this worthwhile motion.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, are the members ready to vote on this amendment?

Recorded vote.

Ayes

French, Harden.

Nays

Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): The amendment is accordingly lost.

There's another NDP amendment, number 5. Are there any motions? MPP French.

Ms. Jennifer K. French: I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.4) the Highway 40 widening project, being the project to widen Highway 40 from two to four lanes from Indian Road to 0.6 kilometres north of Wellington Street, located in the city of Sarnia within the county of Lambton, and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: This project is crucial for highway safety in the Sarnia area, and local communities have been lobbying for this project for decades, but the government has failed to provide a timeline for when construction might start. This project deserves to be prioritized at least as much as highway projects in the Toronto area that benefit the Premier and his donors.

I am hopeful that the government member from Sarnia will be able to share why this project is indeed so important in his community.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members ready to vote? Recorded vote.

Ayes

French, Harden.

Nays

Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Accordingly lost.

We'll move to amendment number 5 from the NDP.

Ms. Jennifer K. French: No, we just did number 5.

The Acting Chair (Mr. Amarjot Sandhu): I apologize. We'll go to number 6. Are there any motions? MPP French.

Ms. Jennifer K. French: I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.5) the Highway 69 widening project, being the collective projects to widen sections of Highway 69 from two lanes to four lanes between Parry Sound and Sudbury and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French?

Ms. Jennifer K. French: This is another long-planned and long-delayed project. The project is crucial for highway safety and mobility in northern Ontario. The OPP reported that from October 2023 to October 2024, there were 123 collisions in this section of Highway 69 that hasn't been four-laned, including one fatality. The government has been promising for years to finish this project,

but they failed. This project deserves to be prioritized at least as much as the highway projects in Toronto that are benefiting the Premier and his friends and donors.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Harden.

Mr. Joel Harden: I just want to note, for the record, that when we were listening to the deputants on Monday, I mentioned that when I did a road safety tour in eastern to central Ontario, I met an emergency medical physician in Kingston. I told him of the road collision statistics that I had done some research on and was consulting on, and that ER doctor told me they were way too conservative and asked me to go back to the drawing board. So I did, and I went to the Ministry of Transportation of Ontario's collision statistics, and the doctor was right: There were 49,106 collisions in 2023 resulting in serious personal injury or death—49,106. That's a rate of 134 people per day, and here we have evidence of 123 in one section of Highway 67. That's an alarming number, Chair.

There are real—MPPs Vanthof, Mamakwa, Bourgouin, Vaugeois, Gélinas, West are constantly bringing this up in in the House and in our caucus meetings. I just hope we can enjoy the support of this government to make sure that this highway project is actioned and we can take steps together to make sure that not another person has to suffer a serious tragedy that could be preventable.

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: Thank you for the reminder, Mr. Harden. I had asked MPP Gélinas—yesterday, I'd said that we would be raising this issue here. She reminded me that the widening of Highway 69 was a promise that was made in 2001, but it was repeated by this government in 2018, and it's still not done. So, again, this is an opportunity for this government to show leadership and move forward with their promises.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members ready to vote? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Accordingly lost.

We'll now move to amendment number 7 by the NDP. Are there any motions? MPP French.

Ms. Jennifer K. French: I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.6) the Cochrane bypass project, being the project to extend Highway 652 at Genier Road in Cochrane to Highway 11 and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: This is another project that is crucial for highway safety and truck movement in northern Ontario. It has been planned, but there is no timeline for construction. Again, this project deserves to be prioritized at least as much as the highway projects in Toronto that benefit the Premier's friends and donors.

0940

When I talked to Mr. Vanthof about this motion, because I was pleased to be able to bring it forward to this committee, he reminded me that this bypass was promised a few budgets ago. It will make the town a lot safer because commercial truck traffic from the forestry mills and the Detour Lake gold mine are now forced to travel through town, on residential streets. That's a real reason to prioritize this project. So we're inviting the government to come good on that promise and do that today.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members ready to vote? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): The amendment is accordingly lost.

We will now move to amendment number 8 from the NDP. Are there any motions? MPP French.

Ms. Jennifer K. French: I move that the definition of "priority highway project" in section 2 of schedule 2 to the bill be amended by adding the following clause:

"(b.7) the Highway 401 London-to-Tilbury widening and concrete safety barrier project, being the collective projects to widen sections of Highway 401 from four to six lanes between London and Tilbury and install concrete safety barriers and including any related activities,"

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: Well, sure. Thank you for asking.

Here is another project that is crucial for highway safety. This section of Highway 401 is literally known as Carnage Alley. I imagine members of this committee have heard that before, have travelled this road before, but it is actually known as Carnage Alley. Local residents have long been asking the government to make the highway safer by widening the highway and installing concrete safety barriers. The government promised to finish the project in 2021, but they failed. And instead of installing the concrete safety barriers, the government actually increased the speed limit along Carnage Alley to 110 kilometres per hour—interesting approach.

This project deserves to be prioritized at least as much as the Toronto highway projects that benefit the Premier's friends and donors. Again, here we have an opportunity to do better and I hope that the government will indeed prioritize making Carnage Alley safer in the ways that are needed.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Harden.

Mr. Joel Harden: I just want to note for the record that I'm glad to see the minister here this morning. It's great to see the minister engaging in debate at committee on this. I'm sure residents around this pretty critical stretch of the 401 would love to know from him what the rationale was to not proceed with this critical highway infrastructure and to increase speed limits from 100 to 110 kilometres an hour. Is there evidence of which we're not aware that says increasing speeds reduces accidents? I haven't seen that evidence. In fact, the evidence that I've seen shares the opposite.

I'm wondering if the minister could clarify for us why this particularly egregious part of the 401—when it comes to the death toll and the injury toll—has not been prioritized. In fact, the government has increased the speed limit. I was wondering if there was a policy rationale, if he has held meetings or consultations with the affected communities. Why are we doing this? Why aren't we doing this, actually? That's a better way to ask the question: Why aren't we doing this highway improvement, and why are we increasing speed limits? Is there something we're missing?

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none—

Mr. Joel Harden: Chair?

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: Yes. It's disappointing there's no response to that, because the people from London to Tilbury deserve better. I have run into these folks in conversation and they have told me heinous stories. Folks who want to get home to southwestern Ontario, folks who live in these areas, deserve a lot better. They don't deserve billion-dollar highway projects we don't need. What they need is safety on the projects that we have, on the systems that we have.

It's disappointing to not hear anything from the government, particularly the minister, this morning about why increasing the speed limit from 100 to 110 kilometres an hour is the priority of this government and highway projects in areas benefiting the Premier's friends and his donors are the priority of this government, not keeping people alive.

I know the OPP and police officers were here yesterday. They're the ones that have to arrive at the scene to the dismembered bodies and torn-apart lives. Maybe he has a message for them. Are they supposed to pick up the mess from the carnage that gets caused in Carnage Alley while they watch the speed limits increase? Is there a message the government has for first responders who are going to be the ones who have to live with the trauma of arriving at

these incidents? If the government could take steps to prevent—can we hear anything, Chair, from the government instead of silence on this matter for the people who live between London and Tilbury?

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Rae.

Mr. Matthew Rae: The members opposite, Chair, in the NDP, would like to say that we're silent, but they were silent for many long years when the former Liberal government decimated rural Ontario. They stood by while they increased the cost of hydro. They forced unwilling hosts around wind projects, across the very places we're talking about here today. They stood by and didn't stand up for rural Ontario.

I know the minister and our entire government will continue to support these vital projects across northern and rural Ontario and in the GTA and the greater Golden Horseshoe, and continue to get things done for the people of Ontario. As I've mentioned previously, section 18 of the Building Highways Faster Act will allow the Lieutenant Governor in Council to make those highway priority projects—to expand it beyond Highway 413, as the government goes through those processes consulting with our First Nations, among many other initiatives.

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: I'm not trying to diminish the member's argument, but I have been here for 10 years and I have never been silent—

Ms. Mary-Margaret McMahon: And I only just got here.

Ms. Jennifer K. French: I have never been silent a day in my life. I have never been quiet a day in my life. Any government member who would suggest that I have been quiet a day in my elected life is not paying attention. I'm not trying to entirely mock that, but when it comes to hydro, when it comes to safety, all of those were fights that I have been on my feet for, as many of my colleagues have for years and years and years.

So we can do the "What does history show us?" but history shows us that, whatever government is elected, if they don't plan for the future, if they're not building thoughtful infrastructure in a timely way to meet the needs, we're not doing things well.

This is a chance to indeed prioritize this section, Carnage Alley. I won't imagine anyone wants people to die, but the fact of the matter is that they are, and there is something that can be done about it. We are giving you an uncomplicated opportunity today to prioritize this section of roadway. I would encourage the government to take the opportunity. Thank you.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: Just to add to what my friend from Oshawa said: I just want to acknowledge, for our collective benefit and for the record, Michael Longfield from Cycle Toronto is here in the room today, observing the committee's debate. Michael can say from lived experience—he's walking today with a cane—what increased speed does to road safety inside urban boundaries,

as well as on major highways. It creates more dangerous situations.

It's upsetting, to be honest, to hear the government not have anything to say, no rationale as to why the decision has been made to not fix this stretch of highway, and instead to increase speed limits. This is the kind of head-scratcher move that makes most rational observers ask, "What is going on at Queen's Park?" We don't want that. We want to have decisions that work in the public interest.

So whether it's in the Greater Toronto Area, in an urban environment or where I serve in Ottawa or where I grew up in the Ottawa Valley, we want to make sure people get from point A to B intact. We can have the debates about energy, carbon pricing, child care, health care and education policy, because we'll be alive to have the debates. Our family members will be alive. I mean, health and safety has to come first.

I have not heard a rationale from the government as to why the decision that they have made, under their six years in office, has been to increase the speed limits, despite promising to finish the project in 2021. You are three years late. You're talking about a multi-billion-dollar project, with Highway 413, that the evidence shows we don't need. But the highways we do have—some of which, like this particular stretch, Chair, are creating horror stories, and they are preventable horror stories.

0950

So, again, my last pitch: Why are you increasing the speed limit in this critical stretch of the 401 from 100 to 110 kilometres an hour instead of finishing this project as you promised to do in 2021?

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members ready to vote on NDP amendment number 8? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

The Chair (Mr. Amarjot Sandhu): Accordingly lost.

Since all amendments are lost, we'll now go to schedule 2, section 2, as a whole. Is there any debate on schedule 2, section 2, as a whole? Seeing none, are the members ready to vote? Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

We'll now go to schedule 2, section 3. Since there are no amendments on this, is there any debate on schedule 2, section 3? MPP French.

Ms. Jennifer K. French: The Ontario NDP recommends voting against section 3 of schedule 2 to the bill. We can't move to delete a section, but we absolutely can appeal to folks to vote against this section. Section 3 prevents people from applying for an adjustment of the date of possession following an expropriation for a priority highway project. So if a property owner needs more time to leave, beyond the standard 90 days following expropriation, there's nothing that they can do. This is an unjustified power grab. Caledon residents flagged this issue when Caledon council recently voted to oppose the provisions of Bill 212 that would exempt Highway 413 from due process and environmental assessments. So I would encourage all members to vote against section 3 of schedule 2 of this bill.

The Chair (Mr. Amarjot Sandhu): Any further debate? MPP Harden.

Mr. Joel Harden: I guess I'm just wondering if anybody from the government side could explain what they would do if they were given 90 days to leave their property by expropriation order. I've always understood Conservatives to be fierce defenders of property rights. So if the government decided to give an expropriation order and you needed to leave your property in 90 days and the property owner, for whatever reason, had a hard time complying with the request, why is the hammer coming down at day 90? I would really like to know the answer to that question, Chair. I would like to think that built into the laws and regulations of Ontario can be some flexibility for serious situations like this. Does the Conservative government believe in the powers of expropriation so much that some people who have family farms, for example, with complicated corporate structures that aren't easily unwound overnight, need to be chased off their land immediately, without any flexibility? Is there no flexibility this government would like to provide landowners when it comes to the expropriation powers they have?

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members ready to vote? It being a recorded vote, shall schedule 2, section 3, carry?

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 2, section 3, carried.

We'll now go to schedule 2, section 4. Is there any debate on section 4 of schedule 2? MPP Harden?

Mr. Joel Harden: Can I just ask for a minute, please? *Interjections.*

The Acting Chair (Mr. Amarjot Sandhu): Since there are no amendments to schedule 2, I therefore propose that we bundle sections 4 to 15. Is there agreement? Agreed? Agreed.

Is there any debate on schedule 2, sections 4 to 15? MPP Harden.

Mr. Joel Harden: I think what we're seeing here, though, again is carry-over from the debate we had with our earlier amendments, where we tried, in instance after instance, to get the government to prioritize highway projects, in some cases, that they've promised to deliver, and they haven't. This schedule, as I read it, will prioritize highway projects in the Toronto area that benefit the Premier's friends and donors while ignoring projects outside the Toronto area that are necessary for highway safety and truck movement.

Look, I think we should be honest at committee here, because it's our job to scrutinize these bills—this particular bill, Bill 212. If that is going to be the priority of this government, to prioritize the Premier's preferred highway projects that benefit his friends and donors and we do not make serious action for highway safety and truck movement outside the GTA, I don't think this schedule is supportable.

This is really, in the end, about the Premier's pet projects and not about evidence-based highway planning. If it was, they would be cleaning up Carnage Alley, they would be helping the Highway 7 expansion, they would be dealing with Highway 69. But again, as the old adage goes, we speak with our investments. We speak with where we decide to put in money, and this government is putting in \$10 billion for a highway project that we don't need, that we have to diminish our environmental assessments for, that we haven't completed Indigenous consultations on. So I don't think schedule 2 is supportable.

It is, again—for the record, Chair—disappointing that government members have consistently said no to highway improvement projects we need in the Sarnia area, in the London area, in the Wellington county area, in the Highway 17 area: no, no, no, no, but yes to the things that perhaps Mr. De Gasperis, a very accomplished businessman in this province—I'm sure Mr. De Gasperis likes the Premier's pet highway projects within the Toronto area. But Mr. Vanthof, Ms. Gélinas, Mr. West, Mr. Bourgouin, Ms. Vaugeois, Mr. Mamakwa, people who actually have a responsibility to represent members in northern Ontario—Ms. Gretzky in southwestern Ontario, Mr. Kernaghan.

I don't understand. I honestly don't understand why this particular schedule is supportable and not the amendments we put in. We know; we had a recorded vote. It's on the record. The public will know that the Conservative government is not making good on the highway projects they have promised to finish for health and safety, and they are doubling and tripling down on highway projects that the evidence says we don't need.

I would like to hear from the government as to why schedule 2 is supportable in light of the unfinished work. I mean, when I went to school, Chair, people who attempted to train me—and I will acknowledge for my

teachers that it wasn't easy. They would always like to say to me, “Joel, finish the homework you have before taking on new work. Finish the math projects you have. Finish the writing you have before taking on new work”—a hard lesson; I still struggle to learn it sometimes. But I am trying to share with my friends opposite that very lesson. Why are we embarking upon megaprojects? I see this in transit policy too with this government. Why are we embarking on these megaprojects, these ideal visions, instead of fixing the roads we have?

I would love to hear from the government a rationale as to why this schedule is supportable, because all it seems to do, from my standpoint, is to help the Premier's pet projects and friends and donors inside the GTA, like Mr. De Gasperis.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate?

Ms. Jennifer K. French: Clarification: Are these the remaining sections of schedule 2 or is this all of schedule 2?

The Acting Chair (Mr. Amarjot Sandhu): This is schedule 2, sections 4 to 15.

Ms. Jennifer K. French: So we're bundling—okay. We still have other sections after that.

The Acting Chair (Mr. Amarjot Sandhu): Yes, we do.

Ms. Jennifer K. French: Okay. I'm happy to give my speech on schedule 2 shortly.

