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**Official Report
of Debates
(Hansard)**

Monday 19 September 2005

**Journal
des débats
(Hansard)**

Lundi 19 septembre 2005

**Standing committee on
regulations and private bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

Chair: Marilyn Churley
Clerk: Tonia Grannum

Présidente : Marilyn Churley
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Monday 19 September 2005

Lundi 19 septembre 2005

The committee met at 0938 in committee room 1.

SUBCOMMITTEE REPORT

The Vice-Chair (Mr. Tony C. Wong): Good morning, ladies and gentlemen. This is the standing committee on regulations and private bills. I call the meeting to order. This is on Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit.

Item 1 is the report of the subcommittee on committee business.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): I'm just going to present the report as it is in front of you.

Your subcommittee met on Wednesday, August 10, 2005, to consider the method of proceeding on the following private members' public bills;

Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit (Mr. O'Toole),

Bill 58, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fundraising activities of legitimate charities and non-profit organizations (Mr. Lalonde),

Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act (Mr. Rinaldi),

Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences (Mr. Zimmer),

Bill 7, An Act to authorize a group of manufacturers of Ontario wines to sell Vintners Quality Alliance wines, (Mr. Hudak),

Bill 101, An Act to amend the Health Insurance Act, (Mr. Baird),

Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public, (Ms. Di Cocco), and recommends the following:

(1) That the committee meet for the purpose of public hearings during the week of September 19, 2005, and the week of September 26, 2005, in accordance with the agreed-upon whips' schedule.

(2) That the committee meet in Toronto at Queen's Park for the consideration of Bills 137, 58, 153, 209, 101, and 123.

(3) That the committee meet half day in Niagara and half day in Toronto for consideration of Bill 7.

(4) That the committee meet from 9:30 a.m. to 6 p.m., subject to change and witness demand.

(5) That an advertisement be placed in all English and French weeklies and in the English dailies and one French daily for one day, September 6, 2005, and that the advertisement also be placed on the OntParl channel and the Legislative Assembly Web site.

(6) That the deadline for those who wish to make oral presentations on any of the private members' public bills be 5 p.m. on September 12, 2005.

(7) That all groups be offered between 15 to 20 minutes in which to make their presentations and individuals be offered between 10 to 15 minutes in which to make their presentations, and that the clerk in consultation with the Chair be authorized to determine the amount of time offered, based on witness demand.

(8) That the clerk in consultation with the Chair be authorized to schedule all witnesses.

(9) That the sponsors of any of the private members' public bills be allowed to make a 15-minute opening statement at the outset of the public hearings, followed by a five-minute question-and-comment period from each of the government, opposition and third party critics.

(10) That the deadline for written submissions on all private members' public bills be 5 p.m. on September 29, 2005.

(11) That the research officer provide the committee with background information on each of the private members' public bills by 5 p.m. on September 15, 2005.

(12) That the clerk of the committee in consultation with the Chair be authorized, prior to the passage of the report of the subcommittee, to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

The Vice-Chair: Thank you very much. I would now like to invite the sponsor of the bill—sorry, we need to have a vote on this. All in favour of this? Opposed, if any? That is carried.

INCOME TAX AMENDMENT ACT
(PUBLIC TRANSIT EXPENSE
TAX CREDIT), 2005

LOI DE 2005 MODIFIANT LA LOI
DE L'IMPÔT SUR LE REVENU
(CRÉDIT D'IMPÔT POUR DÉPENSES
DE TRANSPORTS EN COMMUN)

Consideration of Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit / Projet de loi 137, Loi modifiant la Loi de l'impôt sur le revenu afin de prévoir un crédit d'impôt pour les dépenses engagées au titre des transports en commun.

The Vice-Chair: Now I would like to invite the sponsor of the bill, Mr. O'Toole, to speak.

Mr. John O'Toole (Durham): Thank you very much, Chair. I also thank the clerk for making sure that I am properly subbed on to the committee. I'd also like to thank the government for recognizing that there is merit in this private member's bill, and it's an honour to be able to set aside time to debate this in the public forum. I think it's a progressive, pro-democracy kind of thing when the government allows an opposition member—and I might say as well, Mrs. Van Bommel, that I'm now the transportation critic, so I have a genuine interest as a person who commutes each day to Queen's Park.

Along with many of my constituents, I'm burdened with worries about the regularity and dependability of transit being there when and where you need it, and in an affordable manner. That very clearly leads to Bill 137. Bill 137, which was introduced October 28, 2004, was popularly received by debate on second reading. From that, it precipitated into this hearing today.

I would say from the outset that the bill is a framework, a piece of information to encourage the government to take the initiative themselves in a more well-developed legislative form. If this is a catalyst for that steering process, that would be a worthwhile outcome from today.

I probably will use all my time to speak, because there's so much to be said on trying to encourage people to get out of their cars and use transit. That's really what this bill is about. How we get there—you're probably going to talk in your response about the \$100 million or \$300 million that you're going to contribute in the form of gas tax. While in itself it's a strong idea and strongly encouraged by the Federation of Canadian Municipalities as well as AMO and other organizations, it's still not a fair tax technically, or tax relief, if you will, or redirection of tax, because it really does favour those municipalities that have transit today.

Much of my riding of Durham, which consists of the municipality of Clarington, a portion of Oshawa, and most or all of Scugog township, is, I would say, about 50% rural, 50% urban, and to a very large extent does not have a very well-developed transit system except in Ajax, Pickering, Whitby, Oshawa, and to some extent Clarington.

It was the previous government, in their work done on this important initiative—some of you may want to take a look at this document. It's called Shape the Future: Central Ontario Smart Growth Panel Final Report, issued in April 2003. In the transit section, they did make several recommendations; in fact, it's a worthwhile document. I'm looking at that document now, on page 22 and going forward a few pages, under the term "Unlocking Gridlock." We will hear the term "gridlock" repeatedly. It's something that I suffer and that most of the people commuting to Toronto hear about and live every day. Making better use of transit infrastructure could be part of the solution.

