

Thursday 24 September 2015 Jeudi 24 septembre 2015

Orders of the Day

Protecting Condominium Owners Act, 2015

Loi de 2015 sur la protection des propriétaires de condominiums

Resuming the debate adjourned on September 23, 2015, on the motion for second reading of the following bill:

Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums / Projet de loi 106, Loi modifiant la Loi de 1998 sur les condominiums, édictant la Loi de 2015 sur les services de gestion de condominiums et modifiant d'autres lois en ce qui concerne les condominiums.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Robert Bailey: It's a pleasure to have the opportunity—

Applause.

Mr. Robert Bailey: Thank you. I've got a cheering section here.

Anyway, it's a pleasure to be here today to speak to Bill 106. The House leader of the government is going to try and get me a question—he says “next week.” So he's working on that—frugally, anyway. So we'll try and get one. I deserve one, for sure.

This most recent legislation that I'm speaking to is from 1998. Today, almost 1.3 million Ontarians live in condos. More than 50% of the homes being built today in Ontario are condos, and there are currently 700,000 condos in Ontario as a whole, with another 51,000 units under construction. That's up from 270,000 units in 2001.

In 2012, the government began its Condominium Act review, which was a three-stage public engagement process aimed at modernizing this legislation. This was in response to growing concerns from condo owners and managers. The key issues identified in this review included governance, dispute resolution, financial management, consumer protection and condominium management qualifications.

Some of the key points of that: We, as a caucus, realized that home ownership is one of the best investments a family can make. Families need to know that they will be protected once they've made this substantial financial commitment.

This bill provides many important new consumer and financial protection measures.

We are concerned about the increased red tape and bureaucracy contained in this bill. There will be two new administrative authorities created—surprise, surprise—from this government, which will require a large amount of capital for start-up.

This act would come into force the day the act is proclaimed.

To get to my own notes—those were overview: I rise today to speak to the Protecting Condominium Owners Act, 2015, that was introduced by the honourable member from Sault Ste. Marie. Over the last 20 years, condominiums have increased in their popularity and their number across this province. The epicentre of that growth is no doubt right here in the city of Toronto, surrounding us in the few blocks right around here.

In just the eight years that I have had the privilege of serving as MPP for Sarnia–Lambton at Queen’s Park, the number of condo developments in this city has just mushroomed. In my own neighbourhood, I see every day, when I look out my window in the evening or in the morning, the workers hard at work building these condos. There’s hardly a street or corner in this city that isn’t being impacted by the development of condos.

Personally, when I’m in Toronto, I also rent a condo as my residence in a building not far from this Legislature. Dozens of new condo developments have been proposed, launched, started construction and finished in only a few-block radius around the building that I’ve called home in Toronto in the last few years.

I recall that a former colleague of mine, the new mayor of Toronto, Mr. John Tory, made part of his election campaign the promise to better coordinate the never-ending construction in the downtown core so that residents, businesses and traffic would not be constantly impacted by condo construction. We’ll have to see where that discussion goes.

Hon. James J. Bradley: There was a good man: John Tory.

Mr. Robert Bailey: He certainly was. I agree with the House leader.

I will leave the discussion of how that is going to the councillors at city hall of Toronto.

The statistics show that today approximately 1.3 million Ontarians live in condos. There are currently 700,000 units in Ontario, with another 51,000 under construction. Condo development is also taking place in communities outside of the GTA, although it may be for different reasons.

My community of Sarnia–Lambton has 3,030 residential condo units, with the majority of those residences located along the beautiful waterfront of Sarnia, Point Edward and Corunna. I would urge all members in the House to take the time to visit Sarnia–Lambton and the beautiful county of Lambton and share in that vista of the river.

In fact, according to the local MPAC records, the first condo built in Lambton county—this was news to me—was actually constructed in 1950, so 65 years ago this year.

As an aside, I want to thank Justin Johnson of the Chatham-Kent and Lambton county MPAC office for providing my office and myself with these numbers.

Whereas the price point of a traditional single family home in urban centres like Toronto is completely unaffordable for many, condominiums represent an entry point into housing market for young people. In Sarnia–Lambton, the condo market is usually an option for a different demographic of our community.

While all the news out of Toronto is about a housing bubble and the average cost of a detached home being well over \$1 million, single-family dwellings in Sarnia–Lambton are still relatively very affordable. Market research shows that in Sarnia–Lambton, the condominium market is most appealing to buyers looking to downsize from their present family homes. Condominiums in Sarnia–Lambton are able to attract buyers based on those amenities, proximity to the waterfront and parks, and the lifestyle that Sarnia–Lambton brings.

Prime examples of this in Sarnia–Lambton are the Sandy Lane condominiums in Sarnia, which are ideally situated with views of Sarnia’s expansive Canatara Park, the azure waters of Lake Huron and the iconic twin spans of the Blue Water Bridge, which I know the House leader from the government has toured many times when he’s crossed between Point Edward and Port Huron and Sarnia.

The Blue Water Bridge, North America’s second-busiest border crossing, is located in Point Edward. A lot of people say Sarnia, but it’s actually in Point Edward, where my constituency office is located. There are also options in my community like the Mariner Village in Point Edward, which allows marine enthusiasts to dock their boat right at their doorstep.

Condo ownership in Sarnia–Lambton is a great option for those who want to have an active lifestyle in the community without all the worries and yardwork that come with traditional home ownership. As such, I think it is worth re-examining the protections that are in place for people investing in and purchasing condos. I and my caucus will be supporting this bill when it comes to a vote at second reading, and I hope that with the review of the committee, it can be strengthened even more.

The bill summary indicates that the Protecting Condominium Owners Act, 2015, will allow for the establishment of a condominium authority that would be responsible for administering condo owner education, dispute resolution and a condo corporate registry. The condo authority will have the responsibility to administer the Condominium Authority Tribunal, I suppose otherwise known as CAT, which would resolve disputes through case management, mediation and adjudication—a lot of big words there.

The bill will also create a separate licensing authority to administer licensing of condo managers. This will be done through a proposed new Condominium Management Services Act, the CMSA—I'll talk more about these acronyms later—which will create a training and education program for managers and establish a code of ethics for condo managers. This act would also set specific qualifications to be a licensed manager.

I should note that the government believes that all these new authorities and tribunals will be run by only adding a \$1 to \$3 charge to the monthly condo fee of condo owners. It reminds me of something to do with hydro and a cup of coffee a day. But anyway, I won't go there; I digress.

I would have to be totally honest: I don't believe this number really represents the true impact that will eventually be seen on condo owner bills. The government has a well-documented history of lowballing numbers and an equally well-documented history of allowing bureaucracy operating costs to balloon. Yesterday's release of the Auditor General's report into the CCACs is evidence of that.

I think my concerns on the cost of these new agencies are shared by many. These new administrative authorities will require a large amount of capital for start-up, and it won't be long before they're back, cap in hand, to the condo owners, seeking increases to that monthly fee.

I do, however, see the need for improved oversight of the operations of condo boards and condo management companies. With hundreds of units in some buildings, the boards of condo corporations can often be tasked with the management of millions of dollars in funds. How that money is being handled is a growing concern for many, myself included. Each of the Toronto daily newspapers devote regular column space to stories of condo boards and managers run amok, and condo owners left in debt and on the hook.

I support this bill's aim to strengthen financial management by providing condo owners with more information about financial matters affecting their investment. They say that the home is the biggest investment most people will ever make. If you're going to enjoy it, you need to know that things are being handled in a professional manner.

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

Ms. Peggy Sattler: It's a pleasure for me to rise today on behalf of the people I represent in London West to respond briefly to some of the comments that were made by the member for Sarnia about Bill 106, the Protecting Condominium Owners Act. The member for Sarnia expressed a certain amount of skepticism, some reservations, about whether this bill would do what it says it's supposed to do, which is to protect condominium owners. Certainly, that is skepticism, a reservation, that we on this side of the House, members of the NDP caucus, share.

