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*of* BRITISH COLUMBIA

Second Session, 42nd Parliament

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THE HONOURABLE RAJ CHOUHAN, SPEAKER

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## PROVINCE OF BRITISH COLUMBIA

(Entered Confederation July 20, 1871)

### LIEUTENANT-GOVERNOR

Her Honour the Honourable Janet Austin, OBC

### SECOND SESSION, 42ND PARLIAMENT

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Honourable Raj Chouhan

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D. Ashton

Hon. N. Cullen

A. Olsen

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WEDNESDAY, OCTOBER 27, 2021

The House met at 1:33 p.m.

[Mr. Speaker in the chair.]

### Routine Business

Prayers and reflections: M. Starchuk.

### Introductions by Members

**Hon. S. Robinson:** I have two friends who are joining me here in the gallery today, Barry Burko and Karen McKibbin. My parents are friends with Barry's parents, and as a result, we were thrown together for family holidays. A Passover Seder or two were shared between our families.

Barry and Karen are outdoor enthusiasts. Barry has experience as a whitewater guide and a ski patrol. He and Karen together ran a property management company in Whistler. Then they decided to semi-retire, I think the word is, and they bought a campground in Vernon. They winter here in Victoria. So they've just arrived here to Victoria.

I want to point out that I have great admiration for Karen, partly because she puts up with Barry but also because she has some things in common with two of my colleagues: the member from Pitt Meadows, the Minister of Citizens' Services, and the member from False Creek. Karen is a pilot as well.

I'd like the House to join me in welcoming my two friends to the chamber today.

[1:35 p.m.]

**G. Kylo:** I am very proud to stand today and to welcome my lovely wife, Georgina. Last Friday was actually our 33rd wedding anniversary. I'm also joined today by my lovely daughter, our youngest daughter, Samantha Hansma, and a rambunctious 2½-year-old, little Harvey Hansma, whom many of you might have heard just a few short minutes ago.

Anyhow, I think we're all reminded of why we come to this place. It's largely for our families, our kids and our grandkids. I think that we, obviously, have a very important role that we serve in this Legislature.

Would the members please give a warm welcome to my lovely wife, Georgina, my daughter Samantha and my grandson Harvey Hansma.

**J. Sims:** It's my pleasure today to do three introductions.

The Democracy and Me creative contest was open to K-to-12 students across British Columbia from 2020 to January 2021. Over 200 young artists shared their views through creative visual posters. Today we are fortunate enough to meet these thoughtful, creative and passionate future voters in person.

The contest invited young British Columbians to reflect on the importance of community, civic engagement and the rights and responsibility of citizenship and democracy. Contest entries were divided into three age categories, each with a different question to answer.

William Wen, from Coquitlam, was in grade 4 when he answered the question: how can I help my community? Along with his poster depicting a clean, happy world, he describes democracy as a way to serve people kindly and equally: "All people have equal rights to accept education, clean air and water and medical health, to work safely and to live peacefully."

Priya Bhatia, from the riding I represent, Surrey-Panorama, was in grade 8 when she answered the question: what role can I play in our democracy? Her poster aptly reflects caring for our environment and what citizens can do to make a difference.

Priya says: "What democracy means to me is having a choice to express what you believe in. If you are passionate about something, then get people to agree with what you believe, and make real change. I believe a huge part of democracy should be in the hands of youth. We are the future, and it's our lives that are being affected. It also means to not silence and marginalize groups who have been fighting for decades." Those are Priya's words.

Teagan Chow, who also happens to be from Surrey-Panorama, was in grade 9 when she answered the question: what can I do to strengthen our democracy? Her poster was titled "Democracy with Diversity" and features a lovely drawing of our parliament, some dogwood flowers and a group of diverse citizens. Teagan says that, to her, "democracy means that everyone is given a chance to make a difference in our community, no matter their age, race, gender or ability, and that who we are as a society is reflected in our government."

I think we can all agree that our future is in good hands with these artists. It is my honour today to introduce these winners in the House. Joining us is William Wen, with his mom, Lisa Jing, and his dad, Jack Wen. Priya is joined by her dad, Sanjeev Bhatia; Amarjit Bhatia; and Harsh Bhatia, her brother. Teagan is joined by her dad, Dan Chow.

Please join me in congratulating them and giving them a warm welcome to the people's House.

**L. Doerkson:** My guest visits the House for the first time today. She makes the best apple crumble you will ever taste in your life. With respect to living with me, she has been regarded as the most patient woman in the Cariboo. She is the love of my life. I welcome Shelley to the chamber. Would everybody please welcome Shelley Wiese, my wife.

[1:40 p.m.]

**Hon. M. Mark:** I'm very proud to be Nisga'a. I'm very proud to be the MLA for Vancouver–Mount Pleasant.

I want to stand in these chambers and acknowledge Angela White, the executive director who provided all

members of this precinct with masks. I know we're not allowed to use props, but we did just have the first National Truth and Reconciliation Day, and Eddy Charlie was down in the Hall of Honour today as a residential school survivor.

As a granddaughter of residential school survivors, I'm happy to stand in these chambers with my colleagues.

Thank you, all, for paddling together, for standing in solidarity.

I think the call to action from survivors has been to make it more than Orange Shirt Day, make it more than National Truth and Reconciliation Day and make our commitment to move forward on the importance of reconciliation together.

*T'ooyaksiy' niin* to Angela White and everyone out there supporting residential school survivors at this time.

### Introduction and First Reading of Bills

#### BILL 27 — ELECTION AMENDMENT ACT, 2021

Hon. D. Eby presented a message from Her Honour the Lieutenant-Governor: a bill intituled Election Amendment Act, 2021.

**Hon. D. Eby:** I move the bill be introduced and read a first time now.

I'm pleased to introduce the Election Amendment Act. This bill implements the recommendations of the report of the Special Committee to Review Provisions of the Election Act on annual allowances paid to political parties.

The bill makes annual allowances paid to political parties permanent and sets out how the amounts will be calculated from 2022 onwards. This builds on the amendments introduced to the act in 2017, when government banned corporate and union donations and reduced individual contribution limits.

Motion approved.

Bill 27, Election Amendment Act, 2021, introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

### Statements (Standing Order 25B)

#### HOUSING PROJECTS IN MAPLE RIDGE–MISSION

**B. D'Eith:** The universal declaration on human rights proclaimed by the United Nations in 1948 declared housing as a human right.

We all know we are struggling with a housing crisis in British Columbia. I hear from my constituents in Maple Ridge and Mission about the challenges people are facing on the broad spectrum of housing, from affordable single-family homes to rental housing for low-income seniors and youth as well as supportive and transitional homes for those in need.

While we have a lot of work to do, I wanted to talk today about the successes and the partnerships that are forming in my riding. One of them is Cornerstone in Maple Ridge. It's a partnership with the province, the government of Canada and Maple Ridge Pitt Meadows Community Services, with contributions from the city. This project will deliver 74 units of rental housing for low- and middle-income families and seniors. Recently they pivoted 20 units for youth, who are between 18 and 25, experiencing or at risk of homelessness.

We also need to ensure that there is housing available for moderate incomes. In Maple Ridge, B.C. Housing is currently taking applications for Turnock Manor, which is a 64-unit rental building offering apartments at rates below market rates. In the other side of my riding, in Mission, the Mission Association for Seniors Housing and the city of Mission and the province worked together to create 74 units of seniors housing earlier this year.

Also, the Lookout Society partnered with the province through HousingHub to open seven units of affordable housing in my riding, and other partners, like Habitat for Humanity, are also working with the HousingHub and others in our community. Also, Mission is partnering with B.C. Housing and Mission Community Services Society to start construction on 50 new supportive housing units in our community.

I want to say thank you so much to the advocates and organizations who joined with our government to address the issues of housing affordability and ensure that we deliver on this key human right of housing.

### INDIGENOUS REDESIGN OF UNBC ATHLETIC JERSEY BY TREVOR ANGUS

**S. Bond:** Earlier this month and for the third time in seven years, the University of Northern British Columbia was named the top university in its category in Canada, certainly something we are very proud of. But there is another accomplishment that I want to celebrate today.

[1:45 p.m.]

Just days ago UNBC became the first college or university athletic program in Canada to unveil a uniform logo.... [Applause.]

I knew the minister would like this.

Sorry, take that off my clock, please.

Just days ago UNBC became the first college or university athletic program in Canada to unveil a uniform logo and jersey designed completely by an Indigenous artist. That artist was Trevor Angus, a Gitxsan alumnus of



UNBC who spent some of his time on campus back in the early 2000s imagining a redesign while following our Timberwolves basketball team.

Trevor took the inspiration and his deep connection to both UNBC and the Gitksan people to redesign and reinterpret the gold and green Timberwolves logo. Across the shoulders of each jersey, written in the Dakelh language, is the UNBC motto: "Respecting all forms of life." The jersey was unveiled at Masich Place Stadium in a special ceremony, and both the UNBC soccer and basketball teams will proudly be wearing the new alternate jersey.

The project involved collaboration with the Lheidli T'enneh, the UNBC First Nations Centre and the UNBC office of Indigenous initiatives. I want to thank artist Trevor Angus and everyone involved for leading the way in this inspiring initiative. Not only is the jersey beautiful, but in the words of the artist, the uniform redesign shows respect for the territory the university sits on.

UNBC director of athletics Loralyn Murdoch said: "The uniforms are absolutely gorgeous. The attention to detail and the meaning behind the detail is a story to be heard. I hope it's a story our athletes, our university and our community cannot wait to tell."