There were four headings in that section under gridlock: transportation demand management; investment in transit; transit-supportive land-use planning; and the number four principle, an integrated transportation network. So all of the initiatives, whether it's the gas tax or this initiative here, are really to help to develop the infrastructure, both capital and operating, necessary to have a well-developed transit system serving probably in the neighbourhood of five million to six million people in Ontario who use, or should use, transit on a regular basis. If they did, they would probably also be solving another problem, that of building more roads and improving the roads. It's probably not sustainable without building more roads, even beyond the 407 corridor that's currently under construction or under consideration.

One of the things that this bill tries to do is to incent the user directly. One of the issues, on speaking to the Canadian Urban Transit Association, with whom I have spoken on a number of occasions, and others—I have sent this bill and continue the dialogue. It's on my Web site. As well, I've sent it to all of the regions and other municipal leaders through AMO and tried to get their feedback. Indeed, I will cite some of the feedback that I have received. But the intent there is to find a way, a catalyst, if you will, to encourage the transit user to take the first step. It's like quitting smoking, in a way. You've got to take the first step. You've got to have a reason, some sort of support, encouragement of some sort directly to the user. That's fundamental.

The mechanics of doing that, according to the Canadian Urban Transit Association and others, are somewhat problematic, because the bill itself—I think it's under section 2—talks about having a receiptable expense. That receiptable expense is going to be part of the administrative problem. There's a way of coming around it, and I would say the most logical way to do it would be if employers were able to provide a mechanism—a token, a voucher or some method through the employer-employee relationship—as a non-taxable benefit. All of the benefits, whether it's a car allowance or those things, are called taxable benefits. In this case, I wouldn't like to see that benefit clawed back in any way. In fact, that's a federal issue under tax rules, where anything that's deemed to be a benefit is taxable as such. I put on the record today that that is something the federal government should look at, because it is a very small way—quite obviously, I have some examples here

as I go through this—that would be a catalyst, as I referred to earlier, the point of change in someone's behaviour. That's what you have to do here: You have to incent directly the users of transit. That's the whole key to this thing.

0950

The second way would be to only incent people or give tax credit value to someone who bought a monthly pass. It would take less administratively to issue them a receipt upon them paying the \$40 or \$50 for the monthly pass. That receipt would then be filed with your income tax.

In the cases I'm establishing here, the ideal case would be where the employer provided an incentive. If you look at that in a more broadly based argument, it also ties into smart growth, because if employers are providing today a parking spot, they in fact are providing you a benefit for driving your car. So if we were saying that you provided them another kind of incentive, that parking lot, which is a poor use of space, could in fact be considered their savings, the corporate savings—or the small company that has a small tool-and-die shop or a computer shop or whatever, providing parking. In fact, it would help the whole small commercial and business sector if transit was more conveniently arranged, and that only happens when you have the density. Transit, for the most part, works well when there's density. You have to have ridership to pay a portion of the fare box, which covers only a portion of the total operating costs of a business. I would see businesses being able to work out a mechanism where they provided a token, an internally refundable system where they turn in a receipt to their employer to show that they actually used it, as opposed to giving them money, which won't get them out of the car. If you gave them \$100 a month to use transit, what evidence do we have that they're actually going to use transit?

Don't let those mechanics become a stumbling block. It's only an idea. In fact, I want to give the credit for the idea to Audrey Lemieux, who was one of my legislative interns who worked for me. I have a great deal of respect for the legislative internship program. These young people have a lot of great ideas, and it's our job to work with them.

Also, I want to give credit to the commuters from Durham. I live on the outskirts of Clarington, in the country, with a well and a septic system. I couldn't possibly use transit without having a car. I have to get in the car and go to the transit. Usually there's too much congestion at the parking lot, so I keep tracking it down from Clarington, which has a spot where you can take a bus, to Oshawa, where they have some parking restrictions at the GO station, and then the next one is Whitby and then it's Pickering and Ajax. You really have to chase down the 401 to find out where you're liable to get the optimum parking. So it's not pre-empting the automobile. The automobile has to be integrated somehow into the public transit mode.

I find the whole topic absolutely central to solving several problems. We have an obesity problem in Ontario

and probably in Canada and North America. Getting people active, getting them out of their car, is absolutely important.

One point I keep repeating is that critical moment, that focused moment where they actually make the decision, "I'm going to do it." How do you get to that? I would suggest ideas such as transit system operators, mostly municipalities, offering a free month's pass. Get them to make that first decision. Make it more convenient for the schedules.

There is a lot here that's being done by this government and was done by the previous government about integrating transit. I think York region and Durham region are probably far advanced in integrating their transit systems so that it's a seamless system from Clarington right through to Union Station.

I would also suggest investments or initiatives in what I would call smart transit, which is giving people a card, more or less like the transponder on the 407, where you use it and you're billed. So it's transparent, and that bill would then become the receipting mechanism.

In talking to some of the experts in the area, even going back to the urban transit association—I think they're probably the leaders in trying to find the right tools and the right policies to get the driver to make that first decision. You've got high-occupancy lanes and you've got a lot of ideas out there, but this would be a very good first signal. If nothing came from this other than just a furtherance of commitment by the Ministry of Transportation, I would believe that together we will have made a significant contribution to the problems inherent with gridlock, which would include environmental concerns, use of infrastructure, encouraging people to take a more active role in their daily trips by using public transit.

I just want to put on the record the work that's been done by a very good friend of mine, Rein Harmatare, who has for many years worked in the financial sector. I think he was the editor of the Financial Post. He's a good friend of mine. He said, "Here are some examples, John, of what it would mean to someone, a hard-working Ontario citizen, a young person, a middle-aged person, a person of fixed income." Let's take an income of \$30,000 per year and that person made five trips per day. The total cost for a trip from where I live is about \$14.70 per day for a round trip from Oshawa to Union Station. If you want to get anywhere in Toronto, you need to buy tokens; you can buy 10 tokens for about \$20. So the average trip per day is in the order of \$16 to \$18 per day roughly. You'd pay that much for parking maybe for an hour.

You've got to educate people by directly incenting them and making it more convenient, providing much more of those digital display or information boards and things like that for connecting trips to different points like the Eaton Centre, or the University of Toronto for students would be helpful, or other destinations. That first trip is so critical. You almost have to take them by the hand as you would with a car and a map. You can

easily take control of it yourself, but just to put that in mind.

