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of Ontario

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(Hansard)**

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(Hansard)**

**Tuesday 23 November 2004**

**Mardi 23 novembre 2004**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 23 November 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 23 novembre 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### VOLUNTEER LIABILITY

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I rise in the House today to bring a matter to the attention of the Minister of Transportation and the Minister of Community Safety and Correctional Services. Last Friday, I met with Mike Henderson, the fire chief for the Northern Bruce Peninsula Fire Department. He informed me of a matter that needs to be addressed as soon as possible.

As many of the rural and northern members in this House know, when an automobile accident or fire occurs within an area covered by volunteer firefighters, it is common practice for several of the on-call members to travel to the scene of the emergency in their own vehicles, often flashing a green light, thanks to the good work of our colleague Ted Arnott.

The problem occurs when firefighters are responding to an emergency situation that is taking place on a road that has been closed by the police due to poor weather, or if the road that is closed is the fastest way to get to the fire hall or the scene of an emergency. Under the Highway Traffic Act, the definition of a fire department vehicle does not include personal vehicles used to respond to emergencies. Therefore, if a firefighter proceeds down a closed road, they are considered to be breaking the law, their vehicle insurance is deemed invalid and they are personally liable for anything that happens while they are travelling the closed section. It seems like a huge risk to take, especially when they are en route to serve and protect other people in trouble.

I would like the ministers to figure out what legislative or regulatory changes need to be made to solve this problem. I am more than willing to work with them to ensure that this issue is resolved quickly, because it is approaching that time of year when poor weather conditions will undoubtedly result in road closures. I have also spoken to the parliamentary assistant for transportation, Mr Lalonde, and I know he is working on it.

#### MINIMAL ACCESS SURGERY

**Ms Judy Marsales (Hamilton West):** I rise in the House today to thank Dr Mehran Anvari and his team for

their groundbreaking work in the field of minimal access surgery. Hamilton is home to a number of cutting-edge researchers and facilities, and it gives me great pride to tell you about one of them today.

Dr Mehran Anvari, the director of Hamilton's McMaster University Centre for Minimal Access Surgery, is part of a team of doctors, scientists and engineers, as well as astronauts, who are testing ways to provide care to people in remote environments where it's very difficult to access medical care. Recently, astronaut Catherine Coleman performed the first simulated gallbladder surgery 19 metres underwater off the coast of Florida. Dr Anvari, who watched from St Joseph's Hospital in downtown Hamilton, coached Catherine through the procedures.

This technology would allow people in remote parts of Canada to have the same immediate access as patients in Hamilton to diagnostic tests and treatment in an emergency. I would like to thank Dr Anvari and his partners, McMaster University Centre for Minimal Access Surgery and St Joseph's Health Care, for keeping Hamilton on the forefront of medical technology.

#### ENERGY RATES

**Ms Laurie Scott (Haliburton-Victoria-Brock):** The price of electricity is a very important thing to the people of my community. Many people live on limited incomes. This government's energy policy will have a serious impact on many of the people in my riding of Haliburton-Victoria-Brock.

A large part of my constituency doesn't have access to natural gas as an alternative. They're forced to rely on electricity to heat their homes. Increases in electricity rates are especially difficult for seniors and others living on fixed incomes to bear.

Your energy policy and the higher electricity rates that are part of it will have a serious impact on Karen Shearer Layton, who resides in Dunsford. She and her husband are both retired and live on fixed incomes. Her hydro bill last March was over \$600. Since then, Hydro has estimated her bill at approximately \$100 per month for the months of June and July, in the middle of the hot season.

She is certainly not alone, but there is something that sets her apart from many of her friends and neighbours, many of whom have bills just as large as hers. She took the time to collect signatures from other people who have the same concerns about the high hydro rate and she sent them to me in order to give them to the Premier. I have

those here today with me, and on behalf of Karen and the 92 other people who signed, I'm going to send them across the floor so they can be delivered to the Premier.

#### FOREST INDUSTRY

**Mr Gilles Bisson (Timmins-James Bay):** Yet again, the Minister of Natural Resources of the province of Ontario is not listening to what communities across the north are saying in regard to this government's move to change regulations within the sustainable forestry development act.

We know that the government has introduced in Bill 106 a provision that would uncouple the trees that are in the forest from local mills. We already know, for example, that in the town of Kirkland Lake, we saw a move a couple of years ago where the mill owner tried to shut the mill down and consolidate operations by moving the wood from the local Kirkland Lake forest into mills in Cochrane and Timmins. We know that's a bad idea because if we allow forestry companies to do that, we're going to see supermills across northern Ontario and we're going to see the closure of mills in communities like Kirkland Lake, Opatatika, White River, Chapleau and others, to the detriment of those communities.

So we're saying to the government: Listen, enough is enough. Northern Ontario residents deserve good representation when it comes to the Minister of Natural Resources. We know he's an honourable member; we know he wants to do the right thing. We're saying to the minister directly, withdraw your amendments on Bill 106. Those amendments, at the end of the day, will be job killers for people in northern Ontario, and I'm sure the government of Ontario does not want to be put in the position of having every mill closure in northern Ontario wrapped around its political neck.

I say to the government, this is the opportunity to withdraw that particular provision. If you withdraw it from Bill 106, you will certainly have the support of the New Democratic Party of Ontario, and we urge you to do so.

1340

#### REGION OF PEEL EMPLOYEES

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I rise today to pay tribute to an organizational leader in my community.

I rise to acknowledge the collective efforts of all the employees of the region of Peel. The region of Peel is the first municipal government in Canada to achieve a silver level in the National Quality Institute's prestigious Canada Awards for Excellence, which recognize Canada's leaders in excellence for public sector organizations. By meeting the National Quality Institute's criteria, the region of Peel demonstrated that it is one of the 10 best-run organizations and a leader in organizational excellence.

The region's employees bring a spirit and a drive to succeed that have earned Peel its reputation as a leader in municipal government and have resulted in a government that offers real value to its citizens.

Last February, the region of Peel also became the first government in Canada to be certified at level 3 in the National Quality Institute's progressive excellence program. In achieving the level 3 designation, the region joined an exclusive list of Canada's leading corporations involved in continuous improvement through the National Quality Institute; among them, American Express, Delta Hotels, IBM Canada and the Bank of Canada. Few organizations, be they public or private, have achieved a similar level of success.

I am proud of the efforts of all the employees of the region of Peel, and I am proud to stand today and acknowledge the valuable services they provide to all the residents of Peel.

#### ACCESSIBILITY FOR THE DISABLED

**Mr Cameron Jackson (Burlington):** Today I rise to comment on the disturbing and almost weekly trend of the McGuinty Liberal government of either making announcements that have already been announced or trying to suggest to the public that something new is of their design and of their making when in fact it is the law of the land and these programs exist.

One such example occurred last week on November 18, which is why the minister didn't announce it in the Legislature, about the new barrier-free requirements for provincial government buildings. The minister and members opposite should be aware that Bill 125, the Ontarians with Disabilities Act brought in by the previous government, made it the law of the land that all Ontario government programs, their buildings and their services must be fully accessible within 10 years under the regulations contained in that legislation.

What's interesting is that rather than saying in the press release that the regulations being announced are the ones that have been worked on by disabled persons in this province on the first Accessibility Advisory Council in a secretariat in Canada, here in the province of Ontario—they have been working hard for over two years. Their recommendations are being implemented. But what's interesting is, the government now does not put a dollar budget figure attached to each ministry's costs to become accessible. Why? Because they have cleverly buried within Bill 118, their accessibility act, that they, the government, can now take 20 years to make services in this province accessible, when the previous government would have done it in 10.

#### ALPHONSE DESJARDINS

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Je suis heureux de commémorer aujourd'hui le 150<sup>e</sup> anniversaire de la naissance d'Alphonse Desjardins, un grand innovateur qui a développé une formule originale

de coopératives de services financiers. En conséquence directe de ses travaux, on trouve aujourd'hui en Amérique du Nord plus de 10 000 caisses populaires et « credit unions » dont les actifs atteignent près de 900 milliards de dollars.

Né à Lévis, au Québec, Alphonse Desjardins fonde la première caisse dans cette ville en 1900, avec la collaboration de son épouse, Dorimène Desjardins.

En Ontario, M. Desjardins a collaboré en 1908 à la fondation de la Civil Service Savings and Loan Society, avant de fonder en 1910 la Caisse populaire Sainte-Famille d'Ottawa.

Les Ontariens profitent aujourd'hui de plus de 250 caisses populaires et « credit unions » dont les actifs dépassent les 20 milliards de dollars. Le Mouvement des caisses Desjardins est devenu la sixième institution financière au Canada. Les activités de Desjardins et des caisses populaires de l'Ontario dans notre province représentent maintenant plus de 2 000 emplois.

Dans le secteur culturel, par exemple, l'engagement du Mouvement Desjardins dans nos communautés est d'autant plus important. Desjardins commande le spectacle L'Écho d'un peuple, présenté par Francoscénie, qui rappelle l'histoire des Franco-Ontariens, de même que le Toronto Symphony Orchestra et l'exposition Picasso et la céramique, présentement en cours ici à Toronto.

S'il était parmi nous aujourd'hui, Alphonse Desjardins aurait bien raison d'être fier de cet héritage.

#### EDUCATION FUNDING

**Mr Lou Rinaldi (Northumberland):** Education is key. It's key for a good future for the children and youth of this province. To ensure that our children and youth have the resources they need to succeed, we need to invest in resources—resources like teachers, including primary teachers, resources like guidance staff to help our young people grow, and resources that give young people the opportunity to grow beyond the classroom.

That is why we are investing in our schools. Schools like St Mary's Elementary School in my riding will benefit from smaller class sizes. They will have smaller class sizes because funds directed to the Peterborough Victoria Northumberland and Clarington Catholic District School Board will allow for the hiring of at least nine new primary teachers.

Other schools in my riding such as St Joseph's, Notre Dame and St Anthony's will benefit from learning opportunity grants, and schools like St Mary's Secondary School will benefit from the student success initiative, giving grade 9 students the opportunity to participate in a work placement.

Board by board and school by school, we are ensuring that not only do our children get the best possible start in school, but that we have a system in place to help them grow as individuals throughout their time in our education system. When we invest in children and youth, we invest not only in them and their future, but we invest in all of us.

#### MENTAL HEALTH SERVICES

**Mr Khalil Ramal (London-Fanshawe):** I rise today to speak about the work the McGuinty government is doing in the field of mental health. For too long, mental health has been an unspoken health problem, and Ontarians with mental illnesses were not getting the care and support they needed and deserved in their communities.

That has begun to change. This government has invested an additional \$65 million this fiscal year to serve an additional 13,650 clients in our community mental health services. That money represented the first increase in funding in 12 years. That's 12 long years that community mental health programs in Ontario have been underfunded and underappreciated. This figure will rise to \$185 million by 2007-08.

David Kelly, the executive director of the Ontario Federation of Community Mental Health and Addiction Programs, had this to say about the new money: "We're very excited that after 12 years the Minister of Health and the government of Ontario have recognized the need to support addiction and mental health programs based in the community. It's fantastic."

Susan MacPhail of London East Community Mental Health Services said, "We have been underfunded and undersupported for so many years that I believe this is the beginning of a new era."

I am proud to be part of a government that recognizes and is willing to invest in community services.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mrs Liz Sandals (Guelph-Wellington):** I beg leave to present a report on science and technology from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon Alvin Curling):** Does the member wish to make a brief statement?

**Mrs Sandals:** Just briefly, this represents the work of the public accounts committee on the science and technology research investments in what is now the Ministry of Economic Development and Trade.

**The Speaker:** Are you moving the adjournment?

**Mrs Sandals:** I moved the adoption of the recommendations, Mr Speaker.

**The Speaker:** I presume you are also moving the adjournment of the debate.

**Mrs Sandals:** If that would be appropriate, I would like to do that as well.

**The Speaker:** Ms Sandals has moved the adjournment of the debate. Is it the pleasure of the House that the motion carried? Carried.

1350

## INTRODUCTION OF BILLS

### CELEBRATION OF HELLENIC HERITAGE ACT, 2004

#### LOI DE 2004 SUR LA FÊTE DU PATRIMOINE HELLÉNIQUE

Mr Duguid moved first reading of the following bill:

Bill 150, An Act to proclaim a day and a month to celebrate Hellenic heritage in Ontario / Projet de loi 150, Loi proclamant un jour et un mois de fête du patrimoine hellénique en Ontario.

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

**Mr Brad Duguid (Scarborough Centre):** The Hellenes, the Greeks of today, are proud descendants of a culture that originated in the glorious civilization of ancient Hellas. Many of the ideals and institutions upon which modern civilization is based, such as democracy, were first developed by the ancient Greeks.

Today, over 100,000 people of Hellenic descent thrive in Ontario and make significant contributions to the economic and social fabric of our province. One such contribution, of which I'm very proud, is the new Hellenic Home for the Aged, which opened on August 6 of this year in my riding of Scarborough Centre.

In honour of the Greek community in my riding and in recognition of all people of Hellenic descent living in Ontario, this bill would proclaim March 25, Greece's national day, as Hellenic Heritage Day and the month of March as Hellenic History and Heritage Month.

There's no better time to talk about our Hellenic heritage than when this government is introducing democratic reforms and has shown its commitment to those. When we look at what has happened in the last year, with the Olympics in Greece and with the recent soccer victory, I think the timing is perfect to consider this kind of bill.

## VISITORS

**Hon Leona Dombrowsky (Minister of the Environment):** On a point of order, Mr Speaker: I'd like to recognize, and I know members of the Legislature would like to join us in welcoming, members of the Provincial Council of Women of Ontario, who have been meeting in the Legislature for the last two days. They are in the government members' gallery, and they are led this year by their president, Milica Kovacevich.

**The Speaker (Hon Alvin Curling):** While we welcome the group here, it's not a point of order. But we do welcome them.

**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker: I have the distinct honour to introduce to this House a very special person, the Consul General of Romania, Mr Teculescu. Let's welcome him. He's on the opposition side.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** On a point of order, Mr Speaker: May I take the opportunity to introduce the former mayor of the town of Ajax and former chairman of the region of Durham, Mr Jim Witty.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### AGRICULTURE INDUSTRY

**Hon Steve Peters (Minister of Agriculture and Food):** I'm pleased to be able to tell the Legislature and the citizens of Ontario that we are moving forward with two distinct initiatives designed to address immediate and mid-term financial needs of Ontario's agricultural community.

The first, which will ease the financial crisis facing our ruminant livestock producers as a result of the May 2003 discovery of BSE in an Alberta cattle herd, is this government's commitment to provide cash advances through the Canadian agricultural income stabilization program, the CAIS program. These dollars will flow through the CAIS program to eligible producers.

This undertaking is one element of the national BSE repositioning strategy announced earlier this fall. This six-part strategy is designed to facilitate an increase in abattoir capacity in this province; sustain the industry until that increased capacity comes on stream; deal with older cows; provide cash flow assistance; find new markets for Canadian meat; and, most importantly, reopen the border with the United States to the trade in live animals.

Ontario has already taken steps to increase its abattoir capacity and to develop new markets for Ontario's meat products through the \$10-million cull animal strategy, which was introduced this past February. On September 27, Premier McGuinty announced that the province would provide up to \$30 million toward the set-aside programs of this repositioning strategy. The programs encourage cattle producers to hold animals back from slaughter by providing financial assistance to offset the costs associated with feeding livestock over a longer period. At that time, the Premier also told the industry that we would do everything in our power to find the additional funds necessary to join with the federal government in providing advances on the 2004 CAIS benefits for eligible ruminant producers. We have found that money: as much as \$16 million. All told, the BSE repositioning strategy could put as much as \$100 million into the pockets of Ontario farmers.

The second initiative will see the McGuinty government, in partnership with Ottawa, deliver \$172 million over the next three years through short-term, Ontario-specific programs designed to complement the two national business risk management programs as industry and government work together to make the transition to the CAIS and production insurance. This funding an-

nouncement includes support for the self-directed risk management program for the fruit and vegetable industry. As well, we'll soon be making an announcement on the market revenue insurance program for the 2003 and 2004 crop years.

As you know, Ontario's agricultural sector is the most diverse in the country of Canada, and these companion programs play an important role in addressing the unique needs of this province's agricultural industry. Securing the continuation of these programs over the short term is a key element in moving us closer to our vision of a strong and sustainable agricultural sector, where greater income stability contributes to increased competitiveness.

When we have completed this transition, our farmers will be able to rely on CAIS, the program I mentioned previously, which is designed to protect them from both small and large declines in their farm incomes, and on an expanded package of production insurance plans. In the interim, however, Ontario's producers will have the support of the programs that they value as effective business risk management tools. But our goal is to work with the industry to improve and expand the coverage available to this province's producers through production insurance which will provide alternative, long-term solutions to help manage the business risks associated with farming.

We have in fact already begun this undertaking, and we are making excellent progress, but this government fully appreciates the severity of the situation facing our farmers right now. We understand that we must provide this financial assistance for their immediate short-term needs.

We are confident that our long-term approach to income stability will better position our agricultural sector to grow and compete in global markets. That is good news for Ontario's farmers. And it's great news for all Ontarians, because a strong and competitive provincial agriculture sector is a key factor in ensuring that all Ontarians enjoy a quality of life that is second to none.

When you go to that grocery store, buy local, buy Ontario, buy Canadian. If you ate today, thank a farmer.

1400

## LONG-TERM CARE

**Hon George Smitherman (Minister of Health and Long-Term Care):** I am proud to rise in my place today to talk about an important part of our plan to change the culture of long-term care in this province and to improve the lives of seniors receiving that care. I am referring to the new regulation governing the placement of couples in long-term-care homes.

Almost since the day I became minister, I have had a very clear objective with respect to long-term-care homes in this province. It is an objective I have shared with Premier McGuinty, whose passion and commitment in this regard are equal to my own.

It is this: Long-term-care homes in Ontario must be "homes." I can tell you that nobody in my ministry, nobody on this side of the House, refers to long-term-

care "facilities" any more. That word is a throwback to a previous government and an outdated way of thinking. It is a word that does not do justice to the warm, dignified, community-based culture we are bringing to long-term care and the people receiving it.

It was in the interest of dignity and community that we introduced the regulation making it easier for couples who have spent much of their lives together to stay together when the time comes to move into a long-term-care home. Effective October 22, a higher priority for placement in long-term-care homes is being given to couples who are both eligible for admission based on the care requirements. Only people in crisis will receive a higher priority.

This is a simple matter of decency and respect.

Changes introduced in 2002 by the previous government slowed down the process for couples who want to spend their long-term-care years together. We believe this was wrong. How can we presume to call these places homes when the people in them have been separated from their partners in life? How can we not see that a critical component of the care we are trying to give in these homes is the kind of love, support and companionship that couples give to one another?

Quality of life, happiness, joy: These things increase in the presence of loved ones, and we want more of that for long-term-care residents.

My colleagues may remember that this initiative was recommended last May by my parliamentary assistant Monique Smith in the groundbreaking report she prepared on long-term care in this province. It is part of our overall action plan to change the culture of long-term care in Ontario.

*Applause.*

**Hon Mr Smitherman:** That's for Monique.

I have spoken many times of a revolution in long-term care, and that is exactly what has taken place these past few months.

We invested additional funding of \$191 million beginning this year to hire 2,000 new staff, including 600 nurses. We're requiring a higher standard of care, reinstating the requirement that a registered nurse must be on site 24 hours a day and ensuring that residents receive at least two baths a week. We increased the comfort allowance for long-term-care residents for the first time in 19 years and froze their accommodation fees for the first time in 11 years.

We are giving residents and their families more of a voice through residents' and family councils. We have adopted a policy of unannounced inspections of homes, and strengthened enforcement and accountability to ensure that seniors are treated with dignity and with respect. Just last week we launched a Web site to provide detailed information to seniors and their families about individual homes, including the results of the ministry's annual inspections.

To engage long-term-care residents, their families, long-term-care providers and other concerned Ontarians in a dialogue about the future of long-term care, we

recently released a discussion paper. It is now available on the Web, in long-term-care homes, seniors' centres, community care access centres and libraries across the province of Ontario.