I would encourage every member in this House to help tell this very special UNBC story.

#### COVID-19 IMPACT ON CHILDREN AND NATIONAL UNICEF DAY

**R. Singh:** Over the last year and a half, we have heard and read about people around the world who have been affected by the pandemic. However, during these conversations about the economy and economics, children are a group that often gets overlooked, whose lives COVID-19 has disrupted beyond measure, the true impacts of which might never be known.

Children across the world have experienced interruption in their education and their social learning. They have faced increased vulnerability because of economic and health impacts borne by their parents and guardians. Last but not least, they have been exposed to the trauma of unhealthy and toxic situations at home.

UNICEF has been working tirelessly during the pandemic to raise awareness and channel resources towards children all over. Of many of its campaigns that run across Canada, National UNICEF Day is one of the highlights. Canadians have raised over \$100 million for, mainly, children's education through this campaign. Celebrated in Canada on October 31, it offers a chance for us to learn more about the challenges that children face globally and about the resources and how resources can be directed to help mitigate some of these obstacles.

Many schools have participated in this campaign, imparting not only a lesson in philanthropy to children but also educating them about their peers and their lives

across the world. I have learned that lessons in kindness go a long way, and we can all do with a little more of that.

Today I rise among you to invite you all to join me in appreciating the volunteers, the teachers and, most of all, the young children who participate in the National UNICEF Day, spreading kindness and scattering hope among young hearts, both at home and abroad.

#### ORANGE SHIRT DAY AND PHYLLIS WEBSTAD

**L. Doerkson:** This morning many of us in this House attended a ceremony to commemorate the installation of a framed orange children's shirt here in the Legislature. This shirt will serve as a permanent reminder of the significance of Orange Shirt Day and provide a new opportunity for reflection within the walls of this building, a place to honour and remember those impacted by residential schools and families.

It was a moving and meaningful ceremony and one that caused me to reflect on the symbol that the orange shirts have become. Who would have thought that a T-shirt could unite a country, that it could serve as a symbol in a nationwide movement for advancing reconciliation?

[1:50 p.m.]

Many of us know the origins of Orange Shirt Day. Members of this House even reflected on the history a few weeks ago. In 1973, when Phyllis Webstad was six years old, she lived with her grandmother at the Dog Creek reserve, south of Williams Lake. Her grandmother saved enough money to take Phyllis to Robinson's store, where she picked out a bright, shiny orange shirt for her first day of school at the mission. Excited to attend school, she was shocked to be stripped of her clothes and her belongings the first day, including the orange shirt that she was so proud to wear.

From then on, the colour of orange reminded her of that moment and the legacy of residential schools. The courage that Phyllis has shown in generously sharing her story and creating space for others to tell theirs is one of the most unselfish acts I've ever witnessed. I'm proud to know her and, along with the residents of Cariboo-Chilcotin — and, indeed, the members of the B.C. Legislative Assembly — am extremely grateful and thankful for her commitment to advancing reconciliation.

Phyllis, you are a true leader. We are so thankful for your contributions.

#### WEST END DRAG COMMUNITY AND DOGWOOD MONARCHIST SOCIETY

**S. Chandra Herbert:** One night only. One night only. Step on up. Step on up for the big race. We gather on Davie Street or in our apartments, in the clubs, in the pubs. It's almost time.

Racers, start your engines. May the best drag queen win.

That's right. Drag race. Not the noisy cars and trucks that my constituents could do without but the art of drag.

The West End has long been the capital of drag in B.C. — sorry, Victoria — and in this season of *Canada's Drag Race*, we're making a pitch to be the capital of Canada for drag. Four of our top queens are in the race: Kendall Gender, Gia Metric, Synthia Kiss and Beth. They are working it and doing the West End proud. It takes a certain amount of charisma, uniqueness, nerve and talent to do what they do, and they are slaying it.

Drag sends a message of love and acceptance. As RuPaul says: "Drag is there to remind culture not to take itself too seriously. All of this is illusion. If you can't love yourself, how the heck are you going to love anybody else? Can I get an amen?" We are all born naked, and the rest is drag. Don't I know it.

Our international court in Vancouver is the DMS, the Dogwood Monarchist Society, and those are the courts which led to the creation of shows like *Drag Race*. The DMS is celebrating its 50th year, and in each one of those 50 years, they've raised money. They've stood up for human rights. They've helped people be all they can be. I'm honoured to count them as friends and as, well, incredible heroes in our community.

It's been tough these last two years for drag in our community and for everybody who serves the drag community — the servers, the bars, the squirrel friends, the lovers, the not-so-lovers.... You get the picture. They've been creative. They've gone online.

I want to congratulate empress Kendall Gender and Emperor Sean for raising over \$25,000 this last year for charity, only online.

Congratulations to everyone who makes drag possible. As RuPaul says: "Good luck and don't bleep it up."

EUGENE CASAVANT

**G. Kylo:** I rise today to honour and recognize a great man in our community of Shuswap, Eugene Casavant.

Like most of my fellow residents of the region, we've been able to rely on the incredible services, staff and facilities of Shuswap Lake General Hospital, thanks in no small part to the tireless work and advocacy Eugene undertook as administrator and CEO. Eugene also served as managing director for the hospital foundation for 15 years while sitting on the foundation board since its inception back in 1986.

A fixture of the facility for more than 30 years, Eugene oversaw the quiet community hospital as it transformed into a major health care hub for the region, supporting tens of thousands of patients throughout the Interior and raising millions of dollars for major upgrades in equipment that helped to provide more people with the health care they needed right in their own community.

Despite his unrelenting advocacy and hard-working spirit, Eugene humbly credits the incredible team he's sur-

rounded himself with for the many successes that Shuswap Lake General experienced over the years.

[1:55 p.m.]

He announced his retirement back in 2013, but as you can imagine, someone like Eugene can't sit still for very long. Over the years, he has served on many local and provincial committees and associations, including stints as the president of the provincial hospital administrators association in two provinces.

Eugene has also remained involved in the hospital foundation in a more tertiary role, while remaining an active member in the local Rotary club, as well as the Knights of Columbus, which he served as a member for more than 50 years.

Even in retirement, Eugene, with the love and support of his beautiful wife, Lorette, continues to make an invaluable impact on our community and the many people who have enjoyed better health care and lived healthier lives, thanks in no small part to his tireless work. It's truly an honour to have Eugene as a valuable member of our community.

Would the House join me in congratulating my dear friend Eugene Casavant for an incredible career and a legacy truly worthy of recognition.

### Oral Questions

#### ACCESS TO INFORMATION ON COVID-19 IN SCHOOLS

**S. Bond:** Well, we know the Premier likes to hide from making tough decisions, which is why there is a 17-step process for 61 school boards that will end with a patchwork of vaccination policies across the province.

The government's habit of hiding information has meant that parents, staff and teachers have been kept in the dark when it comes to knowing the health risks in our schools. This quote from the president of the BCTF: "It's unacceptable that over a year and a half into this pandemic, there is still no provincewide consistency in how exposures and clusters in schools are defined and reported."

Will the Premier finally step up and provide the up-to-date notifications in schools that parents and teachers deserve and have been calling for?

**Hon. J. Whiteside:** Thank you to the member for the question.

I think, as we all understand and agree, the health and safety of everyone in our school system is of primary importance during this third school year where we are dealing with COVID in our schools.

I want to assure parents that, as has been the case throughout the pandemic, should their child be at risk of an exposure to COVID in schools, they will be notified by public health. Parents have to understand that. That is what is happening today. It's what's been happening last

month. It's what happened all last year in our school system.

Exposures are defined by the CDC as a situation when a person with COVID-19 has had close contact with others during their infectious period. An exposure, importantly, does not mean you are infected with COVID. A cluster is when public health determines there is a link between two or more individuals with COVID in schools.

Those incidents, those potential exposure events, are recorded by public health. They are recorded, in fact, on the health authority websites. They are accessible. Students or staff who have been at risk of an exposure are directly contacted by public health. That is what's happening today across our school system.

**Mr. Speaker:** The Leader of the Official Opposition, supplemental.

**S. Bond:** Thank you very much to the minister.

Let's be clear. We continue to hear, from across British Columbia, that parents don't feel that sense of assurance that the minister keeps talking about. And it's not just parents. It is staff. It is teachers.

In fact, let's look at some statistics — not mine but the B.C. Teachers Federation. Here's what they report. Seventy-one percent feel that they have not received enough information regarding COVID-19 exposures and the cases in schools and districts. That doesn't sound like the answer the minister gave. Sixty-two percent feel they haven't received enough information about the quality of ventilation in schools — something we've been asking about since before school actually started — and 53 percent of teachers feel that the cleaning and sanitation in schools is inadequate.

Those are statistics based on comments from teachers across British Columbia. Hardly a sense of assurance.

Let's listen to what Teri Mooring from the B.C. Teachers Federation actually said: "It has become very clear that the information provided and the communication to school communities is not painting an accurate picture. Trust in the system has been broken."

[2:00 p.m.]

Hardly any sense of assurance. There is concern. There is confusion. There is a lack of consistency. Parents and teachers want and deserve answers.

Will the Premier get up today and provide that desperately needed assurance?

**Hon. J. Whiteside:** I thank the member for pointing to concerns raised by teachers.

I have to say: it's an interesting change in perspective on members of the BCTF. I think it's been quite some time since the members on the other side of the House have actually stood up and advocated for something that BCTF has actually said, I might just add, since losing a case in the

Supreme Court in what I think was the most remarkably quick verbal opinion issued by the court.

At any rate, I understand...

