

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

SP-4

**Journal
des débats
(Hansard)**

SP-4

**Standing Committee on
Social Policy**

Cannabis Statute Law
Amendment Act, 2018

1st Session
42nd Parliament

Monday 15 October 2018

**Comité permanent de
la politique sociale**

Loi de 2018 modifiant des lois
en ce qui concerne le cannabis

1^{re} session
42^e législature

Lundi 15 octobre 2018

Chair: Nina Tangri
Clerk: Eric Rennie

Présidente : Nina Tangri
Greffier : Eric Rennie

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<https://www.ola.org/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7400.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7400.

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



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

ISSN 1710-9477

CONTENTS

Monday 15 October 2018

Cannabis Statute Law Amendment Act, 2018, Bill 36, Ms. Mulroney / Loi de 2018
modifiant des lois en ce qui concerne le cannabis, projet de loi 36, Mme Mulroney SP-85

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Monday 15 October 2018

Lundi 15 octobre 2018

The committee met at 0900 in committee room 2.

**CANNABIS STATUTE LAW
AMENDMENT ACT, 2018**

**LOI DE 2018 MODIFIANT DES LOIS
EN CE QUI CONCERNE LE CANNABIS**

Consideration of the following bill:

Bill 36, An Act to enact a new Act and make amendments to various other Acts respecting the use and sale of cannabis and vapour products in Ontario / Projet de loi 36, Loi édictant une nouvelle loi et modifiant diverses autres lois en ce qui concerne l'utilisation et la vente de cannabis et de produits de vapotage en Ontario.

The Chair (Mrs. Nina Tangri): Good morning. We are assembled here today for clause-by-clause consideration of Bill 36, An Act to enact a new Act and make amendments to various other Acts respecting the use and sale of cannabis and vapour products in Ontario.

Tamara Kuzyk from legislative counsel is here to assist us with our work, should we have any questions for her.

A copy of the numbered amendments filed with the Clerk is on your desk. The amendments have been numbered in the order in which the sections and schedules appear in the bill.

Are there any questions before we start?

As you will notice, Bill 36 is comprised of three sections and four schedules. In order to deal with the bill in an orderly fashion, I'm going to suggest that we postpone the three sections in order to dispose of the schedules first. Is there unanimous consent to stand down the three sections and deal with the schedules first?

Interjections.

The Chair (Mrs. Nina Tangri): The three sections are just—the commencement, if you look at page 1, the content of those. So we can deal with the schedules prior to the sections so the sections will carry. We will return to them after we go through the schedules. But we need unanimous consent to move forward.

Interjections.

The Chair (Mrs. Nina Tangri): As we do not have unanimous consent, before we begin section 1, I will allow each party to make some brief comments on the bill as a whole. Afterwards, debate should be limited to the section or amendment under consideration. We will begin. We'll start with the opposition party.

Ms. Sara Singh: Good morning to all committee members. I'm very delighted to be here today to discuss Bill 36. However, there are still many concerns with the bill. As we put forward some amendments, we're hoping for some consideration from the government side on those amendments.

We also would like to note that there were several aspects of this process that were very rushed and did not allow for full and wholesome consultation with many stakeholders who wanted to be present. We will do our best to present those views, as they've been shared to us through written submissions, emails and phone calls, and concerns out in the community around this legislation and the process by which we are moving through enacting this.

There are many people who are concerned that Ontario is not ready, and I would tend to agree. Hopefully, through the conversations that we have today and some of the amendments that we propose, we can address the concerns around public safety, around protecting retailers, around looking at the criminalization of cannabis in our communities and how certain segments of our communities are disproportionately criminalized with respect to cannabis. While this legislation doesn't directly address any of those concerns, those are ongoing concerns we're going to need to deal with, with this government. We look forward to having those conversations.

I can pass it off to my colleague Joel and see if he has anything else to add.

Mr. Joel Harden: Thank you. I agree with what my colleague has said.

I also want to say that I think the government is moving with some urgency because there is a federal deadline, of which we're all aware. However, certainly, on the protection of children and the need for us as legislators to be mindful of products directly marketed to children and the health impacts that we know are very clear from the research will be borne upon children—Canada has the highest rate of cannabis usage among youth in the world. We need to be sure that when we're bringing forth policy as legislators, regardless of what deadline another realm of government puts us on, we're being mindful of the rights of children.

The other thing that I wanted to add to what my colleague has mentioned is, other jurisdictions have used the moment of legalization to create revenue streams to help with harm reduction, mental health awareness. I don't see anything in the existing regulations, in the existing

legislation that would allow us to create a revenue stream to help create opportunities for families and for people who will be impacted by this change, who have been impacted by this change, to avail themselves of those services which are in short supply everywhere in the province.

Again, I want to congratulate my colleagues for moving forward with this with some urgency. However, as my friend said, I think we have to make sure that, particularly, vulnerable populations and their needs are kept in mind. And we need to make sure, with respect to our youth and our children, that this legislation is going to make sure that their rights are protected first and foremost.

The Chair (Mrs. Nina Tangri): I'm going to move to the government side. Ms. Park.

Ms. Lindsey Park: Thank you to the opposition for your comments and your involvement in this process. You've raised many important issues along the way.

Look, the federal legalization of cannabis was thrust upon us, and the date of legalization is quickly approaching. We've been moving through this bill in a timely way to ensure we're ready for that date of legalization. We underwent many weeks of broad consultation across this process. We heard from many witnesses last week, from many different sectors. We received fulsome comment in writing as well, which we've had the chance to review. We're committed to a private retail model that is ready for the date of legalization, to begin to undermine the illegal cannabis market, to protect children and to keep our roads safe.

0910

The Chair (Mrs. Nina Tangri): Thank you. We'll move right into section 1. Is there any debate on section 1? Ms. Park.

Ms. Lindsey Park: None from the government side.

The Chair (Mrs. Nina Tangri): Mr. Harden.

Mr. Joel Harden: Again, in section 1, we're talking about the general frameworks of the amendments that are being proposed here.

There was something I forgot to mention, which was raised in one of the submissions that we've received and has been raised with me personally, and that is the government's relationship with Indigenous peoples—and their seeming relationship to the province of Ontario under your proposed regulations, which will put them in a subordinate relationship. That's tricky legal ground on which to tread. Many Indigenous nations would like the opportunity to avail themselves of the private retail model being proposed by my colleagues, but this legislation that they're proposing puts them in a subordinate relationship, which, to my mind, from a legal studies perspective, teaching in that field for many years, will bring the government trouble down the road. I think more thought needs to be put into having a unique treatment of entrepreneurs, of initiatives being proposed from Indigenous nations. That is something the federal government is currently grappling with, if you're following developments under Bill 45 and Bill 46 at the federal level. I don't see anything in this

section here, and I'm wondering if my colleagues have any comment to that effect.

The Chair (Mrs. Nina Tangri): Mrs. Martin?