Much of the meat of this bill is left to regulations. Despite the length of this bill—it is a very lengthy document of about 160 pages—still, much of the actual protections that consumers, condo buyers, are looking for are going to be left to the regulations. And what we saw, Speaker, when the expert panel

was established by the government to come up with this bill, is that condo owners had very little voice in the development of those regulations. We remain very concerned that the interests of condo owners will not be protected. Condo owners will not have an opportunity to express their concerns as this bill moves forward and as these regulations are developed. The tribunal that is created really is much more representative of the interests of developers and managers than of owners. We have some concerns about this bill.

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

Hon. Steven Del Duca: I'm happy to spend a couple of minutes this afternoon lending my voice to the discussion and debate that we're having on this very important legislation that I know has been, in various forms, talked about a number of times here in this legislative chamber.

I want to give credit to the minister responsible for this legislation, for bringing it forward. I couldn't help, in listening to the member from Sarnia talk about the experience that he has in his own community—representing the wonderful community of Vaughan, just on the edge of Toronto, and having lived there for the last 25 or 26 years, I see my friend and colleague across the way from the neighbouring riding of Thornhill. I think she would agree that our community just on the edge of Toronto has, over the last quarter century, changed quite substantially with respect to the various options of housing that are available, including seeing a number of, for the very first time, large-scale condo projects. I can think of one that is actually in the riding of Thornhill but in the city of Vaughan that is now towering, I want to say, more than 30 storeys at the corner of Jane and Highway 7.

We see that right across the 905. We see, with a number of initiatives including the growth plan and the greenbelt, a significant move over the last generation to more sustainable housing and more intensified development, particularly along transit corridors and in proximity to transit corridors. It's one of the reasons, with the explosion of the growth of condos, that we do need to move forward with this legislation.

I was reviewing some of the notes as they relate to this bill and I was looking at the fact that this legislation, if passed—hopefully, when passed—would increase protections for condo owners and Ontarians purchasing a condo by requiring condominium managers to be licensed.

There is a long list of items in this legislation that, when I think of those who are choosing this kind of available housing, particularly those empty-nesters in my community who are looking to live still in Vaughan and have a sustainable way of life that they look forward to enjoying—I think it's extremely important, notwithstanding some of the concerns mentioned by the member from London, that we move forward with this bill.

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

Mrs. Gila Martow: I want to thank the member from Vaughan for the segue into the fact that I feel that condo development is very challenging for all of us. I think that we have all dealt with complaints about the management and the elections of management in the condos in our ridings.

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But specifically I want to address, as the member from Vaughan just said, transit and infrastructure surrounding the condos. To allow condos to be developed without the proper infrastructure is a big mistake; and we are seeing that in York region, where this Liberal government has invested over \$640 million building bus lanes without any data supporting that there's extra ridership. The public is asking—it's their tax dollars. They want to see the Yonge subway expanded. In fact, one of the big developments is the World on Yonge. It was designed to have a connection to a future subway in its underground parking levels. The fact that this enormous complex was developed and built and completed and is now occupied without any access to a subway means that we have thousands more cars on the roads. Not just in York region, Mr. Speaker; those cars are travelling to downtown Toronto to access jobs and hospitals and other things.

What we need to do is have a comprehensive plan. Yes, we need to have better management of our condos and we need to have some fairness and better oversight for the residents. It is a big investment, as we all know. But also, we need to see better planning of these condo projects in terms of the impact that they will have on neighbourhoods and the amount of green space that is still needed to support the number of people living in the units.

So I look forward to working with my neighbour in Vaughan and seeing that we can improve things for York region.

The Acting Speaker (Mr. Ted Arnott): We have time for one last question or comment.

Ms. Cindy Forster: Thank you to the member from Sarnia–Lambton for his comments. I want to weigh in a little bit on the member from Thornhill's comments about, yes, we're building hundreds of condominiums across this province, most of them in the greater Toronto area, but our infrastructure is not keeping up with the approval of those condominiums. I hear it in the hospitals, from my friends who work in emergency departments, where the emergency departments are bursting at the seams because there are so many people living in urban areas now. The hospitals are not keeping up with the ability to expand their emergency departments, their day treatment programs, their outpatient clinics, to actually see the number of people that are actually moving into the city. That is problematic.

So part of that whole development piece needs to be: Do we have enough hospitals? Do we have enough transit? Do we have enough doggy parks? It's another issue that I hear from people here in the city of Toronto. Nobody is opposed to people having animals in their condominiums, but when you have great big dogs and little dogs, there need to be places for them to do what they need to do, whether that is part of the actual condo development or a dog park, just like we put parks for kids in neighbourhoods. That's another piece that needs to be looked at.

When condos are coming into smaller communities like mine, you need to be looking at, are we going to approve a 25-storey condominium in a side of the city where there are single-family homes that are at most two storeys and have people towering over this whole neighbourhood? So there are a lot of things to think about, and not just kind of in-filling and making sure that we're using the best use of space.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the speaker from Sarnia.

Mr. Robert Bailey: It's a privilege to rise again and respond to all the members who spoke. I didn't write down their names, but anyway, they know who they are.

It was a privilege to speak to this bill. Like I say, pretty well all of us in this chamber probably at one time or other either live in a condo now or have a number of condos back in our respective ridings. I think we're well qualified to speak to this. I think everyone wants to see more oversight because there have been injustices and there have been people who have financially paid a penalty, through no fault of their own. I certainly applaud the minister for introducing this legislation.

I'm looking forward to the rest of the afternoon, hearing the rest of the debate and hearing ideas of how this bill, if it goes on to committee, can be improved and made a better bill.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Gilles Bisson: Mr. Speaker, I'm sitting somewhere near to the member who actually championed this issue for some years: our good friend Rosario Marchese, the former member for—what was his riding?—Trinity–Spadina. Mr. Marchese was quite adamant about trying to get something done on this particular issue, because in his riding it's a reality that condos are a big part of what makes up his riding, as it is with a whole bunch of other members across this province. But specifically for those members living in urban centres, such as Mr. Marchese, this was a huge issue.

Just in passing, it always kind of amazed me when I talked to some of my colleagues from Toronto, on all sides of the House. In places like Trinity–Spadina and others, you'd find they'd be saying that the turnover of people coming into the riding year over year completely changes the dynamics of the riding over a period of five to 10 years. In my particular case, in Timmins–James Bay, I can literally pick up the phone book for some communities from 1990, when I was first elected, and still find the same people who were there when I originally got elected. In the types of communities that I represent, families have been there for a long time. They don't move on. They've got their own family home, and they've made those communities where they live. The reality in places like Toronto—in Trinity–Spadina and other places—is that there's a large turnover of people, and a large part of that is because of condos. I always found that to be rather fascinating, and it should be somewhat politically challenging, I would say, for the member representing the riding.

That being said, it's good to see that the government is moving on this particular initiative. I don't think it's to the degree we would like to have seen—the bill as proposed by Mr. Marchese—because there are a number of things that are not dealt with in this bill that he long advocated for being done. It would

have been nice to see those things done, and who knows, once this bill goes to committee, we might get lucky, and the government might see its way. And who knows, we might even see Mr. Marchese show up as a deputant on the bill. You never know. Anything is possible.

Here, I think, are some of the larger issues. I hear them, not only from people living here in Toronto; we have condominiums where I live as well. It's a fact of life. Most large urban centres have condominiums as a choice for people when it comes to where they're going to live. In the city of Timmins, we have a number of condominiums that have been built over the last number of years that have been quite popular, especially for those—it tends to be, where I come from, people who raised their family, had a house, got a lot of equity in the house and decided, "You know what? We need to downscale, so we're going to move into a condominium-style apartment," and that's where they've ended up.

The biggest complaint that you hear, other than some of the managerial issues and the management companies and the boards and stuff, is the fees. You walk into the condominium thinking you're going to pay a certain amount of money. You're told, when you buy, "Here's the price you're going to pay to purchase this condo." You agree on the price, obviously; you make the offer. You know that you're going to have to pay a certain amount of money to the condominium corporation every month in order to pay for those in-kind services that go on to maintain the building, and you're prepared for that. However, the rates tend to go up far more than what you tended to believe when you bought the place. So the issue of how much people have to pay in condo fees is one that's very near and dear to the hearts of many condo owners, and this bill doesn't go as far as I think it needs to, to deal with that.