Interjections.

**Mr. Speaker:** Members.

**Hon. J. Whiteside:** ...and have in fact very recently, in the past few days, met with members of the BCTF, heard their concerns that were illuminated in their survey.

I know that school boards, that district staff, that principals are working with their communities, are working with families, are working with their members, are working with their occupational health and safety committees in schools and school districts throughout the province to address the very issues that have been raised. We are going to continue to work in collaboration, at a provincial level and at a district level, as we work through this challenging time in the pandemic.

I thank the member for her concern.

#### COVID-19 VACCINE POLICIES AND SAFETY MEASURES IN POST-SECONDARY INSTITUTIONS

**S. Cadieux:** On Monday, the Minister of Advanced Education's excuse for not enforcing vaccine guidelines at universities was that professors are happy. That response got a failing grade.

Dr. Izabella Laba from UBC says: "I'm not excited.... I'm exhausted and burned out, thanks in part to you and your abdication of responsibility."

UBC's Alma Mater Society says the rollout that was promised for the start of the school year has taken far too long.

Has the Premier been skipping class, or will he finally listen to concerned professors?

**Hon. A. Kang:** I know it has been a very difficult two years as we have pivoted very quickly, during COVID times, to virtual learning. It's very understandable that some students, faculty and staff are still feeling very anxious. Feeling comfortable in returning to full on-campus learning is going to be a journey that everyone takes differently.

We do have some measures in place, and we follow the guidance of the PHO. We have masks in classrooms and in public indoor spaces and proof of vaccination in student housing and many parts of campus life, such as restaurants, pubs and ticketed events. As well, we do have protocols to monitor and respond to outbreaks.

As I have said before, there are mechanisms for post-secondary institutions or colleges and universities to be able to put in above-and-beyond guidelines of what the

PHO would like. They are able to work with public health as well.

**Mr. Speaker:** The member for Surrey South on a supplemental.

**S. Cadieux:** Perhaps the minister hasn't been to the campuses, but there's no checking of vaccine passports. There's no checking of any kind of safety at the universities.

Let's do some math for the Minister of Advanced Education. Ten percent of a 300-person in-person lecture hall is 30 unvaccinated students, all crammed into close quarters for three hours.

People want to know what the rules are and that they're being enforced. They are not. Derek Sahota with the SFU Teaching Support Staff Union says: "There's no actual enforcement and no consequences."

Why does the Premier think it's fine to cram 30 unvaccinated students into a 300-person lecture hall with no precautions?

[2:05 p.m.]

**Hon. A. Kang:** I take my job very seriously, and I know that the presidents of our colleges and universities take their jobs very seriously. The health and safety of our students, our staff and faculty — everyone who is on our post-secondary campuses — are very important, and we have mechanisms in place.

As I have previously said, post-secondary institutions, those that I have been talking to, have reported that they have over 90 percent vaccination on campus, and this is something that we should celebrate. As well, we know that there is more work to do. We need to encourage people to get vaccinated, and we have vaccine clinics on campus to enable staff and students who are not vaccinated to get vaccinated.

We have a strong and thriving public post-secondary institution, and we will continue to keep our students and staff and faculty safe.

#### FUNDING FOR TSOW-TUN LE LUM ADDICTION RECOVERY FACILITY

**S. Furstenu:** Tsow-Tun Le Lum means "helping house." Tsow-Tun Le Lum is an addictions recovery centre for residential school survivors and their families currently based in Nanoose Bay. They offer a 40-day residential program grounded in culture and tradition for Indigenous participants who are in long-term recovery.

Tsow-Tun Le Lum, I'm excited, is in the process of building their new helping house in the Cowichan Valley. When I met with the executive director, Nola Jeffrey, this summer, we were surprised to learn from her that they are having to fundraise for their capital budget. The province was set to give \$20 million towards restoring places of healing, with Tsow-Tun Le Lum earmarked for part of this

money. But they haven't seen any yet. Now the healing house is on the hook for a \$5 million funding gap to build their new centre.

After a year of promising to expand treatment options, and in the midst of this devastating drug toxicity crisis, an Indigenous-run facility near Duncan is forced to find its own funding to offer a place to heal for survivors of residential schools.

My question is to the Minister of Mental Health and Addictions. Why has this government not funded construction for an important place of healing?

**Hon. S. Malcolmson:** We are funding the Tsow-Tun Le Lum rebuild in Duncan. It's one of the many projects.... The province of British Columbia is very proud to be a partner with the First Nations Health Authority.

The disproportionate impact of drug overdose and addiction on First Nations people, on all Indigenous people, is front of mind for our government. To that end, we've committed \$20 million to the rebuild of First Nations healing and treatment recovery centres that were initially built by the federal government, which has neglected them.

I have been working, along with the Minister of Indigenous Relations and Reconciliation, here in this chamber to encourage the federal government to also partner, along with the province of British Columbia and First Nations Health Authority, so that each of the three of us would all be committing \$20 million.

Absolutely, money has been committed to the Tsow-Tun Le Lum rebuild. I will undertake to let the member know the exact figure, but it's certainly in the several million dollars. It is the First Nations Health Authority — our government's commitment is to focus on Indigenous-led solutions — that actually administers the funding.

Tsow-Tun Le Lum has absolutely been assured that the province and FNHA are funding it to the order of many millions of dollars, and we are encouraging our federal partners to do the same.

**Mr. Speaker:** The Leader of the Third Party on a supplemental.

**S. Furstenu:** I'm delighted to hear this, and I'm sure that the executive director, Nola Jeffrey, will also be delighted to hear this.

I guess my follow-up question will be: can the minister commit in writing to Ms. Jeffrey what the exact funding from the province will be?

**Hon. S. Malcolmson:** I've met several times with Tsow-Tun Le Lum leads. I don't think there's any question that their funding is assured, and I'll certainly get back to the member with the documentation of that. This is a commitment that was made by my predecessor, Judy Darcy, the

first Minister of Mental Health and Addictions. So this is a commitment of some time standing.

While I have the opportunity, I'll indicate also, in addition to the \$20 million that our budget has committed to the rebuild of First Nations treatment and recovery centres....

Interjections.

**Mr. Speaker:** Members.

[2:10 p.m.]

**Hon. S. Malcolmson:** We've also put \$20 million into Indigenous-led addiction recovery services, \$24 million over three years to support the First Nations Health Authority response to the overdose crisis and \$1.13 million to Métis Nation B.C., also for overdose prevention.

#### FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT REVIEW COMMITTEE ACTIVITIES

**P. Milobar:** As a relatively new House Leader, still, in this place, I often find myself looking through *Hansard* and trying to reflect on what previous House Leaders did, either in opposition or in government. It was surprising to me — and I was thankful to find — that on October 7, 2015, the now House Leader for the government, who was the House Leader for the opposition at the time, reaffirmed rules around question period for this House around how questions can be asked.

I'll quote very briefly: "I would draw your attention to the standing orders, MacMinn's fourth edition, 40(1)(a), page 141, Erskine May's edition 23, page 345, *Beauchesne's* sixth edition, page 119, that deal with questions to private members. The authority states that the only time you can ask to a private member is a Chair of a committee." In fact, that was upheld, and questions were asked by the then House Leader to a Chair of the committee.

On June 16, 2021, this assembly agreed that a statutory special committee be appointed to review the Freedom of Information and Protection of Privacy Act. My question is for the Chair of that committee.

On August 23, the Chair of that committee said at their meeting: "We will reconvene at some point, likely in the fall...."

To the Chair of the committee, the member for Port Moody-Coquitlam, can the Chair tell this House when the committee will meet next?

**Mr. Speaker:** Members, the question is in order, but the member for Port Moody-Coquitlam has no obligation to stand up and answer if he doesn't want to.

If he feels comfortable, he can answer, or we can ask a minister.

**R. Glumac:** Well, thank you for the question. This is a bit of a surprise. I actually was....

Could you please clarify the question one more time before I answer? I want to make sure I answer correctly. When are we meeting next?

**Mr. Speaker:** Okay. Take your seat, Member.

Interjections.

**R. Glumac:** Yes. The committee will meet.... The current plan, as I understand it, is we will meet within the next few weeks. The committee is dedicated to reviewing the Freedom of Information and Privacy Act. We will look forward to doing that work.

**Mr. Speaker:** The House Leader of the official opposition on a supplemental.

Interjections.

**Mr. Speaker:** Members.

There's always a first. The member tried his best, and he answered it.

Now next question, supplemental.

**P. Milobar:** It's unfortunate the government finds this a laughing matter. It is a very important statutory committee that the member chairs, doing very important work — or trying to do very important work.

One would hope.... I mean, we saw the attempts of ministers to get the member to not answer the question. One would hope they're not trying to direct a statutory committee's work at the same time.

Interjections.

**P. Milobar:** Wow. Seems to have struck a nerve there. Too bad they didn't have this much to say when the bill was up for debate.

On October 20, B.C.'s Information and Privacy Commissioner, Michael McEvoy, wrote a letter that raises serious concerns about his ability to protect and advance the access to privacy rights of British Columbia.

Again, my question to the committee Chair: when and will the Information and Privacy Commissioner be called to appear before the committee?

**R. Glumac:** I'll take the question under advisement and get back to you.

[2:15 p.m.]

**M. de Jong:** My question is also for the member for Port Moody-Coquitlam, the Chair of the committee, and follows on the authority to pose questions about the agenda for that committee.

Can the Chair, the member for Port Moody–Coquitlam, indicate: has the special committee placed on its agenda consideration of whether or not the Premier's office should be subject to FOI regulations?