The Acting Chair (Mr. Amarjot Sandhu): All right. Thank you.

Since there's no further debate, are the members prepared to vote? It being a recorded vote, shall schedule 2, sections 4 to 15, inclusive, carry?

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

We'll now move to schedule 2, section 16. I see there is NDP amendment number 9. Can we have a motion? MPP French.

Ms. Jennifer K. French: I move that section 16 of schedule 2 to the bill be amended by striking out “3,”.

1000

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: I guess, since the committee passed section 3, I will withdraw this. It was a house-keeping piece should section 3 have not carried.

The Acting Chair (Mr. Amarjot Sandhu): So you're withdrawing the amendment?

Ms. Jennifer K. French: Yes.

The Acting Chair (Mr. Amarjot Sandhu): All right. Thank you. Is there any other debate on schedule 2, section

16? Seeing none, are the members prepared to vote? It being a recorded vote, shall schedule 2, section 16, carry? All those in favour—

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): As a whole, yes. All those in favour?

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

Since there are no amendments to schedule 2, I therefore propose that we bundle sections 17 to 21. Is there agreement? Agreed.

Is there any debate on schedule 2, sections 17 to 21? MPP French.

Ms. Jennifer K. French: I see section 21 is the short title of the act called Building Highways Faster Act. I just really wish that the government would be building the highways that it has promised to communities with safety in mind and growth in mind—that they would finally get around to building those promised highways.

So I'm not suggesting we amend this, but I just hope that all of us understand that building highways faster—build highways better. Build highways for Ontarians, not just for donors. That's my request of government.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Harden.

Mr. Joel Harden: Since we're wordsmithing other changes in the language, we could say “finishing the highway improvements you promised.” I think that's a good title—that's a great title. There should be no monopoly on a good idea, Chair. If the government wants to just take that and run with it, I'm totally down.

I know people of Sarnia, London, Wellington county, the people up north around Highway 69 would love to see that meeting of the minds this morning. It would be great—fabulous.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? None? Are the members prepared to vote? Shall schedule 2, sections 17 to 21, inclusive, carry? Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

We'll now move to schedule 2 as a whole. Is there any debate?

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): No, no—still on schedule 2.

Interjection.

The Acting Chair (Mr. Amarjot Sandhu): It is not a motion, MPP McMahon, so we can still discuss that if you want to. Any debate?

Ms. Mary-Margaret McMahon: As per my submission, I'm voting against schedule 2 of this bill. Can I discuss it?

The Acting Chair (Mr. Amarjot Sandhu): Yes.

Ms. Mary-Margaret McMahon: Great.

It's actually exhausting trying to save Ontario—exhausting and frustrating—but I'm here to do it. Every day, I'm here to crusade for a better Ontario and to stop the destruction.

I don't support an unnecessary highway. I never have supported Highway 413. We have so many reasons I've spoken about in the House and out in the community and everywhere else I can: precious farmlands, wetlands, biodiversity.

We did commit to biodiversity targets in Montreal, I might remind you; I believe one of your ministers was there committing to that. This was kind of—not “kind of” but totally counterintuitive to that. It's not going to save time. An expert panel has shown that it's 30 seconds, 60 seconds less per trip. Sorry, that's not worth it.

We have this land to be protected. Once you get rid of farmland, it's gone. It's gone for good. I don't know about you, but I'd like to eat, and I'm very worried about food security.

With all that to say, please support me in voting against schedule 2 of this bogus bill.

The Acting Chair (Mr. Amarjot Sandhu): Further debate?

Ms. Jennifer K. French: We have been talking about schedule 2, this so-called Building Highways Faster Act, and we've given the government opportunities to come good on its promises and commitments to various communities, especially northern Ontario—projects that are waiting to be prioritized—and we were hoping we could do that today. We've raised a thoughtful challenge to their expropriation section, as raised by Caledon council, but we don't see the leadership we would want to in this section.

Certainly, we want roadways and infrastructure to be built based on what's needed for communities, based on planning, based on safety. We gave the government a number of opportunities just to make this better, and I'm disappointed that they have chosen not to do that today.

I'm going to keep my powder dry when it comes to Highway 413, because schedule 3 is up next, but certainly the government has put all its eggs in one donor basket, and all of the other communities across Ontario, especially northern Ontario and folks in Sarnia—I guess they're waiting for better government and better roads.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate?

Mr. Joel Harden: I was really inspired by what my friend from Oshawa and the member for Beaches–East York just said. I know everybody was listening intently to the deputations on Monday. I know everybody was riveted to every single presentation, but I just want to recollect for the committee’s benefit that Gideon Forman from the David Suzuki Foundation said that less than half of what this government has proposed to spend on this highway we don’t need could eliminate homelessness in Ontario—\$4 billion, less than half.

In Ottawa, the mayor of our city—we just convened a community rally to counter the hatred and misinformation against asylum seekers who have major homelessness and housing needs in our city. There are some—including, I hate to tell you, Chair, members of this House—who are out in my community talking about how those neighbours don’t matter and their housing concerns don’t matter. If they’re homeless, if they’re sitting upright—this is true, Chair: I was serving a Thanksgiving meal at the Mission men’s shelter in Ottawa not long ago, and I talked to a pharmacist who has come to our country from Africa, who we urgently need working in our health care system. He had slept upright in a plastic chair for a week before being given a yoga mat to sleep on the floor. And we have members of this House in my community back home in Ottawa talking about how we don’t need emergency shelters in their community.

As Mr. Forman said, if the government would redirect less than half of the money it has allocated for this needless highway, we could actually make good in providing homes for asylum seekers, for regular Ontarians, for people who have citizenship status already. We talk all the time about how we need 1.5 million new homes, but again, as we have said already at this committee, we can tell what a government’s actual priorities are by what they allocate money towards. Has there been serious money allocated towards affordable housing, actually affordable housing, affordable housing being 30% of one’s income? That’s what the Canada Mortgage and Housing Corp. has historically said the numbers should be.

If we had, according to Mr. Forman, who deputed to this committee, which is why my comments right now are relevant—if we took his advice and scrapped this highway project and improved the highways that we have, made them safer—I’m inspired by what the member said—it would be so much better, don’t you think, to be able to find homes for people who are struggling right now.

1010

That pharmacist wants to work in our health care system. There are people that gentleman could help. He is one of the candidates who may get into this sprung shelter that, thankfully, will be going forward in Nepean, despite the misinformation peddled by some members of this House—no one in this room, to be clear.

So I want to just salute what the member said. If we find a way to allocate the provincial treasury in a way that can make highways safer—not make moves that will totally tarnish our climate ambitions on climate policies—that

will help people get around our communities safer, I think that makes a lot more sense.

When we run for office, we go out and we knock on doors, and voters ask us questions like, “Is it ever possible to eliminate homelessness, Joel? Is that just an abstract idea?” Well, Mr. Forman gave us an idea of how we could make serious inroads to that. It would be nice to see the government prioritize that instead of this aspect of the bill, which seems to prioritize a highway we don’t need.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, are the members prepared to vote?

Ms. Jennifer K. French: On schedule 2?

The Acting Chair (Mr. Amarjot Sandhu): Schedule 2, as a whole, yes. Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 2 is carried.

We’ll now move to schedule 3, section 1. Is there any debate on schedule 3, section 1? Are the members prepared to vote? Recorded vote.

Ayes

Bailey, Bresee, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

We’ll now move to schedule 3, section 2. I see there’s an independent amendment, number 10. Can we have a motion, please? MPP McMahon.

Ms. Mary-Margaret McMahon: I move that subsection 2(1) of schedule 3 to the bill be amended by striking out “are exempt from the Environmental Assessment Act” in the portion before paragraph 1 and substituting “are, despite any provision to the contrary in any act, subject to the Environmental Assessment Act”.

The Acting Chair (Mr. Amarjot Sandhu): Any debate on the amendment? MPP McMahon.

Ms. Mary-Margaret McMahon: There are rules and regulations put in, thoughtfully researched—expert opinions, lawyers etc. They’re put in for a reason. These rules and regulations apply to all of us. I’m not sure why this government thinks the rules do not apply to them. We need environmental assessments. It’s not the Wild West. Quite frankly, this government is like cowboys galloping all over Ontario, wreaking havoc. Let’s just abide by the rules and the environmental assessments.

Thank you in advance for supporting my amendment.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP French.

Ms. Jennifer K. French: There are a lot of eyes on the Highway 413 project, but there aren't a lot of answers, certainly.

This amendment put before us is a little bit snarky, but I like snark. It is saying that that Highway 413 is subject to and not exempt from the Environmental Assessment Act, right? Highway 413 should be subject—

The Acting Chair (Mr. Amarjot Sandhu): I apologize, MPP French. Looking at the time on the clock, we have to recess the committee.

The committee stands in recess until 1:20 p.m.

The committee recessed from 1015 to 1320.

The Acting Chair (Mr. Amarjot Sandhu): Good afternoon, everyone. Welcome back.

Before we recessed the committee, amendment number 10 was moved by the independent member, and MPP French had the floor.

MPP French, you may continue.

Ms. Jennifer K. French: This is starting to get into the Highway 413 conversation, which I know we're all looking forward to having. This amendment, as put forward by my colleague from the independents, is saying that Highway 413 is subject to and not exempt from the Environmental Assessment Act—a little word switch there which really is important.

Highway 413 should be subject to the Environmental Assessment Act. The people of Ontario deserve to know the full environmental and economic impacts of this mega-project so that the highway system can be planned based on evidence and not self-serving politics or the special private interests of the Premier's friends and donors, who are poised to profit immensely should this highway get built. Ontarians still have no idea how much this highway through the greenbelt is going to cost them.

Also, the government's memorandum of understanding with the federal government concerning Highway 413 is based on the recognition that the project is subject to the Environmental Assessment Act. This government would be breaking this memorandum of understanding if it unilaterally exempts the project from the Environmental Assessment Act. It's swapping in a much weaker process that lacks the same consultation requirements. This could leave the federal government with no choice but to redesignate the project under the federal Impact Assessment Act. We know that Environmental Defence has put forward a request of the feds to do an impact assessment, but here we have the province seeking to carve it out so that it wouldn't fall under the Environmental Assessment Act. That's wild.

Those are my initial concerns. We support this, but if we're talking about the 413 environmental protections, where are the reassurances from this government that the 413 is not going to just wreak such havoc?

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Harden.

Mr. Joel Harden: There are 29 endangered species that have been identified here. I know this government's

favourite federal minister is probably the minister of the environment, I'm assuming—that's the one you love the most—Mr. Guilbeault.

Mr. Hardeep Singh Grewal: I thought it was Jagmeet Singh.

Mr. Joel Harden: Pardon me? Not your favourite? I figured he was.

Interjection.

Mr. Joel Harden: No, I said minister; you're talking about the future Prime Minister. I'm talking about the minister.

The federal environment minister's team has identified 29 endangered species here. I wonder if the government could help us understand the rationale that speed makes in this case. I know that we are incredibly capable as innovators in Ontario. We want to be not dilly-dallying around the crucial things people need, as we were talking about this morning. There are so many highway improvements needed in the north. The government, unfortunately, voted against every single one of those amendments that we tried to put on the table for the north, for the southwest, to help people get around—for eastern Ontario, the latter end of Highway 17 would be relevant there. They voted against all of those amendments, but I guess I'm wondering, from an ecosystem perspective, Chair, if I could get an explanation from the government. Why is the government in such a rush to not conduct an appropriate environmental assessment that can ensure that these 29 species at risk identified by the federal environment minister—we pay due attention to that? We could make major mistakes in the construction of infrastructure that had generational impacts. So does the government have any explanation for the committee today as to why the environmental assessment is being sped up, or diminished, in this case?

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Rae.

Mr. Matthew Rae: I kind of find it ironic from the members opposite—we had a very vigorous debate this morning around priority highway projects, and they did move various amendments to projects across Ontario. Schedule 2, which we have passed at this committee already today, enacts the Building Highways Faster Act, 2024. The purpose of the act is to expediate the construction of priority highway projects, and now they don't want us to expediate Highway 413. I think they're a little confused on the other side this afternoon, Chair.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: So to answer to that: I don't detect a confusion over here. My understanding was—or it's just a general principle—when a government promises to do something, like make Highway 69 safer, like turn sections of Highway 7 into four lanes for the extension of the 7, like deal with Carnage Alley between London and Tilbury—that promise was made in 2021, Chair. My understanding is that when governments make important promises like that that have impacts on people's lives, they ought to follow through on them, but they haven't finished

that work. They're rushing to a new vanity project that, certainly, some of the Premier's donors and friends want—I get that. It's not going to appreciably save people a lot of time getting from point A to point B, the poor folks stuck in congestion—I get that—in suburban communities. I totally can empathize with that. But the evidence I've seen, Chair—and I try to do this job based upon evidence—doesn't lead me to believe that the Premier's latest vanity project, the Highway 413, is actually going to accomplish that objective.

And here we have unfinished work in highways where people's lives are being literally taken. A week doesn't go by where we don't have a major collision that results in a tragedy or a death.

So we're talking about an environmental assessment, 29 species at risk, as I understand it, from the people who have done the preliminary work. Why the rush? Why wouldn't we have a look to see what kind of generational impact we're going to be making in environmental terms? I don't get it. I'm wondering if the government could just help me understand, on the specific issue we're debating for this particular part of the bill, why the rush around the environmental assessment?

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP French.

Ms. Jennifer K. French: The feds kind of handed this project back, in effect, to the province, and I think that the government let out a sigh of relief at that time, but the federal government's temporary discontinuation of its assessment of the Highway 413 project under the Impact Assessment Act was premised on the assumption that Ontario, this government of Ontario, would carry out a provincial environmental assessment, and Bill 212, what we're talking about right now, exempts Highway 413 from the Ontario Environmental Assessment Act entirely. So if the government is saying that nothing to do with the 413—the early works, the highway—falls under the Ontario Environmental Assessment Act, what assurances do Ontarians have that you're going to factor in, that you won't be cutting corners when it comes to environmental considerations, protections, species at risk? There's all sorts of reasons that the Environmental Assessment Act exists. So when you're exempting this whole project from that, what are Ontarians to assume that that means? If you're not going to allow the Environmental Assessment Act to govern this project or to be a guide, what do you actually have planned that you would have to remove those provisions, the protections, there?

1330

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Since there's no further debate, are the members prepared to vote? It being a recorded vote, shall independent amendment number 10 carry?

Ayes

French, Harden, McMahon.

Nays

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): It is accordingly lost.

We'll now move to amendment number 11, by the independent members. Can we have the motion, please?

Ms. Mary-Margaret McMahon: I move that subsection 2(2) of schedule 3 to the bill be struck out.

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate?

Ms. Mary-Margaret McMahon: Yes. I mean, we're just going to be saying the same thing: that this highway is unnecessary. It's a waste of taxpayers' dollars. It's a waste of research, design and materials. It's a waste of focus for the government. I think there are a lot more important things, like maybe health care, that the government should be focused on, rather than on building an unnecessary highway and putting us at risk for food insecurity as we lose precious farmland. Wetlands, we know, help with emergency preparedness and in a climate crisis. So, in advance, thank you for your support.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? No further debate. Are the members prepared to vote? Shall amendment number 11 from the independent members carry? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Amendment lost.

We'll now move to amendment number 12, by the independent members. Can we have the motion, please?

Ms. Mary-Margaret McMahon: I move that subsection 2(3) of schedule 3 to the bill be struck out.

The Acting Chair (Mr. Amarjot Sandhu): Any debate?

Ms. Mary-Margaret McMahon: It's just related, again, to this government trying to avoid the Environmental Assessment Act, because I guess they think that rules do not apply to them and that they are above the law. That is genuinely wrong.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Are the members prepared to vote? It being a recorded vote, all those in favour?

Ayes

French, Harden, McMahon.