Mrs. Robin Martin: On a point of order: I think we're discussing section 1, but the comments are about a general issue, which isn't appropriate in the context of section 1. I think we should carry on with discussing section 1.

The Chair (Mrs. Nina Tangri): Point taken.

If you take a look at the act itself, you can see here, at the top, it shows that the contents of the act—if you take a look at the top, it has the title—

Interjection.

The Chair (Mrs. Nina Tangri): The table right there, right under the title. We're dealing with section 1, so the contents of the act—"This act consists of this section, sections 2 and 3 and the schedules to this act." We will be moving into the schedules afterwards—so this, as its entirety. We need unanimous consent to move on.

I'm going to put the question. Are we all in favour to move on to the schedules?

Interjections.

The Chair (Mrs. Nina Tangri): All right. So do we have further debate on section 1? Mr. Harden.

Mr. Joel Harden: With all due respect to my colleague who raised the point of order before, the reason I raise this concern in this moment is because this is the overall picture we have of the bill, this is the framing aspect of the bill, and we, as a Legislature, are treaty partners. It's our federal/provincial duty, as legislators, to be mindful of our position as treaty partners. I'm very much of the view that the legislation's framework is not in step with our treaty responsibility. So I'm wondering, for the record, if our colleagues from the government side have considered whether this legislation, which puts Indigenous peoples in a subordinate position relative to the province of Ontario, is appropriate given our treaty responsibilities.

The Chair (Mrs. Nina Tangri): Ms. Park, would you like to respond to that?

Ms. Lindsey Park: I don't have any comment. We're ready to move forward and vote on this.

The Chair (Mrs. Nina Tangri): Are members ready to vote? All of those in favour of section 1? All those opposed? Carried.

Section 2: Commencement. Is there any debate on section 2? Seeing none, we can ask the question. All those in favour? All those opposed? Carried.

Section 3: Short title. Is there any further debate? All those in favour? Opposed? Carried.

We now move forward to schedule 1, Amendments to the Cannabis Act, 2017 and other acts. As there are no amendments proposed from sections 1 to 19, we can actually move forward with the vote, but I want to put the question to the floor: Is there any debate on schedule 1, sections 1 to 19? Seeing none, we'll move to the question of Amendments to the Cannabis Act, 2017 and Other Acts, schedule 1, sections 1 to 19. All of those in favour? Opposed? Carried.

Schedule 1, section 19.1, NDP. This is new section 19.1 of schedule 1 to the bill. I'd like to give it to Ms. Singh to speak to that.

Ms. Sara Singh: I move that schedule 1 to the bill be amended by adding the following section:

“19.1 The act is amended by adding the following section:

“Review of the act

“27.2(1) The minister shall conduct a review of the act within three years after the day the act comes into force and within every five years thereafter.

“Same

“(2) In addition to any other matter the minister wishes to consider, the minister shall consider the impact of cannabis consumption and availability on public health and safety, particularly the health and safety of youths.

“Report

“(3) The minister shall, within six months after completing each review,

“(a) create a report containing the findings and recommendations resulting from the review;

“(b) table the report in the assembly; and

“(c) publish the report on a website of the government of Ontario.”

The Chair (Mrs. Nina Tangri): Is there any debate? Ms. Singh.

Ms. Sara Singh: We have moved this amendment because we feel it is important that there is regular consultation and review as we move through this process of legalization. As we've all indicated, and many of the members of the government side are also very well aware, we are entering uncharted territories. We are not sure what issues we're going to encounter. There are a lot of unknowns, so we feel having a built-in review of the legislation and the process is a fair and just way to ensure that the needs of our communities are being met and that public health and safety is a paramount concern as we move forward, not just through this initial phase of legalization but as we continue this process of normalization as well.

The Chair (Mrs. Nina Tangri): Ms. Park.

Ms. Lindsey Park: We agree in part with the opposition, that there should be built-in review to this bill. That's why there is already a two-year review set out in the bill. As our experience grows, we'll work with stakeholders, including public health organizations, to monitor outcomes, learn from our experiences and adjust policies and programs to ensure we're achieving these objectives.

The Chair (Mrs. Nina Tangri): Any further debate? Ms. Singh.

Ms. Sara Singh: Thank you very much to the member. I do recognize that there is an internal review. However, that is only for the corporation; that is not for the bill as a whole. What we're proposing is for the bill as a whole.

0920

The Chair (Mrs. Nina Tangri): Thank you. Ms. Park, would you like to respond? No?

Any further debate?

Did you want to add anything?

Ms. Sara Singh: While it's important that we review the corporation and its entity and its operations, again, there is no built-in review for the bill as a whole and the process as a whole. That is what we would like to have amended and included in this bill.

The Chair (Mrs. Nina Tangri): Thank you. Any further debate? Mr. Harden?

Mr. Joel Harden: I guess it's just a matter of posing a question to my colleagues. Is there anything in particular why the government wouldn't want the entire bill to be subject to review after three years? Is there anything that hasn't been said yet that needs to be read into the record as to why the government would decide not to have the entirety of this legislation be up for review within three years?

The Chair (Mrs. Nina Tangri): Any response? Ms. Park?

Ms. Lindsey Park: I'll just provide some final comment. In fact, we think the review should happen sooner. It should happen at two years, and we've committed very publicly to this review within two years. Thank you.

The Chair (Mrs. Nina Tangri): Ms. Singh.

Ms. Sara Singh: Final clarification: Again, that's for the corporation. That isn't for the bill as a whole. So while you're telling the public there's a review, that's of the corporation; it is not of the bill. So there needs to be a review with public consultation on the bill, on the process of legalization as a whole, not the corporation only.

The Chair (Mrs. Nina Tangri): Any further debate? Ms. Park?

Ms. Lindsey Park: Again, I think I'm just repeating myself, but we've committed publicly to a thorough two-year review. For us, it's not necessary to put it additionally in the legislation to hold up our word to the public.

The Chair (Mrs. Nina Tangri): I'd like to put the question. All of those in favour of the motion by the NDP, new section 19.1 of schedule 1 to the bill?

Ms. Sara Singh: Can we have a recorded vote, please?

The Chair (Mrs. Nina Tangri): A recorded vote.

Ayes

Harden, Sara Singh.

Nays

Babikian, Fee, Martin, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): The amendment is lost.

We'll move forward.

Schedule 1, section 20: Shall schedule 1, section 20, carry? All of those in favour?

Ms. Lindsey Park: Point of order.

The Chair (Mrs. Nina Tangri): Point of order, Ms. Park.

Ms. Lindsey Park: Sorry. I don't think we've dealt with section 19.1 itself yet.

The Chair (Mrs. Nina Tangri): I'll just pass it off to Eric Rennie, Clark.

The Clerk of the Committee (Mr. Eric Rennie): Sure. The proposed section 19.1 was moved as an amendment. So, since section 19.1 does not actually exist in the bill, dealing with it as an amendment is satisfactory to move forward to the next section.