Now, the bill is going to committee, so we're going to hear from people and we're going to hear what the experts have to say, and hopefully the government is going to want to move some amendments. But I can tell you that one of the largest issues that I hear, when it comes to condominiums, at least in my constituency, is that people walk in, they're told this is what you're going to pay when it comes to condominium fees, and you expect you're going to have some increases over the years. But all of a sudden, wham, they're whacked, and it's not protected under the Rent Control Act, because condominium fees are not considered rent. They can go up at whatever rate the market will bear, and in some cases that could be quite astonishing.

The other reality in the bill that I think needs to be dealt with is the whole issue of management companies. Often what happens—and this is what I've seen in one particular condominium, where the builder hired a particular management firm to be able to manage the building, and lo and behold, that didn't work out so well. The people who bought the condominium were not happy with the services they were getting from this particular management corporation, and there was one heck of a fight—this was back maybe about 20 years ago—on the part of the residents, with the management company and with others involved who were trying to get this whole thing resolved.

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There needs to be some kind of a mechanism so the owners who end up owning these condominiums have a greater say about that particular issue, about who's going to manage their particular

condominium building. Because if you're calling the condominium manager over issues in your apartment that you're not happy with, or issues with the building, and you're not being responded to, and you're an owner and you're paying for these people to maintain this building to a certain standard and to do certain things and those things or standards aren't met—my God, that will drive people over the deep end. The bill lacks in that particular area somewhat. I think we need to be able to take a look at how we deal with that.

I'm going to digress a little bit, Mr. Speaker, because it's a housing bill. I just have to put these two cents in, because it's an issue that is of utmost urgency in First Nations communities across not only northern Ontario but probably in other places as well. That is the desperate lack of housing and the utter failure on the part of the federal government to respond to the housing crisis in First Nations communities, not just in my riding but across Ontario and the rest of Canada. We have people who are living 20 to 25 people in a house, not because they all want to live together but because there's nowhere else to go. The federal government has done little in the way of improvement when it comes to funding to build new housing. Maybe one of the things that we're able to do is that we could build some co-op housing or some not-for-profit housing stock in communities such as that, or other kinds of housing projects, as we understand them in the province of Ontario under the not-for-profit housing model. It would give us an opportunity to be able to provide housing to people that need it.

I'll give you just one story, Mr. Speaker. I know I digress a bit but I really need to put this on the record. In Attawapiskat, there is a wonderful story called the De Beers diamond mine. When they built the diamond mine, they had trailers where they had the workers stay when the construction site was building the mine. Essentially, they're small rooms. They're in a trailer with about 20 rooms in it. The rooms are all about 12 feet by 14 feet, pretty small things, just a place for a bed and a desk.

De Beers, because there was a housing crisis in Attawapiskat, made some of these trailers available to the community in order to deal with the emergency housing crisis that was going on at the time. They grouped together, I think, about four of these things so that they had two wings of these particular portables set up in order to be able to provide emergency shelter.

That's still there. It's been there for six or seven years now, maybe even longer. We have entire families living inside what is essentially a contractor's room that you would normally use when you're building a construction site somewhere. It's quite dangerous. There are not adequate showers. There is not adequate water. One stove for the entire side of the building to use—in other words, there are two stoves for all of the units that are in there for people to be able to cook their meals. It's a fire hazard. It's just a horrid, horrid situation.

So when you look at housing needs—I understand that condominiums are quite a different issue and they have their own particular issues that need to be dealt with, but I think that at one point the province has to think about, how do we step in to become part of the solution when it comes to dealing with the inadequate housing stock in First Nations communities? Yes, it's a federal responsibility—I'm the first to admit that—but if we don't become part of the solution, I have no confidence in waiting for

the federal government to resolve this particular issue, because it's an issue they've created over a period of years.

With that, Mr. Speaker, I'd like to thank you for this time in debate and allowing me to digress a little bit to talk about First Nations housing in the short time that I had.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments.

Hon. Dipika Damerla: I'm absolutely delighted to stand up and speak to this bill, because those of you who know me a little bit know that this is an issue that is really close to my heart. In fact, one of the first things that I did when I got elected in 2011 was to bring forward a private member's resolution seeking that we find alternative ways of dispute resolution within the condo community. So I'm absolutely delighted that of course this bill goes much, much further than my original private member's resolution, which focused on dispute resolution.

I just wanted to say that here at Queen's Park we do many things. Everything that we do, we do for the benefit of Ontarians, but every once in a while a bill comes forward that truly, truly touches the personal lives of Ontarians. This is one of those. For almost all of us, the vast majority of Ontarians, our single biggest asset—our savings—is always our own home. A condominium is a home. What this bill really does is provide protection to the owners of their homes, the owners of these condominium units—their single largest asset. I cannot underscore the importance of this bill.

The details of the bill have been discussed quite significantly in this House, so I'm not going to go into that. But I do want to speak to the bigger picture, which is, why are we doing this? We're doing this primarily because it's time to update the Condominium Act. It's time to ensure that the single largest asset that most Canadians will own, when they own it, is well protected. I'm very much supportive of this bill, and I look forward to the bill passing, becoming an act, and being able to go back to my constituents and say, "Here's a promise that I made, and we've been able to keep it." Thank you so much.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Thornhill.

Mrs. Gila Martow: Thank you very much, Mr. Speaker. I just want to comment on the member from Timmins–James Bay, that he's right. Sometimes people are afraid of condos in general, because why purchase a condo as an investment when the maintenance fees can be out of your control, as well as repairs are often needed, and that can be out of your control as well?

It's a scary thing for a lot of people to invest in condos when they hear so much negative hype about management companies and expenses. I think we've all had people who are so frustrated at dealing with the local and municipal representatives in terms of dealing with their condos that they reach out to our constituency staff, which really isn't in our mandate but we're always there to help our constituents. I've already made a couple of friendly phone calls to condo boards asking them for clarification. I understand their frustration as well, because they're volunteers and they're often in a community where you can't please everybody and everybody has a different opinion. It can create incredible

animosity within these buildings, which have their own level of government. I think that that's what we need to really understand here: There's the federal government, the provincial government, the municipal government, and now we're dealing with boards at the condo level.

I'll just give you an example. I got a message today on Facebook from somebody who's complaining that in her condo they're holding their annual general meeting this week. Monday and Tuesday are actually Jewish holy days. The condo has a majority of Jewish people, and they're holding it on holy days. Obviously, the board members aren't as observant or as religious. So it's very frustrating for people dealing with these little communities within their community.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments.

Ms. Peggy Sattler: I am pleased to rise to respond to the comments that were offered by the member from Timmins–James Bay. I think he gave us some helpful context as we're considering this bill, and that is the fact that this condo act had its genesis, in large part, with the efforts that were made by the New Democratic Party and particularly our esteemed former colleague Rosario Marchese, the former member for Trinity–Spadina.

Mr. Marchese's first bill to reform the Condominium Act was brought to this Legislature back in 2007. That is eight years ago. It has taken eight years and four iterations of this bill—we've seen two Premiers over that period—but finally we have arrived at a place where we are going to do something to address some of the most egregious issues that come up in the condo world.

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As another member just said, the condo world really is a world unto itself. It's like a mini level of government that is created there, with condo boards of directors having absolute authority over condo owners.

One of our concerns, Speaker, that we have expressed on numerous occasions—and I do want to say that the NDP is supporting this bill. However, we are very concerned about the fact that the bill will not address disputes between condo owners and developers. This is one of the issues that we hear about all the time in our ridings with condo owners who have seen their life savings vanish because of unscrupulous developers and managers who have really jeopardized the value of their properties.

The Deputy Speaker (Mr. Bas Balkissoon): The deputy House leader.

Hon. James J. Bradley: I understand that the opposition parties have taken a good deal of time to debate these bills and they're now continuing to put up speakers, despite the fact that the bill has been debated for over seven hours. Over 40 members of the Legislature have spoken to this bill or participated in debate during questions and comments. The government extended debate beyond the normal threshold of 6.5 hours so more members would have an opportunity to speak on this bill.