Nays

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Amendment lost.

Schedule 3, section 2: Is there any debate, as a whole? MPP French.

Ms. Jennifer K. French: The Ontario NDP recommends voting against section 2 of schedule 3 to the bill. The section exempts Highway 413 from the Environmental Assessment Act, which is obviously problematic and should be entirely unsupportable. I'm very surprised that the government members, in good conscience, would suggest that a project of this magnitude, of this size and scope, should be entirely exempted from the Environment Assessment Act. As I've said earlier, I can't help but wonder what the government has planned, that they are hiding it from the Environmental Assessment Act and their responsibility as good stewards of the land.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Harden.

Mr. Joel Harden: Again, I just want to emphasize the fact that good projects are based on good evidence and a key part of that evidence is not just the engineering and construction evidence; it's the evidence of the impact on farmers, the impact upon ecosystems, the impact upon our watersheds. We rely on all of these things, Chair, in order to have a vibrant Ontario.

I haven't heard the government make the case for wanting the environmental assessment to be exempt for this project. I'm wondering if they could be on record this afternoon to tell the people of Ontario why we need to make Highway 413 exempt from a proper environmental assessment. What's the case?

The Acting Chair (Mr. Amarjot Sandhu): Further debate? If there's no further debate, are the members prepared to vote? Shall schedule 3, section 2, as a whole, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanopathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Accordingly carried.

We'll now move to schedule 3, section 3. I see there's an independent amendment number 13. Can we have the motion, please?

Ms. Mary-Margaret McMahon: Sure.

The Acting Chair (Mr. Amarjot Sandhu): MPP McMahon?

Ms. Mary-Margaret McMahon: Yes. I said, "Sure," and I was just grabbing it—patience.

I move that subsection 3(3) of schedule 3 to the bill be amended by striking out "are fulfilled" in the portion before paragraph 1 and substituting "are fulfilled, but not before the minister has obtained the free, prior and informed consent of every Indigenous community that has

or may have existing Aboriginal or treaty rights, as recognized and affirmed in section 35 of the Constitution Act, 1982, that may be impacted by the Highway 413 early works projects and Highway 413 project".

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Harden.

Mr. Joel Harden: I want to thank my friend for putting this on the table as an amendment that makes a lot of sense to me.

I just would note for the record, Chair, that there has been a disregard for the constitutionally protected rights of Indigenous peoples around free, prior and informed consent. This amendment would allow the government to signal a good faith note to Indigenous peoples that they are nation-to-nation partners in the building of infrastructure in the province of Ontario, and I would encourage members to support this amendment.

The Acting Chair (Mr. Amarjot Sandhu): MPP French?

Ms. Jennifer K. French: I think it's quite interesting that this should be something that we have to correct, that the government has to put in legislation. The government is proposing to undertake construction activities before Indigenous consultation and environmental studies are completed. That's why we have to have this conversation.

I'd like to share with folks who maybe haven't had the chance to read this article entitled "Highway 413 Work Could Start Before Indigenous Consultations End, Prompting Concerns." This is from an article dated November 9 of this year:

"A provincial bill being fast-tracked through Ontario's Legislature is drawing concern from Mississaugas of the Credit First Nation, because it would allow work to begin on Highway 413 before an Indigenous consultation is completed.

"According to the province's website, it has a duty to consult with Indigenous communities when it 'contemplates' decisions or actions that might impact treaty rights.

"But as part of the Ministry of Transportation's Reducing Gridlock, Saving You Time Act, the province is allowing itself to begin what the bill calls 'early works' on the construction of Highway 413 before an Indigenous consultation or environmental..." Okay. Don't quote me on that line because it cut off.

"The provincial move is an effort to sidestep consultation in the eyes of Mark LaForme, outgoing director of the department of consultation for Mississaugas of the Credit. He said this is not the first issue that's come up throughout the consultation.

"We never gave up the opportunity to sustain ourselves from these lands. We never gave up the waters in our treaty lands,' LaForme said. '[Highway 413] is going to severely impact and destroy Mississauga of the Credit's harvesting cultural treaty and other Aboriginal rights on our treaty lands'..."

"LaForme said that will lead to the pollution and destruction of fish habitats. All told, he says his office has determined that at least 29 species of wildlife will be harmed by the project."

Of course, the article goes on, but I think you get the gist.

Interestingly, the minister had questioned us as we were talking about some northern highway projects we were hoping to be prioritized. The minister questioned us about whether we had consulted with First Nations before bringing these amendments forward, but certainly that's a good sign if the minister is interested in hearing what First Nations have to say on major projects.

So then I would encourage the government to take advantage of this amending opportunity and walk back their wrong-headed decision and ensure that they indeed respect the First Nations but also meet their legal obligation, right? They have a duty to consult, and if this is going ahead before Indigenous consultations end, that would certainly seem to be in bad faith. This is a chance for the government to support this amendment and do right as they're planning to go through with this highway.

1340

The Acting Chair (Mr. Amarjot Sandhu): MPP McMahon.

Ms. Mary-Margaret McMahon: As my colleagues have said, the reason I'm moving this—we know there's a duty to consult. We want to consult. We want to genuinely consult. It's part of truth and reconciliation to listen to, to work with and to learn from Indigenous communities, who were here long before us and know the land way better than we do and have taken so much better care of it than we have.

Thank you for your support, in advance.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members prepared to vote? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Accordingly lost.

We'll now move to the next amendment, by NDP members. Can we have a motion, please? MPP French.

Ms. Jennifer K. French: I move that subsection 3(3) of schedule 3 to the bill be struck out.

The Acting Chair (Mr. Amarjot Sandhu): Any debate? MPP French.

Ms. Jennifer K. French: This amendment would remove subsection 3(3), which allows certain activities to proceed before consultation with Indigenous communities is completed. It should be removed for the reasons that we've already discussed. Also, the rights of Indigenous communities, including the government's duty to consult, is a matter that falls squarely within federal jurisdiction. If the government ignores these constitutionally protected rights, the federal government may have no choice but to

designate Highway 413 under the federal Impact Assessment Act. I would also say that running roughshod over Indigenous rights is a recipe for more lawsuits.

This is an opportunity for the government to do the right thing and, if they're going forward with this project, to go forward in a good way.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Are the members prepared to vote? It being a recorded vote, all those in favour?

Ayes

French, Harden, McMahon.

Nays

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Amendment lost.

Is there any debate on schedule 3, section 3, as a whole? No debate? Are the members prepared to vote? Shall schedule 3, section 3, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 3, carried.

We'll now move to schedule 3, section 4. Is there any debate on schedule 3, section 4? MPP French?

Ms. Jennifer K. French: Just so that I'm clear: Schedule 3, section 4, is the Indigenous consultation plan? Yes? Okay.

Well, since the government chose not to accept our amendments, I would suggest that this section, where it says, "The minister shall prepare an Indigenous consultation plan that includes" and it goes on—I'd say that government really needs to do this well, because so far, it's not going well. If this is the Indigenous consultation plan as laid out in the bill, it would seem to be insufficient when it's making headlines for being so problematic—so just a highlight and pointing out to the government to do better.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Are the members prepared to vote? Shall schedule 3, section 4, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 4, carried.

We'll now move to schedule 3, section 5. Is there any debate on schedule 3, section 5? MPP French.

Ms. Jennifer K. French: Just so that I'm in the right place: Schedule 3, section 5, is the assessment of impacts on environment. Is that correct?

The Acting Chair (Mr. Amarjot Sandhu): Yes, that's right.

Ms. Jennifer K. French: Okay. Well, there's just three little sub-pieces to that. I would say that one of the things that—I can't make an amendment now, but the assessment of impacts on environment, I would suggest that the government actually look at the Environmental Assessment Act and use that as they're moving forward, because these teeny-weeny, little pieces that they've laid out seem insufficient when we're talking about a megaproject across the greenbelt. Please, please, refer to the Environmental Assessment Act.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, are the members prepared to vote? Shall schedule 3, section 5, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 5, carried.

We'll now move to schedule 3, section 6. I see there's an independent amendment, number 15. Can we have a motion, please? MPP McMahon.

Ms. Mary-Margaret McMahon: I move that subsection 6(4) of schedule 3 to the bill be amended by adding "that would not be relevant in assessing the impacts that proceeding with the Highway 413 project or any aspect of the project would have on those matters or on the environment" at the end.

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate?

Ms. Mary-Margaret McMahon: Well, just more disagreement with the need for this unnecessary highway that will destroy farmland, wetlands and essential things to our existence.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? Shall independent amendment number 15 carry? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): The amendment is lost.

Is there any debate on schedule 3, section 6? MPP French.

Ms. Jennifer K. French: Yes. Again, instead of utilizing existing legislation—the Environmental Assessment Act—what we have in this section is a draft environmental impact assessment report, where the minister shall prepare a draft environmental impact assessment report based on the things it decides are important, rather than what the Environmental Assessment Act has set forward. It's less than, and I don't understand why, when we're talking about a megaproject—it's a megaproject; it's massive—you wouldn't want to hold it to a higher standard.

Again, I'm looking at this and the studies referred to include studies related to noise, air quality, fish and fish habitat. But this is just a study. Where are the standards? Where are the requirements?

So, no, this is insufficient and, I think, setting us up for a crash course—on a course to be out of step with the feds. I mean, you're doing this to yourselves knowingly, I would say.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, shall schedule 3, section 6, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 6, carried.

Since there are no amendments in sections 7 to 11 of schedule 3, I propose that we bundle sections 7 to 11. Is there agreement? Agreed.

Is there any debate on sections 7 to 11 of schedule 3? No debate. Are the members prepared to vote? Shall schedule 3, sections 7 to 11, inclusive, carry? Recorded vote.

1350

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): It's accordingly carried.

We'll now move to schedule 3, section 12. I see there's an independent amendment, number 16. Can we have a motion, please?

Ms. Mary-Margaret McMahon: I move that subsection 12(1) of schedule 3 to the bill be struck out.

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate?

Ms. Mary-Margaret McMahon: There absolutely is, because this would allow the government to override the Planning Act. Everyone has their own skill set, for sure, but I don't know if anyone across the room has a planning degree whatsoever, if you've studied urban planning or even know an urban planner, because they would have a problem with this. What you're saying is that you're the sharpest knives in the drawer, rules and regulations don't apply, the Environmental Assessment Act doesn't apply and now the Planning Act doesn't apply. You know everything, you have the expertise—and also, hey, students, hey, Ontarian kids, if you want to study urban planning, you better move out of Ontario, because you're not going to get a job here, or your job is going to be futile, because the government won't listen to it or follow the act. So that's that.

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: We're talking about this section 12, and section 12 exempts the Highway 413 mega-project from provincial policies and plans under the Planning Act, which includes the Greenbelt Plan. Highway infrastructure is already allowed within the greenbelt under the Greenbelt Plan, so this provision isn't actually necessary in order to build Highway 413, because you already could under the Greenbelt Plan.

Under section 5(j) of the Greenbelt Act, one objective of the Greenbelt Plan is “to ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner.” That's what it says currently, but by exempting Highway 413 from the need to be consistent with the Greenbelt Plan, this government is explicitly stating that it does not intend to develop Highway 413 in an “environmentally sensitive manner,” because it already allowed you to do that. The language was already there, so if you've got to put this in, then “environmentally sensitive” was already going to be too much to ask, I suppose.

Again, this is another reason why Bill 212 may leave the federal government with no other choice but to designate Highway 413 under the federal Impact Assessment Act, and this government is making that choice, I would say, knowingly, which is fascinating, because if the government is so interested in getting this project built, why on earth wouldn't they be interested in getting it built well and without doing such rampant harm?

If an “environmentally sensitive manner” is too much to ask, I shudder to imagine what this government has in mind and, unfortunately, in store for the province.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, are the members prepared to vote? Shall amendment number 16 carry? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bresee, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Amendment lost.

Is there any debate on schedule 3, section 12? MPP French.

Ms. Jennifer K. French: I would like to say, I wish that we could move to delete this section, but that wouldn't be in order. The Ontario NDP therefore recommends voting against section 12 of schedule 3 to the bill. As previously mentioned, section 12 exempts Highway 413 from provincial policies and plans under the Planning Act, including the Greenbelt Plan, and for the reasons that I've stated prior, this section is, of course, unsupportable.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? Shall schedule 3, section 12, carry? Recorded vote.

Ayes

Bresee, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 12, carried.

We'll now move to schedule 3, section 13. I see there's an NDP amendment, number 17. Can we have a motion, please?

Ms. Mary-Margaret McMahon: Sorry. That's an independent, is it not?

The Acting Chair (Mr. Amarjot Sandhu): Okay. MPP McMahon, the motion, please.

Ms. Mary-Margaret McMahon: I move that section 13 of schedule 3 to the bill be struck out and the following substituted:

“Environmental Bill of Rights, 1993

“13. Part II of the Environmental Bill of Rights, 1993 does not apply to a proposal to issue, amend or revoke an instrument for or related to the Highway 413 project, including any change to the Highway 413 project, or the Highway 413 early works projects unless the proposal is a type of proposal for an instrument that is classified by a regulation made under that act and that could affect,

“(a) agriculture, wildlife, natural heritage, greenhouse gas emissions, wetlands or any of the areas listed in paragraph 2 of subsection 28(1) of the Conservation Authorities Act;

“(b) a species classified as an endangered, threatened or special concern species under the Endangered Species Act, 2007; or

“(c) the habitat of the species described in clause (b).”

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: I don't know why you sent your Minister of the Environment to Montreal for

the COP biodiversity summit. Why send them there when you're like—do, say one thing and then actually say one thing, look like you're doing something and then do the complete opposite and destroy everything you signed on for at that biodiversity summit. I don't know what more to say about this, but it's destruction at its finest.

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden.

Mr. Joel Harden: There's a writer who I think has captured the tendency that MPP McMahon has been establishing here. The writer's name is Seth Klein. He has a fantastic book called *A Good War*, where he goes over what he describes as the new climate denialism. The new climate denialism is acknowledging the science at a superficial level and then implementing policies that do the precise opposite. Species protection may not seem like a climate issue, but it is if we're compromising the integrity of watersheds, if we're compromising the integrity of arable land.

I did have occasion to speak to former Premier Rae about this. One of the proudest achievements he recollected to me in his NDP government of the early 1990s was the Environmental Bill of Rights and establishing rules by which we safeguard the lands and the ecosystems of Ontario for future generations.

I totally agree with what my colleague has said with respect to the government, on the one hand, sending representatives to biodiversity conferences, saying it's a priority for the government, and on the other, pursuing measures in this bill that go in the precise opposite direction.

The species that will be impacted by this legislation cannot come to this committee and depute for themselves. We have an obligation to enact policies that are wise and sensitive to the fact that we're just one part of the ecosystem. It doesn't belong to us. We don't own it. We inhabit it, and we inhabit it with other organisms.

So I totally support this amendment and I hope it passes. I thank my colleague for proposing it.

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: This amendment deals with the fact that Bill 212 exempts projects related to Highway 413 from the notification and consultation processes required under the Environmental Bill of Rights. The Environmental Bill of Rights that we've been talking about has set forward a way to build, a way to move forward that protects the future. So, again, notification and consultation processes—this government is exempting itself.

1400

This amendment clarifies that proper notice and consultation under the Environmental Bill of Rights is required for projects that could affect specified matters, including greenhouse gases, the Great Lakes–St. Lawrence River system and endangered species. These matters happen to fall squarely within federal jurisdiction, and I think if the government members vote against this amendment, the minister and the folks across from me are begging for the federal government to designate Highway 413 under the

federal Impact Assessment Act. I'm rooting for that, but I'm surprised that the government is as well.

But again, we have responsibilities to the future. I would encourage this government to take an opportunity today to show responsible leadership.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Are the members prepared to vote? Shall independent amendment number 17 carry? Recorded vote.

