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HANSARD

Speaker: Honourable Derek Bennett, MHA

Monday

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(Night Sitting)

The House resumed at 7 p.m.

SPEAKER (Bennett): Order, please!

Admit visitors.

The hon. the Government House Leader.

J. HOGAN: Thank you, Speaker.

I move, seconded by the Minister of Municipal and Provincial Affairs, that this House resolve itself into Committee of the Whole to consider, An Act to Amend the Public Safety Act, Bill 95.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Gambin-Walsh): Order, please!

We are now considering Bill 95, An Act to Amend the Public Safety Act.

A bill, "An Act to Amend the Public Safety Act." (Bill 95)

CLERK (Hawley George): Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Chair.

I just had a couple more questions after thinking about it on the weekend. One is: With the pay scale that we asked last week – I think you said \$72,000 – and in order to get people competitive to get into this market, do you have any plan to try to get that salary raised in order to get people to be able to do it, with people that could be retiring from the system in a few years – do you plan on raising the salary to try to get the competition or to get people to come in and take those jobs?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Yes, we will. We're currently going through the process of a market adjustment and that will be determined in short order.

So, yes, we are.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: So in looking at that – and I thought about this again as well – if you hire somebody outside and they come in to do an inspection on an elevator and, let's say, the pulley is gone on it and they got to come back and the part is \$1,000 or \$2,000 – I don't know what it is; I'm just using that as a number, as a part.

So the person that's the inspector, if he's working for a company, he's getting paid to be able to sell parts and sell service to a customer, and you're the customer. They're going to come back and say, okay, we need a part for this elevator and it's \$2,000. That inspector is going to get paid commission based on that, plus the work he's doing.

How are you going to get a second opinion on that when we don't have enough inspectors to be able to cover it, is the question – and I use a garage. If you went to a garage and they said you need this, this and this, well then you can take your car

and go somewhere else and they'll say no, you don't need that.

So I'm just trying to get a backup to what somebody who is going to get paid a commission to sell parts, how would you be able to get a second opinion when you have a job enough to try to get the inspections done?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: I'll attempt to answer that, because there will be a second person, referencing the chief inspector, that will inspect that report that would be submitted. I guess if the chief inspection officer for the Government of Newfoundland and Labrador determines that there would be a further inspection, then that would happen. Or the inspector would write it off.

Now, I'm not sure in terms of the parts that you're referencing. I'm not clear on that in terms of this \$1,000 part. So if you could clarify that, I would try to answer it better.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Maybe you just answered it. If you've got the inspector outside that's inspecting and saying it needs parts, so your inspector is going to go verify that, okay, those parts are actually needed. Is that what you're saying?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Yes.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: And it is a concern that if you're going to be using outside inspectors and don't fill these positions and give them the salary to bring people in, that's a form of privatization and that's not where we want to go with that, I don't think.

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Let me make it clear, in terms of my conversation – and it's certainly not my motive to bring in privatization. Believe me, it is certainly not. Even though we're allowing the industry to be licensed to do these inspections, we're not removing ourselves from that because it could be necessary, depending on what is being inspected, that a government inspector is going to oversee this and if further inspection needs to happen by the government inspector, that will happen. It will depend on the device and the necessity of it. But privatization is certainly not where we're going.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: I guess I want to ask a question without raising any alarms, because this is the *Public Safety Act* and this lifting equipment comes under ANSI 117.1. Clearly, any lifting inspections, elevator, escalator or any of that kind of stuff, if it's found to be not to standard, it's automatically shut down. If it's found to be expired, in most instances, it's automatically shut down. It's the individual's responsibility to do so.

So now we have all these inspections throughout the province, including lots inside of government buildings; has there been any conversations about shutting these devices down, not utilizing them until they're inspected?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Just for the record, to be clear, I mean a lot of the devices at your hospitals and your schools are being inspected. So it's not that. These that are evident out here in Confederation Building, these are the ones that are backlogged that we want to get to and this is the premise of

going outside and licensing the industry to help us with that backlog.

But, if I can answer your question, no, we're not looking at shutting down – the oversight of that is somebody who, if they determine that they need to be shut down, I guess it will be shut down. But you have your hospitals being inspected regularly, long-term care homes and schools.

They determine the importance of what needs to be inspected as well. I'm not saying any elevator is not important. Believe me, it's not what I'm saying, but they determine which ones. As I referenced, the hospitals and the schools definitely fall under the most important ones. They are being inspected.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: Minister, my question is, if you own a garage, as an example, and you're using the old mnemonic type of car lifts for changing tires, doing work underneath, because pits aren't allowed anymore, there's an inspection requirement on them, no different than it is for an elevator – if it's not inspected and something were to happen, then that individual who owns that garage is in a whole lot of trouble and if government can't provide that service, which is who obviously provides it, what's the recourse?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Well, that's the whole tempt of trying to move to ensure that those do get inspected. I mean, elevators are working. We're not necessarily shutting them down because they're not inspected on a regular basis or an annual basis. Work gets done, even with these elevators out here, there's maintenance on them. It's just they're not annually inspected and that's where the backlog is. That's what we need to get to

and that's what we're trying to attempt to get here.

It's going to get busier. Any building that – and new buildings, in terms of having installs of elevators, they're brand new but they still have to be inspected, especially, if it's in a hospital and stuff.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: Just one last question.

So to your point about new buildings and old buildings with the Accessibility Act that we passed last year, as accessibility becomes more of an issue, this is going to get bigger and bigger and bigger all the time.

As the previous Member asked about pay and trying to hire more people internally, but that number isn't going to be three. We need to be aware of that. So has government looked at what that number needs to be? If that number is 10 or eight or whatever it is, then should we not be looking at a way to bring in apprentices and even have a class here on how to do it and try and move that forward? Because it's going to grow as you just said. There's no question, it's going to grow.

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Yes, I think it's been a long process even trying to get to where the – we've got three now. Yes, it's enormous to realize that these three people are responsible for these inspections. Listen, I don't disagree with that. But I don't have a number to say if that magical number is number eight or is it 10 that would be suffice.

In terms of the process, to get someone in these positions at a certifiable, I guess, point to do the work, it can take up to four years. So that's a long time and I repeat

what staff was telling me in terms of these positions, they're difficult to recruit.

Now, we all know, in terms of salary, it is a big piece here. It is a conversation that we're having. There is a market adjustment now on these positions. Whether we need to go higher, that is ongoing discussions, as well, but we're hoping that this is done today and they can move on and hopefully deal with that backlog that's been there for too long. We recognize that and it can certainly help the process with these three individuals that are doing a lot of work in the province on a lot of devices. It's not a two-hour process.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: One more, one more last question, Minister.

This legislation, was it brought forward by the questions that were asked in the House of Assembly about elevators not being inspected or was this being worked on for some time?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: No, the questions in this House didn't trigger it. The question that he asked, initially, didn't trigger this. This was in the making for a while.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

Most of my colleagues here have asked most of the questions I had, so I only have one other question.

Have you spoke with NAPE about bringing in private contractors to do this work? Have they been notified and consulted about this prior to this legislation coming here?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Yes.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: What was their response to this work? What was the response from them on bringing in contractor work to do this?