Ms. Lindsey Park: Okay. Thank you.

The Chair (Mrs. Nina Tangri): Thank you. So we'll move forward.

Schedule 1, section 20: Shall schedule 1, section 20 carry? All of those in favour? Opposed? Carried.

The NDP have a new section 20.1 of schedule 1 to the bill. If you could please speak to the schedule 20.1. Motion number 2.

Ms. Sara Singh: Just for some clarification, I should be reading my amendment now, Eric?

The Chair (Mrs. Nina Tangri): Yes.

Ms. Sara Singh: Okay. I just wanted to make sure. I didn't want to start off with the debate before the amendment—

The Chair (Mrs. Nina Tangri): No, no. Go ahead.

Ms. Sara Singh: Thank you. I move that schedule 1 to the bill be amended by adding the following section:

“City of Toronto Act, 2006

“20.1(1) Subsection 98(1) of the City of Toronto Act, 2006 is amended by striking out ‘the smoking of tobacco in public places and workplaces’ at the end and substituting ‘the smoking of tobacco or cannabis, or the use of electronic cigarettes, in public places and workplaces’.

“(2) Subsection 98(5) of the act is amended by striking out ‘the smoking of tobacco prevails’ at the end and substituting ‘the smoking of tobacco or cannabis, or the use of electronic cigarettes, as applicable, prevails’.

“(3) The definition of ‘smoking of tobacco’ in subsection 98(6) of the act is repealed and the following substituted:

“‘smoking of tobacco or cannabis’ includes the holding of lighted tobacco or lighted cannabis; (‘usage du tabac ou du cannabis’)”

The Chair (Mrs. Nina Tangri): On NDP motion number 2: Committee members, an amendment is inadmissible if it proposes to amend a statute that is not before the committee. I therefore rule the motion out of order because the City of Toronto Act, 2006, is not opened by the bill. There will be no further debate.

Mr. Joel Harden: Point of order.

The Chair (Mrs. Nina Tangri): Point of order, Mr. Harden.

Mr. Joel Harden: I would just invite the Chair to reconsider the ruling on the basis of the fact that there's an implication in the bill, and we have been approached directly by representatives of the city of Toronto and their organizations to bring this forward. So I would invite you to reconsider your previous ruling on the basis of the fact that there's an implicit impact here.

The Chair (Mrs. Nina Tangri): Thank you for your comments, Mr. Harden, but I have already ruled on the matter so we will move forward.

Schedule 1, sections 21 to 23: As there are no amendments proposed for this part, I am going to request that we ask the question in content for sections 21 to 23 together. All of those in favour? Opposed? Carried.

Schedule 1, section 23.1: The NDP have a new section, 23.1, of schedule 1 to the bill. Ms. Singh, would you like to read?

Ms. Sara Singh: I move that schedule 1 to the bill be amended by adding the following section:

“Municipal Act, 2001

“23.1(1) Subsection 115 (1) of the Municipal Act, 2001 is amended by striking out ‘the smoking of tobacco in public places and workplaces’ at the end and substituting ‘the smoking of tobacco or cannabis, or the use of electronic cigarettes, in public places and workplaces’.

“(2) Clauses 115(4)(b) and (d) of the act are amended by striking out ‘the smoking of tobacco’ wherever it appears and substituting in each case ‘the smoking of tobacco or cannabis, or the use of electronic cigarettes’.

“(3) Clause 115(4)(f) of the act is repealed and the following substituted:

“(f) require areas set aside for the smoking of tobacco or cannabis, or the use of electronic cigarettes, in places to which the by-law applies to be identified as an area where the smoking of tobacco or cannabis, or the use of electronic cigarettes, as applicable, is permitted; and”

“(4) Subsections 115(9) and (10) of the act are amended by striking out ‘the smoking of tobacco prevails’ wherever it appears and substituting in each case ‘the smoking of tobacco or cannabis, or the use of electronic cigarettes, as applicable, prevails’.

“(5) The definition of ‘smoking of tobacco’ in subsection 115(11) of the act is repealed and the following substituted:

“‘smoking of tobacco or cannabis’ includes the holding of lighted tobacco or lighted cannabis; (‘usage du tabac ou du cannabis’)”

The Chair (Mrs. Nina Tangri): On NDP motion number 3: Committee members, an amendment is inadmissible if it proposes to amend a statute that is not before the committee. I therefore rule the motion out of order because the Municipal Act, 2001, is not opened by the bill.

Moving forward: Schedule 1, section 24, in its entirety, and section 25: As we're not having any amendments to that part of the section, I would like to ask the question. All those in favour of it being carried? Opposed? Carried.

In its entirety of schedule 1, I'm going to call the question. Shall schedule 1 carry? All those in favour? Opposed? Carried.

We move forward to schedule 2, Cannabis Licence Act, 2018 and related amendments to other acts.

0930

Schedule 2, sections 1 to 3: As there are no amendments proposed, I would like to put the question. For schedule 2, sections 1 to 3, all of those in favour of carrying the motion? Opposed? Carried.

Schedule 2, section 4: The NDP have subsection 4(6) of schedule 2 to the bill. Would you like to speak to that, Ms. Singh?

Ms. Sara Singh: Yes, we have a motion. I move that subsection 4(6) of schedule 2 to the bill be amended by adding the following paragraph:

“7.1 The proposed cannabis retail store is not, or is not proposed to be, located on premises that are zoned for commercial retail use.”

The Chair (Mrs. Nina Tangri): Would you like to speak to the amendment?

Ms. Sara Singh: Yes, absolutely. We have received several requests, particularly from AMO and other members within municipalities who are very concerned that there are limitations that will not allow them to prevent or limit private retailers from setting up in zones that are residential or may be used for other commercial purposes. We would like to make this amendment to allow more autonomy and voice for municipalities. Unfortunately, AMO was not able to present at the hearings, so they could not raise these concerns here at the committee.

In putting forward this motion, that is our intent: to ensure that municipalities have the power and authority that they need in order to ensure that they are putting public safety and public health at the forefront.

The Chair (Mrs. Nina Tangri): Response? Ms. Park.

Ms. Lindsey Park: Bill 36, if passed, would prohibit municipalities from passing bylaws, under the Planning Act, that would distinguish between cannabis retail and other forms of retail in their zoning bylaws. Municipalities currently have the authority to determine where retail uses are permitted through zoning bylaws.

The proposed motion would unduly restrict the number and location of cannabis retail stores since these stores would be limited to only commercial zones where retail is permitted. The proposal would also frustrate the government’s policy to allow federally licensed cannabis producers to operate a single store at the site set out in their federal production licence, as many of these operations are located on lands that are not zoned for commercial retail use where these might be contemplated as ancillary uses to production facilities.

The Chair (Mrs. Nina Tangri): Any further debate? Mr. Harden.

