

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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## **Official Report of Debates (Hansard)**

HE-15

## **Journal des débats (Hansard)**

HE-15

### **Standing Committee on Heritage, Infrastructure and Cultural Policy**

Better Municipal Governance Act,  
2022

1<sup>st</sup> Session  
43<sup>rd</sup> Parliament

Thursday 1 December 2022

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

Loi de 2022 visant à améliorer  
la gouvernance municipale

1<sup>re</sup> session  
43<sup>e</sup> législature

Jeudi 1<sup>er</sup> décembre 2022

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Chair: Laurie Scott  
Clerk: Isaiah Thorning

Présidente : Laurie Scott  
Greffier : Isaiah Thorning

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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

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

Thursday 1 December 2022

Jeudi 1<sup>er</sup> décembre 2022

*The committee met at 0901 in committee room 2.*

**BETTER MUNICIPAL  
GOVERNANCE ACT, 2022**

**LOI DE 2022 VISANT À AMÉLIORER  
LA GOUVERNANCE MUNICIPALE**

Consideration of the following bill:

Bill 39, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 and to enact the Duffins Rouge Agricultural Preserve Repeal Act, 2022 / Projet de loi 39, Loi visant à modifier la Loi de 2006 sur la cité de Toronto et la Loi de 2001 sur les municipalités et à édicter la Loi de 2022 abrogeant la Loi sur la Réserve agricole de Duffins-Rouge.

**The Chair (Ms. Laurie Scott):** Good morning, everyone. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order. We are here to resume public hearings on Bill 39, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 and to enact the Duffins Rouge Agricultural Preserve Repeal Act, 2022. We are joined by staff from legislative research, Hansard, and broadcast and recording. Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair. Are there any questions before we begin?

Today's presenters have been scheduled in groups of three for each one-hour time slot, with each presenter allotted seven minutes for an opening statement, followed by 39 minutes of questioning for all three witnesses, divided into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition members, and two rounds of four and a half minutes for the independent member of the committee. Are there any questions? Seeing none, we will now begin.

FEDERATION OF URBAN  
NEIGHBOURHOODS  
ONTARIO HOME BUILDERS'  
ASSOCIATION  
MS. ALEJANDRA BRAVO

**The Chair (Ms. Laurie Scott):** I'll ask the presenters who are in the room to come to the table, and we have some on our screen in front of us. The first presenters this

morning, our group of three, are the Federation of Urban Neighbourhoods, the Ontario Home Builders' Association and Alejandra Bravo. I'll just remind you that you all have seven minutes for your presentation. Please state your name at the beginning of each of your presentations, in order for Hansard to pick it up properly.

If the Federation of Urban Neighbourhoods is ready to begin, I would please ask you to start.

**Mr. Geoff Kettel:** Thank you, Madam Chair. My name is Geoff Kettel. I'm one of two Geoffs or Jeffs this morning presenting from the Federation of Urban Neighbourhoods. FUN provides a provincial voice for residents' associations across the province, in the urban areas especially. Residents' associations, as you well know, are engaged with their municipal governments in land use planning and development, transportation, and advocacy regarding policy and priority-setting for service provision and things like revenues.

In summary this morning, our position on this bill is that we are strongly opposed to Bill 39 in its entirety. We accordingly request that the standing committee not report Bill 39 out of committee, and that the committee recommend that the bill be withdrawn by the government.

Why do I say that? Well, Bill 39, if passed, would enable the mayor of Toronto—and the mayors of other municipalities across the province, as designated by regulation—to have a bylaw passed by council with only one third of the councillors voting in support. In the case of the city of Toronto, the mayor would need the support of eight of the 25 councillors to have his way and pass a bylaw that could potentially advance prescribed provincial priorities according to the act.

In FUN's view, Bill 39 violates one of the most basic principles of democracy as it applies to Ontario municipalities, namely abrogating the principle of majority rule in determining decisions of council. The minority-rule principle is unprecedented in liberal democratic countries or states, and is receiving unanimously negative reception from informed sources, including the five former mayors of Toronto who have roundly denounced Bill 39.

The Globe and Mail, Canada's national newspaper, stated in a November 21 editorial called "Doug Ford Fires a Shot through the Heart of Democracy," that the bill, "if adopted, will sacrifice a fundamental tenet of democracy—majority rule—on the altar of his political agenda." The minority-rule powers of the mayor under Bill 39 supersede the municipality's procedure bylaw, thereby

potentially eliminating the ability of council members and municipal residents to have timely notice of a bylaw subject to Bill 39's minority-rule provision. This would make it difficult, if not impossible, for council members to canvass residents about the bylaw and to obtain relevant reports from staff about the bylaw.

As well, the threshold for the use of the minority-rules provisions of Bill 39 is problematic. The bill provides that the minority-rules provisions will apply "if the head of council is of the opinion that a bylaw could potentially advance a prescribed provincial priority." This threshold is quite vague. How much potential must a bylaw have to advance a prescribed provincial priority? How specifically will the provincial priorities be described? As the bill does not define "provincial priorities" or specify parameters for these priorities, it would appear that the bill intends the province to have the widest possible latitude to specify priorities. The bill purports to give the mayor the exclusive authority to determine whether the threshold for the bill's minority-rules provisions has been met in relation to a bylaw. He or she merely needs to be "of the opinion" that this is the case and does not provide for the review of such a decision.

Given the above, Bill 39 has the potential to give rise to uncertainty, confusion and disagreement among councillors and municipal residents—and, frankly, cynicism about government in general—about the propriety of a mayor's use of the bill's minority provisions in relation to a bylaw. FUN would ask standing committee members to look in the mirror and ask themselves if such a huge departure from a fundamental principle of democracy is something that they can really support.

I'd like to briefly deal with schedule 2, which was put in there as well. It's the Duffins Rouge Agricultural Preserve Repeal Act, 2022. The government, frankly, has provided no justification for this schedule. Certainly, it cannot be justified on the basis that more land in protected areas of the province is needed for housing. The government's own Housing Affordability Task Force stated in its February 2022 report, "But a shortage of land isn't the cause of the problem. Land is available, both inside the existing built-up areas and on undeveloped land outside greenbelts."

In conclusion, FUN requests that the standing committee not report Bill 39 out of committee and that the committee recommend that the bill be withdrawn by the government.

**The Chair (Ms. Laurie Scott):** We'll now move on to the Ontario Home Builders' Association for seven minutes. Please state your name at the beginning.

**Mr. Luca Bucci:** Good morning. My name is Luca Bucci, and I'm the CEO of the Ontario Home Builders' Association, better known as the OHBA. I'm glad to be here today to speak in favour of Bill 39, the Better Municipal Governance Act.

With more than 4,000 member companies, OHBA is the voice of the homebuilding, land development and professional renovations industries across the province of Ontario. To put residential construction's impact into

perspective, consider that the homebuilding and renovation industry provides more than 554,000 jobs in the province, pays over \$37 billion in wages annually and generates over \$76 billion in direct investment value. OHBA members construct the vast majority of new housing in the province, which represents approximately half the housing starts throughout Ontario in any given year. Our members also renovate the existing housing stock and construct purpose-built rental homes.

OHBA has, for years, been raising the awareness about the growing housing supply problem across the province, which is a significant contributor to the affordability challenges we are experiencing. In 2021, OHBA worked with the Smart Prosperity Institute to better understand the disparities between housing supply and projected family formations in Ontario.

The numbers we found were staggering. Over 2.2 million more people will call Ontario home by 2031. However, Ontario is simply not building enough homes fast enough to meet future demand. Since 2021, we have seen demand further accelerate. By the time the province's Housing Affordability Task Force report was released, we learned that 1.5 million homes were needed in the next decade. In addition, the federal government announced earlier this month that it plans to increase immigration targets by 500,000 people per year by 2025.

Consider that 2021 was the best year for housing starts in Ontario in a generation. In that year, the industry built slightly more than 100,000 new homes. This means we need to increase housing starts by 50% year over year for the next 10 years to keep building at a rate that will restore affordability and attainability in the market, which is a monumental challenge. However, not meeting that objective would have a real and significant negative impact on Ontario's competitiveness, Ontario's quality of life and economic stability.

#### 0910

What this means is that meeting the goal of 1.5 million new homes in the next 10 years is an enormous challenge that requires bold changes and innovative thinking. It requires significantly increasing the pace and volume of home construction in Ontario. Critically, it also needs every level of government working in lockstep to ensure housing is a priority and housing gets built.

Bill 39 focuses on matters of provincial priorities—right now, the prescribed one is housing. The legislation provides opportunities for mayors who are democratically elected by the entire city of their jurisdiction to actively move forward an agenda they brought to their municipal residents in an effective manner. As an example of why this change is needed, consider the affordable housing project on Cummer Avenue in North York last year. The city of Toronto got housing through the Rapid Housing Initiative, which provides capital money for projects. However, municipal processes didn't lend itself to the timelines that were set by the federal government, and the city had to go to the province to fast-track the project. Bill 39 will fix issues like this and get more affordable housing online more quickly.

The OHBA supports these proposed changes, which will ultimately support new home buyers by prioritizing housing and the construction of new homes. Local governments have an important role in the housing approval process. This legislation helps ensure that the goals facilitating housing construction are clear and that elected officials work together to overcome obstacles to new communities. Mayors will be able to set priorities for the project at council and how they move through council, something that is crucial not just for market-based housing, but supportive and affordable housing, as well, which in many cases is languishing for approval during a supply crisis.

This legislation also rejects the status quo of “not in my backyard” and even the ideology of BANANAs: “Build absolutely nothing anywhere near anyone.” That hinders the addition of new homes, something we see all too often at the municipal level. This is a housing cultural change that is required across the province, and we’re glad to see the provincial government recognizing this need for change.

In conclusion, we have our hands on a significant housing supply crisis that is taking place in communities big and small across Ontario. The remedies are grounded in the increase of the supply of homes by speeding up approval and building timelines, therefore improving affordability and securing the long-term competitiveness and viability of Ontario. Bill 39 helps municipalities focus on real solutions to help address the housing supply crisis, so that more Ontarians can find a home in a community where they can live, work and raise a family.

I thank the committee for the opportunity to speak here today and am looking forward to your questions later on.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation. I’ll now move on to Alejandra Bravo.

**Ms. Alejandra Bravo:** I was just elected city councillor for Davenport in Toronto. I’m here to speak for myself and for my constituents, having received from residents in my ward more than 1,000 messages repudiating Bill 39—

**The Chair (Ms. Laurie Scott):** I just need you to state your name.

**Ms. Alejandra Bravo:** Oh, sorry. Alejandra Bravo.

This bill invalidates the will of voters in my ward and across Toronto just weeks after a municipal election, during which the mayor, who asked for these powers, and the Premier, who agreed to grant them, never, ever mentioned their secret intention to change the city’s governance. The people weren’t in on it. We never got to deliberate and we never got to vote with the full knowledge of what was happening in backrooms. The irony is that Bill 39 is an implementation tool of Bill 23, and we’ve heard from city staff and from residents and from many organizations that this is a bill that will harm municipalities in Ontario. And it does nothing to build more affordable housing, which is what we need. It reduces the democratically elected city council to a tool for an agenda of another government.

By granting the mayor of Toronto the power to overrule council and to pass bylaws with the support of only one third of council members, this bill violates the most basic principle of democracy: majority rule. There isn’t a corporate board, a not-for-profit board or a Legislature anywhere in this country where you can rule with one third. Where does it end? What other board or agency of the province will be reduced to rubber-stamp a provincial agenda? The people won’t count or be represented if this bill is passed.

Toronto city council is full of new voices. It’s the most representative city council of our diversity in the city than ever before. Bill 39 means those diverse voices—my voice—can’t be heard. Toronto city council will likely be denied the opportunity to discuss Bill 39 before it will be voted on in the Ontario Legislature unless something changes in this committee, which it must. We’ve heard that mayors are for voted by everyone. Well, this one-third rule is not something that’s available to a president; it’s not available to any strong mayor in the United States. It just means absolute power with no checks.

So I’m here to speak for myself, but I’m also here to speak for some of my colleagues with their permission. Ausma Malik, councillor for Spadina–Fort York:

“Allowing for approval of new bylaws by only one third of members of council is fundamentally undemocratic. From boardrooms to Parliament Hill to Queen’s Park itself, having decisions made with less than a majority is out of the question.

“We have a housing affordability crisis in Toronto, and I welcome the urgency to address it from all levels. However, Premier Ford’s Bill 39 isn’t about housing; it’s a clear attack on local democracy.

From Amber Morley, councillor for Etobicoke–Lake-shore: “The residents of the city of Toronto have elected a council that finally begins to reflect the diversity of our city, and we must be given the opportunity to enact policy that considers the interests of those often left unheard. I believe the path forward requires a fulsome and collaborative process. This isn’t about the mayor specifically. Quite frankly, I do not believe anybody should have these powers. The powers granted under Bill 39 fly in the face of the core principle of democracy: decisions are made by a majority vote.”

Councillor Jamaal Myers, Scarborough North, who also made a written submission: “Toronto is in a housing crisis and I strongly support using all reasonable tools to end it. However, allowing for the passage of bylaws with the vote of only nine members of council is not the way to do it. For council to function effectively and to take the pressing issues facing our city, there must be mutual respect and trust between councillors and the mayor.”

Lily Cheng, councillor for Willowdale: “Bill 39, the Better Municipal Governance Act, is a threat to our democracy and in the wrong hands could threaten the future of our great city. We cannot guess who will be elected in years to come. The best governance comes from a place of mutual trust and respect. This type of unprecedented minority rule would break trust among

leaders and with the public. I ran on a platform of engaging and empowering residents to participate in shaping our community. This act would diminish my ability to represent my constituents and will greatly multiply the cynicism and apathy I encountered at the door. For democracy to work, people need to know their voices matter. Please trust the principles of democracy that govern Canada and withdraw Bill 39.”

Gord Perks, councillor for Parkdale–High Park: “On October 24, 31,353 residents of ward 4, Parkdale–High Park, cast ballots in a free and fair election to choose a councillor to represent them on Toronto city council. In secret and without consulting the public, Mayor John Tory and Premier Ford decided to propose changes to how effective I can be in representing them. Every one of those voters is being betrayed by this legislation.”

Councillor Paula Fletcher, Toronto–Danforth: “Bill 39 will impose a style of governing on our cities that is unprecedented, allowing a minority of council to impose legislation against the wishes of the majority of elected representatives. Nowhere in the world is there a system of democratic government where such minority rule exists. That’s why all five former Toronto mayors have come out against it.”

Chris Moise, councillor for Toronto Centre: “Bill 39 provides a route for minority rule in our city. This is an undemocratic move with no consultation of municipalities that are being forced to make these changes. Our council is a collaborative body. Imposing this legislation jeopardizes our democracy, not only for today but also for our future. I hope to see this legislation rethought and repealed.”

You’ve just heard from eight Toronto city councillors who are asking this government to withdraw Bill 39. I just want to highlight that we were all elected on a mandate to build more housing. We will not stand in the way of that. I think that the changes that have happened at Toronto city council are reflective of the will of the people, because building more housing is a huge concern. But this isn’t really about whether we build more housing. It’s about whether we uphold the most basic principle of democracy and whether or not we’re going to save our system from this breach of trust.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation. We’ll now move on to our first round of questioning, with seven and a half minutes from the NDP. MPP Jeff Burch, please.

**Mr. Jeff Burch:** Thank you all for appearing this morning. I’d just like to start with Mr. Kettel. You touched on the issue of cynicism in government. Usually, cynicism is something that comes from a lack of transparency. Did you want to expand on that a little bit? Because much of what you said, which I found very thoughtful, had to do with this proposal for a strong-mayor system, that it will breed cynicism among constituents.

**Mr. Geoff Kettel:** Yes, indeed. I think one should remember that this Bill 39 actually builds on Bill 3, which was passed in September. Let me just mention what Bill 3 does. It centralizes the powers in the office of the mayor

already. You’ve already got this sort of supercharged-mayor situation. That law gave the mayors of Toronto and Ottawa the power to veto bylaws and override council decisions, again in the name of provincial priorities. It offends three basic principles of municipal government in Ontario: (1) that council is supreme, not one member; (2) that city staff are members of the independent public service reporting to the city manager and providing non-partisan professional advice; and (3) that, with few exceptions, council will conduct its business in public. So you can see that we’re getting away from transparency.

**0920**

I’m a grandfather, and you have to worry that voting went down in the provincial election. It went down in the municipal election—29%, was it? That’s shocking. People are starting to say, “What’s the point in voting? We get the same stuff. I don’t trust them.” That word, “trust,” is a really important word. Do you trust your politicians? These institutional measures are sliding, and I really worry, as a senior. What kind of a world are we leaving for our kids? Democracy is important. Government is important. It’s important that we maintain the integrity of our institutions.

**Mr. Jeff Burch:** Thanks very much for your comments. I appreciate it.

I’m going to switch to Ms. Bravo. Thank you for being here this morning. I actually watched a speech that you made that you have on Twitter, and you mentioned that you’re a refugee. You spoke about diversity in the city and on Toronto city council, the connection between diversity and making sure that people’s voices are heard through their elected representatives on council, and how that’s being really thwarted by this strong-mayor situation. I thought you might want to expand on that.

**Ms. Alejandra Bravo:** Thank you for the question. This is the most diverse and representative council that Toronto has ever elected. That is a reflection of the will of the people, of voters who came out to elect the people who they thought could champion the things that matter.

What I talked about was the fact that the median income in Toronto is \$39,000. Those are the people who kept supply chains going, who were on the front lines, who are packed into buses that are coming more infrequently and who desperately need affordable housing. This bill doesn’t do anything to incentivize affordable housing. In fact, it reduces our ability as councillors to protect existing affordable rental and to incentivize the building of more affordable housing for ownership or for rental.

So I’m here to speak for those people. I’m here to speak for people who, like me, have had a journey and a struggle. I am a refugee. I’m from a working-class family and proud of it. I’m the first generation to go to university in my family, and I think that that is representative of a lot of people’s experience. Those people already feel largely silenced, not heard in this city, and frankly, in this province, without many protections that people deserve.

Please don’t take away the champions who they fought to elect. Please don’t silence us, therefore silencing the needs that people are expressing to us and through us.



That's why majority-vote rule is so fundamental and basic. It really gives people an opportunity to mobilize and be heard.

**Mr. Jeff Burch:** Great. Thank you. I'm sure you've had an opportunity to discuss this with some of the other councillors, although it's disappointing that you won't be able to debate it prior to the government voting on it.

I know from my time as a city councillor—and I was fortunate enough to serve under a strong mayor who didn't need strong powers; they built consensus on the council. But I can tell you, if that mayor had tried to run that council with only a third of the votes and ignored the other two thirds, I would have made that mayor's life very difficult for the next four years. I can see that happening in councils across Ontario where they try and institute this, if a mayor thinks that they can ram something through council, come up with bylaws on their own, come up with an entire budget on their own, ram it through council with only a third of the votes, or maybe even create a committee of council where they can control the whole thing through that committee—a “committee of control,” I think they call it. What do your colleagues on council think of that?

**Ms. Alejandra Bravo:** I think the majority are concerned. I don't know who the eight are who are going to be part of the mayor's voting bloc, but I can tell you that the council chamber was packed by residents who were there with a sense of urgency, wanting the withdrawal of this bill. There was an overflow committee room, so we're talking about hundreds and hundreds of people taking time off their day to come out.

I can also tell you that yesterday I went to my first community council meeting, where we discussed issues at a very local level. In a single-tier municipality, that meant a speed bump on one street—

**The Chair (Ms. Laurie Scott):** One minute remaining.

**Ms. Alejandra Bravo:** —or a fence. The mayor has to approve each and every one of those decisions. Literally, he runs the city of Toronto by fiat now.

**Mr. Jeff Burch:** In the few seconds I have left: I tried to question the minister if he knew anything about when Mayor Tory approached the government behind closed doors to make this secret deal. Does anyone on your council have any idea when that might have happened? I mean, it was behind closed doors, but clearly they got together in some backroom somewhere and cooked this up.

**Ms. Alejandra Bravo:** Absolutely. Our first day—

**Mr. Sheref Sabawy:** Point of order, Chair.

**The Chair (Ms. Laurie Scott):** I believe MPP Sabawy has a point of order.

**Mr. Sheref Sabawy:** I don't think this is appropriate, to talk about backdoor deals and stuff like that. I don't think this is appropriate. This is not official. This is rumours.

*Interjections.*

**The Chair (Ms. Laurie Scott):** Thank you. I've heard Mr. Sabawy's point of order. I think we can resume. Who was on the floor?

**Ms. Alejandra Bravo:** May I answer?

**The Chair (Ms. Laurie Scott):** You've got—  
*Interjection.*

**Ms. Alejandro Bravo:** I actually would like to answer the question. We assumed office on November 15. We got our emails and we got into it. We unlocked our office doors. I heard about this as a councillor, as did everyone else, the following day, through the media. We were never communicated with, and nobody in the public was ever told. That, to me, is the definition of a deal that's made in a backroom.

**Mr. Jeff Burch:** Thank you very much.

**The Chair (Ms. Laurie Scott):** Thank you.

Moving on to MPP McMahon for four and a half minutes, please.

**Ms. Mary-Margaret McMahon:** Good morning, everyone. Thank you for taking the time out of your busy days to come down and speak to us. It's really important that we hear from you, and I'm glad you made the cut because, as you know, we only have today to listen to people. We tried to have other days in other locations and that got ruled out, voted down, which is really unfortunate, to squash voices.

I'm just going to continue along with Councillor Bravo, with that line of questioning. Thank you for coming and congratulations on your recent win. I remember when I was elected in 2010, there were 15 of us newbies: fresh energy, ideas, passion and representing our communities, as many of us here are former municipal politicians.

I worked with two different mayors, and we never had this system that is being proposed now. Both mayors, Mayor Ford and Mayor Tory, spoke to councillors. They had their staff speak to our staff and ourselves and, for many things, tried to work collaboratively and collegially. That was my approach. I always worked across party lines and with everyone. I didn't care where the good ideas came from, as long as they came.

I'm just wondering if you can elaborate how you feel as a new councillor, representing your beautiful riding, to have this rammed down your throat?

**Ms. Alejandro Bravo:** Thank you. I'll say that I got almost twice as many votes in my ward as the mayor did, so there's a real sense of attachment to the ideas that we proposed in our campaign. Those people expect me to go to council and speak on their behalf.

Last week, there was a sewer pipe that burst. I was on the scene with senior staff to talk about how to support the local businesses. How can the mayor do that? We delegate, in our system of municipal government, authority to councillors to deal with the issues that arise in the ward. We delegate to committees, and now all of that is invalidated.

I think that policy is strengthened when we work together and when the people who know, street by street, community by community, what the needs are—we can best serve them. We can also be a conduit for civil society organizations, who are also going to have to go through one point of contact right now. That starts to move us to autocracy, and it's going to hurt people.

**Ms. Mary-Margaret McMahon:** Okay. Thank you very much.

To Luca from the Ontario Home Builders' Association: Thanks for coming in. You've seen the housing task force report and the recommendations. With regard to the Duffins Rouge Agricultural Preserve and the task force recommendations, they recommend that we have enough land elsewhere without touching the greenbelt to build housing. I'm just wondering, where should the province be building housing? And what types of housing, in your opinion?

0930

**Mr. Luca Bucci:** As an industry, we support the greenbelt. We support building in ways that bring about a balance between environmental protections. When we spoke last time—I think it was a couple of weeks ago when I was in committee. Our members are very committed to building to the environmental standards that are set out by provincial policy. We have to go through a number of processes—

**Ms. Mary-Margaret McMahon:** So you don't mind building on a wetland?

**Mr. Luca Bucci:** We have to appreciate the fact that we're in a housing crisis. The greenbelt does have areas where there is land that is already serviced for home building. In those cases, when we're trying to get to 1.5 million new homes over the next 10 years, if the government does decide that that's appropriate land to build homes on, then that's a prudent direction.

But let's not lose sight of the fact that the government is adding appropriate land to the greenbelt, which should be protected, in the Paris-Galt moraine. The government is also setting a three-year timeline on those lands that are coming out of the greenbelt, so that if they're not being used to build housing—

**Ms. Mary-Margaret McMahon:** Right. Sorry, I have a very short period of time. And what types of housing? Single-family homes? Detached?

**Mr. Luca Bucci:** We need to build the housing that people need.

**The Chair (Ms. Laurie Scott):** One minute left.

**Mr. Luca Bucci:** That could be a wide range of high-density housing. That could be a wide range of multi-unit housing. At the end of the day, it really is all about getting to that 1.5-million-home number over the next 10 years.

**Ms. Mary-Margaret McMahon:** Do you believe in building up transit corridors in existing communities in urban settings as well?

**Mr. Luca Bucci:** We believe that intensification in the appropriate areas is the right way to solve the housing crisis.

**Ms. Mary-Margaret McMahon:** And maybe shaking up the yellowbelt with quadplexes, more than three units per site, getting gutsier with four units per site?

**Mr. Luca Bucci:** It's interesting; I actually don't think that we can have these discussions in the city of Toronto because most of the time, when we're talking about density in the city of Toronto and the downtown core, council gets bogged down in discussions of parking and shadows, which is why the strong-mayor powers are actually going to probably be useful for discussions like

that, because when those discussions do happen, and the goal is to build density around transit stations, the mayor can then coalesce behind a coalition of members who are focused on that kind of housing and get the support they need through council so we're not being bogged down in conversations about parking and shadows.

**Ms. Mary-Margaret McMahon:** There are lots of councillors who are supporting housing.

**The Chair (Ms. Laurie Scott):** Thank you very much. I'm sorry, MPP McMahon. You're out of time for this round, but there will be another one.

MPP Sabawy for the government side, please.

**Mr. Sheref Sabawy:** My question is for Luca from the OHBA. You've heard, of course, the terms BANANA, "build absolutely nothing anywhere near anyone," or NIMBY, "not in my backyard." Can you elaborate on how many times you've heard in the city, in different municipalities, "It's not our problem; it's a provincial issue"?

**Mr. Luca Bucci:** That question does come up quite a bit. What I think is frustrating, not only for my members but for the new home buyers that we're trying to create a product for, is that a lot of the times when we're going through the municipal process for approvals, the debate gets bogged down in—I don't want to call them frivolous, but let's say discussions that are tangential to the importance of building homes: "How many parking spots are we going to have on this site? What are the shadows going to look like? Are we building 13 storeys or 12 storeys? Let's delay a development project for years because we can't come to a consensus on density that is literally a difference of three or four storeys."

I think the benefit of the strong-mayor powers is that someone like John Tory, who was elected with 62% of the votes across Toronto—let me phrase that again: 62% of the ballots that were cast in Toronto voted for this mayor—then has the ability to use his discretion to fast-track those kinds of products and those discussions on matters of provincial priority, and the only matter of provincial priority that's defined through regulation in this bill right now is housing. That is something that the mayor campaigned on quite vigorously in his campaign, so it is a productive power, 100%.

**Mr. Sheref Sabawy:** Can you give us some of your own opinions on how much of the resistance to the strong-mayors bill is sitting behind, "It's better that we're covered, saying it's the province, because we don't have the powers," versus "We have the powers, but we don't act"?

**Mr. Luca Bucci:** I think what this bill does is it allows a democratically elected mayor—and in this case, a mayor that was elected with 62% of the votes across the city—to work with the province to move forward matters of provincial priority, and that, right now, is housing. There's a lot of talk about implementing the will of the provincial agenda, but right now the only time that the mayor can use these powers is on housing issues. Housing has been an issue that has been identified as a priority by all levels of government: federal, municipal and provincial. So I guess

for our industry it's encouraging because now we actually have a tool where we can facilitate that kind of co-operation that we need to get that housing supply online.

**Mr. Sheref Sabawy:** My final question for you is going to be, when you hear councillors and mayors and municipalities talking about that this is going to affect our ability to address affordable homes—which gives some opinion. Some feel that we are good, status quo; we are doing great in affordable housing; we are doing great in housing generally, in licensing, in giving those home builders the ability to build homes. What do you feel about that?

**Mr. Luca Bucci:** I think right now we are in a crisis of supply. We need 1.5 million new homes over the next 10 years to restore affordability and attainability in the market. That's not just market-based affordability; that's also to increase the volume of affordable housing solutions within municipalities.

More often than not when it comes to building homes, particularly within urban centres where we need that density, discussions at the municipal level get bogged down on tangential issues like shadows and the matter of 12 storeys versus 14 storeys. Right now, bringing in a tool like the strong-mayor bill gives municipalities, through the discretion of a democratically elected mayor—and again, in the city of Toronto, the mayor was elected with 62% of the votes that were cast in the city, on a mandate that focused primarily on moving the housing agenda forward—the opportunity to fast-track some of those projects, get more affordable housing projects online, get more market-based housing online, increase supply and restore affordability and attainability.

These mayors aren't elected by a cabal of people. No, they are elected by a majority of their constituents across the city. I believe this mayor in particular has a mandate from almost every single ward that he represents. He also has to work with eight councillors. I'm not a student of municipal government, but getting consensus among eight councillors on issues like housing could even be a bit contentious. So it's not like he's driving his own agenda. It's primarily focused on the issue of housing. He does have a mandate that spans across the city, and more often than not debates on housing are being bogged down in tangential issues that are related to NIMBYism and BANANAs. This gives him the opportunity to move through those matters and work with the provincial government and work with the federal government to get more housing supply online.

**The Chair (Ms. Laurie Scott):** MPP Pang?

**Mr. Billy Pang:** This question is also to OHBA. All of us here understand that there is a housing crisis, but we are taking different approaches with different opinions. In our view, our government has been clear that we will extend strong-mayor powers to municipalities that are shovel-ready and committed to growth and cutting red tape. The previous strong-mayor cities, Toronto and Ottawa, are single-tier municipalities, so the province planned to appoint a facilitator in some of our fastest-growing regions—Durham, Halton, Niagara, Peel, Waterloo and York—to help determine the best way to extend these powers to

these two-tier municipalities. In the past election, we committed to building 1.5 million homes—everybody knows that; all the parties put that in their platform—over the next 10 years. Some parties are slowing it down. We are moving it fast.

Last year was a record-setter, with over 100,000 housing starts. But in order to hit the target, we really need to accelerate, right? A hundred—in 10 years we'll still not reach the 1.5 million. Can you talk about the way we should streamline the processes that speed up approvals?

**The Chair (Ms. Laurie Scott):** A minute and five seconds.

**Mr. Luca Bucci:** A minute and five seconds. Any legislative solution that could speed up development approvals is the right legislative solution, whether it's strong-mayor powers or whether it's appointing provincial facilitators in regions where the debate on housing gets bogged down between a lower-tier municipality's vision and an upper-tier municipality's vision.

What I think the province really needs to focus on right now, particularly with municipalities, is looking at ways to give voice to the new homebuyer, because a lot of times—you want to talk about democracy—if you get into debates on council at committees, more often than not the people who want to enter the market don't have a voice. They're getting crowded out by people who are quite privileged and already have a home in the neighbourhood, who don't want the neighbourhood's character to change, who want to keep living in their single-family homes in downtown Toronto and not see a 12-to-15-storey condo built on the corner to open up supply for someone who has, quite frankly, been living in the basement of their parents' home in their late twenties because they can't afford to buy a home. So if you want to talk about democracy, NIMBYism and BANANAs are probably one of the most dangerous elements against democracy in the homebuilding process because it shuts out the voice of the new homebuyer, and they do not have an opportunity to represent their interests—

**The Chair (Ms. Laurie Scott):** Thank you very much. We'll now move over to the official opposition: MPP Burch.

0940

**Mr. Jeff Burch:** Question for Mr. Bucci: You're the former chief of staff to the Minister of Municipal Affairs and Housing, correct?

**Mr. Luca Bucci:** That is correct.

**Mr. Jeff Burch:** Okay, so on the lobbyist registry entry for you, there's a note that says, "Mr. Bucci has not and will not lobby (i) the Minister of Municipal Affairs and Housing, (ii) the office of the Minister of Municipal Affairs and Housing ... or (ii) the Ministry of Municipal Affairs and Housing, until at least April 1, 2023."

So my question is, are you aware that it's December 2022?

**Mr. Luca Bucci:** I am, and I have not lobbied the Minister of Municipal Affairs and Housing. I'm here speaking on behalf of my membership on a bill that has an impact on how they do their job. How the bill was created

and the lobbying efforts that have been done through my organization have been done through my staff. I have a screen that I've been very open about—my ability to approach Minister Clark and his staff. There's a gentleman in my office by the name of Alex Piccini who conducts all of our lobbyist efforts with the provincial government.

**Mr. Jeff Burch:** So you don't believe that you're lobbying on behalf of the Ontario Home Builders' Association, being here right now?

**Mr. Luca Bucci:** Today, I'm speaking on behalf of a bill that will benefit my members and the new home buyers when it comes to construction—

**Mr. Jeff Burch:** It says on my sheet here that you're the CEO of the Ontario Home Builders' Association, and that's why you're here.

**Mr. Luca Bucci:** That's correct.

**Mr. Jeff Burch:** Okay—

**Mr. Luca Bucci:** This is not a lobbying effort—

**Mr. Jeff Burch:** I'll hand things over to my colleague, Chair.

**The Chair (Ms. Laurie Scott):** MPP Harden.

**Mr. Joel Harden:** Again, Mr. Bucci, I just want to clarify, just for process, Chair, I'm very mindful of the time I have, and I would like my questions answered, so if I don't have questions answered in a reasonable period of time, I'm going to ask for the microphone back—just a heads-up to you, Mr. Bucci.

Mr. Bucci, do you think organizations like yours engage in advocacy? Yes or no?