Listening to the debate, it's been clear that the majority of members appear to be in support of the bill. It is time, in the view of the government, that the bill pass second reading and be referred to committee, where we think some really good work can be done. In committee, members from all parties will hear from the relevant stakeholders. I can't wait. I'll be sitting in on committee if I have the opportunity to do so. In committee, members will have that opportunity to move amendments, if they choose to do so, in what they believe would be the strengthening of the bill.

Continuing debate today signals there's no true desire to have further meaningful debate on this bill. It appears, from the point of view, I think, of any objective observer, that this is just extending the debate for the purpose of extending the debate. I would love to see the opposition parties stop this particular stalling, as some people might call it—I wouldn't speak that dramatically about it—and move this legislation forward so we can get on to Bill 85, the good government act; Bill 112, the energy consumer protection act; Bill 113, Police Record Checks Reform Act; and Bill 115, Electoral Boundaries Act.

We on this side of the House believe that moving this bill to committee will give that opportunity for public input, an opportunity for moving the amendments, and I suspect many of the members of this Legislature would like to be back in their home ridings about this time of day.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member for Timmins–James Bay. You have two minutes.

Mr. Gilles Bisson: Well, I feel the guillotine coming, Mr. Speaker. I feel like Robespierre, who stood there in Parliament when he was hauled off to the guillotine and about to lose his head.

Listen, I just have to say two things to my friend the dean of the Legislature. I remember him sitting on this side of the House and talking about the importance of members having the ability to speak to bills if they so choose, because, after all, that is one of the very few rights that we have in this Legislature: to be able to speak to legislation. If members want to use that right, I don't think it should be viewed as, oh, we're stalling.

I had some legitimate things I wanted to say about the bill. I only had 10 minutes to give, and I did what I did and I said what I had to say, and that was, for me, all I needed to do in this debate. There are other members that may want to do the same, but the government shouldn't read into it that we are at seven hours of debate and that somehow this is a big filibuster on the part of the opposition. You sit at the government House leader meetings with me as the House leader for the New Democrats. We haven't had a discussion about, "Are you guys willing to give this one up?", to trade off for anything. We haven't had any of those discussions. Our House leaders' meeting is coming on Monday. We'll see where this ends.

I don't think this is a bill that most people oppose. As you can hear, most of us are in favour of this bill. It's not going to be dragged through the Legislature for any long period of time, and I just want to say, on the part of the New Democrats, that we're not a part of any filibuster on this bill. There are some people who have legitimate concerns that they want to put on the record. And this is a bill that is

important to our caucus because our friend Rosario Marchese tried for years to be able to move this issue forward, and we're taking some pride in seeing that there's some movement on this legislation coming forward on the part of the government.

For that, we want to say job well done on the part of Rosario for having pushed this for as long as he has. I look forward to hearing what other members in this debate have to say.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The member for Welland.

Ms. Cindy Forster: Thank you, Speaker.

Hon. James J. Bradley: I thought you were listening to me.

Ms. Cindy Forster: I wasn't listening to you, Minister. In fact, I wanted the opportunity to speak to this, because I'm probably one of maybe a few people who actually have been involved in this whole condo process as a condo owner, right from the very beginning. It isn't really about this bill; right? We're talking about real people here with real stories.

I can tell you, last week when—I think it was the member from Bramlea–Gore–Malton who got up and spoke to it first and I had a two-minute hit during that debate. From that one two-minute hit I got 50 tweets; 50 people tweeted me and the member from Bramlea–Gore–Malton, thanking us for raising important issues about the condo act in the Legislature. That was in a period of about six hours after that debate.

I actually wanted to spend some time talking about the things that these condo owners actually experience in their time. The condo that I purchased and moved into in Welland about seven years ago—the developer at the time was a company called Pointe of View, now called the Carlisle Group. They were from Calgary then and they're back in Calgary now. You'll all be thankful that they actually moved out of the province. If you Google them, they're still there under the new Carlisle Group; they come up as Pointe of View as well. The horror stories that people have experienced with this company—and they built across North America. They built in San Francisco; they built in other states across the United States. At the same time they were building our condo in Welland, they were building a condo in Brampton; and they experienced the exact same issues and problems I'm going to tell you about.

You talk about special assessments. When you Google this Pointe of View company, now called the Carlisle Group, some people have already had \$180,000 per person worth of special assessments—a \$4-million repair to one building in Calgary and all the unit owners have had special assessments of \$180,000. Imagine you have put your life savings into a condo—I can tell you, in my building in Welland, many of the people who moved into that building—it's a four-storey, 70-unit building—were in their mid-seventies, into their early eighties, some were as old as 90. They sold their house, and houses don't sell in Welland for \$1 million like they do in Toronto. Houses sell on average for—a 50-year-old house or 40-year-old house might sell for \$200,000 or \$250,000. They actually had to take a mortgage, these seniors, to actually the additional costs of these condos.

You move into these condos because you think that you are going to have stress-free living. In fact, for seven years, it has been a nightmare for many of the people who live in my condo, although they have a great support group. Then you elect condo boards—and I sat on my condo board for the first year when the transition happened—and you have no say on when they turn that condo over to you. When the city says, “Well, this condo is inhabitable, it’s meeting building codes from our perspective,” the condo board then just says, “We’re turning it over,” regardless of whether there are things that need to be fixed or not.

So right from the developers to the builders, to the engineers and the architects who sign off for the developer, there are problems. The developer and builder hire these experts to actually sign off on these buildings. They rubber-stamp that everything is fine and dandy but at the end of the day, it’s not.

1700

In my building, half of the roof blew off the first winter. The roof had been installed improperly. They installed a makeup air unit in the attic, and there’s one woman now who still has a lawsuit going seven years later. She bought the unit; her mother was going to rent from her. Her mother was, I don’t know, 80, 85 years old. The mother could not live in the building because of the vibration of the air conditioning and heating unit that was in the attic, because it was installed improperly, because there wasn’t enough room to put the appropriate padding and springs. They would have had to change the roofline to actually make that happen. So the vibration in this condo, which was right next to and right under this attic, was over top of her apartment. The light fixtures started to fall from the ceiling; the drywall started to crack in the corners; the cabinets came away from the wall. The woman had to move out.

For seven years, this woman has been in a legal battle with the developer, with the city and with the condo board, because they’re saying that the condo board should be responsible for this, as well. She is still at the point that she has not settled this and she has not been able to rent that unit out in seven years. So imagine all the money that condo owner is actually out.

When you get to the point that you start to make your complaints to Tarion, you think, “I’m a condo owner. I’ve paid \$700 for my Tarion insurance.” But, in fact, once the assessments start and you start to have a look at what the fixes are that you need, it isn’t Tarion who sends out their people to actually support your claims. In our case, we had the heating and air conditioning; we had the roof unit; we had improper fire walls between floors. There was a lot of work to be done in this building. Tarion required us to hire experts to write reports to the tune of—I think at the end of the day we paid the engineering company that we hired almost \$100,000 out of our condo fees to write reports to support our claims to Tarion.

That isn’t the way that it should be. We shouldn’t be having to use our condo fees to do that. If you pay a fee, like when you build a new house and you pay a fee to Tarion, that should suffice to have their people come out and see if the work was done appropriately, if the work actually complies with the

building code. But the developers and the builders all say, “The city signed off. The city said that the building is inhabitable, so it’s the city’s problem.”

Well, I don’t know about in your ridings, but in my riding we have two building inspectors for the entire city. I would say that in the city of Toronto they don’t have enough building inspectors to actually keep up with the work that condo builders and developers are moving forward with.

I’m not here to say that all builders and developers are bad builders, because they’re not. I know there are lots of good condo builders and developers here in the city of Toronto, and probably across the country, but there are some bad ones. Unfortunately, in my case we had a bad one, right?

At the end of the day, Tarion actually makes you jump through of all these loopholes, and God help you if you miss one day. So there’s a one-year assessment; there’s a two-year assessment; there’s a seven-year assessment, based on certain things in your unit. If you miss that by one day, you are out of luck to even try to claim anything back through that process.

You know, the bill is good. The bill addresses a lot of things. It addresses things between condo boards and owners, between condo boards and managers. But in my experience, the biggest problems were not between a condo board member and condo owners; the big disputes were between the condo board, our management company and Tarion, or the condo board and the developer or the builder. I mean, those are where the real problems lie, and it shouldn’t take seven years to actually get those kinds of issues addressed.