If you annualize that, the cost to the person per year would roughly be in the order of about \$4,400. That's after-tax income. That's a considerable expense for someone making \$30,000, whether they're a student or a senior. You'd be helping them in more than financial ways, by taking an active role in environmental stewardship and responsibility as well as their own health. That little two-minute walk to the next connecting link would be exercise they otherwise wouldn't have gotten while they sat in their car in gridlock for two hours. That's what it took me this morning; I drove because I have another engagement today. That's the problem.

The Vice-Chair: Mr. O'Toole, your 15 minutes is up. Please wrap up.

Mr. O'Toole: I'd ask for unanimous consent for about three more minutes, since the day is going to—

The Vice-Chair: Do we have unanimous consent to give Mr. O'Toole another three minutes?

Mr. O'Toole: Thank you for that, and thank you very much, Chair, for your indulgence.

The Vice-Chair: Please proceed.

Mr. O'Toole: I'm so engaged in this that hopefully there will be more questions.

Anyway, the cost to the government would be minimal compared to some of the monies being spent. I could go on for some time. I want to credit the chair of Durham region, Roger Anderson, who's also the president of AMO, as well as the mayor of one of the municipalities of mine, John Mutton, and the mayor of Scugog, who is also a very strong supporter of this. I'm looking forward to comments from deputations today.

With that, I thank you for your indulgence and I look forward to further comments as we move this forward with Minister Takhar.

The Vice-Chair: It's time for the government statement and response.

Mrs. Van Bommel: At this point, we are looking forward to hearing our deputations. As you said earlier, we as a government have put our energies into municipal tax credits so that the gas tax credits encourage the infrastructure of the public transit system.

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Certainly—and you mentioned it yourself as well—there's the concern of the rural areas. I think the question really becomes one of which came first, the infrastructure or the ridership. I think we need to make sure we have the infrastructure there so we can encourage the ridership.

There's no question about the fact that we, as a government, want to encourage people to get out of their cars and start using public transit. There's a real need, in terms of the environment and gridlock, to do those kinds of things, but we do also want to make sure that the infrastructure is there first. I think that's where we, as a government, want to put our energies at this point.

The Vice-Chair: Thank you, Mrs. Van Bommel. Would the official opposition like to speak as well?

Mr. Rosario Marchese (Trinity-Spadina): No, it's the third party now.

The Vice-Chair: OK, a third party statement.

Mr. Marchese: Thank you, Mr. Chair. I want to thank Mr. O'Toole for bringing this bill forward. I want to say that it's good to see Mr. O'Toole and the Conservative Party reclaiming "Progressive" in their name, which they lost while they were in government. It's important, from time to time, to get back into opposition so that you can genuinely be progressive again. So I laud him and his party for this effort. I also want to congratulate the many members Mr. O'Toole mentioned, whom I presume to be progressive as well on this issue. It's good to see that he's garnering a lot of support for this bill.

You will recall, Mr. O'Toole, the record of the Conservative Party in their two terms, eight years, when they left transit in a big hole by lack of funding. It's good, after eight years of doing very little—in fact, leaving such a tremendous deficit—in transit to get an initiative such as this to focus our energies on the environment. I think it's great.

It's interesting as a tax cut tool, and that's why it rings so Conservative in terms of the tax cut. Part of what it does, as I understand it, is that in terms of the tax credit, low-income individuals wouldn't be eligible because they're not paying taxes. I think the cut-off is—I forget—\$30,000, \$31,000 or \$32,000 at the provincial and federal levels. So if it involves an income tax structure, which this bill does, as I read it, low-income people wouldn't benefit from this at all. I don't know how you're dealing with that, Mr. O'Toole, or whether you thought about that, but I think it's useful to study that as a problem.

There's reference made to the Ontario Professional Planners Institute, which, in one of the papers I read, talks about how giving such an incentive might motivate a 20% or 30% increase in ridership. It's a curious study—I'd like to see it—but those of you who are familiar with this will recall that the US invested a great deal of money in housing, infrastructure and transit, something the Conservative government didn't do when they were in power in a good economy. The Americans did what Canada used to do, and when the Americans started investing, Canada started disinvesting, which is curious. I think the Americans were modelling themselves after the work we had done in the 1960s, 1970s and 1980s, and after that, government support for infrastructure dwindled tremendously.

So, in terms of the question Mr. O'Toole raises—"What should the first step be?"—I wonder whether investing in infrastructure and transit would be the better way to go first. Because if we don't have the infrastructure in rural areas and cities to accommodate people and actually provide the convenience they're looking for, will they come? This bill suggests that if we do this, we'll get more riders, but I'm not sure about that. I'm not sure we have the capacity to do this in some cities, and in governments outside the cities. I'm worried about whether this is possibly the inverse of what we're trying to do.

We have to invest. This government has invested one cent. We gouge people through the gas tax, and we

reinvest so little in roads, infrastructure and transit—so little. The government claims they're spending their energy to do this in infrastructure. It's so tiny that I'm not sure about how great this investment is.

There are a couple of questions we're asking that we'd like to get answered. We are generally supportive of the idea, because we think it's a good idea, but we wonder whether we should be investing in infrastructure first and then pursuing this idea with all the attendant problems I'm raising and that I think other people have raised as well.

The Vice-Chair: There are a number of deputations, and the first party—

Mr. O'Toole: Chair, may I respond? That's kind of the normal thing. I think the schedule indicated I have a response.

Mr. Marchese: I don't think it's normal to do that, Mr. O'Toole.

Mr. O'Toole: I think it is.

The Vice-Chair: Do we have consent for Mr. O'Toole to respond?

Mr. O'Toole: A two-minute response.

Interjection: We don't have time.

Mr. O'Toole: We don't have time?

Mrs. Van Bommel: We need to have the deputants proceed. I think they've been waiting.

Mr. O'Toole: Oh, sure—absolutely.

ONTARIO PROFESSIONAL PLANNERS INSTITUTE

The Vice-Chair: The first party is the Ontario Professional Planners Institute. Welcome. Please come forward and identify yourself.