**Mr. Luca Bucci:** Organizations like mine do engage in advocacy, correct.

**Mr. Joel Harden:** Would you describe that advocacy as lobbying, actually putting forward the important points of view that you represent in your membership? Yes or no?

**Mr. Luca Bucci:** In respect to the lobbying legislation, I cannot directly advocate to the Minister of Municipal Affairs and Housing. Today, we are advocating to a legislative committee on a bill that speaks to a legislative policy that will translate into a benefit to not only my members but to the new home buyers as well.

**Mr. Joel Harden:** Mr. Bucci, you're a clever person, engaged in politics, making contributions to the province. We may disagree on policy issues, but it would seem to me an important role you're playing here today is helping this committee understand this legislation from your membership's point of view.

**Mr. Luca Bucci:** That's correct.

**Mr. Joel Harden:** I think some people will call that lobbying, sir. So I just want to flag for the fact that we may be actually operating in breach of lobbying and lobbyist registration right now, as we conduct this committee. Chair, I want to bring your attention to that. I also—

**Mr. Graham McGregor:** Point of order.

**The Chair (Ms. Laurie Scott):** MPP McGregor has a point of order.

**Mr. Graham McGregor:** I appreciate the member is, I think, playing in some kind of cheap petty politics here. It's quite clear this is a bill—

**Mr. Joel Harden:** Chair, is this a point of order or is this a speech?

**The Chair (Ms. Laurie Scott):** Well, I'm listening to it.

**Mr. Graham McGregor:** —that's before the Legislative Assembly.

**Mr. Joel Harden:** It's my time.

**The Chair (Ms. Laurie Scott):** It's on hold.

**Mr. Graham McGregor:** We're all elected members of the committee, and, frankly, I'd really like to hear the testimony of our witnesses today as we consider amendments, potential changes, to a bill that's before us right now. That's pretty clearly in the wheelhouse of Parliament and the Legislature—

**Mr. Joel Harden:** Chair, point of order.

**The Chair (Ms. Laurie Scott):** The clock's put on hold, so just hold on.

**Mr. Joel Harden:** The clock's put on hold? Good.

**Mr. Graham McGregor:** —clearly not the ministry, as what the member was suggesting.

**The Chair (Ms. Laurie Scott):** Okay. Thank you very much for your comments.

We'll go back to MPP Harden. Your time has not been eroded.

**Mr. Joel Harden:** I appreciate that, Chair. On a—

**Mr. Jeff Burch:** Point of order.

**The Chair (Ms. Laurie Scott):** Okay, and MPP Burch has got a point of order.

**Mr. Jeff Burch:** Could we have a ruling from you on if that was a legitimate point of order from Mr. McGregor?

**The Chair (Ms. Laurie Scott):** I usually listen to the points of order, and I said to the member to continue with his speaking. I don't rule necessarily on every point of order. I listen to the point of order and—

*Interjection.*

**The Chair (Ms. Laurie Scott):** All right. It's not a point of order. I will do that on your points of order also, too.

MPP Harden?

**Mr. Joel Harden:** Further point of order, Chair, while the clock is still stopped: Can I just ask you to clarify for this committee, for the duration of the day, if there is going to be a ruling you will make around dilatory uses of points of order? And what I mean by that, Chair, is, if points of order are used to interrupt the flow of debate—because that is not necessarily parliamentary procedure, Chair. I'm just wondering if you could, as we're early in the day, confirm to all members of this committee that it's inappropriate to be interrupting questions we may ask of witnesses, who have sacrificed their time to be here, in a vituperative, dilatory way. Can you clarify that, just for all members of the committee, for the duration of the day, please?

**The Chair (Ms. Laurie Scott):** That's quite an interesting question. I'll take the points of order by point of order at the time they are. I'll just say that both sides do make points of order when other people are speaking, so I will make that judgment on each point of order. I will have

cautiously watched to try to keep the flow going, if that pleases MPP Harden and that needs to be clarified.

**Mr. Joel Harden:** Thank you, Chair. So back to—

**Mr. Graham McGregor:** Point of order, Chair.

**Mr. Luca Bucci:** I'm happy to speak on—

**The Chair (Ms. Laurie Scott):** I have to hear a point of order. I have to hear a point of order, MPP Harden. MPP McGregor.

**Mr. Graham McGregor:** Let me see if I get this right. I'm new in the House here. Pursuant to standing order 25(b), the member is directing his speech to matters other than the question under discussion. I believe that might be a valid point of order.

**Mr. Joel Harden:** Is my time resuming, Chair?

**The Chair (Ms. Laurie Scott):** Your time is resuming, and he has used the proper standing order. Go ahead.

**Mr. Joel Harden:** Good for him. Back to you, Mr. Bucci: Do you believe in majority rule? Yes or no?

**Mr. Luca Bucci:** I do believe in majority rule.

**Mr. Joel Harden:** Okay. Would you run your organization with a one-third vote on key, important priorities for your organization? Yes or no?

**Mr. Luca Bucci:** If that vote was being initiated by my president, who has a mandate from the entirety of my association, and he feels that it's in the purview of his mandate to bring an issue into the table, then yes, I would, because I would understand that his interests reflect the interests of the entirety of my membership.

**Mr. Joel Harden:** Mr. Bucci, has that ever happened in the history of your time at your organization, where a decision was taken by a third?

**Mr. Luca Bucci:** It has not happened in my time, because we usually have decisions that are—

**Mr. Joel Harden:** Done by consensus?

**Mr. Luca Bucci:** Not consensus, but we do have an opportunity to align ourselves through debate if there is initiative.

**Mr. Joel Harden:** So what I would like to read into the—how much time do I have left, Chair?

**The Chair (Ms. Laurie Scott):** You have four minutes.

**Mr. Joel Harden:** I have four minutes. I want to read into the record a comment from Councillor Jeff Leiper from the city of Ottawa back home, and I'd like to get reaction from Ms. Bravo to this, given that you are serving the same role.

Councillor Leiper notes that in his ward, which is the Kitchissippi ward, the west of downtown, there were 9,400 housing starts in the city in 2021, continuing an upward trend. There's been a healthy vacancy rate in 2021, even as 40% of starts were for apartments and residential intensification, and 46% of starts from mid-2020 to mid-2021, indicating infill and transit-oriented development on a strong pace. Council has approved thousands of new units in subdivisions and through intensification in 2022, and it is not clear that there is any council recalcitrance to approve new housing units, whether greenfield or intensification, and regardless of tenure. There is no recent history of mayoral and council conflict over development

approvals, where staff, the mayor and council are generally working in lockstep.

What trouble or what problem is Bill 39 trying to fix? Given that we're hearing from our friends in government, Councillor Bravo, that we apparently have huge roadblocks of NIMBYism, this doesn't seem to be the city of Ottawa's experience. What's the city of Toronto's?

**Ms. Alejandra Bravo:** The experience is the same in the city of Toronto. In fact, we already allow three dwellings on one lot. This bill doesn't change anything. Secondly, I live three doors from St. Clair Avenue West, where 12 to 15 storeys are allowed, as of right. We've got avenue allowances. We're intensifying with very tall builds in transit hubs.

And I'll say that this mayor actually endorsed councillors who were against this agenda, who were defeated by pro-housing councillors. I did commit, in my campaign, to 1.5 million homes and enabling that. I've got massive development in my ward and I support it.

**Mr. Joel Harden:** Okay. How much time do I have left, Chair?

**The Chair (Ms. Laurie Scott):** Two minutes.

**Mr. Joel Harden:** I want to bring it back to the folks from FUN—great acronym, by the way; we need more fun in our committee work. Could you corroborate what I am hearing from Councillor Bravo? Because this is certainly the city of Ottawa's experience: There's no roadblock to the intensification of the downtown. There's no obstacle to large buildings. Has that been your experience consulting with neighbours, as well, provided they're properly consulted?

**Mr. Geoff Kettel:** I'm actually co-president of the Leaside Residents Association. I'm also co-chair of the Federation of North Toronto Residents' Associations, as well as being president of the provincial association, so I'm pretty familiar with what's going on locally in Toronto and provincially.

Just to take Leaside, for example: Basically, where there's good planning—Midtown in Focus provided for the transit coming, the Eglinton Crosstown. It said, "Yes, we need high-rise. We need mid-rise." There will be effects on the community in terms of intensification. The consultation occurred. There was community acceptance. A plan was approved by council, and the developments on Bayview are mid-rise. Eight-storey buildings have approval. The residents got involved. There was mediation that went on. Site plan issues were resolved by discussion at the neighbourhood level.

Very few of these things have to become a big fight. We've got a big fight now where there's a 25-storey building being proposed on a site that the city said was a six-storey mid-rise site. You pick your battles. Mostly the developers agree, and when you sit down with them they say, "Oh, these changes that we've mutually agreed to were improvements." More trees and more setbacks—they're improvements.

**0950**

**The Chair (Ms. Laurie Scott):** Thank you very much. MPP McMahon, you have four and a half minutes.

**Ms. Mary-Margaret McMahon:** Thank you very much. You've seen the housing task force report and how it strongly mentions we do not need to traverse into the greenbelt to build housing. We can achieve the 1.5-million-homes goal in the next 10 years by building in existing communities by being clever, creative, innovative in our thinking and gutsy in our actions.

This is to FUN, to Jeff and Geoff. Hi, Jeff on the screen. Where should the province be building housing and what types of housing do you feel would address the housing crisis?

**Mr. Geoff Kettel:** I think we have to continue doing what we're doing. Large-scale, we need to be encouraging communities—

*Interjection.*

**Ms. Mary-Margaret McMahon:** Sorry. I'd like to hear. You mentioned that we wanted to hear our speakers, and now you are interrupting our speaker.

**Mr. Graham McGregor:** I literally didn't do anything.

**Ms. Mary-Margaret McMahon:** It was distracting. Thank you.

Sorry. If we can check—

*Interjection.*

**Ms. Mary-Margaret McMahon:** Sorry. I feel that's disrespectful.

*Interjections.*

**The Chair (Ms. Laurie Scott):** Okay. One person at a time.

MPP McMahon, please continue and—

**Ms. Mary-Margaret McMahon:** The noise over there was distracting, and it was very disrespectful.

**The Chair (Ms. Laurie Scott):** Okay. I have asked this side to be quiet.

**Ms. Mary-Margaret McMahon:** Thank you.

Sorry, Geoff.

**Mr. Geoff Kettel:** I'm a planner by background. We have plans in place. We have the growth plan; we have the greenbelt plan. We've spent taxpayers' money on plans. You cannot throw these plans away over some side deals going on. We do have the plans in place to do these things. We've also got a huge pipeline of approvals in the city of Toronto. We need to get the homes built that have actually been approved.

In my neighbourhood, we've got thousands of units approved on Eglinton. As I mentioned, the LRT planning—there are major sites at Bayview and Eglinton, at Laird and Eglinton, at Brentcliffe and Eglinton that are already approved. Let's build. It's a mystery to understand the mirage that's going on about the impediments to housing.

We've got the tools in place, and we should be working in a democratic way, not in an autocratic way that cuts out the role of everybody to be part of that decision-making. Our mayor won every vote. He worked with the other councillors. The only issue in the last term of council that he had trouble with was the multi—what's it called?

**Ms. Mary-Margaret McMahon:** Rooming houses.

**Ms. Alejandra Bravo:** Multi-tenant; they call them "rooming houses."

**Mr. Geoff Kettel:** Rooming houses, yes, of course. I judge that word, but rooming houses was the only one, and with respect, that can be resolved. There were people opposed to it because it was a half-baked plan they came forward with. There were no numbers in terms of what the budget implications were, and there wasn't enough consultation. But these things can be resolved. Let's work through the processes that we have and not get authoritative and autocratic.

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Mary-Margaret McMahon:** So do you think we should not be building in farmlands; that we should keep our farmlands, our Duffins Rouge Agricultural Preserve; that we should keep our farmlands for farming? I'll give it to you, Geoff, but also some time for Alejandra in the final minute.

**Mr. Geoff Kettel:** It's very concerning that plans are, all of a sudden, losing their integrity. That's very concerning on a very fundamental, ethical way. Trust in government is going to slide.

**Ms. Mary-Margaret McMahon:** Alejandra?

**Ms. Alejandra Bravo:** The greenbelt is a way to protect the people of this greater Toronto area with a reliable food source and ensure that our water is safe, to mitigate climate disasters, which are hitting our ward very hard with flooding.

And I'll say that in my ward, we have a development, a huge area—28,000 new units coming in, 5,700 jobs, 40 storeys. I don't see what the problem is. It's on a transit hub. And, in fact, the reason that the mayor lost that rooming house vote, which would allow multi-tenant dwellings, was because his allies voted against him—

**The Chair (Ms. Laurie Scott):** I'm sorry, but that's the end of this round.

**Ms. Alejandra Bravo:** —and we have defeated those allies. We have the votes.

**The Chair (Ms. Laurie Scott):** Thank you.

MPP Smith for the government side for seven and a half minutes to begin.

**Ms. Laura Smith:** Through you, Madam Chair, I want to congratulate Ms. Bravo, Mr. Kettel and Mr. Bucci. Thank you all for being here today.

You know, we touched on a lot of interesting issues. Housing is a shared responsibility. I think we talked about that. Municipal, provincial—this is a priority.

And, by the way, Mr. Kettel, I appreciate the fact that you're a grandfather. I'm a mother and I live within, let's say, a bicycle ride of a development that you talked about, which piqued my interest. It's the one located at Cummer and Yonge, which was a massive development that I live within the proximity of. My understanding is that it's kind of at a standstill. It's a lot of property, and it's right beside Finch subway station, an ideal location. I'm wondering if you could give voice to that location and the issues surrounding that, sir.

**Mr. Luca Bucci:** The issue with Cummer Avenue?

**Ms. Laura Smith:** Yes.

**Mr. Luca Bucci:** So this was a situation where the local councillor, I believe, supported the project. In the interest of making sure that I am kosher with the lobbying registry,

I will have to declare a conflict: I did work on this file when I was in government. There was an issue where they needed to change the zoning in order to meet the requirements of the Rapid Housing Initiative funding. The city council was in favour. The councillor was in favour. They couldn't get the zoning done in time to meet the deadlines of the Rapid Housing Initiative project, so then the city councillor voted for the minister to leverage an MZO on the site. Then community groups that were in opposition lobbied, I believe it was the MPP at the time, or the current MPP, and then the current MPP was working with the provincial government to help understand both sides of the argument. At the time I left government, that's where the argument stood.

**Ms. Laura Smith:** So it's been sitting there. It could have provided thousands of units for people.

**Mr. Luca Bucci:** It's a case where neighbourhood groups and the lack of ability and agility within municipal planning processes have hindered the development of an affordable housing project.

**Ms. Laura Smith:** How long has it been sitting there?

**Mr. Luca Bucci:** I can't give you a 100% answer, but it's been at least a year.

**Ms. Laura Smith:** So it's been held up—

**Mr. Luca Bucci:** The deadlines for the rapid housing project would have been in December of last year, so it's been at least a year.

**Ms. Laura Smith:** And it's literally been sitting there not being able to be developed because of all of these—

**Mr. Luca Bucci:** As per my understanding, there has not been any movement on that file.

**Ms. Laura Smith:** All right. I'm going to share my time, Madam Chair.

**The Chair (Ms. Laurie Scott):** MPP McGregor.

**Mr. Graham McGregor:** Perfect. Thank you, Chair, for the time. Time check?

**The Chair (Ms. Laurie Scott):** We have four and a half minutes.

**Mr. Graham McGregor:** Perfect. I just want to thank all the witnesses that came here today, especially Mr. Kettel. I apologize; the traffic getting in from Brampton was a little rough this morning, but I was able to listen to your testimony over Parlance.

I appreciate the acronym FUN, Federation of Urban Neighbourhoods. I came here from my urban neighbourhood in Brampton. I'm just wondering: Do we have any Brampton residents' associations under the FUN umbrella?

**Mr. Geoff Kettel:** I don't think so. We do from Markham and Richmond Hill, but maybe not Brampton, no.

**Mr. Graham McGregor:** So I was looking and I presume—how do you become the president of FUN? What process do you go through to represent the Federation of Urban Neighbourhoods?

**Mr. Geoff Kettel:** We're simply a not-for-profit volunteer association with members from across the province—

**Mr. Graham McGregor:** Members vote?

**Mr. Geoff Kettel:** Well, there's members of the board, and the board elects—

**Mr. Graham McGregor:** How do you become a member of the board?

**Mr. Geoff Kettel:** Basically, same as anything: by getting involved and then applying to—

**Mr. Graham McGregor:** So, I just want to be clear, not an elected process.

**Mr. Geoff Kettel:** Not according to the not-for-profit—

**Mr. Graham McGregor:** Mr. Kettel, I was also looking at the Leaside Residents Association. Now, I appreciate that you've said in your testimony that you're in favour of good planning, which sometimes means building higher in some places, sometimes means building lower in other places. I was looking at recent advocacy and it says, "The LRA routinely acts to convey the concerns of community residents in relation to large-scale institutional developments. Our advocacy has resulted in substantial concessions to building height, shadowing, density, traffic flows, and streetscape impacts," and it goes on to list a few of those works.

What was missing in that testimony was advocacy for more density where it makes sense. So do you think it's fair to say that your residents' association is trying to delay development in their own backyard, or do you still propose that you are an advocate of good planning?

**Mr. Geoff Kettel:** Absolutely, we are advocates for good planning, and the record speaks for itself. I've been involved for the last 10 years. I can take you to every site and tell you the history of what went on there, whether it was appealed, who appealed it, was there mediation, was there discussion, what's the relationship, has it been built—

**Mr. Graham McGregor:** The problem that I have, literally on the website—I'm reading from your own website, sir, with all due respect, and it speaks about shortening projects, lowering density, getting concessions about building height and traffic flows.

I also take a bit of issue—the first time that I came across the Federation of Urban Neighbourhoods was in a letter about a development in my neck of the woods, in Brampton, about the Highway 413. You've told me that there's no Brampton representation in the Federation of Urban Neighbourhoods. So there's no election, first off, so it's a volunteer board that you have to be a part of and somehow get in; two, there's no Brampton representation; and three, from your own website, you're trying to sell the organization as delaying development in your own backyard.

One of the problems that we have is we certainly see residents like this say, "Not in my backyard," but we're also seeing the organizations say you don't want development in anybody else's backyard. We have millennials that are priced out of the housing market living in their parents' basements, working good jobs. We have new Canadians, 500,000 who are going to be coming to Canada in 2025, many of them coming to Ontario.

**The Chair (Ms. Laurie Scott):** One minute left.

**Mr. Graham McGregor:** They're going to need a home. So can you tell me why, when we see municipal

delays that could cost \$3,300 per month, which is almost \$40,000 a year, at over five years of municipal delays, many times from residents' associations like this—it could be up to \$200,000 before a shovel hits the ground on a project. Could you see why, as lawmakers, it might be a good idea to speed up some of these processes and get more decisions made to get more shovels in the ground to build more homes?

**Mr. Geoff Kettel:** As I said, when projects are approved, we need to get building, and I'm saying let's talk about that as well. You can look at the whole process from beginning to end, and there ain't no end, is one of the issues.

**Mr. Graham McGregor:** Thank you.

How much time, Chair?

**The Chair (Ms. Laurie Scott):** You have 10 seconds.

**Mr. Graham McGregor:** Mr. Bucci, will this bill allow us to get more shovels in the ground and build more homes? Yes or no?

**Mr. Luca Bucci:** Yes.

**Mr. Graham McGregor:** Thank you.

**The Chair (Ms. Laurie Scott):** Thank you very much. That is the—is that the end? Are we done?

*Interjection.*

**The Chair (Ms. Laurie Scott):** Well, I know. But for right now, we have gone through all the cycles.

Thank you very much to the presenters for coming and for all the questions that were proposed.

We're adjourned until 1 o'clock this afternoon.

*The committee recessed from 1003 to 1300.*

**The Chair (Ms. Laurie Scott):** Good afternoon. We're resuming public hearings on Bill 39. This is the Standing Committee on Heritage, Infrastructure and Cultural Policy. I know we have the next three presenters. If everyone is not at the table at the moment or on the screen, please come to the table.

MR. JOHN SEWELL

PROGRESS TORONTO

ENVIRONMENTAL DEFENCE

**The Chair (Ms. Laurie Scott):** We have Environmental Defence, John Sewell and Progress Toronto for this next round. Everyone has seven minutes to make an opening statement. At that time, if you could just state your name for Hansard before you began each presentation. I believe, if Environmental Defence is ready—

*Interjection.*

**The Chair (Ms. Laurie Scott):** Oh, they're not here yet.

Mr. Sewell, did you want to start or do you want to take a minute? You're okay?

**Mr. John Sewell:** I'm quite willing to start. Let me just silence my phone so it's not going to interrupt us.

**The Chair (Ms. Laurie Scott):** All right. Just please state your name at the beginning of your presentation for Hansard. Thank you.

**Mr. John Sewell:** Thank you very much. My name is John Sewell. I've spent a lot of my life dealing with

municipal issues, including being on city council for about 14 years and being the mayor of Toronto.

When the very foundations of society are challenged, few of us know what to do. But in Bill 39, that has changed. We assume that public decisions are made by a majority vote, but Bill 39 destroys that foundation of how majority rule works. Many of us know that legislating a minority to rule is wrong—maybe not all of us; apparently many of you in the Legislature think this is right and proper.

The idea that political decisions should be made by a democratic majority was established about 180 years ago in Ontario. The progenitor was William Lyon Mackenzie, and the person who believed a minority should rule—and the person who fought very, very hard to keep that minority in control—was Francis Bond Head, leader of the Family Compact. Of course, the portrait of Mackenzie is just outside the door of the Legislative Assembly, but no portrait of Bond Head is to be found in the building.

Everyone has assumed that democratic majorities were assured in Ontario, until Bill 39 was supported by the majority of the Legislature for two readings. Your predecessors would be astounded at your refusal to hold democracy dear. Mackenzie believed democracy rested on a number of practices:

—that members of the public have the opportunity to directly address the legislators about their concerns;

—that legislators have a duty to listen to those expressions of concern;

—that legislators must vote with their conscience—not with a faction or a party, but with their conscience; and

—that the majority decides the outcome of the vote.

This Legislature is not holding to the precepts outlined by Mackenzie. It is permitting but one day's hearing, just in Toronto, scheduling a mere 18 speakers when scores—and perhaps hundreds—of people have asked to speak. If hearings were held throughout Ontario, as they should be, you would be deluged with speakers, given how monstrous Bill 39 is.

It is likely you will not vote with your conscience, but with your party faction, denying your own best innate understanding of democracy. And it seems you will vote to deny the very foundation of democratic government, which is that the majority rules. If that occurs, I think your legacy will be like that of Francis Bond Head, assigned to the role of being anti-democratic scoundrels.

On the weekend, I went to a rally of people who care about the natural environment, conservation authorities, the greenbelt, local democracy and democratic majorities. It was in the small community of Stayner, and about 200 people were in attendance. It was held in front of the office of Brian Saunderson, the MPP for the area—a man I actually know quite well—and he was not there. Why not? Because he would have been unable to provide any good answers to that crowd. As you know, there were three or four dozen of those kinds of rallies across southern Ontario on the weekend, and none of you attended, because you had no answers.

There is never a good reason to abandon the rule of the majority. Society is never better when a minority rules. If



you approve Bill 39, I have no doubt you will be challenged by members of the public at every public meeting you attend from here on. You will have lost all credibility as individuals fit to govern this province. You must state today that Bill 39 will not pass and that minority rule will not become the law of the land.

Here's what William Lyon Mackenzie said in 1831, actually mentioning the culture in Moscow at the time. He said, "Are we not now, even during the present week, about to give the municipal officers of the government ... a power over the people, which ... must render their sway nearly as arbitrary and despotic as the iron rule of the czar of Muscovy?" That's in 1831, he said that—pretty prescient.

In 1837, the year of the rebellion, Mackenzie said, "Canadians! Do you love freedom? I know you do. Do you hate oppression? Who dare deny it? Do you wish perpetual peace and a government bound to enforce the law to do to each other as you would be done by? Then buckle on your armour, and put down the villains."

Bill 39 must not pass.

**The Chair (Ms. Laurie Scott):** Thank you very much.

We'll now move on to Progress Toronto. To start, just state your name at the beginning, please.

**Ms. Saman Tabasinejad:** Hi. My name is Saman Tabasinejad, and I'm the organizing director at Progress Toronto, a non-profit that advocates for a more democratic, just and progressive city. While I want to say thank you to the committee members for having me here today, this hearing does not constitute a consultation on Bill 39. Bill 39, like Bill 3 earlier this year, is being imposed on Toronto residents. We did not ask for this and we have not been consulted on it. For today's hearing, only a few people and organizations have been allowed to speak, and Toronto city council has not even discussed this.

Just over two weeks ago, we were shocked to learn that our mayor, John Tory, had been making this deal with the Premier and minister to be able to win votes at city hall with the support of only one third, a minority, of city council. Mayor Tory made this request to take away significant power from local city councillors following the historic election of new and diverse progressive voices to city hall. For our organization, this reminds us of what Premier Ford did to Toronto in 2018. It is not lost on us that these moves to weaken Toronto's democracy and move representation away from the people consistently come on the heels of change.

In 2018, Toronto was in an election, with 47 wards. There were 13 open seats. I was one of those candidates in that ward system, and I ran in Willowdale. New, young, racialized voices were poised to win and change the balance of power at city hall. Renters, people who actually ride the TTC and face long commutes to work, people who understand what it means to make ends meet in this city were in a position to be elected into office. In the face of this, in the middle of the election, Doug Ford slashed the wards in half and pushed out all of these candidates.

Now, following the historic election of new, diverse councillors across the city, people who can better advocate

for real changes on housing, their power is being stripped away by Bill 39.

It is no secret that most of the people currently elected at this Legislature, in this committee room and at Toronto city council are men and are homeowners. It's been this way since the very beginning, and it is clear it is not working. Further centralizing power in the hands of one person does not help this. Better representation—in other words, a healthy democracy—is key to seeing the changes we need on issues that are facing people.

I'm going to pass it over to my colleague Donovan Hayden.

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**Mr. Donovan Hayden:** Hello. My name is Donovan Hayden, and I'm an organizer at Progress Toronto. It's said everywhere, and we all know it, that Toronto is in a deep unaffordability crisis. Just the other day, it was reported that the average price of a two-bedroom apartment in the city has risen to \$3,300 a month.

The mayor, who has been elected for the last eight years, has very clearly been failing all of us when it comes to housing. While Mayor Tory has won just about every single vote at city hall in those last eight years, he has not advanced a successful agenda on housing, and there's no evidence that handing him more power will make the crisis that deepened under his watch any better. Instead, as Saman mentioned, you are taking power away from the people in this city. You are taking away power from the young, diverse councillors who were just elected, who understand how challenging it is to afford to set up a life in this city.

Bill 39 is fundamentally undemocratic. Democracy is rule by the people, especially majority rule. To fix Toronto, we need a strong local democratic government with civic participation. We need to include the voices of people, not just shut them out.

People are not happy about this. In only a week, over 7,000 people across Toronto signed our petition calling on Premier Ford to repeal Bill 39. Bill 39 will cause even greater harm to civic engagement, which has been so low—which, as a government, you are responsible for. With only 29% voter turnout, our elected officials do not have a strong mandate, and further centralizing of that power in the hands of one man does not have a strong mandate.

This election, I worked really hard to get people to care, to get them to vote, to take time out of their days. When I was getting out there on election day to get out the vote, I met this middle-aged man who had never voted before in his life, but he was inspired by a candidate and was made to see the change that a city councillor can actually make in his life. Now, he is being told that his vote does not matter, that councillors do not have power.

You are actively discouraging people like him and myself and taking away our agency. You're sending us a message that the decisions about Toronto—

**The Chair (Ms. Laurie Scott):** One minute left.

**Mr. Donovan Hayden:** —and our city are outside of their control.

People are exhausted by this, because they are exhausted by the precarity of their lives right now. You have a responsibility to them. Instead, you are taking away their access to representation.

I will pass it back to Saman.

**Ms. Saman Tabasinejad:** As Donovan was saying, people need more representation, not less. Rexdale, Weston and Malvern need more representation. Our city requires a diversity of opinions and perspectives to hold power. That is how we can produce better outcomes for people. Power can never be centralized in one person's hands. That is dangerous, and it is undemocratic.

We are here today to demand that you stop Bill 39 and instead uphold a fundamental part of our democracy: majority rule. We know we can build a better city when we include the voices of people, especially those who are most impacted.

Thank you for your time today.

**The Chair (Ms. Laurie Scott):** Thank you very much to the presenters.

We'll start with the official opposition. MPP Harden.

**Mr. Joel Harden:** Thank you, Chair. Thank you to the presenters today.

Mr. Sewell, as you were speaking, I was recalling the first time I met you, when I was a graduate student at York University. You told the story of the Spadina expressway and how a Conservative Premier in that era, Bill Davis, changed his mind based upon the community rejecting something that was being proposed.

It has been explained to me this morning by another resident back home in Ottawa that that may be a useful story to remember now. I'm wondering if you could just enlighten members on the government side about what took place there and how the community, which is clearly the case now, is communicating a message to this government they ought to listen to.

**Mr. John Sewell:** Yes, there's no question there are some similarities there. And I must say, I keep saying to myself, "How is Premier Ford—what's he going to do? How's he going to get out of this one?" Because clearly, he should, right? Most smart politicians look at a situation and say, "Boy, this is going to hang around my neck for a long time. I'd better reverse my position on this." He has done that. He did that some years ago about the greenbelt. He might do it again about—because these are decisions that—you wear them.

I don't doubt for a moment that you people who vote for this bill are going to be harassed by your constituents every time you turn around. Of course you are, because people believe in democracy. Different than the Spadina expressway, where there were a lot of people who said, "Hey, cars are the way to go." Premier Davis, if you remember, said, "If you're building a city for cars, the Spadina expressway would be the place to start, but if you're building a city for people, it's the place to stop."

But in fact, democracy is not like that. You can't find very many people who support getting rid of majority rule. Oh, you've got some builders' associations who like it. You know, developers love making money, any way they

can do it. If it means they get rid of democracy to make money, they will do it. But I want to tell you, 95%, 96% of the people in Ontario believe majority rule is the way you make decisions. You're going to be harassed constantly on this issue; I have no question about it.

I keep wondering, how will Premier Ford turn himself around in this? Because he should. I think the easiest way for him to do it is for members of the Conservative caucus in the Legislature to state, "You've got to change your mind on this one." It would be really nice to see that. That's called voting with your conscience. Mackenzie really pushed that really hard. We've gotten away from that as a political practice; we should return to it.

**Mr. Joel Harden:** Thank you.

I'm just going to pass it to MPP Burch, Chair.

**The Chair (Ms. Laurie Scott):** MPP Burch, please go ahead.

**Mr. Jeff Burch:** Thank you to all of you for appearing.

I have a question for you, John. Thanks very much for being here today. When I was a councillor—and I want to draw on your experience as a mayor and a councillor. I said this this morning, if I had the mayor—and we had a strong mayor because he built consensus, not because he had some kind of legislation behind him. But if that mayor had tried to rule over council with one third of the councillors, we would have made his life very, very difficult, and not a lot would have gotten done. Can you kind of draw on your experience? Because I don't see this working out the way the government thinks it might when it's applied practically to council.

**Mr. John Sewell:** Well, I take the position, along with four other former mayors, David Crombie, David Miller, Art Eggleton, Barbara Hall—the five of us, as you may know, signed a letter in respect to Bill 23. But we also signed a letter, the five of us, to Mayor Tory, saying, "Mayor Tory, this is wrong." Sadly, he has never replied to us. It's a bit of a problem.

But I have no question that council is just going to cause enormous trouble for him if he ever tries to exercise it. In fact, I think he will be in the same position: Whenever he goes to a public meeting, people are going to challenge him, saying, "What were you doing, asking for this law? And how crazy was Premier Ford to ever agree to that request?"

I should say that when I was mayor, I had to operate to get a majority. I was one vote out of 23 on Toronto city council. I had to work at it, and I lost some votes. Okay, I lost some votes. So? It's not the end of the world. This is how democracy works. But in fact, the mayor didn't need any extra powers, and if David Crombie, David Miller, Barbara Hall or Art Eggleton were here, they would tell you the same thing. It's absolutely not necessary. It's in fact bad, and it's unworkable, to say to the mayor, "You're going to have these extra powers, and you're going to be able to ignore half the council."

**Mr. Jeff Burch:** Yes. You've had conversations with all of these former mayors about this bill. What's the opinion of the whole group of you with respect to the claim that Bill 39 will somehow spur on housing, that it's about housing and we'll create more housing?

**Mr. John Sewell:** The fast answer to that is, let's look at housing construction in Toronto right today. The best way of looking at that is called the construction crane index, which is an American company that looks at big cities to figure out how much construction is going on. They work on the basis that if you look at the number of construction cranes, that will tell you what's going on. Toronto this year: 252 construction cranes. The next highest city with construction cranes in North America is Los Angeles: 51. And the cities all go down from there.

1320

Toronto has led the index on construction cranes since 2015. You can't have more construction of housing in Toronto than we're now getting. It's literally impossible. You probably can rent the cranes, but you can't find the workers. Not only that, but there are so many roads that are half-closed because of construction of high-rise condos in downtown Toronto. As everybody knows, it's crazy to drive there.

**Mr. Jeff Burch:** Maybe in the last few seconds—and I'm going to come back to Saman and Donovan in the next round, so don't worry about that. We've had some good talks about charter cities as a way to combat some of the bullying behaviour we've seen in the last few years of the province towards cities. Do you want to say anything about that?