Next year we propose to introduce a new long-term-care homes act, first promised in 1993, a comprehensive modern piece of legislation that will, over and above all else, put residents and patients first. Putting people first is exactly what long-term-care homes should be doing, and it is exactly what the government is doing.

Ontario seniors deserve the best care we can give them. They deserve comfort and respect. They deserve to live in a warm, caring community that feels like home.

The expression "home is where the heart is" should be as true for our seniors as it is for anyone else. A move into a long-term-care home should not mean a separation from the person with whom you've shared your life, and we are determined to see that, wherever possible, it will not be.

**The Speaker (Hon Alvin Curling):** Responses?

#### AGRICULTURE INDUSTRY

**Mr Ernie Hardeman (Oxford):** First of all, I want to congratulate the minister, not on the announcement but in fact the title of the announcement. I'm very pleased to see that finally the minister has realized there is a cash flow problem in agriculture in Ontario.

Incidentally, the minister made this announcement yesterday, but there was great confusion because of the way the announcement was written. No one, including the farmers I talked to, could understand what he was actually announcing, whether there was anything new in this announcement from what he had announced three or four times prior to this.

It became quite obvious this morning when I received my local paper that there is absolutely nothing new in this announcement, and that comes directly from the minister. It's from the London Free Press: "Peters conceded the money isn't particularly new, but its arrival should prove timely for farmers in a pinch. Some is being advanced from funds intended to be paid next year."

One of the things I want to tell the minister is if he would just get some of the money out that was due last year to our farmers for this year, the 2003 CAIS payments, that would help a lot of these farmers who are presently having difficulty.

Mr Peters "told the Free Press the money was 'all part of the budget process. It's not like we are putting new money in. As much as we were criticized for our budget, these were things that were contained in the budget...'"

There is absolutely no new money in this program. It's just that that they're finally going to get their act together and start getting some cheques out to the farmers who have them coming.

He talks about the support being in two forms: \$172 million over the next three years for the business risk management program under the agricultural policy framework and \$16 million in income payments for the

BSE repositioning as part of the Canadian agricultural income stabilization program.

Everyone knows—at least the farmers know; I'm sure the minister does too and it's just an oversight—that the CAIS program is part of the agricultural policy framework. But that's not to take away from the announcement.

I also want to say that the Premier promised they would—and I think the minister had that in his statement: "At that time, the Premier also told the industry that we would do everything in our power to find the additional funds necessary...." I want to commend the Premier. He found the farmers' pockets to take it out of so he could give it to them. There's absolutely nothing new here that wasn't in previous announcements.

I just want to take one comment out here, and it was made through the Chesterfield Record by Jim Brownell from Stormont-Dundas-Charlottenburgh. It says, "I don't think they understand the struggles outside rural Ontario." He wasn't speaking about us; he was speaking about the minister and his Liberal cabinet colleagues.

**The Speaker (Hon Alvin Curling):** There is a lot of discussion going on and I can't hear the responses.

The member for Burlington.

#### LONG-TERM CARE

**Mr Cameron Jackson (Burlington):** I'm pleased to respond to this not-so-new news from the Minister of Health yet again on long-term care changes. The member, having been elected in 1999, may not be aware that on June 15, 1998, a regulation was brought into the province. In fact, I was the minister responsible. It was regarding discrimination in a nursing home in Dalton McGuinty's own riding, if one wants to check Hansard—and I have it here—from the debates of June 2, 1998:

"Today I am announcing these regulatory changes under the Nursing Homes Act, the Homes for the Aged and Rest Homes Act and the Charitable Institutions Act. Starting June 15, a person applying to join his or her spouse in a long-term-care facility in Ontario will be placed in a higher category for admission," and it goes on.

There is no change. The minister would be aware that if you have lived with another person in this province for over two years, you are defined in law as a spouse. All our regulations and laws have adjusted for that.

Minister, you did not get good advice from your parliamentary assistant. You did not get good advice from your own personal staff. Frankly, I thought you'd be standing on your feet to talk about other initiatives.

**1410**

What you didn't mention earlier is this issue around freezing the resident copay. You campaigned in the last election, you were in virtually every Conservative member's riding, saying that you promised—you and Dalton McGuinty—to roll back that increase. In your first year in government, you, as minister, increased the payment. You broke that promise. It was a \$90-million commit-



ment per year to seniors and the frail elderly in this province, and you still haven't corrected that. It will take four and a half years before they catch up to what you promised and said to the seniors of this province.

#### AGRICULTURE INDUSTRY

**Mr Howard Hampton (Kenora-Rainy River):** Briefly to the Minister of Agriculture: I'm sure that farmers will be happy with this limited announcement insofar as it goes, but I think the minister needs to recognize that this is a small piece of the puzzle. This is perhaps going to help farmers over the next six or seven months, but most farmers in the beef industry will tell you that the problem is really going to hit after the next six or seven months. Most farmers have already used up their equity, remortgaged the farm, remortgaged the house, exhausted their line of credit and are in debt to their suppliers. What they need from this Liberal government and the Liberal government in Ottawa is a longer-term plan for financial stability, a longer-term plan for low interest loans so that farmers can begin to get back their equity and dig themselves out of the financial problem that the BSE crisis has created. We're still waiting to hear from the Minister of Agriculture on what the longer-term plan is.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** In response to the statement made by the Minister of Health, let me begin with his statement on page 2: "We invested additional funding of \$191 million beginning this year to hire 2,000 new staff, including 600 nurses." That is just not true. The fact of the matter is, in October when the announcement was made with respect to allocations to long-term-care homes, the allocation was \$116 million added to the base budgets of long-term-care homes, not \$191 million. I asked the question in this House to the Premier a couple of weeks ago and was told that the \$75 million—the gap that is remaining—will be used to pay for the new Web site, for a public reporting system etc. It is not money that is going to be added to base to increase nursing staff and support workers in those homes. So the minister should stop saying publicly that the government has invested \$191 million, because that is not true. And he should tell people just how many nurses and support workers are going to be hired, because the promise was 2,000, based on an allocation of \$191 million. The allocation is only \$116 million. How many new nurses, how many new personal support workers will actually be hired? Why doesn't the minister tell families and institutions that?

Second, the minister said, "We are requiring a higher standard of care by reinstating the requirement that a registered nurse be on site 24 hours a day." Do you know, Speaker, that the regulation to ensure that a registered nurse is on site 24 hours a day, seven days a week, does not go into effect until February 1, 2005? What is the reason for that delay, since the government promised that before the last election?

You should also note that the regulation regarding baths will only go into effect January 1, 2005. And people should know that the Liberal promise before the election was for three baths a week, and the new regulation only says two baths a week. So three baths a week are now down to two baths a week.

Far more importantly, this government promised that it was going to reinstate the 2.25 hours of hands-on nursing care per resident per day that had been cancelled by the Conservatives. They said that in a letter to SEIU before the last election. I wonder if the Liberal members know that during the estimates committee your minister said very categorically that he wasn't going to reinstate 2.25 hours of hands-on nursing care a day. He wasn't going to put a minimum standard of care at all by way of regulation. That will mean that homes that always operate to the lowest common denominator are going to continue to do so. Where is that promise made? That is now a promise that has been broken.

This government also said before the election campaign that it was going to roll back the fee increase that had been put in place by the Conservative government. This government has not rolled back the fee increase that was put in place by the Conservative government. The fee increase in the first year alone was over 7%, much higher than it would have been in the housing market. It would have never been allowed in the private housing market, and this government has done nothing about that promise to roll back increases.

Finally, if the government wanted to do something today with respect to the abuse of seniors in long-term-care facilities, they could pass the bill that stands in the name of our leader, Howard Hampton, Bill 47, which would place a positive obligation on anyone who works in a nursing home to report abuse. That's what the government could do today.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. If I could get the attention of the members, so I can announce the next proceeding.

#### ORAL QUESTIONS

##### OMA AGREEMENT

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question for the Premier. Premier, yesterday a senior member from your office was quoted in the media as saying that your plan B for your failed OMA agreement was the same as your plan A, and that the rejection of your deal by Ontario's doctors did nothing to change your plan. It's unbelievable, even for a Liberal, that you were so presumptuous to believe doctors would accept your deal at face value. We've had indications for weeks that doctors were unhappy with this deal. You've had more than enough time to put a backup plan in place, and it's sheer incompetence that you haven't done so.

Premier, my question is simple, so you should be able to give us a straight answer. This morning you said the rejection of your deal does nothing to change your overall health scheme. Further, your health minister has remained noncommittal to resuming full negotiations with doctors. Is your plan B really a plan to impose this failed deal on Ontario's doctors?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** No, it is not. The Minister of Health has indicated that he'll be meeting with a representative of the Ontario Medical Association, and we will continue to work with our physicians and, in fact, all of our partners in the delivery of health care, as we execute our plan to transform health care in the province of Ontario.

It turns out that one part of that plan hinges upon our ability to enter into a good arrangement with Ontario's doctors, but there's a huge panoply of services that extend far beyond those that are delivered by doctors, and I listed those at some length yesterday. They include our new arrangement with hospitals, including the development of new accountability agreements; our plan to reduce wait times when it comes to services delivered in our hospitals; it includes the plan that we're bringing to our long-term-care centres, which was just further elaborated on by the Minister of Health, and the improvement of the quality of services that we provide there; and so on and so forth.

The point I'm trying to make is that we will work with our doctors to get this thing right, but we're doing many other things in many other areas as part of a comprehensive plan to transform health care.

**Mr Runciman:** The instability you're creating with your failed health scheme will do nothing to keep the 3,500 doctors currently considering retirement from retiring, or attracting new doctors, or preventing Ontario's doctors from moving to other, more competitive, jurisdictions.

What's more galling is your minister's blame game approach to dealing with stakeholders. This morning he blamed the OMA for not doing a good enough job of selling your failed deal to doctors. He's blamed hospitals for inciting fear over cuts that your government is forcing them to make. Then he blamed patients affected by the delisting of physio, chiropractic and optometry services for expecting those services to be covered under medicare.

Since your health care plan is failing and the person you've put in charge of the health file has proven to be a menace to stakeholders, is there anybody—anyone—in your caucus capable of restoring stability to our health care system?

1420

**Hon Mr McGuinty:** What the Leader of the Opposition is saying is that we should give up on a plan to improve the quality of health care for the people of Ontario. We will not do that. He's suggesting that we give up on primary care reform, suggesting that we give up when it comes to reducing wait times, suggesting that we give up when it comes to better managing the costs

connected with the delivery of health care. We are not prepared to do that. What we're trying to do here requires some considerable ongoing effort; there is no doubt about that whatsoever.

I want to make reference to something the then Honourable Jim Wilson said. I say it not to embarrass him; rather, it was an honest assessment of what he went through as Minister of Health. At the end, he said, "I regret that during my time as Minister of Health, I was unable to rally the support, beat back the bushes and actually do what's proper for the people of Ontario." Again, I say that not to embarrass him. I think it was an honest assessment of the amount of effort that is required—

**The Speaker (Hon Alvin Curling):** Thank you.

**Hon Mr McGuinty:** —to move the ball down the field. I accept that assessment. We recognize how important it is to move forward, and we will continue to move forward in the interest of the people of Ontario.

*Interjections.*

**The Speaker:** Order. Final supplementary.

**Mr Runciman:** The Premier wasn't so kind to Minister Wilson when he was minister.

Premier, this morning your health minister said your failed OMA agreement was meant to entice physicians into specialty areas and group family practices, and yet these are the very doctors who voted overwhelmingly against your offer. Who can blame the doctors? You've proven that your word means nothing, in reality. Remember your promise not to raise taxes? You failed. Remember your promise to reduce wait times? You failed. Remember your promise to open 1,600 new hospital beds? You failed. Remember your promise to give hospitals adequate funding? You failed. Yet you maintain that your plan will not change.

Premier, when will you smell the coffee and admit your health scheme is failing, and failing badly?

**Hon Mr McGuinty:** If I didn't know any better, I would have thought they rehearsed that one.

They have a plan B that they are asking us to adopt, which is to embrace the status quo, to pay doctors more so they can do more of the same, to give up on primary care reform, to give up on shorter wait times, to give up on our plan to proceed with more vaccinations for Ontario children, to give up on our plan to improve the quality of care in long-term-care centres, to give up on our plan to go ahead with investments to provide help right in the community for 78,000 more adults when it comes to mental illness issues. We're not going to give up on any of that.

Is there an issue between us and Ontario's doctors when it comes to arriving at an agreement? You bet there is, and we're going to work together with the doctors to get that right. But I can tell you that we will not give up on our plan to transform health care, to ensure that it's there in a better and more affordable way for the people of Ontario.

**The Speaker:** New question.

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier, and it concerns the rejection by Ontario

doctors of his plans for them and for Ontario's health care system. I want to ask, Premier, why do you think doctors in Ontario rejected this deal?

**Hon Mr McGuinty:** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I had the opportunity yesterday—well, it's a news clipping actually, but I just want to take the opportunity to tell the honourable member some of what I said yesterday. I think it was in the same sense that the first agreement their party negotiated with doctors did not receive support. They did a bit more work and eventually it did. The key point is that the honourable member can't remember the Globe and Mail front page from Friday, November 1: "MDs Reject Tentative Deal." It makes the point that the Premier just made: Yes, we have more work to do, but we'll do that work along the principles that we've established. We are not going to take the approach you did, which sees 142 communities underserved from the standpoint of doctors in local communities. We're not going to accept the idea that we simply pay more for more of the same. Change is often difficult. We've got some more work to do. We're a hard-working government, and we're going to get down to that work and get it done for the patients of Ontario.

**Mr Baird:** This is astounding. The Premier in this House could not name what he did wrong. He could not give us one reason why Ontario doctors voted against this deal, and I think that's part of the problem.

I say to the minister, if you don't recognize that you and your government made significant mistakes in the conduct of your negotiations with Ontario's doctors, you're bound to repeat those same mistakes.

Ontario's doctors, by a margin of 60%, have given your government's plan for health care reforms a huge vote of non-confidence. Across the province, many are starting to wonder whether they can trust you and your government with the future of their family's health care. Increasingly, working families in Ontario are questioning your government's competence.

I want to come back to my first question and ask you one thing, Minister: Can you name one thing that you'll do differently at this time when you try to clean up the mess that you've created?

**Hon Mr Smitherman:** The honourable member's amnesia is well kicked in today, and he forgets about the cruel record of their days in office. The fact of the matter is that, for eight years, you had the honour and obligation of running the health care file for the people of the province of Ontario, and the net effect of those days is very clear. It can be felt in an ever-present way in community after community across the province.

We did fall short on the weekend of the success that we'd hoped for, but the principles we brought to the table and the support that is there is support on which we will build. The fact of the matter is that, among those who are the future doctors in the province of Ontario, the younger ones who are practising, and a variety of others, we have a good basis of support.

We acknowledge that we have more work to do. What I have been impressed by, which is something I recom-

mend to the honourable member, is that many of those who did not support the deal have been far more tempered in their critique of it than the honourable member is. That is evidence that while there is some more work to do, we are going to be able to work with doctors to make the agreement one that enjoys a higher degree of support. This is incredibly important work on behalf of the patients of Ontario, and we will not stop.

**Mr Baird:** Let's look at what we've heard today. The Premier can't name one reason why doctors voted against this deal and the minister won't stand in his place and say one thing that he would do differently to clean up the mess that he created.

Let's look at why this deal went down in flames. You first tried to bully doctors by telling them that it was your way or the highway. Next, you tried to offer physicians a kickback if they would cut back on prescribing drugs to the frail elderly, the disabled and poor Ontarians. They voted against this deal because you seem to be out of touch with the reality that one out of six doctors in the province of Ontario is on the verge of retirement. Rather than listen to their concerns, you have tried to stigmatize and vilify them with your spin doctors. This agreement failed the doctors who are about to retire.

I want to introduce a new concept to you: It's called personal responsibility. Will you or anyone over there take some responsibility for the instability and for the mess that you've made of these negotiations?

**Hon Mr Smitherman:** We're very prepared to take responsibility for the agreement that we took forward. But I'm going to take that and share that with the negotiating team of the Ontario Medical Association, which, for nine long months, with a unanimous endorsement and a recommendation, did the work on the agreement.

The honourable member verges on the edge of absurdity when he tries to make the case that this was somehow an arrangement that the government on their own brought forward and imposed on doctors. The fact of the matter is that a negotiating team put forward by the Ontario Medical Association worked very hard for nine months on a very large and complex deal. While we agree that it hasn't met the favour that we had hoped for, we believe there is a strong basis in principle for being able to build on it.

This is the work that we are cut out to do and that we will do. We will do so without falling victim to the kind of rhetoric that the honourable member seeks to use—

**The Speaker:** Thank you. New question?

#### PRIMARY CARE REFORM

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Your doctors' deal has been voted down by the doctors themselves and, as a result, your plans for primary care reform in Ontario are stalled. Today, ordinary Ontarians are worried. They're worried about the instability your government's bungling has created for our health care system.

We say that you need to get all of our health care partners, like nurses and nurse practitioners, on board to drive the primary care reform agenda. But so far, your government's plan B looks identical to your failed plan A: Go back for more meetings in the backroom with physicians and exclude everyone else. What is your plan B if it's not simply a repetition of the failed plan A?

1430

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I obviously don't agree with the leader of the third party's characterization of what has happened so far and where we're going. First of all, part of this very agreement that has been rejected by Ontario's doctors provided for new funding for nurse practitioners, just so you know what we counted on in that part. Secondly, our goal is to establish 150 family health teams. We have requests so far for 90. These are full, interdisciplinary teams, including nurse practitioners, other physicians and other members who want to get involved in the delivery of primary health care in Ontario. So we are moving ahead on that front, notwithstanding any arrangement that we can or cannot obtain with Ontario doctors.

**Mr Hampton:** Premier, it was a very specific question: What is your plan B? Is it simply going back and meeting with the same physicians in a backroom or do you have a plan to bring all of the health care providers together?

Let me tell you what one self-described expert said. He said, "You know, if we're going to move this agenda forward, at that table should be nurse practitioners, nurses, other health care professionals and representatives of the patient community." This self-described expert goes on: "It is simply impossible to move primary care reform forward [by just talking to the doctors]." Do you know who that was? It was Dalton McGuinty, a mere four years ago. But now we see you adopting the very plan you used to criticize the Conservatives for. You used to be critical of them for talking only to the doctors of the OMA.

So I ask you, Premier: Do you have a plan B to include all of the health care providers involved in primary care reform or is it simply a repetition of plan A: Go back and talk to the doctors in a backroom?

**Hon Mr McGuinty:** I want to assure, reassure and confirm for the leader of the NDP that we are in fact working with all of our health care partners when it comes to defining the kind of family health team we want to have in Ontario. The Minister of Health just spoke at the annual general meeting of nurse practitioners a couple of weeks ago and I understand he got a two-thirds standing ovation, and in these days, that's not bad. We will take that.

We are bound and determined to proceed with these family health teams in a way that proves to be effective. By their very nature, they have to be interdisciplinary in order to ensure that we've got a good working model. You can't construct that without the advice and support of the other partners, and that's exactly what we're doing.

**Mr Hampton:** Here is your problem, Premier: You structured this as a discussion between your government and the doctors. You tried to achieve primary health care reform by means of backroom meetings, and the doctors have now voted that down. They say they're not interested in your so-called incentives. So you have to tell people across Ontario what the replacement plan is. What is plan B? To simply repeat once again the promises you keep on making and keep on breaking isn't going to do it. What is your plan to achieve primary care reform in Ontario? What is your plan to create a critical mass of people to move forward so that physicians—at least some of them—will get on board?

**Hon Mr McGuinty:** When it comes to our family health teams, again, to repeat, we are working with all health care practitioners who could possibly be involved in an interdisciplinary team. We've had requests so far from 90 communities that are eager to get going on that particular front. So we are going to be proceeding, notwithstanding any arrangement we come to with doctors when it comes to the establishment of family health teams throughout Ontario.