CHAIR: The hon. the Minister of Digital Government and Service NL.

E. LOVELESS: Let me make it clear, I didn't speak to them, staff spoke to them. We did have a conversation around that and it's a question that I really ask myself.

We will be consulting with them again, obviously. This process through the House brought it to light more in terms of when the words privatization is uttered, I get it, there's a concern. But that's certainly not the motives here to privatize this at all. I'll say it again.

We will certainly discuss that with NAPE, but what I've been told by staff is that there weren't strong objections from the union on this. I think they see the overall picture of what we're trying to do here because, don't forget, three of their members are tasked with heavy tasks in terms of what they're doing.

So this is about helping them as well to get at that backlog and to bring some sensibility, if I can use that word, to what their responsibilities are and what they're doing here.

CHAIR: Seeing no further speakers, shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 21 inclusive.

CHAIR: Shall clauses 2 through 21 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 21 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act to Amend the Public Safety Act. (Bill 95)

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 95 carried without amendment.

CHAIR: The motion is that the Committee rise and report Bill 95 carried without amendment.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Placentia - St. Mary's and Chair of the Committee of the Whole.

S. GAMBIN-WALSH: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 95, An Act to Amend the Public Safety Act, carried without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed her to report Bill 95 carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When will the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Order 16, second reading of Bill 93, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act, seconded by the Minister of Municipal and Provincial Affairs.

SPEAKER: It is moved and seconded that Bill 93, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act." (Bill 93)

SPEAKER: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Thank you, Speaker.

You may recall in a somewhat marathon Wednesday morning, we had 167 questions

on the *Town and Local Service Districts Act*, which was, at that stage and still is, really, essentially a new constitution for municipalities.

This act was written in a very permissive way. It was a complete contrast to the *Municipalities Act, 1999*, which preceded it. In actual fact, for those of you historians of legislation, the *Municipalities Act, 1999*, was in actual fact a redo of the '97 act. In that three-year period, between then and the onset of the *Urban and Rural Planning Act, 2000*, there was a change that we carried on with the *Town and Local Service District Act*.

Essentially, that was to adopt, instead of a proscriptive attitude, very much an enabling attitude. Whilst the Urban and Rural Planning Act is actually very permissive and gives a lot of power to a municipality should they choose to exercise it, it's become apparent with the housing debate over the last year certainly that I've been in the portfolio, we have regular discussions both with the City of St. John's, other cities, municipalities in general, MNL as an umbrella organization, and also our planning department that there is some lack of clarity in the minds of planners outside of government, be they in private business or working for some municipalities or, alternatively, some of the elected – and they move and they change, and that is the nature of thing – about what it is that the URPA – as we call it, as an acronym – allows them to do in regard to housing.

Obviously, this House has been seized with the issue of housing. As a result of those discussions, which I say go on, on a regular basis – and I shouldn't miss out PMA, the Professional Municipal Administrators Association, who we also chat with – it's become apparent that clarity was needed. So the issues that we have identified there, we have brought forward in this bill to the House to clarify URPA. Most of it is clarification. There are a couple of definitions which are new and, really, have

come into the lexicon of planners only in the last 15 years or so. Certainly since the mainstream language of URPA was written.

Because of that, there is also a need to talk about notification. We've done this with a whole variety of pieces of legislation. I did it when I was in Health, I did it in Education and we've already done it in the *Towns and Local Service Districts Act*, which is around the fact that there are no longer municipal or even regional newspapers in the province and to rely on them as a source of informing the public is somewhat misguided. So this also addresses modern methods of notification.

Because of the way the legislation is also written, whilst *Towns and Local Service Districts Act* for this purpose really only affects municipalities in any great number, there is also legislation around the City of St. John's. The City of St. John's specifically has its own Municipal Taxation Act. This is covered in *Towns and Local Service Districts Act* but that's the next act on our list. We're in the process of rewriting this.

One of the comments was that while we were doing this, this would be another housing-orientated change lined up with *Towns and Local Service Districts Act* which we were going to put in a revision of the *City of St. John's Act* and that we would take the opportunity to do this now.

Just so no one is in any doubt, this is not the end of revisions to the Urban and Rural Planning Act. This is just an item in time of something that is topical, something that I think is needed, if only for clarity. There is an interpretation amongst some of our planners and some of our counsel that these authorities already exist in the legislation, but because of the lack of clarity and because of an absolute need for no ambiguity, we feel, as a department, this is kind of a proactive approach.

We have amendments to the Municipal Taxation Act for St. John's in line with the

Towns and Local Service Districts Act. It also, because Legislative Counsel are like that, points out that Trial Division shouldn't be there. It should be Supreme Court; that's the appropriate legislative body. And gender-neutral language, something important to all of us here – we even have a minister responsible for that – and every time we open an act to amend it, we use that opportunity to remove old and outdated language.

So into the weeds a little bit, the two definitions we've introduced – well, there are three actually – the first is affordable housing and we have defined that as housing that is determined to be affordable by a council or regional authority. The reason we've chosen that is, there is no point in me, as minister, or someone in government or someone in St. John's saying this is market value. It might be in St. John's, but it certainly won't be in New-Wes-Valley or in Corner Brook or in Gander. So that has to be left to the bylaw-making authority.

The next definition is Incentive or bonus zoning. This is in section 37(1), for those of you who are inclined that way, but it actually enables modifications to be made to development requirements in return for the developer doing something of benefit or an incentive to the community, whether it's putting in a playground or putting in a green space or providing amenities to that area, or satisfactory to the town or minister if it doesn't fulfill certain criteria.

Inclusionary zoning is another piece that has been added as a specific definition, and that allows a variety of housing options within a development, which includes affordable housing, and it includes multi-unit housing. It is in an attempt to make communities rather than simple developments.

So those definitions are laid out in the act. I will save some of the detail more properly

for Committee. I'm sure there will be questions.

In terms of consultation, we've provided for the use of virtual public hearings and electronic or video conference to line up with technology now, particularly given some people's reluctance to maybe go out if they're not well, yet there is a time when these consultations need to take place.

It increases accessibility for people who have mobility issues and, basically, it's in line with what a lot of us do in our own departments and in our own municipalities. It increases the accessibility of public notices. Again, it modernizes the legislation and it lines it up very nicely with the *Towns and Local Service Districts Act*.

The amendments to the *City of St. John's Municipal Taxation Act*, again, parallel those. It allows the city the authority to allow real property tax exemptions if it wants to use that for developers or landlords or owners to use it for affordable housing. Again, Trial Division piece which is now the Supreme Court, and it incorporates gender-neutral language.

The bottom line about this, is this is a result of our discussions with the relevant groups; it is to provide clarity and certainty, and it really isn't in that respect very revolutionary. It simply tidies up some room for doubt and room for error. These were the things we identified as low-hanging fruit; we continue as a department to work with our planners and municipalities and their planners to see what is next in terms of if there are other things that will help deal with that interface, that authority for municipalities to progress on the housing front.

I'm sure a lot of the questions that will probably come up in Committee will be: This isn't really covered in this act; this is something that lies somewhere else. Because this is part of, kind of, a matrix of factors in development, so these kinds of things.