Most recently, we’re told that the footings in our building are not appropriate to support the weight of the building, and so we now have experts in having a look at it. It’s probably going to cost this one 70-unit condo building \$300,000 to \$400,000 to reinforce those footings. We already paid engineers \$100,000 to look at that four or five years ago, but we’re right back there. People will be getting assessments once again. They’ve already received special assessments to the tune of a couple of thousand dollars, and that’s in addition to their condo fees.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Ms. Soo Wong: I’m glad to rise this afternoon in support of Bill 106. I listened attentively this afternoon to the member from Welland, and I’m very pleased to hear her comments about the importance of this bill, but more importantly her support of the bill.

Of course, there is room for improvements, especially as we go forward to the committee so that we can bring in some witnesses to clarify some of the pieces and strengthen the bill. As a member in the eastern part of the city of Toronto, I know that this particular bill is very important to my constituents. I know that almost every corner in my riding has a condominium. They range from three storeys to 40-plus storeys. One of the pieces that my constituents—especially those who are living in new condominiums—are very interested in is the issue of dispute resolution.

We know that amongst neighbours, when you have language issues or you may have certain eating habits, people complain about different things. I think that everybody in this chamber receives different calls from their constituents. I know I've received different calls specifically dealing with condominiums. If this particular legislation is passed, it will reduce the time of resolving disputes amongst condominium owners and the board as well as between homeowners, because this is recognized as home ownership. It is very important that this does not get tied up in the court system, where it creates costs for both parties, but more importantly, the issues get laboured into disputes year after year.

I'm really, really excited about this proposed legislation, but also to strengthen and protect these homeowners, because at the end of the day, this is one of the largest investments for these owners and Ontarians across the province.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Robert Bailey: It's a privilege to stand and speak in reply to the member from Welland as she outlined some of the issues and concerns that she had with this act, which she'd like to see improved—get it to committee and we can see it improved. That was our big concern—that we think that people do want to support this bill. They want to see it improved because there are a number of people in all of our ridings that in some way or form live in condos. It's a big investment, as a number of people have alluded to. I have a number of calls in my office, even though I don't have nearly the condos that people in Toronto obviously do—the GTA. I do have over 3,000, which is quite a few, in my riding—a larger number than I would have thought until I did some research on this.

It certainly has been time well spent researching this bill. You certainly learn a number of things about your own riding as well as, like I say, Toronto. I get up every morning, I walk down the street, down Wellesley and across Bay, and see all the condos there taking shape just in the last two years. I've been here eight years now, and it's just unbelievable how these towers go up and the work that's taking place there.

Mr. Bill Walker: Tell them where all the gravel comes from, Bob.

Mr. Robert Bailey: Yes. The gravel, I think, comes from up in Bruce–Grey–Owen Sound, and our member from Dufferin-Caledon—that's always important: building materials and aggregate.

But anyway, Speaker, I look forward to the rest of the debate—a pleasure to speak.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Hamilton East–Stoney Creek.

Mr. Paul Miller: Thank you, Speaker. This is the first time I've spoken to this. Apparently a lot of people have spoken to it, but I know a lot who haven't.

To make a long story short, I'd like to thank the member from Welland. There's nothing like having an actual owner talk about the experiences of her fellow condo owners and her experience. It really

amazes me that there's only one actual owner on the expert panel. Most of them are made up of builders, developers and all the other people who make the money as opposed to investing in their own condos and having to live with the rules that are in place.

1710

This is certainly long overdue. I commend all the parties, including the government, to bring forth something to protect condo owners because they certainly need the protection. The resolution process for problems certainly was archaic, to say the least, with too many levels to deal with—you could go two, three years in a lawsuit before you got anything done, and it cost you more than the repairs you would have had to do. That's a bit of a fiasco that is going to be dealt with, I hope.

My good friend from St. Catharines, that member speaks up and talks about stalling and time. Well, you know, with all due respect, they do have a process at their hands called "time allocation." If they wanted to use that—

Interjection.

Mr. Paul Miller: It's six and a half hours—they could use that. If they want to push their bills through without full debate from all the members, they could do that.

It amazes me when they say, "Let's get it to committee. Let's rush it to committee." Well, Speaker, with all due respect, when it gets to committee and the subcommittee determines how much time, who you notify about it, how the public knows, it can go anywhere from one to 10 days and it usually doesn't go too long. So, really, the public doesn't get their say and they have to come all the way to Toronto to have their say. That's a bit of a fiasco, too.

I guess debating it in the House is useful and productive, and it certainly should be used to its fullest.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Hon. Jeff Leal: I think it was extremely helpful this afternoon when the member from Welland gave a real-life story about the particular challenges one could have as a condo owner. We know that condominium ownership and development is one of the fastest-growing types of housing in the province of Ontario today. I always remark when I walk down Bay Street that even the Catholic diocese of Toronto is in the business. Anybody who's on Bay Street knows that St. Basil's church sold off the top half of their parking lot and now, lo and behold, with God's intervention, they're building a very nice condominium in that particular area.

But, Mr. Speaker, it's time to get on with it. To see this republican-type filibuster of this bill—we've heard, frankly, very articulate speeches, but the job is now that we've got to get this bill to committee. Members on all three sides may have some very good amendments to strengthen this bill because we know that there are challenges—challenges with condominium boards, challenges with condo fees,

challenges when special allocations are made. We have a unique opportunity where all sides can get together. Let's wrap up debate this afternoon. Let's get this into committee and let's get amendments made to actually strengthen Bill 106 that will help condominium owners in Ontario and, indeed, assist our good friend from Welland who's going through a real experience. This bill would probably help her in terms of strengthening legislation to make her experience better with her particular condominium in the wonderful community of Welland, Ontario.

That's what the late Mel Swart would have wanted, a great consumer advocate from Welland. He would have said, "Get it to committee and get it passed." Right, Mr. Bradley?

Mr. Paul Miller: What about Peter? You forgot Peter.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you.

Hon. Jeff Leal: Next week I'll talk about Peter.

The Deputy Speaker (Mr. Bas Balkissoon): Order. I will now return to the member from Welland. You have two minutes for a response.

Ms. Cindy Forster: Thanks to all the members for all their comments.

In fact, this bill won't help this situation. It will not help the situation of making sure that condo owners and residents are served as opposed to architects, engineers, consultants, lawyers and developers. That's who this is going to protect. It isn't going to protect the little condo owner like me and the 70 people in my building. They're not having trouble with their condo board. They want a speedy resolution to their conflicts with builders, architects and engineers who signed off on documents and said that the grading was appropriate, the roofing was done right and all of these kinds of things that they can't get resolved, and it takes six, seven years. They want results for the out-of-pocket expenses where they've had special assessments to the tune of—in my own condo building—about \$2,000 over the last seven years, in addition to their condo fees doubling to pay engineers to fight Tarion. Those are the results that condo owners want to see, and those are the people who I'm sure you're hearing from in your constituency offices as well. I know that I hear from them all the time.

So we'll be proposing a number of amendments, actually, when we go into committee, to make sure that consumers, the little condo owners out there who use their life savings to buy condos, have the full protection, and when they actually buy a condominium, that it's a place they're going to enjoy living in peacefully for the rest of their days.

Mr. Ted Arnott: Mr. Speaker, a point of order.

The Deputy Speaker (Mr. Bas Balkissoon): A point of order: member for Wellington–Halton Hills.

Mr. Ted Arnott: I wish to inform you we have three members who are anxious and excited about the opportunity to speak to this bill this afternoon. They're here and they're ready to go. I just wanted you to know that, Mr. Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): I would just say to the member that that's not a point of order.

Further debate?

Mrs. Julia Munro: I'm pleased to have the opportunity this afternoon to be able to speak to Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums. The bill's short title is the Protecting Condominium Owners Act.

I want to just flip back quickly to 1998, because I was here then and I recall that we spent a lot of time listening in public hearings to those people who wished to come forward and speak about issues that they were running into with their condominiums.