I reject the leader's characterization of our government's negotiations with Ontario doctors as some kind of backroom deal. This is as close to collective bargaining as you can get. Doctors put forward their representatives and we put forward our representatives. We spent a considerable amount of time—in fact, some nine months—working together. It was laborious, but it was productive. We then came up with a result, which obviously has not been acceptable to all doctors in Ontario, and we are prepared to continue to work with them to make sure we get it right.

#### AFFORDABLE HOUSING

**Mr Howard Hampton (Kenora-Rainy River):** To the Premier: I think the Premier just said that plan B is more of the same of plan A.

Yesterday was National Housing Day, Premier, and we asked you to keep the promises you made on housing during the election campaign. Just to remind you, you promised 20,000 new affordable housing units, 35,000 rent supplements for low-income households and 6,600 more supportive housing units for people with mental health needs. That was all contained in your election platform.

You haven't kept even one of these promises. Instead of coming forward with the \$366 million to implement any of these promises, you simply reannounced the announcements the Conservatives used to make. When are you going to keep your promises and deliver affordable housing that works for people?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Speaker, I am very proud of the progress we've made so far. You will well know, as will the member opposite, that the government was out of the affordable housing business for some eight years. We're back in the business and proud to be able to do so.

Let me repeat for the member some of the announcements we have made so far: Waterloo, 597 units, for \$8 million; London, 104 units, \$2.8 million; Wellington, 94 units, \$2.4 million; Toronto, 895 units, \$24 million; Peel, 384 units, \$5.5 million; York, 118 units, \$3.2 million; Hamilton, 60 units, \$1.6 million; Peterborough, 90 units, \$3.4 million; Ottawa, 300 units, \$8.1 million; Kingston, 105 units, \$1.9 million—a total of 2,747 units so far.

**Mr Hampton:** Premier, your minister of infrastructure back there, Mr Caplan, tried to read that list to a group of housing advocates a short while ago and they laughed him off the stage. Do you know why? Because every one of those was announced by the Conservatives. You're simply trying to take credit for announcements made by the former government.

Yesterday, you tried to pat yourself on the back again. Moments later, police arrested six housing advocates in front of Queen's Park for daring to stand up and protest the fact that you haven't kept your promises.

In Ontario, 158,000 families are waiting for affordable housing. One in five tenants is at risk of homelessness. With cold weather approaching, homeless people and their friends don't want to hear more old announcements repeated. When are you going to deliver on the promises you made in the election instead of reannouncing the tired old promises of the Conservatives?

**Hon Mr McGuinty:** Mr Speaker, the Minister of Public Infrastructure Renewal has some good news for us here.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** First of all, the leader of the third party is quite wrong in his assumptions and in his facts. In fact, his own housing critic was at an affordable ownership announcement when we had a groundbreaking in Scarborough: almost 400 units of new affordable ownership housing in Toronto, Markham and Pickering, in addition to the over 2,700 units of housing that the Premier just talked about.

I would say that in eight months of our government, we have done more than the previous government did in eight years. And I would add, for the Leader of the Opposition, that the Provincial Auditor gave their housing program extreme criticism that made it possible for the next government to come along and cancel the program entirely. We are going to learn from the mistakes of your government, sir, and we are going to make sure we don't repeat those errors, that we get value for money and that we deliver the much-needed affordable housing units. In your second supplementary, I'd be very happy to answer—

**The Speaker (Hon Alvin Curling):** Thank you. Final supplementary?

1440

**Mr Hampton:** I think I know why your government is in trouble on this front: Your minister refers to condominiums as affordable housing. This is why you're in trouble.

Let me point something out. Today, not a single member of your caucus could find it in their hearts to meet

with members of the Toronto Disaster Relief Committee about these urgent housing issues, not even the Minister of Public Infrastructure Renewal, Mr Caplan, who used to be at every housing protest complaining about the Conservatives, talking about how sinful they were, how awful they were. Now he won't even answer the phone when housing advocates try to call him.

Is this how you salute those people who are advocating for housing and who want to deal with the homelessness problem, Premier: You stand by, while their activists like Cathy Crowe are arrested, and your minister doesn't even answer the phone?

**Hon Mr Caplan:** The member is just plain wrong. In fact, I wish he or one of his colleagues would have joined me on the weekend to meet with the Ontario Non-Profit Housing Association. Not one New Democrat even bothered to show up to talk to housing providers. I was there. I know my colleague the Minister of Municipal Affairs and Housing was there. The federal Minister of Housing was there.

I suggest to the leader of the third party, get your facts straight. I've met with many housing providers. I'm going to continue to meet with them. We're going to continue to negotiate with the federal government to get a housing deal to build those much-needed affordable housing units.

As I said, we have done more in eight months than the previous government did in eight years: 3,200 units of affordable housing delivered already, and much more to come. It's a great record.

#### OMA AGREEMENT

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health and Long-Term Care. Minister, with each passing day as we start to get reports about what happened and why the OMA deal failed, it becomes more apparent that your health plan is an absolute and total failure. In fact, if we take a look at your health plan thus far, any changes that you have made have been done without any consultation, and they have been imposed on the people in the province of Ontario.

You imposed Bill 8 without consultation. You imposed the delisting of chiropractic, optometry and physiotherapy services. You have not introduced more funding for hospitals. You have introduced a new health tax without consultation.

I ask you today, Minister: Will you guarantee that your plan, whatever it might be, in your negotiations with your doctors will not impose an agreement on physicians as you have imposed every other change that you have introduced?

**Hon George Smitherman (Minister of Health and Long-Term Care):** As we have imposed every other change that we have introduced—the honourable member, herself the longest-serving Minister of Health in a previous government that was sent packing, in large measure because of their performance on the health care file, says that we have not consulted?

*Interjection.*

**The Speaker (Hon Alvin Curling):** The member for Nepean-Carleton—

**Hon Mr Smitherman:** The honourable member obviously misses the mark. Long-term-care reform is moving—

*Interjection.*

**The Speaker:** Order. I've called upon the member from Nepean-Carleton twice. The next time I call upon you, I may have to name you.

**Hon Mr Smitherman:** Long-term-care reform moved forward with the considerable support of both of the two organizations that work together. Community care access centres—\$103 million in additional funding this year—and community-based investments in mental health reform make the point rather well that the honourable member is really not up to asking the kind of question that she offered.

In her words, she said that we have not introduced new funding for hospitals. Oh, \$385 million when we first arrived wasn't new funding, or the \$469.5 million in this budget, which I might remind the honourable member is a full \$700 million more—

**The Speaker:** Thank you. Supplementary?

**Mrs Witmer:** The health minister simply doesn't get it. The bullying, aggressive and threatening manner that he has used in all his relationships with stakeholders is not going to benefit the people in the province of Ontario.

Your OMA deal was rejected because it did not recognize that there were doctors in this province who were near to retirement age who were not given due consideration. In fact, if you take a look at the paper today, we see an article by another doctor who says that this agreement does nothing to improve access to patient care.

I would ask the minister, when are you going to finally start to consult, listen to people, stop the bullying, and get down to work and start renegotiations with the doctors in the province?

**Hon Mr Smitherman:** What we're not going to do is take the counsel that the honourable member offers. The counsel that the honourable member offers is simply to pay more for more of the same. She says, "When are we going to consult?" The facts of the matter are very clear. For nine months—nine months—a team of negotiators sent forward by the Ontario Medical Association sat down with the same number of people from the province of Ontario. They worked very, very hard; they came to an agreement. The agreement was unanimously recommended by the nine members of the OMA negotiating team. The evidence is very clear. The agreement that we sought has obviously fallen short of what we had hoped for, but we will not compromise the principles that were espoused in it. Those principles are important to communities.

Why did the doctors in the most rural and northern communities, vote in favour of the agreement? Because they recognize that it was an agreement that would, for once, turn the tide on the situation created by that party while in government, and endorsed by you and your slow

reaction to the fact that Ontario was not producing a sufficiency of doctors. This agreement is not the only means. We've tripled the number of international medical graduates to put them into action in communities.

#### CHILD CARE

**Ms Andrea Horwath (Hamilton East):** My question is to the Minister of Children and Youth Services. Minister, today the Ontario Coalition for Better Child Care released their vision for better child care in Ontario. They want Ontario to use new federal daycare money to begin building a desperately needed non-profit system for all of Ontario's two million children under the age of 12. The coalition consulted widely before releasing this report, which reflects the real voices of the child care community in Ontario. We need a real advocate for the children, the parents and the child care workers of our province at the negotiating table in Ottawa. Minister, are you prepared to be that advocate, or will Ontario families be waiting without a plan?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for the question, and indeed two weeks ago, historically, in Ottawa all levels of government were aligned to do something, finally, about the plight of child care in this country and in this province. I'm very proud to represent Ontario at that table, and work very hard with my colleague the Minister of Community and Social Services to ensure that Ontario's needs will be met through this agreement. Indeed, we've been meeting with the coalition on an ongoing basis and will continue to meet with the coalition to ensure that we have the best-quality early development and child care in the province.

**Ms Horwath:** Well, Minister, in your child care election platform, you pledged to spend the majority of federal early childhood development initiative funding on regulated child care. But the so-called Best Start strategy you promised has been a non-starter; in fact, none of the \$194 million of that fund has been spent to this date. Some 14 months after the election, none of it has been spent, and the pathetically low wages of child care workers are very sad and disturbing in a province like Ontario. Ontario spends less on regulated child care today than in 1995.

Minister, now you have this crucial report in your hands, as you've already agreed to. You've already acknowledged that. Now we need to know for sure, and the child care community across Ontario needs to know for sure, that they are going to get what they want, that they're going to get from you what the families have asked for. Since you didn't keep your past promise to put federal child care dollars where they belong, how can we trust to you invest the federal funding into a plan for affordable, licensed, quality child care?

**Hon Mrs Bountrogianni:** I thank the honourable member from Hamilton; I know of her concern for the children in Hamilton. We were at a meeting with the

board of education two weeks ago, and she voiced it quite passionately.

Indeed, this year, I think it's a clue, how we spent the federal money. For the first time in a decade, we spent it on child care, and a lot of that was on capital, but most of it was on child care spaces: 4,000 subsidized child care spaces. We have been developing our Best Start plan. I ask for your patience for a little while longer. We will take into account the coalition's recommendations as well as the consultations that we did across the province, to offer the best possible early development and child care program in Canada, right here in this province of Ontario.

1450

#### FALL BUDGET

**Mr David Zimmer (Willowdale):** My question is for the Minister of Finance. Yesterday, you rose in the House and presented your third budget bill. You mentioned the cancellation of nine tax credits and the creation of new ones, along with pilot projects to help balance the province's books by 2007-08. How do you expect these actions will accomplish that goal?

**Hon Greg Sorbara (Minister of Finance):** I really appreciate the question from my friend for Willowdale. There were really four main points in the budget we presented last May. The first was to strengthen the economy, the second was to get the province's own financial house in order, the third was to improve health care and the fourth was to improve education. If you look in the fall budget bill, you'll see a number of initiatives that go directly toward a stronger economy. One that I think is going to touch people most directly is the improvements we've made to our apprenticeship system. It means that several thousand new young people will be in apprenticeship programs. It ultimately means much better jobs in a stronger economy for our young people. I thank the member for the opportunity to talk about it.

**Mr Zimmer:** You mentioned that the bill proposes the first increase to the Ontario property tax credit for seniors since it was created 12 years ago. Can you explain to those in this House how this tax credit will help Ontario's seniors?

**Hon Mr Sorbara:** Perhaps I can allow the minister responsible for seniors to answer that.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** As you know, this is the first increase to this program in some 12 years, and nobody deserves it more than the seniors of this province. It will be an increase of \$125 per senior family—a total increase of over \$85 million to the seniors of this province—and it will also include, for the first time, some 33,000 senior families who were not eligible under the limits before. This is a great advancement for our seniors. There's no group of people in our society who deserve more credit and more help from government than the seniors in our province.

#### OMA AGREEMENT

**Mr Jim Wilson (Simcoe-Grey):** My question is to the Premier, and it involves his failed agreement with the OMA. In response to not having a plan B or failing to tell us what your plan B is, you keep mentioning five key areas—cancer, hip and knee surgeries, cardiology, cataracts and diagnostic care—that you want to make improvements in. Yet if we look at the rejection you've received from Ontario's doctors—75% of the doctors involved in those five key areas clearly rejected your plan A—how are you going to move ahead? How are you going to move ahead without lawsuits, given the law of this land that there must be an agreement between the OMA and government? Disgruntled doctors are going to start suing you. Doctors who feel unappreciated and bulldogged by your health minister are going to start suing you, doctors who don't feel properly compensated are going to start suing you, and you can't move ahead in your five key areas. Tell us what plan B is, so we don't have one heck of a bigger mess in this province than you and your health minister have already created.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Apparently the world as we know it is coming to an end and I missed it—I guess I missed that part. Just because the member opposite seems to have forgotten what happened on his watch, I've got a copy of the Globe and Mail from Friday, November 1, 1996. The headline is: "MDs Reject Tentative Deal..."

"In a province-wide plebiscite, physicians voted 76% against the deal..."

At the time, the sun still rose in the east and set in the west, and the government set out to come to a new agreement with Ontario's doctors, which they did. We will do the exact same thing, only we are insisting that we get more for more, that we complete one part of our plan that calls for the transformation of our health care system so we're delivering more primary care reform, more family health teams, and more working with patients when it comes to the management of chronic diseases like diabetes, heart disease and the like. We're going to get more for more.

**Mr Wilson:** Premier, the difference between your government and our government is, we went immediately back to the table with the OMA because we knew the right thing to do for patients was to make sure that doctors were relatively happy in this province, able to deliver the services and not impeded by government and the lack of agreement and being distracted with all the legalities of that.

Your health minister failed to go out during the time of this agreement and explain to all the local OMA branches what his transformation agenda was and what this agreement was about. He failed to go out and sell the agreement. He sat silent on a secret agreement. For a month and a half he sat on this agreement. He failed to sell it. He failed to explain it. He failed to get the confidence of the people of Ontario.

Premier, your plan B should be to fire Mr Smitherman.

*Interjections.*

**Hon Greg Sorbara (Minister of Finance):** You scared the gallery.

**The Speaker (Hon Alvin Curling):** Minister of Finance?

**Hon Mr Sorbara:** There's the evidence.

**The Speaker:** You are the evidence of disruption.

*Interjection.*

**The Speaker:** Order, Minister of Consumer and Business Services.

**Hon Mr McGuinty:** Well, Speaker, that is the calm, thoughtful and conciliatory approach that's been missing from this debate. But I appreciate the energy brought forward in that.

Let me tell you what the then Minister of Health, Jim Wilson, said when his talks did not meet with success. He said in his statement issued on October 31, 1996:

"I am disappointed that the council of the Ontario Medical Association (OMA) has rejected the agreement," Minister of Health Jim Wilson said today.

"It is a fair and reasonable agreement. Our priority remains to ensure patients in Ontario have access to quality care.

"We will take the weekend to decide our next steps."

I prefer the approach brought by the then Minister of Health, Jim Wilson, than the one demonstrated today by the member of the opposition. We are going to continue to work with Ontario's doctors to make sure that we get this thing right. But we remain resolved when it comes to ensuring that we move ahead with the transformation of health care.

#### INSURANCE RATES

**Mr Peter Kormos (Niagara Centre):** A question to the Minister of Finance. The insurance industry kickback scandal is going from bad to worse. We just learned that in the year 2002-03, premium payers in Canada, policyholders, paid an additional \$427 million to insurance companies to finance the hidden commissions and the kickbacks to so-called independent brokers. That's the same period of time—2002-03—that the insurance industry was crying poverty and lobbying governments—successfully, I must add—for limits on the awards to be paid out in soft-tissue injuries like whiplash. The numbers are huge: ING, \$68.4 million; Economical Mutual—economical, my foot—\$48.1 million; Dominion of Canada General Insurance, \$43.3 million.

These hidden commissions have fleeced Ontario premium payers to the tune of millions. Will you simply stop it? Will you simply stand up and say that you will ban, not permit, secret commissions, kickbacks, any commission, in addition to the standard regulated commission charge?

**Hon Greg Sorbara (Minister of Finance):** I think one of the real, recent successes in the regulation of insurance, beyond auto insurance, in the province is that we have been able to inspire the industry to voluntarily establish a code of disclosure on commissions, whether

they be direct brokerage commissions or so-called contingency commissions, that will be a leader in North America.

Not only that, we have asked the regulator in Ontario to join with the regulators right across Canada to do a full analysis of the issues relating to commissions. I think we in the province of Ontario can say now that we are taking the lead on this issue in a North American context.

**1500**

**Mr Kormos:** Minister, people in this province are tired of getting ripped off by insurance companies, whether it's home or auto. These kickbacks, these secret commissions, very selectively paid, are in addition to, on top of, the 12.5% commissions typically paid for auto and the 20% typically paid for home. That doesn't even begin to address the inherent conflict of interest that arises from the cross-ownership relationships between insurance companies and brokers.

You have been inactive—merely passing the buck. It's not good enough for Ontario drivers who have seen double-digit increases in their premiums while the nine largest auto insurers have seen their profits jump to \$541 million last year from \$72 million in 2002. It's not a 100%, not a 200%, not a 300%, but a 400%, 500% increase in profits.

So I ask you once again, Minister: Will you ban this practice of tacked-on commissions, of extra commissions, of additional commissions, be they secret or not?

**Hon Mr Sorbara:** Here's the advocate from the New Democratic Party that back in the 1990 campaign was arguing for public auto insurance. That was the solution to everything. Then they got into power and Bob Rae stood in this place, right here, and said, "Oh, my goodness. Public auto insurance would destroy an industry." Then they got thrown out of office, not just for that but for a wide variety of things, and now, in opposition again, suddenly there is a new clarion call.

I want to say to my friend from Niagara Centre that whether it is the steps we have taken to bring down premiums, now almost 10%, or whether it's the recent steps we've taken to ban credit checks as a means of rating, to control interest rates on premiums or a variety of other steps, including those we will take soon to further clean up the industry, that party and that member have absolutely no credibility when it comes to insurance, auto or otherwise.

#### AGRICULTURE INDUSTRY

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Agriculture and Food. The farmers of Ontario are under more economic and personal stress than I can recall at any time in my lifetime. As they struggle, not only the associated industry but all of Ontario struggles. I am very proud of our government's commitment to the agriculture industry in this province, so I was thrilled yesterday when you announced \$172 million going into farmers' pockets.



I have two questions to ask of you, Minister: First of all, how will this funding be allocated, and second, how will it enable this industry to move forward in a positive direction?

**Hon Steve Peters (Minister of Agriculture and Food):** I want to thank the member for the question.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Member for Oxford.

**Hon Mr Peters:** It's very sad for the farmers of Ontario that the critic on the other side heckles this announcement.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Member for Oxford, will you come to order, please.

**Hon Mr Peters:** Again the ag critic heckles an investment in agriculture in this province, and that's a pretty sad day, because this is moving forward. As we signed the agricultural policy framework, one of the things coming out of the agricultural policy framework was moving away from the companion programs such as market revenue insurance and self-directed risk management.

This announcement is going to allow us to work with the agricultural community in a transition period to phase out those companion programs and move to new programs. There's \$35 million in support of the fruit and vegetable industry through self-directed risk management; \$10 million for the tender fruit industry for plum pox eradication; general top-ups of almost \$90 million; and, most importantly, \$35 million that's going to be invested in research and development in support of agriculture and the agrifood industry in this province.

**The Speaker:** Supplementary, the member for Perth-Middlesex.

**Mr John Wilkinson (Perth-Middlesex):** Minister, that is indeed great news for the farmers in my riding in Perth-Middlesex—perhaps not in Oxford but in Perth-Middlesex.

I want to thank you for taking some time out of your busy schedule and agreeing to meet—with me and my seatmate, the member for Markham—with the consul general for the People's Republic of China in regard to expanding our agricultural markets. That's just wonderful news, and I appreciate that.

In your announcement yesterday, I understand that you pledged up to \$16 million in interim payments under the CAIS program that will benefit those ruminant farmers whose income has declined due to BSE. I know you share my concern about the ruminant sector in Ontario. Can you tell my farmers in Perth-Middlesex how this new money will work to benefit those in financial need as a result of the BSE crisis?