I would commend this to the House. I don't propose to use my other 50 minutes and 16 seconds; I think we all have more profitable things to do. I'd be interested to hear comments from both sides of the House, and also look forward to Committee.

So thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Speaker.

I thank the minister's department for bringing forth legislation. Again, when it comes to municipalities, towns, LSDs, if anything we've learned over the past few years is that there isn't a one size fits all and we need to make sure that we temper it as we go, whichever fits, once again, the towns, the LSDs, the cities from one end of this province to the other. It's difficult to come up with legislation that fits for everybody, but I know that the minister's department and those who work in there definitely do a good job bringing it forward.

The big piece of legislation we brought forward last year, there was a lot to get through, it was a huge document, of course, but there was a lot to it. We did have a lot of questions at the time, rightfully so, because we want the best for our municipalities moving forward as well. I know I want the best for mine and I'm sure everybody here wants the best for their municipalities, towns and LSDs throughout the province.

When it comes to housing, of course, it's the same thing: it's not one size fits all. Again, that's part of the reason for this legislation brought forward this evening. Housing is huge, it's absolutely huge. We know that when we're building more houses, we know that our economy is good. We know that pretty much everything right across the face of the province, it's good, we're in good shape, once we get building. Unfortunately,

there are not enough units right now. We have a housing crisis and we've talked about it for the past couple of years.

Any piece of legislation that's going to bring in new housing or new development, we welcome it. To cut any of that red tape, to get down to the brass tacks and get this done so we can attract, possibly, more health care professionals, we can attract more tradespeople within the province. At the end of the day, that's exactly what we want to do. We want to grow our province in the right area.

But we also want to talk about the fundamental right to be housed as a Canadian, as a Newfoundlander and Labradorian. The fundamental right to be housed. When we talk about affordability and its definitions, I agree with the minister. One place in St. John's might be different than a place in Grand Falls-Windsor or out around Green Bay south. Affordable housing, it can be a very subjective number if we're going to put it on it and so it should be. We want to make sure that we get as many people into housing as we possibly can.

Just referring to Bill 93, I'll just go over the bill here myself from what we see of it. The discussion focuses on proposed amendments to the Urban and Rural Planning Act, highlighting the addition of definitions, clarifications and modernization of processes related to housing regulations. This aim is to enhance clarity and enable municipalities to better address housing needs, particularly through affordable housing initiatives. That's sort of what we just talked about now.

The initiatives are a big part of it as well, because we want – we want – new housing to be built here. The more initiatives we have, the better they are. We want to make sure that the housing that we build, it is accessible as well, for people that might need those sorts of supports. We want to make sure that those are there.

Continued dialogue with municipalities and stakeholders is emphasized to ensure the effectiveness of these amendments. I think I've said this before and I've touched on it. When we talk about housing and bringing housing forward to Newfoundland and Labrador and coming up with housing ideas, the more people we have around that table, the better.

When you talk about your construction, people that are selling housing, anybody that might be at the table for getting housing in Newfoundland and Labrador is what we want. Real estate agents, construction people, people who need housing, people who are going to offer these initiatives. Three levels of government; municipal, provincial and federal should all be at the table when we talk about a housing strategy moving forward for Newfoundland and Labrador. We want to make sure that shouldn't be a worry about people. That shouldn't be a worry at all.

I know that when somebody wants to come to Newfoundland and Labrador – and we talked about that doctor from Ireland earlier on – the first thing they're going to ask about is what are the housing conditions like? What are the communities like? Are these communities going to benefit myself and my family? Are they appropriate for what we need looking forward?

When we talk about building up communities through housing and through – like the minister was just talking about – the playgrounds and what we have to offer within that realm; we want to make sure that it's attractive for people to come here. Anything that we can do to be a part of that, we are definitely on board.

Some of the key amendments that we just spoke about we're going to get a little further into. The addition of definitions for affordable housing, incentive or bonus zoning agreements and inclusionary zoning. These definitions were added for clarity and relevance to current housing discussions

and the minister touched on those a couple of minutes ago. Of course, the zoning as well, the inclusionary zoning; it's going to be extremely important moving forward.

The inclusionary zoning clarified that proposals for land use and zoning regulations can include inclusionary zoning. Municipal authorities can incorporate policies on affordable housing and incentive or bonus zoning agreements into their development plans. To hand a bit more power to the municipalities, it's very important. Again, one size does not fit all.

Just a quick shout out to all those who are involved with any LSDs, towns and municipalities. A lot of these people are doing it on a volunteer basis. To give up your time away from your families and what not, it's a pretty big deal – it's a pretty big deal. Anything that we can do from this level to help out our municipalities, well by God, I'm on board for that and I'm sure everybody else here is as well.

Regional authority or councils can create regulations concerning inclusionary zoning where such proposals exist in development plans. Clarified that councils must use any funds received under section 37 for park land or public use.

The incentive or bonus zoning agreements, that amendment. Councils can create regulations allowing for incentives or bonuses in exchange for affordable housing options or other community benefits. That's just what we talked about and the community benefits part of it is huge. It's huge. It should be looked at as a full community because the more onboard the better and we just discussed that as well. Examples include density bonuses or reduced parking requirements for developers who provide accessible or climate-friendly housing. Of course, as we move into a greener environment or a greener tomorrow, that's very important to the next generation coming before us and it should be important to all of us, like it is.

Public hearings: municipal authorities can hold public hearings electronically, promoting accessibility. The minister touched on that a moment ago, as well. We are moving into a new age of information and technology and we need to embrace that if we're going to get to squeeze everything we can out of it.

Virtual hearings, a practice adopted during COVID-19, those will continue as well. Modernization of public notification: municipalities are not limited to traditional newspapers for published notices, they can use various methods for public notification. That's just the way it is nowadays and that's where we're headed so we might as well embrace it.

The *City of St. John's Municipal Taxation Act*, the definition of affordable housing has been added, that's good. Authority granted to exempt real property used for affordable housing from property taxes, facilitating development of affordable housing. Of course, with half the population of the province, I guess, here on the Avalon and in St. John's, I'm not sure what those numbers are up to right now but, you know, the capital city, there's only so much we're going to spread out. There's only so much we can go. We need to make sure that affordable housing is here for families that want to stay here. We don't want anybody leaving this province to go away for affordable housing elsewhere, with higher paying jobs. We want to keep them right here at home and that's exactly what we're going to do.

There were a few notes, of course, from the briefing that we did have on inclusionary zoning. Clarification was sought on why explicit permission for inclusionary zoning was necessary and the response we got was that a previous ambiguity led to confusion. The amendment aims to provide clarity and assurance to the municipalities. Again, the more we can help the municipalities with the clarification and the terminology moving forward and free it up a

little bit to get those housing units in place, the better off we're all going to be.

There are a few other things moving forward as well and I do have quite a few questions, actually, for Committee for the minister moving forward. But, like I said, when it comes to housing here in the province, whatever we can do from this level, from the federal level, to help these municipalities, the better off we're going to be, because at the end of the day, growing a strong, healthy population here in Newfoundland and Labrador, cannot be done without that housing method. We need to make sure that's there as well.