Mr. Gregory Daly: Thank you very much, Mr. Chair. Good morning. My name is Gregory Daly. I'm the chair of policy development for the Ontario Professional Planners Institute. I'd like to thank the committee for the opportunity to speak. I will note that my remarks are based, as you heard from one of the honourable members, on recommendations contained in a letter of April 25, 2005, which we provided to the minister. Copies of this submission are available on our Web site, which is www.ontarioplanners.on.ca.

The Ontario Professional Planners Institute, also known as OPPI, is the recognized voice of the planning profession in this province and provides leadership and vision on policy matters that are related to planning development and other important socio-economic issues.

As the Ontario affiliate of the Canadian Institute of Planners, OPPI brings together over 2,600 practising professional planners from across the province. We also have over 400 student members at Ontario universities. The breadth of our members' knowledge and the diversity of their experience provide OPPI with a unique perspective from which to contribute to planning and transportation issues.

OPPI members work for government, private industry and a wide array of agencies and not-for-profits, as well

as academic institutions, engaged in a broad range of practice areas, which include urban and rural community issues, planning, design and environmental assessment, all related to planning and transportation issues.

OPPI is a professional association funded entirely by its membership through fees, programs and other activity revenue.

Through our public policy program, we conduct research on planning issues and general quality-of-life issues. We distribute this information to our members, government, the public and media, and our purpose is to provide objective and balanced submissions based on the collective experience and wisdom of our members.

We're very pleased to provide this submission on Bill 137 and to indicate support for this initiative.

Our members are active in formulating the land use and environmental policies and decisions that shape the land use fabric in Ontario. An objective of OPPI is to improve the quality of the Ontario environment and communities by the application of sound planning principles. Many of our members are involved in the planning and assessment of transportation and other infrastructure projects in Ontario.

It's our submission that Bill 137 would have the effect of reducing travellers' costs of using public transit. In doing so, it would make the costs of travel by transit closer to those travelling by automobile, in particular, since transit use would receive a similar tax treatment to that of employer-provided parking. The expected result is that more drivers would leave their automobiles at home and use transit for their daily commute to work.

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Our membership has advised that experience in the United States has shown increases of upwards of 20% to 30%, as you've heard, in new transit ridership when similar credits have been introduced.

OPPI wishes to express its support for Bill 137 for several reasons.

The proposed tax credit for using public transit represents a proven and effective measure that is necessary to retain existing transit riders, to attract new transit riders, and to promote a more level playing field between automobiles and transit.

The expected resultant increase in transit ridership supports, and is consistent with, the basis of many official plans in many of this province's cities. In many official plans, transit is promoted as a key alternative to driving in order to improve the efficiency of existing urban infrastructure and to reduce consumption of greenfields for new development. Transit achieves this by reducing the demand for paved areas—space allocated to new roads and to parking—and by increasing the overall accessibility of individual properties, thereby making them more valuable for high-density, mixed-use development, which in turn is a more efficient use of land and generally attracts more transit riders.

Increased transit demand improves the cost-effectiveness of providing transit services: As revenues increase, unit costs decrease. This helps to reduce the public expenditure required to support public transit.

By reducing the number of automobiles on the road during peak travel times, the resultant increased transit ridership will help to reduce congestion. Recent research in Canadian cities, and those would be Hamilton, Ottawa and Toronto in this provincial context, has shown that the costs of congestion are substantial and growing, including the value of time lost to delay and to increased vehicle operating costs.

Removal of drivers who do have the choice to use transit improves operating conditions and reduces costs for those who do not have the choice, such as truck drivers. Reduced congestion time improves the reliability of on-time deliveries, an important tool in the province's overall competitiveness.

Reductions in congestion, and in the numbers of automobiles on the roads generally, result in reduced emissions of air pollutants and greenhouse gases. Because smog and poor air quality have been linked with an increased incidence of childhood asthma and other health problems, reductions would reduce costs to health care and lost productivity while improving quality of urban life and promoting healthy communities.

In conclusion, OPPI is dedicated in its support of good community planning. We appreciate this opportunity to indicate our support for this critical issue, which has the potential to benefit planning, human health and the environment while reducing public outlays of money for transportation infrastructure in Ontario.

Thank you. I would be pleased to answer any questions from the committee.

The Vice-Chair: Thank you very much, Mr. Daly. Questions from members?

Mr. O'Toole: Thank you very much. I do respect the professional planners for taking the time to comment supportively in this small initiative. I have just a couple of points that I wanted to reinforce.

You mentioned probably most of the points that I think are more important, perhaps, than the tax credit itself. It's that initial move, the mindset that people have to make that transformation from the automobile to transit. Am I making that up? Because for me, it was a huge deal.

I worked in the automotive sector at General Motors for 30 years. For part of that I worked in transportation planning, actually, for just-in-time, reducing inventories—that was the issue. Am I right or am I just assuming this? Because the transformation for me was in a snowstorm one day. I noticed a couple of people I see regularly on the 401 making the exit to the GO station. I didn't really know where it was. So I followed them, because there was a snowstorm, and ended up—gee, they helped me out a bit. It was like a first day at work kind of thing. It was sort of like the first day I came to Queen's Park. It's a real transforming event, if it's done properly. Fortunately, I had someone to shepherd me through. Am I making this up or does that significant event have to happen to change people's behaviour?

Mr. Daly: OPPI sees this as an element of a larger need for additional monies for infrastructure for public

transit purposes. Of course, this government has other initiatives that it's undertaking to deal with those elements of things.

We believe very strongly that this initiative is a mechanism by which both employers and individuals can perhaps take a step that they haven't been prepared to take before. The opportunity to provide transit passes or to get tax credits for individual employees could be the means by which people then see transit as a viable alternative to the automobile. Any instance within which we can have people understand that the opportunity is there for them and they can take advantage of it means that they will start to look at it as a viable, reasonable alternative to their vehicle.

We've heard a number of different comments about potential costs associated with parking and the like. It is a means by which individuals can start to see transit as the better choice. This is something which can apply across the province as a whole. Within larger municipalities, there is long-standing public transportation infrastructure and there is obviously the need for increased ridership. If this can assist with that in any way, it will assist in reducing costs. In smaller municipalities, in instances where we are linking to multiple transportation systems, this would also be another mechanism that could help people just take that extra step.