**Hon Mr Peters:** I'm looking forward to that lunch because part of what we need to do, as we reposition the industry as a result of BSE, is develop new markets. This is going to be a great opportunity to work with the government of China to develop new markets for our farmers.

When the federal government announced the BSE repositioning strategy, Ontario came to the table with \$30 million in new money to support the industry through set-aside programs. One aspect that perhaps many people don't realize is that, as they focus on this issue as a beef issue, the dairy exporters have been extremely hard hit as a result of this. The sheep, goat, deer, bison and elk industries are other ruminants that have been affected as well. These CAIS advances are going to allow us to provide assistance to these other ruminants because that is one sector that very much needs help.

But we need to continue to work with the federal government because the most important thing that can happen is getting that border open. Premier McGuinty has been advocating on that behalf. Premier McGuinty met with the US ambassador, pushing forward that issue. We're going to continue to drive that forward as well.

## ONTARIO BUDGET

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Minister of Finance. The matter of broken promises is well known. My question, though, deals with competence in the financial management of the province of Ontario, particularly on the spending side. As you well know, Minister, it's necessary to manage the spending in order to balance the budget and keep the commitments of the government.

Eighty per cent of the operating spending of government is transferred to spending partners, as you set out in the budget. As you also said in the budget, between 2004-05 and 2007-08 we will restrict program spending to an average growth rate of just 1.9% a year.

Now we have this failed landmark agreement, so described by the Minister of Health, with the physicians in Ontario. It's no secret, as you know, Minister, that the nurses, teachers, the Ontario public service members and so on are negotiating. My question to you is, who is going to pay the price for this failed landmark agreement among those groups, or are you abandoning your spending commitment in the budget?

**Hon Greg Sorbara (Minister of Finance):** I think my friend from Whitby ought to have listened carefully to the responses of the health minister, but he'll hear the same thing from me. We are bound and determined and we are focused in the work that we're going to do. You heard my friend the health minister say the agreement may have been rejected on a weekend vote, but we are focused on the priorities that drove our part of the negotiations.

Similarly, I tell my friend that we are bound and determined to return this province to financial strength and financial health. I don't want to go into the mess we inherited or where that came from, but I've got to tell you, we are determined to bring expenditures under control in this province. We are determined to strengthen the economy. Each and every ministry is determined to manage within the allocations provided for them in our May budget.

**Mr Flaherty:** What we have seen for 14 months is failure. We've seen the failure of this landmark agreement. We've seen the failure to keep taxes down. In fact, we've seen the largest tax increase in the history of the province of Ontario and then a massive spending spree.

But what you did say you'd do, Minister—to talk about the things that you actually committed to—in your budget was that, “the government will undertake a review of major provincial assets.... This review will ensure that in all cases the public interest is promoted....”

“The government will review its assets....”

Specifically, with respect to the LCBO you said, “The Ministry of Economic Development and Trade, with the support of the Ministry of Finance, will initiate a third-party independent operational review of the LCBO.”

We're now at the end of November. The budget was delivered in the spring. Where is the review? Where specifically is the third-party independent operational review of the LCBO?

1510

**Hon Mr Sorbara:** I'm not in the habit of making announcements about when we are going to make an announcement. But I want to invite my friend to stand by, as they say, because that review, like all the other things that were contained in the budget, forms part of the plan we are implementing diligently to make sure we achieve the objectives that are set out in that budget.

My friend from Whitby-Ajax stands in his place periodically and spouts off things as if they were true. The other day he was talking about a decline in retail sales tax. I invite him to look at this morning's papers and reports. There will be the clear evidence that this economy is getting stronger under this Premier, that this economy is returning to financial health under this administration, notwithstanding the allegations that he makes in his place.

#### FINANCEMENT DE L'ÉDUCATION EN FRANÇAIS

**M. Gilles Bisson (Timmins-Baie James):** Ma question est au premier ministre. En 2002, deux conseils d'éducation à Windsor ont eu l'approbation de la province de construire une école secondaire francophone à Windsor.

Depuis ce temps, un de ces conseils a décidé de ne pas aller en avant avec la construction de la nouvelle école secondaire. Ceci laisse le Conseil scolaire de district du Centre-Sud-Ouest avec aucune école secondaire publique française à Windsor.

Monsieur le premier ministre, qu'allez-vous faire pour garantir que les élèves du secteur public francophone pourront continuer leur éducation secondaire dans leur langue et dans leur propre école?

**L'hon. Dalton McGuinty (premier ministre, ministre des Affaires intergouvernementales):** Laissez-moi vous dire qu'en premier, mon ami sait très bien que nous faisons beaucoup d'efforts pour appuyer l'éducation en langue française ici en Ontario. Nous

avons fait beaucoup de choses qui n'ont jamais été faites dans le passé par d'autres gouvernements.

C'est dommage que le ministre n'est pas ici pour répondre à cette question. Sans doute, il aurait d'autres informations à faire avancer ici. Mais je peux vous dire que nous allons continuer à travailler avec les conseils de langue française à Windsor et dans d'autres parties de la province.

**M. Bisson:** Mais vous savez, monsieur le premier ministre, qu'il y a une responsabilité de ce gouvernement de garder en idée notre constitution, qui dit que les jeunes francophones ou anglophones ont droit à une éducation publique ou catholique dans la province de l'Ontario dans leur langue. Si c'est à Timmins, si c'est à Sault-Sainte-Marie, si c'est à Toronto, c'est un droit, et les jeunes de Windsor doivent l'avoir aussi.

Vous savez qu'une partie du problème, c'est le financement. Vous n'avez pas mis en place le financement nécessaire qui était recommandé par Rozanski. Ma question est simplement celle-ci : allez-vous prendre la recommandation de Rozanski et vous assurer que les conseils francophones publics et catholiques ont le financement nécessaire pour être capables de faire l'éducation publique ou catholique en français dans leur communauté?

**L'hon. M. McGuinty:** Laissez-moi vous dire qu'en tant qu'Ontarien qui a eu la chance d'être éduqué dans la langue française et en étant le fils d'un Franco-Ontarien qui vient de Timmins, je peux vous dire que j'ai beaucoup d'intérêt dans ce domaine. Je peux vous dire aussi que je suis le parent de quatre enfants qui ont tous fréquenté des écoles de langue française. Alors, j'appuie les écoles de langue française dans la province de l'Ontario.

Je peux vous dire que nous avons investi beaucoup d'argent dans le domaine de l'éducation. Nous allons continuer à le faire, et nous allons continuer à travailler avec nos amis de langue française partout dans la province pour faire certain que leurs droits sont bien reconnus quand on parle de leur éducation en Ontario.

#### ECONOMIC DEVELOPMENT

**Mr Jeff Leal (Peterborough):** Mr Speaker, I know you will want to know that this Thursday, my wife, Karan, and I will be celebrating our 10th wedding anniversary. I know she's busy in her classroom this afternoon.

I have a question to the Minister of Economic Development and Trade. Peterborough's downtown core took a hard hit during the July 15 flood that ravaged the city and its surrounding areas. The heart of our downtown contains many one-of-a-kind, independently owned businesses. As we head into the busy holiday season, these shops, cafés and restaurants are still struggling to get back on their feet many months after the flood. Supporting local businesses is important to a healthy, sustainable economy in the Peterborough area.

Minister, can you tell the people of Peterborough what is being done to help these business owners stay open and viable?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I'd like to thank the member and wish him a happy anniversary. I hope you bought your wife a very big gift on your 10th.

I am indeed very happy to say that we are moving to help small business in downtown Peterborough. But I want to say that the Premier acted very quickly and showed decisive leadership in the wake of the floods last July, and our government has moved to assist Peterborough, through the Ministry of Municipal Affairs. We are helping those businesses in the downtown core. We're providing additional dollars to the tune of \$67,000 for this initiative, which will act to promote and market the downtown core businesses, to bring in more shoppers again, so that Peterborough's downtown core will remain vibrant for the years to come.

**Mr Leal:** The city of Peterborough thanks you, and the small businesses in my community thank you for your ongoing support.

Minister, can you please inform the House of other ongoing economic development activities in the province and your efforts to secure good jobs for the good people of Ontario?

**Hon Mr Cordiano:** You know what? I'm delighted to report to this House the great vote of confidence that businesses and investors around the world are demonstrating in Ontario—voter confidence in the Premier of this province, Dalton McGuinty, and his government.

I want to report on what has been happening. A great vote of confidence has been shown by Multi Channel Communications, which is hiring 500 people in the city of Peterborough. Siemens is investing an additional US\$1 million to expand its Peterborough plant. Apotex is investing \$627 million in four new facilities across the province to create 1,500 jobs. The Ford announcement, which everyone will be aware of in this House: \$1 billion. National Steel Car is hiring 500 more in Hamilton. Automation Tooling Systems is making a \$100-million investment to employ an additional 200.

I'm proud to say that businesses and investors are giving this government a huge vote of confidence by putting their money where their mouth is and investing in this great province of ours.

## PETITIONS

### CHIROPRACTIC SERVICES

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition from the Georgian Chiropractic Centre in Owen Sound, and it's to the Legislative Assembly of Ontario, regarding support for chiropractic services in the Ontario health insurance plan.

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

### WOLVES

**Ms Marilyn Churley (Toronto-Danforth):** I have thousands of signatures on a petition submitted by Earthroots, and this petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas wolves in Ontario are given very little protection under the Fish and Wildlife Conservation Act and Endangered Species Act or any other laws of Ontario; and

"Whereas it remains an open season for hunting and trapping wolves throughout much of Ontario without any limits to restrict the harvest; and

"Whereas there is no comprehensive plan to ensure the long-term viability of Ontario's wolf populations; and,

"Whereas few parks and protected areas are off-limits to hunting and trapping and are large enough to qualify as a viable habitat for wolves; and

"Whereas the use of neck snares to catch wolves is an unacceptable practice;

"We, the undersigned, petition the Legislative Assembly of Ontario to quickly implement the following as part of a province-wide wolf protection plan:

"Immediately end the open season for hunting and trapping wolves across the province;

"Conduct a comprehensive population and habitat viability assessment of Ontario's two wolf species;

"Manage provincial and national parks with the objective of ensuring the long-term viability of wolf populations. Immediately ban the hunting and trapping of wolves in all parks and conservation reserves and create buffer zones to decrease the impacts of human activities on the protected population;

"Expand protected areas and establish wildlife corridors to ensure more wolf habitat is protected to sustain viable wolf populations;

"Invest in comprehensive programs for farmers who suffer losses due to wild predators and encourage non-

lethal control measures to reduce livestock depredation. Require mandatory reporting of all wolves killed;

“Ban the use of wire-neck snares for trapping wolves. Snares are non-selective trapping devices.”

I will affix my signature, because I support this petition.

1520

#### SOCIAL ASSISTANCE

**Mr Jeff Leal (Peterborough):** I have a petition.

“To the Honourable the Legislative Assembly of the province of Ontario, in Legislature assembled:

“The petition of the undersigned states:

“That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today;

“That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

“That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

“That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

“Therefore, your petitioners respectfully request that the honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada’s Average Household Expenditures.”

I affix my name to it.

#### STUDENT SAFETY

**Mr Jim Flaherty (Whitby-Ajax):** I have a petition to the Legislature of Ontario.

“Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

“Whereas the Ministry of Education has chosen to ignore the children’s aid society’s recommendation that certain individuals not work with children; and

“Whereas the introduction of a ‘volunteer’ into the school system must not be solely at the discretion of the principal; and

“Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

“We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council.”

I sign my name.

#### IMMIGRANTS’ SKILLS

**Mr Shafiq Qadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario regarding access to trades and professions in Ontario.

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

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

“That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario’s professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry, or re-entry, of skilled workers and professionals trained outside Canada into the Canadian workforce.”

I send this to you, Speaker, via page Nick.

#### FREDERICK BANTING HOMESTEAD

**Mr Jim Wilson (Simcoe-Grey):** A petition to save the Banting homestead:

“To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada’s first Nobel Prize recipient; and

“Whereas this great Canadian’s original homestead located in the town of New Tecumseth is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the

public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture endorse Simcoe-Grey MPP Jim Wilson’s private member’s bill entitled the Frederick Banting Homestead Preservation Act so that the homestead is kept in good repair and preserved for generations to come.”

Of course, I agree with this petition.

#### VOLUNTEER FIREFIGHTERS

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition of 750 names that I received from Bruce Armstrong, fire chief, Russell Fire Department.

“To the Legislative Assembly of Ontario:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

I fully support Fire Chief Armstrong’s action on this very important issue.

#### DISTRICT OF MUSKOKA

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition to keep Muskoka part of northern Ontario. It reads:

“To the Legislative Assembly of Ontario:

“Whereas the district of Muskoka is currently designated as part of northern Ontario; and

“Whereas the geography and socio-economic conditions of Muskoka are very similar to the rest of northern Ontario; and

“Whereas the median family income in the district of Muskoka is \$10,000 below the provincial average and

\$6,000 below the median family income for greater Sudbury; and

“Whereas removing the district of Muskoka from northern Ontario will adversely affect the hard-working people of Muskoka by restricting access to programs and incentives enjoyed by residents of other northern communities; and

“Whereas the residents of Muskoka should not be confused with those who cottage or vacation in the district; and

“Whereas the federal government of Canada recognizes the district of Muskoka as part of the north; and

“Whereas this is a mean-spirited and politically motivated decision on the part of the McGuinty government;

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

“That the McGuinty government maintain the current definition of northern Ontario for the purposes of government policy and program delivery.”

I support this petition and affix my signature to it.

#### CHIROPRACTIC SERVICES

**Mr Mario G. Racco (Thornhill):** On behalf of my constituents in Thornhill and Concord, I present to the House today a petition requesting that the Legislative Assembly of Ontario reverse the decision made to delist chiropractic services and to maintain its OHIP coverage. The petition reads:

“Whereas,

“Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic” services “will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province” of Ontario.

1530

#### CHILDREN’S HEALTH SERVICES

**Mr Garfield Dunlop (Simcoe North):** To the Legislative Assembly of Ontario:

“Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

“Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

“Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children’s treatment centres in their area; and

“Whereas there is no children’s treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

“Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children’s treatment centre services in their own area; and

“Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children’s rehabilitation services system in December 2001; and

“Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

“Whereas the proposal was reviewed and approved by the appropriate ministries in 2003, and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

“We, the undersigned, petition the Legislature of Ontario to release the funding for the children’s treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region.”

I’m pleased to sign my name to that.

#### HIGHWAY 407 RAMP

**Mr Mario G. Racco (Thornhill):** On behalf of my constituents of Thornhill and Concord, I present a petition today in relation to Highway 407. The petition reads:

“To the Legislative Assembly of Ontario:

“Whereas we, the residents of Thornhill and Concord, oppose the construction of a cloverleaf (ramp) at Centre Street and Dufferin Street connecting to Highway 407;

“Whereas a meeting to eliminate the ramp took place and hundreds of residents attended in opposition to the construction of the ramp and none of the residents were in favour;

“Whereas a condition that a study needs to be conducted is, in our opinion in this case, a waste of public money;

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

“We ask that the Ministry of Transportation:

“(1) Eliminate the possibility of the construction of a cloverleaf (ramp) connecting Hwy 407 with Centre Street at Dufferin Street;

“(2) Eliminate the request of the city of Vaughan to carry out a preliminary design and an environmental assessment study to justify the elimination of the cloverleaf (ramp).”

I affix my signature to this petition.

#### LESLIE M. FROST CENTRE

**Mr Norm Miller (Parry Sound-Muskoka):** I have more petitions to save the Leslie M. Frost Centre. It says:

“To the Legislative Assembly of Ontario:

“Whereas the Leslie M. Frost Centre is Ontario’s leading natural resources education, training and conference centre, aimed at fostering an understanding of natural resource management, with a focus on eco-systems and how they can be sustained for future generations; and

“Whereas the McGuinty government refused to consult with municipalities and other user groups before taking this drastic action and continues to operate in a clandestine manner; and

“Whereas this move will hurt the people and economies of Muskoka and Haliburton, especially those in the local tourism industry; and

“Whereas the Frost Centre is a valuable resource for elementary, secondary and post-secondary institutions, as well as a variety of other groups;

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

“That the McGuinty government reverse the decision to close the Leslie M. Frost Centre.”

I support this petition and affix my signature to it.

#### ORDERS OF THE DAY

##### STRONG COMMUNITIES (PLANNING AMENDMENT) ACT, 2004

##### LOI DE 2004 SUR LE RENFORCEMENT DES COLLECTIVITÉS (MODIFICATION DE LA LOI SUR L’AMÉNAGEMENT DU TERRITOIRE)

Resuming the debate adjourned on November 22, 2004, on the motion for third reading of Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l’aménagement du territoire.

**The Deputy Speaker (Mr Bruce Crozier):** Further debate? The member for Toronto-Danforth.

*Applause.*

**Ms Marilyn Churley (Toronto-Danforth):** Why, thank you very much, Mr Speaker. I’m pleased to be getting applause from the Liberal side of the House. I

don't know if they'll be applauding at the end of my hour, but we'll see. One whole hour: Get ready.

Just a week or so ago, I had the opportunity to stand in this place and talk for a full hour. Remember, it used to be 90 minutes, those of us who were here before those Tories changed the rules? So we only get an hour now, instead of the full 90 minutes, to talk about these bills. But I think I can say everything I need to say about this bill in an hour. So I'm going to take that opportunity now.

I thought I'd do a little bit of research before coming into the House today to remind members of some of the history of good, green land use planning in this province. It's not, I suppose, in the interests of existing governments to give credit to previous governments or previous to the previous government, normally. So therefore, when the minister and other Liberal members stand up to talk about this bill, it sounds like they've just invented the wheel, that nobody has ever thought about this before.

It was interesting, when I did my research. I mentioned this before—and the minister will remember—in committee, that some of this bill is NDP policy redux. It has come back. It's like fashion concepts from the early 1990s are making a comeback and receiving due recognition, because what Bill 26 does is reintroduce the planning principle that the official plans be in keeping with the provincial land use planning strategy and that they "be consistent with" the provincial policy statement.

So when I did my research, I thought I'd look up some of the old Hansards from the early 1990s, when some of the members who are in the Liberal Party were sitting right there where the Tories are now. Some are new members, so I can't blame them for this—I'll be clear about that; there are some new members—but Mr McGuinty of the Liberals, the now Premier, was here, and many other members. I've got to tell you that they voted against the NDP Green Planning Act.

*Interjection.*

**Ms Churley:** Now, you wouldn't have. I'm sure the new Liberal minister for this act—

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I wasn't here.

**Ms Churley:** He wasn't here. I'm excusing you, because I'm sure you would have broken ranks with your caucus then, and, Mr Speaker, I'm sure you would have too. I'm going to give you both credit for that. You would have broken ranks and risked everything—the possibility of being in cabinet later on—to do the right thing.

The Speaker, of course, is shaking his head. See? You wouldn't necessarily have gotten into cabinet anyway by playing by the rules, sticking with the solidarity, but I know every person—because I've been there, you see. I've been in government. I've been in opposition longer, I admit, but I've been in government and I know how badly every single person wants to be in cabinet. So most members do toe the line and end up voting for or against

things as they might normally not do. It's interesting. I know I'm veering off the subject here, Mr Speaker, but you provoked me. So let me get back to this very important bill that we're talking about here today.

I was just rereading some of the aspects of the bill that was introduced by the Hon Ed Philip, who was then the Minister of Municipal Affairs, and before that the Hon David Cooke, who later became the Minister of Education but then started the hard work, I think we all will agree—and I've got to hand it to the Liberal government in terms of going out there and doing the consulting and bringing this bill before us. But I know that when we took over government in 1990, after the Liberals had been in power, and previous to that the Tories for, I think, over 43 years, what we found was that the whole land use planning process in Ontario was in a huge mess. There were all kinds of problems. Furthermore, it wasn't taking into account the modern problems that we have around land use planning when it comes to protecting the environment, saving our prime agricultural land in environmentally sensitive spots.