Mr. Joel Harden: My concern, Chair, is that there would appear to be an assumption from the government that municipalities intend to use this power punitively. I don’t think that’s actually the case. I think most municipalities that have asked the opposition to pursue this reform have done so in good faith so that they have the ability to ensure that certain neighbourhoods aren’t overpopulated with cannabis retail. That is certainly the case in my home city of Ottawa. I respect local government decision-makers and respect the fact that they want to be able to have the ability, within their jurisdiction, to decide what’s appropriate.

This is a tool we have been asked for, so I invite an explanation from our friends in the government to tell us why they would say no to something that the

municipalities of Ontario have asked us to include within their powers to ensure that there is an appropriate spread of cannabis retail stores within their jurisdiction.

The Chair (Mrs. Nina Tangri): Any further response? Ms. Park.

Ms. Lindsey Park: Just as our government has been committed to getting input from municipalities throughout this process, both at the start and when municipalities are considering whether they want cannabis retail outlets in their municipality, we have given them that blanket ability to opt out and have given them the ultimate power to decide they do not want cannabis retail in their community. Should they decide that they would like to invite cannabis retail in their community, we’ve built it right into the legislation that there will be a 15-day window to provide written submissions on store applications, including objections to the store’s proposed location. We think that should satisfy municipalities and give them the opportunity to comment on any proposed store location.

The Chair (Mrs. Nina Tangri): Any further debate? Mr. Harden.

Mr. Joel Harden: Chair, forgive me, but we’ve spent the better part of five weeks over the summer debating whether or not it was appropriate to intervene in the city of Toronto’s election, mid-stream during the election, and this government decided to move forward with intervening in the city of Toronto’s election as it had already been going under way. So cities could be forgiven for thinking that their interests and their needs are being considered by this government.

What I’m seeing here is a push to ensure that the retail spread of these stores will be suitable to the entrepreneurs behind them, the large, very influential and highly lucrative licensed producers that will be bankrolling them, through a franchise model or through some other model. So far as I’m concerned, I don’t see enough of the municipality’s voice here. In fact, there’s a tinge of contempt here in saying that, “We can’t actually empower municipalities under commercial zoning restrictions to be able to decide the spread of cannabis retail stores in the communities.”

Absent an explanation, what I’m hearing from my colleagues is that they get to decide, and the cannabis industry gets to decide, where stores are located. I don’t think that’s appropriate.

The Chair (Mrs. Nina Tangri): Thank you. I would just like to remind the committee members to focus on the bill at hand and not to discuss other issues.

Any more response? Seeing none, I would like to ask the question on the NDP’s subsection 4(6) of schedule 2 to the bill. All of those in favour of—

Interjection.

The Chair (Mrs. Nina Tangri): A point of order? Is that Ms. Singh?

Ms. Sara Singh: Recorded vote, please.

The Chair (Mrs. Nina Tangri): A recorded vote.

Ayes

Harden, Sara Singh.

Nays

Fee, Martin, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): I consider the amendment lost.

We'll move to the NDP's subsection 4(9) of schedule 2 to the bill. Would you like to speak to that, Ms. Singh?

Ms. Sara Singh: Thank you, Chair. I move that subsection 4(9) of schedule 2 to the bill be amended by striking out "15 days" and substituting "30 days".

The Chair (Mrs. Nina Tangri): Thank you. Would you like to speak to the intent?

Ms. Sara Singh: Absolutely. Very similar to our amendment that we proposed previously, we are trying to help ensure that municipalities have tools at their disposal to protect public health and, again, public safety, and have some autonomy on deciding where stores should be located that would be in the best interest of their communities. Obviously, the public's interest should be paramount.

Many municipalities have said to us that 15 days is not enough and they require a lengthier time frame for the approval, and for notifying community members that a retail shop will be set up in their communities. Fifteen days, that's just over two weeks. That is not enough notice to community members who may be concerned to express those concerns, to ensure that they're heard loud and clear. So we, on behalf of municipalities across this province, want to empower them to have the tools they need to make the right decisions for their communities. We feel that by allowing them an additional 15 days in that application and licensing process and notification process to the public, it empowers them to make the right decision for their communities.

The Chair (Mrs. Nina Tangri): Thank you. A response? Ms. Park?

Ms. Lindsey Park: Under Bill 36, once the AGCO receives an application for retail store authorization from a licensed retail operator, a public notice will be posted on the AGCO website and a placard displayed at the proposed retail store location to indicate that a licensee has applied for an authorization at that location. This does not prevent, of course, any proposed licensee from communicating with municipalities earlier than that date. In fact, any good business person would do that, and we would encourage them to have an ongoing dialogue with the community.

Local residents and municipalities will be provided with a formal 15-day period to provide written submissions to the AGCO with respect to the application. The government has directed the AGCO that if Bill 36 passes, it's expected to expeditiously process a large volume of applications to enable the authorization of 500 to 1,000 stores by April 1, 2019.

Increasing the time to make submissions would add administrative burden to the AGCO and would frustrate the AGCO's ability to authorize that 500 to 1,000 amount of stores by April 1, 2019, thereby jeopardizing the government's objective of eliminating the illegal market.

0940

Submissions are not required to be in a specific form, other than in writing. For instance, Bill 36 would not require that a council resolution be made. A letter from a municipal official would be sufficient. Similarly, residents can provide submissions in any written form, such as letters or even email.

The Chair (Mrs. Nina Tangri): Further debate? Ms. Singh.

Ms. Sara Singh: Thank you to the member opposite. While I understand that the bill does allow for 15 days, as we've expressed, many in the community and many municipalities do not feel that that is a fair timeline. It does not allow for community members to express themselves in a timely manner. Often, if we even look at where some of these shops may be situated, if you have diverse communities, there may be language barriers and there may be a lack of understanding in terms of how to consult with the process or engage with the process of expressing concerns. We feel that 30 days allows a larger window for community members, as well as municipalities, to address those concerns and possibly mitigate them.

With all due respect, I think that we have dropped the ball on a number of occasions for municipalities in the last few months that we've been here. Something like this would allow them to have further autonomy and an ability to ensure that their communities can feel safe and feel respected.

I think that there are many members here who know that within their own communities there is going to be significant concern from members of the public, as well as municipalities themselves, with respect to the location of those cannabis retail stores. Fifteen days for someone who does not speak English in a community to express their concern in a written submission is not a fair timeline.

Also, for example, for those living on-reserve or in a First Nations community, that 15-day timeline—again, as we discussed in hearings, this process is not in line with what Indigenous communities have asked for in terms of consultation and a respectful process.

We're just asking for an extension of 15 days to ensure that people and communities have their voices heard fairly.

The Chair (Mrs. Nina Tangri): Any further response? Ms. Park.

Ms. Lindsey Park: Just one point of clarification: The 15-day window does not apply on reserves.

The Chair (Mrs. Nina Tangri): I'm going to call the question. All of those in favour of the amendment to subsection 4(6) of schedule 2 to the bill?

Interjection.

The Chair (Mrs. Nina Tangri): It will be a recorded vote.