Ayes

French, Harden, McMahon.

Nays

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Amendment lost.

Is there any debate on schedule 3, section 13? MPP French.

Ms. Jennifer K. French: Again, we'd be glad to be able to move to delete, but that's not an option, so the Ontario NDP is recommending to all committee members to vote against section 13 of schedule 3 to the bill.

As we've previously mentioned, section 13 exempts Highway 413 from the notification and consultation processes required under the Environmental Bill of Rights. The Environmental Bill of Rights is one of the Ontario NDP government's proudest achievements. It is disgraceful how this government has routinely violated this law that established the right of Ontarians to be informed of and participate in decisions affecting the environment, and now the government wants to exempt a highway running through the greenbelt and prime farmland from this law altogether. So the NDP vehemently opposes this section of this bill and would encourage the government members to do the same.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Are the members prepared to vote? Recorded vote.

Ayes

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 13, carried.

We'll now move to schedule 3, section 4. There are no amendments. Is there any debate? Are the members prepared to vote? Shall schedule 3, section 14, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? Accordingly carried.

We'll now move to schedule 3, section 15. I see there's NDP amendment number 18. Can we have a motion, please? MPP French.

Ms. Jennifer K. French: I move that clause 15(1)(j) of schedule 3 to the bill be struck out.

The Acting Chair (Mr. Amarjot Sandhu): Any debate? MPP French.

Ms. Jennifer K. French: Actually, this appears to be housekeeping to do with number 10. We passed section 2, so in that case, I will withdraw this amendment.

The Acting Chair (Mr. Amarjot Sandhu): Since the amendment has been withdrawn by the NDP, is there any debate on schedule 3, section 15? No debate. Are the members prepared to vote? Shall schedule 3, section 15, carry? Recorded vote.

Ayes

Breese, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3, section 15, is carried.

Since there are no amendments to sections 16 to 19 of schedule 3, I therefore propose that we bundle these sections. Is there agreement? Agreed.

Is there any debate on sections 16 to 19 of schedule 3? No debate. Are the members prepared to vote? Shall schedule 3, sections 16 to 19, inclusive, carry?

Ayes

Breese, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

Is there any debate on schedule 3 as a whole? No debate. Are the members prepared to vote? Shall schedule 3 as a whole carry—

Ms. Mary-Margaret McMahon: Do I not have—

The Clerk of the Committee (Mr. Isaiah Thorning): Not in schedule 3.

Ms. Mary-Margaret McMahon: That's not that?

The Acting Chair (Mr. Amarjot Sandhu): No.

Ms. Mary-Margaret McMahon: But it is. It's schedule 3.

Ms. Jennifer K. French: There's a notice, if you want to debate.

The Acting Chair (Mr. Amarjot Sandhu): You can debate the notice, but there are no amendments here. MPP McMahon?

Ms. Mary-Margaret McMahon: Oh, sorry. Okay. I didn't hear your notice—yes, I recommend voting against schedule 3 to the bill.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP French.

Ms. Jennifer K. French: Yes, I think that we all should be voting against schedule 3. It exempts Highway 413 from normal due diligence, environmental assessments and transparency requirements in order to jam through an uncosted, unnecessary highway through the greenbelt whose main beneficiaries are the Premier's speculator friends and donors.

So, yes, I support this notice to vote against schedule 3.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: We know the environmental destruction that will occur if this highway is built. It's an unnecessary highway, as we mentioned. It's uncosted, as my colleague mentioned. There are other logical alternatives. There's an underutilized highway nearby. You could start fully investing in transit and maybe get Metrolinx in gear to open things before 14 years—actually, it's still not open, so it doesn't matter.

You have to look at things under a climate action lens. I know you're allergic to those words, but it is a reality, so the sooner you wake up about that, the better off it's going to be.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? Shall schedule 3, as a whole, carry? Recorded vote.

Ayes

Breese, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

French, Harden.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 3 is carried.

We'll now move to schedule 4, Highway Traffic Act. Since there are no amendments in sections 1 to 3 of schedule 4, I therefore propose that we bundle sections 1 to 3. Is there agreement?

Is there any debate on schedule 4, sections 1 to 3? MPP French.

Ms. Jennifer K. French: I had raised this in debate. I know this is one of the goodies that the government put in the window about how much in fees they'd be saving Ontarians over a 10-year period. This doesn't make the world a better place for most people very much. If it's keeping the costs from going up by 10 bucks or whatever, then that's what it saves a driver over the course of—I don't know—a 10-year period. It was a really big number in the window, but again, there are so many ways that this government could really make the world a better place.

I think we're going to be talking about that further in this schedule with bike lanes and whatnot, but just to get

on record that this was an interesting highlight in the government announcement that really doesn't amount to very much—certainly not a hill of beans.

1410

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? Shall schedule 4, sections 1 to 3, inclusive, carry? Recorded vote.

Ayes

Breese, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? Carried.

We'll now move to schedule 4, section 4. I see there's a government amendment, number 19. Can we have a motion, please. Minister Sarkaria.

Mr. Joel Harden: Point of order, Chair?

The Acting Chair (Mr. Amarjot Sandhu): Point of order. MPP Harden.

Mr. Joel Harden: I would like to suggest to you, sir, that this amendment is out of order for the following reasons: Basically, this particular amendment creates an entirely new part XII.1 of the Highway Traffic Act. It allows the government to remove existing bike lanes, going far beyond the principle and scope of the bill passed—

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden, I am sorry to interrupt you. I would suggest that we should wait, let the minister read the amendment and then we can have your point of order.

Mr. Joel Harden: Chair, I'm going to insist again that this amendment be ruled out of order for the reasons I mentioned, in particular that—

The Acting Chair (Mr. Amarjot Sandhu): MPP Harden, this is not a valid point of order.

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): So there was a notice filed by the government that recommended voting against section 3 of schedule 4 to the bill. Is there unanimous consent to reopen section 3 of schedule 4? MPP French.

Ms. Jennifer K. French: Point of clarification, if that's allowed: We all got the amendment packet. I saw that there was a notice—that the government had an intent. That didn't happen, and then we moved beyond that after having the vote on—no.

Mr. Joel Harden: We went straight to 19.

Ms. Jennifer K. French: —we moved straight to 19. So what are you needing from us? I'd like clarity, because we skipped something. The government meant to do something; they didn't. Is that our problem?

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): The committee consented to bundle sections 1 to 3, which was not addressed. So I would suggest, if there's unanimous consent, to reopen section 3 of schedule 4.

Mr. Joel Harden: No.

The Acting Chair (Mr. Amarjot Sandhu): Okay. We'll go back to schedule 4, section 4. I see there's government amendment number 19.

Interjection.

Mr. Amarjot Sandhu: Point of order. MPP Harden.

Mr. Joel Harden: Point of order, Chair: I just want to again state for the record and asking you seriously, I believe this particular amendment to be out of order. It creates an entirely new part XII.1 of the Highway Traffic Act, allowing the government to remove existing bike lanes beyond the principle and scope of the bill passed at second reading—

The Acting Chair (Mr. Amarjot Sandhu): Sorry to interrupt you. The amendment has to be moved before we have the point of order. So I suggest that Minister Sarkaria move the motion first and then we can have further debate on that amendment.

Minister Sarkaria.

Hon. Prabmeet Singh Sarkaria: Thank you very much. Bear with me on this one—obviously a very long one.

"I move that section 4 of schedule 4 to the bill be struck out and the following substituted:

"4. The act is amended by adding the following part:

"Part XII.1

"Bicycle lanes

"Definition

"195.2 In this part,

"“adjacent infrastructure” includes sidewalks, planters, curbs and traffic calming features; (“infrastructure adjacent”)

"“bicycle lane” includes any portion of a highway, the use of which is wholly or partially restricted or dedicated to bicycles; (“voie cyclable”)

"“bicycle traffic control signal” has the same meaning as in section 133; (“signalisation de la circulation pour bicyclettes”)

"“related features” includes bollards, bicycle traffic control signals and painted roadway markings. (“éléments connexes”)

"Minister approval for bicycle lanes required

"195.3(1) In the circumstances described in subsection (2), a prescribed municipality does not have the power to construct, install or mark a bicycle lane on a highway or part of a highway under its jurisdiction and control unless the design for the bicycle lane has been approved by the minister and, in considering whether to give such approval, the minister may require information from the municipality including traffic information relating to the design for the bicycle lane and the highway.

"Application

"(2) Subsection (1) applies if the design for the bicycle lane would reduce the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is to be located.

"Same, transition

"(3) Subsection (1) does not apply to a municipality in respect of a bicycle lane if, on the day the municipality is prescribed for the purposes of subsection (1), a contract has already been awarded or entered into for the construc-

tion, installation or marking of the bicycle lane or, if the construction, installation or marking of the bicycle lane is to be done by the municipality and not by any party under contract, such work has already commenced.

“Consideration of bicycle lane

“(4) In considering whether to approve the design for a bicycle lane, the minister may consider whether the lane would unduly diminish the orderly movement of motor vehicle traffic.

“Review of bicycle lanes

“Municipality to provide information

“195.4(1) In the circumstances described in subsection (2), the minister may require a prescribed municipality to provide traffic information relating to an existing bicycle lane on a highway under its jurisdiction and control, including a bicycle lane referred to in section 195.6, and the municipality shall comply with the request.

“Application

“(2) Subsection (1) applies if the addition of the bicycle lane reduced the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is located.

“Review of bicycle lane

“(3) If any factors are prescribed for the purposes of this section, the minister shall consider the factors in reviewing the traffic information relating to a bicycle lane that is provided under subsection (1).

“Direction to remove lane

“195.5(1) After reviewing the information provided under subsection 195.4(1), the minister may inform the Lieutenant Governor in Council of the results of the review and Lieutenant Governor in Council may issue an order directing the minister to remove the bicycle lane or part of the lane and any related features or adjacent infrastructure and,

1420

“(a) restore the lane or part of the lane for use by motor vehicle traffic; or

“(b) reconfigure the lane or part of the lane and any related features or adjacent infrastructure for use by motor vehicle traffic.

“Amendment or revocation of order

“(2) The Lieutenant Governor in Council may, by order, amend or revoke an order issued under subsection (1).

“Effect of any act, regulation, etc.

“(3) The Lieutenant Governor in Council may issue an order under this section despite any act, regulation, bylaw, order, permit, approval or licence.

“Order not regulation

“(4) Part III (Regulations) of the Legislation Act, 2006 does not apply to an order issued under this section.

“Existing lanes in the city of Toronto, direction to remove

“195.6 Subject to any prescribed exemptions or modifications, the minister shall remove the bicycle lanes located on Bloor Street, University Avenue and Yonge

Street, in the city of Toronto, and any related features, and restore the lanes for use by motor vehicle traffic.

“Removal of lanes

“Minister authority

“195.7(1) If the minister is subject to an order issued under section 195.5, the minister or a person acting on behalf of the minister is authorized to do anything required to carry out the order.

“Same, city of Toronto

“(2) The minister or a person acting on behalf of the minister is authorized to do anything required to carry out the minister’s duties under section 195.6.

“Removing and restricting common law right of passage

“(3) For greater clarity, subsections (1) and (2) authorize the minister or a person acting on behalf of the minister to close that part of a highway affected by an order issued under section 195.5 or section 195.6 and to remove or restrict the common law right of passage by the public over that part of the highway and the common law right of access to that part of the highway by an owner of land abutting a highway.

“Minister powers

“(4) No act, regulation, bylaw, order, permit, approval or licence bars the minister or a person acting on behalf of the minister from carrying out an order issued under section 195.5 or the minister’s duties under 195.6.

“Powers re entry, etc.

“(5) For the purpose of carrying out an order issued under section 195.5 or the minister’s duties under section 195.6, the minister or a person acting on behalf of the minister may,

“(a) enter any place, other than a place being used as a dwelling; and

“(b) construct structures and use machinery, structures, materials and equipment therein or thereon.

“Municipality required to provide support or information

“195.8(1) If, pursuant to an order issued under section 195.5 or to section 195.6, the minister is required to do anything described in those sections, the affecting municipality shall provide any support or information requested by the minister to facilitate the carrying out of the order or the minister’s duties, including,

“(a) managing traffic, public transit or emergency services;

“(b) providing technical information, health and safety information, standards, public consultation information, planning and design documents, surveys or engineering and utility location drawings; and

“(c) providing information related to signs, markings, traffic control signal systems and lighting, including assistance with their removal or relocation.

“Time period

“(2) If the minister requests support or information from a municipality under subsection (1), the municipality shall provide such support or information by the date and for the time period specified by the minister.

“Municipal bylaws

“(3) If a bicycle lane is removed or reconfigured pursuant to an order issued under 195.5 or to section 195.6, any municipal bylaw or part of a municipal bylaw passed by the council of a municipality designating that part of the highway as a bicycle lane is inoperative.

“Reimbursement

“195.9(1) If the minister requested support or information from a municipality under subsection 195.8(1) and the municipality provided such support or information by the date and for the time period specified by the minister, the minister may reimburse the municipality for the reasonable costs it incurred in doing so in accordance with this section.

“No reimbursement or compensation

“(2) For greater certainty, the minister is not required to reimburse or compensate the municipality for any costs other than those described in subsection (1), including costs the municipality incurred to install the bicycle lanes.

“Notice to municipality

“(3) If the minister requested support or information from a municipality under subsection 195.8(1), the minister shall, within 60 days after the request has been satisfied, give notice to the municipality stating that it may file a claim for reimbursement with the ministry within six months after the date of the notice.

“Particulars

“(4) As part of claim described in subsection (3), the municipality shall provide the minister with a true statement showing the particulars of the costs it reasonably incurred to carry out the request made under subsection 195.8(1) by the date and for the time period specified by the minister.

“No reimbursement

“(5) There is no obligation to reimburse the municipality for any costs if notice has been given under subsection (3) and a claim for reimbursement is not made within six months after the date of the notice.

“Determination

“(6) The minister shall review a claim for reimbursement and if the minister determines that the costs were reasonably incurred by the municipality to carry out the request by the date and for the time period specified by the minister, the minister shall reimburse the municipality for those costs.

“No cause of action against crown, etc.

“195.10(1) No cause of action arises against the crown, any current or former member of the executive council or any current or former employee, officer or agent or of adviser to the crown as a direct or indirect result of,

“(a) the enactment, amendment or repeal of this part;

“(b) the issuance, amendment or revocation of an approval under section 195.3 or the refusal to issue or amend such an approval;

“(c) the issuance of an order under section 195.5 or its amendment or revocation;

“(d) anything done under this part including in relation to,

“(i) the removal of a bicycle lane or part of a lane and any related features or adjacent infrastructure,

“(ii) the restoration of a bicycle lane or part of a lane for use by motor vehicle traffic,

“(iii) the reconfiguration of a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic; or

“(e) the making, amendment or revocation of a regulation under section 195.18.

“Proceedings barred

“(2) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to anything referred to in subsection (1), may be brought or maintained against the crown or any person referred to in that subsection.

“Application

“(3) Subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

“Retrospective effect

“(4) Subsections (2) and (3) apply regardless of whether the claim on which the proceeding is purportedly based arose before, on or after the day the Reducing Gridlock, Saving You Time Act, 2024 received royal assent.

“Proceedings set aside

“(5) No costs shall be awarded against any person in respect of a proceeding referred to in subsection (2) or (3) that was commenced before the day the Reducing Gridlock, Saving You Time Act, 2024 received royal assent.

“Certain proceedings not prevented

“(6) This section does not apply with respect to proceedings brought by the crown against any person.

“Proceedings barred, independent contractors

“195.11(1) Subject to subsection (4), no cause of action arises and no proceeding may be brought or maintained that is directly or indirectly based on or related to anything referred to in subsection (2) against any person referred to in that subsection, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute.