**Mr. John Sewell:** Yes, I mean, I'm one of those who believe that—

**The Chair (Ms. Laurie Scott):** Twenty seconds

**Mr. John Sewell:**—where they say that cities are the creatures of the province, it's not true. Toronto, as a city, was formed in 1834; the province of Ontario didn't come around until 1867. We weren't created by them, thank you very much. Not only that, but—

**The Chair (Ms. Laurie Scott):** I'm sorry, Mr. Sewell. That's all the time there is in this round.

*Interjection.*

**The Chair (Ms. Laurie Scott):** So, committee, our third presenter for this afternoon got tied up a little bit and has just arrived now. I would ask if there's unanimous consent if you—

**Interjection:** No.

*Interjections.*

**Mr. Jeff Burch:** Chair?

**The Chair (Ms. Laurie Scott):** I asked for unanimous consent; I got a no. MPP Burch, do you have a—

**Mr. Jeff Burch:** I just want to say that Mr. Pothen just got off the subway and, I think, tried very hard to be here. It's really quite rude not to let him speak.

**Mr. Phil Pothen:** I would commend the diligence of legislative security, as well.

**The Chair (Ms. Laurie Scott):** I'm afraid that I have called the question. There wasn't unanimous consent, and there's no further discussion on it.

**Ms. Mary-Margaret McMahon:** Can I challenge?

**The Chair (Ms. Laurie Scott):** MPP McMahon.

**Ms. Mary-Margaret McMahon:** I would just say I was caught in the subway. You know, if you've taken TTC, it's great when it works, but when it doesn't—I was

caught there yesterday and our train rerouted, so honestly—

**The Chair (Ms. Laurie Scott):** I don't doubt—

**Ms. Mary-Margaret McMahon:** It happens to the best of us, and I think it's common courtesy and respect to allow for our speakers to—

**Mr. John Yakabuski:** The decision was made—

**Ms. Mary-Margaret McMahon:** Can I challenge the Chair?

**Mr. John Yakabuski:** No, you can't challenge the Chair.

**The Chair (Ms. Laurie Scott):** I'm afraid—just on a procedural thing, MPP—I asked for unanimous consent; I did not get unanimous consent. I'm sorry. The decision is made.

**Ms. Mary-Margaret McMahon:** Even though the member—

**The Chair (Ms. Laurie Scott):** There's no debate, and I've been a little lenient here on the debate on this, so you have to—

**Mr. Jeff Burch:** Can I ask a question? Even though we're not going to let Mr. Pothen speak, can we still ask him questions since he's here?

*Interjections.*

**The Chair (Ms. Laurie Scott):** We're just getting clarified; we're just getting clarified.

**Mr. John Sewell:** We're on until 2 o'clock. What's the problem?

**The Chair (Ms. Laurie Scott):** Mr. Sewell, we are following procedures and protocols. I asked for unanimous consent. It wasn't received. We've had a little debate, which I don't need to entertain, just on the procedures and protocols, and we're just checking if the gentleman is allotted the questions and answers even after the procedure, so just—

*Interjections.*

**The Chair (Ms. Laurie Scott):** Okay. Yes, you will be able to answer questions and answers.

MPP McMahon, are you okay to begin?

**Ms. Mary-Margaret McMahon:** Yes, thank you very much. So, wow. Sorry. I'm just shell-shocked by that behaviour.

I had lots of questions for Progress Toronto—Saman, and Donovan, who's not on the screen anymore; I'm not sure—and Mr. Sewell, but I'm going to allow Mr. Pothen time. Could you elaborate on what you would have told us today, had you been given the democratic right to speak, as was your right?

**Mr. Phil Pothen:** Sure.

**The Chair (Ms. Laurie Scott):** Mr. Pothen, there's about four minutes left of MPP McMahon's time.

**Mr. Phil Pothen:** Thank you very much. First of all, I will skip—people know who Environmental Defence are; I've just been to this committee a few weeks ago.

This committee should reject schedule 2, the Duffins Rouge Agricultural Preserve Repeal Act, entirely, for three main reasons. Firstly, the substantive impact of the proposed repeal of the Duffins Rouge Agricultural Preserve Act would be to mark what is truly one of the

crown jewels of the greenbelt for destruction. This means—and let me make this very clear—that MPPs who vote in favour of this bill will be voting to break what was in effect their clearest, most emphatic promise to Ontario voters.

While the minister can exploit weaknesses in the Greenbelt Act and the Oak Ridges Moraine Conservation Act to strip protections from other portions of the greenbelt directly, removing this largest portion that is targeted requires that every MPP signs on to this breaking of this clear promise that they would, no matter what, never touch the greenbelt. This was not just a one-off comment in 2018, it was something that was repeated again and again over the past four years. Regardless of whether you're a Tory, a New Democrat or a Liberal, not one of you, as an MPP, has anything like a mandate to sacrifice any part of the greenbelt, let alone the Duffins Rouge Agricultural Preserve portion.

Secondly—and this is not something that's been much explored—the Duffins Rouge Agricultural Preserve Repeal Act is not a run-of-the-mill deregulation or removal of red tape. It is what amounts to a massive transfer of land value that actually belongs to the public into the hands of a few well-connected people. It's different than the other parts of the greenbelt. This preserve was public land, bought, paid for and belonging in fee simple to the people of Ontario as a reserve and rented out to farmers. It was then sold to those private owners while retaining the non-agricultural interests of that land for the public, investing it in trust with the town of Pickering.

This act itself reverses a mistake by which the town of Pickering conveyed away what was what was held in trust, so this legislation actually removes an easement that is held in favour of the people of Ontario in trust. This is a conveyance of probably billions of dollars of value from the public to particular landowners who owned this land, without any compensation for the public, let alone protection of those interests.

And third, this is pointless as a way of delivering more housing, because Durham region already had a massive glut of existing designated greenfield area. It used just 1,500 hectares in 18 years from 2001 and 2019, and it had more than six times that much even prior to the recent round of boundary expansions already sitting unused.

**The Chair (Ms. Laurie Scott):** One minute left.

**Mr. Phil Pothen:** There is no constraint imposed by a shortage of developable land in Durham, and that is more true in Durham than anywhere else in the entire greater Golden Horseshoe or anywhere else in Ontario. There is a massive glut of land, and the same measures or similar measures used to speed up construction could be applied on the existing designated greenfield area; they're not just limited to the Duffins Rouge Agricultural Preserve.

I do have some submissions on the Toronto sections, the amendments to the City of Toronto Act, which I would invite members to ask me about in terms of their impact on creating more housing, and I have specific information to provide on the value of this particular land, which is a unique jewel, the Duffins Rouge Agricultural Preserve. It

exemplifies everything that's special about the greenbelt. It is not—

**The Chair (Ms. Laurie Scott):** Thank you very much. I'll now move to the government side for their seven and a half minutes. MPP McGregor, please.

**Mr. Graham McGregor:** I just want to thank everybody for being here. Certainly on this side of the House, we are laser-focused on delivering 1.5 million homes by 2031. It's a commitment we made during the previous election. It's a commitment our friends in the NDP and the Liberal Party all made in the previous election. I do want to thank you all for being here.

**1330**

I have a few questions for Mr. Sewell. I think about the time when you served, and I often hear about that kind of non-partisan camaraderie where can all disagree on the issues but we can still maintain a bit of civility. I'll strive to set that example while I talk here today. Mr. Sewell, a question for you: We believe that a higher supply of houses to meet the demand will result in a fair market for prospective homebuyers. Do you believe supply has an effect on the price of homes?

**Mr. John Sewell:** It's a very difficult question to answer well. The amount of new housing that's been built in the greater Toronto area in the last 40, 50 years is extraordinary, but in fact the price of housing has gone up astronomically. I did a study once for CMHC which showed that in 1946-47, the average price of a house was equal to the average wage that was received. Today, the price of a house is probably 15, 20, 25 times the average wage. We've had an awful lot of supply in these recent years; it has not driven down the price of housing. I believe, just to complete—

**Mr. Graham McGregor:** Sorry, Mr. Sewell. I appreciate that. If you could roughly keep your answers to the time of my questions, it would be good for the process.

**Mr. John Sewell:** Sorry about that.

**Mr. Graham McGregor:** Obviously, during that time—I take your point on housing construction. We've also had rapid levels of immigration. The federal government has set a target: half a million people coming into Canada by 2025 per year. We on this side believe that 60% of them will come to Ontario. We know that we need to build houses to keep up with that demand.

I'll note—and I did a little bit of reading about your political career as an elected official. I know you were instrumental in fighting density in downtown Toronto, particularly about keeping the—I think what I read here is about imposing a 45-foot height limit on downtown development. So would you revise your opinion? Just based on what we know now—immigration is a good thing; that might have been contested back then—would you revise your opinion that density is a good thing in our downtown corridors?

**Mr. John Sewell:** You've mentioned the 45-foot holding bylaw. We introduced that—it was a holding bylaw—while we created a new central area plan. And guess what we did in the central area plan? We said, "We want more housing in the downtown of Toronto." That's what the

plan was about: to create housing in the downtown, which we did.

Just in terms of density, you've got to go back to what I actually did. I was a person responsible for the development of the St. Lawrence housing project, a 45-acre project south of Front Street, around St. Lawrence Market. The density of that project is 100 units an acre, compared to suburban densities of 10 or 12 units an acre. To say that I was against more dense housing in downtown Toronto is totally ludicrous and totally misleading.

I was the guy on city council, and then as mayor, who actually pushed very hard for a lot more assisted housing. We got a lot of good assisted housing in Toronto, an awful lot of it. In fact, as the city of Toronto, we built more rental housing when I was mayor than any other company in Toronto.

**Mr. Graham McGregor:** I'd just apologize—time check, Chair?

**The Chair (Ms. Laurie Scott):** Three minutes.

**Mr. Graham McGregor:** I've got to split my time. I'm going to give the rest of my time to my colleague Mr. Grewal.

**Mr. Hardeep Singh Grewal:** Thank you very much, Mr. McGregor.

My first question is to Mr. Sewell. Again, I'm going to continue on the conversation that my colleague Mr. McGregor had. My first question to you is, do you believe right now that we are in a housing affordability crisis, and do you believe that there's not enough supply for residents to purchase?

**Mr. John Sewell:** I certainly believe we're in a housing affordability crisis. You look around—a few days ago I went past Allan Gardens and I think I counted 45 tents. We desperately need affordable housing.

**Mr. Hardeep Singh Grewal:** Thank you, sir. I only have a couple of minutes, so we're trying to keep it very short.

**Mr. John Sewell:** Okay, well I just wanted to say that you wanted to ask if I thought—yes, there is an affordability crisis, and we need a good housing affordability program.

**Mr. Hardeep Singh Grewal:** Thank you. My next question to you is, do you believe that there are enough homes in the market right now for those residents to purchase as it is in today's market?

**Mr. John Sewell:** That's a good question. I don't know. I'm not so worried about people purchasing homes—

**Mr. Hardeep Singh Grewal:** Do you believe homes are available in today's market for people to purchase?

**Mr. John Sewell:** They are not affordable. There's no question about that. And we could easily—

**Mr. Hardeep Singh Grewal:** Does that connect, sir, to the level of supply that's currently in the market? Do you believe there should be a higher supply in the market so people can have easier access to purchasing homes?

**Mr. John Sewell:** I've answered that question. I don't believe the supply question in fact reduces the price. I don't believe that's the case.

**Mr. Hardeep Singh Grewal:** Sir, I was just going to put it in context really quickly. Let's say a developer opens 20 homes for sale today, but that same developer opens 500 homes for sale tomorrow. Do you believe that the people that are purchasing those 20 homes will have access to more supply and a better price, or do you believe the people that are going to go buy one of the 500 that are opening in the same location will have a better access to supply and price?

**Mr. John Sewell:** Well, I guess if there are more that way—but the problem is that it's not going to make it more affordable unless you have very specific programs that actually address that question.

**Mr. Hardeep Singh Grewal:** Let me change the context a little bit—

**The Chair (Ms. Laurie Scott):** One minute remaining

**Mr. Hardeep Singh Grewal:** —and make it a little bit simpler in my last question. Let's say we go to a market and we have five apple vendors side by side, all selling apples. Each apple vendor is now competing to sell you that same apple. Would that be cheaper, if you go to a market with five apple vendors? Or would it be cheaper if you go to a market with only one apple vendor to set that price?

**Mr. John Sewell:** I think that's much too simplistic to say that that's comparable to the housing market today, much—

**Mr. Hardeep Singh Grewal:** All I'm trying to see is if you understand the concept of supply and demand. When there's more supply, prices change, compared to demand—

**Mr. John Sewell:** I'm sorry, just look at the last 50 years. You're wrong. Prices have not gone down. They've gone up.

**Mr. Hardeep Singh Grewal:** If you look at the last 50 years—in my last 30 seconds, I'd just like to mention that the immigration targets during your tenure as mayor were approximately 70,000 new people arriving in Ontario during that time of you being mayor. Today, we see upward of 270,000 people and our housing supply is not reaching this demand. We're expected to receive another 1.5 million people. If we continue with the status quo, which is not working, do you believe that these home prices will continue to shoot up or would they come down?

**Mr. John Sewell:** Of course, we shouldn't continue with the status quo. We need affordable housing programs—

**Mr. Hardeep Singh Grewal:** Thank you, sir.

**The Chair (Ms. Laurie Scott):** I'm afraid everybody's time is up. Thank you very much.

I'll go over to MPP Burch with the official opposition.

**Mr. Jeff Burch:** I'm going to start off by just apologizing on behalf of the whole Legislative Assembly of Ontario for the way that you are being treated today, especially Mr. Pothen, for not being allowed to speak. I'm going to come back to you and give you a chance to finish off what you were saying. I want to thank Mary-Margaret for giving you her time. It was very generous.

Before that, I'd like to go to Saman and Donovan and, first of all, congratulate you for the hard work. Maybe you

want to talk a little bit about your petition and all of the signatures you've collected as community activists and organizers and maybe some of the comments that folks gave you about this legislation.

**Ms. Saman Tabasinejad:** Yes. Thank you. Seven thousand people signed our petition calling on both the Legislative Assembly and city council to rise up for our city and to protect our democracy. We talk a lot about democracy and it's very clear that—sorry, there's a lot of—

*Interjections.*

**Mr. Jeff Burch:** Guys, you already—I mean, this is rude on top of rude.

**The Chair (Ms. Laurie Scott):** Guys, keep the noise down, please.

Yes, go ahead.

**Ms. Saman Tabasinejad:** Thank you. We talk a lot about democracy. It was very clear during the Toronto election that we had a historic low; we had only a 29% voter turnout. The mayor got something around 15% of those who were eligible to vote for him. It doesn't really bode well for the majority of Torontonians that we are giving 100% of the power to a person who got something like 15%.

Democracy is obviously something that the constituents and the residents of Toronto hold dear to their hearts, and that's why we've seen a big groundswell of support against this bill.

I'm not sure if Donovan has anything to say about that.

**Mr. Jeff Burch:** Thank you. Donovan?

**Mr. Donovan Hayden:** I definitely don't have the same kind of policy background that Saman and former Mayor Sewell do, but the thing I noticed just talking to folks, talking to our volunteers who worked hard during the election, was they just felt so undercut. Their job was to get their neighbours, get their communities, get their religious leaders to care about this election, and they did it. People came out, not in the numbers that we had hoped—only 29%—but they worked hard. And to see them now, a month after that election, and see this happening, yes, it's really discouraging, because I know how much they put into it.

1340

**Mr. Jeff Burch:** We heard from Councillor Bravo this morning, who came to Canada as a refugee, and she was bringing up the same topic of how folks feel. It's a diverse city, a diverse council, and folks feel that their voice isn't being heard, because the mayor can control the council with eight councillors, and the other 17 are going to be ignored. Is that what you heard when you were speaking to people?

**Mr. Donovan Hayden:** Oh yes, certainly. All of our volunteers—and even a lot of folks in my own life, my own community, who are definitely not always tuned in to policy and to city government, but do understand that minority rule is not suited for our democracy.

**Mr. Jeff Burch:** Right. Well, thank you both for all the work that you've done, and your group as well. Great job.

I'm just going to go back to Phil and open things up to you, Phil, because I know you had a lot to say about

housing and the details of the Duffins Rouge preserve, and maybe a little bit about democracy as well.

**Mr. Phil Pothén:** Sure. On the housing point, it's really important to underline that there is no opposition between rejecting this legislation and delivering on 1.5 million homes within the next 10 years. The question is where those homes need to go. The types of initiatives that will be required in order to deliver those homes with the very constrained supply of construction materials, building equipment and labour that we have are the types of initiatives that have largely been championed, particularly in Toronto, by, frankly, the opposition side of council. These are things that have been championed by the opposition and generally bought into by the mayor, if at all, only after the fact.

And so, in our experience, initiatives like, for example, legalizing rooming houses in neighbourhoods will not necessarily benefit from concentrating power in the hands of a particular individual. Generally speaking, in Ontario municipalities, it is what you might call the NIMBY faction which ends up controlling the mayor's office, and proponents of density end up taking the floor. It takes a campaign and an initiative put on by the opposition in order to deliver the housing supply.

It's worth noting that it's hard to believe that the government could plausibly think that this is necessary. The government hasn't used the most basic tool at its disposal in order to get council to deliver more housing, and that is to increase the growth plan for the greater Golden Horseshoe housing target for Toronto. Toronto has only been assigned 700,000 people for the next 30 years, despite our strongly urging the government to increase that target to 1.4 million residents. Toronto has never failed or refused to plan as many homes as the current government assigned to it, so why not start by actually giving this mandate to council as a whole and letting them develop a plan that provides those results?

The second piece, of course, is that apart from working for Environmental Defence, I'm a lawyer, and I'm obliged to speak up for the administration of justice. I will say that it has been appalling to see the extent to which a very fundamental principle of our society, which is the principle of democracy, which is a direct line between what the majority of people want for themselves and what happens in the end in policy, being reduced to a technical triviality or rationalized away by pointing to the technical authority of the provincial government to remove majority rule.

And it is especially concerning that it is happening at a moment where we have municipalities in Ontario where finally there are what you might call "majority minority" communities. So at the moment when a majority of the voters in Toronto are now racialized, and we have other communities like that, that is the moment when the government has chosen to create a mechanism for minority rule. It is mind-boggling that this is being allowed to go ahead, being accepted and being really evaluated simply based on whether it is likely to deliver on preferred policy outcomes—which it won't, in any case.

This is a problem for democracy. We can fix this problem simply by using the tools that we have and that the government has refused to use. There is no way that you can Trojan-horse this radical override of the most fundamental principle of governance in Canada under the guise of needing more housing. They're not connected.

**The Chair (Ms. Laurie Scott):** Thank you.

MPP McMahon for four and a half minutes, please.

**Ms. Mary-Margaret McMahon:** Thank you very much. I, too, would wish to apologize for the treatment of our speakers today, especially to John Sewell, former mayor of Toronto. I think you know would a thing or two about housing with your vast experience. I would argue you know more about housing than any of us here. So I do apologize for patronizing comments from my colleague across the floor.

My questions are for Donovan and Saman as well. Donovan, you were mentioning you worked so hard in the last couple of elections on getting people to vote. Obviously, there's a problem. We saw an unbelievably low voter turnout in the last couple of elections. Obviously, we're not inspiring people, especially youth, but also, there seems to be a huge amount of apathy. I'd like for you to speak to that bit if you could. What do youth want to see? And then I'll talk to you about where youth want to live.

**Mr. Donovan Hayden:** Just through the apathy and what I would want to see, I would want to see folks in Toronto, young people in Toronto really believing they can control the city that they're—

**Ms. Mary-Margaret McMahon:** If you could speak up a bit.

**Mr. Donovan Hayden:** Sorry. I want to see young people in Toronto having faith and confidence that they will be able to control the city that they will live in. I do this; I'm talking right now, virtually, of course, at Queen's Park. Even I don't feel like I have much control over the 10 or 20 years that's going to be in the city. I want to be able to know that I can contact my city councillor and that my city councillor can represent me.

We organized volunteers just the other day to contact their city councillor to ask them to object to Bill 39. When we called Mayor Tory's office, we got a voicemail and a crappy email. But when we called our city councillors, we got someone. We got a constituency rep, we got someone saying, "Yes, I'll pass this along," "Can I give you this information?" "This is what we've been doing on Bill 39." I would love to see that access.

**Ms. Mary-Margaret McMahon:** All right. Great.

Maybe I'll throw it to Saman. We're talking about building housing. We're talking about entering into the greenbelt, which we do not need to do. Where do people your age wish to live? We talk a lot about buying homes. I know lots of people rent—more than half of Torontonians rent and people around the world rent—and that's a great thing, too. Not everyone wants to buy or chooses to buy. So we just need housing for all. But where do youth want to live, and what types of homes do you wish to live in? Do you want to live on wetlands and on farmlands?

**Ms. Saman Tabasinejad:** No, I don't think the majority of youth want to live on wetlands and farmlands. Obviously, many people are concerned about the environment and living safely in it.

I think what youth really want, like Donovan said, is to be able to have a say in their city council. Have a say on the decisions that are being made not only in the Legislature, but at city council as well.

Something that's really beautiful about local municipal politics is that it's relatively easy for you to get a meeting with your local city councillor. Obviously, with the slashing of wards in 2018, it got much harder once the wards got bigger, but it was still possible. You can email or call your city councillor and book a meeting maybe within the next two weeks.

**The Chair (Ms. Laurie Scott):** One minute left.

**Ms. Saman Tabasinejad:** So they had a chance to take your voice to council. But now if the votes of city councillors don't really matter, they can't exercise that power. They can't say, "Hey, I really want my community to look like this. Let's save this affordable housing project that is housing hundreds of people"—

**Ms. Mary-Margaret McMahon:** And the housing project in an urban core, in an existing community, versus—

**Ms. Saman Tabasinejad:** Yes, instead of building in places where right now it's home to biodiversity, they want to save the homes in areas and neighbourhoods where they have built communities.

In a city of three million people, how many are going to get a meeting with the mayor to make their voices heard? And how can the mayor know in great detail the issues that are facing Rexdale, that are facing the people of Thorncliffe and of Malvern, and Jane and Finch, and that Markham and Eglinton are facing?

**The Chair (Ms. Laurie Scott):** Thank you very much. That's it for this round.

I'll go over to the government side for seven and a half minutes. MPP Yakabuski.

**Mr. John Yakabuski:** Thank you for appearing before the committee today. I do want to take a bit of an exception, MPP McMahon. I understand your admiration for former Mayor Sewell, but if he knows that much about housing after having been mayor for two years, I can imagine what you must believe that John Tory must know about housing since he's been the mayor for eight years.

**1350**

To your point, John Tory was elected with more votes than all other councillors that were elected combined. For you to disparage whether or not he has earned the right to be mayor, I think that is a bit of an unfair statement. He did get elected for the third time with more votes than all of the councillors combined.

But let's talk about supply, Mayor Sewell. Your position is that housing costs have continued to go up no matter what, and that's true, but so has the cost of bread and a whole lot of other things. That's just the reality. But the fact is, that supply and demand is economics 101. If you've got 100 people bidding for one house, the price of

that house is going through the roof. If you've got three people looking to buy in a market of 100 houses, the price of those houses is going down. Regardless of what the economic factors of the day are, supply and demand does matter.

We're in a housing crisis. If we don't build more homes of all kinds, including affordable housing, we will never see those prices reach an attainable level for the youth, as the member for Progress Toronto is talking about, so that those young people can actually realize the hope of ownership. Do you agree with that, Mayor, or not?

**Mr. John Sewell:** I have no question that we need to build more housing. I have absolutely no question about that. But to say that if you build more housing, the price is going to go down—unfortunately, history has not borne that out.

If I could just go back for a moment in terms of my housing experience, I was the person on city council who pushed very hard to build a lot of affordable housing in Toronto. I was the head of the city—

**Mr. John Yakabuski:** Sir, we're not questioning—

**Mr. John Sewell:** Hold on a second. Let me—

**Mr. John Yakabuski:** No, no.

**Mr. John Sewell:** You asked me the question, let me give you the answer.

**Mr. John Yakabuski:** No, it's my time. Thank you very much. We're not asking you about your housing experience. I was comparing your own tenure as mayor to John Tory—

**Mr. John Sewell:** But you were running me down, and you aren't accurate about it.

**Mr. John Yakabuski:** No, I'm not running you down. I was building up John Tory. I was providing some support for John Tory. Thank you very much.

We're not saying the prices are going to go down, but they will be lower than they would otherwise be in a market that does not have the supply. Would you agree with that, in an equal—

**Mr. John Sewell:** I think I might agree with that—

**Mr. John Yakabuski:** Okay. Thank you.

**Mr. John Sewell:**—but the point is, you have to be very, very careful about it. With all the supply we've built in recent years, it has not gone down. I think we have to make sure we're building exactly the right kind of kind of housing that actually meets need and that in fact I think is within cities—

**Mr. John Yakabuski:** I appreciate the answer, but there are many, many factors involved in what affects the price of any good or service, including input costs, labour, the cost of regulation, development charges—we could go on and on. But on a level field, if there are more homes in the market, and everything else is equal, there will be lower prices than otherwise would be if there are less homes in the market, yes.

**Mr. John Sewell:** I wish we were in a level market, but in fact we aren't.

**Mr. John Yakabuski:** I don't control the world, but if those circumstances are created, and that's what we're trying to do, then the price relative to other factors will be lower.

**Mr. John Sewell:** The problem is, the difficult problems are often not served by simplistic answers. That's the problem. In fact, one of the things—

**Mr. John Yakabuski:** But, sir, your answer was entirely simplistic by saying no matter what we've done, the price of homes has gone up, but you weren't looking at all of the contributing factors that have driven those price increases over the decades.

**Mr. John Sewell:** In fact, I could. If you give me the time, I'd start looking at them and there are a lot of them. But it's not a shortage of land. I mean, just to make that point, the land is there, ready to build on. There's no question about that, but it's not getting more affordable. We've got to have programs that actually make it affordable. We had those in the 1970s and 1980s. They were kicked out by Premier Harris in 1995. We haven't had good ones since, and that's why we've got a housing crisis in Toronto, with people living in tents—

**Mr. John Yakabuski:** Thank you very much. You had your—

**Mr. John Sewell:** This reminds me of being in South Africa where I worked for five years.

**Mr. John Yakabuski:** Sir, this is my time. You had your time for speaking. We're asking questions. I'm going to be—

**Mr. John Sewell:** I was trying to answer. I was trying to help you, sir.

**Mr. John Yakabuski:** I'm sure you are. I'm going to pass it over now to my colleague MPP Sabawy.

**The Chair (Ms. Laurie Scott):** MPP Sabawy.

**Mr. Sheref Sabawy:** John, I would like to read a piece of a quote from you in April 2017, which was still a Liberal government and you were addressing the affordable housing. You were saying, "Sorry, you're going the wrong way on affordable housing. You're not increasing the stock. It's decreasing. That's the problem." That's a quote from you in the Toronto Star on April 21, 2017, which was even before this government being in charge.

"This is a long-term failure. We need much stronger leadership." You were addressing John Tory with this.

So, in my opinion—I would like to hear your take on that. It's a problem that's been going on: status quo, nothing changing. We need the leadership; we need authority which can push the envelope on housing, where we are in crisis. I would like to hear your take on what you said in 2017—and five years later, today, we are in the same exact spot. Please.

**Mr. John Sewell:** Yes, there's no question. I'm not trying to say that we've only had the problem in the last few years; we've had it for a while. But in fact no provincial government seems to be addressing it. As I said, I think that—

**The Chair (Ms. Laurie Scott):** One minute remaining.

**Mr. Sheref Sabawy:** We are.

**Mr. John Sewell:** You aren't addressing it. Not at all. I think what we need is serious programs to create affordable housing, and that means affordable by people with incomes in the range of \$30,000, \$35,000, \$40,000. It's very major subsidies; there's no question about that. I have no other way of suggesting how it can be done—



**Mr. Sheref Sabawy:** Who is going to put in that money? It's just a question.

**Mr. John Sewell:** Governments are going to put that money in. The point I want to make is, we had that program. It started in 1974 when in fact the provincial and federal governments—it was a Conservative government here in Ontario and Liberal in Ottawa—got together, and we had a very powerful non-profit housing program which built an awful lot of housing in downtown Toronto, where I was a politician and then I was the mayor. And in fact, it was built—we need that again. Both those governments—

**Mr. Sheref Sabawy:** Okay, I agree on that. Sir, I agree with you on this piece, because nobody from the developers' side will put in the money. I'm just asking, what about the normal people who want to buy houses?

**The Chair (Ms. Laurie Scott):** I'm afraid we're out of time. Thank you very much to the presenters for coming today.

We've got five minutes before we'll start again, so I'll just do a quick recess till 2 o'clock.

*The committee recessed from 1357 to 1401.*

GREENBELT FOUNDATION  
CANADIAN CIVIL LIBERTIES  
ASSOCIATION  
ASSOCIATION OF MUNICIPALITIES  
OF ONTARIO

**The Chair (Ms. Laurie Scott):** We'll begin the 2 o'clock presentations. We have the Greenbelt Foundation, the Canadian Civil Liberties Association and the Association of Municipalities of Ontario. At the start of your presentations, please state your name. You have seven minutes, and I'll ask for the Greenbelt Foundation to please start.

**Mr. Ed McDonnell:** All right, right off the top.

**The Chair (Ms. Laurie Scott):** You bet.

**Mr. Ed McDonnell:** Good afternoon, everyone. Good afternoon, Madam Chair and all the committee members. It's really great to be here. My name is Ed McDonnell. I'm chief executive officer of the Greenbelt Foundation.

For the last 18 years, we really have been a partner to government, working with a broad range of stakeholders to get the most out of our incredible and irreplaceable greenbelt here in Ontario. Our work is really focused on identifying and enhancing the economic, agricultural, social and ecological benefits the greenbelt provides. I am here to recommend, and I hope I can convince you a little bit, not to proceed with the repealing of the Duffins Rouge Agricultural Preserve Act, which is part of Bill 39. We have provided a written submission, but I'd like to take a bit of time this afternoon to emphasize why we feel the removal of the preserve from the greenbelt and its urbanization are not in the long-term interests of Ontario.

A little bit about the greenbelt: The greenbelt and its components, including Duffins Rouge Agricultural Preserve, I think it's well known are very beloved by Ontarians for many years. Our research has shown that nine in 10 Ontarians support the greenbelt policy and, in fact, about 80% of them consider it a source of pride. It's

not just because of the land or the landscape; it's because it contains forests, lakes, rivers and wetlands, and provides a whole variety of essential recreational opportunities and health benefits for our growing greater Golden Horseshoe population.

I think people really understand increasingly what the greenbelt provides in terms of clean air and water, and how its natural systems and what we sometimes refer to as natural infrastructure allow us to build a strong, climate-resilient community. That's a theme, I think, as the government looks to build housing and grow communities: What are we actually going to do to make sure we continue to be climate-resilient in the face of extreme weather events which hit both public infrastructure and municipal assets, and individual households?

From our perspective, as the region grows, what the greenbelt provides actually increases in value. Beyond the environmental considerations, which are a focus of why we're here today, there's the farmland. Farmland makes up 40% of the greenbelt, with some of the highest-quality soils, some of the best climate conditions and definitely the closest proximity to Canada's largest consumer market, so the greenbelt farms and agri-food businesses are making a very significant contribution to our provincial economy and they should be part of the growing economy.

Overall, the greenbelt is a real economic powerhouse. Some of you would know, but I'll just underscore a few figures. Annually, it supports \$19.6 billion in gross output. It contributes \$9.6 billion toward our GDP and it directly supports 177,000-plus full-time, good-quality, local jobs here in the region.

The Duffins Rouge Agricultural Preserve is a really key part of the greenbelt as a whole. It really has some unique importance, given its large-scale intact farmland as well as, again, its close proximity to agri-food consumer markets. It is also very important from a natural heritage corridor perspective.

I think as the government considers changes to the greenbelt, Duffins Rouge really provides a good opportunity to consider—if you look at it on a map, you'll see the area that the Duffins Rouge Agricultural Preserve represents. It really is one of the last remaining north-south corridors in our area. These sorts of corridors are increasingly important from a biodiversity and environmental sustainability perspective. It is also significantly connected to Rouge National Urban Park. The loss of Duffins Rouge Agricultural Preserve would have a huge impact on the habitat and the connectivity of species at risk in and around the national park. We really would like to emphasize those points.

But coming back to agriculture, clearly the original purpose of the preserve was to ensure that these agricultural lands were protected in perpetuity. That goal is ever more important today. The OFA has noted that the most recent census of agriculture, between 2016 and 2021, indicates we are losing an incredible amount of agricultural land in this province, 319 acres a day, and that between 2000 and 2017, we lost 7,200 acres of prime agricultural land just to urban expansion alone.

Thinking about the agricultural reserve—this large, well-positioned area in our province where local food and the agri-food economy are only becoming more important—I would really encourage you to think about that in the context of larger greenbelt changes and in the context of the amount of agricultural land we are losing in this province.

We have spent a lot of time working with the province and we have great relations with the province, including in the area of agri-food. We spent a lot of time looking at things like how we grow fruit and vegetable production, how we increase farm gate revenue in this area, how we increase the viability of agriculture and how we can really take advantage of the incredible opportunities we have.

**The Chair (Ms. Laurie Scott):** One minute remaining.

**Mr. Ed McDonnell:** Thank you. As it comes to housing, we recognize it as a foundation that we have a profound ethical obligation—and I think the government has really underscored that—to provide housing solutions to Ontarians. But, as I overheard a little bit in the last presentation, it's become pretty clear we have immense amounts of land currently designated and we really need to focus, for a variety of reasons, on the utilization of those lands. That's where the infrastructure is. That's where we will get the best value. That's where we can develop most quickly. We would really encourage that as opposed to in places like the agricultural reserve, which are actually terrible places to achieve successful, complete communities, attainable housing or actually sustainable household finances for Ontarians.