I'm going to take my seat now, but we will have some questions for Committee and I look forward to asking the minister those questions.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

We've been talking about the bill, about the changes, but more or less clarifications from Bill 93 and adding the definition of what affordable housing is to both acts. But the definition is determined by the local council or region, so the definition will vary from place to place according to what area of the province you're in. The way this is worded is the City of St. John's can have one definition that fits their urban planning, while a rural area for the rural planning could have probably a slightly different definition. So I guess you're giving the ability for each region to define what is affordable housing to them.

The bill clarifies that towns make zoning regulations and policies around exclusionary area zones; zones that allow affordable housing and multi-unit housing

developments; development in areas that could be done in incentive or bonus agreements where towns can relax development regulations to allow developers to build affordable housing or multi-level units. In exchange for relaxation regulations, towns can require developers to complete extra work or add extra amenities to the development area. These are things that are really in more urban planning areas, but also giving everybody the ability to try to ease the idea of multi-unit dwellings.

It's interesting there that, coming from a place like Labrador West, which is a completely engineered town. It was designed by an American with what they called the garden city theory. When they designed Labrador West, they had mixed development. I lived in a townhouse. Down the street were single, detached homes. In the middle of town, they had all apartment buildings, and all amenities were in different sections of the town. In between each space was large lawned areas. It was a theory by an American city planner called the garden city theory development planning.

It was interesting that when I grew up in Labrador West, and my dad's from there and all that, having an apartment building in the middle of town, next to a bunch of single detached houses was completely normal. It was just how things were. Then when I used to go visit family around Gander and around New-Wes-Valley and all that, it would be interesting, not seeing any apartment buildings. I always thought it was really weird, no apartment buildings around here, no rows of townhouses. So when grandfather would take us to Port Union and you'd see all the row houses there, I'd go: Oh, that's where they're all too.

But it was just interesting, the theories about zoning and planning, but also the development of a community and stuff like that. So growing up in a completely engineered town, where almost everybody's house was the same, it was very different

when you go to different parts of this province.

Now, I guess seeing a lot of what we took for granted in Labrador West, when it came to zoning and planning and how you design and build a community, I took that for granted, but now a lot of other communities are picking at these ideas and about multi-unit buildings or row houses or things like that.

So this is very interesting that, after all my – I guess Lab West is around – 1963, so almost about 63 years old now, the actual municipality of Labrador City, it's about 63 years old now. It's something that we've had for a long time, amenities and stuff like that, we had that when it came to multi-unit dwellings and things like that.

Now this is actually coming about for the rest of the province and now they need some planning incentives and stuff about doing this in an affordable way. So I applaud that, coming from a region where growing up in a row house on a street, next to an apartment building, with all kinds of different mixed amenities and different zoning, it's okay. It makes a, not very unique, but a very wholesome community, and I think embracing that kind of development is really important, especially in making housing and the ability to find affordable housing much better.

This is good. We're going to move forward and we're going to give a lot of incentive to communities by giving tax breaks, or giving municipalities the ability to give tax breaks and regulation breaks in a way to make communities able to build this housing and incentivize developing housing that is affordable, especially in a time now where we are having a very big housing crunch.

The URPA, the legislation, for most of what the minister said, and we've got it here in the briefing, most of the stuff the towns could do anyway and it's just making the ability to clarify some of the language

around it and, obviously, adding the definition of affordable housing.

So this is some good legislation, clarifying what towns and municipalities and the City of St. John's can do within the Planning Act and the Taxation Act here so we would incentivize housing.

I'll go back to another thing about incentivizing housing, too. The more tools we can give municipalities, the more ability and support that we can give them to encourage affordable housing development, to make sure that they can bring this in and not be affordable on the outside, but when the rent bill comes to the people, is it really affordable?

This is where we really need to make sure that we are doing this correctly; we're making sure that it is truly affordable for individuals; and making sure that the municipalities have all the resources and everything at their fingertips to make sure it's done correctly; all the l's are dotted, the t's are crossed and that this will truly be a benefit to the community. Any support or help or anything that these municipalities need, we need to make sure that government is listening and that government is there, ready and available to help these municipalities with their housing crunch.

It's not just one municipality, it's right across the whole province now when it comes to housing. So small things like this are great and we just keep encouraging government to do the right thing and make sure that municipalities are at the table and any resources or anything that they need is available to them as well.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Seeing no other speakers, if the Minister of Municipal and Provincial Affairs speaks now, he will close the debate.

SPEAKER: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Thank you very much, Mr. Speaker.

I'd like to thank the Member for Grand Falls-Windsor - Buchans and the Member for Labrador West for their contributions to this discussion. I look forward to the questions. I don't think this is terribly controversial; happy to deal with them in my own way and look forward to comments from Committee.

Thank you.

SPEAKER: Is the House ready for the question?

The motion is that Bill 93 be now read a second time.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK: A bill, An Act to Amend the Urban and Rural Planning Act, 2000 and The City of St. John's Municipal Taxation Act. (Bill 93)

SPEAKER: This bill has now been read a second time.

When shall the said bill be referred to a Committee of the Whole?

SOME HON. MEMBERS: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Urban and Rural Planning Act, 2000 and The City of St. John's Municipal Taxation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 93)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move, seconded by the Minister of Municipal and Provincial Affairs, that this House do now resolve itself into a Committee of the Whole to consider Bill 93.

SPEAKER: It has been moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to debate Bill 93.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Trimper): Order, please!

The Committee of the Whole is now considering Bill 93, An Act to Amend the Urban and Rural Planning Act, 2000 and The City of St. John's Municipal Taxation Act.

A bill, "An Act to Amend the Urban and Rural Planning Act, 2000 and The City of St. John's Municipal Taxation Act." (Bill 93)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Chair.

Minister, what mechanisms will be put into place to monitor the effectiveness of the new inclusionary zoning policies?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Thank you.

The Member opposite raises an interesting question. This is something – and this amendment is trying to make sure it stays there well within the municipalities. I would suggest that those government funded schemes that specifically look for inclusionary housing or inclusionary accommodation would have their own monitoring mechanisms put in place.

Certainly, I think there are offices within government whose responsibility it would be to look at that. It might not necessarily lie within Municipal and Provincial Affairs. So I think the answer is they would be varied and it would probably be contextual, but he raises an interesting point as to whether and who should be responsible for collating that data on a provincial basis.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans

C. TIBBS: Thank you, Minister.

Minister, how does the government plan to provide resources or training to municipalities to ensure they fully understand and can effectively implement the new definitions and ability to pursue and implement regulations around inclusionary zoning and incentive zoning agreements?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Thank you.

We have a wonderful department with the Department of Municipal and Provincial

Affairs, called Municipal Support. They do training. This is the same crew that trained 3,000 councillors on the Code of Conduct act in 11 months. This is the same crew that are elected for the *Towns and Local Service Districts Act*.

This will be rolled in quite easily. We do circulars. We do videos. We are looking at asynchronous recording so that we can do these webinars and then put them on the website and anybody, at any stage, who gets the urge to know about inclusionary zoning or affordable housing can reference a video presentation that we've done.