“Same

“(2) Subsection (1) applies in respect of an independent contractor and any current or former employee, director or officer of an independent contractor providing services to the crown to assist with work done under sections 195.5 to 195.7.

“Application

“(3) Subject to subsection (4), subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

“Negligence

“(4) Subsection (1) does not apply to a claim of negligence in respect of an act or omission of an independent contractor in carrying out,

“(a) the removal of a bicycle lane or part of a lane and any related features or adjacent infrastructure;

“(b) the restoration of a bicycle lane or part of a lane for use by motor vehicle traffic; or

1430

“(c) the reconfiguration of a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic.

“Same

“(5) For greater certainty, claims arising from collisions between motor vehicles, cyclists or pedestrians after the independent contractor carries out the things mentioned in subsection (4) are not claims of negligence described in that subsection.

“Certain proceedings not prevented

“(6) This section does not apply with respect to proceedings brought by the crown against any person.

“Protection from personal liability, independent contractors

“195.12 (1) No cause of action arises and no proceeding may be brought or maintained against any current or former employee, director or officer of an independent contractor providing services to the crown to assist with work done under sections 195.5 to 195.7 for any act done in good faith in the execution or intended execution of any duty or power under this part or for any alleged neglect or default in the execution in good faith of such a duty or power.

“Same

“(2) Subsection (1) does not relieve an independent contractor providing services to the crown to assist with work done under sections 195.5 to 195.7 of any liability to which it would otherwise be subject to in respect of an act or omission of a person mentioned in that subsection.

“Protection from liability, municipalities

“195.13(1) No cause of action arises and no proceeding may be brought or maintained against a municipality, current or former employee of a municipality or member of council for any act done in good faith in the execution or intended execution of any duty under subsection 195.8(1) or for any alleged neglect or default in the execution in good faith of such a duty.

“Certain proceedings not prevented

“(2) This section does not apply with respect to proceedings brought by the crown against any person.

“No reimbursement, compensation or damages

“195.14 Except as otherwise provided under section 195.9 or subsection 195.11(4) or 195.12(2), no person is entitled to any reimbursement, compensation or damages for any loss related to any actions taken under this part.

“No expropriation or injurious affection

“195.15 Nothing described in this part or done pursuant to this part constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law.

“S. 214

“195.16 Section 214 does not apply to a contravention of this part or of a regulation made under this part.

“Other acts

“Municipal Act, 2001 and City of Toronto Act, 2006

“195.17(1) The requirements of this part apply despite sections 10 and 11 of the Municipal Act, 2001 and section 8 of the City of Toronto Act, 2006.

“Environmental Assessment Act

“(2) Any enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is required by, done under or authorized under this part is exempt from the Environmental Assessment Act.

“Environmental Bill of Rights, 1993

“(3) The requirements of part II of the Environmental Bill of Rights Act, 1993 are deemed not to have applied with respect to the amendments made by schedule 4 of the Reducing Gridlock, Saving You Time Act that added sections 195.4 to 195.18 of this act.

“Regulations

“Minister regulations

“195.18(1) The minister may make regulations,

“(a) prescribing municipalities for the purposes of subsections 195.3(1) and 195.4(1);

“(b) governing the information that may be required by the minister under subsections 195.3(1) and 195.4(1);

“(c) exempting any highway or class of highway from section 195.3 or any provision of section 195.3, or providing that section 195.3 or any provision of it does not apply to any highway or class of highway.

“Lieutenant Governor in Council regulations

“(2) The Lieutenant Governor in Council may make regulations,

“(a) governing the review of information respecting bicycle lanes under section 195.4 including prescribing factors applicable to the review;

“(b) exempting parts of bicycle lanes for the purposes of section 195.6;

“(c) modifying the requirement to remove bicycle lanes described in section 195.6, including requiring the minister to reconfigure a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic;

“(d) providing for anything necessary or advisable for carrying out the intent and purposes of this part.”

The Acting Chair (Mr. Amarjot Sandhu): Thank you. Minister Sarkaria?

Hon. Prabmeet Singh Sarkaria: I would like to call a 20-minute recess, please—Chair, through you.

The Acting Chair (Mr. Amarjot Sandhu): Minister Sarkaria has moved a motion to have a 20-minute recess. Is there agreement?

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): If there’s no unanimous consent, we can vote on it. Are the members ready to vote on the motion?

Ms. Jessica Bell: Can we have a discussion?

The Acting Chair (Mr. Amarjot Sandhu): On the amendment, we can have the debate, but not on the motion

for recess. Once we come back after the recess, we can have debate on the amendment.

Are the members ready to vote on the recess motion? All those in favour? All those opposed? Carried. We'll have a 20-minute recess. We'll see you back at—at 2:56, we'll be back.

The committee recessed from 1436 to 1456.

The Acting Chair (Mr. Amarjot Sandhu): Welcome back. Before we recessed the committee, there was a motion, amendment number 19, that was introduced by the government. MPP Bell.

Ms. Jessica Bell: I believe amendment number 19 is out of order, and I would like to explain the following reasons.

Number one, this would create an entirely new part of the Highway Traffic Act, part XII.1, which would allow the government to remove existing bike lanes and goes far and beyond the principle and scope of the bill passed at second reading, which means this amendment is out of order.

This amendment would also place limits on the application of municipal bylaws, which is new. We are very concerned about this piece.

This amendment also proposes to amend four statutes that are not before the committee. It also creates new government authority to close part of a highway, which is inconsistent with a bill purporting to be about preventing the closure of parts of a highway. It also creates government authority to spend public money that was not in the bill passed by the Legislature at second reading, which is why I believe it is out of order.

The Acting Chair (Mr. Amarjot Sandhu): Is there any further discussion on the point of order? MPP Bell.

Ms. Jessica Bell: I would like to hear what the Clerk's take is on this.

The Acting Chair (Mr. Amarjot Sandhu): MPP Bell, this is not a valid point of order.

Ms. Jessica Bell: Why?

Ms. Jennifer K. French: This amendment before us—this 11-pager—for the reasons that MPP Bell has just highlighted, is out of order. It is out of order. Does the Chair deem this to be out of order? It's not the Clerk's input I'd like; it's the Chair who has to decide whether or not this amendment before us is in order or absolutely is not.

The Acting Chair (Mr. Amarjot Sandhu): The reasoning that this is not a valid point of order is because amendment number 19 would replace the proposed changes to the Highway Traffic Act set out in section 4 of the bill. As stated on page 769 of Bosc and Gagnon, third edition of House of Commons Procedure and Practice, amendments are admissible if they're leaving out certain words in order to insert or add others. This is the Chair's ruling; there's no further debate on this.

Is there any debate on the amendment?

Ms. Jennifer K. French: I want to appeal the Chair's ruling to the Speaker. This is inconsistent with past precedent that has found amendments seeking to amend statutes not opened in the original bill to be out of order,

and I would seek to appeal the Chair's ruling to the Speaker, absolutely.

The Acting Chair (Mr. Amarjot Sandhu): Shall the Chair's ruling be appealed to the Speaker? All those in favour—

Ms. Jennifer K. French: Recorded vote.

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): Shall the Chair's ruling be appealed to the Speaker? Recorded vote.

Ayes

Bell, French, McMahon.

Nays

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): I declare the motion lost.

Now we'll turn back to amendment number 19. Is there any discussion on amendment number 19?

MPP Hogarth.

Ms. Christine Hogarth: I would just like to thank the Minister of Transportation for his leadership on this item on behalf of the Kingsway BIA, shop owners, visitors to my community, residents of Sunnylea, residents of the Kingsway, seniors in my community, people with accessibility issues in my community, and the many moms and dads who just want to get home to their families. This removal will reduce gridlock and save you time—just as in the title of the bill. So I would like to say thank you on behalf of my community.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Bell.

Ms. Jessica Bell: I want to start by asking a few questions to the minister. Those questions include, what sections of the Bloor bike lane is the government looking at removing? That's the first one. The second question I have is: It seems like the government wants to remove the Bloor, Yonge and Avenue Road bike lanes themselves without directing the municipality to do that. Could you clarify that piece for me? Is the government looking at removing these bike lanes themselves? Two questions.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Minister Sarkaria.

Hon. Prabmeet Singh Sarkaria: Look, this is a legislative piece about removing bike lanes to help support commuters in the city. I think it's very, very important to make sure we get this city moving and that we're not ripping out 50% of our infrastructure for a very few number of people. Just to answer MPP Bell's question, this gives us the authority to remove the entirety of the lanes on each of those three sections.

I do, though, want to point out, from my perspective—and I know we've had a lot of cycling advocates that have come to committee and many that are against the lanes as well. I do want to note—I was actually just going through the NDP press releases on their website, and I think the

Liberals as well. I didn't get a chance to fully scroll through all of them, but I look at almost every single one of those news releases and actually haven't seen the parties officially take a position on any of them. I see you guys have a press release almost every single day, but your party leaders, both the Leader of the Opposition and Bonnie Crombie, have actually refused to take a position on it. It seems that you haven't put out anything on your websites either through press releases giving an official position on this. So while I see that many of you are here as well, it seems like—I think it's important for people to know that if they just google news releases on the NDP and Liberal websites, they won't see anything taking a position on bike lanes.

I think that probably stems from the fact that they know—

Interjection.

Hon. Prabmeet Singh Sarkaria:—they know that what we are doing here is correct. People understand that this has gone too far, and to rip up 50% of our lanes on Bloor Street, where you have thousands and thousands of vehicles—

Interjection.

The Acting Chair (Mr. Amarjot Sandhu): MPP McMahon, I would like you not to speak over each other, please.

Hon. Prabmeet Singh Sarkaria: You have almost 29,000-plus cars on Bloor and then, according to the city's own studies, you remove it for 87 cyclists, it just does not make sense. So we need to have some common sense and reasonableness around this and make sure we get the city moving again. We believe this is the way.

One of those ways to do it, along with our record of historic investments into public transit—which, unfortunately, the NDP and Liberals oppose every step of the way, whether it's the Ontario Line moving 400,000 people every single day once it's completed or our LRTs across this province or the Scarborough subway extension. Unfortunately, all those public transit projects have been opposed by the opposition, which is unfortunate. But we're getting public transit built across this province and we'll continue to do so.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP French.

Ms. Jennifer K. French: Actually, I'll defer to my colleague first.

Interjection.

Ms. Jennifer K. French: Okay. Well, I'll start short.

Chair, what we have here, for the folks watching at home, is an 11-page amendment, amendment number 19, that seeks to overreach into municipalities and give the minister phenomenal cosmic powers to be able to rip out bike lanes or review others; prevent new bike lanes. This was the amendment that was rumoured, because it wasn't in the original bill.

Because it wasn't in the original bill, all of the deputants, the 10 pages of deputants who wanted to speak to this bill—but we were only allowed to pick 15 and whatnot. All the people who wanted to come and those

who were allowed to come before the committee didn't actually have this 11-page significant amendment before them to be able to make comments on. They had to guess what would be in it. I know that my colleague Ms. Bell is going to break it down, so I will not cut in there.

But I will point people's attention to the article from the Trillium that came out today entitled, "Draft Briefing for Cabinet Warned Bike Lane Changes Could Worsen Congestion." As you read through it: "A draft of a briefing document prepared for the Ontario cabinet highlighted research showing prohibiting bike lanes doesn't solve traffic congestion and, instead, often has the opposite effect." The article goes on.

If everything that we heard from the city of Toronto planning departments, AMO, all of the folks who came before committee to talk about the importance of planning community infrastructure, cycling infrastructure, road infrastructure with safety in mind, with traffic calming in mind, as appropriate—all of that has been just completely ignored by this government.

If this is correct—that this draft to cabinet, this briefing note, said that ripping out bike lanes is not going to improve congestion and, in fact, it would have the opposite impact—then what on earth is driving this decision? I would say it has nothing to do with congestion and it has everything to do with, perhaps, some friends of the Premier or the minister—maybe where they had the announcement.

The businesses that came before this committee, the folks from the BIA who came before this committee, talked about the fact that it's much easier for people to stop pedalling and start shopping than it is to stop a car and come and frequent the businesses or support that area. We heard from a BIA who talked about the importance of well-planned communities, including the cycling infrastructure that has supported and strengthened their community.

Again, I don't believe that addressing congestion is in this government's plan. I think that this is doing favours for folks, and I don't know for whom. It isn't for the thousands of people who ride their bikes and want to do it safely.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Bell.

Ms. Jessica Bell: Wow, an 11-page amendment. I wonder why this wasn't in the original bill.

I want to make a note that the minister didn't answer two very obvious questions that a lot of people are asking right now: Is the government going to take it upon itself to remove these bike lanes—because it seems like it's giving themselves the power to do that—and what sections of the Bloor, Yonge and Avenue Road bike lanes specifically are this government looking at removing? Because it seems like the government is giving themselves the power to remove the entirety of the Bloor Street bike lane.

I see the minister opposite nodding, so that's a pretty clear indication. You're looking at removing the entirety of the Bloor Street bike lane?

Interjection.

Ms. Jessica Bell: Sorry, say that again?

Hon. Prabmeet Singh Sarkaria: It would give us the authority to remove all three lanes, so that's correct.

Ms. Jessica Bell: Is the minister looking at using that authority to remove the entirety of the Bloor Street bike lane?

Hon. Prabmeet Singh Sarkaria: Under this legislation, absolutely, all three lanes could be entirely removed.

Ms. Jessica Bell: Is the minister looking at using that power to remove all three bike lanes?

The Acting Chair (Mr. Amarjot Sandhu): I'll remind the members to make your comments through the Chair and let the Chair recognize you before you speak.

MPP Bell.

Ms. Jessica Bell: Thank you. I want to summarize what this very surprising, last-minute, 11-page amendment looks to do.

1510

It looks like this amendment will mean that the government will no longer guarantee to pay all of the cities' expenses to remove the bike lanes and they won't reimburse municipalities for the cost of installing the lanes in the first place. So in the case of the city of Toronto, they spent a lot of money installing the bike lanes, because it involved moving some infrastructure underneath the road, but that cost will not, going by this amendment, be reimbursed.

This amendment will also mean that no one can take the government to court for their decision to remove these bike lanes, and it says it specifically—specifically, any individual who is injured or killed because of a collision between a bike and a vehicle. So the Conservatives want to wash their hands of the blood that will be spilled. It will be spilled, when these bike lanes are removed. That's what that amendment tells me.

The government is looking at removing the entire Bloor Street bike lane, unless they introduce new regulations to limit it. That's how we see it.

The municipalities are not allowed to install a bike lane on any street, including side streets, without provincial approval, if a lane of vehicle traffic is removed. So I've heard this government give all this talk about how they support biking—they just want it on side streets, even if the side streets require a very circuitous route. People are commuting to work, and they want to get to their destination as quickly as possible. It seems here that this will mean that municipalities will no longer be able to install bike lanes on side streets without provincial approval, if a lane of vehicle traffic is removed. That's new.

It also seems like, from this amendment, the government has given themselves the power to remove the Bloor, Yonge and Avenue Road bike lanes themselves without municipal action. I think a lot of people, including the city of Toronto, want to know if this is exactly what this amendment means. This fly-by-night, come-at-the-last-minute, big-surprise bill—what does it actually mean? Are you just going to go in yourselves and hire a contractor to get rid of these bike lanes? It's a very valid question.

And why I find this just terrible is that we just sat through committee, we sat through a truncated one day of committee hearings, and not a single person came to speak in support of this bill. This government—you get to choose half of the people who speak in committee. So it must have been very challenging for you to see those 10 pages of people who wanted to speak—you couldn't find one of them who was going to speak in support. Wow. It's very interesting.

What I recall, from when I was sitting in committee, is the testimony that people were giving.

We heard from the city of Toronto that it will cost \$48 million to remove the Bloor, Avenue and Yonge bike lanes, which is a considerable amount—money that could be spent on other things, like health care and education. Based on statistics that they have gathered, bike usage on these lanes has gone up a lot, and the number of injuries and deaths has gone down. So it has been very effective at giving people a choice for how they want to get to work or their destination or school. It gives people a choice, and people are using it.