Just very, very briefly, I would add that the international experience proves this out. We did a recent study on global greenbelts. There is pressure on greenbelts around the world—

**The Chair (Ms. Laurie Scott):** That is the end of time. Thank you very much. We will now call on the Canadian Civil Liberties Association, I believe on the screen.

Please state your name at the beginning of the presentation.

**Ms. Noa Mendelsohn Aviv:** Thank you. Can you hear me?

**The Chair (Ms. Laurie Scott):** Yes.

**Ms. Noa Mendelsohn Aviv:** My name is Noa Mendelsohn Aviv. I'm the executive director and general counsel of the Canadian Civil Liberties Association. I'm here with my colleague Laura Berger, who is staff lawyer at the CCLA. We will be sharing this time.

The CCLA is an independent national—

**The Chair (Ms. Laurie Scott):** Maybe I'd ask if you could just speak a little louder. I think we're turned up as high as we can here.

**Ms. Noa Mendelsohn Aviv:** Sure. Is that better?

**The Chair (Ms. Laurie Scott):** Or get closer. Speak again.

**Ms. Noa Mendelsohn Aviv:** Okay. I don't want to lose any time here, but maybe I'll find some earbuds and see if that makes it better.

1410

**The Chair (Ms. Laurie Scott):** It's okay. We'll pause for a second. Just try to speak again. I think it got better.

**Ms. Noa Mendelsohn Aviv:** Okay. Is that better? I've raised my voice—

**The Chair (Ms. Laurie Scott):** Yes, we're okay.

**Ms. Noa Mendelsohn Aviv:** Would you like me to start again or just continue?

**The Chair (Ms. Laurie Scott):** Just continue.

**Ms. Noa Mendelsohn Aviv:** CCLA is an independent, national non-governmental organization, founded in 1964. CCLA has a large history of defending civil liberties, human rights and democratic freedoms for all people in Canada, and empowering individuals, groups and communities to do the same.

CCLA does not typically weigh in on legislation related to land use planning, but Bill 39 is not just about land use. It introduces an unprecedented violation of basic democratic principles that has no place in a constitutional democracy. Any person who supports democracy understands the importance of majority rule.

Put differently, minority rule is not a concept—it does not exist—in a democratic system. Yet Bill 39 creates an explicitly undemocratic one-third-only voting mechanism where if the head of council, usually the mayor, “is of the opinion that a bylaw could potentially advance a prescribed provincial priority, the head of council may ... require city council to consider and vote” on it, and such a bylaw will be passed if only one third of the members of city council vote in favour of it.

CCLA, as an organization that works to protect a vibrant democracy, is deeply concerned about these changes, and we're going to make five specific points. First and most significantly, CCLA is concerned that the one-third-only voting mechanism is contrary to our most cherished and fundamental democratic norms. In Canada, a commitment to democracy is a core value underpinning our constitutional and legal system. In strictly legal terms, court decisions have held that the charter provision guaranteeing the right to vote does not extend to municipalities. It is a matter of principle, we believe, that the basic tenets of democracy and effective representation must pervade every level of government and governance in Canada. Democracy protects effective representation and meaningful participation, and this is particularly important in local government, which provides closer access to the democratic process and to elected representatives who are the decision-makers.

Democratic rule is not perfect, but it creates space for checks and balances, for transparency and accountability to avoid cronyism and other abuses. To have ostensibly democratic bodies operate without the bedrock principle of majority rule, without rule by the people for the people, without meaningful representation is not only undemocratic; it is un-Canadian to its core. No person, no elected representative, no member of a legislative body who supports democracy should support a bill that tries to take apart the democratic fabric of a duly elected representative body.

Second, if the province has priorities that it wishes to pursue, it is an elected body with many powers and many ways to do so, including in relation to housing, without

harming the democratic structures of other elected representative bodies.

Third, Bill 39 would make Ontario an outlier. It is true that many American cities have strong-mayor structures, with the mayor having a range of powers to direct city staff and even veto bylaws and other such functions. But according to the University of Toronto's Institute on Municipal Finance and Governance, the one-third-only voting mechanism would be unprecedented. Professor Karen Chapple has said, "In no American city, with or without a strong mayor, can bylaws be passed by less than a majority of councillors; this would be seen as fundamentally undemocratic."

Professor Alison Smith has said, "For bylaws to be passed with the support of only one third of council violates long-standing democratic norms and has no counterpart in any Western democracy."

I'm going to stop here and turn it over to my colleague Laura Berger.

**Ms. Laura Berger:** Thank you very much. Can you hear me?

**The Chair (Ms. Laurie Scott):** Yes.

**Ms. Laura Berger:** Terrific. Again, my name is Laura Berger. I'm going to raise two points related to the drafting of Bill 39.

As drafted, the bill does not provide adequate democratic checks or constraints on the mayor's decisions. I would recall that the one-third voting rule can be triggered whenever the mayor is "of the opinion that a bylaw could potentially advance a prescribed provincial priority." This is language that gives the mayor virtually unfettered discretion. A mayor could decide, based on capricious or flimsy reasons, that a proposed bylaw could potentially advance provincial priorities, and the statute doesn't provide any kind of standard to gauge or review the mayor's subjective belief. The bill does require the mayor to provide his or her reasons for the proposal, but that requirement could easily be met with pro forma reasons. We've heard a lot about strong mayors, but in our view, Bill 39 really opens the door for rogue mayors to hammer through their own agendas.

In addition, Bill 39 leaves really key elements to be defined through future regulations. The minister will have the ability to add additional municipalities by regulation, and this could potentially expand the scope of these powers to any number of municipalities in Ontario. This includes municipalities with really small city councils, because the Municipal Act only requires a minimum of five councillors, including the mayor. For instance, in Burlington, where there are only seven councillors in total—

**The Chair (Ms. Laurie Scott):** One minute remaining.

**Ms. Laura Berger:** —the mayor would only need to gain votes from two other councillors.

The final thing that I want to highlight is that the prescribed provincial priorities will be identified in future regulations. These priorities would not have to be related to housing. They could include issues like local taxes or policing. Once the legislation is passed, the door will be

open for the government of the day to establish new priorities by regulation without any input or debate from MPPs, and we think this is really problematic.

I'll return to my colleague Noa.

**The Chair (Ms. Laurie Scott):** Twenty seconds.

**Ms. Noa Mendelsohn Aviv:** For these reasons, we call on the Ontario mayors to publicly reaffirm their commitment to democracy, to commit to explicitly refrain from using the one-third voting power. People in Ontario are paying close attention to the attempted erosion of their rights. CCLA will continue to fight for our democratic freedoms and to stand with everyone who does. Bill 39 sends a strong signal—

**The Chair (Ms. Laurie Scott):** Thank you very much. I'm sorry, we're out of time.

Oh, we have one more—sorry. There you go: screens to non-screens. The Association of Municipalities of Ontario: Please state your name at the beginning, and you can go now.

**Mr. Brian Rosborough:** Good afternoon, everyone. My name is Brian Rosborough, and I'm the executive director of the Association of Municipalities of Ontario. I appreciate the opportunity to speak with you today and to add AMO's voice to the discussion about Bill 39. I'll limit my comments to one aspect of the bill, namely provisions in schedule 3 enacting a new section of the Municipal Act allowing a mayor to make law with just a third of elected councillors voting in favour.

I'll begin by telling you a little bit about AMO and municipal government in Ontario. AMO represents municipal government in Ontario. AMO's members are more than 400 municipal councils in Ontario, which govern and serve about one in three Canadians. While the city of Toronto is an important part of the sector, it's not a member of AMO and my comments are not intended to reflect on proposed amendments to the City of Toronto Act.

Ontario's municipal sector invests more than \$55 billion a year in the Ontario economy, including an average of \$5.5 billion a year of own-source revenue into the infrastructure that's the foundation of Ontario's environmental sustainability, prosperity and economic growth. More than \$40 billion of that investment is in activities that support the social determinants of health, with a return on investment shared by our communities and the provincial economy. Unique provincial and municipal fiscal arrangements in Ontario result in a net municipal subsidy to the provincial treasury of about \$4 billion a year through mandatory cost-sharing of provincial health and human services programming, including social housing and homelessness.

By any measure, municipalities in Ontario are partners with the provincial government. It has been a very solid and constructive partnership over the last four years. The municipal sector's vision of the partnership is one of great potential and limitless opportunity to work together to advance the shared interests in housing, in prosperity and new approaches to economic participation that include those too often left behind.

The sector also has a vision that addresses declining respect for democracy and lawmakers. When AMO's board met last Friday, it approved an allocation of funding over the next four years to launch AMO's Healthy Democracy Project. AMO previewed this project at our annual conference in August. It will build on AMO's We All Win campaign to attract more diverse candidates to municipal office. It will promote greater civic engagement, greater awareness of the role of municipal government, more respect for the people engaged in democratic processes, and it will encourage greater voter turnout. The project was not inspired by Bill 3 or Bill 39, but reflects what we all understand to be an important matter for civil society in this country and in this province.

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AMO was last at this committee to discuss Bill 3, and I'm here today on behalf of the AMO board of directors to discuss Bill 39. AMO has not taken a position on provisions in Bill 3 except those pertaining to the hiring and firing of department heads and reorganizing municipal public administration. We advised this committee that those provisions were at odds with good corporate practice and asked that those provisions be removed from Bill 3. They were not, and they are now law.

We did undertake to learn more about the views of heads of council and councillors on so-called strong-mayor powers. AMO undertook a survey of councillors, heads of council and senior municipal staff to understand their perspectives on the new powers established in Bill 3. The result is evidence of very limited interest in these new powers. Seventy-seven per cent of mayors and 95% of municipal councillors from cities, towns and villages alike have said they do not want or support these powers. In general, they find the new powers to be unnecessary, unhelpful and unlikely to help the housing shortage—which brings us to Bill 39.

The proposed changes to the Municipal Act would allow a mayor to make law with the support of just one third of council, disenfranchise elected councillors and potentially destabilize and undermine the authority of municipal government. AMO has a very simple message for this committee: Bill 39 provisions on voting thresholds in the Municipal Act violate basic democratic principles and norms.

As you know, AMO is not alone in its understanding of this matter. It has been expressed clearly and repeatedly by distinguished journalists, leading scholars, political commentators and others who care about democracy and good government. At a time when respect for democracy and respect for lawmakers is in decline, minority-rule amendments to the Municipal Act are harmful and should be withdrawn. Thank you for your time.

**The Chair (Ms. Laurie Scott):** Thank you very much.

I will now go to the official opposition, please. MPP Burch.

**Mr. Jeff Burch:** I want to thank all the presenters for coming today. We really appreciate it.

I'm going to start with AMO. Thank you very much for coming, representing 444 municipalities across Ontario.

While I understand that Toronto is not a member, these strong-mayor powers that you've been discussing—the government has said they will be expanded to other cities throughout Ontario.

Thank you for the survey. I find that it's what I would have thought, but I'm glad that you brought those numbers with you: 77% of all mayors in Ontario and 95% of councillors. That's overwhelming. I would think if the government had consulted properly, they would have found that kind of lack of support for this legislation.

I was wondering if you could expand for us a little bit on—I get “unnecessary” and “unhelpful,” but the third point, “unlikely to create more housing”: Were there any further comments in your survey about the unlikelihood of this legislation, specifically strong mayors, actually creating any more housing in Ontario?

**Mr. Brian Rosborough:** It relates to the “unnecessary” in that we understand from our survey that mayors and councillors feel that they do have adequate authority under existing provisions to support housing applications and an increase thereof at the moment. We've seen a decline in applications because of economic considerations and others.

I will say that, when we were here to talk about Bill 3 and strong-mayor powers in general—and as I said, AMO is not opposed to those—we did recommend that the government, before it extends those beyond Toronto and Ottawa, should undertake broader consultation, including with the public, to better understand what the implications of those are. We would suggest, should the provisions of Bill 39 pass unamended, that that, too, should be referred to consultation before it is expanded across the province.

**Mr. Jeff Burch:** I appreciate the strong stand on this, because I know that AMO tries very, very hard to work with the province and it's a very, very important part of your mandate, so to come out with such a strong statement I think says a lot.

I'd like to just switch gears and talk to the Greenbelt Foundation for a moment. Thanks for coming, Edward. The government has pitched this idea that you can take out parts of the greenbelt and then add parts somewhere else. It really reminds me of something that happened in Niagara, where I'm from, where a housing development was being proposed on a wetland. They came up with this idea called “biodiversity offsetting,” where you could just create a wetland somewhere else with a garden hose or something and make it okay to build. It was universally mocked and didn't go forward.

Can you comment on this idea that it's okay to pave over the greenbelt if you just pick some other area somewhere else and call that the greenbelt?

**Mr. Ed McDonnell:** Thank you for the question. I think part of it starts with that the real strength, and the immense benefit, of the greenbelt is based on its permanence and the certainty it provides to a whole variety of sectors. It's also based on the fact that the greenbelt contains really critical water systems. Previous Conservative governments have recognized that with the creation of the Oak Ridges moraine and the Niagara Escarpment.

These are not things you can easily, or ever, replace the function of.

Similarly, at the agricultural level, I think we're growing quite concerned about the impacts of some of these sorts of changes to issues of land speculation and what it does in terms of investment in agricultural farming operations. Where a farmer does not have certainty, where an agricultural operator does not have certainty, they will not invest and grow their operation. Those are the kinds of ways in which certainty and completeness of greenbelt systems are really critical.

**Mr. Jeff Burch:** And this idea the government is putting out in their talking points about buffers, like, "Oh, it's just a buffer, so it's okay to take that out"—can you talk about the importance of buffers to the greenbelt? You hit on it a little bit with talking about endangered species and farmland.

**Mr. Ed McDonnell:** I think one of the ones we're increasingly paying attention to is some of the headwater systems. Those were mapped, for example, and included in the greenbelt quite a few years ago now. With climate change, with increased weather events, that sort of modelling and mapping starts getting strained. So we should really be very cautious about further infringing on some of those buffer areas, for reasons that are hopefully self-evident, including the potential for flooding, both community flooding and individual household flooding, as an example.

**Mr. Jeff Burch:** In your experience, why would a developer buy up farmland in a greenbelt? Would it be to farm on?

**Mr. Ed McDonnell:** I think we are seeing across North America that there's a fairly high degree of land speculation around existing urban centres. Where the greenbelt has worked is that it has actually allowed—even when, say, non-farmers have bought farmland, they've continued to leave it in production because they have understood that the greenbelt is permanent. The challenge will be that if the permanence of the greenbelt is brought into question, the amount of farming that goes on on a developer-held piece of farmland could potentially become even less than what it is today. The result of that is we are profoundly impacting agri-food productivity in huge parts of southern Ontario.

**Mr. Jeff Burch:** Yes. The importance of farmland—we heard we're losing 319 acres of farmland per day in Ontario. It's shocking, really, especially after we just came through COVID and we heard about supply chain issues, which is a core reason for inflation, and the whole issue of food security. How important is the greenbelt to our food security for the future?

**Mr. Ed McDonnell:** It's immensely important, especially crop areas. You would well know, being from the Niagara area. Those are areas that only certain kinds of crops—tender fruit, grapes—can actually be produced on.

**The Chair (Ms. Laurie Scott):** One minute remaining.

**Mr. Ed McDonnell:** The greenbelt disproportionately produces fruits and vegetables, for example, and could continue to grow in that regard.

**Mr. Jeff Burch:** You touched on it, but is greenbelt land the type of land that you would build any kind of housing on, especially affordable housing? Can you see the use of greenbelt land to build affordable housing? What's the point of using farmland for that purpose?

**Mr. Ed McDonnell:** What we've said in our submission to the affordability task force is that we should really be thinking about the kind of housing that's required in rural communities, first and foremost. That's where we would sort of recommend—existing towns, villages and hamlets and what they need—not as bedroom communities for our large urban centres, but for the agri-food workers, for the local workers, the person who takes care of the kids in the school. We need housing for those people.

**Mr. Jeff Burch:** Thank you very much.

**The Chair (Ms. Laurie Scott):** MPP McMahon, four and a half minutes, please.

**Ms. Mary-Margaret McMahon:** Thank you to everyone for coming in or coming online. I really appreciate your time and passion.

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My first line of questions is for the Greenbelt Foundation. Edward, thank you. You started to mention, just near the end of your words, your global greenbelt study, and I wondered if you could elaborate a bit more on that, because you got cut off and I missed that.

**Mr. Ed McDonnell:** Yes, sorry for being so long-winded.

**Ms. Mary-Margaret McMahon:** It's fascinating.

**Mr. Ed McDonnell:** Essentially we just looked at eight greenbelt systems around the world. One of the lessons from that was that, of course, there's pressures on these systems everywhere. But in areas in London, in the Netherlands, in Melbourne, what we see is development in greenbelt areas that, unfortunately, has not aligned with any reduction in housing affordability. And in places like Melbourne, which has an incredible food and agricultural economy in the outskirts of Melbourne which is being consumed, it's actually just led to more inefficient development and not actually led to reduced housing prices in that area of the world.

**Ms. Mary-Margaret McMahon:** Thank you. You spoke at length about how incredible the greenbelt is, and you also mentioned that it's irreplaceable. I think that's a key lesson for us, so if you can elaborate more on the value of the greenbelt and what happens when we start chopping it up and cutting out chunks and not keeping it preserved.

**Mr. Ed McDonnell:** Again, these are water systems. The greenbelt was created to be around the largest population centre in this country. Water systems are where they are. The Oak Ridges moraine is where it is. The Niagara tender fruit region is where it is. Some of this incredible class 1 farmland, including in the agricultural reserve, is where it is.

I don't want to overstate things, but the fact of the matter is that that is not something that we can modify and move around, and it's why the greenbelt boundary is so important.

**Ms. Mary-Margaret McMahon:** Right. And so, with regard to the Duffins Rouge Agricultural Preserve, but

also the rest of the greenbelt—and my colleague was mentioning a bit about the effect on our farmlands and our supply chain, if we can talk more about that. We learned, especially in the pandemic, the importance of growing, shopping, eating locally and keeping things in Ontario, but also having the ability to export our products as well. If you can, talk to us about the effect on the supply chain, food security, exporting of our great food and just feeding ourselves if we mess with our farmlands.

**Mr. Ed McDonnell:** Yeah, I think Ontario has done some terrific things in terms of investing in agri-food, in local food and near-urban agriculture, and we just want to be very careful about not upsetting the investment conditions and not discouraging farmers from farming, not discouraging the incredible innovators—product innovators, new breweries, new wineries, all of the agri-tourism and cultural tourism that comes along with that.

**The Chair (Ms. Laurie Scott):** Final 60 seconds.

**Mr. Ed McDonnell:** We would love to spend more time on that part of the equation, which is building the opportunity here in Ontario.

**Ms. Mary-Margaret McMahon:** Right. You also mentioned that the Duffins Rouge Agricultural Preserve is a terrible place to build housing. Did you want to elaborate on why?

**Mr. Ed McDonnell:** I think it's not well served. It's far from the Pickering downtown, which is currently being revitalized. There's other land and options in that area. Its best use, in our minds, is agri-food.

**Ms. Mary-Margaret McMahon:** Okay. Thank you very much.

**The Chair (Ms. Laurie Scott):** Thank you very much. Over to the government side. MPP Smith, please.

**Ms. Laura Smith:** Thank you, and I want to thank everybody for contributing today. I truly appreciate everybody coming out here, and I want to thank them for their community service and their advocacy.

Transformational change is never easy, and when we're faced with housing issues—speaking as a mother who does have a child living in their basement—this is a reality for me. A lot of people talk about having people in their basement, but this is sincerely something that's literally in my backyard, or my basement.

Just for context, I'm going to read a letter, and I'm going to ask for some comment from Mr. McDonnell and Mr. Rosborough. This is a letter from Kevin Ashe, the mayor of Pickering, and it's to Minister Clark:

“You recently received a letter from Mayor Ryan requesting the repeal of Duffins Rouge Agricultural Preserve Act 2005 in the city of Pickering. As the newly elected mayor of the city, I would like to support this request. As noted by Mayor Ryan, these lands were part of the regional and municipal growth plans for settlement area expansion prior to the greenbelt—20 years ago.

“I would also like to support and thank you and your government for your efforts in proposing the removal of the Cherrywood area lands from the greenbelt plan and in proposing to repeal the Central Pickering Development Plan. In light of this planned residential and commercial

growth, I am encouraged that your ministry will ultimately augment and strengthen the greenbelt by adding another 9,400 acres to it.

“With these actions in mind,” these lands are now “positioned as an important part of Ontario's housing supply action plan and shift some of the growth pressures from high-rise intensification to low-rise and ‘missing middle’ development.”

So he talked about the fact that these areas in the Duffins Rouge were already supported for expansion many years ago, 20 years prior, when this was all enacted. Do you want to comment on that, given the fact that we all agree there's a housing shortage, and I have a child living in my basement?

**Mr. Ed McDonnell:** My first comment is that I think we all have family members and friends who face challenges. At the foundation, we've done a lot of work trying to support efforts for new forms of housing that are sustainable etc. We all have a role to play in that.

I would say, though, on the Pickering piece, that it would take a lot longer than we have today to debate the issues that have gone on in Pickering. All I will say is—just factually speaking, and you'll see it in our submission—there are two areas identified by regional staff in the Pickering area that are large enough to support essentially single-family homes for the 13,000 people who have been identified in the government—

**Ms. Laura Smith:** But these areas were already settlement-ready at that—

**Mr. Ed McDonnell:** I would encourage you to take a drive through the Duffins Rouge Agricultural Preserve and ask yourself whether these are lands that are development-ready.

**Ms. Laura Smith:** Time?

**The Chair (Ms. Laurie Scott):** You've got four minutes and 20 seconds.

**Ms. Laura Smith:** Okay. If I could get Mr. Rosborough's response to that?

**Mr. Brian Rosborough:** Like my friend, absolutely, the municipalities are very keen to assist the government in increasing the supply of housing. If you listen to most mayors' campaigns and speeches acknowledging their election victory, housing has been addressed as the number one priority, and municipalities in every part of the province are eager to partner with the government to increase the supply of housing and to work on affordability—and deeper affordability, for those most in need.

My board did not give me a mandate to come here today to talk about the Duffins Rouge farmland preserve. They gave me a mandate to come here today to talk about democracy and the provisions in the bill that would provide for a mayor to make law with a third of votes. So I don't have a comment on your specific issue, but we'll confirm that mayors and councillors are very, very eager to assist the government with housing supply—

**Ms. Laura Smith:** I'm just going to split my time.

**The Chair (Ms. Laurie Scott):** MPP Sabawy, there's three minutes left.

**Mr. Sheref Sabawy:** My question for Mr. Brian is, do you agree with me that the mayors are the only part of the council of the city who have a mandate across the city, and that they are the face of any housing discussion; that they are held responsible for that?

**Mr. Brian Rosborough:** The council is collectively responsible for all of the output and decisions made by council. Mayors are the chairs of the councils; they have one vote. That's an established democratic principle. It's been in Ontario for many, many decades, and councils make decisions collectively.

**Mr. Sheref Sabawy:** In general, in the media and in the public eye, the mayor is the one responsible. He is the one responsible.

**Mr. Brian Rosborough:** Very often, the mayor is the person who speaks on behalf of their council, reflecting decisions made by the council.

**Mr. Sheref Sabawy:** Yes. We go over to AMO and we discuss with all the mayors and different councils, and we often hear lots of complaints that this is a provincial issue. When we start discussing the shortage of housing or affordable housing, they all point to us, as that's a provincial issue. Everybody pushes it to the province.

**Mr. Brian Rosborough:** I can tell you that AMO has been sounding the alarm on housing affordability for a very long time. Early on it was really a question of affordability for people with low incomes. Suddenly it has become an issue of affordability for middle and high incomes. Provincial and federal politicians have taken note, and gladly so. Municipal politicians have taken note as well and are eager to work with the government to increase the supply of housing.

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**Mr. Sheref Sabawy:** Okay. So I would like to ask, what's your opinion about—if we are talking the talk, now let's walk the walk and give the opportunity for the mayors—

**The Chair (Ms. Laurie Scott):** Sixty seconds left.

**Mr. Sheref Sabawy:** —to do what they need to do and take action.

**Mr. Brian Rosborough:** The survey of mayors and councillors that we undertook determined that they are able to move forward effectively without the powers contained in Bill 3.

**Mr. Sheref Sabawy:** Yes, but the tool is there. They can choose to use or not use it. It's there. It's going to be used only if there's need for use.

**Mr. Brian Rosborough:** It may be there, depending on the outcome of this committee's recommendations and decisions made by members in the House, and then it can be either used or not used, depending on the choice of individual mayors and the acceptability of those decisions to their communities.

**Mr. Sheref Sabawy:** Currently, it's only two mayors.

**Mr. Brian Rosborough:** Sorry?

**Mr. Sheref Sabawy:** Currently, it's only two mayors.

**Mr. Brian Rosborough:** That's right.

**Mr. Sheref Sabawy:** Thank you.

**The Chair (Ms. Laurie Scott):** Thank you very much.

We'll now move over to the official opposition. MPP Bell.

**Ms. Jessica Bell:** Thank you to the presenters for coming in and speaking. I have questions for all three of you. My first question is to the members from the Canadian Civil Liberties Association. Thanks for appearing online. I wanted to ask you to elaborate on your comments. You mentioned that this idea of minority rule is unprecedented. What do you mean by that? Could you clarify?

**Ms. Noa Mendelsohn Aviv:** Bill 39, as we understand it, is intended to create strong-mayor powers. Those exist across North American cities and particularly in certain areas in the United States, but nobody, nowhere, has introduced a one-third-only or a less-than-majority-rule system, because it is simply undemocratic. It's certainly un-Canadian, but they haven't introduced it south of the border either, where they do have very strong-mayor powers.

As members of an elected body yourselves, members of provincial Parliament need to understand that if they want to stand up for democracy, where you have local government, where you have government structures, every person who believes in democracy has to oppose the idea of minority rule. It is just antithetical to democracy.

**Ms. Jessica Bell:** This is unprecedented across North America.

**Ms. Noa Mendelsohn Aviv:** That's right.

**Ms. Jessica Bell:** Thank you. The other question I had is to have you to clarify some additional comments you made, that majority rule encourages transparency, and minority rule can encourage cronyism. Can you elaborate on those comments?

**Ms. Noa Mendelsohn Aviv:** Sure. Minority rule doesn't have to encourage cronyism, but it doesn't create the same space for the majority of city councillors to say, "Something is going on here. We need to bring in the Auditor General." In fact, under Bill 39, a minority of city councillors could get rid of Auditors General and other accountability bodies.

What you have in many municipalities are systems and checks and balances in place to make sure that there is good and clean governance, transparency, accountability to the public, all of which are critically important. But when you have a small group of city councillors or municipal representatives able to make decisions—some of those might even be the head of council appointed directly by the province under schedule 3 of Bill 39—then you lose the ability for the majority to watch what is happening and to answer to the public.

**Ms. Jessica Bell:** Checks and balances are necessary for any form of representative democracy to be transparent. Thank you.

My next questions are to Edward McDonnell, the CEO of the Greenbelt Foundation. Thank you also for coming in. My question is around how allowing some land to be hived off for development can create increased pressure on the rest of the land that is in the greenbelt, because it can incentivize other developers maybe to come in and

buy off pieces of land in the hopes that that will then be hived off as well. Have you looked into the consequences of this land swap and how it could affect the safety and the integrity of the greenbelt overall?

**Mr. Ed McDonnell:** I think it's a similar comment to the previous one, where once the line is uncertain, it will presumably encourage some to do additional land banking and speculation. There are lots of well-established results of that, most of which are not good for agriculture. I didn't mention it, but the other issue, of course, is if you are a farmer trying to purchase land and you're trying to compete against land speculators, land bankers, you're in a pretty tough position. Over time, that could have a cascading effect that I don't think any of us in this room wants.

**Ms. Jessica Bell:** That's a very good point that you raise, that it could create a situation where land prices for farmers who want to farm—they might not be able to afford the land that they need because they're competing with land speculators who maybe want to take advantage of the hope that this land will be opened up.

My next question is to Brian Rosborough from AMO. I really appreciated the answers that you gave to my colleague, and I would like you to just clarify on something that you said, just make sure that I got it right. You mentioned that AMO had done a survey of mayors and councillors to get their assessment of the strong-mayor powers in Bill 3—and Bill 39?

**Mr. Brian Rosborough:** Bill 3. Just Bill 3.

**Ms. Jessica Bell:** Okay, it was just Bill 3. Thank you for clarifying. Have you done a survey or are you looking at doing a survey on what mayors and councillors think of the new powers that could go to municipalities with Bill 39?

**Mr. Brian Rosborough:** So the AMO board had a regular meeting on Friday of last week, and we had that conversation with the board, which is representative of the sector: upper tier, lower tier, north, south, east, west. And there was unanimous consensus that the provisions in Bill 39, which provide for minority rule, are at odds with basic tenets of democracy, and that I should come here today and express that opinion to the committee.

**Ms. Jessica Bell:** So just to be clear, there was consensus? Everyone agreed that Bill 39 was a violation of basic tenets of democracy?

**Mr. Brian Rosborough:** That the amendments to the Municipal Act in Bill 39 relating to minority rule were at odds with basic tenets of democracy.

**Ms. Jessica Bell:** Thank you for clarifying that. I was also very concerned about Bill 39 and how it could bring in minority rule to any municipality that is designated as a strong-mayor municipality simply through regulation. That is extremely concerning to hear, and it's good to know that AMO has also expressed those concerns.

Was AMO consulted at all with the introduction of Bill 39 or Bill 3 before they were introduced into the Legislature?

**Mr. Brian Rosborough:** No.

**Ms. Jessica Bell:** Thank you for raising that as well. That's the extent of my questions. I appreciate you taking the time to answer them.

**The Chair (Ms. Laurie Scott):** MPP—you guys done?

**Mr. Jeff Burch:** Time?

**The Chair (Ms. Laurie Scott):** You have about 50 seconds.

**Mr. Jeff Burch:** Yes. I'll ask one more question of the Greenbelt Foundation. I'm wondering if you could talk to us a bit about housing and the government's task force. Can you confirm that, in your opinion, the government doesn't need any more land to address housing, that there's plenty of land and land isn't the problem?

**Mr. Edward McDonnell:** I want to be a little cautious, but I think what we do know is, is there land, somewhere, potentially needed for something? Maybe. But we've just seen an exercise in the growth plan of designating land through to 2051, based on population and density targets set by the government. So presumably, that would be the land that is required. And we also know that in places, including in Pickering, there are significant amounts of land, including in areas—

**The Chair (Ms. Laurie Scott):** Thank you very much. MPP McMahon, please. Four and a half minutes.

**Ms. Mary-Margaret McMahon:** Thanks again to everyone for coming in. My questions now are for the Canadian Civil Liberties Association. Thank you, Noa and Laura. Picking up on my colleague's line of questioning, just to reiterate, no other cities in North America that you're aware of have this minority rule level of government?

*Interjections.*

**Ms. Mary-Margaret McMahon:** Sorry, is that a yes?

**Ms. Laura Berger:** That's correct, and that's what we understand from two professors at the University of Toronto who specialize in municipal governance. That's the source we're relying on.

**Ms. Mary-Margaret McMahon:** Great. So where do you think the government came up with this idea, then, if no other municipality is doing that? Where do you think they came up with it, and do you think it will actually achieve the goal of building 1.5 million homes in the next 10 years?

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And if you could just speak a lot louder, because you are pretty soft-spoken, at least here.

**Ms. Noa Mendelsohn Aviv:** I'll speak to the first part of that question, and I'll leave the second part to Laura.

Where the government came up with the idea I don't know. But what we're seeing is part of an erosion of rights generally, and the public is paying attention; the public is deeply concerned about it and has already spoken up about other erosions and attempts to violate rights.

The suggestion in Bill 39 is that democratic structures can be destabilized in Canada, that rights can be destabilized in Canada, and our point here—and the public is saying the same thing loud and clear: It cannot, because people will not stand for it.



I believe that members of provincial Parliament understand the importance of democracy and will stand up to protect it, despite the very important need to have affordable housing. That's something that can happen without what Bill 39 is doing.

And I think, Laura, you were going to say something about the second part of the question.

**Ms. Mary-Margaret McMahon:** Yes, I just have a short—I have half the time basically as everyone else. So I appreciate that. Thank you so much.

Over to AMO: I'm so glad you're here, because I wanted you here for Bill 23, but that didn't happen. But I'm glad you're here now—thank you—because you represent an endless amount of voices across Ontario, and thank you for all you do.

You were mentioning the stats that 77% of the mayors and 95% of the councillors are not in favour of this new power, and you talked about councillors feeling disenfranchised. We heard from one this morning who is a brand new councillor in the city of Toronto. I remember my days in 2010 and how we were full of zest and vigour and energy and new ideas. We were representing our residents and wanted our voices heard, and we wanted to know they mattered. If you can speak to how disenfranchised these councillors are feeling about Bill 39.

**Mr. Brian Rosborough:** Well, it's very simply that when they ran for office, it was with the expectation that they would be part of a council that would have consistent majority rule, which is the democratic norm. That will change, depending on this committee's recommendations related to these provisions in Bill 3 and the votes that the members bring to the House. It was not something that they were aware of when they ran for office in the municipal election, and it certainly will have come as a surprise to them.

**Ms. Mary-Margaret McMahon:** Right. Okay, and in less than a minute, Edward, one piece of advice to us as we consider Bill 39—rapid fire, 30 seconds.

**Mr. Ed McDonnell:** Well, in terms of Duffins Rouge Agricultural Preserve, I would just reiterate that there are immense opportunities in that area. There's so much creative agri-food, agri-tourism, outdoor recreation. There's an immense amount of things that could be done with that area in the greenbelt, along with many other parts of the greenbelt. So I would start with the opportunity cost of what we're losing for 50,000 homes out of 1.5 million.