Mr. O'Toole: I just have another comment. You mentioned two things that are related to this besides the tax issue, which I'd leave to the government. That being said, I put on the record that the intent here would be to allow them to implement, by way of regulation—although I can't do that, they can, as a government initiative—a progressive tax structure to implement it: first, with monthly passes, and secondly, addressing some of the issues that Mr. Marchese mentioned. It would help the gridlock question. The currency of that issue of congestion is unsolvable without a lot of environmental assessments and the building of new infrastructure that just precipitates the problem we're in. Given the price of gas today as well, the timing of this is absolutely critical. They can take this and say, "Look, we're a good government. We think good policy is good politics," and go ahead with this and take full credit; I could care less. I think the end result is that the people of Ontario benefit.

The big thing here that needs to be on the public record—I was amazed when the Kyoto debate was being discussed. We were the government. It's not a new issue. The largest contributor to smog under Kyoto is not the coal plants, it's actually the internal combustion engine. The then Minister of the Environment, Elizabeth Witmer, commissioned a report in 2003. It was a part of the Lakeview coal plant closure issue. It's quite a comprehensive report. It says that 60% of air particulate matter and other contributing factors to degradation of the environment is actually the combustion engine. It's the big one. You look at it, and it's significant.

I'm looking for a brief response on that. How do we push this forward using just those two elements that you've mentioned in your submission today, to advance

this not in a political sense, but in a policy discussion? You, as the official planning voice for the province, at first stated this support for several reasons that you've identified. What would you recommend to this all-party committee to move this item further up in the discussion that I've just laid out before you? Because it won't get on the legislative agenda. There's a transportation bill—Bill 169, I think—before the Legislature now. As a planner, you could actually be the catalyst in forming this policy thrust, and I think it's got to come from a third party commentator like yourself.

1020

Mr. Daly: I know that this government has recently invested in health promotion through the creation of a new ministry. The Ontario Professional Planners Institute has been seeking ways to link with that ministry; in fact, the direction that our institute is taking as we move forward is looking at ways in which we as planners can contribute in a meaningful way to quality of life in this province. Under that banner, we acknowledge and recognize links between areas of health promotion, links to the medical community, public health initiatives.

We are acknowledging that there are many professionals in a variety of different capacities who are speaking the same message, that the way in which we live in our communities and the way in which we grow has contributed to a society which does not understand the link between actions and end state. Getting from the choice of, "As I left my office at Bloor and St. George to get on the subway and come here," as opposed to "get in my car and drive here"—that first instance means that I have made a choice and taken a step to reduce and respond to some of the end-state conditions which we see and understand are problems in our everyday life.

Health promotion is the way to do that. Health promotion is not simply preventive medicine; health promotion is promotion of healthy lifestyles, healthy habits and healthy community planning. In doing that, we need to understand, for example, intensification within this province as an integral component of supporting public transit. Whether or not that's linked to the greenbelt or other issues, intensification in and of itself is an incredible opportunity to respond that exists, whether it's in small communities or in the largest cities.

As planners, we need to continue to link to other professionals. It's our goal, and we've been attempting to do that. I would challenge the government and this standing committee to make those overarching, multi-professional links that need to be undertaken in order to properly respond.

The Vice-Chair: Mr. Marchese, do you have any questions?

Mr. Marchese: Yes, thank you. Mr. Daly, I agree with all the arguments you make, but we have a big problem in terms of how we deal with a car culture that we have created and that we continue to support. We depend on the car and the car industry economically, so there are a whole lot of people in this society unwilling to change that culture. Then we created a convenience

culture—"The car will take you there"—and a status culture around the car, so it's going to take some work to change that around.

I really believe it takes a crisis to all of a sudden get people to change their minds. That's what normally happens. We've got a crisis, governments respond, and then we change habits. It's sad, but that's the way it normally works.

My understanding is that this would take about a half billion dollars out of provincial and possibly federal coffers; it's hard to know how the two link in terms of costs. It's almost \$1.2 billion by estimates that I have seen. I'm not sure if this is correct or whether you guys have done some analysis. Half a billion dollars, or \$600 million, is a lot of money. This government, indeed most governments, wouldn't want to find that kind of money for this kind of initiative. They just wouldn't do it. If they were to do something, they would invest in infrastructure because it's much more visible in terms of what you can accomplish. I suspect that is what they would do, but they're not going to spend that kind of money on infrastructure either.

But my sense is that in order to get people to start considering transit, you've got to make it more convenient. You've got to provide the infrastructure. If you don't do that, I'm not sure that given the other incentive to those who are somewhat well-to-do to use transit—that we might attract other people on to transit. That's the first question, in terms of where we invest the money.

Secondly, there was another planner—I think it was Berridge—who did a study for Toronto. Is it Berridge?

Mr. Daly: Joe Berridge.

Mr. Marchese: Joe Berridge. He's a planner; correct?

Mr. Daly: Yes, he is.

Mr. Marchese: His study talked about the fact that the Americans were investing unlike ever before. My sense is that because they made serious investments in transit as well, that's what caused the 20% to 30% increased use. I could be wrong, but that's an assumption I make. What do you think about where we invest and whether or not that investment in the US has caused the increase, rather than the tax credit?

The Vice-Chair: Mr. Daly, you have up to one minute to answer this question, so that Mrs. Van Bommel can ask her question.

Mr. Daly: I see this as a two-pronged question, Mr. Marchese, and I understand that first we also need to invest in infrastructure, because if transit is not conveniently located or accessible, then the credit is useless. But there are instances where the credit can be effective and of assistance now, and it will, we believe, support increased ridership, which then will help to provide additional dollars for infrastructure. There is an element of that. But it must go hand in hand, obviously, with additional dollars for infrastructure.

The second part of your question is how investments are to be made. We need to ensure that we invest in public transit in areas where we can get the most value for the response. There are many, many studies that have been done which talk about different forms of transit and

different opportunities, whether it be GO Transit buses or trains or subways or the like. But we need to ensure that there is a link between where we develop, where we provide for intensity of development, and where we provide for infrastructure. If we provide public infrastructure support for transit without a concurrent land use planning initiative to ensure that there are densities to support that, we're wasting our money and our time.