We heard advocates talk about the value of bike lanes to increasing the number of people who visited shops.

We had the Bloor Annex BIA come in. They gathered very comprehensive data, including point-of-sale credit card data, to look at whether the number of people shopping when the bike lanes were installed went up or down, and they found that consumer activity went up. After extensive debate, the Bloor Annex BIA chose to support the bike lanes. I actually went to one of the BIA meetings as they were debating whether to support the bike lane or not a few years ago. It was a big debate. They gathered the evidence, and they concluded that it was worth it for the community and it was worth it for the businesses, so they supported it.

We had people come in, like Friends and Families for Safe Streets, who talked about the impact of family members being killed or injured by vehicles because cyclists did not have a safe place to get from A to B. These are commuters too. These people do not have a safe place to get from A to B, and they're being injured and killed in the process. They bring up the example—it's a tragic example—of Alex Amaro. She was 23 years old and she was hit by three cars on Dufferin. She just wanted to get home.

If you go on Bloor Street right now, there is ghost bike after ghost bike after ghost bike, because people are being killed. That young woman who was just killed on Bloor; Dalia Chako, who was killed at Bloor and St. George; the Uber driver who was killed on Avenue Road. This is in the last two years. It's the last two years. So we heard people speak to that.

Then we had transportation advocates come in and they said very, very clearly that the evidence suggests that bike lanes are the solution to addressing our congestion issues; they are not the cause. There is not a single chance that three feet of bike lanes on three roads in downtown Toronto is the reason why Toronto has the worst commute times in North America. It's not the reason why there is

heavy traffic on the Gardiner; it's not the reason why there is heavy traffic on the 401. That's not the reason.

The transportation activists who came in—I believe it was Environmental Defence and the Pembina Institute—presented some very practical solutions to addressing the congestion crisis that we have right now. They include investing in transit, investing in safe streets and installing more bike lanes, planning well and increasing density so that people can live near where they work, play and study.

None of these things the government is taking seriously. There's no more funding for transit operations. You don't take road safety seriously, and your planning documents all indicate that you want to lower density, not increase density. They're the real reasons why we have a congestion crisis.

I'm very concerned about this amendment. We will be voting against it. I think it's terrible. It turns an anti-bike bill into a terrible anti-bike bill.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: So I'm racking my brain, racking my brain, racking my brain—like, what is the real reason? What's going on here? I worked with the Premier at city hall; I worked with his brothers. The stuff that came forward from them, it was never about that. It was always some agenda behind the agenda behind the agenda. So I'm racking my brain, because this is not—for Conservatives, this is definitely not fiscally responsible. You're using \$48 million—at least—of taxpayers' dollars. People in Brampton, in Burlington and Bancroft, they want to pay? They honestly—those residents want to pay using their tax dollars to rip out Toronto bike lanes? No way. It's fiscally irresponsible, so it's not that.

It's not about easing congestion at all. Your numbers are bogus. From 2011, you've heard six million trips on Bike Share alone by the end of this year. You've heard that 68% of Ontarians ride a bike on a monthly basis and 22% on a daily basis. It's not about that.

You have this report, this briefing that came out that warned you bike lanes are not the cause of congestion, that they actually ease congestion. Paramedics have told you they can get through; their response times improved. Shopkeepers have told you they get more business because cyclists spend more per month, over the course of the month, than a person driving would. So it's not that.

It's not like you want to work with municipalities and have a great, co-operative, collegial relationship, because this is drastic, draconian overreach. For a provincial government to meddle—and some of you were municipal politicians. What would you think if the province came in heavy-handed, doing this to you, when you know your community best, way better than the province? Again, construction is the main cause of congestion in the city, mostly Metrolinx, which you've done nothing about.

So I'm thinking, racking my brain, and the only thing I can think of is, you know what? By moving this ungodly, horrid amendment, you can help achieve your housing starts, because you will be building fewer housing units, and you can deal with the health care crisis because you

won't need as many family doctors because of the deaths of Ontarians, because you are reducing the population of Ontario with this horrid bill. You are putting Ontarians at risk. You're putting my life at risk.

1520

The member from Etobicoke–Lakeshore says she wants moms and dads to get home safely. Well, guess what? I'm a mom, and I think my two kids and the rest of my family would like me to get home safely. If I choose to ride a bike, that is my prerogative. If you choose to ride a car, that is your prerogative. If someone chooses to take transit, that is their prerogative, and if they choose to walk, that is their prerogative. I want everyone in Ontario getting home safely.

The Chair (Mr. Amarjot Sandhu): Any further debate? MPP French?

Ms. Jennifer K. French: It's interesting to imagine what we would have heard had this amendment been included in the bill and been able to have been debated in the Legislature. Certainly the deputants who came before committee probably would have had thoughts, with how AMO had characterized the original bill in terms of provincial government overreach. I can't speak for them, but it will be interesting to hear their take on this section.

When it comes to housing, we had heard from the city of Toronto and we had heard from others who talked about housing in Toronto. They are building more and more without driveways, without car parking spaces, because of the cycling infrastructure and because of the active transportation network. That's what people depend on.

I think an important piece for folks to remember—what we had heard over and over again—is that by obliterating bike lanes or by not allowing bike lanes, or discouraging bike lanes or whatever, by getting rid of them or diminishing them, you're not getting rid of cyclists. Cyclists are going to continue to take the direct route to where it is that they want to go. The circuitous, mythical side-street methods—what we had heard from people was that if these side streets were clear pathways to where they want to go, they would be taking them, but a lot of them are taken up by parked cars. It was interesting to hear suggestions. Is the province next going to be disallowing car parking on those side streets to allow people to use them as alternative pathways? The answer is “I don't think so.”

But when we look at this amendment—because we didn't have the chance to debate this, and this is where I am disappointed in that sense, that we didn't get to break this down and talk about it in the Legislature, on the record. In 1953, minister approval for bicycle lanes required, “a prescribed municipality does not have the power to construct, install or mark a bicycle lane on a highway or part of a highway under its jurisdiction and control unless the design for the bicycle lane has been approved by the minister.” They've got to get permission first.

This is a municipality that has a planning department. This is a municipality that listens to its residents, that is the closest order of government to the people that it repre-

sents. They are building infrastructure based on the community needs, and if they don't, they'll hear about it. But here comes big daddy government coming in and saying, "No, thou shalt come through us first." We heard government members say, what if they know better? Every person who came before the committee said municipalities know better, with all due respect, or a version of that. It's fun to go back and read the transcripts in that regard.

The consideration of bicycle lane section: "The minister may consider whether the lane would unduly diminish the orderly movement of motor vehicle traffic." This is something we raised earlier. This bill only considers vehicle traffic. The number of bicycles or scooters or wheelchairs or people who are using the safe bicycling infrastructure—there are a whole whack of them. The government seems to diminish that or say, "There's 87 cyclists," or, "Oh, I look out my window and I never see anyone." Yes, because they are moving faster than you. They're on their bikes and they're riding. When we're stuck in traffic, we're stuck. But it only considers vehicle traffic and not overall traffic, which is disappointing.

Direction to remove lane: "The Lieutenant Governor in Council"—which is basically cabinet, I guess—"may issue an order directing the minister to remove the bicycle lane or part of the lane and any related features or adjacent infrastructure and ... restore the lane or part of the lane ... reconfigure the lane or part of the lane."

Review of bicycle lanes—it's 11 pages. We're right in the weeds.

But, here: "Subject to any prescribed exemptions or modifications, the minister shall"—not may, shall—"remove the bicycle lanes located on Bloor Street, University Avenue and Yonge Street, in the city of Toronto."

My colleague Ms. Bell was asking the minister if it's going to be the entirety of those bicycle lanes. I don't want to misquote the minister, but I was watching the exchange, and I think that's the plan, the entirety of them, not just bits and snippets. Okay. I'm having that confirmed.

Same, city of Toronto: "The minister or a person acting on behalf of the minister"—who is that? Just a person acting on behalf of the minister, like a minister minion? I don't know who that is.

Ms. Jessica Bell: Let's ask the question.

Ms. Jennifer K. French: Well, hold on.

"The minister or a person acting on behalf of the minister is authorized to do anything required to carry out the minister's duties under section 195.6"—which is ripping out the Bloor, University and Yonge Street bike lanes. So the minister, or someone acting on behalf of, can do anything required. That's a lot of power; I wonder what that will look like.

We have removing and restricting common law right of passage: "The minister or a person acting on behalf of the minister to close that part of a highway affected by an order issued under" that section "and to remove or restrict the common law right of passage by the public over that part of the highway and the common law right of access to that part of the highway by an owner of land abutting a highway."

So you're blocking folks from using that area as needed. Here's a fun thing that we—"fun." I shouldn't be—it doesn't translate well in Hansard. It's not fun. One of the problems raised by a deputant was that the construction or demolition of the bicycle lanes is going to create more havoc. If you're ripping out the bike lanes, that's not just an overnight unpaint the painted areas. That's not what we're talking about, especially when we drive along University and we look at the actual infrastructure that's been built; you're going to be creating traffic, chaos, by ripping out bike lanes, and this has said that you can block passage and access: "the common law right of passage by the public" or "by an owner of land abutting a highway." So I'm sure people will be unhappy with you.

"The minister or a person acting on behalf of the minister may,

"(a) enter any place other than a place being used as a dwelling; and

"(b) construct structures and use machinery, structures, materials and equipment therein or thereon."

So the minister or a person acting on their behalf can use machinery, structures and materials to rip these out. Are you doing it yourself? Like, is that a—go on a weekend and just, "My buddy's got a backhoe"? I feel like the Premier has a friend who has a tunnel digger, so hey, maybe Doug will do it. I've seen him with his shovel.

But again, it's giving all sorts of power, and it's in anticipation of something. So I can mock it, but it's in anticipation of actions. I guess this is going to be moving quite quickly.

1530

Oh, this is interesting. Section 195.8, municipality required to provide support or information: "The affected municipality"—so, in this case, the city of Toronto or another municipality where you're going after their bike lanes—"shall provide any support or information requested by the minister," and that's to facilitate the bike lane removal. They have to provide support or information as requested by the minister, including "managing traffic, public transit or emergency services"—so they're on the hook to provide that—and "providing technical information, health and safety information, standards, public consultation information, planning and design documents, surveys or engineering and utility location drawings." So if the minister wants support from the city of Toronto, the city of Toronto has to give it up, has to share their planning and design documents and consultation information to the government that's undoing what they're planning departments had recommended and done—interesting. Also, the municipality's on the hook for "providing information related to signs, markings, traffic control signal systems and lighting, including assistance with their removal or relocation." I don't actually know if those things, if the actual support, as is laid out here, is going to be reimbursed.

Anyway, it also says that there's a time period, that if the minister requests this kind of support or compliance or whatnot, there's a date and time period as specified by the minister and they have to comply with that.

Here's an interesting thing that I think the folks at AMO and the municipalities will be interested in, this reimbursement concept in section 195.9: "If the minister requested support or information from" that municipality and the municipality provided such support or information by the date and time as the minister had laid out, "the minister may"—not shall, may—"reimburse the municipality for the reasonable costs it incurred in doing so in accordance with this section."

What are reasonable costs? Like, who determines what are "reasonable"?

Ms. Jessica Bell: The minister.

Ms. Jennifer K. French: The minister, yes. I haven't known too many—I haven't seen too many ministry decisions to be reasonable in the last couple of years. So I don't know that they're the best at deciding what reasonable would be.

No reimbursement or compensation: "For greater certainty, the minister is not required to reimburse or compensate the municipality for any costs other than those described in subsection (1), including costs the municipality incurred to install the bicycle lanes." So they're out the money for putting in the bicycle lanes.

There's a notice thing that if the minister decides that the municipality would be eligible for reimbursement, then it gives notice. That's laid out, the specifics in here: "The municipality shall provide the minister with a true statement showing the particulars of the costs." Is that a legal term, "true statement?" Does that mean something, or is it just if the government decides it's true? Is "true statement" a legal term? Okay—so "with a true statement showing the particulars of the costs it reasonably incurred." I feel like there's lots of subjective language here.

And then, no reimbursement: "There is no obligation to reimburse the municipality for any costs if notice has been given ... and a claim for reimbursement is not made within six months."

And, "The minister shall review a claim" and "if the minister determines that the costs were reasonably incurred by the municipality ... the minister shall reimburse the municipality for those costs."

Basically, if the municipality doesn't play nice in the government sandbox or doesn't comply to the letter of this law, then no soup for you, I guess. This is really fascinating, and really heavy-handed. Nothing says partnership like, "We're going to rip out your infrastructure. You'll have to pay for it, and maybe we'll pay you back for some of it if we decide it's 'true and reasonable.'"

The section here, no cause of action against crown, etc.: "No cause of action arises against the crown" regarding the enactment of this—sort of anything under this bill: the removal of a bicycle lane or part of a lane; the restoration of a bicycle lane or part of a lane back to a lane of traffic; the reconfiguration of a bicycle lane or part of a lane.

Proceedings barred: "including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is dir-

ectly or indirectly based on or related to anything referred to in subsection (1), may be brought or maintained against the crown or any person referred to in that subsection."

Again, this above-the-law stuff—how is this what you choose to do with your time? "Retrospective effect." Again, "Proceedings barred, independent contractors."

"This section does not apply with respect to proceedings brought by the crown against any person." So no one can bring anything against the crown but the crown can bring stuff against others.

This part is interesting. There is a negligence section: "Subsection (1) does not apply to a claim of negligence in respect of an act or omission of an independent contractor in carrying out" the removal of a bike lane, the restoration of a bike lane to a motor vehicle lane or the reconfiguration of a bike lane.

"For greater certainty, claims arising from collisions between motor vehicles, cyclists or pedestrians after the independent contractor carries out the things mentioned in subsection (4) are not claims of negligence described in that subsection."

I'm not going to get into the legal weeds, because I got this yesterday and I'm not a lawyer, but I do find it interesting that this "claims arising from collisions between motor vehicles, cyclists or pedestrians" gets a whole section in here, like we know that that's coming—because it is coming. That's what we heard from people over and over again. People are going to continue to ride their bikes, but now they won't have protective cycling infrastructure. There may be some who are too fearful, and we definitely heard that, who will not ride their bikes where there had been bike lanes, but they will be forced into a car where they feel safe—which, P.S., adds to congestion.

So we're going to see more death; we're going to see more injury. We know that. And I think if anybody in this room drives a car and is being honest, they are glad that the cyclists have a place that is not in front of them, that they have their own lane where they're not weaving in and out of traffic. It feels a lot safer as a car driver to know that cyclists can zip past me in their lane and not end up in front of my car. It is safer as a driver.

The other thing is, of course, "Other acts." It opens up the Municipal Act, it opens up the Environmental Assessment Act, it opens up the Environmental Bill of Rights, which is why we had raised that this absolutely should have been deemed out of order. I'm disappointed that the Chair made that ruling. I appealed it, voted down by a government-majority committee. But this does not fit with precedent. I can't appeal the Chair's decision a second time, but I certainly can whinge and moan about it and the fact that this absolutely should have been considered out of order.

How many times have I tried to pull a fast one? A lot. I've tried as an opposition member to bring forward motions that—eh, bit of a stretch—don't fit quite in the bill because that part of the act isn't opened up, and every time it's out of order. Now that we have this massive thing, you find a couple of words, some precedent to twist and contort to say, "Oh, no, it allows for addition of words."

So, 11 pages of additional words is what you're pointing to? I will remember this the next time I get ruled out of order.

I wish that the government had put this in the bill in the first place so that the public could have been made aware, so that people could have asked questions, so that people could have come before committee. I think that is my summary of this section.