**Ms. Mary-Margaret McMahon:** Thank you very much. I hope everyone heard that at the back as well, over there.

**The Chair (Ms. Laurie Scott):** Thank you very much for your time.

I'll move to the government side. MPP McGregor.

**Mr. Graham McGregor:** Thank you very much, and thank you to all our witnesses for being here today. Ed and Brian, good to see you. Noa and Laura, good to meet you for the first time.

I'm really happy that we're all here. This is a democracy, and we have a process in the province where we have committee meetings on issues like this so we can hear

feedback from witnesses on the bills that we're going to be putting forward. That's something that we're happy about, we're very proud of, and we're happy that you're participating in our thriving democracy today.

When we talk about the housing supply crisis that we're facing, really, I think, all parties agree on it. You'll see, if you ever watch question period, it's hard to get the NDP, the Liberals and the PCs to agree on anything. But in the last provincial election we all put together plans where we said we would build 1.5 million homes over the next 10 years. Now, we have differing ways of how we want to do that, but I think we all agree on the principle. It really shows you how important this housing supply issue is when even the Green Party had a housing supply plan. So I think this shows you the issue that we're facing.

First question for Ed—and let me know if this is out of scope or not. I'm just wondering, if the Greenbelt Foundation has looked at these commitments that all parties have made about 1.5 million homes over the next 10 years, if they have an opinion about whether that's going to tackle the housing crisis or not.

**Mr. Ed McDonnell:** Well, we're not really in a position to—if it's an assessment you want, I would just say that there are some common principles, no matter whose plan it is, and that would include that we're going to need to better care for our water resource systems. We're going to need more green spaces for our growing residents.

Given an estimated \$52 billion in municipal infrastructure deficit, we need to maximize the utility of what we do inside of existing urban centres etc. Our line would be, as we grow, whoever's housing plan is involved, we need more of what the greenbelt provides, not less.

**Mr. Graham McGregor:** Fair enough. So I guess it's safe to say it's not necessarily an opinion on the number—1.5 million over 10 years, which is reasonable for your organization—but certainly a strong defence of what the greenbelt does, all two million acres of the existing land.

One of the things that happened well before I took office, under the previous Liberal government, was not only did they close the hospital I was born in, but they also carved up the greenbelt 17 times. I look at some of the ways they did it, things like golf courses and driving ranges. What we're looking to do with some of the land is that obviously we're going to add in the Paris-Galt moraine, which I'd love to hear your opinion about, and have a net increase of 2,000 acres, but we're also looking to build 50,000 houses, which is a huge number that brings us closer to that 1.5 million.

From the Greenbelt Foundation's opinion, is it a better use to build golf courses and driving ranges, or do you think massive amounts of housing supply on a relatively small acreage is a better use?

**Mr. Ed McDonnell:** The way I would approach that is to say that the last time there were changes made to the greenbelt plan area, it was part of the 10-year coordinated land use plan review, which is part of the legislative process that's intended.

Our perspective, and we've looked at these—to be honest, the government received at the time more than 700

requests for amendments to the geography of the greenbelt, and they chose 17. Our personal perspective on that would be that those were technical corrections based on the original mapping, some of which were natural heritage and some of which were funny things where the line went through the middle of a golf clubhouse. We see that as a sort of reasonable process that was undertaken as per the statute.

**Mr. Graham McGregor:** I appreciate that. Time check, Chair?

**The Chair (Ms. Laurie Scott):** Three and a half minutes.

**Mr. Graham McGregor:** I will give the rest of my time to Mr. Thanigasalam.

**The Chair (Ms. Laurie Scott):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** Thank you to all presenters for being here and thank you for your time. My question is to Brian first, and then I'll move on to the next presenters.

Brian, you talked about minority rule. Mayors are the only members of the council who have these strong, democratic, city-wide mandates, unlike individual councillors, who are chosen by the residents from a single ward or a single neighbourhood. Keeping in mind that Mayor Tory got 36,000 votes, more than all the other 25 councillors combined, how is this a problem for democracy, when strong-mayor powers can only be used in relation to creating a budget and specifically for a provincial priority in terms of building 1.5 million houses?

**Mr. Brian Rosborough:** Well, I don't have an opinion on the City of Toronto Act and I don't have an opinion on Mayor Tory. Although I am a resident of the city of Toronto, I'm really here to talk about the Municipal Act.

This House has a majority arrangement as well, and there is no one in this House who unilaterally has the ability to make law, including law with a third of the support of the members. So it's a departure from the norms of democracy and—

**Mr. Vijay Thanigasalam:** Thank you.

**Mr. Brian Rosborough:** I would like to add one thing, if I may, and it relates to the question about if we were consulted on Bill 3. On reflection, I believe we were briefed in advance before the legislation was introduced, so I just want to set the record straight on that.

**Mr. Vijay Thanigasalam:** Thank you, Brian. Also, you talked about the AMO survey that you have done, but when it comes to transformative additions like this to build 1.5 million houses, we have to make bold actions, right? When it comes to the survey that you mentioned, you took it for Bill 3. Correct?

**Mr. Brian Rosborough:** That's correct.

1500

**Mr. Vijay Thanigasalam:** When it comes to our government's bold action, it is no surprise that existing councillors and mayors are okay with the status quo.

**The Chair (Ms. Laurie Scott):** One minute left.

**Mr. Vijay Thanigasalam:** But our government was elected to break the norm, break the status quo, to provide housing for generations at risk of not finding a home for themselves, right?

**Mr. Brian Rosborough:** I don't think mayors are interested in the status quo when it comes to measures that will assist in the creation of additional housing supply and affordable housing in Ontario. It's a priority for municipalities. We have had an excellent partnership with this government and would be happy to sit down at any time to work through measures that can assist with and help municipalities do a better job in playing their important role in ensuring that there's additional housing supply in Ontario.

**Mr. Vijay Thanigasalam:** Thank you.

**The Chair (Ms. Laurie Scott):** Thank you very much. There's only 10 seconds left. Thank you to all the presenters in this round. I appreciate you all coming virtually and in person.

ONTARIO FEDERATION  
OF AGRICULTURE  
ROUGE DUFFINS GREENSPACE  
COALITION  
RESIDENTIAL CONSTRUCTION COUNCIL  
OF ONTARIO

**The Chair (Ms. Laurie Scott):** As you move out, I believe we have one person from the Ontario Federation of Agriculture that's here, and the other two presenters, the Residential Construction Council of Ontario and the Rouge Duffins Greenspace Coalition, are going to be joining us virtually today. We'll just give a few minutes to make that transition.

*Interjections.*

**The Chair (Ms. Laurie Scott):** We'll ask for the presentations to be started. The Ontario Federation of Agriculture: I think they are ready to go first. Please state your name for Hansard when you begin.

**Ms. Peggy Brekveld:** I'm Peggy Brekveld, Ontario Federation of Agriculture president. I'm glad to be here again.

Ontario Federation of Agriculture represents over 38,000 farmers across the province. They in turn represent \$47 billion in provincial annual GDP from field to fork, and over 200 different products, which is one heck of a feast of flavours. Our vision is farms and food forever.

Today I will comment only on a portion of Bill 39, Better Municipal Governance Act, particularly on the Duffins Rouge Agricultural Preserve Repeal Act. And while I'm here specifically for Ontario Federation of Agriculture or OFA, our affiliates in Durham region and York region were also consulted for this submission.

In short, OFA and Durham and York region federations of agriculture are opposed to the repealing of the Duffins Rouge Agricultural Preserve Act, or DRAPA as it's sometimes called, to assist in removing barriers to building much-needed housing. DRAPA should remain intact.

There is only one landscape, and everything has to fit. That includes the very cornerstones of life: food, water and shelter. When we consider the landscape, there are some pieces that are movable and some things that are not.

Things that are not really movable include lakes, rivers, the great Canadian Shield. It also includes farmland. Less than 5% of Ontario is actually arable land; the best of it is often located next to cities. We are one of only seven regions globally that have the ability to export more food than we import. Ontario contains 52% of the prime agricultural land in Canada. In other words, farmland is precious and it needs special consideration.

Statistically, the Duffins, as it's called locally, is 5,200 acres of farmland bordered on three sides by urban development: Toronto, just south; the city of Markham to the northwest; and the cities of Pickering and Ajax to the northeast or east. It may seem like a green island among the city landscape. To the west, though, is the Rouge National Urban Park, and this is significant to the locals in Durham and York. The Duffins has been identified as an essential piece to help build the continuity of the agricultural land base.

It is also important to note that while it is surrounded by urban development, the agri-foods sector in York and other GTA municipalities—the bakeries and food processors who use these products—is significant. Having the farms close to these assets is critical for economic success and the industry's potential to grow.

At OFA, we often talk about the importance of agricultural systems, places where the farming is a continuous landscape. Such places make it easier to farm. It means that farmers can plant and harvest with less challenges with things such as traffic. It means that supporting businesses, such as grain elevators and feed companies, can be accessed with few barriers. It means that you can take a combine from one field to the other with ease. And it includes those end users that I talked about earlier. The system can even create more ecological goods and services, such as wildlife habitat, since it is a larger area.

The Duffins and Rouge Park regions together make a viable agricultural system almost completely made up of class 1 land, the best for agriculture. The Duffins is part of a larger regional agricultural system creating a continuously protected area. Farmers depend on the availability of land in proximity to their operations to be able to farm more efficiently, safely and viably. In just the York and Durham regions, there are over 1,600 farmers that will be affected either directly or indirectly by the repeal of the Duffins Rouge Agricultural Preserve Act.

The Duffins is also part of the Golden Horseshoe region. The Golden Horseshoe is home to nearly 5,000, or 10%, of Ontario's farms, which generate over \$2 billion in cash receipts annually. Although there are over 900,000 acres of farmland in the Golden Horseshoe, it has declined by over 4% in only the last five years. If we continue to lose 40,000 acres of farmland during each census break, in 25 years it actually would all be gone. That is likely inside of my lifetime and likely inside of a lot of yours, too.

Why does this matter to Ontario? It's about food security, and even the minister talks about the importance of that. If you ate today, a farmer grew it. Ontario farmers are feeding Ontario, Canada and the world.

Saying that, we recognize that Ontario needs to build more houses, affordable houses in particular. We really do

believe that we come with ideas and examples of how to address this and still protect farmland that will feed us. It includes intensifying cities to build in and up—incentivizing them, as well—and to renew and review. It's about building more houses along transit lines, which you guys are in favour of, and building the type of housing that we actually need, understanding what our population dynamics actually look like.

Only last spring, the Housing Affordability Task Force stated that a shortage of land isn't what causes the problem. Land is available both inside the existing built-up areas and on undeveloped land outside of greenbelts. OFA encourages the provincial government to listen to their experts and explore other avenues to address the housing crisis. More robust protection against development on agricultural land, combined with fixed permanent urban boundaries—

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Peggy Brekvelde:**—and pushing urban density and intensification requirements, will actually achieve community development, build complete communities and still hit farmland protection objectives.

As I finish: Farmland is a finite resource, but it is also perpetual, meaning if we protect farmland—if we actually take care of it—we can grow food for generations. We can continue to feed Ontario, Canada and the world, and it looks like farms and food forever.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation today.

We'll now move to the Residential Construction Council of Ontario. If you'd just please state your name and you can begin.

1510

**Mr. Michael Giles:** Good afternoon. My name is Michael Giles. I'm director of municipal affairs, Residential Construction Council of Ontario.

Good afternoon, members of the Standing Committee on Heritage, Infrastructure and Cultural Policy. Thank you for the opportunity today to speak to you on behalf of Rescon regarding Bill 39, Better Municipal Governance Act. Rescon represents builders of all forms of—

**The Chair (Ms. Laurie Scott):** Michael, sorry to interrupt. We just can't hear you very well. Can you either move closer, turn up the volume or do something on your end?

**Mr. Michael Giles:** How is that? Is that better?

**The Chair (Ms. Laurie Scott):** Marginally.

**Mr. Michael Giles:** Let me just check.

**Ms. Mary-Margaret McMahon:** Is it earbud—

**The Chair (Ms. Laurie Scott):** Do you have earbuds?

**Mr. Michael Giles:** No, not on me.

**The Chair (Ms. Laurie Scott):** I think we're okay on our end. We are checking, and we have paused your time, so don't worry about that.

**Mr. Michael Giles:** Oh, okay. Is it okay now?

**The Chair (Ms. Laurie Scott):** Well, it's a little better, but it's not great.

**Mr. Michael Giles:** Do you want to try coming back to me and I'll try—

**The Chair (Ms. Laurie Scott):** Give us some test words or something here.

**Mr. Michael Giles:** Oh, okay: testing one, two, three, testing.

**The Chair (Ms. Laurie Scott):** It really isn't—is there any way you can adjust, and we can maybe go to the other presenter while you're doing some adjustments? Would that be possible?

**Mr. Michael Giles:** Sure. Let me check on that.

**The Chair (Ms. Laurie Scott):** Would you mind?

**Mr. Michael Giles:** Not at all.

**The Chair (Ms. Laurie Scott):** Okay.

So the Rouge Duffins Greenspace Coalition: Bonnie, do you want to give us a test to see how you sound?

**Ms. Bonnie Littley:** How's that?

**The Chair (Ms. Laurie Scott):** Well, it's better.

**Ms. Bonnie Littley:** I can speak up more.

**The Chair (Ms. Laurie Scott):** Yes, and just state your name for the record, please.

**Ms. Bonnie Littley:** My name is Bonnie Littley. I was one of the co-founders of the Rouge Duffins Greenspace Coalition and former regional councillor with the city of Pickering.

Should I just keep going?

**The Chair (Ms. Laurie Scott):** You're okay, yes.

**Ms. Bonnie Littley:** Okay.

We were extensively involved, the coalition, and worked hard for many years on preserving public lands in Pickering, Scarborough and Markham. Specifically, the Duffins Rouge Agricultural Preserve, Rouge Park lands, Seaton and airport lands.

I could tell you that no greenbelt lands are needed for housing; your own task force, municipalities and many NGOs have told you. I could tell you that this has nothing to do with the housing crisis. It will do nothing for the housing crisis, especially affordable housing, when the cost of all of the changes are getting passed down to the taxpayer, especially renters. You know that; others have told you. Growth will not pay for growth.

I could tell you about the dangerous game of cutting the conservation authorities' oversight; again, others have told you. I could tell you about the importance and value and loss of agricultural prime lands and ecological functions. The OFA just did a fantastic presentation on all of that.

I will focus my comments on the preserve and the real science of how it was and why it was created.

Minister Clark stated on Tuesday in the House, "The current mayor, Mayor Kevin Ashe, in Pickering has said it better than I could, Speaker. I'll quote him now. He said that that land was put in"—he means the greenbelt—"based on 'political science,' not 'real science.'"

The minister went on further to add, "I'm with former mayor Ryan. I'm with Mayor Ashe. I'm not going to deal with political science. We're going to deal with real science on this side of the House." I'm glad the government is interested in the real science and not the political science in regard to the ag preserve establishment.

There are years of planning documents and studies supporting protecting the lands as agricultural, and under

three different provincial governments: the NDP, Conservatives, then the Liberals. The province released the North Pickering project in 1975; the Seaton Planning + Design Exercise, 1994; the Duffins Rouge Agricultural Preserve strategy, 1995; and then the town of Pickering's own 1997 rural study. They all recommended to protect the preserve, all informed by extensive study and science, and then the Central Pickering Development Plan in 2006. There's the science.

Isn't it curious that the only study that recommended development in the preserve is the city of Pickering's growth management study that Mayors Ashe and Ryan are referring to from 2003? It's the only study with developer influence and paid for by Silvio De Gasperis and other landowners in the preserve, ignoring all the previous studies and science without developer influence that informs making the lands an agricultural preserve in the first place. The public didn't buy that in 2005—that's actually the last time I've been at a standing committee; it was 2005—and they still don't now. I can only assume the McGuinty Liberals didn't buy that either, and that's why they put the ag reserve into the greenbelt, placed a minister's zoning order on it and gave it its own legislation, the Duffins Rouge Agricultural Preserve Act, effectively reinstating the easements that Pickering had no right to release.

In fact, it was the Conservative government in 1999 that put forward the legally binding agreements and memorandum of understanding between the province, the region of Durham and the city of Pickering to place agricultural easements on the title of public lands being sold in the preserve to be protected in perpetuity.

The city of Pickering, the region of Durham and the province of Ontario have the moral and public duty to uphold their agreements for the public interest, not private interests. They still do. The point is, these lands were acquired by private land speculators when they knew there were easements legally protecting these properties as farmland in perpetuity. The acquisition of legally protected farmland, at discounted prices, followed by an aggressive lobbying campaign to have these protections removed, was purely an attempt to capture public wealth for private benefit that was outrageous in 2005 and is absolutely disgraceful today.

The provincial Conservatives could have sold these public lands to development themselves in 1999 and profited for the public purse. Protecting these lands in agriculture represents a massive public investment in Ontario's natural and agricultural systems. Removal of these protections amounts to basically theft from the people of Ontario. The second those easements are lifted, Mr. De Gasperis alone profits two thirds of a billion dollars without a single home being built, and the permanent loss of thousands of acres of prime farmland. Mr. De Gasperis could walk away. He could sell his lands to another developer with two thirds of a billion dollars in his back pocket, aided by our own government.

There has been much investigation into the Conservative Party's monetary relationship with Mr. De Gasperis and his influence. The council of the city of Pickering has

a long history of campaign contributions from him as well. I have to ask, has our government lost its focus on who it's supposed to represent? This is not for the public good and this is not for the public interest. Surely you can see that this is so wrong.

Yes, Minister Clark and your side of the House, recognize the real science on this and uphold your commitment—

**The Chair (Ms. Laurie Scott):** I'm sorry, the time allotted is up. Thank you very much.

We'll now go back to the Residential Construction Council of Ontario and hopefully we can hear you better. Just state your name at the beginning of the presentation.

**Mr. Michael Giles:** Yes, Chair. Can you hear me now?

**The Chair (Ms. Laurie Scott):** Speak loudly still.

**Mr. Michael Giles:** Okay. I'll move closer. Can you hear me at all?

**The Chair (Ms. Laurie Scott):** Yes, I think we're okay.

**Mr. Michael Giles:** Okay. I'll give it a shot then; thank you. Sorry about that. My name is Michael Giles, director of municipal affairs at the Residential Construction Council of Ontario. I'll get as close as I can.

Good afternoon, members of the Standing Committee on Heritage, Infrastructure and Cultural Policy. Thank you for this opportunity today to speak to you on behalf of the Residential Construction Council of Ontario regarding Bill 39, the Better Municipal Governance Act. Rescon represents builders of all forms of high-rise, mid-rise and low-rise housing in the province of Ontario. Today's consideration of the Better Municipal Governance Act takes place at a time when people across our province, but particularly within the greater Toronto and Hamilton area, are having to contend with unprecedented challenges with respect to housing affordability and supply.

Can you hear me?

**The Chair (Ms. Laurie Scott):** Yes.

**Mr. Michael Giles:** I would venture to say that few among us would disagree that our current and enduring housing crisis is the most significant ever faced by this province. We should also consider that, as we discuss the provisions of this bill and its policy implications, it is sometimes too easy to become so focused on legalities, sections and subsections, as well as legislative technicalities, that we forget at its core we are considering the latest in a series of actions undertaken by this government to facilitate the creation of housing supply and the improvement of housing affordability for potentially millions of Ontarians currently residing in our province or who will call it home in the years to come.

1520

That we are in a housing supply and affordability crisis is undeniable. Recognizing this dire situation, the provincial government has identified the need to construct 1.5 million homes over the next 10 years if we are simply to meet the current growing demand for housing units. Put another way, if we are to meet this target, we will essentially need to double the amount of housing we are currently building.

The Canada Mortgage and Housing Corp. recently noted that Ontario is among the least affordable housing markets

in this country. CMHC indicates that just to get us back to the affordability levels we had in 2003-04, we'd need to build 1.85 million homes in the next eight or so years. In previous presentations to this committee, Rescon's president, Richard Lyall, pointed out that this country currently ranks 34th out of 35 Organisation for Economic Co-operation and Development countries when it comes to the length of time it takes to get a general construction permit for a project approved. If that's not bad enough, we're 64th out of 190 in construction permitting, according to the World Bank. Add to this that, per capita, we have the highest immigration rates among G7 nations, but also the lowest housing supply and the highest housing costs.

On November 1 of this year, the federal government announced that their immigration targets are increasing so that by 2025, just three years from now, the goal is to admit 500,000 newcomers per year. We know that the majority of these people choosing to come to Canada will locate to Ontario, in particular the GTHA. We definitely need robust immigration levels, because frankly our demographics without these newcomers would simply not be sufficient to support continued economic growth nor the sustainability of important programs like the Canada Pension Plan or our health care systems.

We need heightened immigration levels, but with these increased targets we also see the additional pressure for residential housing construction. Those we welcome to this country deserve to have a safe, secure, comfortable and affordable place to call home. This is not just about housing construction or development processes; it's about equity and fairness. We continually make reference to a housing affordability and supply crisis, and that's exactly what it is in this province. For too long—and unfortunately this continues in some circles—many talk about a housing crisis, but their actions don't show they believe that it exists or that it is urgent.

The Oxford dictionary, in its definition of the word "crisis," notes that it is "a time when difficult or important decisions must be made." Well, this is certainly one of those times. Crisis situations require immediate and, yes, sometimes dramatic and unprecedented action. Otherwise, there simply will be no solution.

This government, to its credit, has embarked upon the most significant housing action plan we've seen in generations. This includes, but is not limited to More Homes, More Choice; More Homes for Everyone; Strong Mayors, Building Homes; More Homes Built Faster; and now the legislation we are discussing today, the Better Municipal Governance Act.

With respect to Bill 39, the Better Municipal Governance Act, Rescon supports the amendments that will increase the so-called strong-mayor powers already extended to mayors in the cities of Toronto and Ottawa. These added provisions were, as we understand it, requested by the mayor of the city of Toronto. In providing these mayors with the ability to propose and amend municipal bylaws related to provincial housing priorities, this bill is taking what is an admittedly unprecedented step in terms of municipal governance in this province. But, as

noted in my previous remarks, who among us would dare to argue that these are not unprecedented times when it comes to housing affordability and supply?

I have been fortunate enough to know some members on this committee personally, as I served in government for over 30 years before beginning with Rescon. Over many of those years, I've seen how difficult it can be to get things done in many instances with government. Frankly, in view of what is facing us in this affordability crisis, we simply don't have the luxury of more wasted time when it comes to the implementation of solutions.

In allowing mayors in these municipalities—and likely others to come—to approve much-needed bylaws with just one third of council approval, this bill is providing the tools to the heads of these councils that they need to advance housing solutions. It is for this reason that we support this significant part of Bill 39.

With respect to regional government, Rescon is also supportive of Bill 39 in providing the tools needed to determine how to ensure the best possible governance in these regions—Durham, Halton, Niagara, Peel, Waterloo and York. Bill 39 is laying the groundwork to advance the implementation of more efficient, responsive and effective government in these important regions of the province with respect to housing. At its core, the objective of this part of the bill is to ensure that housing affordability and supply can be delivered—

**The Chair (Ms. Laurie Scott):** Final minute.

**Mr. Michael Giles:** —in the most effective way possible.

Rescon also supports the Duffins Rouge Agricultural Preserve Repeal Act. We look upon this as an opportunity to free up important land and areas of the province for residential housing. As noted, we are in the midst of the most pressing and unprecedented housing affordability and supply crisis this province has ever seen. The housing crisis presents the single biggest threat to Ontario's future prosperity, because, indeed, housing, being a critical need, is simply indispensable in its own right and a fundamental element for all other social policy objectives. Albert Einstein once said, "Insanity is doing the same thing over and over again and expecting a different result."

Bill 39, like the other pieces of legislation, ensures that we are doing things differently. It is for this reason that Rescon supports Bill 39.

**The Chair (Ms. Laurie Scott):** Good job, and under the wire.

Thank you very much to the three presenters. We'll now move on to the question-and-answer part. MPP Burch from the official opposition, please go ahead.

**Mr. Jeff Burch:** Thank you to all the presenters for joining us this afternoon.

I'm going to start with Bonnie from the Rouge Duffins Greenspace Coalition. Thank you very much for joining us. I was really interested in the part of your presentation—it's great to have some folks from the area joining us because you have that local knowledge. You talked about how public money was invested at the time that this land became protected. And it could have been sold. I don't

think that was the wise thing to do, but it could have been sold for public profit. But it was preserved for the public good. Can you expand on that a little bit? Because I thought that was a really important insight.

**Ms. Bonnie Littley:** I think all of the studies that I mentioned go right back—this land was expropriated; it goes right back to 1972 and 1975. All the studies supported keeping that agricultural land and had the forethought to consider it for future generations. If anything, like the OFA is saying, we should be creating more agricultural preserves, not getting rid of them. This disappearing farmland has been going on for years—300 acres—for decades. We were talking about this in 2005. I have all this information on flyers that we were giving out to the public. I could hand out the same flyer today—that's how sad this is—about the developer influence and about the promise to keep it in perpetuity, the need to keep agricultural land, the ecological function of the preserve, all of these things. So many studies, so many plans supported that, to have this longer-term vision of agriculture in that area. And as the OFA just said, it's supported by the farming in the Rouge national park and that larger land base that enables farming close to the city.

The minister mentioned also looking at agricultural land next to urban centres. Do you know how much agricultural land in Ontario is next to urban areas? That's sprawl logic from the 1970s and 1980s. I thought we were moving forward with the greenbelt and the Places to Grow Act, trying to rein in out-of-control sprawl, which we all know costs a fortune to maintain. That was going forward with the Places to Grow Act to try to create more compact, sustainable communities that can support transit. There has to be a balance and we can't just keep gobbling up farmland, especially in this case, when that money, like you say, is going to go to private interests instead of public interests. Two thirds of a billion dollars could be walking away. It's just outrageous.

**Mr. Jeff Burch:** I asked the Greenbelt Foundation this question earlier: Why would a developer buy farmland? It's clearly not for farming. We talked earlier this week in the Legislature about Mr. De Gasperis, who you mentioned, actually taking out a loan for \$100 million at 21% interest on land that's supposed to be farmland in perpetuity. So, locally, as you've watched this evolve, how obvious is it to you what's going on here with the banking of land? And can you give us a little history of how you've seen this develop?

1530

**Ms. Bonnie Littley:** Our whole coalition involves lots of neighbourhood groups, lots of environmental and farming organizations that we gathered from 1999 and 2000 right up until—we thought we were done. We didn't think we'd be back here.

It became really obvious when Pickering council tried to push to remove the easements. It became really obvious when developers were coming to council, trying to get those easements revoked. I think the biggest mistake was letting the city of Pickering hold them in the first place. They talk like they have the right to do it, but they signed

legally binding agreements through a memorandum of understanding with the province of the day—with the Conservatives—and the region of Durham and the city of Pickering.

We're trying to look at the public good here, not just developer speculation on land. These should probably have been put into a trust at arm's length from the government, with trustees. It's pretty sad now when we're not trusting our own government to uphold their commitments.

**Mr. Jeff Burch:** Thank you for that.

I just want to move to the Ontario Federation of Agriculture. Thank you very much for being here. We appreciate all the work you've done. We were talking to AMO earlier; like AMO, your federation tries very hard to work with everyone. You try to work with whatever government is in power. There have been some strong statements recently by the federation, just as there has been from AMO, and I think that that speaks for itself.

I was wondering if you could expand a little bit more on when you talked about how having farms close to businesses is important. With the issues we've seen with supply chains and food security and how that has fed into inflation, just how important is it to have farms that are close to businesses for our food security?

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Peggy Brekveld:** Agriculture systems are bigger than just individual farms. It's about being able to farm properly because you have all the resources nearby that you would possibly need, or at least access to them. The community that we're looking at—truly, they need a system. They need to be able to access their fields and get in and out of their fields. They need to get grain to their cattle. They need to be able to do the normal farm practices that are actually listed in an act, and be able to do that without the pressures of the urban constantly on them.

On the opposite side, urban areas eat the food that we grow, so there will always be this symbiotic relationship. The challenge is always going to be, how do you draw the line and how do you ensure that both can function the way they need to? I think we can do that if we hold strong urban boundaries and we actually protect farmland where it is.

**Mr. Jeff Burch:** Thank you.

**The Chair (Ms. Laurie Scott):** Thank you very much. MPP McMahon, for your round, please.

**Ms. Mary-Margaret McMahon:** Sure. Thank you very much to everyone who came in, physically and online. I really appreciate hearing from you—the history, your passion, your knowledge. Thank you.

My first line of questions is for Peggy. Again, thank you for coming in. I learned a lot from you the last time you were here and I'm thrilled you're back. You whipped out a bunch of factoids; I think you need to take out some billboards all over the place to educate us, because lots of us forget where our food comes from, I think.

But you mentioned that Ontario is one of seven regions globally that exports more than it grows. Specifically, 1,600 farmers will be affected if this bill goes through. If you can speak to us a bit more about the effect on farmers and what you're actually hearing from farmers first-hand, I'd appreciate it.

**Ms. Peggy Brekveld:** The challenge with development or renting land is that you always feel like you can't quite make the investments you want to. In the process right now, farmers that are there are currently renting the land, but it has given them a lot of insecurity. What the easements actually did was ensure that things remained as farmland, so there was a potential there that I can continue to rent that property. When you take that away and give that to developers, even between the time when the houses are going to be built and now, you actually turn off the investment in those properties.

And I think what we're forgetting, more importantly, though, is that it's class 1 soil. This is the best farmland in the province—and actually, in Canada—in those areas where it's class 1. So you're going to be able to put the least inputs in it because the soil is already that rich there. I think that sometimes we forget, and we look at a field and we think we can just easily build houses there because it's flat and it's wide and open and I don't have to take anything down etc. But other on the other side, encouraging sprawl simply causes cities to have to deal with more infrastructure. It causes more roads and challenges to other farmers that are there. But most importantly, it takes away the very food that's going to feed the city.

**Ms. Mary-Margaret McMahon:** Right, and we've heard the factoid over and over again: 319 acres a day, we're losing. You mentioned 900,000 acres of farmland, but so much decline, like 4%.

**Ms. Peggy Brekveld:** That's in the GTA, so 900,000 acres of farmland in—sorry, not the GTA, in the Golden Horseshoe. My apologies. The 900,000 acres—it has declined about 4% in only the last five years, so between the last two censuses. That works out to about 40,000 acres of farmland. Even at 319 acres of farmland—and I've said this before, it's 75 million carrots or 25 million apples or 1.2 million bottles of VQA wine.

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Peggy Brekveld:** Whether they're growing that crop or something else, it's about food. Every time we lose acres, we're losing food.

**Ms. Mary-Margaret McMahon:** And it's that, which is, we want homes for everyone and, at the same time, we want food for everyone. So how to do that simultaneously and do it well? In your opinion, do we need to build homes in Duffins Rouge?

**Ms. Peggy Brekveld:** There are excellent ways to intensify inside of the city limits, and you have examples in Toronto itself, you have examples in Waterloo, and you even have communities like Hamilton that have said they would happily hold the boundary and build in and up. Let's work with them.

**Ms. Mary-Margaret McMahon:** Okay, sorry. I'm at my time. Thank you.

**The Chair (Ms. Laurie Scott):** We now move to the government side for seven and a half minutes. MPP Grewal.

**Mr. Hardeep Singh Grewal:** My first question is to Peggy from OFA. First of all, thank you for being with us here. My question to you is, what's your opinion on the increase in farmland of the government adding 9,400 acres, but adding a total of a net 2,000 acres to the greenbelt?

What's your thought process on that? Do you think that's a good thing that the government is doing, contributing that back?

**Ms. Peggy Brekveld:** So the majority of the land that's being removed is actually farmland—

**Mr. Hardeep Singh Grewal:** I'm just asking about the area that's being added to the greenbelt. Are you supportive of that?

**Ms. Peggy Brekveld:** The land that's being added is riverbeds—

**Mr. Hardeep Singh Grewal:** Regardless of what it is, are you supportive of that being included in the greenbelt?

**Mr. Jeff Burch:** Chair, I have to call a point of order on this. There's a line that you cross when you're harassing a person who's just trying to answer a question, and I think that line's being crossed.

**Mr. Hardeep Singh Grewal:** MPP Burch, I can ask you the same question. Are you supportive of adding 2,000 acres to the greenbelt? It's a very simple question. I'm not attacking anybody, and I apologize if it comes out as an attack.

*Interjections.*

**Mr. Hardeep Singh Grewal:** Okay, I'll take it back to the housing. No problem. We'll continue with that conversation.

**The Chair (Ms. Laurie Scott):** Okay, just one person at a time talking. That includes the MPPs. So please go ahead.

**Mr. Graham McGregor:** Was that a valid point of order?

**The Chair (Ms. Laurie Scott):** That was my ruling, as I just said right now. Okay. Now, who is answering—you had a question? You can finish your question.

**Mr. Hardeep Singh Grewal:** My question was, are you supportive of the net 2,000 acres added to the greenbelt?

**Ms. Peggy Brekveld:** It's riverbeds and waterways that are already protected. So I can support it, but it certainly isn't going to help us preserve farmland.

**Mr. Hardeep Singh Grewal:** My next question after that is I'd like to talk about the greenbelt and the way the greenbelt was touched over the last previous government. It was touched about 17 times, and there were no real net gains coming out of those movements, either creating parking lots, creating Lowe's department stores, creating golf courses or creating multi-million-dollar mansions with some parcels that were removed from the greenbelt by the previous government with no real mandate to build houses on them.  
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When we talk about the government's direction to these developers when it comes to the lands being ready by 2023 and that, if they're not under construction by 2025, those lands are to be pushed back in the greenbelt, for the express development of that area—what's your thought process with the idea? If developers hold on and speculate with these lands, our government will push for those lands to be put back into the greenbelt. What do you think about that?