Mrs. Van Bommel: Thank you for your presentation. Certainly as planners, I know you have members in rural areas. We agree with the idea that we want to get more people using public transit, but I also have to concur that I think convenience is an important part of that. Coming from a rural area, I would like very much to be able to use public transit, but the infrastructure, firstly, is very limited; secondly, the scheduling is very inflexible, which means that often there is very little choice for me other than to take my car, even though I don't want to.

As a government, we have to set priorities, and we would like to see the infrastructure there first. I think, for myself, public transit should be something that's available to all Ontarians, and we need to get the infrastructure in place. As has been stated, this is a very costly proposal, and I would like to know your opinions of how we can get the people to use that. I'm not really convinced at this stage that giving a tax credit is going to be the incentive. Quite frankly, I think the price of gas right now is probably more of an incentive to use the public system than to give a tax credit, because, as I say, scheduling in certain areas is very limited and we need to get infrastructure in there so we can get more flexible scheduling in place for people to be able to use it. I think that's a greater incentive than a tax credit. But you must hear from your rural members as to how they feel about infrastructure for public transit and the need to do that in all of Ontario. I'd like to hear what your members are saying about that.

The Vice-Chair: Again, Mr. Daly, you have up to one minute to answer.

1030

Mr. Daly: Thank you, sir.

Absolutely, and I can speak from personal experience. I am a rural member. I live in Dufferin county. My transit option is one GO bus down from Orangeville in the morning and one back in the evening. So convenience is an element of that; flexible schedules are another aspect of that.

There are a number of different things that can be done to support and augment this initiative, but having said that, there are positive benefits to this because it provides, again, an additional opportunity. And it's not just the individual. It could be employers as well: employers purchasing transit passes that can then write those transit passes off, where that opportunity did not exist before. If employers are making that choice, educating their own employees about these opportunities, then employees can take advantage of it. My employer provides me with free parking where I work. If they provided me with free transit as well, then I have a choice that I didn't have. For many people, that can be

the element that tips the bucket and starts people using the system where they didn't before. If more people are taking the GO bus from Orangeville, then they're going to need more buses. Yes, that's an increased cost, but then it comes back to them in increased ridership, reduced congestion, and less need for widening of Highway 10.

The Vice-Chair: Thank you very much, Mr. Daly.

GREEN PARTY OF ONTARIO

The Vice-Chair: The next deputant is the Green Party of Ontario. Please come forward. Welcome, and please identify yourself.

Mr. Raymond Dartsch: My name is Raymond Dartsch. I'm the transportation issues advocate for the Green Party of Ontario, which is another political party that exists in this province. I have a presentation to make regarding this bill.

Bill 137 would provide direct financial incentives to Ontarians who decide to use transit services, via their income tax returns. Thus, Bill 137 would provide indirect support to the many municipal and regional transit services that operate in Ontario.

The benefits to society at large that result when individuals choose the transit mode over the private vehicle mode are well known and generally accepted, and I need not reiterate those benefits in my presentation. These benefits have been implicitly acknowledged by the governments of Ontario and Canada, who have chosen to directly invest \$1 billion in the expansion of GO Transit train and bus services, the implementation of VIVA express bus service in York region, and the apportioning of a fraction of gasoline taxes for the TTC and other transit services in Ontario.

Anything that supports transit development in smoggy, gridlocked southern Ontario is to be welcomed, which would seem to make support of Bill 137 a no-brainer. However, one item for consideration on this issue did occur to me, and apparently to a lot of other people, from what I'm hearing. I have 10 minutes to speak, so I will discuss this item.

We must consider the question of whether it would be wiser for the government of Ontario to support transit in a more direct fashion than by using the Income Tax Act. Does it make sense to add yet another schedule to the ever-fattening package that Ontarians receive at tax time each year? Maybe we could just use provincial money to lower fares across the board, or build more infrastructure to make transit more convenient, instead of insisting that passengers store up their tickets and passes to hand over to the taxman so as to claim their credit. This is a legitimate and important question. I would argue that it is appropriate to use the Income Tax Act as a device to promote transit use. I'm all for increased direct transfers from the province to different transit services, and I'm confident such transfers would be used wisely and effectively in nearly every instance. But the problem that I hope to see addressed by Bill 137 is how to achieve that psychological switch in the minds of as many individual

Ontarians as possible that it makes sense to use transit. There's nothing like an income tax credit to inspire people to move their behaviours in a more socially desirable direction. I believe it's the case that above a certain income level, transit use is fairly cost-inelastic. If you play with the train fares \$1 each way, for example, you're not going to draw that many customers out of their cars, but once word got around that a monthly GO pass could be claimed on one's income tax return, I would expect that GO would have to place orders for a lot more trains to keep up with the demand.

That leads me to another point. It's true that GO trains and some TTC routes are bursting at the seams with their passenger loads, but many transit systems have the opposite problem, that of unused capacity. I see a lot of buses with three passengers on some routes out in Hamilton and Burlington. Extra funding directly to the HSR or Burlington Transit may not be the remedy for that situation, whereas credits to individuals who would fill up those buses at negligible incremental cost are a much better idea.

I've described the effectiveness of Bill 137 as being due to certain psychological factors acting on the individual decision-making process. However, Bill 137 is not simply a manipulative marketing ploy for transit. The Income Tax Act awards credits for tuition fees and retirement savings because it has been recognized that personal choices in these areas have significant consequences for the well-being of the public at large and for the future of our province.

Transportation in Ontario has deteriorated to the point where it is necessary to exploit every possible lever to reverse a critical situation. If passed by the Legislative Assembly, Bill 137 would be a powerful and effective lever in this regard. I commend John O'Toole, MPP, for his efforts and initiative on this bill.

Thank you for your time and attention.

The Vice-Chair: Thank you very much, Mr Dartsch. Questions from members?

Mr. O'Toole: Thank you very much, Raymond. I think you've summed it up very well in terms of some of the initiatives currently underway. York region is doing probably the best job. Ottawa is doing a fairly good job too on its integration of transit. But it does take that personal choice that you described, as well as what I call a major significant event, to change behaviour. I think we've all acknowledged that.