**R. Glumac:** Thank you for the question.

We have only met one time. We will meet again as a committee to discuss our agenda, and we will, at that point, determine what our workplan will be.

**Mr. Speaker:** The member for Abbotsford West, supplemental.

Interjections.

**Mr. Speaker:** Members. The member for Abbotsford West has the floor.

**M. de Jong:** Thank you, hon. Chair.

Can the Chair of the committee undertake to this House that the committee will be called to convene prior to the final votes on Bill 22?

**R. Glumac:** As I said earlier, we will be meeting in the next few weeks. I cannot give you an exact answer on the date we're going to meet yet, but I will take your question under advisement.

#### PROTECTION OF FRASER RIVER STEELHEAD

**J. Sturdy:** Steelhead are close to extinction in the interior of British Columbia. Only 58 fish are expected to spawn in the Thompson watershed and 27 fish in the Chilcotin. But there's no provincial species-at-risk act, no federal SARA designation, and government — ironically enough — is still advertising steelhead fishing on the tourism website.

Question to the Premier. Does the Premier intend to take strong action on steelhead, or is he happy enough to let Fraser River steelhead go extinct?

**Hon. K. Conroy:** I really appreciate the question. Thank you very much.

Our province is committed to the goal of reversing the decline of the steelhead and ensuring the recovery of the wild steelhead populations. The province has increased coordination between the different ministries involved with the fisheries and fish habitat and has also worked towards building relationships with First Nations groups to work collaboratively on solutions for steelhead.

Our province is invested in increased enforcement of steelhead regulation as well as investing in habitat-related projects, such as removing blockages and improving fish passage in steelhead watersheds. I know this is a significant

interest to many of the members in this House, and we are continuing to work on this issue.

**Mr. Speaker:** The member for West Vancouver–Sea to Sky, supplemental.

**J. Sturdy:** It's not just the opposition that is sounding the alarm. Just last month the Minister of State for Lands and Natural Resource Operations said that government was failing. On September 20, he said: "It's in a crisis state, from my perspective, and we are not doing enough."

The Interior steelhead action plan and activities report from August of this year describes the plan. Here's the plan.

Priorities include updating strategic plans — so they're going to update some plans; policies for steelhead; continuing to monitor steelhead returns; continuing to support the transformation of non-selective fisheries to selective — although we don't see a lot of that happening; assessing management interventions, including fish culture; and improving transparency, communication and information available regarding Interior Fraser steelhead, which is a bit ironic given the freedom-of-information situation that we're facing these days.

I ask you, Mr. Speaker: does that sound like action? No, actually, I don't believe it does. It sounds like waiting, watching and hoping.

To the Premier, when does the Premier intend to take real action to save this iconic B.C. fish?

**Hon. K. Conroy:** The province continues to explore the different options, such as hatcheries and other interventions, to determine when they are feasible...

Interjections.

**Mr. Speaker:** Members, listen to the answer, please.

[2:20 p.m.]

**Hon. K. Conroy:** ...and when they are appropriate, and also having those really important discussions with First Nations who are also looking into these issues. In the longer term, we are working to increase these populations back to their previous run sizes, increasing their resiliency and ability to support fisheries, all with the goal of reversing the decline of the steelhead.

**J. Tegart:** The steelhead have almost disappeared, but the Premier's promise of legislation to protect them has vanished entirely.

On November 21, 2019, the Minister of Environment stood in this House and said: "It is in my mandate, and has been since day one, to develop B.C.'s species-at-risk legislation." I have here the minister's current mandate letter. There is no mention of legislation to protect steelhead. Zero. It's gone extinct.

To the Premier, why did he break his promise to protect an iconic species like steelhead?

**Hon. G. Heyman:** Thank you to the members for the question.

I know that the issue of steelhead and all endangered species is of critical importance to British Columbians. We're taking a number of measures in this government to look at the variety of ways in which we can protect and enhance biodiversity.

The member is correct that a specific reference to species-at-risk legislation is no longer in my mandate letter, but what is in my mandate is to work with other ministers to take action to protect biodiversity in species.

We have been in a variety of meetings with the federal government. We've established the Canada-B.C. nature agreement, and we are looking forward to working on that with the new federal minister and completing that to put in place a framework through which we can work with Indigenous people and all British Columbians to put in place the measures that are required to protect biodiversity in species at risk.

**Mr. Speaker:** The member for Fraser-Nicola on a supplemental.

**J. Tegart:** Fifty-seven fish. We could name them. But guess what. This two-term government hasn't fulfilled its promise. The minister said two years ago: "We will bring in the act that we're working on in this mandate."

The Premier likes to make big promises. He just never delivers. UBC conservation scientist Tara Martin had this to say: "Nothing came of it. Essentially, the province walked away from their commitment with no statement as to why." I've said in this House before that steelhead are being managed into extinction.

Will the Premier admit he made a promise to protect steelhead and then he broke it?

**Hon. G. Heyman:** It's been an honour to be in this position for four years and a couple of months. I'd like to note that the member opposite and many of her colleagues were part of a government that had four terms, 16 years. No species-at-risk legislation.

Interjections.

**Mr. Speaker:** Members. Order, please.

**Hon. G. Heyman:** They appointed a committee to review measures to address species at risk. Guess how many of the recommendations of that committee were implemented. Zero.

We continue to work on the issue of protecting biodiversity, whether it's through the plans to implement the strategic review of old growth...

Interjections.

**Mr. Speaker:** Members will come to order now.

[2:25 p.m.]

**Hon. G. Heyman:** ...whether it's through various actions that we've taken to restore habitat and watersheds. We will continue to work with Indigenous people and people around British Columbia and the federal government to create a workable framework that protects species at risk in British Columbia — steelhead, caribou, marbled murrelet, northern goshawk and others.

#### VETERINARIAN SUPPLY AND FUNDING OF TRAINING SPACES

**I. Paton:** Well, it seems everyone and their dog is waiting for care in British Columbia. B.C. needs 100 veterinarians per year for the next five years, but the Minister of Advanced Education has refused to do so.

Corey Van't Haaff, of the Society of B.C. Veterinarians, says: "In 2018, we started asking for the Ministry of Advanced Education to fund those 20 seats at WCVN. Since 2018, we've been told no, and since 2018, we've been refused a meeting with the minister."

Veterinary student Madison Audeau says: "Despite having the support of the Minister of Agriculture and the chief veterinary officer, the Advanced Education Minister isn't interested in supporting the education of additional veterinary students." It seems the Minister of Agriculture can't convince her own colleague, or maybe she can't even get a meeting with her, just like the stakeholders.

Will the Premier pick a side and choose to support more veterinarians in British Columbia?

**Hon. A. Kang:** Thank you so much to the member across for asking this very important question.

I am working with my partner the Minister of Agriculture on this very important issue. We understand that there's a shortage of vets in British Columbia, and it's very important that as pet and livestock owners want this service, they have it quickly. The western college of western medicine — every year in British Columbia, we have 80 students there.

To answer the member's question, we have increased the capacity to ten additional British Columbian students in the college.

[End of question period.]

#### Orders of the Day

**Hon. M. Farnworth:** I call second reading on Bill 25, Education Statutes Amendment Act.

**Second Reading of Bills****BILL 25 — EDUCATION STATUTES  
AMENDMENT ACT, 2021  
(continued)**

**H. Yao:** I will continue my conversation, as I mentioned earlier, about the importance....

**Mr. Speaker:** Member, just take a minute, please. Just one minute.

[S. Chandra Herbert in the chair.]

**Deputy Speaker:** Members, let's get this session going. Thank you for making the space for the member for Richmond South Centre to take his place on this bill.

Member, please proceed.

**H. Yao:** I apologize for starting too early, earlier on.

I would like to continue to express my support for Bill 25. One thing I do want to continue to emphasize is the importance of understanding that we are limiting our knowledge. I think one of the things I'm so proud of our government and our minister for is that we continue looking for ways to create space on the stage and share the spotlight with our community partners. I want to express my kudos to the minister. She takes on a completely different form of leadership, different from everyone else. By stepping away from the stage and allowing everybody to participate, she contributes to their own self-determination.

As we talk about Bill 25, it gives the First Nations Education Steering Committee the right to certify teachers. Why is this important? I would like to share a personal life example, as I was a youth worker back then.

[2:30 p.m.]

One of the interesting things that happened is that I was actually asked, about 18 years ago, looking after about four foster kids.... I still remember the conversation I had with the foster mom. She was trying to help me understand that the kids are playful. They like to push the boundaries. They had a different style of working with them before, and they couldn't maintain consistent boundaries for the kids to have a healthy development.

I took on the challenge with pride and ignorance. I thought that I could stand up. I could definitely make sure I could work with the kids, and when they tried to break a rule, I would not back down. That's how my father taught me, and it's how my culture raised me up.

After a while, the kid decided to kick the leg and break the tub. I stood up and became disciplinary. I was very disciplinary. I set my boundary and was not giving an inch until the foster kid apologized. But due to my unfortunate lack of knowledge, on which I later was educated by the

foster mom, what I did was actually counterproductive in a child's development.

The child went through a lot of trauma when he was younger, and he was addressing a lot of issues with anger as a way to express himself, as he often dealt with environments where he was not allowed to express himself in any other way. Civility, open communication and dialogue were often not options provided for him. For me to stand up so firmly and so strongly against a child, I actually further aggravated the very trauma that hurt the child, which was in his heart.