Ayes

Harden, Sara Singh.

Nays

Fee, Martin, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): I declare the amendment lost.

We'll move forward to the NDP amendment on subsection 4(9) of schedule 2 to the bill. Ms. Singh, will you be speaking to that?

Ms. Sara Singh: Yes, thank you. I move that subsection 4(9) of schedule 2 to the bill be amended by striking out "having regard to the needs and wishes of the residents" at the end.

The Chair (Mrs. Nina Tangri): Would you like to speak to the intent, Ms. Singh?

Ms. Sara Singh: Yes. We believe that this subsection already indicates that the public interest should be taken into consideration, so it's redundant to reiterate "having regard to the needs and wishes of the residents." It should be inherently implied that public interest would take that into consideration.

The Chair (Mrs. Nina Tangri): Any response? Ms. Park.

Ms. Lindsey Park: I'll just be quick. I think the AGCO needs to consider the interests of local residents when deciding to issue a store authorization. It is important to qualify the public interest by referring to local residents. That's our view.

The Chair (Mrs. Nina Tangri): Any further debate? Ms. Singh.

Ms. Sara Singh: I'll comment. I can definitely appreciate that, and that was why we asked for an additional 15 days to ensure that the public could be heard clearly. That was voted down. I don't why this would be any different.

The Chair (Mrs. Nina Tangri): Any further response? Seeing none, I'm going to call the question. NDP amendment on subsection 4(9) of schedule 2 to the bill: All of those in favour of the amendment? Opposed? The amendment is lost.

We'll move forward to the NDP amendment on section 4 of schedule 2 to the bill. Ms. Singh, will you be speaking to that?

Ms. Sara Singh: Yes, thank you, Chair.

I move that section 4 of schedule 2 to the bill be amended by adding the following subsection:

"Resolution by municipal council

"(11.1) In the absence of evidence to the contrary, the registrar shall consider a resolution of the council of the municipality in which the proposed cannabis retail store is or will be located as proof of the needs and wishes of the residents of the municipality for the purposes of paragraph 5 of subsection (6)."

The Chair (Mrs. Nina Tangri): Would you like to speak to the intent?

Ms. Sara Singh: Absolutely. We feel that where there is not evidence, the public interest again needs to be taken into consideration and the needs and the wishes of those residents in the municipality should also be taken into consideration. If they are raising concerns, those concerns

should be heard clearly and addressed in a fair and timely manner.

The Chair (Mrs. Nina Tangri): Response? Ms. Park.

Ms. Lindsey Park: A requirement for a municipal council resolution was intentionally omitted from the bill. It takes some time to bring a matter before council. By using the more general term "written submission," the bill would allow a municipality to provide its views in whatever form it wishes, including a resolution. The chosen wording avoids unnecessary red tape and simplifies the process of responding to a notice of a proposed cannabis retail store.

With the bill, as it is currently worded, the AGCO will consider the views of local residents, as we just discussed, not just those of municipal council, when deciding whether to authorize a particular cannabis store.

The proposed amendment would unnecessarily impact the flexibility of a municipality to determine the form of feedback that it could provide with respect to the needs and wishes of the residents of the municipality for the purposes of the local notice process.

The Chair (Mrs. Nina Tangri): Any further debate? Mr. Harden?

Mr. Joel Harden: I think we should all be concerned that the government believes it's onerous for a municipality to make its decisions by a recorded democratic vote, which is what a resolution is.

I understood your ruling earlier, Chair, but I think it's absolutely relevant that we're dealing with a government that decided to intervene in a municipality's election midstream, with complete contempt for its democratic process. We're dealing with a government that decided to completely scrap a physical and sexual health education curriculum with an interim proposal introduced only recently. We have a theme here of governments that decide to get rid of existing legislation, with utter contempt for local decision-making and local decision-makers.

I am very disturbed that my colleagues think it's appropriate to create flexibility in the name of moving around the democratically elected responsibilities of local decision-makers, and I want to know why this government has such little regard for them.

The Chair (Mrs. Nina Tangri): Response?

Ms. Lindsey Park: I think our message is clear. Thank you.

The Chair (Mrs. Nina Tangri): So I'm going to call the question. The NDP's amendment—

Interjection: Recorded vote.

The Chair (Mrs. Nina Tangri): A recorded vote. NDP section 4, schedule 2 to the bill.

Ayes

Harden, Sara Singh.

Nays

Fee, Martin, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): I consider the amendment lost.

I'm going to pose the question: Shall schedule 2, section 4, carry? Those in favour? Those opposed? Schedule 2, section 4, is carried.

We'll move forward to schedule 2, section 5. As we have no amendments for sections 5 to 20, I'm going to pose the question. All of those in favour of schedule 2, sections 5 to 20, inclusive? Opposed? Carried.

We'll move forward to schedule 2, section 21, where we have the government. Who will be speaking to that? Ms. Park.

Ms. Lindsey Park: I move that section 21 of schedule 2 to the bill be amended by striking out "the total amount of cannabis of any class permitted under the Cannabis Act (Canada) to be possessed by an individual in a public place" at the end and substituting "30 grams of dried cannabis or the equivalent amount of another class of cannabis determined in accordance with schedule 3 to the Cannabis Act (Canada), or such other amount as may be prescribed".

The Chair (Mrs. Nina Tangri): Can you speak to the intent of that, please, Ms. Park?

0950

Ms. Lindsey Park: Sure. The proposed amendment would help clarify the government's policy intent to ensure that authorized cannabis retail stores do not sell more than 30 grams of dried cannabis to a customer to promote compliance with the federal public possession limit. Practically, this would prevent someone from being sold more than 30 grams in a store and then walking out and contravening federal law as soon as they step outside the store.

The current wording could be interpreted in that way, as permitting authorized retailers to sell more than 30 grams of dried cannabis to authorized medical users, who are permitted to possess higher amounts of cannabis for medical purposes, which is not the intent of this provision. Authorized medical cannabis users would continue to have adequate access to cannabis. They would be able to purchase up to 30 grams of cannabis at a cannabis retail store at a time. They can continue to purchase it through a licensed producer or grow it either themselves or through a federally designated grower.

The Chair (Mrs. Nina Tangri): Thank you. Any response? Ms. Singh?

Ms. Sara Singh: Thank you. I can respect the intent of this amendment, so we'll be happy to support this. We actually did bring this up in our technical briefings with ministry officials as an issue that was present inherently, as medicinal users could have anywhere from two to four grams prescribed to them on a daily basis.

However, I don't know if this quite does enough to protect that user if they are able to access that medicinal cannabis from a recreational store. Can you just maybe clarify that they, too, will be protected once exiting the store with their prescription, not recreational, cannabis if it is over 30 grams?

The Chair (Mrs. Nina Tangri): Further debate? Ms. Park?

Ms. Lindsey Park: Again, this is just to create clarity for the retail operators themselves. It's to be consistent for anyone purchasing within the store.