The other thing that I would add is that there are a lot of people who are interested in safety in the province. The government talks about it all the time; the word "safety" is not in schedule 4—not anywhere in schedule 4. I don't believe that safety is at the forefront. I do think that more people are going to be unsafe and unprotected, literally by design. I see this as a political decision. We're seeing evidence now that has been reported on that the government and cabinet were made aware that this will not ease congestion; in fact, it will have the opposite effect.

So I think it remains to be seen exactly who has the ear of the Premier and what they asked for and why, but this is not in the best interests of keeping people safe. It's going to be very expensive for the municipalities affected, and I obviously cannot support this amendment.

1540

The Chair (Mr. Amarjot Sandhu): Further debate? Seeing none, are the members prepared to vote on government amendment number 19? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

Bell, French, McMahon.

The Chair (Mr. Amarjot Sandhu): The amendment is accordingly carried.

I will now move to section 4 of schedule 4. There is an NDP amendment, number 20. Can we have the motion, please?

Ms. Jennifer K. French: Yes. There is a typo. Can I read it fixing the typo?

The Chair (Mr. Amarjot Sandhu): Unfortunately, the bill has been time-allocated, so whatever we have received before the deadline, we have to go with that.

Ms. Jennifer K. French: Okay. Then the original, as folks have it:

I move that section 4 of schedule 4 to the bill be amended by adding the following subsection to section 195.2 of the Highway Traffic Act:

"Exception

"(2.1) Despite subsection (2), subsection (1) does not apply if the municipality has passed a resolution indicating that one of the purposes of the bicycle lane is to reduce the risk of injury or death."

The Chair (Mr. Amarjot Sandhu): Committee members, the amendment is out of order. As stated on page 769 of Bosc and André Gagnon, the third edition of House of

Commons Procedure and Practice: "An amendment is ... out of order if it is contrary to or inconsistent with provisions of the bill that the committee has already agreed to." Therefore, the amendment is out of order.

We'll move to amendment number 21 now. Can we have the motion, please?

Ms. Jennifer K. French: Before I do that, I have a point of order. I acknowledge that the numbers written in the amendments refer to the version of the bill that we had before us before the amendments were passed. Is that why it has been deemed out of order, because the reference sections have changed because of 19's passage?

The Chair (Mr. Amarjot Sandhu): That's right, MPP French. We can't amend the same section twice.

Ms. Jennifer K. French: Okay. I have the other amendments, and I'll move them, and I have a sneaking suspicion, for the same reason, you're going to deem them out of order. Is there a time for this section where we will be able to discuss or debate before it gets passed, procedurally?

The Chair (Mr. Amarjot Sandhu): Yes.

Ms. Jennifer K. French: Okay, so 21 it is:

I move that section 4 of schedule 4 to the bill be amended by adding the following to section 195.2 of the Highway Traffic Act:

"Exception

"(2.1) Despite subsection (2), subsection (1) does not apply if the municipality has passed a resolution indicating that one of the purposes of the bicycle lane is to reduce the risk of injury or death to children."

The Chair (Mr. Amarjot Sandhu): Again, MPP French, the amendment is out of order. As stated on page 769 of Bosc and André Gagnon, the third edition of House of Commons Procedure and Practice, "An amendment is ... out of order if it is contrary to or inconsistent with provisions of the bill that the committee has already agreed to."

We'll move to amendment number 22. Can we have the motion, please?

Ms. Jennifer K. French: Just a point of clarification: I understood what you said, but if the committee agreed—because it's the vote to pass amendment 19 that's amending the section. Is that why the references are incorrect? It otherwise would have been in order?

The Acting Chair (Mr. Amarjot Sandhu): Just for consistency, we cannot continue to amend the same sections again and again. That's why the amendment is ruled out of order.

Ms. Jennifer K. French: So, had we amendment 19 as part of the bill, this would have been correct, just so you know.

The Acting Chair (Mr. Amarjot Sandhu): Yes.

Ms. Jennifer K. French: We're moving on to amendment 22. Is that correct? Okay.

I move that section 4 of schedule 4 to the bill be amended by adding the following subsection to section 195.2 of the Highway Traffic Act:

"Exception

“(6.1) Despite subsection (6), subsection (5) does not apply if the municipality has passed a resolution indicating that one of the purposes of the bicycle lane is to reduce the risk of injury or death.”

The Acting Chair (Mr. Amarjot Sandhu): As stated before, the amendment is out of order.

We have to move to amendment number 23 now. Can we have the motion for amendment number 23?

Ms. Jennifer K. French: I move that section 4 of schedule 4 to the bill be amended by adding the following subsection to section 195.2 of the Highway Traffic Act:

“Exception

“(6.1) Despite subsection (6), subsection (5) does not apply if the municipality has passed a resolution indicating that one of the purposes of the bicycle lane is to reduce the risk of injury or death to children.”

The Acting Chair (Mr. Amarjot Sandhu): I apologize; again, this amendment is also out of order.

Now we will deal with schedule 4, section 4, as amended. Is there any debate on that?

Mr. Matthew Rae: Point of order, Chair.

The Acting Chair (Mr. Amarjot Sandhu): Point of order. MPP Rae.

Mr. Matthew Rae: I’m seeking unanimous consent to vote against section 3 of schedule 4 to the bill.

Interjections.

The Acting Chair (Mr. Amarjot Sandhu): MPP Rae, right now we are on schedule 4, section 4. So we have to work back to schedule 3—we have to move a motion for that. Let’s deal with this section first, and then we’ll have a motion for that.

Any debate on schedule 4, section 4, as amended? MPP French.

Ms. Jennifer K. French: Just so that I’m clear: I had a series of amendments that were thoughtful and safety-focused that have been ruled out of order because they referred to the original version of this section that all of us walked in with this morning, that amendment 19 replaced. So amendment 19 replaced this section, and that’s why my references were incorrect. But why was I not allowed to change a typo. It was a matter of numbers. Was that because of the time allocation motion? Procedurally, I’d like to know how to best prepare.

The Acting Chair (Mr. Amarjot Sandhu): As I said before, MPP French, this is time allocation, and we can only deal with amendments that we received prior to the deadline. It is an order of the House, so the committee cannot make any changes to that.

Ms. Jennifer K. French: Okay. So right now, we’re talking about section 4, schedule 4, as amended by this egregious amendment 19. I want to be able to talk about, then, what should have just happened. We should have been able to discuss the fact that bike lanes are also used by children and families. The government members, if they’re not interested in the lives of the adults—because they’re ripping out safe and protective infrastructure, I had wanted to put the question to them, would it make a difference that it’s used by families and children? The government has voted to increase the risk of death to

children. That’s part of this conversation, that it’s real people using protected infrastructure that this government is now saying they’re removing, or they won’t allow municipalities to put it in. Everybody who came said this is a bad idea. We saw a lot of pictures of kids—actually, that may have been Bill 197. I’m getting confused with the e-bikes and the bicyclists. But we’ve heard a lot from cyclists in the past couple of days.

1550

I think some of the amendments that I would have moved in this section, had it not been ruled out of order—I don’t think the ministry should be able to review an existing bike lane if the purpose of the lane is to reduce the risk of injury or death. That’s the whole point of traffic calming. I’ll point out that in your shiny new surprise amendment 19, it says, in terms of adjacent infrastructure, right in the definitions section, “including sidewalks, planters, curbs and traffic-calming features.” You know the term “traffic calming.” You understand that that is a goal, a thing that can be accomplished by infrastructure. The whole point is to keep people safe, and you’re not factoring that into the decision-making.

This is a mistake, absolutely. I think that factoring in who uses the—we’re calling them bike lanes, but we have folks that we’ve heard from who use their wheelchair in this protected infrastructure, cyclists, scooters. They’re all still going to want to be able to get from point A to point B and use the bike lanes, but you won’t let them have bike lanes, so they’re going to be on the roads, and they’re going to be more at risk—by design.

Everything you’ve heard, including this cabinet memo—I don’t know how uncomfortable your life is with a couple of loud constituents; I don’t know what’s driving this or if the Premier just woke up and said, “I hate bike lanes. Make them go away.” I don’t know. But this is a political decision, and people are going to be killed.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? It being a recorded vote, all those in favour of schedule 4, section 4, as amended, please raise your hands.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 4, section 4, as amended, carried.

We’ll now move to schedule 4, Highway Traffic Act—oh, sorry. MPP Rae, do you have a point of order?

Mr. Matthew Rae: I am seeking a motion seeking unanimous consent for the committee to vote against section 3 of schedule 4 to the bill.

The Acting Chair (Mr. Amarjot Sandhu): MPP Rae, I just want to confirm: Are you moving a motion to reopen schedule 4 of section 3?

Mr. Matthew Rae: Yes.

The Acting Chair (Mr. Amarjot Sandhu): Okay. Is there unanimous consent? MPP Bell.

Ms. Jessica Bell: Could the MPP please explain why you want to go back and reopen this conversation?

Mr. Matthew Rae: It's a housekeeping item.

The Acting Chair (Mr. Amarjot Sandhu): MPP French?

Ms. Jennifer K. French: The way that I see this, when we are back at schedule 4, the beginning of it, with driver fees, sections 1, 2 and 3, it was the government who asked to bundle those—so you asked to bundle. The government voted yes to bundle and passed them all in one, so all of them have been passed, but, mistakenly, they missed their own notice and were supposed to separately or had wanted to separately vote against the third part of that bundle. Is that correct? That's where we are?

The Acting Chair (Mr. Amarjot Sandhu): MPP Rae.

Mr. Matthew Rae: The government and the independent member of the committee issued a notice to vote against section 3 of schedule 4 to the bill, and that is the housekeeping item we are rectifying. It doesn't change—

Ms. Jennifer K. French: Okay.

The Acting Chair (Mr. Amarjot Sandhu): Is there unanimous consent?

Ms. Jennifer K. French: I have a question. Because for the first time all day, I feel like I have some power, but I don't know what it will wield—or what it will yield. I can wield—what it will yield.

My question, then—I'm going to go with legislative counsel—is if we unbundle and revisit this schedule 4, section 3, and remove it as they wanted to, what does that accomplish? And if I say, “No, they don't have unanimous consent,” and we can't delete it, who gets the headache? The government or leg. counsel?

Ms. Kristi Cairns: To answer your first question, if it were to proceed, section 3 of the bill would not carry and the title of part XII of the act would remain “municipal bylaws,” as opposed to if it did carry, it would be entitled, “municipal bylaws and bicycle lanes.”

Ms. Jennifer K. French: So as written right now, and if we don't pull this section, part VII of schedule 4 continues to be called “municipal bylaws and bicycle lanes”?

Ms. Kristi Cairns: Part XII, yes.

Ms. Jennifer K. French: Part XII—yes, right, X is 10. Sorry, my bad.

If we do delete this section, it reverts to its original, which is “municipal bylaws,” which is, I guess, the goal?

Ms. Kristi Cairns: Correct.

Ms. Jennifer K. French: Again, it's the only power I've had all day. If I say, “No, you can't do this,” does that accomplish anything other than just being belligerent?

Ms. Kristi Cairns: I will refuse to answer that.

Ms. Jennifer K. French: Okay. So it is housekeeping. It doesn't accidentally negate all of amendment 19 or anything fun like that? Darn.

The Acting Chair (Mr. Amarjot Sandhu): Is there unanimous consent?

Ms. Jessica Bell: No.

The Acting Chair (Mr. Amarjot Sandhu): All right. Since there's no unanimous consent, we'll go back to schedule 4, Highway Traffic Act. Is there any debate on schedule 4?

Interjection.

The Acting Chair (Mr. Amarjot Sandhu): This has already been done. So we'll go to section 4.1 of schedule 4. There's NDP amendment number 24. Can we have the motion, please?

Ms. Jennifer K. French: I move that section 4.1 be added to schedule 4 to the bill:

“4.1 Part XII of the act is amended by adding the following section:

“Limitation, risk of injury or death

“195.3 Nothing shall be done under this part, including by the ministry or the minister, if there are reasonable grounds to believe that it would increase the risk of injury or death.”

The Acting Chair (Mr. Amarjot Sandhu): Is there any debate? MPP French.

Ms. Jennifer K. French: Yes. This amendment would say that nothing shall be done under the act if there are reasonable grounds to believe that it would increase the risk of injury or death. I don't know why they government would vote against this because, hopefully, nobody is wanting to move forward with an idea that would increase the risk of injury or death.

Certainly, everything we heard at committee would indicate that moving forward with ripping out bike lanes that are meant to be protective—it's meant to be protective infrastructure. By removing the protective infrastructure, I would say, as we've heard, there will absolutely be an increase in the risk of injury or death. So I think this is a great amendment.

1600

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? It being a recorded vote, all those in favour of NDP amendment 24, please raise your hands.

Ayes

Bell, French, McMahon.

Nays

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): The amendment is lost.

We'll move to the next one, amendment number 25. Can we have the motion, please? MPP French.

Ms. Jennifer K. French: I move that section 4.1 be added to schedule 4 to the bill:

“4.1 Part XII of the act is amended by adding the following section:

“Limitation, risk of injury or death to children

“195.3 Nothing shall be done under this part, including by the ministry or the minister, if there are reasonable grounds to believe that it would increase the risk of injury or death to children.”

The Acting Chair (Mr. Amarjot Sandhu): Any debate? MPP French.

Ms. Jennifer K. French: Further to what I just said: Since the government voted against the idea of risk of injury or death generally, I’m giving them an opportunity to be more specific when I say “the risk of injury or death to children.” I cannot imagine that any of my government colleagues would not be supportive of this motion.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? All those in favour of NDP amendment 25, raise your hands. Recorded vote.

Ayes

Bell, French, McMahon.

Nays

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): Amendment lost.

All right. We’ll move to the next section. Schedule 4, section 5: Is there any debate? Are the members prepared to vote? Recorded vote. Shall schedule 4, section 5, carry?

Ayes

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? Schedule 4, section 5, carried.

We’ll now move to schedule 4, section 6. I see there’s a government amendment, number 26. Can we have the motion, please? MPP Bresee.

Mr. Ric Bresee: I move that section 6 of schedule 4 to the bill be struck out and the following substituted:

“Commencement

“6.1 Except as otherwise provided in this section, this schedule comes into force on the day the Reducing” —

The Acting Chair (Mr. Amarjot Sandhu): I apologize. Can you repeat the first part again, please?

Mr. Ric Bresee: My apologies—starting back at “commencement”?

The Acting Chair (Mr. Amarjot Sandhu): Number 6.

Mr. Ric Bresee: All right:

“6(1) Except as otherwise provided in this section, this schedule comes into force on the day the Reducing Gridlock, Saving You Time Act, 2024 receives royal assent.

“(2) Sections 1 and 2 come into force on a day to be named by proclamation of the Lieutenant Governor.”

The Acting Chair (Mr. Amarjot Sandhu): Any debate? MPP Bell.

Ms. Jessica Bell: I have a question: Can you please explain why you’re introducing this amendment?

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Bresee.

Mr. Ric Bresee: This simply changes the commencement of the bicycle lane provisions within the bill.

The Acting Chair (Mr. Amarjot Sandhu): Further debate?

Ms. Mary-Margaret McMahon: From what to what?

The Acting Chair (Mr. Amarjot Sandhu): MPP McMahon, go through the Chair, please. Let me recognize you first. Yes?

Ms. Mary-Margaret McMahon: Sorry.

Just following up on my colleague’s question: This seems like an acceleration. Could you clarify if it’s an acceleration?

The Acting Chair (Mr. Amarjot Sandhu): Further debate? MPP Bresee.

Mr. Ric Bresee: I think it’s fairly clear it’s as of the date it receives royal assent.

The Acting Chair (Mr. Amarjot Sandhu): MPP McMahon.

Ms. Mary-Margaret McMahon: But why? What was it changed from?

The Acting Chair (Mr. Amarjot Sandhu): MPP Bresee?