Ms. Van Bommel mentioned timing, which I'm not surprised by, actually. They think that by increasing the price of gas, people are going to be forced to make that choice. That's another debate. I just want it on the record that that's what I heard her say, that they'd like to see gas prices go up so that people won't have any choice but to find alternatives. They said the same thing recently on a couple of things. On electricity, they've said, "Conservation is a large part of the energy solution," so they're going to raise the price. Now you're going to have to stop eating or stop heating your home. That seems to be the intransigence of their policy attitude: Collect more tax and let people suffer the consequences.

What we're asking for here is not the half-a-billion-dollar solution. We're asking for it to be an integral part of a broader solution, which of course the planners have addressed. The planners addressed it, I believe, in a more holistic way, as you have here. Making municipal planners part of the strategy of implementing it, with employers, is very important: reducing parking, paved spaces, less need to expand Highway 10 to accommodate more cars, all these things. Unless we as a planning group, as a policy development group, are prepared to really put our foot forward—and I have John Tory's ear on this. He's a leader you can trust. He represents that very area, saying that we've got to make a synergy change, really quite a paradigm shift here. Now is the time to take leadership.

What would your response be to the government? Not us—I'm not government, I'm opposition—but you are a third party stakeholder and you could tell the government to get off this thing about building more infrastructure, blah, blah, blah—nothing's changed—so that we can move this forward.

Mr. Dartsch: I would like to see that kind of shift in priorities. I would have to say that the highway extensions are really just carrying forward policies—

Mr. O'Toole: Same old same old.

Mr. Dartsch: Yes—from previous governments. But I think when a problem has been allowed to develop to such a large status, there are a lot of different angles that it can be and has to be attacked from. This is one of them. Once upon a time, anywhere you wanted to go, you could get on to interurban lines and extensive bus services and lots of electric radial railways through every mid-size Ontario town, and you had networking effects: "I can get from A to B; I can get from A to D via B and C." That was all demolished and we now have the networking effects and the economies of scale of a car culture. So the weaknesses and the problems are finally being recognized. I wouldn't have gotten here on time today if I didn't know how to use the GO train, coming in from Burlington. I had to skip the Burlington station because the parking lot was full and then sit in traffic between Guelph Line and Appleby Line, crossing my fingers that I'd actually make it to the train. You have to get through all these automobiles before you can even access public transit.

What the current government has done with the \$1-billion investment in GO Transit, federally and provincially, is long overdue. It's good that it's happening. We need to see more of that, and I also think we need to see your bill come into play.

1040

If the statistics I was hearing are true, that it's achieved a 20% to 30% increase in transit use in US jurisdictions where this is in place, I'm sure the half-billion-dollar loss of revenue that the tax credit would represent would be more than offset with the health benefits and the infrastructure benefits of not having to do so much road maintenance and road widening. Somehow, it seems that something has clicked in the American consciousness and they're building transit and re-

installing lines like never before, and they have a lot of flexibility in financing it that we don't have up here. Down in Miami, they have referendums. People actually vote to increase taxes to pay for these grandiose schemes that are coming into reality, which hopefully won't be washed away by the next hurricane. Ontario has a long way to go to re-establish our pre-eminence in North America. We've got this wonderful legacy of infrastructure that has more or less been maintained, but there's a lot of room for expansion.

The Vice-Chair: Mr. Marchese.

Mr. Marchese: Can I ask how much time we have so that I know whether to ask one question or two quick ones?

The Vice-Chair: You have about five minutes.

Mr. Marchese: Five minutes each?

The Vice-Chair: You have a total of five minutes.

Mr. Marchese: I thought we had five minutes left for the whole group. I see. OK.

Thank you, Mr. Dartsch, for your comments. As I understand it, low-income individuals who don't pay any income taxes wouldn't benefit from this. Do you have a comment on that?

Mr. Dartsch: Yes. I didn't notice it was going to be a non-refundable credit, as currently drafted. When I made my contribution to my own political campaign, that was a refundable tax credit. At that time, I was a low-income individual and it triggered money back on my taxes. I'd like to see something similar, a revision of the draft of Bill 137, which would make it refundable.

Mr. Marchese: The other point is, there's reference to American data or research, and I'm not entirely clear on that. I am convinced, without knowing the research, that because the Americans invested in infrastructure in many parts of America, combined with this kind of an initiative, it perhaps allowed people to get into transit. But without investing in infrastructure, I'm not sure that this, in and of itself, would bring a 20% to 30% increase.

Mr. Dartsch: I can't quote you any formal reports on the matter. I have my own top-10 list of fantasy infrastructure projects that I think would be really popular and draw many people on to transit, but—

Mr. O'Toole: What are the 10 fantasy projects?

Mr. Dartsch: Oh, an Eglinton subway line, across-town GO transit on the east-west line.

Mr. Marchese: You want my time again?

Mr. Dartsch: Sorry, I'm getting off topic.

Mr. O'Toole: He has to get it on the record. As the Green Party candidate, he'd be running against you.

Mr. Dartsch: They really do go hand in hand. If you were to have the tax credit that did result in some huge—most of the GO trains are standing-room-only at the moment.

Mr. Marchese: Raymond, we have a problem, right? We had a good economy under the Tories, and they squandered it by leaving us a deficit. We still have a good economy, and we still don't have money to spend on transit. We are lucky that the Liberals have given one cent. We still take a whole lot of money from drivers through the gas tax, both federally and provincially, and

the federal government rakes in a lot more than they invest back in transit. I don't see this government or the federal government saying, "Here's the money." It's coming in trickles. We don't even know how much we're going to get.

Given the cost, which is close to half a billion, as I understand it, and maybe others are better economists in terms of figuring this out, if we had that kind of money—and we obviously don't, given the current financial structure—where would you spend it?

Mr. Dartsch: What I've noted with the government is that whenever they really want to do something, the money is usually there. It's just a question of how big a priority it becomes in regard to all the other priorities. It's really how to balance anything versus the needs in health care, education and transit. It would be really good if all of these different areas were pulled apart from each other and Ontarians could make direct choices: "This is your transport tax; how much do you want to spend? This is the benefit you get. This is your health tax. How much do you want it to go up and down by?" I know that's not how it works, and that's not likely how it's going to work, so I think you're asking an insoluble question.