I admit that I was ignorant. I admit that I lacked the knowledge. Unfortunately, due to the fact that I wasn't really, truly certified or trained through the appropriate system back then, my action wasn't truly accounted for. For that, I want to apologize to the child, and I did apologize back then. But I also reflect the importance of why we need a First Nation community to be able to pick the teachers and certify the teachers, because they know better than we do.

I want to use another example that also happened to me. After training to become a youth worker, one of the children that I was looking after was an individual who was, back then, identified with FASD. Now, of course, as we all know, many Indigenous children, when they have different behavioural issues, our diagnosis often will go the wrong direction by automatically jumping to FASD. Is it considered potentially ADD or ADHD?

When a youth was under my supervision and went into the washroom and, unfortunately, left a mess behind, my initial gut reaction from my culture, from my education and from my background is to step up and say: "You need to clean this up. I don't care what your argument is. I don't even want to blame you. But you need to clean this up." Now, I regret my comment. Now, I know that what I said was hurtful. I was ignorant, and I didn't have the proper understanding of the cultural background as well.

We actually had an Indigenous youth worker who had to take me aside and spend half an hour explaining to me — for my little, sheltered mind to fully comprehend — the trauma and the intergenerational pain that many Indigenous families and youth have experienced. I didn't know, and I walked into a situation thinking that I knew and thinking that I could bring my culture, my understanding and my discipline into a situation. It worked in my environment. Why couldn't it work in that environment? This is why it is so important.

Again, I will say kudos to the minister in regards to introducing Bill 25. We're looking at opportunities to empower First Nation communities who know the children better than we do, who understand the culture better than we do, to really ask themselves: who is the better teacher, and how can we certify the teacher in a way that reflects our culture?

I remember that I actually had a conversation with the representative of youth and children earlier this week. It



was actually an interesting discussion. What is the concept of family? What is the concept of a teacher? What is the concept of relationships between the teacher and the learner? And why do we have such a high, unfortunate overrepresentation of Indigenous children in care? If we look back into a lot of those conversations, it reminds us all that we continuously feel the world in different lenses.

[2:35 p.m.]

I remember that I was speaking to some colleague also from the Children and Youth Committee. She was sharing her perspective with me, too, and I want to say thank you to her. I know that she's also in the chamber, and she was phenomenally explaining her field to me as well. We are all learning together. But I think, fundamentally, we all will take a step back to realize when we come from a certain community, where our parents, our teachers, our peers, our extended family and even our community may educate us in certain directions. It shapes us and creates our paradigm.

Now, the question we need to ask, when we step back on Bill 25: what does Bill 25 say? The first thing it's saying is we believe in reconciliation. We believe in truth. We are here not to talk about a system, but we're here to talk about a relationship — a relationship where we understood our shortcomings. We want to offer the position on a stage and share with the First Nation community so that they can step up and pick their teachers and use a certification program to actually understand what kind of teacher they are looking for. And some are still a match with our British Columbia education system.

I also want to take a moment to say thank you to the MLA for Skeena. He was also sharing about a different perspective. The reality is that I don't understand most of the stuff. And I think that it's often said that a wise person is truly wise when they realize what they don't know of the world. I'm just so thankful that many, many of our colleagues from both sides of the aisle are able to share so many different perspectives, their life experience and sometimes even sharing their pain — or even sharing their community and family members' pain.

We are just coming out of our orange shirt ceremony earlier today and even listening to some of the presenters talking about the horrors of residential schools. I dare not say I understand. I dare not say I appreciate. I feel a certain amount of pain, but compared to what they went through, years in and years out without family support.... I dare not assume the trauma they experienced.

I am privileged. I am privileged. I think what we are actually introducing with Bill 25 is that we are saying we are privileged. And it's not fair for us to use our privileged perspective to tell everybody how they should live their life, how they should be educated. That's why, again, I want to go back to square one, I want to say kudos to our Education Minister for introducing Bill 25, because we have chosen to take a step back.

We have taken the leadership and said that we are want-

ing to make ourselves small so our partners, our First Nation community members, can step up. They can grow. They can prosper. They can thrive as self-determined. How great is it that we are able to have a provincial government that is so progressive and realizes the importance to continue looking to partnership. We're not here to jump into action just because we think that we know what is right. We're not here to jump into a situation because we know what to do, because we assume that we know what to do.

We're not here to jump into circumstances because somehow we believe there's only one way to solve a problem. Our government is continuously committed to progressive policies that are focused on healthy relationships that build collaboration, cooperation, dialogues and mutual understanding, and to share a stage with different stakeholders, to allow them to thrive, because we believe British Columbia will succeed when all British Columbians succeed together.

We cannot again determine the success measuring point. We might assume a measuring point of success can be measured by money, that it can be measured by career. But different individuals from different cultural communities will measure success differently as well, which is why, again, I'm going back to square one. Because you can never walk away from the Bill 25 spirit — that we are here to say we don't know everything. Therefore, we are asking you to help us appreciate.

Help us understand what is success, in your definition. Help us understand what is prosperity, in your definition. Are success and prosperity even a good way for us to help to identify the quality of life? Or do you have a better way to define the quality of life?

That's the reason why we need a First Nations steering committee to be able to certify the teachers and do real understanding: how can they cultivate an education environment that a student can see somebody who is similar to them, who's thriving and who's prosperous and who's actually picked by leadership within the community?

I do want to say that Bill 25, again, is truly inspiring for me, and it truly fulfilled a foundation of our community and our government. I also want to emphasize what the ensuring thing is. It also creates an opportunity to combat potential systemic racism that you and I might not even be able to observe.

[2:40 p.m.]

I know, as an individual from a visible minority, that due to my skin colour, I can feel a certain level of racism that other people might not experience. It's no fault of anyone, because it's like a dice. From a different perspective, we see a different number. It's not just because a person cannot see the number on your side means they are blind. It is just because they don't see it. Because of my circumstances and my experience, I am able to experience a different form of racism from my perspective. It is a humbling experience to remind me I don't know what kind of racism First Nations, Indigenous communities are experiencing.

It is easy to look at the circular results of trauma, results of years of neglect, results of addiction and mental health issues and just call them weak. But in reality, we all know the circumstances are extremely overwhelming. And when we are talking about Kamloops and 215 children who didn't make it home, their circumstance was so extreme. They weren't even given a chance.

As an individual who comes from a diverse background, I want to say I humble myself in the presence of the First Nations community and say I don't have the capacity to deeply, truly appreciate your trauma, appreciate the devastating lifestyle you had to go through, appreciate the fact that you were ripped away from your family.

I cannot appreciate the fact that when you went back to your family, you had to bring the hurt, as one of the presenters mentioned earlier, back to your community and amplified the hurt because that was how you were taught. You were physically, emotionally, forcefully, violently and sometimes sexually conditioned and abused to the point that normalcy was different from what we often look at.

It's shocking to even talk about what potential trauma they experienced, let alone try to imagine the trauma. Why am I still talking about this? Why am I still talking about culture? Why talk? Because it's about context. Why is it so important for the First Nations Education Steering Committee to really ask themselves who is the better person to share their language, to share their culture, to share their understanding?

It is time for us as a government to say we don't know, and we want to share this opportunity with our stakeholders. It is time for our government to say we are humbled by what we do not know. Please educate us. Please share with us so we can all grow together and we can all understand together.

It's time for our government elected officials to really say that we will never in our lifetime deeply, truly appreciate the pain, trauma and devastation you experienced. We can only beg God to give us some opportunity that we can reconcile through truth and reconciliation. This is the reason why I'm so supportive of Bill 25 as one of many first steps to truth and reconciliation through the education system.

I also want to talk a bit about my background. Being a Chinese Canadian, we often talk about the education system and the importance of how education can change a person's mind, perspective and learning. I still remember well my elementary school teacher. Because he came from a punitive education system, getting whipped was a pretty typical expectation.

I remember once I was sticking out my hand and was just about to get punished because I didn't do my homework. My teacher was about to whip my hand. I said: "This is not fair. I am a student. I have rights. We live in a democracy. I should have my rights." The funny thing that teacher said to me was: "Students don't have rights." He whipped me on my hand because I didn't do my homework.

The reality of that experience is not about what it taught me. It's how long it lasts in me. I remember the experience just like it was yesterday. It reminded me that authority with the ability to control, the ability to discipline.... How much pressure it can apply upon students, how much pressure it can apply upon innocent souls who don't know better. We might be seen as rebellious, but really we're looking for a way to self-identify.

[2:45 p.m.]

Again, I just want to say it is so important. I want to show my support for Bill 25. We need to continuously cherish, uphold our stakeholders in this situation and allow the First Nations community to have the opportunity to self-determine, not because we ourselves are generous but because it is their right. They deserve to be self-determined, and we were in a position of power for too long, and we need to take a step back.

That's why I want to thank the Minister of Education for this, and I want to thank many of the members in this House, sharing their views and educating me and everyone else together. Let us together continuously find a way to establish partnership, to establish cooperation, to establish opportunities to work together so British Columbians can thrive together, including all the First Nations community members and the children, and we can find a way to support our kids in care as well.

**J. Rice:** Education can and must play a key role in reconciliation and in creating equity and justice. That's why I'm happy to stand today and speak to Bill 25, the Education Statutes Amendment Act, which is about making legislative changes to support First Nations jurisdiction over education.

These legislative changes and their joint development are concrete steps in implementing the province's reconciliation commitments to advance education outcomes for Indigenous students and work in partnership with Indigenous peoples. These changes are in line with our commitments under DRIPA, the Declaration on the Rights of Indigenous Peoples Act, and in line with the calls to action from the TRC, the Truth and Reconciliation Commission's calls to action.