So what the NDP did at that time was put a group together, chaired by Mr Sewell, the former mayor of Toronto, and I know that others were involved. They crisscrossed the province for, I think, two or three years, and I have to always say this when I talk about our committee on land use planning, the Green Planning Act, because Mr Sewell was so proud of this, as he should be, and so was our government: This committee came in on time and under budget—which, of course, is quite often unheard-of in this place—and did a tremendous job. Dale Martin was very involved in this as well—I should give him credit—as was Toby Vigod, and I'm sure I'm leaving some people out who were involved in this. But those are the people I particularly remember being extremely involved in setting up this working group that crisscrossed the province for two years and came up with a Green Planning Act that everybody could live with. That is a very hard balance, as I know the Minister of Municipal Affairs understands today.

We had a certain set of principles, and those principles had to be adhered to. Then everybody had to come together and not get rid of those principles but find ways and compromises where the main objectives would be achieved. That was done, and it was actually something we were very proud of. What I didn't do today, because I don't want to be negative for very long, was pull out the comments from the Liberals of the day to read quotes as to why the Liberals of the day were opposing this bill.

**1540**

I want to say that the NDP is supporting the bill before us today. We're supporting the planning act before us today. We have some problems with it. I made amendments at the committee level to improve the bill. Mr Prue, the member for Beaches-East York, is our municipal affairs critic. I often handle bills that we see as very important environmental bills. Either of us could have ably handled this one, but there were finance committee hearings at the same time. And as you know, with eight

members we double and triple up in critic areas. We work hard over here. At the moment, I'm sounding like George Bush in that debate. Did you hear him when he said about five times, "It's hard work"? Well, it's hard work over here. There are eight of us doing a number of portfolios.

Mr Prue was away at the finance committee, and I did this committee on his behalf and on behalf of the NDP caucus. I want to take this opportunity here—I actually did this at the committee level—to salute Fred Gloger. The minister will remember that the committee commenced shortly after we got the shocking and very hard news about our researcher, Mr Gloger, who had been with the NDP caucus for, I believe, over 20 years and was well respected and well loved by our caucus. It was a terrible tragedy.

I had the pleasure of being able to use the notes that Fred Gloger left for us before he went on his holiday to France. As you know, Mr Gloger was only 44 years old and died unexpectedly while in Paris. Mr Gloger loved to travel. He was a world traveller. He saved his money, and every year he planned an exotic trip and would get very excited about it.

I remember talking to Fred about this very bill a couple of days before he left. He left, as he always did—he would work day and night. He was very conscientious, very dedicated to this place, not only to our caucus but to the legislative process here. The research department, the Clerk's department—everybody knew Fred Gloger. He was meticulous and did excellent work. I worked with him, and he left us—working with my executive assistant, Jasmine Singh—very, very good notes for me to use. I want to pay my respects to Fred here, because of course the information, the notes I'm still using today, are in the memo he left behind for us. It says:

"April 23, 2004

"To: Caucus

"From: Fred Gloger

"Re: Strong Communities (Planning Amendment) Act, 2003."

There were several pages of notes explaining what's in the bill.

He did leave very good notes, and since then, of course, I've had the opportunity to sit on the committee and make amendments. None of those amendments were accepted, unfortunately. I said at the outset that we would be supporting the bill, clearly. The Planning Act, after what the Tories did to our green planning act, needed to be reformed. We were very, very pleased that the Liberal government moved forward on that. But there are some holes, some problems in the bill, and I took the opportunity at the committee level to try to strengthen and improve that bill. Unfortunately, those amendments were turned down.

One of the things I want to talk about that I'm very, very much in favour of and very pleased to see—unlike the Tories, because they're the ones who took this out of our green planning act—is that Bill 26 reintroduces the planning principle that the official plans be in keeping with the provincial land use planning strategy, that they

be consistent with the provincial policy statement. That is so incredibly significant.

To a lot of people out there it may sound like semantics. What's the difference between "be consistent with" and "have regard for"? One of the centrepieces of the New Democratic green Planning Act was that the wording be consistent with—and there was a huge fight over that in the community, absolutely huge. There were environmentalists and many of the municipalities, but some not—I think it was perhaps one of the most contentious parts of the NDP green Planning Act, but we insisted that it be kept in for the same reasons the Liberals are bringing it back.

The history of that bill is actually very interesting. I have Hansard from November 23, 1995, after the Tories came to power. One of the very first things they did was tear down that green Planning Act. It was heartbreaking. It was really difficult to watch how quickly a new government came in and tore it down, and many other pieces of legislation—progressive, good legislation—that we had worked very hard on. It was fairly new, and that was part of the problem. There was not enough of an opportunity after it was proclaimed for it to really take root in our communities, and the government was able to say it failed.

It didn't have a chance to fail. It would have been extremely successful. Had it been kept in place, some, not all, of the many problems we're having today with urban sprawl, with the Oak Ridges moraine that the Tories had to grapple with—many of them would have been dealt with under the green Planning Act. That's what's so sad: after all of that work, and everybody consulted, having the Tories tear it down practically overnight.

I should say that not only did they get rid of the green Planning Act we brought in, but they actually made the Planning Act that existed before that one more regressive. They changed that so it was more pro-development. It was quite a difficult time for all those who supported a more environmentally sound Planning Act.

I looked up November 23, 1995, and here's a statement I read in the House at that time. I think it sums up the feeling we had about this.

"Earlier this week the Coalition for Good Planning drew attention to the Tory plan to gut the Planning Act. These protections were put in place by the NDP government to safeguard our environment and preserve our prime farm land. I suggest to the minister that his plan to repeal planning reforms is based on the false premise that the legislation wasn't working. The new law was only just proclaimed in March of this year and the province had barely begun to switch over to the new system. What kind of logic is this?

"And another logical flaw: Urban sprawl is expensive to service, whether we are talking about policing, fire protection, transportation or other services. Where's the common sense in that?

"Recently, the minister told a meeting of the Canadian Bar Association that the policies themselves are weighted too heavily towards protecting the environment." I'm



quoting here. “Apparently the minister also feels the current legislation is too heavily weighted towards ensuring public input on planning issues, since the minister also plans to scale that back significantly with Bill 20.

“There you have it. Like so many of this government’s decisions, repealing these important reforms is based not on rational assessment of the facts but on ideology: ‘Nothing must get in the way of unfettered development. Drain the wetlands and pave over that prime farmland; here comes another mall and another parking lot.’”

I read that for a reason. I know that it’s history, that it’s done, that it’s over with, that we’re now dealing with a new Planning Act, but I wanted to illustrate how important this green Planning Act the NDP brought in was. It’s the same kind of language, the same issues we’re talking about today. We were talking about, under the Tory government, the Oak Ridges moraine. We’re now talking about the greenbelt legislation and all of those things. We were dealing with those, and we’re so far behind now because the previous government threw that out.

**1550**

On March 26, 1996, another statement by myself. That’s when my riding was called Riverdale. It went from Riverdale to Broadview-Greenwood and now it’s Toronto-Danforth. I said:

“I just came from a mock funeral attended by environmental and housing advocates from across Ontario. We were mourning the loss of affordable housing, apartments in houses, public transit, wetlands and woodlands, biological diversity, specialty crop lands, clean groundwater and public transportation in the planning process. Today, Bill 20, the Tories’ new, regressive Planning Act comes a step closer to law.

“Over 23,000 people from across Ontario were involved in a four-year process”—four years—“to reform planning in Ontario under the NDP government. A delicate, difficult balance was formed between development and environmental protection interests. Now, in just a few short months, years of reform and public consultation are out the window.”

The reason why I read this is to illustrate once again that, back when we were in government, these kinds of issues that we’re still talking about today were becoming incredibly important, and New Democrats worked hard to bring in legislation that would curtail some of this unfettered development and get control over our land use policies. And the Tories threw it out. Thus, we are where we are today with this bill.

As I was saying before I read these things out, the “be consistent with,” as opposed to “have regard for”—and I railed about that constantly here in the Legislature in opposition to the Tories and on committee and in the community because it was absolutely paramount that that clause be kept in. And you have to understand why, because if you have wording like “have regard for,” as opposed to “be consistent with”—well, you know, there’s a development application before you. You’ve got a provincial policy statement and you’ve got the OMB.

You’ve got the municipality. They have the provincial policy in front of them. They look at the guidelines, the law, and say, “Oh, well, we have to have regard for this. Let’s pick it up. Yep, yep, let’s read page—yep. OK, we don’t agree. We’ve had regard for that, and we’re not going to pay any more attention to it.” That’s what it’s all about.

When it says “be consistent with,” they have to pick up those pieces of paper and read them really carefully and make sure that any policies they’re bringing into place, any bylaws, whatever, are consistent with that provincial policy statement. And that’s the difference.

Of course we saw that happening a lot when they didn’t have to have absolute consistency with—well, they’d have their regard and then put them aside. So that’s just a little bit of background to why I feel so strongly about this bill before us today.

There are some places where this bill needs to be stronger. As I said, I tried to fix those through amendments, which failed to gain the support of the Liberal majority in committee despite the fact that they would be in the best interests of sound planning. I’m going to be bringing those up in my time here today.

I obviously am not so foolish to believe now that there’s any opportunity to get those amendments passed, unless the minister, who is here today—and I’m pleased to see that—listens very closely. I am sure he read every word of my amendments, and I think he would agree with some of them. But the Liberal majority had been given their marching orders, and all of the little answers as to why they weren’t supporting them were written out. I think that at times there was some embarrassment by some members of the Liberal Party on the committee that they were not supporting some of those amendments. But they had been given the orders to oppose them.

Just so people understand the way it works when we go to committee: People come and give us suggestions for changes. Then each party gets to send in, by a certain time, their amendments so we all have an opportunity to look at them in advance and think about whether or not we want to support the other parties’ amendments. Certainly, the minister and his staff would have had an opportunity to see my amendments and to write the responses as to why they weren’t going to support them.

I think it’s important to bring them up, so as we go along with this bill—and I’m sure it will be passing; we will be supporting it, and there is the Liberal majority—I think some of these omissions will come back to haunt the government. Let me tell you a bit about those.

First of all, and I am going to come back to the provincial policy statement that I mentioned earlier, because I do believe very strongly that this has to be “consistent with,” but we don’t know what the provincial policy statement is yet, because they’re working on it. So that’s a little bit of an inconsistency in this bill. We don’t know what it is we’re talking about here that it’s going to have to be consistent with.

Let’s talk about that for a minute: “Consistency with policy statement’s revision to subsection 3(5) of the act.”

Don't worry, I'll put this aside for you, because I know the table is going to want to see this after. I have to remember, instead of digging through all my papers. I'll put a little mark on it so I'll know.

While the administration is reintroducing some strong planning concepts from recent days, from the NDP time through this act, it is not introducing in concert its vision for sustainable land use, the provincial policy statement. So this process is perverse. How do we know at this stage what vision of land use planning this tool will serve to realize?

What we have seen so far is a provincial policy statement that just remains abundant—I know the minister said there's a draft out—in references to general principles on sustainable planning but fails in the specifics to act on those principles to curb sprawl.

In committee, Liberal members said that the government intends to have—see if this is still correct—the final policy statement also in place the day this act receives royal assent. Is that still true? When is it going to receive royal assent?

**Hon Mr Gerretsen:** We have to pass it first.

**Ms Churley:** I think it's going to pass fairly quickly. So it's going to get royal assent right away after that? Will the policy statement be ready then?

So we and other Ontarians remain in the dark about what this piece of legislation is actually going to enact.

The proposed policy statement also raises some red flags about the government's vision for planning. And this is one I've raised and I'll continue raising, because this is a biggie with me. I'm really troubled about this aspect in greenbelt, and it runs throughout all of the planning pieces of legislation the government is talking about or has before us, and that's aggregates. I have to say that I don't think I've seen such a pro-aggregate planning document, even under the previous government, like the proposed policy statement. It's really troubling me. While it is long on global comments about smart growth, source water protection, preserving environmentally significant areas and short on specific measures about these concepts, it is very explicit in its statements about protecting the interests of aggregate companies, despite their poor record of land use.

I've got nothing against the people. They've been down here lobbying us. They're good people from the industry, and I have a friendly relationship with them, and it's their job. That's what they do. It's their business to try to influence the government the best they can for their business. I'm not attacking them personally; I'm attacking the government for not coming out with a better, more proactive policy on this.

The proposed document protects the interests of aggregates to the extent of even stating, "Mineral aggregate operations will be protected from development and activities that would preclude or hinder their expansion or continued use." I believe that's on page 28 of the proposed document. The documents afford such a level of protection for this industry's interests, despite its poor record, frankly, on land use.

It's not just me saying this. Environmentalists say it, but also the Environmental Commissioner. If you read the Environmental Commissioner's reports of at least the last two times, maybe more, he has reported that the mining industry has created an environmental debacle by leaving pits and quarries unrehabilitated. He has mentioned that on a few occasions, and yet this document does not deal with it. Underlying this form of damage to our landscape and natural ecosystems is this province's overdependence on easily extracted minerals. The commissioner also reported on this, drawing much attention to how there has been little provincial initiative or interest underway to encourage conservation of aggregates through recycling and reusing. It is really critical. It has such a profound negative impact on our environment, water, animals and natural habitat. So it's a true Liberal contradiction here, leaving the public wondering where you really stand. The Liberals' growth management plan speaks to this very need to conserve landscape through greater use of recycled road materials. But the proposed provincial policy statement and proposed growth management plan are in direct conflict with each other on this issue.

**1600**

So you have to wonder why I'm a little worried and why I keep talking about how we need to see all these pieces of legislation and policy statements, because I found other contradictions in other areas of these plans. So when I stand and talk about this, it's not just what I'm thinking may happen; I've seen with my own eyes some of the contradictions already in place. I'm sure the minister will want to take a look at that and fix it.

The consistency with other planning-related legislation is another problem; that would be revisions to subsections 3(5) and 3(6) of the act. This revised planning act in its current form does not aid good planning because it does not spell out what policies and related legislation that official plans are to follow and are to show consistency with. As a result, as I said earlier, you're running that risk of real inconsistency here. There's also no schedule of what provincial policies and official plans must be consistent with, other than the reference to the provincial policy statement in the explanatory note. So you've asked us to take a giant leap of faith here. We really need this information before us.

How about the greenbelt legislation? How about the growth management plan? Well, after what I just said, maybe its omission is deliberate, considering that its position on aggregates does not match what you're saying in the provincial policy statement or the greenbelt legislation in its current form. Was it deliberate? Because it isn't consistent, and if it's brought forward at the same time then we'll be able to get away with keeping that inconsistency in there.

Without a doubt—absolutely without a doubt—source water protection legislation must be included in the provincial policies referred to in subsection 3(5). I can't tell you how strongly I tried to point this out at the committee level. Source water protection needs to be

there because it has to be central in land use planning, not dealt with on an ad hoc basis, as an add-on. So there are all these pieces here that should be included, and they are not. So I proposed such an amendment in committee, and it was not passed.

On a related note, I also proposed an amendment that required complete applications that, if it had been passed—but it wasn't—would have helped to ensure that applications comply with official plans and, by extension, the provincial policy statement. You can see that what I was trying to do here was strengthen this bill so it would be entirely consistent with its stated purpose.

For municipalities to comprehensively assess if applications made before them meet official plans—and we have to be fair to the municipalities here—and, by extension, provincial policy statements, I think it is a no-brainer to say that they need a complete set of information. Municipalities did express to the committee, and I'm sure to the minister, concern that under the current definition of “complete application,” developers do not have to include many relevant pieces of information that are key to properly evaluating the application against the PPS. These would include traffic impact studies, the implications for infrastructure, natural heritage, hydrological studies, things like that. The amendment clause (b) ensures that that clock on the review period does not start, and it shouldn't start until all of that necessary information the municipal council needed to evaluate the application was provided, and this bill does not allow for that. So I would say to the minister that that is unfair to the municipalities. All these other relevant bits of information should be added to all the necessary information the municipal council will need to evaluate the application.

I'll talk a bit about matters of provincial interest. The act allows the minister to intervene in matters before the OMB that are deemed to be matters of provincial interest. I think that was one of the main Tory objections to this piece—and retroactively, I believe.

I have a different take on it. I believe that for the province to have the ability to declare a provincial interest every now and then; certainly the NDP used it—I don't know—maybe once or twice. It's very rarely used, but sometimes it's important to have that opportunity in the public interest. But what we're saying about that is that what constitutes an issue of provincial interest should be more clearly defined than it is. I think that, as close as possible, an explicit list of what constitutes a matter of provincial interest is necessary in the interest of transparency. The government accepting responsibility and accountability in its promise to protect ecologically critical and sensitive areas, prime agricultural land and our natural heritage, leaving what represents a matter of provincial interests equivocal, allows the government—and this is my concern—without the clarity to evade or circumvent from carrying through on these promises.

From our perspective, we believe that the province having that ability is key, but we want it very clearly defined, so we know if any provincial government of any

stripe, no matter who's in power, would know what the rules are around what they declare, because it is a pretty strong-arm thing to do. It can be seen as a very draconian thing for the province to step in. As I said—and the government says this too—it has been rarely used, and it shouldn't be used a lot. But when it is used, people need to know exactly why it's being used and what it's trying to protect.

I did, as I said, put in an amendment in committee that was not passed, and it would have led to such accountability. The Liberals did pass an amendment. They did their own amendment on this, and that did, of course, pass, but it only does half the job. Mine would have been stronger.

Another area where I made an amendment was the transitional regulations, subsections 70.4(1) and (2) of the act. The act permits the minister to make regulations on transitional matters, including which applications already in progress will be dealt with under the old rules and which will be subject to the new rules. In committee, the NDP proposed an amendment that would have required the minister, within 30 days of passage of the bill, to publish which matters would be dealt with by transitional regulations.

Developers, municipalities and communities need to know where they stand. That's always important. All the interests need to know as precisely as possible where they stand, because even if not everybody agrees with specific pieces of legislation, if there is transparency and everybody knows where they stand, they believe they are being dealt with at least somewhat fairly, and they're all operating on the same playing field.

Without such an amendment, this part of the act leads to uncertainty and perceptions of unfairness, and it appears to give cabinet more power than is appropriate. We'll see what happens with that, because my amendment failed to pass. I must say that this amendment came from somewhere. We were not alone in urging such transparency. Many deputations from all interests requested such a measure during the committee hearings.

I have a slight cold, which is probably pretty transparent and obvious here.

I have with me the amendments that I used in committee. It was interesting going through them as I prepared for this today—I wrote little notes on them. I'm just going to go through them. Government motion number one—all of these say at the top whether it's a government, Conservative or NDP motion—is one that passed. It was a government amendment. Number two, a PC motion—I didn't vote for this one either; I'm just illustrating what happened in committee—failed.

#### 1610

An NDP amendment, which was a very important one—I made several amendments, and this will come up again and again, on “be consistent with.” What happened was that government legislation said very clearly that the OMB, the municipalities or whoever is dealing with land use policy had to be consistent with this new bill, but there were certain sections of the bill that didn't reflect

that. So throughout the whole time in the committee, I made amendments that would try to strengthen those areas where that was not explicit, and that's what this amendment was all about. What it dealt with was, again, for the purpose of consistency—and that's what I tried to do with that throughout the bill—there has to be, but there isn't as it's left right now, an explicit reference to source water protection being a matter of provincial interest. Otherwise, a discrepancy will exist between the proposed provincial policy statement and the government's pledge to source water protection. In the current section 2 of the Planning Act, reference to protecting water supplies and quality is scattered and does not specifically identify protecting it from the source as a matter of provincial interest. The fact that that's not in there, that the government pledged to introduce specific source water protection, says that source water protection indeed constitutes a matter of provincial interest. That's why I made that amendment, but it failed. The government members said no to that.

Another amendment, an NDP motion, was not passed. It failed again. It was the same kind of thing, voted against by the Liberals. PC motion number three failed—in my view, that one failed for good reason. The NDP motion failed—I'm not going to go into the details of each of those. A government motion: Guess what? It passed. NDP motion, failed; PC motion, failed; PC motion, failed; PC motion, failed; PC motion, failed; NDP motion, failed. Government motion: Guess what? Passed. Government motion, again, passed; NDP motion—this is an interesting one—failed. The Liberals proposed a similar amendment to this one. Some of my motions were ruled out of order because weaker motions dealing with some of the same specific areas were put forward by the government and were passed, of course.