In a public poll I saw a couple of years ago, the traffic situation, at least among Torontonians, is the number one issue that they'd like to see addressed. That probably hasn't changed very much. What could we be doing with the \$2 billion that is lost every year to the economy because of trucks sitting on the 401 not going anywhere? That would pay for a lot.

Mr. Marchese: There was a point that I thought about in terms of trying to reduce the use of cars so that we could allow trucks to have free flow on those roads. Can you imagine that? They pull in more than cars do, and in order to get on-time delivery we're quite happy to say, "Ah, trucks. Now you can go and destroy our roads." We end up paying for this. You're not suggesting—

Mr. Dartsch: Trucks have to start using transit too.

Mr. Marchese: Don't you think? That's what I think.

Mr. Dartsch: CP Rail offers a service where you load your trailers on in Toronto and they take them to Montreal for you. I think the trend in that industry is going to go that way, because they're not moving anywhere on the roads and they're running out of drivers—

Mr. Marchese: We should be looking for incentives to get trucks off the road, shouldn't we?

Mr. Dartsch: Well, it's all a big project of—

The Vice-Chair: Mr. Marchese, your time is up.

Mrs. Van Bommel: I'd certainly like to comment that I think Mr. O'Toole has a hearing problem: I did not say that gas prices should go up, or even that they should be this high. I want that on the record. Thank you very much.

One of the things I noted in your comments—and I want to just thank you for your presentation, Raymond—is that you expressed some real frustration with the fact that you couldn't go to one station and you had to bypass it and travel down farther. If that kind of frustration is experienced by other potential riders, would you not say that, really, in terms of priorities we need to look at

infrastructure first? You need to be able to access, to get there and have something there. If you're going to have to keep bypassing one station after another, aren't you finally going to get frustrated enough that, regardless of any kind of tax credit, you're going to throw your hands up and get back in your car and just keep driving?

Mr. Dartsch: Certainly, especially with GO Transit and some of their rail lines, that is a big problem. Those are urgent priorities that are being addressed. A parking deck is going to be constructed at Burlington; that will ease some of the problem there. So, to some extent, that's underway already.

I am partial to throwing lots of money at the transportation issues. That's why they made me the transportation issues advocate. I can't really answer for the larger Green Party line on where that priority fits in with all of the other priorities, because it would represent some money not coming to the treasury that otherwise would come.

I believe—I can't give you anything to back it up—that any dollar, whether it's supporting an individual rider or the system that the rider uses, will have a multiplier effect to the economy at large and to people's quality of life at large.

I think at this time in history in this place of Ontario it's the best place to be putting dollars to bring health, environmental and economic benefits, more so than any other government program that I can dream up. I'm a registered nurse by profession, so I'm sensitive to health issues as well. I know there's a huge need there. But I can't really give a definitive response to that. There may be economic models that could be created to see what kind of benefit you do get for cost with one route versus the other.

Generally speaking, just using the general term “infrastructure,” if we talk about specific infrastructure projects, I could maybe comment more intelligently there as well. I think if an Eglinton subway line were built from Pearson airport to Scarborough, that would see tremendous use and represent excellent urban planning.

Mrs. Van Bommel: I think it's been acknowledged that we, as a government, are working with a deficit. So we have to take the dollars that we do have and prioritize, and we have to make decisions as to where the best value is in terms of what we want to do.

So again, the question really is, which comes first? Should we be talking about infrastructure or should we be talking about tax credits to ridership? Which would be more conducive in getting people out of their cars and into the public transit system? As you yourself have just said, you get frustrated if the infrastructure isn't there.

The Vice-Chair: Mr. Dartsch, please try to answer the question in 30 seconds.

Mr. Dartsch: OK. I think a tax credit program would do an excellent job of selling transit. There is a lot of demand that's out there that can be served today. Gas prices shot up and GO Transit reported an immediate large increase in their long-distance ridership. That got a lot of cars off the road and stopped a lot of gas burning. I think that target market would be similarly affected by

this, because they spend so much. The transit from Milton or Georgetown is big money and would represent a big savings to those customers.

The Vice-Chair: Thank you very much.

Members, we originally had another deputant, Ms. Hilde Van Veen. She has cancelled and will not be appearing. However, she has provided us with a written submission. There are no further deputants.

Mr. O'Toole: Chair, if I may bring some conclusion to this.

The Vice-Chair: Very briefly.

Mr. O'Toole: Very brief. I have a question, through you, Chair, to the clerk. What would be the outcome of today's contribution by the two deputations, as well as members of the committee? What will happen to the bill?

The Clerk of the Committee (Ms. Tonia Grannum): When the House returns, the bill will have a subcommittee meeting to determine when we're going to go through clause-by-clause consideration. So the presentations today are taken into account by the members, by research. If there are any proposed amendments that any party wants to introduce, they would do so at clause-by-clause time, which will be determined at a later—

Mr. O'Toole: So the subcommittee of this committee would have a determination if it was to go through a further process.

The Clerk of the Committee: We have to have clause-by-clause to get the bill—

Mr. O'Toole: So there has to be clause-by-clause, and at that time, any amendments would be submitted.

The Clerk of the Committee: We'll set a deadline, and then the amendments would have to be submitted by that deadline.

Mr. O'Toole: Great. That's technical.

In conclusion, I'd like to thank the deputants for taking the time, and encourage the Canadian Urban Transit Institute, Dr. Michael Roschlau—I've talked to him directly. I would encourage government members to contact them and to take ownership in this, in whatever form it is being phased in. In your own current throne speech deliberations, you might want to recognize some of the valuable comments made by planners today and implement them as part of the solution, part of the options for employers and employees working with the federal government, because this is on their agenda as well.

Whether the best traction is through the subsidy, through the gas tax, is a debate that, Mrs. Van Bommel, you would be familiar with. It doesn't serve all of Ontario. In terms of policy, that should be the objective here.

So I'm pleased to say on the record that I'm willing to relinquish this and encourage you in some way to try and move it carefully on to the agenda. I would respect and commend you for that effort.

Thank you very much, Chair, for the time.

The Vice-Chair: Thank you, Mr. O'Toole. Thank you all, members as well as the deputants. The committee is adjourned until 9:30 a.m. tomorrow, September 20.

The committee adjourned at 1053.

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