So this is part of what we do. We are also aware that MNL do have two positions funded for housing workers to look at this on a provincial basis. There are things there and if anybody at a municipal or a provincial level or, indeed anywhere, comes up with a way that we're not doing, that we can do it better, let us know.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Very effective, I'm sure. Thank you, Minister.

Minister, beyond virtual public hearings, what strategies will be employed to help communities engage with residents who may have always used traditional methods, such as *The Telegram*, that is not as easily accessible?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: It doesn't preclude a municipality using the more traditional method if they know their population favours that. I think what it does is it enhances the tools that they have. They can use public notices in a way that they may not have done before.

It doesn't just have to be putting it up outside the town hall; you could do a variety

of them. Facebook is still extremely useful for a particular demographic. It's very popular with grandparents keeping in touch with their grandkids and it appeals to an older demographic who, at one stage, everyone would have said, oh, they'll not go anywhere near that. They always read newspapers and have letters. Well, courtesy of Canada Post, you can forget the letters at the moment.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, how will the government help municipalities who do not have the staff to address potential conflicts or disagreements between municipalities and developers regarding the interpretation and implementation of incentive or bonus zoning agreements?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: That's an interesting topic. I mean, Municipal Support provides guidance to councils and municipalities, but they are their own organs, their own organism. I think if they have difficulties, they should consider what tools they have. Certainly, I do know that MNL and us, through MNL, are trying to enhance the level of support.

One of the concerns we have in general about municipalities relates to capacity.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

J. HAGGIE: What I mean by that is a small community may not actually have the full-time staff to deal with this and we're working with them. We don't feel, in the department, it's our job to provide that directly, but we're certainly exploring ways with MNL and PMA where maybe we could enhance their access to it through other means.

CHAIR: Thank you.

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, can you provide specifics on what oversight and support will be offered to municipalities regarding the new changes to section 37?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Section 37, if I remember correctly, is the one around the zoning. I just have to get my piece of paper here, yes.

SOME HON. MEMBERS: Oh, oh!

J. HAGGIE: It's noisy here.

The guidance here would be part and parcel of the training that we referenced at the beginning. At the end of the day, if there is a dispute then, again, one of the things we've tried to do is step back. We're not the paternalistic department that tells another layer of elected what to do. That view is outdated and probably inappropriate. Just as we get exercised here when the feds try and tell us what to do, municipalities certainly do the same.

With that, comes the ability to regard themselves as agents of their own fortune. We're happy to provide guidance, but at the end of the day a council is elected to make decisions. If one of those decisions is to go to court for an interpretation, that's probably where they need to go.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

I couldn't agree more. The less reliance that they have anywhere else, the better, and

the more they have for themselves, the better as well.

Minister, the words “affordable housing” means something different based on who you speak to. Were the live and municipality assessments completed each year?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I think I might understand that. That relates to Municipal Assessment Agency’s activities?

Yes, they do that on a rolling cycle. They charge an initial fee for property and then they charge a subsequent fee, which I actually don’t think has changed for a very long time. And to be fair to them and just to give them a shout-out, they’ve done a lot with using side-scanning drone photography and ariel photography to try and cut down on some of their expenses. That is done on a regular cycle.

You will recall from the *Towns and Local Service Districts Act* that there are, I think, 49 communities that will have to move on to municipal residential taxation who currently don’t do it. There is a plan and a budget to go with that to allow the MAA to take on that extra work without passing it on directly to the municipalities in the first instance.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Is there a plan for a point of contact to be shared with the municipalities for this purpose? Is there a point of contact to be shared between the municipalities?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: We actually have point people in each district. We have a regional structure and the regional directors and their

staff usually each have a group of municipalities who know them, know them by name and they have an established working relationship. Then, it can get bumped up, as it were, the chain of command into the provincial director’s office and then through the ADM and DM to myself, if it’s an issue of policy rather than operations.

So that’s a general purpose point of contact. We have, then, access within government, should it be necessary, to point them to agencies.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

What measures will be taken for government to ensure that the affordable housing created under these new regulations remains affordable in the long term, rather than simply meeting short-term needs?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I think if you look at some of the funding streams that have come in from federal and provincial, there are time limits on how long that property has to be labelled as affordable. Certainly, from a provincial point of view, there are definitions as to what is actually affordable there from a financial point of view.

I think if a municipality, particularly one of the bigger ones, gets into a local arrangement with a developer or a landlord around providing affordable housing, part of that development will be a contract of some kind to stipulate how long and what. That again, leaves it to the authority of those municipalities who wish to go down that route to exercise it unfettered without us interfering, but it does give them some levers and some examples.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, how will these amendments affect current zoning regulation amendments submitted to government by municipalities?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: It has nothing directly to do with zoning, except it is permissive in that if you got housing, de facto, it allows you to make it inclusionary housing. What happens within a zone like that is a municipal authority. Now, the whole issue of zoning and how you get zoning changes and zoning approval is not directly addressed in this. We do know there are or have been seen to be challenges with doing that where there is a link between the municipality and the provincial government.

My department, in the last two years, has gone out of its way to make sure that anything that's labelled as housing is addressed promptly. We are making steady progress in that direction. But in terms of the zoning process, in terms of writing the zoning plan from scratch or significant amendments to it, there are a lot of interests that bounce across various departments in government which do potentially make it a slow process.

It has been, often, where information is less than accurate or old or outdated and it has to go back to make sure it's the most up to date. But, not long ago, we had a 106-point, 46-page document from the City of St. John's. My department, my staff of which I'm very proud, turned it around in five days.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, what steps are being taken to ensure that there is no conflict of confusion arising from the new definitions and allowances. Is the government providing guidance and examples to municipalities for this?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: We're certainly providing guidance. Examples come out of practical experience, and as those become available, then you could hold those up as exemplars, hopefully, of what to do rather than what not to do.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, will there be a formal mechanism for municipalities to provide feedback on the new proposed amendments prior and after implementation?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: This arose out of discussions with MNL and it rose out of the discussions with the City of St. John's. I have undertaken to talk to them as soon as this document was released. Obviously, parliamentary privilege is what it is and until the bill lands on our desk, it isn't public and they can't see it, and that's part of parliamentary privilege.

They know that and I explained that to them. If they've got any suggestions, it literally is as simple as picking up a phone. Myself, the president of MNL and the president of PMA, we chat virtually or face to face on a fairly frequent basis. So I don't see this as necessitating a formal process because, quite frankly, if they don't like it, I'll hear about it.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Open-door policy, Minister, perfect.

Minister, what data collection strategies will be employed to track the success of the proposed amendments in increasing the supply of affordable housing?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Those projects that are funded through provincial funds will have a monitoring mechanism built in. I know those that go through the federal Housing Accelerator Fund have to have an open and public reporting mechanism, so those are measures for that.

Those that are, if you would like, solely done at the municipal level – and I think it would probably only affect the biggest municipalities, what we call, 7-11. It's probably out of date now, but those seven communities with populations greater than 11,000. Those would be a matter of absolute provincial or federal funding, for them to do themselves.