The next one, an NDP motion, failed; the next one, and NDP motion—you can't say we didn't work hard to try to improve this bill—failed; NDP motion, failed; government motion, passed; government motion—I should tell you that some of these from the government are very short little ones, like one line: "I move that subsection blah, blah, blah of the act as set out in blah, blah, blah of the bill be struck out," and things like that—passed. Some of it was just housecleaning.

Government motion, passed; NDP motion, failed; NDP motion, failed; NDP motion, failed; NDP motion, failed; NDP motion, failed; government motion, passed; government motion about language, passed; NDP motion, failed; NDP motion, failed; NDP motion, failed. I guess we could have written "failed" on all of these before; I just sat in committee and wrote it as it happened. Government motion, passed; PC motion, failed; NDP motion—I'm going to go into this one a little bit in a minute—failed. I think I'm missing some right here. Let's see, what have we got? Schedule: government motion, passed; government motion, passed; NDP motion, failed.

One of the areas I dwelt on and made reference to—and this failed, of course, but I thought it was incredibly

significant, given the greenbelt that's going through. And some of the hot spots that have been labelled environmentally sensitive hot spots were left out. To be honest here, I look for opportunities anywhere I can, because they were not included in the greenbelt.

Since that time the greenbelt has come forward and the final version of the greenbelt does include some of the 10 hot spots—not all of them, I think there are five or six not included, and some of those that are included are only partially included.

So what I was trying to do there was I saw an opportunity to include these hot spots within this act. It was possible to do. It was all within the legal framework. What I did was move that the bill be amended by adding the following section—let's see: "schedule, matters of provincial interest." I come back again to where I asked for specific things to be included in "provincial interest." One was Castle Glen.

Castle Glen—you've heard me talk about this in this House and at the committee level—is where the government is allowing the first whole, year-round town to be built in the Niagara Escarpment area since it was protected in the 1970s by the Bill Davis government, and to continue to be protected from that kind of development right on up until the Liberal government allowed it to go ahead.

I know what the government says, that they had no choice, couldn't stop it, had no option, for a variety of reasons I don't have time now to go into here, but they could have stopped it. It could be declared a provincial interest, and I would say to the government, shame on them for letting that go ahead. I think that will be a blight on their term in government. They will always be stuck with being the government that allowed a whole, year-round, live-in town with golf courses and everything else—you name it—in that town to be built on the Niagara Escarpment.

The Pickering Duffins-Rouge Agricultural Preserve got saved. I see the former mayor is here from that area today. I haven't heard from him. I shouldn't tease him about this, I guess, but I know he had some words, because he came to committee and did a very interesting thing with an amendment that didn't pass that I think would have pulled this piece out and, had it passed, would have allowed it to be developed. I went there to one of the public meetings, and the province has said no; they're saving that. I've got to take my hat off to all the groups and the local citizens who lobbied and worked really hard for this one. That was a victory for those people.

Simcoe county is the big one, because this is where we get into talking about leapfrog development. When I was talking the other day, when we had the greenbelt legislation before us, this is one I dwelt on for some time. The reason I had it in this schedule is because it's atrocious, what is happening. I don't know, maybe the minister of infrastructure is going to be dealing with that in his piece in all of this. I forget what it's called now, but it's coming forward. You hear everybody talking

about leapfrog development. That's still a huge problem with the greenbelt legislation, and we wonder why it got left out.

Lake Simcoe, which is already under enormous stress from the development that's happened there already—that's one of the problems: just more pollution for the lake.

**1620**

I think it's pretty clear what we mean when we talk about leapfrog development. There's a belt of land that's going to be preserved, and you can't develop on it. Then what will happen when you have that whole big swath of land in the Lake Simcoe area? Well, of course, the developers' people are just going to leap right over that and start, I guess, intensifying even more. It's going to leap—

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** It's going to be inside.

**Ms Churley:** It should be, but it's not. It has been left out. They're going to be allowed; that's the problem. It should be inside the belt, and that's why I wanted it included in this planning act as a very precise area of provincial interest, so that could be done.

I want to talk for a moment about one of the other areas where I have very, very serious concerns, and that is King City. That's the big pipe. We're not hearing a lot about that these days. I raised it in the Legislature, and you'll all remember what happened, when the government, late in the day on a Friday of a long weekend, announced quietly that they were allowing that big pipe to be built in the King City area. Of course, there is no doubt that that's going to lead to more sprawl.

The government's answer is always almost histrionic about this in terms of their response back at me, that, "You don't care about the health of the people in the area," that, "The drinking water is in jeopardy and we have to build this big pipe because there are some problems with the sewers and the septic system in the area." But, of course, there's been a lot of study done. There are other ways to deal with those specific problems. You don't have to build a huge, huge pipe that's going to go so into the water table that it's going to constitute taking tonnes and tonnes of water.

*Interjections.*

**Ms Churley:** It's hard to concentrate when I'm hearing something about Toronto-Danforth here.

*Interjection.*

**Ms Churley:** Absolutely.

So they're going ahead with that big pipe. It's also taking a huge amount of water out of the ground, because you have to dig down so deep in order to accommodate the huge pipe. They actually get down into the water table, and therefore that water's going to have to be removed. I said to the government when I raised this before, "This is not just about urban sprawl." As they try to say they want to protect the Great Lakes—and I applauded the Minister of Natural Resources' announcement that they were not going to sign on to that annex until they reviewed it again—it certainly is true

that as long as they're allowing that water-taking to happen for the big pipe, it really weakens their position in terms of massive water-taking.

Some of the other areas that I wanted included are areas of significant scientific and natural interest, including the Oakville Trafalgar moraine and the Boyd Park-Pine Valley. I believe there's some protection for some of those areas, but not all. Those are some of the things that it would have been useful to have had included in the bill that were voted down.

I'm trying to find the 10 hot spots here. I don't know what's going to happen with some of those. I talked about the Dufferin Aggregates Milton quarry extension, and I talked about the salamanders there. This is all about the pits and quarries and why it's so important to have that area protected. The Rockfort quarry in Caledon. I mentioned Castle Glen and Boyd Park at Pine Valley—a big road through this very precious park. As I understand from the greenbelt, that will be about half protected. King City, I just talked about. Simcoe county.

The Rouge Park north: I believe that this one, from my understanding, has been included in the greenbelt, but now I understand that the real fight over this one is going to be over boundaries. I guess it never ends. I hope that the right thing is done in terms of the boundaries for this park, but I was glad to see it in.

The north Leslie, Richmond Hill, has been called the most threatened site in Ontario. This one was about half, as I understand it, in the greenbelt legislation. The reason why it's called, as I understand it, the most threatened site in Ontario is because—I'm getting this from the Ontario Greenbelt Alliance hot spots. These were hot spots that they put out to the public and to the government, asking that all these be included as being protected under the greenbelt.

About the north Leslie, Richmond Hill, site, they say, "Protecting our water quality depends on protecting the sources of our water. A massive new subdivision is proposed on the headwaters feeding the main branch of the Rouge River. This is one of the most environmentally sensitive and threatened areas in southern Ontario. Developers are proposing 6,000 residential units, as well as industrial and commercial buildings (including big box stores) built on and adjacent to provincially significant wetlands and headwaters. The site is located a stone's throw from the controversial plan to build 5,700 houses on the Oak Ridges moraine."

The government needs to go back to the drawing board and do the rest of the protection that needs to be done there.

Those are some of the problems with the bill before us today. The bill, I think, in many ways achieves many of the objectives the government set out to achieve within this one. I've outlined some of the areas the government still needs to give attention to, because I think those flaws are going to come back to bite the government down the road if they don't deal with it.

I understand that there is some discomfort, among some, with the government having the final say, although

overall I believe people are feeling generally favourable about that aspect of the bill. There are, of course, developers saying—there's no doubt about it, about this and the greenbelt legislation—that this and other anti-sprawl measures will drive up the cost of housing by confining it within a tighter area. I believe that by now this argument has been debunked by many, which is a good thing, but I'm sure we're going to hear that time and time again, especially around the greenbelt and other legislation that's coming forward.

I would say that in general the environmental and planning benefits of the bill, perhaps, for me, outweigh the concern about cabinet having the final say, but that is why, having said that, I proposed an amendment to ensure, since cabinet will have the final say, that it's covered by provincial policy, in particular development applications.

I guess one of the things against everything else that's happening: This bill has a fairly low public profile; it's a planning act, for heaven's sake. But for anybody who's paying attention and wants to see sprawl dealt with in the province, environmentally sensitive land dealt with and prime agricultural land dealt with, all of those things, this planning act is absolutely key. It has to be passed, and I can only say I regret very much that the government didn't accept my amendments.

**Hon Mr Gerretsen:** We had better ones.

**Ms Churley:** No, you didn't have better ones. Don't tease the bears over here. I'm getting to the end. Your amendments didn't work at all. They didn't deal with some of the very specific problems, Minister. The ones you did bring forward were only half measures. Some of the problems identified by the—

*Interjection.*

**Ms Churley:** It's true.

**Hon Mr Gerretsen:** You were running out of steam.

**Ms Churley:** You were helping me out here. Oh, yes. I'm running out of steam; you're right. You got me all riled up again. Thank you for doing that.

Some of the amendments you did make, seriously, Minister, in response to some of the deputants were only half measures to deal with some of the problems I outlined, and some of the specific areas that I talked about today you didn't deal with at all. I believe, out of all of the things that I said, we need to see the provincial policy statement as soon as possible, because this bill and its success—the new wording. “having regard for,” instead of “be consistent with,”—hinges very much on what that new policy statement says. So we are looking forward to seeing that.

**1630**

My throat gets sorer and sorer, but I believe I've managed to say most of what I needed to say regarding the good things about this bill and the bad things about this bill. I'll say in closing that we will be supporting it. In fact—I don't know if the minister heard at the beginning; I'll say this again—it has components of the NDP green Planning Act that you've been able to benefit from. I think we can all say at times that work from

previous governments has made a difference. That work made a difference and the government could rely on a lot of the work that was done at that time. It's good to see some of this very strong policy being brought back; no doubt about it. Under the Tories, under their very regressive Planning Act, some terrible things happened in this province. I'm happy to see that the government was able to rely on some of that information.

I want to say to the government that I hope very much they will look at some of the issues I've outlined today and in committee, and take another look at it and see if there's not some opportunity to improve upon the bill and make it even better than it actually is.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

**Mr Arthurs:** I'd really rather speak on democratic renewal for the next two minutes, because no member should be put through what the member from Toronto-Danforth was put through, and that's to have to spend an hour speaking on any bill. I'm pleased she only felt an obligation to take 58 minutes and, I think it was, 15 seconds, but I'm not sure; maybe it was 45.

**Ms Churley:** I enjoyed every minute of it.

**Mr Arthurs:** I'm sure. It's just that I think an hour is a protracted process; maybe that's for another day on democratic renewal.

On Bill 26, I had the chance yesterday, I guess it was, to speak briefly about a situation in Whitby some years ago, and I kind of want to follow that theme in the minute or so that I have available and talk about what happens when developers are in a position to lead development outside the urban boundary, when there are not those constraints, when they're able to initiate or make an appeal to the Ontario Municipal Board in the absence of municipal support or, at the very least, the absence of any interest in the municipality to even pursue the process. This bill is going to make some change to that that will be appropriate and effective.

There were two projects that occurred within my riding now—at the time, I wasn't the member; I was the mayor and a member of the regional council—and both of those are in Uxbridge. One was, again, the Gan Eden project, and it will probably surface again as part of the greenbelt, the land swap scenario with Seaton and some developers. How that ever got into the process is well beyond me. It's outside of any urban boundary, it's away from any urban area, it has no capacities for service, it's environmentally sensitive, and how it ever got into the process of potential for urban development—the OMB—and thus into the land swap is really a mystery. There was that particular project and there's another one called Sandhill. Maybe I'll speak to that for another two minutes on another day. But it has cost the municipalities of Uxbridge and Durham hundreds of thousands of dollars in legal expenses before that—

**Mr Garfield Dunlop (Simcoe North):** I'll be speaking myself in a few minutes on the third reading of this bill, but I would like to very briefly make a few comments about the member from Toronto-Danforth's one-

hour leadoff on third reading. I think it is important to note that she has made, not only in her speech today and in committee, but in her previous actions on behalf of her caucus as well, a very passionate plea for what she and her caucus believe are very positive moves for the province.

I think she brought out a very strong point when she talked about this government, which talks about democratic renewal. There has really been no democratic renewal shown in the fact that they wouldn't listen to any amendments by either of the two opposition parties. That's a scary thought.

The Premier just last Thursday made an announcement on democratic renewal, thinking that we're living in a whole new world and all this garbage that he likes to spew out of his mouth when he really means nothing. They turn around and it goes to committee and in fact nothing is even considered by the committee made up of a Liberal majority. That sends the wrong message, because there was a lot of opportunity in Bill 26 to allow different amendments. The government did not listen to any of the NDP amendments and certainly didn't listen to any of the Conservative Party amendments. I think that's sending a strong message to myself. I will not be supporting the bill because of that.

*Interjections.*

**Mr Dunlop:** In spite of the fact I'm being heckled already, before I even start my speech, I can tell you I have a lot of personal reasons in my past political career to consider this.

**Ms Andrea Horwath (Hamilton East):** It's my great pleasure to rise to make comments on the leadoff speech by my friend and colleague from Toronto-Danforth. As you know, she's very well respected in environmental circles, not only in her own community but across this province. She's done some great work and I respect her opinion very much, as well as her ethic in terms of looking at the bill and honestly saying to our caucus that there was a great deal to support and pretty much from day one, as she mentioned, working with our dearly well-thought-of friend Fred Gloger, who unfortunately passed away a couple of months ago, working very diligently with him to come up with what they thought would be some extremely important, fine-point amendments that they thought should be brought forward. So from day one, members in this Legislature, particularly the government side, would be pleased to know that we have always spoken very positively about this bill. We welcomed it. But we did believe there were perhaps some minor things and maybe some major things that would only serve to increase the effectiveness of the legislation.

As you know, the member for Toronto-Danforth already brought those specific issues up in her speech earlier. I think there was really an opportunity to make some movement there. It's unfortunate that wasn't done. But I do expect that at the end of the day we will likely support what we have in front of us with the hope that the government will see to some further amendments as time goes by.

Not unlike the speaker from Pickering-Ajax-Uxbridge, I too come from a community where leapfrog and greenfield development has caused severe problems to my municipality. I hope this bill will change those kinds of things.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm pleased to stand and indicate my support of Bill 26, and I'm pleased to thank the member opposite for her support and her helpful comments.

Certainly, this legislation, although at times it may seem a bit distant from those in our community—I remember sitting down with members of local rate-payers' organizations in advance of the last election and talking to them about the changes they wanted to see in this process. I was pleased on behalf of the minister to be able to host a large community consultation in Etobicoke to talk about what Bill 26 would bring to our communities. The message I gave my community at the time, and one which speaks somewhat to the member's comments about democratic renewal, is that this legislation is about a renewal of the planning process, an opportunity to give our local communities a stronger voice, which is something they've asked for for a long time, and a way to put in an accountability process as we go through a planning process.

As a litigator, I had some peripheral involvement with planning issues and I know the detail that is put in as communities plan for safe, healthy, livable communities. It is imperative that the processes that take place after that plan is put in place continue to give communities a strong voice. The strong communities act addresses some of the concerns and many of the concerns that local communities have brought forth when they said they haven't had sufficient say on local planning issues.

**1640**

So in that way I'm pleased to support the fact that we are going to give an increased time availability for those community groups and municipalities to review planning applications before they're appealed, that we're going to make sure that the voices are consistent with and plans continue to be consistent with provincial policy statements.

All of that, I think, gives a renewal to the planning process, a strong local voice, and I know it's one that the community in Etobicoke-Lakeshore wants to have.

**The Acting Speaker:** That concludes questions and comments. The member for Toronto-Danforth has two minutes to reply.

**Ms Churley:** Thank you, Mr Speaker. I think I can manage two more minutes, but I could use some water.

I wanted to thank the members for Simcoe North, Pickering-Ajax-Uxbridge, Hamilton East and Etobicoke-Lakeshore for their comments.

One of the things that was said was that I didn't really need a whole hour to talk about this bill. I hope you're not going anywhere with this—

*Interjection.*

**Ms Churley:** No, I didn't have a whole lot of trouble. It is only because I have a sore throat. Anybody who has

known me for a while knows that I have no trouble speaking to bills for an hour or 90 minutes or whatever it takes.

*Interjection.*

**Ms Churley:** OK, good, because I think that is an important opportunity in this Legislature, for members of the opposition to be able to speak at length, especially in their critic areas, about bills before us. I do think that no matter who's in power and who's in opposition, the opposition plays a very, very important role in pointing out—that is our job, to point out deficiencies and problems, even when, as in this case, we are supporting a piece of legislation.

And that is one of the things that I sometimes find disappointing. I mean, I stood up and pointed out and read some things from Hansard about the NDP green Planning Act that we brought in. I haven't heard a Liberal, not one Liberal, give any credit to the former government in terms of the work that it did, one of our key pieces of legislation that we worked very hard on and I know this government was able to rely on. And then there was that awful thing that happened in the middle. I understand that these guys are going to vote against this bill, when it is actually trying to bring back some of the green components of the bill the NDP brought in. So you know, Liberals voted against our green Planning Act, and I bet they are embarrassed about that now. And you guys are going to end up being embarrassed if you vote against this bill today.

**The Acting Speaker:** Further debate? I recognize the Minister of Municipal Affairs.

**Hon Mr Gerretsen:** Let me first of all say, you know, the member felt extremely badly that she only had an hour to speak on this bill; how do you think I feel? I've only got 20 minutes to speak on the bill.

**Ms Churley:** You can have longer.

**Hon Mr Gerretsen:** No, I've only got 20 minutes to speak on it.

But you know, I didn't have an opportunity to speak yesterday, because I was out in the Niagara area meeting with many mayors, councils, the wine council, the grape growers etc, to talk about our greenbelt legislation that has been talked about quite a bit during the debate that has already taken place here. It's a very important act, and I certainly, for one, would hope that all parties in the House recognize it as such and will give the bill a third reading fairly soon so we can get on with it.

But before going on, let me just thank my parliamentary assistant, the member from Lambton-Kent-Middlesex, and the member from Guelph-Wellington for actually starting the leadoff on this debate. As you know, in the House it is normal practice for the minister to start the leadoff debate, and then the parliamentary assistant takes over. That didn't happen on this bill because of those circumstances, but they did an excellent job.

Let me tell you the other side of that, though. The one thing it does give a minister an opportunity to do is to actually listen to the speeches that the official opposition and the third party give on the bill so that I get an

opportunity to respond to some of the concerns they have raised, which otherwise quite often we don't get an opportunity to do, because under our rules you can only speak on a bill once, other than in the quick responses that come, replies etc.

Now, I have some prepared notes. We all know, as does everybody who has been a minister or has been on this side of the House, that when you're a minister, they give you prepared notes to make sure that you stay on message and that you don't say anything you shouldn't say. So I will go through those, and then hopefully I will have enough time to sort of deal with some of the comments.

Let me just deal with the very first issue raised by the member from Toronto-Danforth, about the fact that we should give credit to other people with respect to this or any other bill. You know, let's be realistic about it. Most of the bills that come to the House—and this is certainly one of them—are not starting from scratch. We are building on the public policy that has been developed in this province in a whole variety of areas. In this case, we're talking about planning legislation.

When I go back some 30 years, since my first involvement with the Planning Act, there have been successive changes made. We feel, as a government, that the changes that were made by the last government weren't good changes. They basically took powers away from municipal councils, they took powers away from the elected people, and gave them to the Ontario Municipal Board, in a lot of cases, or to the development industry, when they should be in the hands and control of elected people.

That's why we're changing back and also improving this particular act, having been built on originally by the Davis government, the Peterson government and the Rae government. If those governments want to take credit for a lot of the things that are still in the Planning Act, so be it. I'm not going to argue about that at all. The changes that are made to public policy in this province are an incremental thing in the vast majority of cases, and this is one of them. I want to give all the former governments that have been involved in providing relatively good planning acts to this province their due credit for that.