I'm surprised that this act hasn't been reviewed in the almost 20 years since then, because when I listen to many of the people who are speaking here in the Legislature and many of the concerns that have been raised by others, it's clear that there are some systemic issues that simply don't go away. So I'm surprised that the government has not sought to bring forward legislation sooner than this and take a look at how they might make legislative adjustments that would meet the needs of condo owners particularly.

As I say, the condo owners' issues have been brewing for years, and to make sure that Bill 106 addresses these challenges, our party will be making several amendments when it gets into the committee review process. Certainly, I'm hoping that the government will see fit to deal with these amendments appropriately and we can move forward in support.

I want to focus my comments on some of the background on the issue, highlighting some unbelievable but heart-wrenching stories of condo life and also looking at criticism of the bill, including suggestions for reform from condo owners and the building industry.

First, why are we talking about condominiums? Why is Bill 106 before us today? Well, this bill will affect the lives of many Ontarians, as well as many in the condominium industry, from construction to sales.

A condominium unit refers to a unit or set of units where there is a shared ownership of common elements of a property, while the unit owner retains ownership in individual parts of the property. A condo does not necessarily mean a high-rise building, although that image may be the first one that comes to mind. Many condos include buildings that are attached townhouses or single detached houses where the road is the only common element. There are many condos in rural and northern Ontario, so it is important that this legislation work for all Ontario, not just Toronto.

About 1.3 million Ontarians live in condominiums. There are currently 700,000 condo units across Ontario and more than half of all new homes under construction are, in fact, condos. In Toronto, for instance, 20,000 new condo units were built in 2014—20,000. Another 60,000 units are currently under construction. It really boggles the mind to contemplate what kinds of changes that makes to the fabric of the community, what kinds of changes it makes to the structure of municipal government and the services that it has to provide.

1720

But it's not just happening in Toronto. In fact, condo construction is becoming more common in smaller cities across Ontario as consumers are choosing to live in new buildings that are transit-friendly and close to services and amenities. Condos are increasingly popular in small towns and rural Ontario, including second-home vacation properties such as cottages and winter resorts. The new style of living is here, and it's here to stay, particularly with the price of land and the cost of utilities continuing to increase, although there is large condo development as well as small.

Condominium construction is a major economic driver in Ontario. The industry represents over 100,000 jobs and over \$8 billion in wages. The building and development process for condominiums is incredibly complex. According to the Building Industry and Land Development Association, it takes approximately 10 years to complete a high-rise development project, including four years of construction. Therefore, the market is dependent on a stable legal framework. That is why it's so important to get it right with Bill 106 and other relevant acts, like the Planning Act.

Condominium construction is a major source of municipal revenue. In Toronto alone, government-imposed fees and charges, including section 37 payments for community benefits, section 42 park levy payments, and contributions in public art installations, represent over 17% of the average price of a condominium unit.

As you can imagine, there are many stakeholder groups involved with condominiums. The Condo Owners Association of Toronto, or COA, has been a strong voice for review and reform of the Condominium Act to respond to the problems that owners are experiencing. The following are some of their key questions and comments to be addressed by amendments and discussions in committee:

—Why is Bill 106 self-regulated, with no fines for non-compliance or contravention of the act? Other acts offer protection with fines; i.e., traffic, health and safety, accessibility etc.

—Why was the government's expert condo panel composed of condo service trades representatives with no representation for condo owners and their issues? In turn, there should have been more initial suggestions or recommendations adopted by the ministry based on input from owners versus trades and service providers.

—The new condo office that's proposed is another cash grab by the provincial government. It is completely unfair and unreasonable to increase the monthly fees for owners.

—The proposal to charge all condo unit owners by way of a condo office monthly fee will provide huge dollars. Based on the number of condos in the province, this fund would be far too large. It begs the question: Is this a new condo tax?

—Why are condo owners expected to pay for property managers' licensing when they are employees of property management firms?

I have more examples, but I think this serves to demonstrate the argument we have used in our debate this afternoon that there is more to say, that people do want us to speak up about the issues regarding condo legislation. We know that for the users of condos, the purchasers of condos, in many cases this is the largest investment that an individual makes. It is incumbent upon us, as legislators, to look carefully at the details and at the kinds of abuses that we've seen in different parts of the province where people have misunderstood, have not accepted their responsibility, or they have made things so difficult for people to understand and so complex.

One of the cases that comes to my mind is that no piece of paper goes from one person to another without it coming from a lawyer. Now, that gives you a sense of how difficult and, frankly, ridiculous it is for people who want to buy their home, and now they are in the position where nothing can go between the members of the board except by a lawyer's letter. That gives you some idea of how important it is for us to take the time to debate this bill this afternoon.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Ms. Peggy Sattler: I'm pleased to rise on behalf of the people I represent in London West to speak for a couple of minutes to the comments that were offered by the member from York-Simcoe. The member from York-Simcoe expressed a concern that we have repeated over and over during this debate, and that is about whether this new legislation, the Protecting Condominium Owners Act, will actually protect condominium owners.

She pointed out the lack of representation on the expert panel that came up with this legislation, the lack of representation for people who actually own condos. There was only one representative of owners on that expert panel; the rest of the members of the expert panel came from the development industry, from consultants, from lawyers, from all of the people who are going to profit from the administration and management of condominiums.

We have all heard over and over again from constituents who have invested significant dollars into purchasing a condo. Often, these are very young people who are making their first purchases. They don't have a lot of money but they are making this investment, and currently there is no place for them to go if they get into a dispute with the condo board, with the developer or with the manager. Certainly, what's in this legislation will deal with disputes between condo owners and boards but it will not deal with some of the most significant and egregious disputes that arise between condo owners and the developers and the managers of those condominium units.

We're pleased to see this finally coming forward, but we remain concerned about what it will do to actually protect condo owners.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Point of order?

Hon. Dipika Damerla: I just wanted to take this opportunity to correct my record. This morning during question period, I meant to say that our government spent \$3.15 million on the healthy children strategy for six aboriginal communities across Ontario. I said \$3.5 million; the actual amount is \$3.15 million. I just wanted to correct the record.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Members are allowed to correct their record at any time.

Questions and comments?

Hon. Brad Duguid: I want to thank the member for York–Simcoe. I listened carefully to her comments. She is one of the most respected members here. I think members on all sides of the House like this member and enjoy her company. She has been here for a long time and is very experienced, so I appreciate her comments.

I have had an opportunity to speak at length to this bill myself, as well. At the same time, I think we've all had ample opportunity as parties to express our views on this, and I can't imagine—it appears that we're hearing lots of duplication in comments from the members opposite.

This is one of those bills that has had so much consultation. It's been before this House more than once. I really think that all of those folks that contributed so much outside of this Legislature, all of those condo dwellers and their representatives who were so excited to move forward for the first time since 1998 with these reviews—I would think if they're watching these proceedings, they're wondering why we're not getting on with this, why we're not moving this to committee and actually getting something done here.

1730

There's no question, Mr. Speaker, that after 50 members have had an opportunity to speak, after seven hours of debate and the fact that we've extended this debate for six and a half hours now, I really think that the folks outside of this place are starting to lose their patience. They want us to get on with this good reform, because we all seem to be in agreement. If there are more specifics that we want to get on with, we can deal with that, when the time comes, with amendments in committee, if necessary, to make sure this is the strongest legislation possible.

I encourage the members opposite to show a little respect for the members outside of the Legislature who have worked so hard on this. Let's get on with this.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Bill Walker: I'm pleased that I am able to speak to this, because there are points I need to represent on behalf of my constituents. They are outside of this Legislature, but they sent me here to Queen's Park to make sure that I bring my thoughts here on their behalf.

I want to echo the minister's comments about my colleague from York–Simcoe: She is certainly one of the most-liked and well-respected members here, and I certainly listened intently to all of her comments. I hope everyone enjoyed what she shared with this Legislature and those people listening from home.