Mr. Ric Bresee: Nothing further.

The Acting Chair (Mr. Amarjot Sandhu): MPP French.

Ms. Jennifer K. French: As I understand it, in answer to my colleague, as I’m going through this bill, this section, so the bike-lane-attack section—the commencement was, “This schedule comes into force on the day” it “receives royal assent,” or “1 to 4 come into force on a day to be named by proclamation of the Lieutenant Governor.” So this part was going to be—I’m trying to figure this out, and without the government leading, we could be here all day. This comes into force once it gets royal assent, so before we rise for the winter recess—which could be next week; who knows with them. Then sections 1 and 2 are the driver fees, and that obviously needs to be sorted out for later. I don’t know. Any more clarity? Is there any other rationale, or is this—

Mr. Ric Bresee: Nothing further.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? No further debate? Are the members prepared to vote on amendment number 26? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae, Sarkaria.

Nays

Bell, French, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): I declare amendment 26 carried.

Is there any debate on schedule 4, section 6, as amended? No debate? Are the members prepared to vote? Recorded vote.

Ayes

Bresee, Hogarth, Grewal, Kanapathi, Rae, Sarkaria.

Nays

French, Bell, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Schedule 4, section 6, as amended, is carried.

We need to vote on schedule 4 as a whole, as amended. Are the members prepared to vote? MPP Bell.

Ms. Jessica Bell: Schedule 4 is just terrible, and the amendment just makes this bill go from bad to worse. Removing bike lanes has nothing to do with reducing congestion and everything to do with fuelling a dangerous bike-versus-car culture war. That's what it does. Even the government's own evidence shows that removing bike lanes will not improve congestion, and it will certainly increase the number of injuries and deaths on our roads. That's what we're seeing.

If this government was serious about reducing congestion, this government would make cycling safe, it would make walking an easy alternative and it would invest in transit service, so that people can easily get to their destination using the mode of transportation that works for them. They're not doing that.

This schedule sets Ontario up, and Toronto in particular, for future tragedies. There will be young people, there will be seniors, there will be children, there will be teenagers who will die and be injured as a result of this. It is a real shame. It has turned a very bad bill into a dangerous one.

I really urge you to look at the evidence that your own government is presenting to you and your own cabinet documents are presenting to you showing that we can fix congestion and keep bike lanes. People should have choice. Cyclists are people too. It's very unfortunate.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: I just want some facts on the record before we end this horrible day, and that is that 22% of Ontarians bike on a daily basis—that's 3.2 million people who bike on a daily basis, and it's their choice and their prerogative. And 68% of Ontarians ride a bike on a monthly basis. There will be six million Bike Share trips by the end of this year in Toronto. Toronto has 5,600 kilometres of roads, and less than 5% have bike lanes on them.

The Don Valley, the Gardiner, the 401 have no bike lanes, and they are terribly congested.

The bike in front of you is the car that's not, and the bike is going to be in front of you now because you are removing a person who has chosen to bike from a safe, separated infrastructure to all hell breaks loose, with

everyone on the road without people having their dedicated spaces.

1610

In a study of nine new and popular bike lanes in Toronto, including Yonge Street, University and Bloor, the average delay of traffic post-bike-lane-installation was about 30 seconds. Toronto's most congested streets do not even have bike lanes on them. Some 87% of Ontarians are people who bike and people who drive. They're the same person—87%.

Monthly customer spending increased at the shops in the Bloor Annex area after bike lanes were installed.

There was no evidence in delays with EMS—emergency vehicles. In fact, they speed up.

Congestion: Bike lanes reduce congestion. Everyone has told you other facts—122 doctors, the CEO of Mount Sinai, the CEO of SickKids, all are supportive of bike lanes. You have a briefing note from cabinet warning you that bike lanes do not cause congestion. You have moms and dads, in this picture—you were told by a deputant they want to get home safely.

Mr. Matthew Rae: Point of order, Chair.

The Chair (Mr. Amarjot Sandhu): Point of order. MPP Rae.

Mr. Matthew Rae: —not allowed to use props, unfortunately.

The Chair (Mr. Amarjot Sandhu): I'd remind the members not to use them. You can refer to that, but don't use it, please.

Ms. Mary-Margaret McMahon: All right.

The bottom line is this is politics at its worst, and you are telling me that you value the lives of people who drive over people who choose a different mode of transportation. You are telling me that you do not value my life. That is what you are telling me, guys, honestly.

Sometimes I drive. It's my choice to drive. Sometimes I walk, sometimes I take transit and sometimes I choose to bike. You know why I bike? Because it's healthy. It feels great to be out in fresh air. I get to see people. It's eyes on the street. I know I'm doing my part for the climate emergency. I know I'm doing my part for our health care crisis, trying to keep in shape. It's quicker. It's more convenient. It's fun, when I am in a safe, protected lane.

What you're telling me with this ungodly bill is that you do not value my life, nor do you value the lives of your residents who choose to bike.

The Chair (Mr. Amarjot Sandhu): Any further debate? Seeing none, are the members prepared to vote? Shall schedule 4, as amended, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahon.

The Chair (Mr. Amarjot Sandhu): Schedule 4, as amended, carried.

We will now move to schedule 5, Towing and Storage Safety and Enforcement Act, 2021. There are no amendments to schedule 5, sections 1 to 6. Therefore, I propose that we bundle sections 1 to 6. Is there agreement?

Is there any debate on schedule 5, sections 1 to 6? Are the members prepared to vote? Shall schedule 5, sections 1 to 6, inclusive, carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

The Chair (Mr. Amarjot Sandhu): All those opposed? Accordingly carried.

Is there any debate on schedule 5 as a whole? Are the members prepared to vote? Shall schedule 5, as a whole, carry?

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

The Acting Chair (Mr. Amarjot Sandhu): All those opposed? Schedule 5, as a whole, carried.

We are now going to resume sections 1, 2 and 3, and the preamble.

Is there any debate on the preamble of the bill? Are the members prepared to vote? Shall the preamble carry?

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

French, McMahan.

The Acting Chair (Mr. Amarjot Sandhu): The preamble is carried.

We'll now go to section 1. Is there any debate on section 1? Are the members prepared to vote? Shall section 1 carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahan.

The Acting Chair (Mr. Amarjot Sandhu): Section 1 is accordingly carried.

We'll go now to section 2. Is there any debate on section 2? Are the members prepared to vote?

Ms. Jennifer K. French: I have a question.

The Acting Chair (Mr. Amarjot Sandhu): Yes, MPP French?

Ms. Jennifer K. French: Section 2 is the “commencement” section, is that correct?

The Acting Chair (Mr. Amarjot Sandhu): That's right.

Ms. Jennifer K. French: Okay. Now that I've found my place, please continue.

The Acting Chair (Mr. Amarjot Sandhu): Shall section 2 carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahan.

The Acting Chair (Mr. Amarjot Sandhu): Section 2 is carried.

We'll now go to section 3, which is the short title of the bill. I see there's an amendment: independent amendment number 1. Can we have the motion? MPP McMahan.

Ms. Mary-Margaret McMahan: I move that section 3 to the bill be amended by striking out “Reducing Gridlock, Saving You Time Act, 2024” and substituting “Causing Gridlock, Wasting Your Money Act, 2024”.

I could say something worse, but—

The Acting Chair (Mr. Amarjot Sandhu): Thank you, MPP McMahan. I apologize; amendment number 1 is out of order.

Ms. Mary-Margaret McMahan: Because it's accurate?

The Acting Chair (Mr. Amarjot Sandhu): The amendment is out of order. It was entered in the spirit of mockery, so therefore it is out of order.

We'll return to section 3. Is there any other debate on section 3? Are the members prepared to vote?

Ms. Jennifer K. French: On section 3?

The Acting Chair (Mr. Amarjot Sandhu): Yes.

Mr. Matthew Rae: Do you want to debate?

Ms. Jennifer K. French: Yes, I want to debate.

The Acting Chair (Mr. Amarjot Sandhu): Okay. MPP French.

Ms. Jennifer K. French: As you said, “in the spirit of mockery” was why my colleague's change to the short title was ruled out of order, but I would say that this bill called Reducing Gridlock, Saving You Time Act—it is frustrating to be on the outside looking at this bill and recognizing that what we heard from the deputants who came to committee is that this is not about reducing gridlock, this is about political favours, as we've seen with the 413 and decisions that are made.

This is not about reducing gridlock because in the government's own—that briefing note that is referenced in this article: “Draft Briefing for Cabinet Warned Bike Lane Changes Could Worsen Congestion.” Well, if the govern-

ment knew that their proposed changes to bike lanes are not going to improve congestion but, in fact, are going to worsen it, then how on earth does that reduce gridlock or save anyone time?

Unfortunately, with the increased likelihood of harm, of injury, of death, I don't think this is about saving anyone time or saving anyone anything. I think that it's disappointing that we have a piece of legislation before us that we have spent not enough time on, because certainly all of the deputants who had wanted to come and discuss this—but here we are. It has been a long day, but that has not been a long time for committee for consideration of this bill.

So while I have the opportunity to mock the title, I'm going to take it, because I think that this bill is going to be harmful and is problematic. I'm glad that I've had the opportunity to get that on the record. I just wish that it weren't the case. When people die and when people suffer catastrophic injury—as we heard some people talk about, as it's affected their family—remember how you chose to vote for this piece of legislation.

1620

The Acting Chair (Mr. Amarjot Sandhu): Any further debate?

Interjection.

Ms. Jennifer K. French: This is the short title.

The Acting Chair (Mr. Amarjot Sandhu): Are the members prepared to vote on section 3? Shall section 3 carry?

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Section 3 is accordingly carried.

All right, so we'll go to the title of the bill now. Is there any debate on the title of the bill? MPP Bell.

Ms. Jessica Bell: I want to thank the hundreds of people who submitted written testimony to this bill, as well as the hundreds of people who signed up to request to speak. Only a few people were able to speak. It's very disappointing. We would have much preferred to have multiple days so we can discuss this bill in more depth.

I also want to acknowledge that there are many organizations and individuals who will be continuing to protest the worst sections of this bill, because this is about safety.

I want to acknowledge Cycle Toronto. Cycle Toronto is a leader in increasing protected bike lanes and improving safety for cyclists. They have a petition on their website. It has over 23,000 signatures. For those who are listening, I encourage you to go and sign that petition.

We know that there is also a rally that is happening tonight at 5:30. It's a ghost bike ride. Individuals will be going to ghost bikes around the area to mourn the people

who have been killed while on their bike in our city. A ghost bike: It's a bike, it's painted white, and it's locked to an area that is very close to where that person died.

There's also going to be a protest this Saturday, I believe, at Queen's Park, being organized by University of Toronto students to send a very clear message that students want the ability to bike safely as well. We have U of T in this riding. It's right near the Bloor, University and Yonge bike lanes. Over—I don't even know how many—30,000, 40,000 students go to U of T. Many of them walk or bike. Now what are they going to do? Drive? We're putting their lives at risk. It's a real shame.

We are not going to give up. Even if this bill passes, people have a right to get to their destination safely without being hit by a car and injured or killed. That's what this is about.

The Acting Chair (Mr. Amarjot Sandhu): Further debate? Are the members prepared to vote? Shall the title of the bill carry? Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): The title of the bill is carried.

Shall Bill 212, as amended, carry? Is there any debate? MPP French.

Ms. Jennifer K. French: I am disappointed that the changes that we brought to the table were not incorporated in this bill. Bill 212, schedule 1, about building broadband faster. This government has not been spending its broadband dollars to get it out the door. So I continue to challenge the government to actually deliver on its broadband commitments and spend some of the money that, to this point, it really hasn't.

Schedule 2, the Building Highways Faster Act section: We brought forward a lot of very thoughtful local amendments from communities that have been calling for their local highway projects to be prioritized. We wanted the government to actually take a look at those again and prioritize them, to spend the money to follow through on their commitments. We talked about Carnage Alley, and all of this the government is not willing—today or, I would argue, at all—to prioritize these projects. Communities deserve to be safe on their roads and to have their infrastructure meet their needs. The government—this government, not the last government—well, you're also the last government. But it's not just the Liberals; it's also this government that has made commitments to those communities. Follow through on them.

Schedule 3, the Highway 413 Act: It is very concerning that this government has chosen to take this megaproject that is uncosted—a lot of unknowns—and make it exempt

from the Environmental Assessment Act. The Planning Act and the Greenbelt Plan don't apply, so the environmental considerations, as we saw in this bill, are kind of yet to be determined and there's a review to be done. What on earth is that? What does that mean, and why? Why would you not at least meet the basics under the Environmental Bill of Rights, the Greenbelt Plan, the Planning Act, the Environmental Assessment Act? This is not how we plan long-lasting infrastructure.

The changes under the Highway Traffic Act in schedule 4, with the attack on municipalities and their ability to plan for their own residents, to plan for their safety, this attack on existing bike lane infrastructure, specifically the ones that have been named in this bill, but any future or existing—nothing is safe, and neither will people be. We heard from so many organizations and folks who were very concerned, individuals who are concerned for their safety and that of their family and their children, but also organizations like the Association of Municipalities of Ontario that came before us and said that this provincial government—that this is a significant overreach.

I will add that it was an overreach even before anyone had seen this amendment 19, this updated schedule that gives phenomenal powers of destruction to the minister, or someone acting in the minister's stead or whatever the language is. It's a lot of power. It's a lot of power to destroy and make sure that people are not safe on our roadways.

Contrary to what the government has been saying at committee about their hopes for this to reduce congestion, it's been reported that the draft briefing for cabinet warned that bike lane changes could worsen congestion, certainly not improve it. Everyone who came before this committee who talked about municipal planning and safety priorities said that this is a wrong-headed move, and for whatever reason, the government is going forward with this in a very bull-headed manner.

Schedule 5, the Towing and Storage Safety and Enforcement Act: We didn't talk much about it. We didn't talk about it here, and I think that that remains to be seen, as we're still hearing from CAA and from others, because this bill has been moving quite quickly.

So I do hope that the ministry is interested in hearing from Ontarians. I certainly haven't seen evidence of that with the bill before us. This bill is a mistake. The attack on municipalities to be able to plan for its neighbours and constituents is wrong. Fundamentally, I guess, this government is going to do whatever the heck it wants, beholden to the Premier, who's clearly going to do whatever the heck he wants, and I think that this is not what's in the best interests of Ontarians.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? Are the members prepared to vote? Shall Bill 212, as amended, carry?

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Bill 212, as amended, is carried.

Shall I report the bill to the House, as amended? Any debate? Are the members prepared to vote? Shall I report the bill, as amended, to the House?

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French, McMahon.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

That concludes our consideration of the clause-by-clause of Bill 212. Any further business? MPP Rae.

Mr. Matthew Rae: I move that the committee move into closed session to do committee business.

The Acting Chair (Mr. Amarjot Sandhu): MPP Rae is asking the committee to move into closed session. Any debate? MPP Bell.

Ms. Jessica Bell: MPP Rae, can you explain what the agenda will be in the closed session, what we'll be talking about and why we need to go into closed session?

The Acting Chair (Mr. Amarjot Sandhu): MPP Rae.

Mr. Matthew Rae: You should talk to your leader's office. It was my understanding that we gave the NDP a heads-up about what we would be discussing.

The Acting Chair (Mr. Amarjot Sandhu): Any further debate? MPP Bell.

Ms. Jessica Bell: Recorded vote.

The Acting Chair (Mr. Amarjot Sandhu): MPP Rae has moved a motion for the committee to move into closed session. Recorded vote.

Ayes

Bresee, Grewal, Hogarth, Kanapathi, Rae.

Nays

Bell, French.

The Acting Chair (Mr. Amarjot Sandhu): Carried.

We're going to enter closed session. We'll have a 10-minute break, then we'll come back at 4:40.

The committee recessed at 1631 and later continued in closed session.

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