The Chair (Mrs. Nina Tangri): Ms. Singh?

Ms. Sara Singh: With this, is the intention that someone who is a medicinal user who enters a recreational space would be able to purchase more than 30 grams if their prescription allows for it? So you would be limiting a medicinal user from accessing their medication through a recreational supplier?

The Chair (Mrs. Nina Tangri): Ms. Park?

Ms. Lindsey Park: Again, I think I already said this, but authorized medical cannabis users would be limited as the section sets out, but they would continue to have adequate access to cannabis. They'd be able to purchase up to 30 grams of cannabis at the cannabis retail store at a time. Nothing prevents them from coming back later in the day if they need to. Or they can continue to purchase it through a licensed producer or grow it either themselves or through a federally designated grower.

The Chair (Mrs. Nina Tangri): Any further debate? I'm going to call the question. The government has requested an amendment: section 21 of schedule 2 to the bill. All of those in favour? Opposed? Carried.

Shall schedule 2, section 21, as amended, carry? All of those in favour? Opposed? Carried.

We move forward to schedule 2, section 22. As there are no amendments proposed to section 22 to 64 in its entirety, I'm going to propose the question. All of those in favour of schedule 2, section 22 to 64?

Ms. Sara Singh: Recorded vote.

Ayes

Fee, Martin, Park, Sabawy, Triantafilopoulos.

Nays

Harden, Sara Singh.

The Chair (Mrs. Nina Tangri): Schedule 2, section 22 to 64, in its entirety, is carried.

Schedule 2, the Cannabis Licence Act, 2018, and related amendments to other acts: Shall schedule 2, as amended, carry? All of those in favour? Ms. Singh?

Ms. Sara Singh: Recorded vote.

Ayes

Fee, Martin, Park, Sabawy, Triantafilopoulos.

Nays

Harden, Sara Singh.

The Chair (Mrs. Nina Tangri): Schedule 2, as amended, has carried.

We move on to schedule 3, Amendments to the Ontario Cannabis Retail Corporation Act, 2017 and the Liquor Control Act.

Schedule 3, section 1: Shall schedule 3, section 1, carry? Ms. Singh?

Ms. Sara Singh: Can we have a recorded vote on this, please?

The Chair (Mrs. Nina Tangri): A recorded vote. If I can ask all members, if you would like a recorded vote, to please make it known loudly.

Ms. Sara Singh: We had discussed putting my hand up and then often you're not seeing that right away, so should I just shout it out because we're in close proximity?

The Chair (Mrs. Nina Tangri): Please do.

Schedule 3, section 1: Shall schedule 3, section 1, carry?

Ayes

Fee, Martin, Park, Sabawy, Triantafilopoulos.

Nays

Harden, Sara Singh.

The Chair (Mrs. Nina Tangri): Schedule 3, section 1, has carried.

Schedule 3, section 2: The NDP have filed notice for section 2 of schedule 3. Is there any further debate?

Ms. Sara Singh: Yes. We understand that we are moving forward with a private retail model. However, we still feel that a public model would have been more beneficial for our communities to make sure that the public safety and public interest was always kept at the forefront.

Based on the debate and conversations we've had throughout these committee hearings, it hasn't always been clear to us that young people will be protected and that the public's interest will be paramount as we move forward. For that reason, we are voting against.

The Chair (Mrs. Nina Tangri): Any debate? Ms. Park.

Ms. Lindsey Park: As we've said many times, our government is committed to a private retail model with the primary objectives of undermining the illegal market, protecting children and keeping our streets safe.

The Chair (Mrs. Nina Tangri): Any further debate? Mr. Harden.

Mr. Joel Harden: I don't think there was anything that would have prevented the government from pursuing a mixed model of private and taking advantage of the entity we have through the LCBO. We can look to the state of Colorado and we can look to the state of California as places with the mixed model. I think it's unfortunate that the government has decided to pursue a purely private model of delivery.

What I'm worried about, quite frankly, is that a large cannabis industry is getting ready, promoted by many people who've held high office in many political parties, and that's what this government is most concerned about:

the overvalued companies that are poised to make very lucrative returns in the cannabis industry.

The government of Ontario in the previous Parliament had made substantial allocations to staff training with the LCBO to ensure that employees had the ability to, with responsibility, be a conduit for cannabis consumption. We feel that's taxpayer dollars wasted. That's taxpayer dollars lost.

My friends often talk about the need to use taxpayers' money wisely; in this case, I want it noted for the record that a substantial investment in the LCBO is being squandered. They could have pursued the private retail model they want to in conjunction with a public system.

We want, as a party, to note for the record that this is a turning point, and we worry that a substantial opportunity to ensure public safety, particularly for youth, is being lost.

The Chair (Mrs. Nina Tangri): Any response? I'm going to pose the question.

Ms. Sara Singh: Recorded vote.

The Chair (Mrs. Nina Tangri): Recorded vote.

Ayes

Fee, Martin, Park, Sabawy, Triantafilopoulos.

Nays

Harden, Sara Singh.

The Chair (Mrs. Nina Tangri): Schedule 3, section 2, has carried.

We'll move forward to schedule 3, section 3. As there were no amendments proposed to sections 3 to 19, inclusive, I'm going to pose the question. All of those in favour of schedule 3, sections 3 to 19 in its entirety? Opposed? Carried.

I'm going to pose the question for schedule 3. Should schedule 3 in its entirety be carried? Opposed? Carried.

Schedule 4, Amendments to the Smoke-Free Ontario Act, 2017 and the Highway Traffic Act—schedule 4, sections 1 and 2. As there were no amendments proposed, I'm going to pose the question. Schedule 4, sections 1 and 2: Shall they carry? All of those in favour? Opposed? Carried.

1000

NDP: section 3 of schedule 4 to the bill, an amendment proposed. Would you like to speak to that, Ms. Singh?

Ms. Sara Singh: Yes, thank you, Chair. I move that section 3 of schedule 4 to the bill be amended by striking out section 41 of the Smoke-Free Ontario Act, 2017 and substituting the following:

“Display, etc. of vapour products

“4.1(1) Subject to subsection (3), no person shall, in any place where vapour products are sold or offered for sale, display or permit the display of vapour products in any manner that would permit a customer to view or handle the product before purchasing it.

“Promotion

“(2) Subject to subsection (3), no person shall promote vapour products,

“(a) in any place where vapour products are sold or offered for sale; or

“(b) in any manner, if the promotion is visible from outside a place in which vapour products are sold or offered for sale.

“Exception

“(3) Subsections (1) and (2) do not apply to a specialty vape store, as defined in the regulations, if the display or promotion meets the prescribed conditions.

“Persons under the age of 19

“(4) No person shall display or permit the display of vapour products in any place where persons under the age of 19 are permitted.

“Same

“(5) No person shall promote vapour products in any place where persons under the age of 19 are permitted or where they may view the promotion.”