In partnership with FNEC, the First Nations Education Steering Committee, we have announced legislative changes to amend the First Nations Education Act, the Teachers Act and the Criminal Records Review Act. First Nations that are participating in the initiative will soon be able to certify and regulate teachers working in their schools. The legislative changes introduced will enable the province to provide operational support.

The legislation will also change the composition of the B.C. Teachers Council, the provincial body whose responsibilities include establishing certification, conduct and competence standards for provincial teaching certificate holders. The changes will ensure representation on the B.C. Teachers Council by the soon-to-be created First

Nations Education Authority, which is the body that will be made up of individuals appointed by First Nations participating in this initiative.

Thirteen First Nations are currently in bilateral negotiations with the federal government. One of those Nations is the Heiltsuk First Nation, which is in my riding. Efforts to advance First Nations' jurisdiction over education have been ongoing for more than 20 years. Teacher certification and regulation is one of the key components of jurisdiction. The legislative changes brought forward have been co-developed with FNESEC, acting under the direction of the First Nations engaged in the initiative.

Supporting First Nations control over First Nations education, including greater control over teacher certification and regulation, will support students to ensure they are confident in their self-identity, their families, their communities and traditional values, languages and cultures, give them the skills they need to thrive in contemporary society and prepare them to access any opportunities they choose for higher learning and employment.

Federal on-reserve schools are currently funded by the government of Canada and will continue to be funded under that jurisdiction. There are approximately 129 First Nations schools in B.C. that are under the authority of First Nations and funded by Indigenous Services Canada, but First Nations have been operating their own schools in B.C. for more than 40 years.

The proposed First Nations Education Authority teaching certificate will be a unique certificate, established under First Nations jurisdiction over education and valid only for employment in schools operated by First Nations participating in this initiative. The FNEA will set the standards an applicant must meet and maintain in order to hold an FNEA teaching certificate. The certification will be rooted in Indigenous ways of knowing and being, teaching competencies and professional growth, rather than based on conventional teacher education competency or education programs.

As I said, one of the 13 nations participating is the Heiltsuk Nation. They've been operating their own school for decades.

[2:50 p.m.]

In the 1970s, Bella Bella had one of the highest suicide rates in Canada, which was attributed to the various education systems imposed upon them — first residential schools, then Indian day schools and then boarding schools, where Indigenous children were taken and put into white families and put into the public education system. Turning to today, they now see high graduation rates and have a highly successful program that runs a K4-to-grade-12 program and even beyond, into their own college in their own community.

What makes the Bella Bella Community School so special is that they balance Híłtzaqv ways of knowing and being with western ways. Each student from K4 to 12 takes

a language and culture class, and they take that class every day. They also have their own supportive system, which is a social-emotional system. There is a word for this, *gvilás*, which is a Híłtzaqv word meaning "to be wise, to know." This part of the education system goes beyond teaching skills to teach about connections to each other and their social connection to community, and how to take care of their own minds.

They also have the SEAS program, the supporting emerging Aboriginal stewards program. They were one of the first schools to take on this program, which is a partnership with Nature United, formerly the Nature Conservancy. This is an opportunity for people to go out on to the land and waters and learn from Híłtzaqv knowledge holders and to learn about western science simultaneously.

The curriculum through SEAS is for students to be connected to place, to learn where they come from and to feel responsible for it. They go out and harvest food and medicines, and they gift it to the elders. They learn about place-names, stories, and learn to be in service. In Híłtzaqv ways, youth have a traditional role to take care of Elders. Through this program, they learn the importance of that role, and they learn important practical steps on carrying out this role. They learn about what's important and learn about being Híłtzaqv.

I want to take a moment to highlight an educational leader in Bella Bella. Anita Hall is a longtime teacher and now principal in this school. She's a strong Indigenous woman, leading the school in a very powerful way. She's also a skilled teacher. Her students, like many students, come into her classroom at different reading levels. By the end of every year, every one of her students is reading at grade level. She's a literacy expert, a learning expert and now principal and, just recently, a B.C. Achievement Foundation community award recipient.

Anita believes wholeheartedly in the ability of those around her to succeed. As the elementary principal at Bella Bella Community School, she has created a place where students feel safe and included. She exemplifies what a decolonial and community-rooted approach to education can look like. Through her vision, students thrive both academically and personally. Under her leadership, and in spite of the challenges that COVID presented, Anita has shaped a community school to which Bella Bella youth want to belong.

At Bella Bella Community School, 65 percent of the staff are Indigenous, and most of them are Híłtzaqv, which makes a significant difference. Research shows that Indigenous learners learn better from Indigenous teachers, because they have similar cultural touchstones. At Bella Bella Community School, culture and academia are intertwined. There is no separation.

My friend Ayla Brown describes the school by saying: "We don't create the split; we harmonize them." She notes that they have very high graduation rates because children

do feel safe in their school. They are student-centred, because the Háítzaqv way is to be child-centred. Children are the very centre of the community.

If a child needs calculus 12 for a program they're interested in, they find a way to provide it, even if there's only one student. They have an art room and a robotics program and so much more. They make sure that students get the courses they want and need, and they don't limit options to what is standardly available. An important takeaway from the Bella Bella school program is that people don't have to choose between being Háítzaqv and being an academic student. They bridge western ways of knowing and Háítzaqv ways of knowing. They bridge these worlds. They can be the same world.

I wholeheartedly support the amendments proposed in Bill 25 to support First Nations in B.C. to have autonomy over their own education systems and to see incredible success stories, like the Bella Bella Community School.

[2:55 p.m.]

**B. Anderson:** Of course I would like to stand in support of this bill.

We're all on a journey right now of truth and reconciliation. Before we can have reconciliation, which I do believe is a fundamental part of this bill, we need to acknowledge the truth. The truth is that the residential school system was a system of genocide for First Nations people across Canada. It has impacted every single First Nations community.

Now that is a very hard truth. During the truth and reconciliation.... When they were going around and people were able to bear witness and were able to tell their stories, I was able to attend that in Whitehorse, as I was working for the Yukon Aboriginal women's centre. The stories were absolutely heartbreaking, but it is critically important that this information is on the record so that the institutions can be held accountable for their actions.

Many of us attended a ceremony today in the Legislature. It was an orange shirt celebration. We were placing, on the wall, an orange shirt. Now we know the story and the history of Orange Shirt Day and what it means to so many now across Canada.

In my community, I want to speak of one of the schools. The Yaqan Nukiy are running their own independent school. Now, what's absolutely incredible about this school is they're teaching Ktunaxa to the children. They're teaching their world view to the children, and this is to children of all heritages.

I have a friend who is not of First Nations background, but she's able to send her little girl to that school to learn Ktunaxa. Now that is an incredible opportunity for reconciliation. Knowing that people in that community.... Chris Luke is one of them. He authored the book *Drags Grizzly*. He expresses what it was like for him and his siblings to attend these residential schools. Now his family members

will be attending the Yaqan Nukiy School. It's providing a tremendous learning opportunity.

What this bill does is provide First Nations the autonomy to have autonomy over their education system, which they always should have. If we look at the Truth and Reconciliation calls to action, we see No. 10, which is: "We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles."

Now, what I think is important is, obviously, that we are the provincial government, not the federal government. But what we are doing today is enabling First Nations to have the autonomy over their education systems, which is a critical part of reconciliation.

Today I want to celebrate the great work of the Yaqan Nukiy with the Yaqan Nukiy School in the Creston Valley, the incredible work of the ministry that has pulled this together and, of course, the First Nations that were involved in order to draft this piece of legislation, which is, as we're recognizing the truth of the genocide, one step, again, towards reconciliation.

**Deputy Speaker:** Seeing no further speakers, I recognize the Minister of Education, if she wants to close the debate.

**Hon. J. Whiteside:** Thank you so much, Mr. Speaker.

I will take just a moment to reflect on a bit of what has passed during this debate and to recognize, as well, that I think today, in particular, there is some importance with respect to this discussion and this subject matter.

[3:00 p.m.]

I, too, was with all of our colleagues in the Hall of Honour this morning as we were witness to the ceremony that appropriately commemorates the memorial that has been sitting on the steps of the Legislature for five months, since the discovery.... I won't say discovery. I will say the recovery — the recovery of knowledge that the community in Kamloops knew, the Indigenous community in Kamloops knew was there but has now been confirmed, the discovery in Tk'emlúps te Secwépemc of the 215 graves.

I know that every member of this House has been very moved by the memorial that has sat on the Legislature steps. I think that to have it commemorated and brought in and recognized — to have process and ceremony around it — is very, very important. It's fitting that we advance our work on this important bill today in that context.

I want to thank all members of this House and, in particular, the member for Fraser-Nicola for her thoughtful reflections on our colonial education system and the changes we need to make, in many different ways, to improve circumstances and experiences and outcomes for Indigenous children.

I very much want to thank all of my colleagues who have brought such important reflections and stories on the need to recruit Indigenous teachers to ensure that we are supporting teachers in their ability to provide and teach the content and support the curriculum that is relevant and culturally appropriate and values and acknowledges Indigenous communities and knowledges and ways of knowing and perspectives and, importantly, languages — very importantly, languages.

I'm so excited to hear about the work being done in different parts of the province, always. We have a very diverse province, and Indigenous students learn in very diverse environments. They learn in our public schools. They learn in public schools on reservations. They learn in schools on reservations that are funded by the federal government and operated by First Nations. There's a diversity of environments.