Quite frankly, I think they're likely to fall into one of the other pots, so there will be either a federal or a provincial monitoring process. But if there isn't, it's up to the municipality to get one in place.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, how will the government ensure that the needs and challenges of rural municipalities are adequately addressed in the implementation of these proposed amendments, particularly given that affordable housing issues can differ significantly from the urban areas?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: This legislation is meant to be clarifying. You could adopt a kind of more generous view and say it's enabling, but our argument is that we're simply clarifying what's already there. The issue, I think, the Member opposite really refers to is, what do you do about helping smaller municipalities apply for funding pots? There are positions with MNL now, funded to do that.

Also, how do you get money to do that? That is often a discussion between municipalities and private enterprise with my colleague from Housing here who has some bigger purse strings than I do.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, how does government plan to deal with the red tape municipalities face when they submit land rezoning amendments to government and they take up to six months-plus?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: In actual fact, I gave an example of which I'm very proud earlier on of how fast we can do it. By and large, our experience is that those that take time are taking time because of several factors; some of which may be more important in one application than another. Those factors, in no particular order, are that they're very complex.

They may involve safety issues, like flood-risk mapping and fire-risk assessments. They often span several departments so there may be an issue with forestry, there may be an issue with water resources and there may be an issue with environment and climate change. We do have an

Interdepartmental Land Use Committee, which is set up to meet those.

Finally, some of the data that is supplied by the planners, or the communities and their planners, could be old or out of date and need to be updated. We've actually had situations where one planner submitted a very complicated plan, and he'd used the old map that was actually out of date. One of the issues there is trying to deal with that in a kind of diplomatic way, but it does take time.

I said earlier on, if it's got housing on it, we have as a department tried really hard to look at that really quickly. If you know of something that's taken eight months and it's really bugging you, tell me about it and we'll do something.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Will do, Minister. Thank you.

Minister, given the government emphasis on affordable housing, why has the government not allocated dedicated funding or resources to municipalities to assist them in making the necessary regulatory changes in order to support the affordable housing initiative?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I think to be fair to all around, some of this is clarification. There is a case to be made that some of these regulatory authorities already existed. For those municipalities outside the cities, then the *Towns and Local Service Districts Act* was necessary to provide that final clarity, and that comes into force with regulations in 30 days – 29 days.

But just to be clear, in actual fact, going back through the older legislation, we in the department could find actually no legislative impediment written into any of the

legislation that I had oversight and responsibility for that prevented anybody doing affordable housing. So I think a lot of this has been around clarity and around education, and making sure everybody is on the same page.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Minister, many towns, especially for smaller towns or rural areas and municipalities, do not have the staff to take on land zoning amendments to their town plans, which will be necessary to open up to additional housing.

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: You raise an interesting point because, in actual fact, there are quite a few municipalities who may not actually have a municipal plan, which is problem number one. And I think one of the things that we are trying to do, through MNL, is to enable.

Again, you know, you go back 30 years and there was a much more paternalistic approach where the big department told the smaller municipalities how and what. That's not appropriate. These are individuals, they put themselves forward, they're elected, they're voted on by their own municipality and they should be able to exercise that level of authority.

We're open to any and all mechanisms and this is a regular topic with both MNL and PMA as to how we provide supports to do that. In actual fact, sometimes it's obvious that those organizations would like to be more actively involved and would like to be the support for their members. We're happy to try and help them do that.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Last question from me, Minister.

Minister, will government provide technical assistance or resources, such as guidelines or toolkits, to municipalities to help them navigate the complexities and ambiguity of the word, affordable housing?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I think it would be advantageous for, perhaps not my department solely, but certainly in conjunction with Housing. MNL had its own significant housing expertise at one stage there; one of their staff members there had a doctorate in research in the subject and was very much engaged in data collection like that. We don't have, yet, that written. I would be happy to collaborate with Housing. I don't think it need, necessarily, be a particularly long paper to do that but it's certainly another tool that we could put there for municipalities to use and I don't have a problem with that.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

Just to move further on the point there from the Member for Grand Falls-Windsor - Buchans about the definition of affordable housing. The bit of the ambiguity of it, is it possible, like I said, is there any worry that the municipalities might be setting themselves up to potentially be giving tax breaks or regulation breaks to a developer and then realized that it might have been too ambiguous of the term of affordable housing and it might, actually, get no real local affordable housing in return for that project. Are there any guardrails or anything in place there that could possibly make sure that what is the definition that they create, truly meets the goal of what everybody is trying to achieve?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I think I'd probably just kind of recycle or repeat part of my answer before, one size doesn't fit all. Having a provincial zoned approach to what is affordable housing may actually be something of a challenge.

There is kind of affordable housing – capitalized – which carries the notion that somehow this is maintained or subsidized housing like the NLHC with rent supps. Then there is affordable housing which means can this young student nurse or this young married couple actually afford to live there. I think it's down to the council to look at what their needs are for housing. They may not have a lot of people in the latter category, they may have a lot of people who are in somewhat difficult financial straits.

I think that's probably the best answer because if I pick a number out of the ether it's not going to work somewhere.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Yeah, I understand the part of not picking a number out and the regional discrepancies when it comes to that. But I'm just wondering if the department had any idea or anything to help with that definition to make sure councils don't get themselves in some kind of trap where they think they're getting something, but once it's said and done it's not what they thought it was because of the ambiguity of just the words affordable housing.

I just want to make sure there will there be some clarity, or some work done around that to make sure that this does meet an actual need of what the councils or any region is looking for.

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: It's always nice to be able to provide clarity, but there are some times where you really can't guarantee it. What I have said in response to the Member for Grand Falls-Windsor - Buchans, I think, is that we would be happy to work with Housing, who in turn have responsibility for NLHC. And we can certainly provide some examples of what other communities might regard as affordable housing and see if they want to use that as a ballpark or a yardstick. But at the end of the day, councils are elected to make decisions within their jurisdiction. This is one we have felt they should make because it's local and it's contextual.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

No, and I'm on the same topic. I only have the one question, but it's related, actually, to the last two questions that were asked. I was listening to your response, Minister, on it and when I looked at the definition of affordable housing and I read the definition, it means housing that's determined to be affordable. I'm kind of still left grey, you know. What's the definition of a green apple? It's an apple that's green.

So that's how I look at this. Are we talking about whether it's reasonably priced, whether it's inexpensive, whether it's at or below the market value for the area? That all comes to mind. You have answered this in bits and pieces, there's no doubt about it, but I'm going to give you a third opportunity to answer something similar.

When I look at that, because the ending part is, "by a council or regional authority" So, basically, here's the question: What is the expectation of a council or a regional authority in determining affordability?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: How green is my apple?

J. HOGAN: It depends on the regulations.

J. HAGGIE: And it depends on the council.

I mean, this is the challenge, at the end of the day, it's what a group of five or seven reasonable individuals, who've all persuaded their peers in the community that they are responsible individuals, they sit around the table and say, well, we're trying to deal with this group of individuals, how much do you think is affordable?

Now, I mean, if you're spending more than 50 per cent of your net income on housing, then, technically, you're housing insecure. Is that affordable, is that reasonable or is that insecurity? We're letting them make that decision because they've been elected in that area to do that.

CHAIR: Are there any further questions?

The hon. the Member for Bonavista.

C. PARDY: Thank you, Chair.

Two questions, if I may, on the act. We had a spirited debate on Crown lands and we talked about Crown lands and I think we probably promoted and moved, we'll say, the welfare of those people wondering which land they were on in the province. We found out that there are going to be certificates given out and, I think, quite freely at times.