The Chair (Mrs. Nina Tangri): Just for clarification: Under “Display, etc. of vapour products,” 4.1(1), you said “any manner that would permit a customer” rather than “consumer.” I just wanted to clarify that that is—

Ms. Sara Singh: Oh, yes. Thank you for the clarification.

The Chair (Mrs. Nina Tangri): The clarification is “consumer”?

Ms. Sara Singh: Yes, it is “consumer.”

The Chair (Mrs. Nina Tangri): Thank you very much. Would you like to speak to the intent?

Ms. Sara Singh: Yes, absolutely. As we heard numerous times from many stakeholders through these committee hearings, there are several concerns around the promotion of vape products to those under the age of 19. We heard from several stakeholders the impacts to the health of young people. We heard about how vape products are being marketed and directed to our younger generation as a substitute for traditional cigarettes in order for them to consume nicotine. We’ve heard from many that they are very concerned that these products are being marketed to young people specifically to encourage them to use a vape product over a cigarette.

So we are asking the government to take into consideration these amendments that would ultimately protect younger consumers from making choices that they aren’t fully informed about, because large companies are using marketing tactics, as we’ve heard numerous times, in order to lure and hook young people onto their products. We’ve heard everything from vape products being explicitly marketed in parking lots of a gas station, for example. These aren’t marketing tactics that are reserved to behind the counter, where tobacco products are purchased; this is throughout the store. And so we are encouraging the government to put young people and public safety at the forefront and to ban the promotion of these products to young people.

The Chair (Mrs. Nina Tangri): Thank you, Ms. Singh. Any response? Ms. Park.

Ms. Lindsey Park: The first part of this motion is consistent with the government’s proposal to regulate the display and promotion of vapour products at places where they’re sold or offered for sale. The government proposes to have the display and promotion rules set by regulation. Having the display and promotion rules in regulation would provide more flexibility to ensure that the rules stay aligned with current evidence regarding vapour products and vaping.

The second part of the motion is overbroad as it would prohibit the display and promotion of vapour products in any places where persons under 19 are permitted. This is problematic for a few reasons. First, restricting the display of vapour products in any place where persons under 19 are permitted would inadvertently ban the use of electronic cigarettes in most places, such as public places and private dwellings where children and youth can be present.

Second, the Smoke-Free Ontario Act, 2017, was intended to only regulate the display and promotion of tobacco products and vapour products in stores and at places of entertainment. Expanding the display and promotion restrictions for vapour products to other places would create stricter rules for vapour products than tobacco products under Ontario law.

Finally, Ontario has historically looked to the federal government to regulate the display and promotion of tobacco products outside of retail settings. The same would be true for vapour products, as the Canada Tobacco and Vaping Products Act already has restrictions on promoting and advertising vapour products outside of retail settings.

The Chair (Mrs. Nina Tangri): Any further debate? Ms. Singh.

Ms. Sara Singh: While we understand that there is an intention by the government to limit that promotion and marketing to young people, we don’t feel as though it goes far enough. That is why we’ve proposed the additional amendments.

The Chair (Mrs. Nina Tangri): Any further response? No? I would like to call the question. The NDP has proposed an amendment to section 3 of schedule 4 to the bill.

Ms. Sara Singh: A recorded vote, please.

The Chair (Mrs. Nina Tangri): A recorded vote.

Ayes

Harden, Sara Singh.

Nays

Babikian, Fee, Martin, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): I consider the amendment lost.

The NDP have proposed an amendment to section 3 of schedule 4 to the bill. As we have already dealt with schedule 3, section 4 to the bill—

Interjection.

The Chair (Mrs. Nina Tangri): You can speak to the motion. Go ahead.

Ms. Sara Singh: Okay, perfect. Thank you. I recognize the Chair's comments. This amendment is worded slightly differently. I understand that the government had some issues with the previous one.

I move that section 3 of schedule 4 to the bill be amended by striking out section 4.1 of the Smoke-Free Ontario Act, 2017 and substituting the following:

“Display, etc. of vapour products

“4.1(1) Subject to subsection (3), no person shall, in any place where vapour products are sold or offered for sale, display or permit the display of vapour products in any manner that would permit a consumer to view or handle the product before purchasing it.

“Promotion

“(2) Subject to subsection (3), no person shall promote vapour products,

“(a) in any place where vapour products are sold or offered for sale; or

“(b) in any manner, if the promotion is visible from outside a place in which vapour products are sold or offered for sale.

“Exception

“(3) Subsections (1) and (2) do not apply to a specialty vape store, as defined in the regulations, if the display or promotion meets the prescribed conditions.”

The Chair (Mrs. Nina Tangri): Would you like to speak to the intent, Ms. Singh?

Ms. Sara Singh: Yes. I take what the members opposite said earlier—perhaps they felt that the language in the previous amendment was very restrictive, so we've loosened up the language in this amendment. We're hoping that we can come to an agreement that there needs to be some further conversation, regulation, control in this bill that would limit the promotion and marketing of these vapour products to young people. We're explicitly asking you to do that, not just through regulation but explicitly through this bill, which we have the opportunity to do now.

The Chair (Mrs. Nina Tangri): Response? Ms. Park.

Ms. Lindsey Park: I'll be brief. I'd like to incorporate the comments I made on the last motion into this one. I'll just further add that having the display and promotion rules set in regulation would provide more flexibility to ensure that the rules stay aligned with current evidence regarding vapour products and vaping.

The Chair (Mrs. Nina Tangri): Any further debate? Mr. Harden.

Mr. Joel Harden: I think this is a moment where we can decide, at this juncture, if our friends in the government are actually going to make sure that these products aren't explicitly marketed to children. We're in receipt of a letter from the Canadian Cancer Society, which has raised to our attention that the organization representing convenience stores in the province of Ontario receives funding from the tobacco industry. They are absolutely worried that as the tobacco industry tries to reinvent itself, given court challenges that have been brought against it,

given the harmful health impacts in nicotine, that this is its new strategy: to hook kids at a young age onto vaping products with the notion that this is somehow better for them.

1010

We're paying rapt attention. We want a recorded vote on this matter. Large organizations who have the interest of the well-being and health of our children have asked us to make sure that large organizations in the tobacco industry and their subsidiaries who sell vaping products do not have the ability to hook children at a young age on products that are more intended for adults. So we're paying rapt attention to how this vote proceeds.

The Chair (Mrs. Nina Tangri): Any further response? Seeing none, we'll have a recorded vote.

Ayes

Harden, Sara Singh.

Nays

Babikian, Fee, Martin, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): I consider the amendment lost.

We'll move forward to the NDP amendment to section 3 of schedule 4 to the bill. Would you like to speak to that, Ms. Singh?

Ms. Sara Singh: Yes, absolutely. It's really troubling to see that this government does not want to put in place additional measures to protect young people. The language in this is much looser and simpler, and hopefully we can move forward with this.