Of the 129 schools that we've been talking about that are First Nations schools in B.C. that are funded under the authority of First Nations but funded federally.... Those First Nations have, indeed, been operating schools that provide a very important approach to education. But those nations have not had jurisdiction over their own education systems. They have not had the authority to certify, regulate the teachers who teach in those schools. That, of course, is fundamental to operating an education system.

The changes that are contemplated in this bill to the First Nations Education Act, the Teachers Act and the Criminal Records Review Act are perhaps small, in terms of the numbers of words that they change in those pieces of legislation, but they are profound in terms of their scope and impact and in the potential to advance us, collectively, on this road that we are on, this road to reconciliation.

I think, finally, I want to just again reflect on the experience that I had this past summer in visiting the north Island in my search for the northernmost school on Vancouver Island, finding that on the Gwa'sala-Nakwaxda'xw reserve in Port Hardy, and having an opportunity to visit a school that is operated by the First Nations and that is wholly centred around, wholly built around, supporting Indigenous children from that community, bringing a trauma-informed approach to education.

There is so much for us to learn in our colonial system from the work being done in First Nations schools, and these changes are going to really facilitate that ability. It will build on work being done by Indigenous communities, by First Nations communities, by the First Nations Education Steering Committee.

[3:05 p.m.]

Also, importantly, I want to acknowledge the work that educators in this province have done to advance knowledge and understanding and healing with respect to the impact of residential schools. I learned about the impact of residential schools from my time in the labour movement, from work that the B.C. Teachers Federation has done — incredibly important work — to support the exposure of

the knowledge of this shameful history and to support Indigenous teachers in their journey as teachers in our education system but also to support all teachers to understand and to be able to teach this important content. That work will continue.

I want to just say, lastly, a word about Indigenous languages and the incredible importance. I think members have commented on the importance of connecting language to history, to identity, to community. I saw that in action in a visit that I made, also, in Port Hardy to Kwakwaka'wakw territory, visiting with the community there, who were celebrating, during the summer, their first ability as a community to get together in 18 months of working so hard to protect their community and, in particular, their Elders, their knowledge-keepers, their language-keepers, from the impact of COVID — and doing that very successfully.

I had a chance to spend some time with Chief Ross Hunt, and to hear him in the process of reclaiming the language of his people, Kwak'waka. I can tell you it was incredibly impactful to hear him stand in front of his community and speak in the language of his community in an active process of reclaiming dignity and history and identity. Those are all objectives that we have in this bill.

This bill is a testament to the countless people who have worked, who have advocated, who have agitated, who have spoken truth to power in very many settings to realize the dream of equality in education for Indigenous students.

With that, I will close debate.

**Deputy Speaker:** The question is second reading of Bill 25.

Motion approved.

**Hon. J. Whiteside:** I move that the bill be referred to a Committee of the Whole House to be considered at the next sitting of the House after today.

Bill 25, Education Statutes Amendment Act, 2021, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

**Hon. B. Ralston:** I propose a brief recess before commencing with the next bill, which is Bill 24, the Environmental Management Amendment Act.

**Deputy Speaker:** Thank you, Member.

The House will be recessed for approximately five minutes.

The House recessed from 3:07 p.m. to 3:12 p.m.

[S. Chandra Herbert in the chair.]

**Hon. B. Ralston:** I call second reading debate on Bill 24, the Environmental Management Act.

BILL 24 — ENVIRONMENTAL MANAGEMENT  
AMENDMENT ACT, 2021

**Hon. G. Heyman:** I move that this bill be read a second time now.

Amendments to the Environmental Management Act would enable regulations establishing provincewide bans on the sale, distribution or use of single-use products as well as packaging or containers that are provided but not sold — for example, plastic drinking straws, plastic utensils, polystyrene plates — and products that are sold separately from the object they protect — for example, single-use products sold in multiple, such as packages of polystyrene clamshell containers or cups.

The amendments would enable regulations that apply fees and alternatives to single-use products where necessary. They would also enable regulations requiring businesses to make items available only by request and regulate products that have a short-term use and can be reused — for example, reusable bags, Tupperware containers, disposable razors.

This authority would be in addition to existing authority to make regulations prohibiting or restricting the use and nature of specified kinds of packaging, including plastic packaging. The amendments support my ministry's mandate commitment to the provincewide phase-out of single-use plastics.

It will reduce the environmental impact caused by the amount of plastic waste created in B.C. and reduce the negative impact of plastic pollution on human health and the environment, while also minimizing the risk of unintended consequences posed by other non-plastic, single-use alternatives.

It will meet the public's expectation for strong action on problematic single-use products and the desire of local government and industry for a coordinated provincial approach.

[3:15 p.m.]

It will also align with CleanBC's priorities to reduce greenhouse gas emissions from waste and complement proposed federal bans on single-use plastics. We have seen, over the last number of years, increasing public concern about plastic waste, where it ends up, particularly in the marine environment or environments where it can potentially be ingested and be harmful to wildlife. We've seen increasing reports of how these plastics break down into microplastics that end up being found in human bodies as well as marine life and land-based wildlife.

The public is very aware of the problem, particularly in B.C. The public is increasingly eager to see alternatives. We've seen a number of municipalities respond to that by proposing bans on certain single-use plastics, most notably plastic grocery bags.

At one point, it was determined that only the provincial Ministry of Environment could make regulations that were banning or controlling certain products for environmental reasons. So we first took the bylaw proposals from a number of municipalities that had thought about them. We ensured that they were consistent with health needs, in certain cases, or accessibility needs, in other cases, and then approved a number of them.

We have subsequently created an order that no longer requires municipalities to seek approval from the Minister of Environment and Climate Change Strategy. But we heard very clearly from industry, from retailers, from local governments around the province that people would much prefer to see a provincewide approach, and they thought that it was the role of the provincial government and my ministry to design and provide the approach.

Again, this act will enable us to create regulations following consultation with industry, with communities, with the public, with people who have a particular interest to determine what the proper alternatives are, ensure they're available, ensure that it's phased in, in a period of time where it can be successful and achievable and ensure that we protect legitimate interests related to health and accessibility issues.

**P. Milobar:** It gives me pleasure to rise to take my place in the debate around Bill 24, the Environmental Management Amendment Act.

As the minister stated, this seems to be a fairly straightforward bill as it relates to single-use plastics and trying to, I think, in this day and age accomplish what many would expect most governments to do to try to figure out ways to make sure the use of single-use plastics is minimized while recognizing that there is certainly still a legitimate need for many single-use plastics out there in terms of things around health care and other types of provisions of services that people expect in their daily lives.

Certainly, as we move through this bill and as we get, more importantly, into committee stage, I think it will be important and very instructive for the public to hear those questions and answers back and forth with the minister so people get a full and a clear understanding of what exactly is being proposed, how it will or will not impact them, and making sure that some of those critical aspects in their lives are not to be worried about but, certainly, that steps are being taken to make sure that we do minimize that plastic waste out there that, for a large part, is not necessary.

Make sure that if it is a waste that's being generated, it's being repurposed in a way that makes the most environmental sense in this day and age, given, again, the technologies and the advancements we've seen around recycling and repurposing a product into either energy or other sources.

Generally speaking, we are supportive of the concept of this bill. I say concept because, again, a lot of it will come

down to those questions and answers in committee stage. We do recognize that 93 percent of the participants in the government's engagement on plastics believe it's important to consider a ban on single-use plastic packaging.

Thankfully, that was done before Bill 22 was passed, or we're not sure what would've happened with the data of people participating in that engagement from government, as Bill 22 would then enable the government to collect and collate and link that data from that engagement. It would be another, I guess, example of why everything we do in this House is somewhat interconnected.

[3:20 p.m.]

When you see things in Bill 22 that talk about data linking and how government is able to and when you see things mentioned in a bill like this around public engagement, public discourse on social media and other online polling and commentary sites that the government would use for something as important as environmental issues, it does make one worry. When you look at other pieces of legislation that are currently in front of the House, some debated more vigorously than others, obviously....

Certainly, as a former municipal politician.... You know, municipalities have been wanting the powers to do things on their own as well. A great many want to see a provincewide standard so that it's easier to understand and so that you don't have a patchwork across this province of things happening. More often than not, on things of import, patchworks don't work.

You think of 180-some municipalities out there and the fact that they are hoping for something around plastics to be cohesive across the province to make it easier for the public to understand.

You can see why 61 school districts would not want to see a patchwork of COVID measures. Parents would want to make sure that that patchwork was one where it was cohesive and easy to understand, on something as important as our children in school. If recycling plastic is, indeed, so important to this government that we make sure it's done cohesively across this province, one would hope COVID recommendations for schools would be viewed in the same light. But alas, at this point, they're not.

It's good that there will be more consultation with this, up until '23, or at least until they're put into place. Again, some questions and some worry around that consultation and whether or not it will fall victim to Bill 22 and the provisions in that, in terms of what would happen. One would hope that that does not create a situation where people do not want to engage, perhaps, as much as they might normally, especially if they're worried they may be linked on environmental issues and worried. Again, we'll have some questions around that just to make sure.

All in all, it's a concept that's supportable from this side of the House. But many serious questions and many serious ramifications when you consider.... To the minister's credit, as I say, he was able to try to move forward to

make sure there's a provincewide standard of one thing. So one would hope that in those cabinet meetings, when the minister is talking to other colleagues, if we can have a provincewide standard as it relates to plastic recycling, we might be able to have a provincewide standard that respects K-to-12 students and COVID measures in their schools.

I look forward to committee stage. I will reserve any questions I have or any other ponderances on this bill until we get to committee stage.