One thing I go back to was one thing that we had discussed before, in an initial presentation in the House, was section 158. That was the one for the tax arrears for municipalities. It was a current minister on April 16, 2020, who informed municipalities that they're going to have to determine as to whether Crown lands would be diversified from their ownership on that land. If not, they would be part of it.

So the only thing I would say is it is affecting areas in the District of Bonavista. Chris O'Dea wrote a letter to the department, and he talked about the loss of tax arrears sales in Trinity and Port Rexton when the minister put his decree in and changed it that Crown Lands all of a sudden became an entity in these tax arrears sales.

Now that we've got Crown Lands behind us and the collaboration that we had when we talked about it, is this something that you would look at going forward to say that they can divest themselves of these tax arrears sales in municipalities, like in Trinity and Port Rexton, in my district?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I'm going to walk through this slowly because I'm not quite sure I've grasped what I'm being asked. If the Member opposite is asking me if I have any ability to alter what Crown Lands may or may not do, the answer is no.

In terms of tax arrears, that is an issue under the act, as I understand it, that is taken out with the person who was down as the last occupier and taxpayer. They are the ones who are responsible for remitting those taxes and if they don't, then there is a possibility, at some point, of putting a lien on that property. If it then turns out that they don't have any assets against which to put a lien, I think you're out of my depth now and certainly out of the jurisdiction of the act and I would suggest you speak to a lawyer.

CHAIR: The hon. the Member for Bonavista, anything further?

C. PARDY: Just simplistically, I know you had mentioned you were going to collaborate with Housing. I would think collaboration with Crown Lands can easily say that they're going to divest themselves of these tax arrears sales, which are often abandoned properties that the municipalities are struggling to get some money back for

the money that is owing on them. They don't know in a lot of cases, tracking down the last owners of the property. If we had to have a dependency on them to try to find out, to make claim to Crown Land, it will never happen.

So I'm saying, prior to 2020, it happened seamlessly. We've had a lot of property moved in our district, but only in 2020 did it change. All I'm saying is that if you collaborate with Crown Lands, I think we can do a world of good for your department with municipalities to say that Crown Lands have divested themselves from any ownership in that property and allow the sales to go through the courts and through the lawyers.

The problem is, nobody is going to buy the land because Crown Land wants municipalities to determine the Crown Lands doesn't have any stake in it, and that's problematic. That's all I was saying.

Probably I can go on to my second question or ...?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Certainly, from the point of view of discussing anything with Crown Lands or any of the other departments in government, quite happy to do that. What makes sense, I would leave to those discussions to generate, and how a process may or may not work.

This has kind of wrong-footed me here a little bit because it's not actually this piece of legislation, so I had to catch up for a minute before I figured out where we were.

CHAIR: The hon. the Member for Bonavista.

C. PARDY: I thank you for the effort, Minister.

I know that you may not have been, but I just throw it up for your consideration going forward, and at least on the record.

My last question was that this current bill is going to do away with poll taxes. So I have

—

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Hold on a second. Are we talking about the *Towns and Local Service Districts Act* or are we in Committee with the *Urban and Rural Planning Act*?

CHAIR: We are in Committee with Bill 93, *Rural Planning Act*.

J. HAGGIE: Okay, I'll do my best to answer, if the Chair feels it's appropriate for me to take questions on another bill.

CHAIR: The hon. the Member for Bonavista for some clarification, hopefully.

C. PARDY: Thank you.

My last opportunity. I'm sure that we're going to do away with the poll tax and we're going to implement property tax, so four municipalities in my district — let's just throw out — Keels, King's Cove, George's Brook-Milton and Musgravetown, they're no longer going to use the poll tax, they've got to use the property tax. When I spoke, when we were looking at the bill when it was first presented in the House, I had mentioned \$26 to \$28 dollars for an assessment. You corrected me at the time and said well, the initial assessment was \$86. I don't know if you recall that.

I would say that if I did a total of those four communities in my district, with \$86 per residential property being charged, it's going to bring about close to \$80,000 out of those four communities for an initial assessment, which you referred a little earlier that you were proud of your department, they're

using the Google Earth to do a lot of their assessments, or some other.

The only thing I would ask for consideration, and knowing that the latest municipal agency financial statements, which stated that the restricted reserve fund that you would have in this Crown corporation is \$2.8 million and the operating reserve fund, to be specific, is \$1.3 million.

But we're going to have these four communities in my district at \$86 in order to find out what tax they're going to have to pay.

I just through that out for consideration, Minister. I think this will be the last opportunity with any bill that will be close to that. So I just want to be on the record in presenting that to you.

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Three things, in no particular order. The Municipal Assessment Agency is using side-scanning photography, not Google Earth. It doesn't use satellite because it's inaccurate; it doesn't give you a 3-D picture.

The second thing is we have funding this year, each of the communities that will be moving from poll tax to the real property tax, there's a three-year window for them to move in. We're making sure that MAA are not, in the first instance, going to pass on huge increases to those municipalities that have to shift, but, at some point, MAA does operate on a cost-recovery basis.

It will be my understanding that unless we do something radical with MAA, that's the basis on which they will continue to operate and that reserve fund, not the operating reserve, the operating reserve of \$1.2 million is a prudent maneuver in the case of issues with cash flow. Because it is an agency that should keep between 12 and 18 months of reserve, operating money, at

hand as a reserve and \$1.2 million fits nicely within there, at the lower end.

The final thing, the other reserve, the \$2.8 million, that money is reserved and it's encumbered. It's not actually there for grabs; it's encumbered for future use in future years.

CHAIR: Thank you.

The hon. the Member for the beautiful District of Cape St. Francis.

J. WALL: Thank you, Chair, I always appreciate that.

I've a couple of questions, Minister.

With respect to the amendments for Bill 93, adding the definitions, how is that going to differ for a municipality that's currently using a subdivision agreement or a development agreement? As long as they're using their current development and zoning regs and operate within those boundaries, how is this going to be different and benefit the municipalities?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: It's permissive. If they aren't doing it and want to, they can. If they are doing it, they can continue to do it. We don't mind.

CHAIR: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

An example from my district, Minister. A town submitted a zoning amendment in June of this year to allow land to be rezoned from public open space to residential for the purpose of a five-lot subdivision. The province didn't approve the rezoning until December. This is not an isolated issue. How can municipalities take the time to initiate affordable housing in their towns,

when it takes government that long to accept that development proposal?

I just want to be sure, with respect to the timeline, if towns want to do their part, is there any way, with respect to this waiting for five to six months, with respect to an answer for the towns?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: The short answer is we will do anything we can to shorten the process. We will not shortcut a process but we will shorten it, wherever we can. So I would encourage any town that is interested in moving with a rezoning application to start discussing that with our planners before they even put pen to paper.

As I say, the challenges we've had with some of those being slower than others and, again, overdue – quite frankly, shall we say, we got some capacity issues over the summer, like most departments. We have slower periods in the summer than we do the rest of the year. Similarly so do towns, so when we go back to deal with clarity or potential inaccuracies or uncertainties, those processes are slower at that time of the year than they are at others.