I'm going to speak to this later, Mr. Speaker, in more detail, but one of the things that I do want to bring in—and it might be a little bit of a different take on some of the things—is that I am actually a condo owner back in my home area, and I'm actually the president of our condo association. One of the things that I have concerns about and I'm going to bring to this Legislature to ensure that we're doing good legislation is that not all sizes fit all things. I'm from a very rural area—a small 55-unit. It is an elected board for governance. We have challenges now getting people to step up to even become a board member, let alone putting compulsory management in that would have to, then, increase fees. Many of the people living in our units are elderly; many of them are widowed; and they're barely hanging on now. If we put compulsory management and the fees to keep that person educated, that would be yet another tax on the system.

I think we have to be very diligent. I think there are very good things that are going to happen in this legislation. It's good, after 17 years, to review, but the big skyscrapers here in the urban areas of Toronto are much different than a 55-unit, such as it is in rural Ontario—those costs to contain and maintain that, and just the onerous responsibility.

I do think there are good things from governance. A good colleague of mine down here has a special assessment that was put in for \$1,000 for the next 18 months. That's unacceptable, Mr. Speaker. If you have good governance and people who are paying attention—you are audited, you do an AGM, so people should understand what's going on and should have good management. I'm one of those people who takes it very seriously. I don't think you're going to send me to management school and it's going to make that much difference.

The Deputy Speaker (Mr. Bas Balkissoon): I now turn to the member from Welland.

Ms. Cindy Forster: Thank you to the member from York–Simcoe for your comments.

The member from Timmins–James Bay, when he was speaking a few moments ago, raised the issue of affordable housing and how that intertwines with this condo piece. I know that when I was the municipal affairs critic, this issue was raised to me a number of times by people who were renting in condos here across Toronto—and it's around the whole condo fee piece, right? You move into a condo as an owner—it affects owners as well as renters. You buy a condo and you're told your condo fees are

going to be \$300. You rent your unit out, but then after that first annual meeting your condo fees suddenly go to \$700, because you're required to submit a certain amount of money into the reserve fund for the future. So now you're raising your tenant's rent by \$400, \$500 or \$600 so you can break even in renting out your asset. So the owner is impacted and the tenant is impacted in that case. I don't know how this bill is actually going to address that kind of situation.

The member from Bruce–Grey–Owen Sound raised the issue of not-one-size-fits-all, and it's absolutely true. In my own condo as well, we have difficulty having people step up to the plate to actually run on the condo board. The condo fees are such that we couldn't support full-time management, nor could we even support a full-time superintendent for the building. So I think that we need to be looking at not just 40-storey buildings here in Toronto, but we need to be looking at what we can do to address problems in smaller condo buildings across the province as well.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member for York–Simcoe.

Mrs. Julia Munro: Thank you very much. I would like to say a special thanks to the member from London West, the Minister of Economic Development, Trade and Innovation, and the members for Bruce–Grey–Owen Sound and Welland.

When I take the accumulation of the comments made by those people, one of the things that comes across is that people are forgetting why somebody particularly wants a condo and why they choose that form of home ownership. It's more obvious in rural or outside metropolitan areas than it is in downtown Toronto, and that is because the ones that I know of in my riding are often the home choice of seniors. They look at this as an opportunity where somebody else mows the lawn and shovels the snow. That's fine, and that's sort of their vision of what they're going to get and what they're going to pay for. They're comfortable with that.

Too often, it morphs into something much harder for them to manage financially. They're on fixed incomes. They look at the purchase as kind of the big part of it, and then all of a sudden it sort of creeps in that the big part has now become the condo fee. Members have raised issues of people or condo buildings where there's no possible way they could afford a full-time paid manager or supervisor or even a combination.

I think it's really important to keep that vision in mind, that on the one side of the concern is the 42-storey building but on the other side is the two-storey building in small-town Ontario. Those people deserve our attention.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Ted Arnott: I'm very pleased to have this opportunity this afternoon to speak to Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums.

I wasn't sure I was going to have this opportunity, Mr. Speaker, because, as you know, a couple of the government members have been alluding to the fact that this debate has gone on for a considerable period of time, in their view, and that everything has been said. The government is not currently putting up speakers, so I gather their members, the ones who are present, don't wish to participate further in this debate. At the same time, we have members on this side who want to participate and want to have a chance to speak, so we're going to continue this debate on this Thursday afternoon.

Of course, as you know, Mr. Speaker, a number of our caucus colleagues have spoken to the bill, and our caucus position quite simply is this: We know that home ownership is one of the best investments a family can make and that families need to know that they will be protected once they have made this substantial financial commitment. We also know that more and more families are choosing a condominium as their preferred housing option. Condominium development in the province is continuing to grow, certainly in Toronto but in many of our smaller cities as well, and, indeed, in our small towns across the province.

This bill, Bill 106, provides many important new consumer and financial protection measures. That is certainly the contention of the government. In fact, on this side of the House we agree with that statement, but we have this concern that we've expressed and we will continue to express during the course of this debate and, indeed, if the bill passes and goes to committee. We are concerned about the increased red tape and bureaucracy contained in this bill. There will be two new administrative authorities created, which will require a large amount of capital for start-up. Of course, as government grows, as bureaucracy grows, we continue to see upward pressure on taxes, higher deficits and higher debt, which is what this government is known for. So we would add that concern obviously and encourage the government to try to find ways to reduce unnecessary bureaucracy in a general sense.

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Bill 106 affects a number of acts. It opens up the Condominium Act, the Land Titles Act, the Ontario New Home Warranties Plan Act, the Licence Appeal Tribunal Act, and the Condominium Management Services Act as being enacted as a result of this bill, if, indeed, it is passed.

The bill is intended to allow for the establishment of a condominium authority that would be responsible for administering condo owner education, dispute resolution and a condo corporation registry. The condo authority would be a not-for-profit corporation under the oversight of the Auditor General, and after initial start-up funding from the government it would be financed solely by a fee charged to condo corporations. It is estimated the fee passed down to owners would be about \$1 per month. The condo authority would, of course, have the responsibility to administer the Condominium Authority Tribunal, which would resolve disputes through case management, mediation and adjudication. Presumably this would mean some disputes that might be currently going before the courts would in turn be discussed and adjudicated through this new tribunal.

The bill would create a separate licensing authority to administer licensing of condo managers. This would be done through a proposed new Condominium Management Services Act, which would create, if

passed, a compulsory licensing system for managers and management firms, creating a training and education program for managers, and establish a code of ethics for condo managers. The act would also set specific qualifications for someone to be a licensed manager.

The bill would amend the Ontario New Home Warranties Plan Act so that most of the warranty protections available to buyers of new condos would also apply to certain condo conversion projects, and this, to me, makes sense, Mr. Speaker.

The bill aims to strengthen financial management by providing condo owners with more information about financial matters affecting their investment and more control over changes.

The bill aims to improve how condos are run by requiring the boards to provide regular information updates to owners, and updating requirement for board meetings. I think, certainly, that is probably in the public interest, to ensure there are standards set for informing condominium owners what's going on, and, obviously, that is something that we would want to see happen.

Mr. Speaker, I know that this has come up in the debate but I want to reiterate a few important points. The most recent condo legislation in the province of Ontario, to the best of my knowledge, passed in 1998. Of course, now in 2015, 17 years have passed; obviously we have to look at legislation from time to time to ensure that it is up to date and it is meeting the current needs of the people of Ontario. It is time to review this issue.

Today, 1.3 million Ontarians live in condos and more than 50% of new homes being built in Ontario today are condominium developments. So, again, that illustrates the size of the condo sector, and also the growing importance of the condo sector and the necessity, I think, of provincial legislation to keep up with that reality and ensure that condominium owners are given adequate consumer protection. There are currently 700,000 condo units in Ontario, with another 51,000 units under construction; that's up from 270,000 units in 2001. So, again, this illustrates the growing importance of condominium developments as a housing option, and the take-up by Ontario families.

In 2012, the government began reviewing the Condominium Act, and there was a three-stage public engagement process aimed at modernizing the legislation. This was in response to growing concerns from condo owners and managers, and I'm told that the key issues identified during the course of this review included governance, dispute resolution, financial management, consumer protection and condominium manager qualifications.