**Ms. Peggy Brekveld:** You're still removing farmland from the greenbelt. So I think to myself, farmers, and that includes ones I know personally, are still going to lose the ability to grow feed for their animals or food for people.

**Mr. Hardeep Singh Grewal:** When we talk about the Duffins Rouge Agricultural Preserve, when's really the last time the majority of that area was being farmed? To date, is it being farmed actively—the entire region, you would say—or is it not being farmed at the moment?

**Ms. Peggy Brekveld:** It's being rented by farmers in the region in order to produce the crops they need to either feed their cattle or to grow food for people.

**Mr. Hardeep Singh Grewal:** So, right now as I take it, the majority of that is being used to feed cattle, not humans. Would that be a fair assessment?

**Ms. Peggy Brekveld:** In the end, it all feeds people.

**Mr. Hardeep Singh Grewal:** Obviously, but is that a fair assessment right now, that that land's pretty much being used to feed cattle?

**Ms. Peggy Brekveld:** It's being cropped in—

**Mr. Hardeep Singh Grewal:** I'm not saying the entire lands, I'm just talking in figures of—

**Ms. Peggy Brekveld:** No, no—

**Mr. Jeff Burch:** Could you let her answer the question—

**Mr. Graham McGregor:** Could you let him ask the question?

**The Chair (Ms. Laurie Scott):** Okay. Right now—

*Interjections.*

**Ms. Peggy Brekveld:** Food is food, and agriculture is food, fuel and fibre and flowers. All of those things matter to you. Whether it's food for the soul in flowers or fibres that we use to make hemp products or whether it is fuel on your land—

**Mr. Hardeep Singh Grewal:** I'd like to thank you—just for the reason of time. I'm hugely supportive of farmers. I come from a farming generation and background. My family also owns farmland. We love supporting the farmers.

The fact of the matter is, we are in a housing crisis, and lots adjacent to this—I believe the members across have a very short memory. Lots adjacent to this in Pickering were also removed from the greenbelt for the creation of houses. But they weren't done with a plan that implements development and that if it's not developed, it's pushed back into the greenbelt. I think those are things that our government is proactively looking at, where either we're adding net new 2,000 acres into the greenbelt or we're making sure that these lands are actually being developed, and if not—we're not making room for speculators—we're pushing those lands back into the greenbelt.

I'd like to share the remainder of time with MPP Pang.

**The Chair (Ms. Laurie Scott):** MPP Pang.

**Mr. Billy Pang:** My question is for Rescon. Thank you for your presentation earlier. Now we are discussing Bill 33. A lot of time we are out of scope, but now we are talking about the Better Municipal Governance Act, 2022. We know the housing crisis is caused by a severe lack of supply. How do you think this bill can help to increase the housing supply?

**Mr. Michael Giles:** Thank you for the question, member. I think what this bill does is streamline the processes, the development and application processes, by which housing should potentially move forward. Having worked in gov-



ernment for years, I've seen how that has been cumbersome. It's been slow, it's not responsive, and this bill will put in place the kinds of mechanisms that, frankly, we've needed for quite some time so that we can see approvals move past it, and where there are roadblocks put in the way, they can be moved out of the way and we can see the approvals we need.

**Mr. Billy Pang:** So how do you think this bill can help the housing supply be more attainable in Ontario?

**Mr. Michael Giles:** Well, one of the major challenges to meet housing affordability and supply is simply that the process we use to approve the applications and projects is simply too slow. It can take several years for these projects to be approved. So what this bill does is give these councils or these particular elected officials the ability to expedite the approval of projects that are desperately needed to provide housing, particularly in the greater Toronto and Hamilton area. It's part of a suite of things. I mentioned the other bills that were put forward, some of which have already been approved. That whole package is all about expediting the creation of housing: affordable housing and housing that is affordable. By 2043, there will be 21 million people living in Ontario. If we don't have these mechanisms in place to approve housing faster, we're simply not going to be able to provide them safe, affordable and secure places to live, and that is the foundation upon which all of this success comes.

We've been talking a lot about agriculture. Absolutely, food is extremely important—there's no question about that—but so is shelter. It's the basis upon which all other success in life emanates. If you don't have a place to live, you're likely not going to have a successful life.

**The Chair (Ms. Laurie Scott):** Final minute.

**Mr. Billy Pang:** My last question is, when we are dealing with this housing crisis, what do you think this bill can help? Because a lot of our witnesses are very concerned about affordable housing. What do you think this one can help?

**Mr. Michael Giles:** Well, this bill can help because there's no question that one of the biggest challenges is the process by which development applications are approved. They can become bogged down and they become caught up in all sorts of governmental mechanisms. What this does is it gives these elected councils, and particularly the mayors in these locations, the ability to advance quickly and remove roadblocks out of the way, to ensure that housing is approved.

The more housing we have, the greater supply, the more affordable. That is simple market economics: If you have more housing supply, you'll have more affordability and people will have places to live where they can afford to live. Otherwise, it's just simply not going to happen. We're going to continue to lose young generations from our cities who simply can't afford to live there.

**The Chair (Ms. Laurie Scott):** Thank you for your time. That's all the time we have this round.

We'll go to the official opposition. MPP Bell.

**Ms. Jessica Bell:** Thank you to the presenters for coming in, online and in person. My first question is to Peggy from the association of agriculture. The one question

I had first was around your position on the government's decision to expand urban boundaries in some areas across the GTHA and beyond. Does the OFA have a position on urban boundaries and what impact that would have on farmland?

**Ms. Peggy Brekveld:** The expansion of urban boundaries is kind of the tool of last resort. We have so much land inside of the urban boundary that we can already develop or renew and review. As I said the last time I was at this committee, when you look outside these walls in Toronto, you look at those cranes and you know that you can build in and up. You can renew and review and you can start again, and make great things happen inside of an urban boundary—because Toronto can't expand beyond it; it butts up against other communities.

The strength of staying inside of an urban boundary is also demonstrated in Waterloo, where they decided that instead of expanding their boundaries, they have a definite line. You can go there and actually drive, and the country starts here, and the city on the other side. Inside of that urban footprint, they've decided to take warehouses that weren't used and make them into shops and businesses on the main floor and condos above. They took the time to actually analyze what families look like today. They actually discovered that there was a much greater need for single apartments and double apartments etc.—condos—than there was for single detached dwellings for families of four and six.

I have five kids; the majority of the population is looking at one or two, and sometimes even none. So let's build what we actually need, let's build it inside of the footprint and let's make our transit lines work better. Let's ensure our infrastructure is well utilized. Renewing that infrastructure—should it need it, because we've built up more and such—may cost more initially, but it won't cost more in the long run than the sprawl you're going to have to maintain if you expand past those urban boundaries.

**Ms. Jessica Bell:** Thank you for that. I'm with you on working within urban boundaries instead of contributing to expensive suburban sprawl and threatened farmland.

My next question is to Bonnie Littley from the Rouge Duffins Greenspace Coalition. Bonnie, I was struck by what you noticed Minister Clark did, where he identified one study from 2003 to give the impression that the community was on board, essentially, or maybe that elected officials were on board with removing the Duffins Rouge Agricultural Preserve from the greenbelt. Can you give me a summary of where you think public opinion is at when it comes to preserving this land versus allowing development on this land?

**Ms. Bonnie Littley:** People have been battling the city of Pickering since pretty much—the ink wasn't dry on the documents and agreements that they committed to before Mr. De Gasperis and other developers started putting pressure on Pickering council to remove the easements.

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The community has been fighting this since 2000, and when it got put in the greenbelt—it's got its own agricultural preserve act. The ministerial zoning order to stop Pickering—they took away their planning rights. They did

the central Pickering plan in 2006—the province did—whereas Seaton is the urban, which has been the plan since 1975. Seaton was urban. The ag preserve stays between the Duffins Creek and the Rouge Park to have an agricultural and ecological link from the lake all the way to the moraine. That was our campaign name: Link the Lake to the Moraine.

The community has been battling this for so long, and they thought, “We’re in the greenbelt. We’ve got all these protections.” It’s probably the most protected land in all of [inaudible] one stroke of a pen, which is absolutely outrageous. People have died. This is their life’s work. They have worked on protecting these lands, and they’re gone now, like Lois James, the mother of the Rouge Park. I don’t know if anybody knows these people. Lorne Almack—the OFA will know who Lorne Almack is, who has been fighting this since the 1990s.

The community right now, we have regrouped. There are so many new people. There are rallies and protests everywhere, at every MPP office, which I’m sure everybody knows that as an MPP. They’re happening all over the place. People are outraged, absolutely outraged that this could possibly happen, that this, which took so long to put together, can be unravelled in, what, 30 days. People don’t even have a grasp of the massive amount of bills and changes that are coming to their democratic process, what they get to be consulted on, everything. And the consultation period is just not democratic. Like, the greenbelt itself, I think, had two years of stakeholder consultation with stakeholder meetings—everybody, every NGO, farm organizations, individuals, housing people, affordable housing, development. That process was thorough to create the greenbelt in the first place. So, yes, people are outraged.

**Ms. Jessica Bell:** It is shocking that there are over 14 million people in Ontario and this is all the people who can speak to Bill 39. It’s stunning.

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Jessica Bell:** My final question is again to Peggy from the OFA. I want to just follow up on what MPP Singh Grewal said. What’s your assessment of the idea of land swaps when it comes to the greenbelt and the land that’s being swapped in?

**Ms. Peggy Brekveld:** Land swaps—it doesn’t affect farmland the way you think it would. In fact, it doesn’t matter what colour belt farmland lands in. Farmland is farmland. If you change the colour of the belt, it isn’t going to change the fact that you took farmland and turned it into houses. How are you going to feed people if you keep turning farmland into houses?

We can do more modernization. We can improve processes. I agree with some of the things the minister is saying, but at the end of the day, we still need a location. And location requires climate, soil, water.

**The Chair (Ms. Laurie Scott):** Thank you very much. MPP McMahon, please.

**Ms. Mary-Margaret McMahon:** My questions now are for Bonnie from the Rouge Duffins Greenspace Coalition. I’m so glad you’re here to give us all your history and hear your knowledge. Feel free to take up time with more of that. My first question is, what are you hearing from your

neighbours, your community, your members of your group, people who, as you mentioned, have been fighting this good fight to preserve our wetlands, our farmlands forever, especially with Duffins Rouge? What are you hearing from people about Bill 39?

**Ms. Bonnie Littley:** Sorry. What was the last part of that question?

**Ms. Mary-Margaret McMahon:** What are you hearing from your community and members about Bill 39 specifically and the possible repeal of the Duffins Rouge Agricultural Preserve?

**Ms. Bonnie Littley:** Well, I just said, they’re completely outraged because there were commitments made. All provincial governments in 1999 signed on and agreed that this was what to do, to make an agricultural preserve, and it was the Conservatives that put the easements on. People thought it was safe. They were trusting their government.

There was an earlier presentation by those young people and a couple of other people, talking about the erosion of public trust for government officials. People don’t vote because—why? Why should they vote? They feel like it doesn’t matter what they say. They feel like it doesn’t matter about the government’s commitments; they can just turn it over in a second.

What we’re hearing is anger. People are angry. People are panicking. People don’t understand all the legislation and they shouldn’t have to. They know that lands are being taken out of the greenbelt. As for the lands being put in the greenbelt, they should have been in the greenbelt anyway. We should be expanding the greenbelt.

As soon as you start chipping away, like the OFA says, then it just spurs on more developer speculation: “Let’s just go and buy this piece now, or buy this piece.” Because who else is knocking on Doug Ford’s door right now—“Where’s my piece of the pie?” It just really undermines the whole idea of trying to rein in that sprawl, have more managed growth, create your housing. We already know there’s tons of land; we’ve heard it over and over again. I don’t think the government is listening, but it’s there. Even the municipalities are saying they have enough land.

I think that John Sewell was right on creating a proper program to develop affordable housing, and I don’t think that’s there either. I don’t know; I’m getting off topic.

**Ms. Mary-Margaret McMahon:** That’s great. Thank you. So we’re not inspiring people and we’re not giving them faith in their government.

**Ms. Bonnie Littley:** Absolutely not.

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Mary-Margaret McMahon:** Just in the final minute—one piece of advice to us as we consider Bill 39.

**Ms. Bonnie Littley:** Hands off the greenbelt, especially the ag preserve. Respect the commitments and the agreements that were made. Consider making more agricultural preserves, but maybe this time put it into a land trust with trustees so it’s at arm’s length from government, because this can happen this quickly and we can’t trust our own government to look out for the public interest on this.

**Ms. Mary-Margaret McMahon:** That’s a sad day when we can’t trust the government; I agree. Thanks.

**Ms. Bonnie Littley:** I am just appalled.

**Ms. Mary-Margaret McMahon:** Thank you so much.

**Ms. Bonnie Littley:** Thank you.

**The Chair (Ms. Laurie Scott):** We'll now move to the government. MPP Sabawy?

**Mr. Sheref Sabawy:** My question is for Mr. Michael Giles from Rescon. When dealing with residential home builders and developers and even regular people who are trying to build their own houses, how many times have you heard that something was delayed because of the province?

**Mr. Michael Giles:** We actually don't hear about delays as a result of the province. The mechanisms in place that the city has are insufficient to manage development applications. That's part of the problem. There are too many roadblocks with council. There's too many institutional blocks. What this bill will do is provide the tools to the mayors and to the councils with a one-third vote to pass what needs to be done to advance a project application.

**Mr. Sheref Sabawy:** How long does it take for a cycle, in your opinion, from developers taking over a project to the time we have something to sell?

**Mr. Michael Giles:** It depends on the project, but that can take three, four years. I mean, it's not unusual to see four or perhaps five years for a development application to go from submission to approval.

**Mr. Sheref Sabawy:** So all this delay is on the municipal side, in your opinion?

**Mr. Michael Giles:** Mostly on the municipal side, yes. The legislation, for example, when it comes to the province, will help that.

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**Mr. Sheref Sabawy:** In your opinion, if we need to speed up the process to build 1.5 million new homes, don't you think that Bill 39 is going to add value to accelerate that and give the mayors some powers to accelerate the process?

**Mr. Michael Giles:** I would say that, without Bill 39 and the other bills, we're simply not going to get to 1.5 million homes. It's just not going to happen.

**Mr. Sheref Sabawy:** Perfect, thank you very much. I'm giving the rest of the time for my—

**The Chair (Ms. Laurie Scott):** MPP Smith.

**Ms. Laura Smith:** Thank you, Madam Chair. I'm just going to—

*Interruption.*

**Ms. Laura Smith:** I'm going to get into trouble because I've got this going back and forth. I'm just going to pull this out and I'll put it back in so I can hear Mr. Giles.

I was very interested when you were talking about the targets. You also talked about the high immigration rates—in 2025, 500,000 newcomers—and the necessity for providing an efficient system and affordable housing. You mentioned something—and I'm sorry, maybe it was because we were having problems hearing, but you said we were ranked—is it 34 out of 35? Sorry, could you—I just want to put this in so I can hear this.

**Mr. Michael Giles:** Yes, so, in terms of the Organisation for Economic Co-operation and Development, we are ranked 34th out of 35 in terms of processing development

applications. There's one country that's worse, and that's Slovenia.

**Ms. Laura Smith:** Sorry, repeat that?

**Mr. Michael Giles:** We are ranked 34th out of 35 Organisation for Economic Co-operation and Development countries in terms of the speed in which we process applications. Slovenia is the only country that is below us.

**Ms. Laura Smith:** So we just come above Slovenia?

**Mr. Michael Giles:** That's right.

**Ms. Laura Smith:** Okay, all right. I know my friend beside me just asked—four to five years to get an application. What would you say to that—shovels in the ground, a done deal. What would that time frame be with the current situation?

**Mr. Michael Giles:** Yes, that range is depending on the developers themselves and how fast everything is sold. But it's not unusual to see projects take five, six, seven years from beginning to the fact of “for sales” and people moving in. It's not unusual to see those timelines.

**Ms. Laura Smith:** What other efficiencies would you say would increase, given the mandate and 1.5 million homes required? What other efficiencies would you say would improve things?

**Mr. Michael Giles:** I think one of the big ones is we need to see digitization. We need to see the modernization of the planning and development process, particularly in the larger municipalities. You look at other countries around the world. You look at places like Copenhagen, you look at places like Tokyo. They have the ability to process development applications in much faster timelines—sometimes in 12 to 18 months you can see a development application be processed. A city like Tokyo has had development equilibrium now for about 10 years, so the amount of demand is equal to the amount of supply. One of the reasons that is happening is simply because they have the processes in place that allow them to put through, manage and approve development applications within reasonable time frames. We just simply are not doing that.

**Ms. Laura Smith:** Cutting the red tape of creating a better paperwork system, you would say?

**Mr. Michael Giles:** Absolutely. It would be a more responsive and more efficient development process.

**Ms. Laura Smith:** Okay. Time?

**The Chair (Ms. Laurie Scott):** Two and a half minutes.

**Ms. Laura Smith:** Okay. You also mentioned something that I kind of liked. I liked the statement where you talked about insanity is doing the same thing over and over without positive results. Did you say that was Albert Einstein?

**Mr. Michael Giles:** That's correct.

**Ms. Laura Smith:** Okay. So we've presently had this system in place for how long. Let's talk about the extension of these powers on two-tiered municipalities.

**Mr. Michael Giles:** The reality is, these development processes have developed over a very long period of time. The problem is, they're not responsive to what's happening today. I note that people were talking about building up within, say, for example, our nation. We're already doing

that. We're looking to build up. In terms of around transit, around mass transit areas, they're giving higher densities. So we're doing all of those things.

If we could just build everything within the boundaries of one particular municipality, that would work, but the development application process has emerged over these years and it's just no longer responsive. And if it was responsive, then we wouldn't have a housing affordability and supply crisis. I mean, as Einstein says, it is the definition of insanity, doing the same thing over and over again and expect that we're going to get a different result. The only way we're going to get a different result is by the passage of legislation, like the type we're talking about today, that is going to actually make the development and application process much more efficient, much more responsive and end up giving people places to live.

I didn't mention this in my talk, but one of the highest demographics in terms of population decrease in the city of Toronto and the Toronto area is children under the age of 15. When I put that statistic out there, people say, "Well, how can 15-year-olds move?" It's not 15-year-olds moving; it's their parents and them. We're losing two generations of labour pool, and those people are not coming back, because they simply cannot afford to live where they want to live in the city of Toronto.

So we have to do something—and credit to this government; it's the first government in generations that has taken some very courageous steps. Quite frankly, some of the stuff we're talking about today is a courageous step, because it's not easy to do this, but it's necessary.

**The Chair (Ms. Laurie Scott):** You have 25 seconds left.

**Ms. Laura Smith:** Sorry; I'm just going to bring up another statistic, because I think you've raised so many interesting statistics today. Those 15-year-olds are part of the statistical information that you've gathered, because they're accumulated with their parents, so we're talking two generations now who are incapable of purchasing or renting property at this time, because of the—going back to Einstein's statement of banging our head against—

**The Chair (Ms. Laurie Scott):** Thank you. That's all the time we have.

Thank you so much to the presenters in this round. We'll give you a chance to either leave the screen or leave the front row there, and we'll ask for the next group to please come forward.

SOCIAL PLANNING TORONTO  
ONTARIO NON-PROFIT HOUSING  
ASSOCIATION  
WEST DON LANDS COMMITTEE

**The Chair (Ms. Laurie Scott):** In the next round, we have Social Planning Toronto, the Ontario Non-Profit Housing Association and the West Don Lands Committee. I think there are two in person and one on the screen for our next presenters, so we'll just give a second.

Social Planning Toronto is first up. Would you be able to begin? I'll just remind everyone to state their name at the beginning of the presentation, and please start.

**Ms. Jin Huh:** I think you unmuted me. I couldn't do it myself.

Thank you, everyone. Good afternoon. My name is Jin Huh, and I am the executive director of Social Planning Toronto, or SPT, a non-profit charitable community organization that works with hundreds of organizational partners across the city of Toronto. We collectively engage hundreds of thousands of residents and grassroots groups to build a more equitable, just, affordable and livable city, through research, civic engagement, policy change and advocacy.

Thank you, members of the standing committee, for having me here to speak with you today. I know it has been a long day for you, so I really appreciate your time. I'd like to speak to you about schedule 1 of Bill 39 and how it will impact communities across Toronto.

I really do appreciate the stated intention behind this bill, to help implement solutions to some big and complex challenges such as the housing crisis. With the affordable housing and homelessness crisis in Toronto, coupled with record-high food bank visits, rising inflation and costs, and more and more people who must choose between paying rent or feeding their families, we certainly need out-of-the-box approaches.

But this bill will not be good for communities. Majority rule at council is a bare minimum of good democracy. We are talking about removing the bare minimum. Every day in our work, we witness the many challenges and barriers facing low-income, Indigenous, racialized, newcomer and disabled community members in not only accessing services, but engaging civically to ensure policies are shaped to include their realities and the solutions are grounded in the real world. We are constantly trying to improve on the bare minimum of democracy to meaningfully engage community members.

It has been proven many times over that those most impacted by programs, services and cuts provide the greatest insight to how things can be improved for the better. One person, one mayor, can only understand things from one angle, one perspective. When only 60% of 30% of eligible voters—so effectively 18% of the city—voted for the mayor, and then he is given unilateral powers to introduce new bylaws and only is required to get support from eight councillors, this does not sound like a good approach to addressing the very complex challenges facing so many communities.

In a successful democracy, which is about power in the hands of people, diversity is our strength, and the solutions to the city's and province's and country's most complex problems are ones that must be addressed by the whole of society, not one person. Mayor Tory has many strengths, but he is no superhero; he will not single-handedly save Gotham City.

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If we take away the ability for the majority of city councillors to advocate on behalf of communities across the

whole city, we take away good democracy. We take away well-rounded, evidence-informed data and decision-making. We take away critical checks and balances, and we worsen the problems through blind spots and misinformation. If we only allow one third of council to make decisions, we cut the voices of those who are not represented in those decisions: We cut two thirds of the city out of the conversation. That means you are cutting 1.8 million residents in the city of Toronto out of the conversation. Access to democratic engagement processes had already been stripped away from residents in 2018 when the number of wards and councillors were reduced from 47 to 25.

We can't speak to Bill 39 in isolation from what these new mayoral powers are supposed to help implement; namely, at least to begin, Bill 23. Many experts have already spoken to Bill 23 and how, while it will reduce the costs for developers to build, it will actually result in a reduction in affordable housing, limit the municipal government's ability to secure revenue to pay for affordable housing and homelessness programs, and put more renters at risk of homelessness. More people will struggle to make ends meet as a result of your decisions here. In the end, these two bills, put together, will be costlier for governments, who will have to deal with the increase in homelessness.

One argument I have heard in favour of this bill is that it will address NIMBYism in city council. Representative democracy doesn't automatically equate to NIMBYism. We are questioning our basic democratic system when we suggest it does. I have worked with many of the councillors, new and continuing, and I assure you, the majority of them, like you, do not have a NIMBYistic approach.

The people of Toronto voted for these councillors not just because they can advocate on their behalf, but because they have a strong vision for the whole city to make it more affordable and livable. We should be looking at improving democracy as our country and province evolve, not finding ways to match our processes more closely with more authoritative regimes. This is not the solution to NIMBYism or the housing crisis.

Finally, I want to share a little bit about myself and my personal relationship to the bill. I am a proud Korean Canadian. My parents grew up in poverty during the Korean War and its aftermath, and our family and community are all too familiar with the critical importance of democracy and holding it sacred. We moved to Canada in the 1970s to look for a more democratic, fair and just home. We found it.

I am a proud Canadian, but today I am worried; I am less proud. These bills pit residents against developers. They pit the mayor against city council and councillors against councillors. They pit the residents of Toronto against the provincial government.

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Jin Huh:** They make us less proud to be Canadian.

Of all the things I have seen communities and whole societies get riled up about the most, it's democracy and threats to democracy and the power of the people. Please do not be the ones that go down in history as the ones who diminished what makes our country great. Yes, democracy can be messy and, at times, unpredictable, but if you look

at the history books, it's the power of the people that has ensured great advances in our society and that no one gets left behind, not one superhero.

I ask you to treat the municipalities with respect, the whole city of Toronto with respect, not just the one head of council. Please listen to the people and do not let the bill pass. Thank you.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation.

We'll now move to the Ontario Non-Profit Housing Association. If you would just state your name before you begin, please.

**Ms. Marlene Coffey:** Hello, hello. My name is Marlene Coffey, and I am the CEO of the Ontario Non-Profit Housing Association. We call ourselves ONPHA.

On behalf of ONPHA, thank you for the opportunity to provide feedback on the Better Municipal Governance Act. We aim to work collaboratively with all levels of government to build, protect and support community housing across the province.

As you may know, the Ontario Non-Profit Housing Association is the voice for non-profit housing providers in Ontario. Founded over 30 years ago as the sector's association, ONPHA represents over 700 non-profit housing landlords and local housing corporations through the province.

The community housing sector provides safe, affordable and stable rental housing for over half a million people in the province of Ontario who are low- and moderate-income earners. Our built assets are worth more than \$30 billion, and that does not include land.

Our sector plays an increasingly important role in providing housing solutions to the skyrocketing housing costs. Of course, we know that average rent has increased nearly 50% in the last decade. Right now in Ontario, 735,000 households cannot access an affordable home, and 200,000 are on the wait-list in community housing, sometimes with a wait-list of up to 12 years. Ontario needs to build at least 99,000 new community or supportive housing units to meet the immediate need, and another 260,000 units are required for capital repair.

We are encouraged by the government's progress to date to address the housing crisis, including a commitment to construct 1.5 million homes over the next decade. We are hopeful that Bill 39 creates another opportunity for all levels of government to collaborate to make additional funding and regulatory improvements to support affordable homes for operating and development. ONPHA encourages deep consultation with municipal, public and private sector partners as this legislative change, along with some others, is implemented.

Today I'll introduce some key recommendations to build, protect and support the community housing sector in Ontario, and these are to be considered moving forward. ONPHA believes that all levels of government play a role in healthy communities and the housing system.

Our first recommendation is that there are incentives and exemptions included. This encourages the creation of more deeply affordable housing supply—and for the private

sector to then sell those new properties to the community housing and not-for-profit housing sectors to ensure that the stock remains long-term and affordable in the system.

Our second recommendation is around income and rental assistance, and by this we mean to sustain and expand rental assistance and enhance other income support programs to keep people housed and prevent pathways into homelessness. This includes supporting the long-term viability of the sector as planned through the community housing renewal framework and, recently, the regulatory changes we've seen in the Housing Services Act.

The third point is about keeping housing viable. Looking ahead five, 10, 20 years, our sector is looking for a community housing sector that can effectively meet resident needs, that can grow sustainably, and that has long-term resilience and sustainability through effective funding and legislative frameworks. To achieve this, we hope to work collaboratively with all levels of government to ensure that we can build a community housing sector positioned for long-term success and believe that Bill 39 and other encouraging steps along this journey are taking place.

Thank you again for the opportunity to share ONPHA's perspectives with this committee. I look forward to your questions. Please do not hesitate to reach out anytime.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation.

We will now move to the West Don Lands Committee. Please state your name at the beginning.

**Ms. Cynthia Wilkey:** I'm Cynthia Wilkey, co-chair of the West Don Lands Committee. Good afternoon, and thank you very much for the opportunity to address the committee. My remarks concern only schedule 1 of Bill 39, what we call "the act to give our mayor a minority-rule superpower."

I bring you a perspective from the grassroots. The West Don Lands Committee is a coalition of community-based neighbourhood business, social service, heritage and environmental groups that have worked together for the past 25 years to contribute to positive growth in Toronto's east downtown and along Toronto's central waterfront and port lands.

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Our members represent more than 40,000 residents and hundreds of businesses. If you know the St. Lawrence Market area or the Distillery District, that's our part of the city. Our members are volunteers who work tirelessly to improve the city. Over 25 years, we have worked closely with our local councillors and developers to promote smart, sustainable growth that also responds to the particular needs of our community. Toronto's east downtown and waterfront is one of the fastest-growing and most successfully developed areas in Toronto.

We are experts about how our communities work. We are respected for using that expertise to add value to development projects. We rely upon our local councillors to bring the expertise that we have developed to bear on policy and development decisions that are made at council. I can't begin to describe how demoralizing it is to be faced with a prospect that Bill 39 would allow the mayor of Toronto to pass bylaws affecting planning, transit or other

important prescribed issues over the objection of two thirds of the councillors, including our own. We are mystified as to why, with all the powers to advance provincial priorities that have already been given to the mayor and the province, this draconian measure is needed. We are searching for a practical justification for a minority-rule superpower.

Right now, there are more than 17,000 new housing units in development. We've supported this in our community. We've supported this. We will soon have three new Ontario subway stops, and we've been involved in the development of that as well.

What exactly is the mischief that the superpower is intended to address? We see the minority-rule superpower as both humiliating and dangerous: dangerous for democracy, dangerous for integrity. I ask you to think about this in relation to your own communities. Think about how your constituents would feel about the mayor of your community exercising this minority-rule superpower.

In Thunder Bay, Markham and Mississauga—if my math is correct—the mayor and four councillors can enact bylaws over the objections of seven or eight other members of council. In Brampton and Vaughan, the mayor and three councillors could carry the day. Would your constituents thank you for granting that power to your own mayor working with a small minority of councillors? I think not.

This bill has been called undemocratic, and our community coalition couldn't agree more. Decision-making by majority is a fundamental principle of democracy. Don't we all know that? Democratic decision-making takes work. It requires putting in the effort to build consensus through discussion, transparency, accommodation of different perspectives, but that is how we maintain respect for our democratic institutions.

To paraphrase a legal axiom, decision-making needs to be seen to be democratic to be accepted as legitimate. The Bill 39 superpower opens a dangerous path at a very precarious time for democracy and for our institutions of government. Disrespect for and cynicism about the political process has never been higher. We see it through vicious social media attacks on elected representatives. We see it through falling voter turnout and growing apathy and disengagement. I fear a related effect will be loss of interest on the part of ordinary citizens, like our members, in contributing their time to shape their communities.

This is the worst possible time to be feeding negative beliefs about government. It is the worst possible time to stoke the growing belief on the part of voters and residents that what they think and what they contribute to their communities does not matter, that government does things to them, not for them. But that is the message Bill 39 sends to the 40,000 people that the West Don Lands Committee represents. At the whim of the mayor, we can be part of the 1.3 million or 1.8 million voters—we have different figures here—the just under two thirds that can be ignored when the mayor chooses to use his Bill 39 superpower.

I've asked you to reflect on how your constituents would react to this power being granted to your mayor. I've also asked you to consider the damage that Bill 39

does to a fundamental tenet of democracy and respect for government. Minority rule of Ontario's largest municipality: What could go wrong? We say "plenty," and we strongly urge the standing committee to recommend withdrawal of schedule 1.

**The Chair (Ms. Laurie Scott):** Thank you for your presentations, everyone.

We'll now move to the question-and-answer part. MPP Burch, please.

**Mr. Jeff Burch:** Thank you to all of the presenters for appearing this afternoon. We really appreciate it.

I want to start with Jin from Social Planning Toronto. I really appreciated your comments. We heard earlier from a new city councillor, Alejandra Bravo, who came to Canada as an immigrant—a refugee, actually. She spoke about the respect for diversity throughout the city of Toronto and how that's reflected in city council, and how a council that is controlled by a mayor and one third of the council shows a disrespect for that diversity.

You were kind of drawing that same comparison of how it's supposed to be a representative democracy. How are we representing the diversity of Toronto when a mayor and a third of council can ignore two thirds of council, who represent a diverse population of the city?

**Ms. Jin Huh:** Absolutely, and that diverse population voted in a more diverse council. We were happy to see more racialized council members on the new slate, and then we soon found out that the council is basically a performative body if only one third of them need to support the mayor.

Those of us who follow city council workings closely know that it's predictable who will vote with the mayor, and they aren't the most diverse members and certainly don't represent diverse interests. So really, this feels like an affront to listening to the vast diversity of the city and assuming that one person or nine people will know what's best for an entire city of millions of people with such a diversity of experiences. I don't understand how that could possibly be possible.

These solutions to these challenges that we have to come up with are so complex. Nine people, or one person, don't have all the answers. Nobody does. None of us do. None of us should have that kind of belief that we have all the answers to complex challenges like housing and poverty. It just seems ridiculous to me, and it's the opposite of advancing democracy and advancing good decision-making, sound decision-making. Listening to the facts on the ground, finding out what's really happening, what solutions have worked and what haven't: Nine people can't do all that work.

And a lot of the reasons for bringing in this new approach—I just don't think that they hold ground. Certainly, new approaches are needed and lots of solutions are needed. There are many solutions that I could recommend, that many others could recommend, that don't involve an autocratic regime that goes against the basics of democracy.

**Mr. Jeff Burch:** I think undermining democracy is actually probably not a really new approach; it has been tried many, many times.

I want to ask you about divided councils. I'm going to keep bringing this up because, in my experience as a city

councillor in a municipality outside of Toronto, I can tell you that if a law like this was ever passed and the mayor—thinking back to my council—ever tried to ram something through with only a third of handpicked councillors, their life would become very, very difficult for a number of years afterward. I don't think very much would get done, or you'd at least have a divided council that could actually slow down decision-making.

I'm not from Toronto—I'm from Niagara—but I'm wondering if you could comment on that and how you see that playing out as someone who pays attention to Toronto city council.