I am not trying to make excuses; I'm just trying to simply explain the process. But again, my experience with these applications that take a long time is because they're complex. Is there a contour line issue? Is there a waterline issue? Is there a watershed issue? Are you actually taking water from the next community or are they going to end up with some problems with theirs? These are potentially challenging when you're moving from no use, open space, to a more formal use, particularly if it's high density because of the requirements for water and sewer in certain areas.

Again, I would encourage any community to get in touch with our planners when they

start thinking about this, rather than just waiting and filling out an application and finding there's challenges with it, because you can head them off at the pass.

CHAIR: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Minister, for that, but just to be clear from my end, there was no changing with respect to this particular example, from the town in my district. It was just the length of time waiting to hear back from the department.

So a quick question before I begin my next one. The number of planners in your department, how many are there that is servicing municipalities across the province?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: I will get that number for sure. I think it's four, but I will check because we do seem to have people who come and go from other departments as well.

CHAIR: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Minister.

I'm not coming down on your staff, I just wanted to ask the question with respect to – we always appreciate what the staff do in the departments. We are only as good as those around us, and you've heard me say that before.

The last one, Minister, with respect to your public engagement, have you heard back from or met with any developers in any of the municipalities and have they raised any concerns regarding the definition of affordable housing in various areas around the province? I know my colleague from Grand Falls-Windsor - Buchans touched on it earlier, but have you met with or

discussed or had any concerns from developers within the municipalities?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: No, I haven't met with developers and no, obviously, because of that, I haven't directly or indirectly received any concerns from them on the topic of affordable housing. This was done via consultations with, kind of, the community side of things.

J. WALL: Thank you, Minister, and thank you, Chair.

CHAIR: Any further speakers?

The hon. the Member for St. John's Centre.

J. DINN: Thank you, Chair.

I understand this question has probably been asked a few times, but I just want to go back to affordable housing. I understand it's going to be determined by the council or the regional authority, along those lines. But I'm trying to figure out why wouldn't there be some collaboration between the province and municipalities to at least develop a framework around this.

I'm looking at what CMHC said and I think affordable housing is deemed to be less than 30 per cent of gross income. I've heard the Premier use affordable housing and housing that is affordable. So I'm looking here for a definition. I understand the desire not to be prescriptive here. You have to reflect the different geographical regions and even the different municipalities.

Why not lay a base work within this framework, as opposed to leave it wide open? So you could have, theoretically, I guess, hundreds of different definitions of affordable housing. I would assume they'd all come back, Chair, to a basic definition. But why not collaborate on a basic

framework at least so there's some consistency as well as flexibility?

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

J. HAGGIE: Well, I can do no better than repeat my previous answers, really, Chair. The fact is affordable in Gander, affordable in Carmanville 20 minutes away, and affordable in St. John's are three different figures you can pluck out of the ether.

We have not adopted a paternalistic approach with municipalities. Those people who stand up in their communities, I actually think probably do a harder job as elected than we do in this House. They don't get away from it. They stand up there, they have the authority to make this decision, because they have the responsibility to deal with the feedback.

I don't want to put fetters or chains around them. Five, seven reasonable people – and I've said I'm quite happy to talk to Housing here and provide an educational kit or a guideline, but the facts of the case are, whilst yes, there are research and sociological definitions of what insecure housing is, I don't know how practical it is to use the 30 per cent of gross, for example, of an indicator of what market value could be. Because there's a difference between income and market value, and it depends on which side of the question you're looking at it from.

So we can dance around this, and I think this is consistent with the spirit of the *Towns and Local Service Districts Act*. It's consistent with the spirit of the URPA, as it was originally written, as a permissive, enabling piece of legislation. These folks, it's their level of government that we feel should make this decision. We're happy to support them with it but, at the end of the day, it's their decision.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: I understand that but even here it talks about – this is the End Homelessness plan – housing is still a collaboration or a partnership between the different levels of government. It's not just dependent on one government, on one level. So often, I think it has been, the federal has the money, the provincial probably has the plan but it's the city that has the problem.

So here's my concern, I guess: If you look in the plan to end homelessness report – and this is something I run into and I'm sure my colleagues run into it as well – poverty is a key predictor on housing and so on and so forth. The poverty line for a single person in St. John's in 2023 was \$26,500. If you look at a single person, though, what they get from social assistance in total is about \$12,000. So they're well under.

I guess we're into, not only affordable, but the need for deeply affordable housing. This is my concern as to a plan to address this: A couple with two children, the poverty line would be much higher, yet the total for social assistance, I guess, and child tax benefits and tax credits would be about \$33,000. Thirty-three thousand dollars is not enough to raise a family of four, so my concern comes with what is considered affordable because it's going to come down to the people who are there.

The other part of it, I guess, if I'm applying for government subsidies for affordable housing, it comes down to, as well, what the definition is and how long it should remain affordable. As far as I'm concerned, if there's government funding for it, then it should be in perpetuity and it shouldn't be after five years or 10 years.

It's the same thing, Chair, as this announcement for the backyard suite, which is a pretty decent idea in some ways. But there's nothing stopping the person, if they decide to build one of these backyard suites, to get government funding and then decide: I'm not going to live in the house any more at this point, and I'm going to go

up to my cabin or my cottage or whatever else, stay there and rent out the upstairs, downstairs and the backyard suite. Nor is it if I decide to sell the property, that they're going to use it and make sure that it's affordable.

What I'm looking for is some assurance that we're actually going to get affordable housing. That's where the concern comes from. Again, I don't necessarily think less than 30 per cent is ideal either, but I was using that as an example as to the concern to make sure that when we're actually addressing affordable housing that people have the ability to stay in their own communities too, to thrive and to live in that community. That's where the concern comes from.

I'm not averse to letting councils or regional authorities make the decision, but I do think there's a collaboration piece here, since the funding often comes from, as well, provincial and/or federal levels as well.

That's it. Thank you, Chair.

CHAIR: Seeing no further speakers, shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Motion is carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 31 inclusive.

CHAIR: Shall clauses 2 through 31 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 31 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act. (Bill 93)

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Title is carried.

On motion, title carried.

CHAIR: Shall I report Bill 93, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act, carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

It has been a long day and it's only Monday.

I move that the Committee rise and report Bill 93 carried without amendment.

CHAIR: The motion is the Committee rise and report Bill 93 carried without amendment.

Is it the pleasure of the Committee to support that motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

I'm out of here. Thank you.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Lake Melville and Chair of the Committee of the Whole.

P. TRIMPER: Speaker, a little unorthodox response, I have two points to make. One is that our favourite, Rosalie Belbin, is watching in Red Bay and she wanted us to say hello.

Hello and Merry Christmas to Rosalie.

SOME HON. MEMBERS: Hear, hear!

P. TRIMPER: Secondly, the Committee of the Whole have considered the matters to

them referred and have directed me to report that Bill 93 carried without amendment.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed that Bill 93 be carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I move, seconded by the Government House Leader, that this House do now adjourn.

SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do stand adjourned until 1:30 p.m. tomorrow.

On motion, the House at its rising adjourned
until tomorrow, Tuesday, at 1:30 p.m.