Now I've got to start reading from my prepared notes, so that at least we can deal with the substance of the bill. Let me first of all thank all the members of the committee, including members of all the political parties—the opposition parties, as well as our own party—for their active involvement in this bill, both during second reading and committee debate and now during third reading.

Let me also say, because both the member today and the municipal affairs critic for the Conservative Party talked yesterday about the fact that no amendments were being accepted from this party or that party, that a quick reading and a look at the act will tell you that, as a result of the public consultations we had after second reading and as a result of the representations that were made to us by stakeholder groups, by individuals, by municipalities,



by developers, by environmentalists etc, a whole number of changes were made to this bill. In my quick look at this bill, there were at least 10 substantial changes made as a result of the public consultations we had.

It could very well be, in a lot of cases, that there was similar wording between some of the opposition changes that were suggested and what we had. The bottom line is this: As a result of the public consultation process, we have a better bill that will look after the good planning of our communities in Ontario. That's the first thing I want to say. Amendments were accepted, and it wasn't a done deal right from the very beginning.

Let me clarify a few things that have not been adequately explained about Bill 26. One of the proposals deals with matters of provincial interest—I know that Mr Hudak made a big issue of this yesterday. Bill 26 would allow the province to confirm, vary or rescind a decision of the Ontario Municipal Board on official planning and zoning matters where the province had advised the OMB at least 30 days before the hearings began that a matter of provincial interest may be adversely affected. What this means is that the province could declare a provincial interest where, in its judgment, the protection of ecological systems and agricultural resources, the supply and conservation of energy and water, and the efficient use of communication and transportation services, among others, would be adversely affected.

There is a concern that with the declaration of provincial interest, final approval will be left with the cabinet. We heard that yesterday; we heard it during committee hearings. Another concern is that the people of Ontario would not have access to the government's reasons or justifications. Well, let me just quickly respond to those concerns.

A declaration of provincial interest was first introduced in the 1983 Planning Act. It is not a new provision. It was first introduced by the Bill Davis government, adopted by the Peterson government and then by the Rae government. It existed between 1983 and 1995, for some 13 years, and during that period of time it was only used on four occasions. With the proposed changes for official plan amendment zoning bylaws and holding bylaws, the minister will have the authority to declare a matter before the OMB to be of provincial interest. But as I mentioned before, in the past it has only been used on four occasions during a 13-year period of time.

**1650**

If so declared, the OMB would hear the matters and its decisions may be confirmed, waived or varied by the Lieutenant Governor in Council. The province is accountable to its citizens and the declaration of provincial interest is a means to ensure that the viability and strength of Ontario's communities are maintained—and I believe we're all interested in that.

To ensure everyone understands why the province has made a declaration of provincial interest, we are proposing an amendment that would require the government to provide information to the public about the minister's rationale in declaring a provincial interest. That is in the new act, as amended.

Another provision under Bill 26 would allow the Minister of Municipal Affairs and Housing to make a regulation relating to applications already in progress, or transition matters. This addresses concerns that planning applications may be at different stages in the approval process if the bill were passed. We recognize that we need to protect the interests of the public, because the provisions of the bill could possibly apply to matters already in process. As in other provisions under the bill, our goal in preparing transition regulations will be to ensure certainty, transparency and clarity in the planning process.

Let's just give you the other main proposals under Bill 26. They include, first of all, increasing the timelines for reviewing specific planning applications, in particular with respect to official plan amendments, which are in most cases major changes in the municipality's approach to its overall development process. Secondly, it eliminates an applicant's right of appeal to the Ontario Municipal Board for alterations to settlement area boundaries not supported by municipal councils. Councils should be the organizations, the duly elected people, that determine where their urban boundaries within a municipality are. Thirdly, it would change the implementation standard so that decisions on planning matters are consistent with provincial policy statements that are issued under the Planning Act. I'll have more to say about that later.

Our government recognizes that our current planning system needs to be improved. Over the past years, there has been a growing perception that the Ontario land use planning system has not been working as effectively as it should. Our government intends to reform the land use planning and development process to support our goal of stronger and better communities.

If passed, Bill 26, the Strong Communities (Planning Amendment) Act, 2004, will be the government's first step toward planning reform. The proposed act will boost local democracy and bring greater accountability and transparency to the land use planning system. As part of the planning reform initiative, we want to give municipalities and the public a real voice in the way their communities grow and prosper.

Over the summer, our government, led by the Ministry of Municipal Affairs and Housing, held stakeholder and public discussions across the province. The discussions focused on the proposed changes to the Planning Act. They also focused on draft policies of the provincial policy statement that were referred to by, I think, members of both opposition parties earlier. I would suggest that anyone who wants to see the provincial policy statement, the draft statement, click on the ministry Web site and take a good look at it, because there are some significant changes that we are proposing. The provincial policy statement will form an integral part of the overall planning system here in Ontario. Discussions also focused on implementation tools that people feel are needed to facilitate better and stronger communities; and the role of the Ontario Municipal Board in the land use planning system—we've put out a discussion paper on

that. It's been well received; we've had some excellent comments back on that. And early on in the new year we will be starting Ontario Municipal Board reform activity, as well as what additional planning changes may be needed.

Ministry staff received over 600 submissions through town hall meetings, workshops, postings on the EBR and ministry Web sites, e-mails, letters and position papers. The consultations ended on August 31, but I notice some more came in during the month of September and they will certainly be considered as well. We want to simply bring back local accountability and transparency to the land use planning system.

Our government respects the authority of municipal governments and believes they are in a better position to make the best decisions on urban boundaries for their communities and their constituents. We want to ensure that important provincial land use planning policies are clearly spelled out so that vital provincial interests are protected for the benefit of all Ontarians. These land use policies are spelled out in provincial policy statements, the complementary policy document to the Planning Act that embodies good planning principles and seeks to protect the public interest.

The PPS is reviewed every five years to ensure that the province's land use policy direction responds to key issues that affect our overall well-being. These include creating strong, livable and healthy communities by promoting infill and intensification—and we've had quite an interest in that. Infill and intensification, particularly along major transportation and transit routes, is an integral part of the places to grow and the greenbelt legislation that we're about to pass.

The four million additional people that we expect in this province, most of whom will be living in the GTA, over the next 30 years have to be accommodated—the kind of sprawl that we've had over the last number of years isn't only bad for people, but it's bad for our economy as well—supporting a vibrant and strong community through employment opportunities and protecting the environment.

Our government recognizes that more actions may be required in developing the framework for a land use planning system that is responsive to Ontario's changing needs, and the Strong Communities (Planning Amendment) Act that we're dealing with here today is but the first step to achieving this goal.

When we came into office, the province made a commitment to meet the challenge of providing Ontarians with a quality of life that is second to none. The province is working toward real and positive change that will make Ontario strong, healthy and prosperous. Quite simply, it's time for well-managed, planned growth.

Currently, our proposed changes to land use planning address high priority concerns. But we're not stopping there. There will be further reviews to the Planning Act, and there will be more fundamental reforms proposed to the planning system. These reforms, if passed, will bring in fundamental change to land use planning in Ontario.

We are also providing and working with our communities with additional tools to help deliver the services that Ontarians expect and provide an environment that is safe, clean and healthy for the people who live and work in these communities.

We are embarking on a new era of co-operation between the province and municipalities by giving our democratically elected local governments the planning authority that rightfully belongs to them. Our government's new focus on strong communities demands a new approach, a provincial-municipal working relationship that values input from each side and draws support from the people served by the two levels of government.

Over the last eight years, Ontario's municipalities have faced many challenges. They include uncontrolled development, gridlock, endangered heritage and water resources, loss of green space and unhealthy air. They have led to negative environmental impacts and have hurt our economy. We are committed to building safe, strong and livable communities and providing communities with the tools to develop and sustain them.

We can no longer simply allow uncontrolled development in Ontario. We need the reforms to land use planning that will give our municipalities the tools to grow smart and the ability to grow strong. Ultimately, the strength of Ontario will be measured by the strength of its communities.

In the three minutes I have left, let me just talk to you a little bit about some of the other issues that were raised here. Let me go back to a comment that was made by the member from Toronto-Danforth as to why Simcoe county, for example, was not included in our proposed greenbelt legislation.

**1700**

In the simplest terms, I suppose one could say it wasn't contained in our election platform last year. When we studied the greenbelt, we went on the basis of looking at those lands that were identified first in our platform. But secondly, I think what the people, particularly of that part of Ontario, should also be aware of is that there is a major study going on right now to deal with the whole water management situation in Lake Simcoe, which the Ministry of the Environment is deeply involved in, to basically deal with the water conditions as they exist in Lake Simcoe. There's a major concern that there is simply too much sewage going into Lake Simcoe on an ongoing basis and that it's destroying the lake. So before any other developments of a major nature are allowed in that particular area, we want to know what the results of that study are and we want to know how those issues can be rectified.

The other thing people should be aware of is that we have made a concerted effort over the last six months to meet with the political leadership of all the various communities in the county of Simcoe to help and assist them in their overall planning process. It's my understanding, from having met with the political leadership there, with the warden and the various reeves and mayors of that area during the AMO conference in August, that there

have been further meetings they've held with the ministry since then and that those discussions are going extremely well.

We are just as committed to dealing with the situation as it relates to the county of Simcoe as it does to the rest of the area we're proposing the greenbelt legislation in. We should be aware of that and the people in that area should be aware of that.

As I indicated before, we simply feel it is important that the official plans of local municipalities take into account the provincial policy statement and that any official plan amendments be consistent with the provincial policy statement. I know some will argue that's taking away from local autonomy. We don't look at it that way at all. I believe in local autonomy. On the other hand, I think it's also extremely important for the province to set the overall direction for where development, how development and the conditions under which development can take place over vast areas in this province. That is specifically the type of direction municipalities are provided with in the provincial policy statement and in the proposed greenbelt legislation that I hope will be adopted soon.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I'm pleased to be able to rise and comment on the leadoff speech by the minister. It's great to see a minister taking the full 20 minutes. Most of them have only taken 15 minutes in their leadoff speeches this session so far.

I'm really pleased to hear you at least acknowledge that Simcoe county exists, because I'm going to refer quite a bit to Simcoe county in a few minutes' time.

I think the minister brings forward some good points, and I know he's sincere in his efforts to make sure this legislation is passed. I think, like every minister who has ever brought forth a Planning Act amendment, he hopes it will be implemented across the province without any problems. Of course, that involves a lot of consultation and a lot of work with the different municipal councils across the province.

I really don't have a lot to say, as I will make all my comments in the 20 minutes I have coming. Although I told him a little earlier that I can't support this piece of legislation because I think there are some areas we need to address, again, I think that like almost all the ministers of municipal affairs and housing I have seen in my 24 years in municipal and provincial politics, he is sincere in his attempts to make sure the legislation works. I'll look forward to my comments in a few minutes.

**Ms Horwath:** I too want to congratulate the minister on the leadoff speech he gave this evening. I think it's the case that the legislation will be very effective in many ways.

Certainly, coming from the municipal sector myself, having served on the city of Hamilton council for seven years, it became very clear that there were problems with the planning regime. In the short time I spent on city council, we saw a number of things occur. One of the first things that occurred very shortly after I was first

elected, and had really no context for planning issues whatsoever, was a leapfrog development that had been approved by the previous regional council, when there were two tiers at that time. It was under development and it was not really a very positive thing for that community, and it still is not.

We still have significant challenges around servicing in many areas of the city, and quite frankly there have been a number of urban boundary expansions. Most people in our community, except for the developers, of course, would say that they were unnecessary, because our urban boundary had not been built out to the edges. Again, when these kinds of occurrences take place, municipalities are strained to provide the appropriate services, and not just the hard services, not just the water and sewer pipes; we are seeing more and more pressure now for schools to be built in these greenfield areas. Then, of course, there is pressure for schools to be closed in the urban centres. So we're having great struggles in our community as a result.

I look forward to the passing of this, finally, its implementation, and then the time to look at whether some of the amendments we put during this process may in fact be something for the future. Granted, they're not going to happen this time around—that's unfortunate—but hopefully the minister will be open to them as time goes on, if the legislation requires.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I just want to add to the comments that have already been made. The minister spoke earlier about the fact that he has been speaking to various councils and mayors in the last day and a half that he has been out in the greenbelt area. I think that's very indicative of the approach that the McGuinty government has taken to changes in policy. We want and value the input of the public's opinions in these things as we move forward on policy changes.

We certainly appreciate the support the NDP has given us on this particular bill. The member from Toronto-Danforth spoke about the issue of building on previous policies, and it's very true. All policy is actually an effort, and changes in policy are just an effort to improve upon and respond to changes in circumstances. That very much is what we are trying to do in this case.

As I said, we also very much believe in the need to hear from the public on this, which is why in Bill 26 we talk about adding and extending the amount of time the public has to respond to changes in planning. One of the things I found as a municipal councillor was that very often citizens' groups had concerns about proposed changes in planning, but these groups very often are volunteers with very few resources, and they are trying to deal with very complex matters. They need more time to respond and do the research so that they can fully understand the matters that are before their municipal councils and speak in a knowledgeable way about the issues that have been brought to them by developers and those proponents who want to make changes to planning.

**Hon Jim Watson (Minister of Consumer and Business Services):** I rise to support this piece of legislation, Bill

26, and I want to congratulate the Minister of Municipal Affairs and Housing.

One of the interesting things about being a former municipal politician is that you do have an appreciation for this particular piece of legislation that is long overdue. As I look around this chamber, I see so many former municipal councillors, including our Minister of Municipal Affairs, who was the longest-serving mayor of Kingston; I was mayor of Ottawa; we have a former mayor of Pickering; a former mayor of Rockland over there in Mr Lalonde. It does bring a different perspective to the debate. That's why I'm very pleased with the work that has been done on this bill. It sets the ground rules and makes it abundantly clear what developers' and municipalities' roles are. I think the member from Simcoe is a former warden of his county, if I'm not mistaken.

**1710**

I'm very pleased to support this bill because it also allows for greater public input. One of the frustrations individuals have when they are appearing before a planning committee of a municipality, when a major zoning change is taking place, a change to the official plan—we have to make sure that these individuals, the community association leaders, have the proper time to prepare. Some of the great community associations in my riding—Woodpark, Carlington, Central Park and Crystal Beach—these individuals are all volunteers. They need a little bit of extra time to prepare so they can represent their constituents, as developers represent their point of view, as cities represent their own official plan.

I congratulate the Minister of Municipal Affairs and Housing for the good work he's done on this bill and I look forward to seeing it implemented very shortly.

**The Acting Speaker:** That concludes the time available for questions and comments, and I guess we move on. Oh, I'm sorry; he's standing. I recognize the Minister of Municipal Affairs and Housing for two minutes in reply.

**Hon Mr Gerretsen:** I'd like to thank all of the members who spoke: the members from Simcoe North and Hamilton East and my parliamentary assistant from Lambton-Kent-Middlesex.

I would like to correct the Minister of Consumer and Business Services—not correct him, but he indicated that I was the longest-serving mayor of Kingston. We should take that out of my bio at some point in time, because it really wasn't that long. It was only eight years. I guess the mayors don't last too long in that community. But it's a fantastic community to represent, both as mayor and as member; let me absolutely say that.

He also forgot that we actually have in the audience here today the member from Pickering—

*Interjection.*

**Hon Mr Gerretsen:** Yes, but not only that, Mr Arthurs was really and truly the longest-serving mayor of Pickering, having served in that capacity for some 15 years. May he last at least as long here as he did in Pickering as mayor for that period of time.

This is a very important piece of legislation, but as I indicated before, it is really only one piece of the total planning puzzle, if I could put it that way. We have our greenbelt legislation, which is extremely important. Not only have I had an opportunity to speak with many people over the last couple of days, but last week I had an opportunity as well to go to two of the meetings we had in which we consulted broadly with people in the Burlington area. There must have been 300 to 400 people there. The night before, last Monday night, I was at the Science Centre here in Toronto and there were at least that many people as well to give us their input on the greenbelt legislation, which people are extremely interested in. Not everyone supports it, but I think the vast majority of people support it. Even those people who don't support it in its entirety realize that we have to do something about the sprawl situation.

Let me just thank everybody and hope they will all vote for Bill 26.

**The Acting Speaker:** Further debate on Bill 26.

**Mr Dunlop:** I'm very pleased to be able to rise today and talk for 20 minutes on Bill 26. I may not last 20 minutes. Like Ms Churley, I've had a bad cold for the last couple of weeks.

Of course, it's third reading debate and this piece of legislation will pass. This is, I understand, the minister's second bill to get through, so we have to compliment him on that.

I'm concerned with Bill 26, as I am concerned with Bill 135, the greenbelt legislation. I guess I'm being more selfish, and I'm going to talk a little bit about my history with planning acts and how Bill 26 and Bill 135 may affect an area that the minister mentioned, the county of Simcoe.

I should say that I'm actually filling in today for Ms Julia Munro, who was here with us last week and is not able to be here today. She was the critic in this particular ministry until John Tory became our new leader. She now has a new role, but she did a lot of work on Bill 26. She's doing another critic's position now. Of course, Mr Hudak is responsible for this critic's position right now.

I heard the Minister of Consumer and Business Services and the member from Pickering-Ajax-Uxbridge talk about their past political positions, the same as the Minister of Municipal Affairs. We've got a lot of good people in this House—including my colleague beside me, Mr Hardeman, the member from Oxford, who for years was the president and chairman of AMO—with a lot of experience in municipal affairs and on municipal councils in the past, who bring a lot to this House.

I can tell you right now that I have a lot of respect for people with municipal backgrounds, because I know the challenges they face. I started out as a member of the planning board of a village of 1,300 people. It was the village of Coldwater. First of all, I was a councillor in 1980, and in 1983 I became reeve of that village. Because we had gone through a previous annexation, a small annexation up there, the Minister of Municipal Affairs at that time—I believe it was Claude Bennett—

asked us to do a new official plan. We had done a zoning bylaw; we had to do an official plan.

This village is in a flood plain, designated by the ministry—it's a policy of the Ministry of Natural Resources. The village of Coldwater is in a flood plain. We had an unbelievable number of meetings over this small village, working with the mapping of a flood plain and tying it in to any future construction, how it would have to have special policies set around the height of foundations and we'd have to try to protect the village from any kind of flooding that might take place.

I can remember that I was very frustrated with that process dealing with the Ministry of Municipal Affairs. They always seemed to have these two-hour meetings that took up the whole day, and it was difficult to get a lot of private work done in the meantime. But eventually we got the official plan of the community passed, and some people were very disappointed with it, because of course restrictions were put on some properties.

We just got this over with, and the Minister of Municipal Affairs—I believe it was—

**Hon Mr Watson:** It wasn't Claude.

**Mr Dunlop:** It wasn't Claude. By this time it was the Peterson government, and I think it was a fellow by the name of John Eakins, if I'm not mistaken. John Eakins was the Minister of Municipal Affairs. I believe he was from the same riding—

**Mr Richard Patten (Ottawa Centre):** Lindsay.

**Mr Dunlop:** Lindsay; Laurie Scott's riding today.

He came in and quietly told the county of Simcoe, "You know, there are a lot of problems in the county of Simcoe. There is potential growth here in the future because of the Georgian task force and because of all these potential annexations with the 33 municipalities in the county, and we'd better look at a restructuring," and he put together a restructuring committee that took place over the late 1980s and into 1990.

Then the county of Simcoe, which, because I was the reeve of Coldwater—when I first started in municipal politics, I thought I was only going to last two years, or five years at the most. I never dreamt I would go for 20 years and then turn around and go into provincial politics. We did a complete restructuring because the Ministry of Municipal Affairs said, "You must look at the county of Simcoe, because it will be a major growth area in the province of Ontario."

1720

I can remember we passed all of the recommendations except the official plan of the county of Simcoe, and I believe it was about 1992 by this time. Guess what? The Minister of Municipal Affairs, the new one, was a fellow by the name of David Cooke. David Cooke came right up to the county council meeting on a Tuesday morning, made a presentation and talked—well, he demanded that we do a county official plan, because he was going to take all the power away from the Ministry of Municipal Affairs and Housing and make sure that we handled all the planning locally in the county of Simcoe.