**Ms. Jin Huh:** Yes, in fact, often votes come down to factions, and groups tend to vote together similarly, as they have historically. Even before the strong-mayor powers, Bill 3, and these new powers that Bill 39 would grant him, the mayor had the ability to bring council along and to listen, change his opinion on things and convince others. I don't understand why he needs these new powers, because he was often able to get the votes. This is a slap in the face of the councillors, to say, "I don't trust most of you, and I don't want to work with you. I don't trust that you'll work with me, and therefore I'm going to try to take this undemocratic approach." I really do think it's going to create division in the council and it's going to create division across the city. I have some expertise in conflict resolution. I think it's going to support people to hold their ground and be inflexible in their thinking about solutions more so. We're going to see solutions that aren't really coming from the best of people's thinking but just one or a few people thinking, "This is it. I don't need to test this against anyone. I think I have all the answers." So I'm really worried to see how this is all going to play out.

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**Mr. Jeff Burch:** I'm going to move to Cynthia. I'm wondering if you could comment on the same question. How do you see this playing out at Toronto city council, as someone who watches the council and knows how it works?

**Ms. Cynthia Wilkey:** Well, I said that I think this raises some dangers in terms of undermining democracy but also integrity.

I'm not casting aspersions on Mayor Tory. I am also very surprised that he would want to do this, because I think his approach has been one of building consensus. So I was gobsmacked, I'll say, by this.

You could imagine a scenario in which there's a process of offering backroom favours to the magic number of councillors in order to get things through that are not good for the city and that also create the in-crowd and the out-crowd, the us and them. I don't think that's healthy for democracy. We can look south to the American border to see what happens when you get really, really divided political circumstances. In a city like Toronto, we can't afford that. No city can afford that. You want to actually force consensus-building.

**The Chair (Ms. Laurie Scott):** Sixty seconds remaining.

**Mr. Jeff Burch:** You used a word in your presentation that I found interesting; you said it was humiliating. I'm

wondering how you feel, as a Toronto citizen, that your mayor would have approached the Premier behind closed doors and asked for these special powers. How does that make you feel, as a citizen of Toronto?

**Ms. Cynthia Wilkey:** I'm very, very frustrated that this was not an issue during the election campaign and that this was all being done quietly while people were deciding whether or not they wanted to support Mayor Tory. I'm going to say it seems out of character. That's why it's bizarre. It's surprising, gobsmacking—and humiliating, because I think, what's wrong with the voice of the people? What's wrong with the voices of the 25 councillors who have been just freshly elected? Why does he want to do this?

**The Chair (Ms. Laurie Scott):** That's the time. MPP McMahon, please.

**Ms. Mary-Margaret McMahon:** Thank you to everyone for coming in and sharing your ideas and knowledge with us, and your passion.

Jin, I'll start with you. As Cynthia mentioned, we're living in precarious times. People have been disillusioned, unfortunately, with their leaders. You started to speak to that in your time, about the divisiveness that you feel that Bill 39 will cause with communities, especially Toronto.

**Ms. Jin Huh:** Absolutely. I think polls show that trust in political leaders is way down, and we certainly saw that in the record low voter turnout both for the provincial elections and the municipal elections. People feel like politicians are not listening. What's going to happen when only one third of the council needs to listen to the millions of residents across the city and across the province? It's going to lead to even greater apathy and disengagement. I would think only an autocratic society would like to see that happen.

As I said, diversity is our strength. Some of the best solutions to the complex challenges facing society have come from very diverse perspectives. It's what makes this country, this city, this province great. It just feels like there is no respect for that diversity in this kind of decision-making.

I have to believe that the intention is good, that there is a desire to move forward some priorities. But I just really and strongly encourage everyone to consider the fact that this isn't the right solution. This isn't going to get us where we need to go. This is going to cause more problems. People are going to get angrier. You're going to see people rise up about this. This is not where we want to go. We don't want to waste time with that. We want to look at real solutions that will lead to concrete results that address the kind of crises we're facing.

**Ms. Mary-Margaret McMahon:** Thank you very much.

Over to Marlene Coffey: Thanks so much. It's great to meet you. I just have two minutes for you because I have a shortened period of time. Thank you for sharing your information; it was great. With the proposal to enter into the Duffins Rouge Agricultural Preserve to build housing, how much of that housing do you think will be affordable? How much do you think will be rental? And do you feel

that that is the answer to solving our housing crisis: building on wetlands, farmlands?

**Ms. Marlene Coffey:** Our message for today is around partnerships and engaging all of those stakeholders within a larger system. We recognize, of course, that we are housing many people in Ontario, that there is a large wave of more that are coming in terms of needing affordable housing. The partnership is really where the solution is. Community housing is part of that solution, and engaging with municipal partners, provincial partners and federal partners to make sure that the funding is in place is the absolute key.

Now, what we're seeing is that there is some gap in where that funding is coming from and how we might address that gap in order to ensure long-term sustainability. The key message for us is to talk to your partners, make sure we're building out a plan that is long-term sustainable and that the community housing sector can ensure that that affordability is built in long-term.

**Ms. Mary-Margaret McMahon:** And do you see the benefits in building in existing communities, building up instead of building out so people are connected with their communities?

**Ms. Marlene Coffey:** The key there is engagement with your partners, which include local municipalities and stakeholders.

**Ms. Mary-Margaret McMahon:** Great. Thank you so much.

**The Chair (Ms. Laurie Scott):** Thank you very much, everyone.

We'll move to the government rotation. MPP Thanigasalam, please.

**Mr. Vijay Thanigasalam:** Thank you to all the presenters: Jin, Marlene and Cynthia.

I will start off with Jin. Torontonians—all Ontarians; people elect their mayors, MPPs to get things done. For example, in the last municipal election, over 342,000 Torontonians elected Mayor Tory with a city-wide mandate, unlike councillors—it's ward-based, a neighbourhood mandate. But he got elected with a city-wide mandate to get things done, to build housing so that the current population here in Toronto, as well as future generations, can find a home that meets their needs and budget.

Again, we all know this I think—this is public knowledge: Mayor Tory got more votes than all other 25 councillors combined. So my question to Jin is, why do you think this is a problem for democracy when the powers can only be used for the provincial priority of building 1.5 million homes?

**Ms. Jin Huh:** Well, I have so much to say on that. Thanks for the question. First of all, only 60% of 30% voted for the mayor out of 1.89 million eligible voters. So—

**Mr. Vijay Thanigasalam:** But isn't that democracy?

**Ms. Jin Huh:** Sure. It's a form of democracy, absolutely: representative democracy—

**Mr. Vijay Thanigasalam:** It is. So why do you think it's a problem for democracy?

**Ms. Jin Huh:** And what they voted him for was to use the system that they understood was going to be in play.



And then immediately after the elections, we found out that the mayor can unilaterally introduce new bylaws himself and then only have one third of the council support him. If that had been clear in the elections, would people have voted him in? That is unclear. He never put that to the voters—

**Mr. Vijay Thanigasalam:** Thank you. Just for the timing's sake—

**Ms. Jin Huh:** —so I'm really concerned about that.

**Mr. Vijay Thanigasalam:** Thank you for that answer. Just for the timing's sake, my last question to Jin: This housing crisis has been decades in the making. It didn't happen overnight. This did not happen in Ontario and the last government did not do this, and that's why we had to take a transformative role to have a bold addition, to make it. That's why people elected us, to do it. When we do this kind of bold move, obviously we need to break the status quo.

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People have voted Mayor Tory to put shovels in the ground and build more houses. Why do you think this is a problem? He still needs to have over one third of the council supporting him, in favour, to pass this provincial priority, 1.5 million homes. Why do you think this is a problem?

**Ms. Jin Huh:** The majority vote on council is not the problem stopping housing from being built, so making that the solution makes no sense. There are all kinds of challenges as to why development decisions are slowed down, including under-resourced planning departments, partially as a result of the fact that the city of Toronto has very limited revenue-generating tools that are decided upon by the province. There's only so much revenue we can generate, despite the fact that we are a large city and the economic engine of this country. We should be able to bring more revenue in so that we can address these crises. It's not majority vote that caused the problem. It really isn't.

**Mr. Vijay Thanigasalam:** Thank you. I'll share the time with MPP Pang.

**The Chair (Ms. Laurie Scott):** Go ahead.

**Mr. Billy Pang:** Thank you, Madam Chair. How much time do I have?

**The Chair (Ms. Laurie Scott):** You have three and a half minutes.

**Mr. Billy Pang:** Okay, good. My question is for ONPHA. Thank you for your feedback regarding Bill 39, Better Municipal Governance Act, 2022. Before I ask my question, I think you may be aware that Bill 23 received royal assent. The bill points out that the varieties of charges and fees levied by different government bodies can have a significant impact on the cost of housing. This is why we are here to freeze, reduce and exempt those fees to spur new home construction and help address Ontario's housing supply crisis, especially for affordable housing, non-profit housing and inclusionary zoning units. As well, selected attainable housing units will be exempted from development fees. I believe this can help a lot with the relief for the cost in building affordable housing.

We are talking about Bill 33. This Bill 33 is talking about better municipal governance. In your opinion, how might this bill impact or benefit the non-profit housing sector?

**Ms. Marlene Coffey:** Thank you for the question. We operate in a system, and the system is in the midst of a very big, meaningful change where we have an opportunity to work together with our partners to really plan what that next five, 10, 20 years looks like. We're going into funding agreements that will be based on 10-year financial plans for funding community housing, and so it's important to understand that the way community housing is funded actually comes from all three levels of government as part of a partnership with the not-for-profits. It's essential to understand where the funding is coming from and how we position ourselves to be a magnet to attract and maximize the dollars.

In many cases, funding is dependent on matching dollars. On behalf of community housing, what we're encouraging is that if every partner is at the table and in the position to maximize how we attract those dollars like a magnet, we can actually get a very high return on investment and save the taxpayer, in the long term, in having downstream costs to the taxpayer that can be prevented.

**The Chair (Ms. Laurie Scott):** Fifty seconds left.

**Ms. Marlene Coffey:** Really, it's about engaging your partners, understanding how we're behaving within a larger ecosystem, making sure that the funding is appropriate, and if there is a gap—which there is—that we're identifying solutions to identify how we fund that gap to make sure that long-term affordability is built into communities.

**Mr. Billy Pang:** Going forward, what steps would you suggest the government take to further support not-for-profit housing developers?

**Ms. Marlene Coffey:** We had a number of recommendations made under Bill 23, which we still stand behind. The number one recommendation would be to engage on a community housing plan, specifically to identify which kind of housing we are building and if we are building the right kind of affordable housing, so there is a continuum, with homelessness, shelters, supportive housing, affordable housing and home ownership, and making sure we're addressing the continuum.

**The Chair (Ms. Laurie Scott):** Thank you very much for that. Now back to the official opposition: MPP Bell, please.

**Ms. Jessica Bell:** Thank you, Chair, and thank you to all the presenters for coming in, in person and online.

My first question is to Jin from Social Planning Toronto. It's nice to meet you virtually. I was very interested in what you had to say about this bill's impact on democracy and civic engagement, as well as voter turnout. My question to you is who loses? When John Tory has the power to pass legislation with just eight councillors, who loses?

**Ms. Jin Huh:** We all lose, I think. I think who's going to win are the developers, and the rest of us are going to lose, because the diversity of a city, the residents across the city—those facing the most barriers can give the greatest insight into what kinds of solutions are needed to

address the housing crisis. You know, 200,000 people visiting food banks in October—them telling about the realities of the challenges bringing in income, dealing with the increased cost of living, choosing between rent and food; talking about what those solutions could look like and the impact of how their landlords treated them because of lack of rent controls or how there aren't enough services because the city doesn't have enough money to cover those services. All of us are going to lose because of that.

We have seen through COVID that if we don't take care of those folks that are struggling the most, all of us suffer. That's what we're going to see. We're seeing a housing bubble come in, and a lot of that was because of big, big developments coming in the city—not enough affordable housing, not enough investments in affordable housing. We're just going to see more of that. We're going to see more people on the streets. We're going to have to deal with all of that when, really, we should be taking more proactive approaches to this and making the best of all of our great ideas, all across the political spectrum, all life experiences, across incomes, across racial differences, to come together to figure out what the answers are here to the biggest problems facing us.

**Ms. Jessica Bell:** Thank you for that. I also agree. In order to solve crises like the housing crisis, the climate crisis, the issues we have with voter apathy, it does require us having strong democratic institutions and good representative democracy, which this threatens.

My next question is to Marlene Coffey. Thank you so much for coming. It's nice to meet you in person; I think we've had many online meetings. My question is, do you have a position on Bill 39 or are you more interested in speaking about Bill 23 and how that contributes to the non-profit housing sector and development there? I just want to get some clarity there.

**Ms. Marlene Coffey:** Well, there are many moving parts, and we're part of a larger ecosystem. We are very interested in ensuring that all of the partners at the table are successful and that we create an environment for best success. That means that we want to be engaging with all levels of government in ensuring that the funding sources are in place. This includes our municipal partners and, of course, being in a position where we can also work with the private sector to maximize their strength and maximizing on our strength in terms of how we own and operate affordable housing long-term. So, many parts, all moving. We are at a time of transition—and making sure that there is deep consultation and engagement to build the right kind of housing with what we know is coming in the province of Ontario for housing affordability.

**Ms. Jessica Bell:** What measures do you recommend the province move forward on to address housing affordability?

**Ms. Marlene Coffey:** We recommend a very specific study of community housing and affordable housing. Part of where there is the catch is there are many different opinions around what that might mean and where the audience or the marketplace is.

When we speak about affordable housing, we're talking about that part of the continuum that is specific to rental

housing and where the cost of housing is actually 30% of income. What we're seeing as a trend is that costs are outpacing increase in income, and so there is a gap. There is a social responsibility to make sure that we're building infrastructure—that's why we're here—as community housing is part of social infrastructure, maximizing that dollar, saving the taxpayer and the downstream.

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**Ms. Jessica Bell:** Thank you for those answers.

My next question is to Cynthia Wilkey. I believe we've had some online meetings together, maybe around the Ontario Line, in the past, when I was a transit critic.

**Ms. Cynthia Wilkey:** That's right. And the Dominion Foundry.

**Ms. Jessica Bell:** Oh, yes.

My question to you is similar to the question I had for Jin. What impact do you think bringing minority rule into the city will have on civic engagement and voter participation?

**Ms. Cynthia Wilkey:** Well, I think I've already said that I think it will have a significantly negative impact. It just reinforces the disillusionment people have with the electoral process, with government institutions. I think it will make people say, "Who cares? Does it matter if I vote? My representative, my councillor, may just be completely disregarded." I think it will also create resentment and anger. I was talking about the way in which I think elected representatives everywhere are victims of vicious social media attacks. This is symptomatic of all kinds of things, but I think this is only going to make it worse.

**Ms. Jessica Bell:** Yes, everything I've read indicates that when we marginalize a large section of society, it does create factionalism, anger, civil unrest. I'm not saying that this will lead to that, but it certainly doesn't help.

**Ms. Cynthia Wilkey:** I think people will ask, "What alternative do I have except to act up and act badly, if acting properly doesn't get me anywhere?" Acting properly is voting—

**The Chair (Ms. Laurie Scott):** Final minute.

**Ms. Cynthia Wilkey:** —for a representative and working with your representative to bring forward your interests.

**Ms. Jessica Bell:** They're all my questions; I'm not sure if MPP Burch has any more.

I appreciate your time. You're one of a small group of people who were able to speak to this very significant bill, out of the 14 million people in Ontario. We've certainly been calling for an extension of hearings to ensure that we do proper consultation on this significant measure. Thank you for coming in and sharing your expertise.

**Ms. Cynthia Wilkey:** Thank you for the opportunity. It's much appreciated.

**The Chair (Ms. Laurie Scott):** MPP McMahan.

**Ms. Mary-Margaret McMahon:** My questions are for the West Don Lands Committee and Cindy. I know your group from my time at city hall and beyond, and how phenomenally hard your group works to build a better city and better communities for the greater good—kudos to you and your group—for 25 years, I'm hearing today. I know your group to be a YIMBY group, and it's always tweaking ideas and solutions and proposals. It's never just

“talk to the hand, no”; it’s always “yes, how can we do this better for everyone?”—so lots of respect. I want our members across the way to know that yours is a YIMBY group—and I’m sure they’re listening wholeheartedly right now.

You mentioned that we’re in a precarious time for democracy, that disrespect and cynicism is at an all-time high, and I’d agree with that.

Bringing in a divisive bill like Bill 39—it’s a surprise to me, and as you say, you feel it’s uncharacteristic of our current mayor.

Having been at city hall, where I worked with both mayors—Mayor Ford and Mayor Tory—there were open lines of communication with staff and each other. Good things got done without this Bill 39. So we’re saying, “Why do we need it?” For the new councillors coming in—we heard from one this morning—fresh energy, fresh ideas, and how they’re going to feel.

Could you speak to what you’re hearing on the street from your group, from the new councillors, and your thoughts about how devastating this bill will be?

**Ms. Cynthia Wilkey:** We had a meeting, actually, earlier this week—the West Don Lands Committee—and this was a topic of discussion. People are feeling very, very unsettled by it. What does it mean? How will we be marginalized? What is the problem? We don’t feel that we’ve been a problem. We feel that we’ve worked very hard at trying to promote development, our councillors have worked very hard to support development—we are very intensely developed and there’s more to come.

So we are looking for—as I said, what’s the mischief? Where’s an example of something that didn’t happen? I can think of one and that was the move to try and get rooming houses licensed within the city of Toronto. That fell onto some kind of shoal. But it didn’t come from my community. I don’t know where it came from. I don’t really understand why it kind of—but that’s the only thing. Everywhere else, affordable housing, mixed-market housing, condos are being built everywhere.

I think it’s already been mentioned that one of the biggest drags is the actual resources of the city planning department and other divisions in the face of the torrent of development applications that we have coming in Toronto. That is one of the drags. It’s a resourcing issue; it’s not really resistance from councillors. We really don’t understand and we’re very frustrated by this. We don’t know—are we going to be that group that’s marginalized? Is it the neighbourhood next door?

**The Chair (Ms. Laurie Scott):** Forty seconds remaining.

**Ms. Cynthia Wilkey:** Or is it going to be Scarborough that’s marginalized by this? Who’s actually going to lose out? We’re very worried about how this is going to play out too, in terms of council dynamics. Is the mayor going to be tempted to do backroom dealing that is not really in the interests of the community in order to get things through? It’s not like him, but it will be very tempting, I fear.

**Ms. Mary-Margaret McMahon:** Okay, thank you very much. Thanks for coming in.

**The Chair (Ms. Laurie Scott):** Thank you so much.

Moving over to the government side: MPP Smith.

**Ms. Laura Smith:** Through you, Chair, it might be a two-parter, but I’m going to try and power through this because one of my colleagues already kind of got into this issue. And thank you all for being here and contributing.

This question—and if there’s time, I’ll move over, but I’m going to be sharing my time with a colleague—is for Marlene Coffey. You were talking about some pretty meaningful information. We all agree we’re in a housing crisis and there’s a severe lack of supply, and this also includes the not-for-profits. This is another marginalized society and dealing with those people who are not in a position that others are. You talked about the ability to plan social infrastructure within your organization. You talked about a 10-year financial plan in identifying these gaps and understanding where the money is going to come and working with your municipal partners and your provincial partners. Could you just give me a little more information on—and you talked about a wait-list of 12 years for housing. When you wrap all of this up together, we talk about creating a plan. Could you talk about more with respect to a plan and how this will benefit your sector?

**Ms. Marlene Coffey:** Absolutely. Every regional municipality has a 10-year affordable housing plan and homelessness plan. Those are well thought out. They are informed in terms of understanding assets, what kind of investment needs to go into that infrastructure that currently exists, what needs to come in terms of new developments—so working towards that 1.5 million homes and ensuring that we’re building the right kinds of housing.

**Ms. Laura Smith:** And we’re—sorry to keep bouncing back to the other bill, but the DCs are reduced or completely removed when we talk about that housing.

**Ms. Marlene Coffey:** Yes. We’re part of a system. There is a gap. How do we fund the gap? We do have solutions. We’ve made recommendations under Bill 23. Engage your partners to understand the overall net impact so that we can have a conversation about finding the solutions, finding the partners, building out those 10-year funding agreements and getting to the targets that we actually all share. We all have the same objective.

**Ms. Laura Smith:** And Bill 39 is a good companion piece with those targets.

**Ms. Marlene Coffey:** Understanding net impact on partners within that system.

**Ms. Laura Smith:** Yes. Time?

**The Chair (Ms. Laurie Scott):** Almost five minutes.

**Ms. Laura Smith:** Okay, so I’m going to—do you want to take it? I have one tiny little question.

**Mr. Graham McGregor:** Go ahead.

**Ms. Laura Smith:** Thank you, hold that thought. This question is for Jin. Thank you for your contribution, as well. We were talking strongly about democracy and city-wide mandates, where the city of Toronto—our mayor, the mayor in the precinct we’re in right now—was given that strong mandate through a democratic process. To help ensure transparency, heads of council will be required to

provide written reasons for the use of this new power. This is something that hasn't been discussed. This use of the power will be monitored by the province and, by the minister's authority, could be used to set limits and conditions or to clarify the use of powers, if needed, in addition to members of council, including heads of council. They'd continue to be subject to existing accountability and transparency rules.

1700

Do you have any comment to that, given that there are some things in place that will help with transparency and accountability?

**Ms. Jin Huh:** Well, it takes democracy out of the hands of the local communities and so the mayor does not have to—

**Ms. Laura Smith:** But we talked about the mayor being democratically elected.

**Ms. Jin Huh:** And hiding the fact that he had asked during the elections—but did not share with the people of Toronto—for these additional powers. People may not have wanted to vote for him if he was talking about minority-rule decisions.

**Ms. Laura Smith:** There's actually a web page that's set up to provide maximum transparency for all of these decisions.

**Ms. Jin Huh:** After he makes the decision. He doesn't consult on those decisions.

**Ms. Laura Smith:** I'm going to pass my time over. Thanks.

**The Chair (Ms. Laurie Scott):** MPP McGregor.

**Mr. Graham McGregor:** Thank you, Chair. Time check?

**The Chair (Ms. Laurie Scott):** It is three minutes.

**Mr. Graham McGregor:** I'd just thank everybody for coming in. It has been a long day, but this is important, especially in the democracy that we have, that we have committee meetings where we discuss and we hear witness feedback on the bills that we're putting forward. That's important. That's what we're doing here today.

I'd also note that I appreciate Jin's point about young, diverse councillors. I think we need more diversity in politics and more diversity in our country, not less diversity. I'd note, on the PC side alone at this committee room, we have people that came here from Sri Lanka, from Hong Kong, first-generation Italians and a Punjabi. Three of the members of the committee—at least three—are under the age of 35. So when you're looking at a diversity, look no further than the PC Party of Ontario.

Now, a question for Marlene: Do you have a hard time—one of the things that we hear a lot of concerns about is this kind of "not in my back yard," this NIMBYism. When you're putting a non-profit housing development through, do you run into NIMBYs often or at all?

**Ms. Marlene Coffey:** There are some really great examples of new development where we would say we are leading in terms of what can be done on behalf of communities. Funding a sector appropriately is absolutely essential. That's where we're seeing a gap. Are we building

the right kind of housing? Are we funding the gap? I'll just point you to—

**Mr. Graham McGregor:** Sorry; the question was, when you're putting a development together, do you ever have concerned residents or neighbourhood associations coming and saying, "We like the idea. We don't want you to build it here. Please go somewhere else." Does that ever happen?

**Ms. Marlene Coffey:** There is always a process for engagement and consultation, which is part of the partnership position that we've taken.

**Mr. Graham McGregor:** From ideation to people taking ownership, how long does that take for a non-profit housing project?

**Ms. Marlene Coffey:** Not-for-profits behave in the same way that the private sector behaves in terms of being developers.

**Mr. Graham McGregor:** Right.

**Ms. Marlene Coffey:** We have built 90% of what is affordable housing in Ontario today. Our conditions are exactly the same as the private sector.

**Mr. Graham McGregor:** So can it take five, seven, 10 years to get a project done?

**Ms. Marlene Coffey:** Well, there are all kinds of programs in place. This is, again, matching the dollars, extending those dollars so that we can tap into things like rapid housing and CMHC funding and—

**Mr. Graham McGregor:** Just while I have time, we've heard from the association of planners and architects that municipal permitting delays, every month, can cost up to \$3,300 per month, which is almost \$40,000 a year, which, over a five-year term, would be almost \$200,000. Do you think speeding up construction and approvals—

**The Chair (Ms. Laurie Scott):** I'm sorry. That's all the time there is for this round, but thank you very much to all the presenters for coming, virtually and in person. I'll just take a few moments; if you just want to change screens and change places with the next set of presenters, we'd appreciate that. Thank you.

MR. DAVID MILLER

REENA

FRIENDS OF KENSINGTON MARKET

**The Chair (Ms. Laurie Scott):** In the last round of presenters for the day, we have David Miller, Reena, and Friends of Kensington Market.

Mr. Miller, you're up on the first docket. The presentations are seven minutes. I'll get you to state your name for Hansard when you begin. Please go ahead.

**Mr. David Miller:** I'm David Miller, resident of Toronto. I appreciate the opportunity to speak today on Bill 39. Merci pour l'opportunité.

The proposed legislation not only amends the City of Toronto Act but contradicts it and undermines the governing principles of that legislation. The act explicitly states that the city must be able to determine the appropriate

structure for governing the city and ensure that the city is accountable to the public and that the process for making decisions is transparent. This bill, which grants the mayor of Toronto the power to pass laws without the support of council, is neither transparent nor accountable, and it is an insult to the residents of Toronto. Majority rule is a fundamental principle of our governments in Canada—municipal, provincial and federal. It's the bedrock of our democracy. This proposal for minority rule completely undermines this principle. It is also unnecessary—unnecessary because whoever is elected mayor already has the ability to bring the people of Toronto with them, to take on an issue, and through persuasion, advocacy and hard work, to win the day at council and with the public, including on controversial issues. That is their job.

Premier Ford has not made a case for this bill, nor has Mayor Tory for requesting this power. No one has identified or demonstrated precisely how minority rule will address any issues competently or fairly, let alone justified the violation of democratic principles that can be traced back to the Magna Carta—principles that have served us all for hundreds of years and that ensure all residents are included in the decisions that affect their lives.

The proposed legislation was hatched behind closed doors, and the details were deliberately withheld from the public during the most recent provincial and municipal elections. The provincial government did not campaign on this, nor did Mayor Tory. No one has a mandate for it.

The legislation poses significant risks, from less-engaged residents to increased influence of lobbyists to poor decision-making, up to and including corruption. By effectively cutting residents out of the decision-making process at city hall, the bill closes the front doors of city hall to them and opens the back door to lobbyists and influence peddlers. We know corruption is a very real possibility from the revelations of the MFP computer-leasing scandal.

Ultimately, the proposed legislation will undermine people's confidence and faith in their municipal government.

So where do we go from here? I believe the existing City of Toronto Act offers a way forward. It states, "The province of Ontario endorses the principle that it is in the best interests of the province and the city to work together in a relationship based on mutual respect, consultation and co-operation."

The province should make strengthening local democracy a provincial priority and withdraw Bill 39.

If governance is the concern of the province and it is sincere, then the province should ask the city of Toronto to undertake a full governance review. Such a review must be city-led and include all members of council and the residents of Toronto. It should include labour, tenant and residents' associations, academics, community-based organizations and, of course, the private sector. The review should be open and transparent. Its goal should not only be to strengthen the decision-making process, but to foster civic engagement and to strengthen our local democracy.

1710

I had the privilege of serving the people of Toronto for 16 years as an elected official; the last seven as mayor. I

was reminded every day while in office that our local democracy should never be taken for granted. A strong mayor knows that they need to listen to and ensure that the voices of residents are heard and work with members of council to make decisions that are in the best interests of all Torontonians. It's what we sign up for when we run for office.

To be here today arguing that this undemocratic measure must be withdrawn, knowing that it was requested and negotiated in secret by a sitting mayor of Toronto, is, to say the least, profoundly disappointing. Never did I imagine the greatest threats to local democracy in Toronto would be the mayor of the city and the Premier of the province.

Collectively, we are so much better than this proposed legislation assumes. We, the citizens of Toronto, are not looking for shortcuts and free passes. We know city building is hard work. Tackling the complex issues facing us, like building more affordable housing, expanding transit, fighting climate change and more, are going to require sustained effort and difficult choices.

As we emerge from the pandemic, the residents I speak with want to get back to the hard work of building a more inclusive city where no one is left behind. It is so very frustrating and wrong that we should have to defend our basic democratic principles before we can tackle the real issues facing us, but here we are. I urge you to tear up this disastrous piece of legislation and allow us to get on with the job of building a great city for all.

La règle de la majorité est un principe fondamental de nos gouvernements au Canada. C'est le fondement de notre démocratie. Cette proposition de gouvernement minoritaire sape complètement ce principe fondamental. C'est profondément antidémocratique.

Je vous exhorte à déchirer ce projet de loi désastreux et à nous permettre de continuer à construire une grande ville pour tous.

Thank you for your time and consideration.

**The Chair (Ms. Laurie Scott):** Thank you very much. I'll now move to the next presenter, from the Reena organization. Please state your name.

**Mr. Gary Gladstone:** Good afternoon. My name is Gary Gladstone and I'm the lead stakeholder relations of Reena as well as the convener of the Intentional Community Consortium. It was a pleasure to speak in front of most of you on Bill 23 last month. Thank you for inviting me back to advocate for those with developmental disabilities, as I wish to suggest a path to strengthen Bill 39, with some suggestions to improve the bill to build more deeply affordable supportive housing to support the most vulnerable: those with developmental disabilities and severe mental health challenges.

Reena, celebrating our 50th anniversary next year, promotes dignity, individuality, independence, personal growth and community inclusion for people with diverse abilities within a framework of Jewish culture and values. Open to all, Reena provides supportive housing, programming and employment services to over 1,000 individuals with developmental disabilities, including autism, and

those with mental health challenges. Reena is the fourth-largest developmental services provider in Ontario, currently operating 32 group homes, supporting an additional 140 individuals in supported independent living units, 252 community participants in our daily programming, with over 700 full- and part-time employees, with an overall budget of \$57 million. The Intentional Community Consortium represents 26 agencies that are advocating for and building not-for-profit deeply affordable housing for the most vulnerable in society: those with developmental disabilities.

As I mentioned with Bill 23—and I'll repeat again—there is a tremendous need for deeply affordable supportive housing, and although not directly discussed in this legislation, I am hopeful that you will insist that all municipalities allocate 10% of all funding to build for those with developmental disabilities.

Additionally, as you can understand, it is sometimes onerous and time-consuming to explain our need and our plans to multiple jurisdictions for a single build. There is definitely a benefit to ensure that not-for-profit developers only have to deal with a single jurisdiction when dealing with zoning, waiver of fees—which is no longer an issue—planning etc. In the case of Vaughan and other jurisdictions, we look forward to dealing with only one level of government for housing. We welcome provincial efforts to grapple with the affordable housing crisis, and this bill has the opportunity for some exciting progress in building supportive and affordable housing.

Let me share again the story about Gladys and Anthony—Gladys, a middle-aged woman, and Anthony, her adult son. Both have developmental disabilities and both have been on a housing waiting list in York region for years, while Gladys and Anthony live separately in the shelter system, receiving community supports. Due to their complex needs and a lack of understanding of suitable accommodations by landlords and other tenants, housing fell through or fell apart until they found a home at Reena's Lou Fruitman Reena Residence. The existence of Lou Fruitman Reena Residence would not have been possible without the waiver of development charges and parkland fees, loans from the CMHC co-investment fund and the support of the province of Ontario.

Under this act, with our proposed amendments, projects like this would be able to move ahead with greater confidence. I am proud to report that Gladys and Anthony have been living at Fruitman together with the right supports to thrive for the past number of months, while, unfortunately, thousands of others are still waiting. More must be done with all levels of government so that there can be more success stories.

Housing is a key social determinant of health and well-being. Housing is a fundamental right for all persons, including and especially those with developmental disabilities. One size does not fit all. There is a wide range of needs, which demands a wide range of options. About 100,000 Ontario adults have a developmental disability; 18% to 30% of those in homeless shelters have a developmental disability; 50% of those with developmental disabilities live with significant medical issues; and 90% of

those with developmental disabilities live below the poverty line and require deeply affordable rent for adequate housing with supports. Women with a developmental disability are 65% more likely to experience abuse than a typical female.

Honoured members of the committee, there are currently over 25,000 individuals with developmental disabilities in Ontario waiting for supportive housing, with an average 40-year—you heard me: 40-year—waiting list, which is 10 times longer than the average person seeking affordable housing; although things are getting a bit better, thanks to the targeted carve-out of the National Housing Strategy.

Previous provincial governments did not provide targeted, sustainable funding for developmental services housing. The National Housing Strategy bilateral agreement between Ontario and Canada commits a \$4.2-billion investment in affordable housing over 10 years, in three distinct phases. The initial three-year phase launched in 2019-20 and will continue through 2021-22. As Ontario evaluates progress today and prepares for phase 2, there is an immediate and growing need to ensure that ongoing investment expands the supply of available supportive housing for these Ontarians. Investing in developmental services housing will directly contribute to the province's goal of ending hallway medicine by housing a number of ALC hospital patients and those incorrectly placed in long-term-care homes, for a far better quality of life at a much cheaper cost.

We strongly recommend that the Ontario government amend Bill 39 by prioritizing investments in housing for individuals living with developmental disabilities by aligning provincial resources and committing 10% of National Housing Strategy funding to this critical need in the implementation of the forthcoming phases of the agreement.