I move that section 3 of schedule 4 to the bill be amended by adding the following subsections to section 4.1 of the Smoke-Free Ontario Act, 2017:

“Persons under the age of 19

“(3) No person shall display or permit the display of vapour products in any place where persons under the age of 19 are permitted.

“Same

“(4) No person shall promote vapour products in any place where persons under the age of 19 are permitted or where they may view the promotion.”

The Chair (Mrs. Nina Tangri): Would you like to speak to the intent?

Ms. Sara Singh: Absolutely. I think they're very similar to comments that have already been made. We need to make it very explicitly clear through this bill that we are banning the promotion of these products to young people. We have heard time and time again from stakeholders. People who work in the health care industry are concerned. While the evidence does indicate that this is a tool for adults to use for smoking cessation, there are serious health impacts on young people who are turning to vaping as a “safer alternative” to consuming traditional cigarettes.

If we are going to allow the marketing and promotion of these products in places where young people access and there are no age restrictions on the marketing and promotion of those products in spaces where those people frequent—again, places like gas stations, convenience stores: They aren't limited to a specific area in the store. They're marketing outside in the parking lot, places where young people who may be just sitting in their car while their parents fuel up at the gas station are being impressed by these marketing tactics.

We're imploring the government to consider again the safety and the implications of that marketing to young people. There are going to be serious consequences to young people using vaping, and we've only started to see the impacts of this now. The evidence isn't clear. There still needs to be more studies; many stakeholders indicated that very clearly to us in these hearings. The evidence is in its very premature, early stages. We do not know what the long-term impacts of vaping and vaping products are going to be. So again, we're encouraging this government to please put the safety of young people at the forefront and consider banning this through the bill.

The Chair (Mrs. Nina Tangri): Mr. Harden?

Mr. Joel Harden: In case that argument doesn't work for my colleagues, I'll try a new one.

I think anybody who cares about fiscal prudence in the province of Ontario—and I think that's shared across all three parties to certain extents, depending upon one's opinion—will have to recognize that if we allow young people to get hooked on products that will make sure they're addicted to substances like nicotine through products like vape tools, there are health care costs attributed to that, in the billions. We need to be mindful that if we set in motion an industry which will market directly to children, they will be subject to ill health and, as a consequence of that ill health, they may miss school and they will incur a huge cost upon our health care system. So decisions made through cannabis or nicotine today by empowering the vape industry to market directly to children will have enormous fiscal impacts. So I invite my colleagues to consider that.

I wish our friend the Minister of Sport were here, because the Minister of Sport has often spoken eloquently about the need to empower young people, particularly young women, in competitive sport at a young age. I'm asking the government: Is that a dissonance with what's being proposed in the legislation? Actually, Chair, I think it is. As someone who has, my whole life, engaged in amateur athletics, I think that is something we need to encourage in young people.

If we allow an emerging industry which is becoming dominant in the sector which we're talking about—combustible products—to hook children at a young age, there are going to be huge financial costs to that that the government may not see immediately on its balance sheet, Chair, but we will see. The Canadian Cancer Society has been clear with us and people who are interested in smoking cessation have been clear with us that we will, as

a province, move forward with tremendous health costs if we allow addiction to nicotine or addiction to other combustible substances to become prevalent at a young age. So we are at—

The Chair (Mrs. Nina Tangri): Thank you very much, Mr. Harden. As the time is now 10:15, we will recess until 2 p.m. this afternoon.

The committee recessed from 1015 to 1400.

The Chair (Mrs. Nina Tangri): Good afternoon, everyone. We are assembled here for clause-by-clause consideration of Bill 36, An Act to enact a new Act and make amendments to various other Acts respecting the use and sale of cannabis and vapour products in Ontario.

Tamara Kuzyk, legislative counsel, is here to assist us with our work should we have any questions for her.

Are there any questions before we resume this afternoon? Seeing none, we will resume debate of NDP motion number 11 on section 3 of schedule 4 to the bill.

Is there any further discussion on this section? We'll call the vote.

Ms. Sara Singh: Recorded vote, please.

The Chair (Mrs. Nina Tangri): Recorded vote.

Ayes

Harden, Sara Singh.

Nays

Babikian, Fee, Park, Sabawy, Triantafilopoulos.

The Chair (Mrs. Nina Tangri): I consider the amendment lost.

We'll move on to schedule 4, section 3. Shall schedule 4, section 3, carry? All those in favour? Opposed? Carried.

Moving on to schedule 4, section 4: As there are no amendments for schedule 4, sections 4 to 12, we'll pose the question in its entirety. All those in favour of schedule 4, section 4, please raise your hands.

Interjection.

The Chair (Mrs. Nina Tangri): Sorry; 4 to 12 in its entirety.

All those opposed? Carried.

Interjection.

The Chair (Mrs. Nina Tangri): Just to reiterate: Schedule 4, sections 4 to 12, inclusively, is carried.

Without any amendments, shall schedule 4 carry? All those in favour? Opposed? Carried.

We're moving on to title and bill.

Shall the title of the bill carry? All of those in favour? Opposed? Carried.

Shall Bill 36, as amended, carry? All those in favour? Opposed? Carried.

Shall I report the bill, as amended, to the House? All those in favour? Opposed? Carried.

As there is no further business, I'd like to adjourn this meeting. Thank you to everyone.

The committee adjourned at 1403.

STANDING COMMITTEE ON SOCIAL POLICY

Chair / Présidente

Mrs. Nina Tangri (Mississauga–Streetsville PC)

Vice-Chair / Vice-Président

Mr. Deepak Anand (Mississauga–Malton PC)

Mr. Deepak Anand (Mississauga–Malton PC)

Ms. Doly Begum (Scarborough Southwest / Scarborough-Sud-Ouest ND)

Mr. Jeff Burch (Niagara Centre / Niagara-Centre ND)

Mrs. Amy Fee (Kitchener South–Hespeler / Kitchener-Sud–Hespeler PC)

Mr. Michael Gravelle (Thunder Bay–Superior North / Thunder Bay–Supérieur-Nord L)

Mr. Joel Harden (Ottawa Centre / Ottawa-Centre ND)

Mrs. Belinda Karahalios (Cambridge PC)

Mrs. Robin Martin (Eglinton–Lawrence PC)

Mr. Sheref Sabawy (Mississauga–Erin Mills PC)

Mrs. Nina Tangri (Mississauga–Streetsville PC)

Ms. Effie J. Triantafilopoulos (Oakville North–Burlington / Oakville-Nord–Burlington PC)

Substitutions / Membres remplaçants

Mr. Aris Babikian (Scarborough–Agincourt PC)

Ms. Lindsey Park (Durham PC)

Mr. David Piccini (Northumberland–Peterborough South / Northumberland–Peterborough-Sud PC)

Ms. Sara Singh (Brampton Centre / Brampton-Centre ND)

Clerk / Greffier

Mr. Eric Rennie

Staff / Personnel

Ms. Tamara Kuzyk, legislative counsel