**Hon Mr Gerretsen:** Did you?

**Mr Dunlop:** Yes, we did. Guess who was chairman of the planning services committee?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Garfield Dunlop.

**Mr Dunlop:** Me. For three years I worked on that plan.

To the minister, this deals with county official plans and public consultations. You know that when you have a county the size of Simcoe and as diverse as the county and with the potential growth areas—by this time it was 16 municipalities. We knew we would have some problems. So we consulted and we consulted and we consulted; public meeting after public meeting after public meeting. Whatever the rule was at that time for the number of public meetings you had to have on a specific amendment to an official plan, we in fact doubled it. If we were asked to have three public meetings on a certain section of the official plan, we went to six meetings. Then after that, we went out and had open houses through all the little municipalities in the county of Simcoe so we could get a lot of public input on this plan.

We were fortunate because we did work very closely with the Ministry of Municipal Affairs and Housing. By the time it got approved, it was—I forget; the guy who was Minister of Municipal Affairs under our government—

**The Acting Speaker:** Al Leach.

**Mr Dunlop:** Al Leach, yes. Al Leach was the gentleman who finally approved the county—

*Interjections.*

**Mr Dunlop:** Sorry. It was Mr Leach. I just forgot because there have been so many Ministers of Municipal Affairs and Housing. He was the gentleman who finally put the stamp on and said, "Yes, you are now responsible for planning in the county of Simcoe."

Why I bring this up today and why I'm so concerned about it is because when I look at the greenbelt legislation which the minister referred to, the greenbelt legislation basically freezes almost—what?—1.75 million acres of land in the greenbelt area that is identified. As the MPP for a riding in Simcoe county, and on behalf of my mayors, deputy mayors and councils, I am very concerned about how the leapfrogging effect will affect the county of Simcoe. We're already seeing a leapfrogging—

*Interjection.*

**Mr Dunlop:** You may want to rethink it, because what we don't want—and I can say this from a selfish point of view—is growth that is getting out of control. In my community, in the riding of Simcoe North, I've got two First Nations: Mnjikaning and Beausoleil. I've got six townships, two towns and a city. I believe those mayors, councils and the county council do a fairly good job of planning. Naturally, there are problems. If you're doing an official plan amendment or if you're doing a zoning bylaw change, we know there are going to be problems. There are always people who don't like the height of a building or who don't like how close a building is to a lot or who don't like the storm water

management plan or whatever it may be, but I can tell you that I have the greatest respect for municipal politicians, because I've been one.

**Hon Mr Gerretsen:** Then how can you be against this act?

**Mr Dunlop:** The minister is asking me why I would be against this act. I am really worried that we're taking it back to the Ministry of Municipal Affairs and we're taking the strength and the power of it.

Through to the minister, we have already seen an example. I can point out to you today the example we've seen in the township of Oro-Medonte, the little community of Shanty Bay. The township approved a lifestyle community with a golf course around it—I don't remember the exact name of it—and the county of Simcoe approved it. It was an official plan amendment. This lifestyle community, a housing development, took place around a golf course outside the small community of Shanty Bay.

At the county of Simcoe, we clearly identified that only growth areas in the county of Simcoe would receive—communities of interest, growth areas, small villages and hamlets, were the only places we would see development occur. What happened was, the ministry came in and said no to the amendment, and that was after the county and the township of Oro-Medonte approved it. So I'm really worried where that takes the other applications and the other plans that are before municipal councils in my riding.

When we look at growth in the GTA, I think of that area out there by Vaughan Mills and Wonderland up the 400—that's the area I travel most—and I've just seen another huge field across the road from the Wonderland area that has been peeled off. All the topsoil is gone. There's a storm water management plan put in place. I can tell you right now that it's under construction. I don't know how many thousands of houses are going in there.

I want to see, in the county of Simcoe, very controlled growth, because we have so many people who move to Simcoe county and to south Muskoka. They're looking for quality of life. They're looking for a clean Lake Simcoe, for a clean Georgian Bay, for good, clean, fresh air and water. If we follow any further course of action that would develop growth faster than the Georgian task force plan that government did in 1973, I'm very concerned how that would affect the quality of life in Simcoe county.

I'm really glad the Minister of Public Infrastructure Renewal is here today, because he brings—

**Hon Mr Caplan:** I'm here most days.

**Mr Dunlop:** Yes, you are, and I compliment you for being here, because I'm here with you, and I know how dedicated you and I are to this House.

But I can tell you that your announcements on—

*Interjection.*

**Mr Dunlop:** No, it's on infrastructure planning, which includes recreational facilities, hospitals. I think you announced, not too long ago, \$100 billion over 30 years, and it's probably going to be \$200 billion over the next

30 years. Just a huge amount of money and time and effort and planning will have to take place in order to allow the infrastructure in these areas outside of the greenbelt to take place.

If I can say anything to the government—and I hope I can say it to not just this government but to John Tory's future government—the one thing I would like to say—

*Interjections.*

**Mr Dunlop:** Did I hit a nerve there?

**Hon Mr Watson:** He didn't do too well in Ottawa last night.

**Mr Dunlop:** Oh, I heard he did really well in Ottawa last night. But I hit a nerve. I'm sorry about that.

What bothers me is that, if we're going to grow strong communities outside of the GTA, what we have to do—

*Interjection.*

**Mr Dunlop:** A glass of water—I've got a sore throat here.

*Interjections.*

**Mr Dunlop:** I should never have mentioned John Tory's name. Every time I mention it in this House, I get assassinated by the members opposite.

I can tell you what's important. The former mayor of the township of Tay was a strong advocate for trying to grow jobs and have some provincial and federal support to grow jobs in the areas where you increase the infrastructure. I know that's not an easy task, because so many companies, if they want to move to Ontario, want to be in a couple of the big cities, like Windsor, the GTA or Ottawa.

I can tell you that if we can do anything right in planning, I think the one thing we have to do is make sure that we have some kind of incentives for municipalities to attract manufacturing jobs in the communities where they're getting assistance on sewer expansions, water expansions, hospitals etc, so that everything doesn't end up just in the GTA. We're old enough in this House that we can all remember when Highway 7 was way outside of Toronto, and now it's just incredible. We've got the 407, we've got Highway 7, we've got all these other huge developments out there. I know every government has said, "We're eating up the farmland, we're doing this, we're doing that," but it continues to happen, generation after generation, because the jobs are here and there's so much pressure put on the infrastructure. We see it every day. If we're traveling down here to sit in the Legislature, if we're traveling down the 400 or if we're travelling in on the 401 either way, we can see the strong growth and the number of vehicles on these highways.

**1730**

If we're going to implement things like Bill 26 and the greenbelt legislation, we have to know that there's going to be funding to assist municipalities—and it won't be just development charges. It will have to be infrastructure assistance and that the government, under Mr Takhar and MTO, actually comes up with some expansion of these highways.

I think the Ministry of Transportation of Ontario overall has done a fairly good job, but the gridlock is a huge challenge. I would like to see, along with the greenbelt legislation and any of these Planning Act amendments, a plan put in place where there was money provided for infrastructure but, with that, the possibility of job creation in these centres so that people wouldn't have to travel as much to the GTA, not commuting all the time.

I know I've just about used up my time. I never really got to talk to some of the things that I wanted to, but I can tell you that we were disappointed with the amendments. We thought Mrs Munro had put forth some good amendments on this bill, but they didn't accept any of them. That is disappointing. However, they did accept a couple of government amendments. Anyhow, we'll move forward with this. The government is the government; they've got the majority. We're going to defer this vote to tomorrow and it will pass third reading tomorrow.

*Interjection.*

**Mr Dunlop:** You want to pass it today, do you, on a voice vote?

I really appreciate the opportunity to speak to this bill. I'm sorry it wasn't Mrs Munro. She wanted to be here today and I kind of filled in at the last second for her. But I think, because you wouldn't allow the amendments to go through, I can't support it at this point. However, I wish everyone in the Ministry of Municipal Affairs and all municipalities in the province good luck as we try to implement the bill. It's not going to be easy. It's never an easy task, because there's always politics on the councils. There's always the advisory panels and the folks at the Ministry of Municipal Affairs who change jobs and there's a different opinion and a different interpretation of certain parts of the rule. But quite frankly, as we move forward, the challenges of the Ministry of Municipal Affairs—if we grow a strong province, if we grow strong communities, we will definitely need input from the government, not so much in controlling the municipalities but in giving them advice and in giving them funding, as well, to support it.

**The Acting Speaker:** Questions and comments?

**Ms Horwath:** It's my pleasure to make some comments on the speech of the member for Simcoe North. Interestingly enough, some of the things he had to say inspired me to actually speak to the bill myself, so I may take a few minutes to do that when I have the opportunity tonight. I wasn't originally going to because a lot of it, as I've said already, was discussed by the member for Toronto-Danforth earlier today. But I think there are some things specific to my local community that need to be highlighted, so I'll be doing that a little later on.

What the member for Simcoe North was quite clear about is how his community has been challenged by planning decisions and planning issues over the last little while, particularly when there is pressure for expansion, pressure for more urban development, while at the same time pressures come to bear for expansion and more urban development, while at the same time that the

planning processes will make that new development be done in an appropriate way that's sensitive to agricultural lands, sensitive to natural areas, sensitive to existing community and also sensitive to the needs of infrastructure of the various types of municipalities that are in his community. I think that is really the crux of the matter.

Again, as the member from Simcoe North mentioned, this bill had an opportunity to be through committee, and it had some excellent presentations—in fact, I sat through a couple of them myself—from interested members of the community, whether it was school boards that made some comments, community people who made some comments, advocacy groups for local communities that have had some trouble in the past with Ontario Municipal Board decisions, for example. All of those things were discussed in the committee hearing process, and unfortunately a lot of the amendments we proposed weren't put forward. But overall, as I do support this bill, I will speak to it very briefly in a short time.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I wish this bill would have been in place when I was the mayor of the town of Rockland. Let me tell you, this bill is going to give all the necessary tools to the municipalities to plan for a better future for our community.

In the past, municipalities had very little control over the development of their community. Look at the explanatory note: "The bill also increases the time period for making decisions before appeals may be made to the Ontario Municipal Board from 90 to 180 days...." Why are we giving this extra time to the municipalities? Not all municipalities in the rural sector have the personnel in place to do all the research. In the past, what small municipalities had to do was to hire consultants because they didn't have time allowed to them to meet the requirements.

Also, when it comes time for the development of a subdivision or condominium, again, the appeal period will be from 90 to 120 days.

Let me tell you, at the present time, this bill will definitely increase the capacity or the power to the municipality to eliminate or refuse subdivision agreements in Timbuctu, I would say, because very often municipalities are ready to authorize construction in the rural areas. In the end, all taxpayers have to pay for school bus services, for garbage collection, for recreation facilities. But this bill will give protection to the municipalities.

**The Acting Speaker:** Further questions and comments? The member for Oxford.

**Hon Mr Caplan:** He's not in his seat, Speaker.

**The Acting Speaker:** Oh, you're right, and I apologize. The member from Oxford needs to return to his seat. He was actually in my seat. That's why I was confused.

**Mr Ernie Hardeman (Oxford):** I want to commend the member from Simcoe North for a presentation as it relates to development in rural Ontario and what this bill in fact does. I know he spoke quite extensively with great knowledge about rural government and so forth.

One of the things that came out of the debate was when the Minister of Municipal Affairs was suggesting to the member that in fact this was giving more power to municipalities. I really think that is totally incorrect. The minister may remember that I was with the committee for AMO when in fact Bill 163 was put in place by the NDP government, which used exactly the same words: "shall be consistent with." At that time, a third of my city of Woodstock was on a gravel base, and having to be "consistent with" the provincial policy statement meant no further development could happen there regardless of how much the city wanted to do it because the provincial policy statement says that we have to protect our non-renewable resources.

I think what they are really doing with this is implying that we're giving power to municipalities when in fact being "consistent with" provincial policy statements says that the Minister of Municipal Affairs can put policy statements in place with no consultation, with no regard for anyone, and from there on, all municipal planning must be consistent with that. In fact, we have taken away, I suppose, the need for a planning commissioner in any municipality because the Minister of Municipal Affairs is going to do Ontario's planning. That was the one thing that AMO was most opposed to in the NDP government's Bill 163. I was there and I remember that very distinctly. I can't believe this Minister of Municipal Affairs would put that back into this legislation.

1740

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'm very pleased to rise and speak in favour of Bill 26.

**Hon Mr Caplan:** That's a relief.

**Hon Mrs Chambers:** There should be no doubt.

The member from Simcoe North actually made reference to his colleague Julia Munro, and the fact that she would have liked to be here to speak on this bill. I would like to mention that on December 15 last year that member said, "I think one of the things that is critical in understanding even the word 'planning' is that it requires decisions to be made with a long-term vision and a plan." That was a very wise comment from that member.

I remember during the campaign that people in my riding of Scarborough East were very concerned about the ability of the OMB to override local decisions. My constituents were really interested in having the opportunity to influence decisions that were made locally for their residents and for their area of Scarborough East.

This is indeed about planning and securing the future. I want to congratulate the Minister of Municipal Affairs for his initiative in this area. Nothing happens properly without good planning, unless of course we are committed to short-sighted thinking. If you want long-term, sustainable solutions, to which our government is so committed, we have to focus on how better to plan for the future. We need to understand that if we don't start now, we will never be able to achieve our goals in this area.

**The Acting Speaker:** That concludes the time available for questions and comments. I will return to the member for Simcoe North.

**Mr Dunlop:** I'd like to thank the member from Hamilton East, the member from Glengarry-Prescott-Russell—I apologize; I didn't realize you were a mayor in one of your previous careers; that's good to know—the member from Oxford, who I thought was the member from Waterloo-Wellington, and then I realized the member from Waterloo-Wellington was actually in the chair, and of course Minister Chambers, the Minister of Training, Colleges and Universities, for all of their comments on my fabulous speech.

I appreciate all the comments that were made. I think what's important is that as we go through this piece of legislation—and it will become law today. I guess all I can do is wish the minister well with the legislation. I know it will pass, and hopefully you can proclaim it fairly quickly, because it has been a while since you introduced it. I think it was December 13 or 14 last year, so it's been almost a year. I hope you can proclaim it and make the bill work.

As I said earlier, it will mean working with the municipalities, working with AMO, making sure the funding is in place. You'll need the funding because it's going to have a huge impact, again, on the leapfrogging effect that's going to take place in another piece of legislation that you would like to ram through before Christmas. We know there's a huge cost to that in terms of infrastructure.

Mr Speaker, I thank you for the opportunity to address the Leg today. Again, it's my privilege to say a few words today on behalf of Julia Munro, who couldn't be here with us.

**The Acting Speaker:** Further debate.

**Ms Horwath:** I mentioned earlier in my questions and comments to the remarks of the member for Simcoe North that I actually decided I wanted to say just a few short things about the bill. One is to repeat or reinforce some of the concerns that were raised by the member from Toronto-Danforth in her lead earlier today, at about 3:30 or 4 o'clock. Those were the issues around some of the amendments she brought during the committee process.

The first one, of course, was that the document refers to provincial policy statements that, in fact, have not quite been developed yet. There has been some concern raised around how that is going to shake out in the future, how we're going to be assured that the provincial policy statement remains consistent with the kinds of things people want to see in terms of progressive planning legislation for the province of Ontario. Again, very briefly, that was one of the issues of concern that was raised earlier.

One of the others is the number of other pieces of legislation, the number of bills, out there that are not being pulled specifically into this planning act, and I will name them. I have already talked about the provincial policy statement. There is the issue of the greenbelt



legislation, the issue of the growth management plan and, of course, the issue of source water protection legislation. If we had a really holistic vision, it would include all of these pieces and they wouldn't be left dangling each on its own, but rather would be one large, integrated vision that would be before us.

The other issue that was raised was the fact that there is no real outline, no exact list of the areas in which the government or the minister could intervene, on which pieces there would be that opportunity. That has been left a bit vague. It has been left a bit open for decisions, and perhaps we're not quite sure where they are going to be coming from, what the yardsticks are and how we are going to measure what the minister is going to deem is in need of intervention. That is a bit of a problem. I believe the member for Toronto-Danforth, from my caucus, the NDP, did put forward in her amendments some specific suggestions around that—unfortunately, again, not something the government took up when they had the opportunity during debate at committee. There were other issues as well that she raised. I think there were six or eight amendments specifically to various pieces of the act.

I want to take just a few quick minutes to talk about how things that are happening in Hamilton might or might not have been, or could be, affected by this particular legislation. One is something I touched on already in the questions and comments section; that is, the extent to which we continue to see in the city I'm from, over the previous government's time in office, extensive pressure on urban boundary expansion that, quite frankly, didn't meet the test in regard to our urban boundaries already being completely built out. Many would argue that at this point we still have between 20 and 30 years of developable residential land available. Unfortunately, the developers had their way, and several times we had urban boundary expansions in the last little while.

The other issue, though, that is extremely important right now is aggregates. When I was debating the green-belt legislation in this House not too long ago, I raised the same issue. That very evening, ironically, there was a large public meeting happening in the Flamborough area of the city of Hamilton, where there are some grave concerns around the expansion of a quarry. Quite frankly, the people in that community are not only concerned about the effects of trucks and dust and all those things—noise in their neighbourhood—but also the effect of quarrying on the surrounding headwaters and ecosystems. The aggregates are being pulled out of that quarry in a way that people in my community, at least, feel is a significant concern. So the fact that this legislation encourages the expansion of existing aggregate extraction is extremely worrisome, and I know the people in my community would be concerned if I didn't raise that if I had the opportunity to do so.

The other thing is that right now, surprisingly enough, as we speak, in my community over the last couple of weeks we've had blasting on the Niagara Escarpment. We are having a new cut put into the Niagara Escarpment as a result of a road project that we all know and have

probably learned a lot about in the last several years in this Legislature because, quite frankly, it's been an extremely controversial project. The bottom line is, we are blasting the Niagara Escarpment as we speak, and that's something that really, in this day and age, is certainly not forward thinking and that many would say is extremely poor planning and extremely frightening in terms of the environmental effects that it will bring to our city, particularly the effect of putting further pressure on urban boundary expansion, further pressure on greenfield development, further pressure on urban sprawl. Quite frankly, that is something that many, many people in my community are quite concerned about.

The last thing I wanted to raise was that when I had the opportunity to hear some of the delegations that came to speak to the committee, because I sat in for a little while, one of the ones that came to speak was an organization called FUN, which is the acronym for Federation of Urban Neighbourhoods. In fact, the founding meeting of the Federation of Urban Neighbourhoods took place in the city of Hamilton, and many of my local neighbourhood associations when I was a city councillor were the ones who put together the Federation of Urban Neighbourhoods.

One of the things that residents were concerned about and that I don't think has been addressed is the issue of the extent to which regular community people, neighbourhood associations or otherwise, have the opportunity to have the same resources as big developers would have in challenges to the OMB. That one hasn't been raised yet, and I thought it was extremely important to bring that to the attention of the Legislature today.

On that note, I generally, as my colleagues do, support this bill, and I'm looking forward to it being passed into legislation. I'm looking forward to seeing how it can have a positive effect on the future planning of the province of Ontario.

**The Acting Speaker:** Questions and comments? OK. Further debate on Bill 26?

Seeing none, Mr Duncan has moved third reading of Bill 26, An Act to amend the Planning Act. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I wish to inform the House that I have received a deferral slip signed by the chief government whip. This vote will be deferred until tomorrow at the appropriate time, which is during deferred votes.

Orders of the day. I recognize the deputy government House leader.

**Hon Mr Caplan:** I move adjournment of the House.

**The Acting Speaker:** Mr Caplan has moved the adjournment of the House. Is it the pleasure of the House that the motion carry? Carried. Therefore, this House stands adjourned until tomorrow at 1:30 pm.

*The House adjourned at 1754.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

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Simcoe-Grey	Wilson, Jim (PC)		
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St Paul's	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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