**The Chair (Ms. Laurie Scott):** Fifty seconds left.

**Mr. Gary Gladstone:** This level of investment, which is proportional to the percentage of individuals living with developmental disabilities on Ontario's affordable housing list, will build more than 2,400 new units of housing, will help maintain the 12,691 units currently housing adults with developmental disabilities and repair more than 2,500 units.

"A nation's greatness is measured by how it treats its weakest members," said Mahatma Gandhi. Through allocating 10% of National Housing Strategy dollars to support housing options for those with developmental disabilities, you can ensure that Ontario takes care of those who cannot advocate for themselves.

**1720**

Gladys and Anthony were homeless, were in unsuitable housing, were about to be evicted, and they are now thriving in appropriate accommodation because the National Housing Strategy ensured there were funds. You can do the same with 10%.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation.

We'll now move on to Friends of Kensington Market, virtually. State your name at the start of your presentation, please.

**Ms. Serena Purdy:** Thank you so much for having me to speak here. And thank you to the panel members who spoke before me. I think you've both raised some incredibly important points.

My name is Serena Purdy. I am the chair of the board of Friends of Kensington Market. Given the nature of this bill, I would also like to speak as a PhD candidate in policy at the University of Toronto.

The strong-mayor, weak-council model, as we are coming to know it, has been studied. In political science, it has been studied as a form of authoritarian urbanism. That's not hyperbole. That's what it's called in the literature. It's part of a larger process called democratic backsliding, or autocratization. Democracy's democratic decline results from state-led weakening of political institutions that sustain the democratic system. It also reminds me of one of the core tenets that we learn in health policy as we are looking at hospital systems, and that is that efficient systems are intolerant of diversity. So it's very easy to say that you're doing things faster and better, but when we streamline things, people inevitably get left out.

I want us to be very clear that the process you are participating in right now, as a committee, is authoritarian.

It is disturbing to see a rise in authoritarian urbanism in the city and province I call home. We have all seen this troubling trend justified as a response to crisis, or an emergency response. If it is an emergency response, the power should be time-limited to that emergency; instead, it is a carte blanche. If it is an emergency response, where is the evidence that these measures actually address the emergency?

As I said when I spoke to Bill 23, I've seen no sign from this government that they are doing anything to address financialization. And you will be hard pressed to find any studies that indicate that destroying democratic institutions to build more luxury condos has ever solved a housing crisis.

Bill 39 removes checks and balances in senior staff roles that should not be subject to political whims or influence. I've also heard many people say that strong-mayors acts and their extensions—it depends on if the mayor is good or bad. I think that is fundamentally a bad set of policy if it depends on that kind of reliance—on us hoping that they're good. These senior staffing positions should be occupied by the best people able to give the best advice, without fear of getting fired for political reasons.

This bill is an insult to local democracy, further disempowering our city councillors and thereby our community voices as represented through them. You also risk reduced voter engagement. It also represents a compete overhaul of our system of municipal governance without consultation. It applies a one-size-fits-all approach to both Ottawa and Toronto, which are quite different jurisdictions, and it concentrates power in the hands of the mayor.

For communities as unique as Kensington—our relationship with our city councillor has helped us build a thriving, self-determining cultural centre in the heart of Toronto.

We urge you not to pass this bill. If we keep going down this path, it will be harder and harder to reverse course.

**The Chair (Ms. Laurie Scott):** Thank you very much for your presentation.

We will now go to the questions and answers, and the official opposition will start. MPP Burch, please.

**Mr. Jeff Burch:** Thank you to all of the presenters for joining us this afternoon. We really appreciate it.

I have some questions, to begin with, to Mr. Miller. I'd like you to help me—and you addressed this in your presentation—to address this talking point from the government that this mayor somehow has a mandate, because he was elected with a majority in the recent election, to move forward with this strong-mayor situation. I spoke to a presenter earlier, and she used the word “humiliated,” as a resident of Toronto—that a mayor, after a provincial election, would meet with a Premier, hatch this plan, go into an election, not mention it to anyone during the election campaign, and then the two of them come out with this plan to get more power for themselves after the municipal election, and yet the government is arguing that somehow this mayor has a mandate for it. Could you address that for us once and for all?

**Mr. David Miller:** Mayor Tory has no mandate to ask for or to accept the power to pass bylaws at the city of Toronto based on minority rule. If you know the recent history of the city of Toronto, you'll know that people are very engaged with the city, particularly between elections, and had this been an issue in the election, it might very much have changed the result, which is perhaps why Mayor Tory and Premier Ford decided to do this in secret. I found it shocking and, as a former mayor, exceptionally disappointing that elected officials would deem it appropriate to undertake such measures in secret without informing the people they affect while taking away their rights.

**Mr. Jeff Burch:** We spoke to John Sewell this morning. I asked him a question, and I'm going to ask you the same question. Based on my own experience as a municipal councillor—and I've raised this a number of times today—if at the time—and I had a mayor that was a strong mayor because he forged consensus. It wasn't because he was given any special powers. But if that mayor had tried to ram through bylaws and legislation with one third of council, that mayor would have had a very, very hard time for the remainder of the mandate.

I find it hard to believe that if this is expanded—here in Toronto is one thing—across the province, it's going to lead to quicker decisions. In my view, and based on my experience, it's going to lead to deadlocked councils and divided councils. I'm sure you can speak to that issue: a divided council as opposed to a council that tries to do things by consensus in a democratic fashion.

**Mr. David Miller:** The first point, and perhaps most important, is there seems to be some suggestion that allowing for this kind of authoritarian system, where you in effect create one-person rule or minority rule, is going to make decisions faster. There's literally no evidence for that. The mayor himself will become a logjam in all decisions. In fact, paradoxically, it will slow everything down.

If you really care about the governance of Toronto, you can follow my suggestion and ask the city to review it. If

this is about certain kinds of decisions, there are some things that could be done. For example, on planning, cutting the council of Toronto in half directly caused a slowdown in planning applications. Because the wards are so large, it's impossible for members of council to do their statutory job attending hearings. The first thing you do is repeal that legislation and allow the people of Toronto to have wards that were somewhat analogous to other cities.

If you want housing built in this city, you need transit. There is a massive investment going on in Toronto to build transit. Unfortunately, it's not building the transit to the places that need development the most and to serve the people who need the transit the most. Decisions have been taken by the province to impose that transit, and most of the funding is going to the Ontario Line and the Scarborough subway extension, which do not—either of those—facilitate huge amounts of development. However, that money would build very significant transit across Scarborough and through Etobicoke, if we followed previous plans and use it to build light rail. You might also think about funding affordable housing.

Finally, the biggest issue for Toronto, and it has been for a very long time, certainly since amalgamation, is a financial one. When development is welcomed into this city, the sales taxes and income taxes created from that development go to the province and the federal government.

If you really want to facilitate development in the city of Toronto, (a) change the transit plans so they serve the people who need it most and the neighbourhoods where there can be good, affordable housing built rapidly; (b) allow the city of Toronto a share of the sales tax and the income tax that's generated in their city and then the city will be able to afford things like the planners that are needed to actually fulfill development.

1730

I know that doesn't fully answer your question, but I think all of those are relevant because there is some idea in the air that having one person make decisions is going to speed things up, when the result will be exactly the opposite. So why are we violating all of our democratic norms to achieve nothing when we could take action to achieve real results in partnership with the people who are affected by those decisions, which is their democratic right?

**Mr. Jeff Burch:** You also mentioned, and I thought it was a good point, about this legislation causing the front door of city hall to be closed to citizens and then opening up the back door to lobbyists. Can you talk a little bit more, based on your experience, about how you would see this legislation playing out? I've heard of—

**The Chair (Ms. Laurie Scott):** One minute remaining.

**Mr. Jeff Burch:** —things in other jurisdictions, like committees of control, where the mayor could basically set up a committee of his eight or nine councillors and everything would just go to that committee, basically making decisions in the backroom out the back door of city hall.

**Mr. David Miller:** The risk, of course, when the mayor has the kind of powers that will be granted in this legislation is that those who have the ear of the mayor will get their needs met, which, by definition, are unlikely to be the

vast majority of people, particularly people living in low-income neighbourhoods and otherwise disempowered.

We've seen that happen at Toronto city hall. I lived through it—the MFP computer-leasing scandal. There was a large report. It's this big. I wish I still had a copy to bring today. Not once in there does the commission of inquiry say that we should give minority rule to solve these problems. In fact, it speaks to exactly the opposite. At the time I was mayor, we took significant measures to open the front door to citizens and close the back door to lobbyists.

**The Chair (Ms. Laurie Scott):** I'm sorry, but we're out of time at this round.

MPP McMahon, please.

**Ms. Mary-Margaret McMahon:** Thank you to everyone for coming in or coming on screen. We really appreciate you sharing your knowledge and experience with us today, and we wish this list was exponentially longer and bigger and we had more days. But alas, that got voted down, unfortunately.

To David Miller: Thanks for all your history and knowledge. You were mayor seven years here in Toronto. There was no Bill 39. You worked with your councillors to move the city forward, get things done. How did you do that without Bill 39?

**Mr. David Miller:** I still want to call you councillor, and I apologize. That's probably a compliment, actually.

The mayor of Toronto has enormous influence, particularly Toronto, and to some extent Ottawa and I think Hamilton. You have an incredible bully pulpit, and you're able, on the right kind of issue, to marshal the people behind you. If you wanted to marshal people behind you on transit, if you wanted to marshal people behind you on housing—I did it on the land transfer tax. I ran in 2006, saying, "We're going to use the tools in the City of Toronto Act."

It was hard to get members of council to vote for a brand new tax on their constituents. It was extremely hard. But we did it. And how did we do it? We made the case to the people of Toronto. We spoke to our colleagues. We pushed, we used all the weight of the office, and we got it through. Parenthetically, it was opposed by your colleagues on the other side, those of whom are in elected office at the province now. But we got it through, and it's stood the city in incredibly good stead ever since. It's what's financed the city programs that make this city the city it is.

And we did it the way you've asked other questioners, when I was here earlier. You did it through persuasion, through using the powers of the office, through going to the people of Toronto and getting them on side. The message I used was, "If you want to live in a great city, we have to find a way to pay for it. Can we come together around this?" And not without controversy, of course, but the answer was yes.

**Ms. Mary-Margaret McMahon:** Great, thanks. What are your thoughts on the Ottawa mayor, who is saying he does not need this power and he does not want to use it ever? What do you think of that versus what's going on in Toronto?

**Mr. David Miller:** He's right.



**Ms. Mary-Margaret McMahon:** Okay, short and sweet. It affects my time. That's great. And then you mentioned, how about just doing this review instead? Do you want to elaborate more on your idea of a full governance review instead of Bill 39?

**Mr. David Miller:** The reason I mentioned that is, at least in the media and in the public statements of proponents for this legislation, including the mayor, including the Premier, nobody has said a single thing about, really, what the issue is they're trying to solve and how giving this unilateral power will solve it. I think all the evidence is the contrary; it's going to make anything worse in decision-making, and it will lose the confidence of the people of Toronto in their government, which will create massive problems, and you can imagine them.

But if the issue is sincere, if people actually believe that the governance of Toronto needs to be addressed, then use the provisions in the act and ask Toronto to bring together the people in Toronto to have their own conversation about how they want to be governed.

**The Chair (Ms. Laurie Scott):** One minute left.

**Mr. David Miller:** They have the right, with their elected officials, to have a real say over the decisions that affect their lives. The province should be incredibly careful about stepping in. Provincial MPPs are elected to represent their areas that they run in. Only a subset are in Toronto, but all of Toronto city council and the mayor are elected to serve the people of Toronto.

If you brought people together, you could reinforce governance, you could address any issues—if they're real—about process and you could reinforce people's connection with their city government and help them build the city they want, which is what civic democracy is all about.

**Ms. Mary-Margaret McMahon:** Thank you very much.

**The Chair (Ms. Laurie Scott):** I'll now go to the government side. MPP Grewal.

**Mr. Hardeep Singh Grewal:** Thank you, Mr. Mayor, for being with us and taking the time out to join this committee.

**Mr. David Miller:** Thank you for the welcome.

**Mr. Hardeep Singh Grewal:** So my first question to you, sir, is, going back to your tenure as mayor, back to 2008, when you yourself were campaigning for the strong-mayor powers, you went to the Premier at the time, you went to your council and tried to get these powers. However, both sides denied those powers at that particular time.

Now we're fast-forwarding 12 years later, and now this government is doing what you campaigned so hard for during that time. Why the strong change of heart?

**Mr. David Miller:** First of all, it's not accurate or true to say that I campaigned for strong-mayor powers. That's completely false. There's a headline; I know that—

**Mr. Hardeep Singh Grewal:** Mr. Miller, may I just pause right there. I just wanted to add in there, during that time, this is a quote from what you said: "This is about the success of Toronto" and that it's difficult to get anything done. Those are the type of things you were saying back then while advocating for these powers.

**Mr. David Miller:** No. Well, yes—the press characterized that as strong-mayor powers, nothing to do with what you passed to give the mayor a veto or ask for minority rule. You can pore over the Internet for years—I'm sure you have better things to do—but you will never find me saying that. In fact, I said what we need is a strong mayor, not strong-mayor powers.

We did two things: We pushed for the City of Toronto Act to give the city of Toronto the proper powers and the proper financial tools to meet the needs of its people. I also worked with council to pass a new procedural bylaw that did modestly enhance the powers of the mayor; for example, to allow the mayor to designate the first two items for debate so as to give the mayor the chance to pick items that they thought were of city-wide importance—

**Mr. Hardeep Singh Grewal:** Thank you, sir. Because I only have about a couple of minutes left, then I have to share my time with MPP Pang.

Do you believe, when you were elected as mayor, that the city voted for your vision as a city as a whole? Did you represent the entire city when you were elected as mayor? And did you carry that city's vision forward in your work as mayor?

**Mr. David Miller:** One of the things I did, particularly in the 2006 election: I published a platform, and it was open and public; it talked about things like building Transit City, which I got through council about a year later and which was very important to give a backbone of rapid transit to neighbourhoods where people really need it because they're all on the bus.

**Mr. Hardeep Singh Grewal:** So I would say you were acting for the city as a whole and you were pushing your agenda to make sure the city of Toronto as a whole prospers, right?

**Mr. David Miller:** No, but there's a subtlety. It wasn't just that they elected me and I had some mystical power. I ran on a platform—

**Mr. Hardeep Singh Grewal:** Yes, your vision for Toronto that they supported—

**Mr. David Miller:** —that was set out in writing and was a commitment between me and the people of Toronto. And I would contrast that with this circumstance, where the mayor just went through an election. None of this was mentioned. It's extremely radical change, and nobody had a chance to vote on it.

**Mr. Hardeep Singh Grewal:** So just another subset of that question: Should the mayor be able to push that platform that he was elected on, that the people voted for, through council and have the ability to act on those promises that he made to the people while being elected?

**Mr. David Miller:** When a mayor runs, they're running on a democratic system. People vote for the mayor, for a mandate and a platform, absolutely, but they also vote for councillors. And the mayor, today, without this power, has—the mayor of Toronto, in particular, probably has the most power of any mayor in Canada—

**Mr. Hardeep Singh Grewal:** Thank you.

**Mr. David Miller:** —to accomplish that goal without any changes.

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**Mr. Hardeep Singh Grewal:** Thank you, sir. I'm just going to add a follow-up to that: Do you acknowledge that we're currently in a housing crisis and a housing affordability crisis?

**Mr. David Miller:** We have a massive need to build affordable housing for low-income people. We have a very significant need to build housing for middle-income people.

**Mr. Hardeep Singh Grewal:** During your tenure as mayor, knowing what's going on today, would you have done more to build more houses and increase the housing supply during that time, if you had known that this is what it's going to look like, fast-forward 12 years later?

**Mr. David Miller:** Well, with the support of council, the official plan that passed in 2006, I think, was extremely ahead of its time. Its rules about development—particularly where there was or could be rapid transit—were very generous, and we've seen a significant boom as a result, I would argue, in certain neighbourhoods in Toronto—

**Mr. Hardeep Singh Grewal:** Would you have done more than what you did at that time?

**Mr. David Miller:** Well, it's a complicated issue. I know it's a short question, but I do want to give it its due.

What we didn't anticipate was the really low interest rate environment that came in post-2009 and 2010 that has pushed the price of housing up and made it unaffordable.

If I could have changed things—I think that plan was right. I would have found a way to make sure the transit it was dependent on wasn't cancelled by my successor—

**Mr. Hardeep Singh Grewal:** Mr. Mayor, just for the interest of time—

**Mr. David Miller:** —which I think is the biggest single problem.

**Mr. Hardeep Singh Grewal:** I'm going to pause you on that question there.

I just want to add that it's our government that has made the largest transit investment in history. We're committed to building transit not only in Toronto but throughout the entire GTA. We're trying to make our networks one of the most connected networks here in the province of Ontario.

Last question I'm going to have before I hand it off: In 2008, with your two various attempts to obtain stronger-mayor powers—as you say it, because you don't like calling it “strong-mayor”; you wanted to make the Toronto mayor stronger. If you got those powers, according to what you have just said in your statement—would you believe that you would have been subject to corruption as well, if those powers were granted to you? Does it now bother you that Mayor Tory is getting these powers and at that time you didn't get those powers yourself?

**Mr. David Miller:** I'm really sorry, but I do, for the record, have to state that the facts you've asserted are simply false, and as they say, you can look them up.

What we did was work with council to change bylaws and change the ability of the mayor to do a relatively few small things. The two that I can remember are the one that I cited before and, secondly, to appoint the members of committees. I sought no other powers, nor from the province, and to assert otherwise simply is not accurate—

**Mr. Hardeep Singh Grewal:** Thank you, sir. I'm just going to hand over my time.

**The Chair (Ms. Laurie Scott):** MPP Leardi. There are 40 seconds left.

**Mr. Anthony Leardi:** Mr. Gladstone, thank you for being here today. I think you do marvellous work.

In your establishment of group homes and supported living homes, have the neighbours, in your experience, approached their city representatives to attempt to stop the establishment of your residences?

**Mr. Gary Gladstone:** There has been, in the past, significant NIMBYism. However, Reena is quite fortunate in our approach we take to neighbourhoods when we are moving in. We go out and speak to the community well in advance, explain who and what we are and what we are doing. In recent years, it has not been significant. I'll go back to our founding 50 years ago, when it's unbelievable that we got any homes off the ground. But these days, thank God, it has been much better—

**The Chair (Ms. Laurie Scott):** I'm sorry, but we've run out of time.

Over to the official opposition: MPP Bell.

**Ms. Jessica Bell:** It's important to note that every year the provincial government has been in power, it has cut funding to capital investment in transit. The provincial government has cut a lot of transit infrastructure projects, including the relief line, and there's no clear funding yet for the transit projects that the government is looking at building.

My question is to Mr. Miller. Thank you so much for coming in. We hear this government say that it is majority rule that is holding us back on building the homes that we need. Do you think majority rule is stopping us from building the homes that we need to address the housing crisis?

**Mr. David Miller:** No. There's nothing in the current system at city hall in terms of governance that stops the building of the housing we need to address affordability issues. First of all, a significant portion of the affordability issue comes from the lack of financial action by government, so making the mayor have minority rule doesn't address that. Building affordable housing, CMHC, supporting co-ops—the co-op housing movement is incredible. It supplies amazing housing around Toronto in which the residents really have a say, and the financing for that disappeared a long time ago. That's the first thing.

Secondly, if you understand the development process, the debate at council is the very last thing. There are statutory obligations for public hearings. People have a right to a say. Even if it's wrong, they have a right to input. There are very few developments in the city of Toronto of any importance that are stopped because of the current governance system where majority rules; in fact, it's probably the other way around.

If you look at Toronto and you look at the neighbourhoods and look where its populace is, it's very interesting. The Annex we might think isn't very dense, but it's actually very dense because so many of those houses have been converted into apartments and rooming houses. The places that aren't very dense are what I would call the

inner suburbs. How do we bring density to those suburbs? It's a really good question, and it's a fair one. I would argue that, first, you bring rapid transit. Yes, it's true, there are promises of funding for the Ontario Line and the Scarborough subway, but neither of those lines brings rapid transit to people in low-income neighbourhoods in the suburbs who need it the most; we used to call them "priority neighbourhoods." That is the very best way to serve the needs of the people who need it and to allow for much more density to have them there.

Then you need to think about—neighbourhoods like the Annex or High Park are zoned in a way that people can very easily have duplexes and several apartments. How do we bring that kind of thinking to those inner suburbs? Again, that has nothing to do with majority or minority rule whatsoever. It's to do partly on the necessary and correct investments—which in this case aren't happening because of provincial interference. If we really want to solve the problem, perhaps the province should maybe let Toronto do its own thing and have its own majority government and move on.

**Ms. Jessica Bell:** The Ontario government has cut funding to affordable housing programs in the last fall economic statement, which will have an impact on affordability in Toronto. Mr. Miller, do you have a message for John Tory?

**Mr. David Miller:** Yes. In fact with four other mayors, I signed an open letter to Mayor Tory, saying: Dear John, please withdraw your support for this bill; it's wrong. The principle of majority rule has stood the test of time. You don't need minority rule, and if you need our help when there's a difficult battle, we'll be there with you if you find a way to say this is wrong and to recognize it's wrong.

**Ms. Jessica Bell:** Has Mayor Tory responded?

**Mr. David Miller:** No.

**Ms. Jessica Bell:** There are a lot of people that are asking questions about Mayor Tory's behaviour right now.

My second question is to Serena Purdy from Friends of Kensington Market. Serena, do you think that representative democracy is holding us back from addressing the housing affordability crisis, or are there other solutions that you're recommending?

**Ms. Serena Purdy:** I would say what we always say: It's very important for communities that you build with us and not on us. As has been pointed out on this panel so far, when you centralize power, you often create problems and inefficiencies that would be solved very easily if you just spoke to the communities concerned. When you pass sweeping governance shifts like this, it's so much more difficult to fix the mistakes thereafter. It is so much more difficult to dial it back and reinstate those necessary democratic structures and safeguards that the people of Toronto fought to get in place in the first place. That is the legacy of our elders in our community who have been so involved in Kensington Market in the way that we build our bylaws and in the way that we operate together with our city.

I would say representative democracy aids. It facilitates building better cities.

**Ms. Jessica Bell:** Thank you. My final question is to Gary Gladstone from Reena. Mr. Gladstone, what recommendations do you have for the provincial government to build more supportive housing?

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**Mr. Gary Gladstone:** Very clearly, when they're re-negotiating the Canada-Ontario co-investment fund bilateral agreement, that 10% of all housing dollars from the feds to the province, down to the service managers, have a string around them for those with developmental disabilities. Twenty-five thousand individuals with developmental disabilities are currently without housing. The waiting list is over 40 years long. Take that money and put a string around it to support those with developmental disabilities.

**Ms. Jessica Bell:** Thank you for coming in, all of you, and for expressing your concerns. I'm also concerned about Bill 39. We will continue to organize to stop it, and to make sure that Mayor Tory and other mayors never use the powers that they are given, and that they use collaboration, consensus and majority rule to get things done.

**The Chair (Ms. Laurie Scott):** There are 45 seconds left.

Yes?

**Mr. David Miller:** Madam Chair, I said something incorrect. Could I correct the record?

**The Chair (Ms. Laurie Scott):** Of course.

**Mr. David Miller:** In response to Mr. Grewal's question: There was a third aspect that I sought authority for, which was to change the reporting authority of the city manager—instead of reporting to council as a whole, to the mayor. In working with council and the province, what was agreed upon was to have the city manager report through the mayor to council. I just read the article Mr. Grewal is referring to and it refreshed my memory, and I thought I'd better correct the record.

**The Chair (Ms. Laurie Scott):** Thank you. I will now go to MPP McMahon for her time.

**Ms. Mary-Margaret McMahon:** Back to David on the friendly hot seat: There are the housing task force recommendations out there which say there are plenty of places to build without bulldozing into the greenbelt or, today, the Duffins Rouge Agricultural Preserve. You were at city hall, in a position of leadership, for 16 years. You know a thing or two about housing in the city of Toronto; I would argue, more than anyone here.

What would your suggestions be to us if we want to achieve the 1.5 million homes in 10 years? Should we be building on wetlands, on farmlands, in pristine areas, or existing communities?

**Mr. David Miller:** It's fundamentally wrong to be building on wetlands, farmlands, pristine areas or in the greenbelt. It's a commitment to the people of Ontario and an important commitment to our future, both from a food security perspective and from an environmental perspective. The most frustrating thing is, it's unnecessary—just like Bill 39.

So how do you densify in Toronto and how do you densify in some other Ontario urban places? I think the Places to Grow Act was directionally correct. Perhaps more needed

to be done, but the official plan from Toronto from 2007 was directionally correct, although we've learned more since and I'm sure it can be improved.

So what's the direction? Ensure that a city like Toronto has a transit network around the entire city, not just in parts of it, so that people can live here without having to own a car. That's extremely important, from a social inclusion and equity perspective, for people who rely on bus service running in mixed traffic and who get stuck in rush hour traffic—just like people in cars—who, by the way, are often the lowest-income people in the city, working two or three jobs to keep food on the table. It's the very first thing you need to do. We've failed to build that network, even though it was under construction when I left office—bits and pieces. But the latest proposals don't do that. Without building that network, you can't accommodate the amount of new building that is needed. That's the first thing.

The second thing is, you need direct funding for affordable housing—certainly, rent-geared-to-income housing, housing like co-ops and so forth.

The third thing is, the city needs the financial tools to benefit both from the development—although the land transfer tax helps in some way in that—and enough financial tools so that as the city grows, it can fund the services that are needed.

In this particular case, arguably the biggest obstacle to approving planning applications is the lack of planners, because the city doesn't have the money to hire planners. In fact, instead of bringing in a bill to support minority rule, if the province simply gave the city \$20 million or \$30 million to hire planners, we would actually be able to expedite housing.

I guess a final point: There are a lot of neighbourhoods in today's Toronto, in North York, Etobicoke and Scarborough, that were built—

**The Chair (Ms. Laurie Scott):** Sixty seconds left.

**Mr. David Miller:** —sort of urban-sprawl-style, with cul-de-sacs and so forth. Those are harder to densify with the kind of density we see along Bloor Street, the Annex or High Park. What do you do with those neighbourhoods? How do you ensure that that housing type can house more people? For example, the city of Toronto brought in a bylaw some time ago to allow second suites. Can we move to allowing more easily third and fourth suites, townhomes, in those kinds of neighbourhoods? Because they're not set up in the physical way that we are downtown. I think a combination of those things—building a rapid transit network and densifying along the lines and ensuring that the zoning was broader in those neighbourhoods—would produce a massive amount of housing in Toronto alone, and that would be true in Ottawa and, to some extent, Hamilton as well.

**The Chair (Ms. Laurie Scott):** Thank you.

**Ms. Mary-Margaret McMahon:** Thank you. I was happy to help bring in laneway suites, and I think we should be gutsier with four units per site versus three.

**Mr. David Miller:** I agree.

**The Chair (Ms. Laurie Scott):** Thank you very much. We're out of time. Thank you.

Moving over to the last round and the government side, please. MPP Smith.

**Ms. Laura Smith:** I want to thank everybody for attending here today. I'm going to try and share my time. I'm going to be as brief as possible so that I can get these questions out. It's a two-parter.

To Mr. Gladstone: I do not believe you were able to finish your last statement—we were talking about Bill 39 and group homes.

**Mr. Gary Gladstone:** I was basically saying that, with your support, we need to ensure that those with developmental disabilities are never left behind again, that 10% of funds are dedicated to assist them. Thank you for the opportunity to speak in support of Bill 39 and make sure that happens.

**Ms. Laura Smith:** All right. Obviously the work that this bill would put through would help Reena and other organizations similar to that to get shovels in the ground on these important pieces of infrastructure.

**Mr. Gary Gladstone:** We need that. We need the funding. We need the go-ahead, and this will assist us.

**Ms. Laura Smith:** Thank you, Mr. Gladstone.

The next question is for Mayor Miller. Thank you for being here. We're going to go back in time to 2008, I'm also looking at that article. You requested structural changes, and I'm looking at a statement where—we're talking about democracy and majority rule, but you also said in that same article, "If you are accountable to everybody, nobody is accountable." I think they were talking about the frustration of not being able to get things done in council. So you're talking about powers for city managers to pick these executives. You sought changes at that time.

I just want to keep things in perspective. Strong-mayor powers can only be used for budget drafting and provincial priorities of building 1.5 million homes. What is your comment to that, given that you did ask for these same or very similar powers?

**Mr. David Miller:** I do have to respond to the quote because you wouldn't understand the context—you weren't there. But the context was about the fallout from the MFP scandal and the phrase "if you are accountable to everybody, you're accountable to nobody" was speaking to the fact that the civil service reported—I think 14 people reported to council.

**Ms. Laura Smith:** You were aggravated by the system or the—

**Mr. David Miller:** I wasn't aggravated at all. This was an independent report by a committee led by Blake Hutcheson that I was commenting on, but the change that I wanted, which was granted and does exist—to Mr. Grewal: I corrected the record because I forgot this when you asked me questions—was, instead of having 14 public servants report directly to council, they reported to the city manager and the city manager reported to council through the mayor.

**Ms. Laura Smith:** Did the mayor request—

**Mr. David Miller:** And I requested that authority.

**Ms. Laura Smith:** Did you at any time request the power to hire or fire those city managers?

**Mr. David Miller:** Yes.

**Ms. Laura Smith:** Okay. Time?

**The Chair (Ms. Laurie Scott):** Four minutes.

**Ms. Laura Smith:** I'm going to be passing that over to Mr. McGregor.

**The Chair (Ms. Laurie Scott):** MPP McGregor, please.

**Mr. Graham McGregor:** Great. Thank you, Serena, good to see you again. Thank you, Gary, good to see you again. I know you testified to Bill 23.

Mayor, good to see for the first time.

**Mr. David Miller:** Nice to meet you.

**Mr. Graham McGregor:** Two of my relatives voted for you, an aunt and an uncle, at least once, although—

**Mr. David Miller:** You come from good stock, sir.

**Mr. Graham McGregor:** I appreciate that.

I just want to clarify, because part of what you said we could do to tackle the affordable housing crisis in Toronto is (1) if we raise taxes and give the city a portion, and (2) if we cancel the Scarborough line and the Ontario Line. Those are pretty bold political decisions to espouse. I just want to give you a chance to clarify the record: Do you actually think that will help us solve the affordable housing crisis?

**Mr. David Miller:** So first of all, I didn't say raise taxes; I said give a share of income and sales taxes to the city. Because the funding model for the city is fundamentally dysfunctional. When the city supports economic success and growth, it gets literally zero revenue. So if the city acted like a business, it would try to stop all business and anything except land development, which does bring in revenue.

**Mr. Graham McGregor:** So just to clarify, where would you get that 2% from? From the provincial coffers? You would give that to the city of Toronto?

**Mr. David Miller:** First of all, as you probably know, I was part of a group of national mayors who argued that 1% of the GST should come to cities across Canada. But, you know, if the province wants to see housing built, you need to recognize, in Toronto, that the funding model is broken. Toronto needs to be able to access revenues that grow with the economy. You can construct—

**Mr. Graham McGregor:** Fair. And the Scarborough subway line, you want to cancel that and build affordable housing?

**Mr. David Miller:** No, that's not—

**Mr. Graham McGregor:** Could you clarify that?

**Mr. David Miller:** Yes. My point is that the Scarborough one-stop extension for about—it's going to be about \$6 billion, might be \$7 billion because the tunneling costs are so high. And the Ontario Line, which is \$20 billion now, I think, at the latest estimate—that's \$27 billion being

invested in transit. That's a choice the province has made. Those two lines will not facilitate very much development. It may serve other purposes, but they will not facilitate very much development, because they don't create a transit network around Toronto.

**Mr. Graham McGregor:** I appreciate it. Thanks for clarifying. Time check?

**The Chair (Ms. Laurie Scott):** Ninety seconds.

**Mr. Graham McGregor:** Ninety seconds. This bill was referred to the committee after passing second reading at the Legislature. Do you know the vote total of how this bill got passed?

**Mr. David Miller:** No.

**Mr. Graham McGregor:** It was 75 to 33. And I say this because there's a troubling trend, I think, that we've heard. Certainly, I think the government saw it in the last election where any time this party and this government takes action to build houses, we hear a lot of hyperbole coming from the opposition. The first housing supply action plan: That was an affront to local democracy. With Bill 5 in the last session about Toronto city council, that was an affront to democracy. That was undemocratic action, allegedly, taken with our bill. Bill 3 of the strong mayors: That was the action that apparently was wrong.

Under this government, we've had a record amount of housing starts, certainly since before I was born—over 100,000. We've got to build 1.5 million homes in 10 years. So we've got to get that number up to 150,000, on average. But every time that we've taken action, we've seen members from the other side who decide to say that this is the worst thing that's ever happened, an affront to democracy. They find any excuse to say no to the work that we've done.

So I guess the question for the mayor: Have you ever heard of the story of the boy who cried wolf?

**The Chair (Ms. Laurie Scott):** Five seconds.

**Mr. David Miller:** So I think if you're being consistent, you should allow the 33 members the deciding vote on this legislation.

**The Chair (Ms. Laurie Scott):** That is time.

**Mr. Graham McGregor:** Well said.

**The Chair (Ms. Laurie Scott):** Thank you very much to the presenters for coming today and to the members for a very long day of hearings. The business of the day is concluded. I'm just going to remind you that the deadline for filing written submissions to Bill 39 is 7 p.m. on December 1, 2022, and the deadline for amendments to the bill is 1 p.m. on December 2, 2022.

The committee is now adjourned until 9 a.m. on Monday, December 5.

*The committee adjourned at 1804.*





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