There are two issues that I want to add to this debate. Actually, I had previously brought them up, in the course of the debate and as part of a two-minute response, I believe it was last Thursday, Mr. Speaker, and I am still awaiting a response from the government. The first issue is a condominium in the community of Fergus, in the township of Centre Wellington. It is called the Fergus mill condominium. It is at 478 St. Andrew Street East in Fergus. The owners' association has contacted me on numerous occasions to express concerns about the need for provincial regulation for the inspection and maintenance of turbines where they exist in residential buildings. In this case, there is an electricity-

generating turbine in the Grand River that is actually physically in this condominium building, this redeveloped old mill building that's actually very, very beautiful. But the residents are concerned about the vibration from this turbine and what impact it might have on the safety of the residents, and also the structural integrity of the building, due to the constant vibration and noise from the turbine.

I've made numerous inquiries with the government, with the Premier and with various ministers, asking whether or not there is any regulation of this sort of thing. We've determined, after numerous responses, that the provincial government does not regulate this sort of activity. I can only surmise that there are very few examples where there is an electricity-generating turbine in a river that's also associated and attached to a condominium building like this. I've suggested that this might be something that the Technical Standards and Safety Authority might be most appropriately involved with to regulate, and I still await a response from the government.

I wrote the Premier, actually, on Tuesday of this week; also the Minister of Energy and the Minister of Government and Consumer Services. I draw this issue to the attention of the minister who has introduced this bill for consideration and urge her to look into it as well, to see what can be done to assist these condominium owners.

Secondly, there's an issue, again of long standing, that I've raised in the House now and also in many, many communications with the government and many letters that I've written, drawing attention to the need for traffic signals near the Sands Condominium in Georgetown, in the town of Halton Hills, at the intersection of Guelph Street/Highway 7 and McFarlane Drive/Hall Road. I've worked with the town of Halton Hills's mayor, Rick Bonnette, and some of the councillors who have expressed concerns, as well as some of the representatives of the condominium board who are very, very concerned about safety as they're leaving their building and turning left or right on Guelph Street, which is also Highway 7 through Georgetown.

These constituents of mine believe that there needs to be full traffic signals at this intersection. I'm supporting them. I'm disappointed that the ministry has initially indicated an unwillingness to recognize the important safety issue here, but we are persistent in Wellington-Halton Hills and we're going to continue raising this issue. Again, I would ask the Minister of Transportation to take a look at the unique needs here at this intersection and also the reality that there's going to be significant new development in the area which will create additional traffic. Again, a safety issue exists.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Ms. Peggy Sattler: I am pleased to respond, on behalf of the people I represent in London West, to the remarks that were given to us by the member for Wellington-Halton Hills.

You know, Speaker, I know we all agree that protection for condo owners is important. I have heard a lot of support for seeing this bill move forward.

When we reflect on who these condo owners are in our province, we look at what we know. What we know is that 71% of all condo owners are one-person households and couples without children. Of these, women make up two thirds—fully two thirds—of condo owners who live alone. Three quarters of those are aged 55 or older and living alone.

There is another much smaller segment of condo owners that are lone-parent families. Of those, 84%, or four out of five, of those lone-parent families are headed by women. So women are disproportionately affected by this legislation because they are over-represented among condo owners.

One of our concerns is that this legislation does not provide a dispute resolution mechanism when there are disputes with developers, which means that the only recourse is to go to court to seek some kind of legal redress. We know that going to court can be extremely expensive. It can be an extremely lengthy and extremely costly process that can take years for a dispute to be resolved.

When the only recourse that we're leaving for women who often have much fewer resources, particularly lone-family women, is lawsuits, we are not protecting condo owners at all.

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The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mrs. Laura Albanese: I'm pleased to add my comments to Bill 106 and also to respond to what the member from Wellington–Halton Hills had to say about this bill.

It is certainly, I agree, one of the most important decisions that a person can make in their life: to purchase a home, to purchase a condo. We know that at one time they used to be far and few between, and that right now, as the member rightly pointed out, over 50% of the new homes that are built in Ontario are condos.

Even in the riding that I have the privilege to represent, York South–Weston—which is in Toronto but not downtown Toronto; it's in the northwest part of the city—condos are very common. Who are the condo owners? They're seniors, but they're also single families of all backgrounds, from all walks of life. We have small condos and we have big high-rise condominiums as well.

The need for the government to move forward with new legislation has been felt for a long time. I'm very pleased that we have taken the time to do extensive consultations. At every stage—in phase 1 and phase 2—I took the time as an MPP to conduct local consultation and consulted my residents on what issues they felt were important so that I could pass them on to the ministry. We did that as a community.

In regard to the red tape that the member from Wellington–Halton Hills was talking about, I want to say that the new condominium authority that will be formed will have oversight and provide a quicker,

lower-cost dispute resolution than what is available today. That is the whole point: to give people the chance to do that in a quicker and less costly way.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Bill Walker: It's always a pleasure to bring comments to my colleague from Wellington–Halton Hills, who always brings a balanced viewpoint to any issue in this House.

Mr. Speaker, I'm probably going to be cut short in my 10 minutes, so I'm going to try to get it all in now. I'm relatively supportive. It's great to see a 17-year review of this. I support in principle the concept of the education and the intent.

But I do have some concerns. That's why I want to address them and make sure, if it gets to committee, that these are amendments that they will accept. They need to appreciate the size and complexity; one size doesn't fit all. We need the ability to balance the realistic and pragmatic reality of being able to comply with all the factions of the bill. I'm worried about a bureaucracy being created when I see words like "mandatory and compulsory licensing system."

Many people in the condo that I'm a member of are seniors living on a very fixed income, so some of these things, again, are going to have very onerous responsibilities. We don't get a lot of people lining up at the AGM to become members of the board of directors. If we put too much stringency in it, a lot of people are going to back away. We don't have the ability to afford full-time managers. We don't have the ability to address some of these things at the most high level that someone in a very urban area certainly could do.

The compulsory licensing system, again, definitely is a concern, and I've raised this personally with the minister. Something in downtown Toronto doesn't always work in rural Ontario or, more importantly, northern Ontario. We have to make sure that, again, it's not too onerous.

I ask questions: What's the onerous potential to put on members? What's the ability to maintain this? What's the time? What's the cost? Communication: It's suggested that it requires boards to provide regular information updates. Any good board of management is going to do that on a regular basis. We certainly do a newsletter, and anything we're going to do from an action perspective we communicate back out. You have an AGM; you have auditors who come in.

I do have concerns that there needs to be better and smarter disclosure. As I mentioned earlier, one of my colleagues has a special assessment of \$1,000 a month for 18 months. That should have been disclosed. But at the end of the day, we need to just make sure that we do this with balance and the ability for people to actually do the job, Mr. Speaker—not make us compulsory managers. Those things are going to be too onerous.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Ms. Cindy Forster: We're getting to the final six minutes of this debate. There certainly have been a lot of good comments made, particularly from the opposition side, I may add, about how we can't look at this just in the eye of Toronto or the greater Toronto area. We really have to look at this as it goes across the province, because more and more condos are being built in smaller communities, in tourist areas across the province, and we want to ensure that consumers have the protection that they actually need. So many developers and builders have promised consumers many things, just like consumers are promised at the door in gas contracts or furnace sales or water heater sales. Many condominium purchasers use their life savings to actually buy this last home they're going to have in this life, and we need to make sure that we do this right.

I know that we'll certainly be bringing forward a number of amendments, amendments around addressing some of the issues that I and others talked about today with Tarion, about issues that we talked about with developers. I know from my own experience of having gone into the showroom and having been sold a bill of goods, only to find out, when the condo was finished, that in fact what I was promised I didn't get—unless you're prepared to go to litigation, and if it is not impacted by a violation of the building code, you're out of luck, unless you want to spend a bunch of dollars paying lawyers to actually get remedies to those situations.

As the bill moves forward through committee, I'm sure that many of us will have amendments, and we hope that the government supports those amendments to make sure that this is right for Ontarians.

The Deputy Speaker (Mr. Bas Balkissoon): I now return to the member for Wellington—Halton Hills. You have two minutes.

Mr. Ted Arnott: Seeing the time, Mr. Speaker, I want to thank the members for London West and York South—Weston, the member for Bruce—Grey—Owen Sound and the member for Welland for responding to my comments. We all look forward to further debate on Bill 106.

Second reading debate deemed adjourned.