**S. Furstenau:** I'm happy to rise and speak to Bill 24. As with the opposition caucus, we are supportive of these steps. It's important to, obviously, find solutions to the very significant issues of too much waste, particularly of the single-use variety, and plastic waste.

I don't have much to add to the comments that have been made thus far. I'm also looking forward to committee stage. However, I think one thing to note here is that the leadership of municipalities is something that we should be acknowledging and recognizing.

This is often the case, not just here in B.C., but we can see municipalities taking leadership steps when it comes to issues like this or climate change or cycling infrastructure. Then often the province and the federal government catch up and recognize that leadership and take the steps, as are being taken right now, to provide a more consistent approach across the entire province. But I think it's important to really recognize the elected officials at local levels who see problems that may be much greater than just in their own regions or their own towns and cities but who take steps and lead us, ultimately, to these wider steps, which is important.

[3:25 p.m.]

I think that the only other thing that we'll be canvassing in committee stage is.... As we've seen in the past, sometimes when there are changes to recyclable materials or to recycling rules and regulations, it can have an impact to the infrastructure and whether these changes are anticipating there being an impact on that infrastructure, a need for it increased or decreased.

I think that in the conversation around reducing single-use plastics, there's still a pretty significant conversation around whether or not recycling in and of itself is effectively addressing the volume of waste that's being created.

We are happy to support this legislation and look forward to committee stage.

**S. Cadieux:** Obviously, the climate situation is very real. We all have to take responsibility for our own impact on the environment, and I certainly accept that. But if your chronic illness or your disability restricts the positive changes that you can make, what about that? Sometimes the environment initiatives we undertake put some people's safety at risk.

Initiatives like these, like the ones proposed in this legis-

lation, run the risk of being ableist, and here's why. It's clear. I think initiatives like this suggest that the reducing of plastic waste is essential. If we want to save the planet, we have to all do our part. I don't dispute it. But time and time again, it becomes obvious to disabled people that we aren't invited to the table or considered when these decisions are made.

We have seen this, this past year, in Victoria, with decisions around bike lanes and park access that put the safety and needs of people with disabilities aside completely. While the initiatives themselves are well-intentioned and good, the implementation is often flawed.

I don't want to make this the great straw debate. That is not my intention either. But it's illustrative, so I just want to provide a little bit of context about why it's important that we think when we do these things, and why it's important that when we provide, for example, enabling legislation for other bodies to make decisions about banning plastics, we have to think about how we ensure that they do that thoughtfully.

There are many, many people in our society who have conditions that cause tremors or spasms, who can't reposition themselves to drink from a cup or tip their head backwards. We have people who have compromised immune systems, and those same people might have dexterity problems or painful conditions. Often, that means that they rely on a reusable straw, or not so much a reusable straw, but a plastic straw. Many alternatives exist: metal, paper, glass, silicone, acrylic, pasta, rice, bamboo, biodegradable. Not one of those is an option for all.

Disabled people want to be as independent as possible. The world needs to be more accessible, not less. We recently unanimously passed legislation in this House to build a barrier-free B.C., yet today we see a bill that could lead to the banning of products that provide equal accessibility and even necessity for people with disabilities. Many people are quick to say: "If you need a plastic straw, bring your own." But if we talk about banning plastics, will that be an option?

Sometimes it's not possible to prepare in advance. Why should a disabled person have to prepare in advance for something an able-bodied person does not? How will one know if one might need a sip of water? What if the average person was told to bring their own toilet paper? There would be an outcry.

[3:30 p.m.]

For people with disabilities, bringing your own straw is seen as: "Well, that's their obligation. They should do that for themselves." But when you look at all those options of straws, only single-use disposable plastic straws are usable for some.

Metal has an injury risk. Metal and glass aren't safe for hot liquids. Acrylic and pasta straws aren't safe for hot liquids. They dissolve. Paper dissolves after a long use. There are all sorts of problems with the products that are available today. That's not to say we won't come up with

something new that works for everyone, but currently, it doesn't exist. We have to be careful about how we go about banning something like a plastic straw.

But it's not about just straws. For a lot of people with disabilities, prepackaged convenience foods are a necessity. Fruit that has its own packaging is inaccessible to people with disabilities. Yet fruit that has been peeled or cut and packaged in plastic might be the only way they can enjoy that product or that opportunity.

[N. Letnick in the chair.]

We have to think about how we will ban those products, ban those plastics, that packaging. Again, there are alternatives. They may or may not yet exist readily, and they almost always, at least in the short-term, will add incredible expense. People with disabilities don't need another expense added. In fact, I'm sure I don't have to tell this government how challenging that would be. It's not that we shouldn't move to reduce or ban those products, but we have to do it, again, thoughtfully.

For people with disabilities, much of their medication, much of their medical supplies come wrapped in plastic or are single-use plastics. Will they be included or not? Because at this point, there is no alternative.

What about wet wipes? For many, they're a luxury. For people with disabilities, they're a necessity, especially during the pandemic, with the need for disinfecting. I guess my message is that many environmental initiatives are inherently ableist. They don't take into consideration the needs of people with disabilities. Legislation like this that enables the prescribing of things like straw bans disproportionately disadvantage disabled people if they are not expressly consulted and a part of the decision-making process.

There are solutions to be found. We might not have them yet. We might need to wait until those options exist. Limiting the use of plastic products to the greatest degree possible while continuing to allow them to be available as a necessary tool for people with disabilities isn't unreasonable, because we all care about the planet that we call home. We all want to be able to enjoy it on an equal footing, and for that to happen, people with disabilities' needs need to be considered and built into the laws of the land.

There are over a billion disabled people in the world. Nearly 25 percent of the population of our province self-identifies, so the voices matter. I hope that in committee we will hear from government how they intend to answer those questions from the disabled community, how they will build in an assurance to that community that their needs will be considered at each and every stage of this process as we look to reduce or to ban the use of single-use plastics.

Again, we all want to see this happen for the good of the planet, but it can't be done in a way that risks the health, safety or access of people with disabilities to the things



that others do not need. We have to be careful in how we do this. We have to ensure that we do it in a balanced way. We have to understand how this legislation and these decisions will pair up with the enabling act of the Accessibility Act that we just passed.

[3:35 p.m.]

How will we ensure that these things talk to one another? When, in fact, and how will people with disabilities be included in that conversation? I look forward to further discussion in committee.

**B. Anderson:** I'm absolutely delighted to be able to speak on this bill today. Of course, this is Bill 24, the Environmental Management Amendment Act.

What this piece of legislation will do will enable us to further ban single-use plastics. This is critically important as we have a global plastics problem. What we're doing here in British Columbia is that we are literally showing the world that we are able to lead by example, by ensuring that we are able to ban single-use plastics.

The member across from me was just speaking about accessibility, which, of course, is absolutely critically important. And it's very important to note that with the regulations, not all items will have a full-ban implementation. For example, people with specific mobility and medical issues may require plastic, bendable straws to be able to drink. We're going to ensure that this legislation, which is an environmental legislation, does not impact people's ability to thrive in this world, especially if they have some accessibility challenges or medical requirements.

What this will do.... This is just part of our CleanBC plastics action plan. This is one piece of the puzzle. Banning single-use plastics is just one part of that.

We also know that we need to be doing things like cleaning up our coastlines. Also, in British Columbia, through the extended producer recycling program, we have one of the best recycling programs in the world. But what's better than recycling is to not have to recycle it at all — for that product not to need to be recycled. We need to be taking these items out of circulation altogether. There are alternatives.

As we've heard from the opposition and from the Third Party, there is general support of this legislation. I know that in my communities of Nelson and Creston, this legislation is going to be very well received. When I was on city council at the city of Nelson, it was something that we talked about years ago. I know that other municipalities have been talking about it also for a long time. What this legislation does.... Municipalities have been leaders, but we do need a provincial approach.

We went out. We spoke with people from across the province. And what this legislation will be able to do is then, through regulation, ensure that we are able to continue to be leaders with CleanBC, reduce our plastics and really create healthier communities for the future. I know

the youth that I'm speaking with are so far beyond this. They are totally ready to see a ban on single-use plastics.

We've all seen those devastating images of wildlife that have been injured or killed largely due to plastics in our environment. Now, we can't fix that, necessarily, on a global scale, of course, with this legislation. This only impacts B.C. But what we can do is show other places, not only in Canada but North America and around the world, how they're able to reduce their plastic pollution so that we are able to tackle this together.

Again, I thank all of the work of the ministry and the staff and everyone that was involved in the consultation and all the leaders in the municipalities that have worked hard to get us to this place today. I believe this is a day of celebration as we are moving forward again on other components of CleanBC.

I will just end off. Also, with our CleanBC plastics action plan, one of the pieces is that we're going to be evaluating options for recycling more package and paper beyond residential sources, such as from businesses.

Now, I know that people of Kaslo, Balfour, Crawford Bay, Riondel and Ymir are going to be very happy to hear this news, because it has been a real struggle in our community. With the current regulations, tiny businesses have not been able to recycle their cardboard with the residential waste.

[3:40 p.m.]

Our government has been listening, and we'll be able to move forward on those things because we also know that in rural areas, what fits in a large urban centre doesn't always work for a rural area. So by really listening and evaluating different options, we know that in those rural areas, we're going to be able to solve some of these issues, which I've spoken to many people of.

It has been a point of great frustration. I am delighted to see that we're, not necessarily through this legislation but through our CleanBC plastics action plan, going to be moving forward to make it more equitable for everyone. Again, we have a plastics problem, and this is part of the solution.

**R. Russell:** I am happy to stand today to rise in support of this bill.

As we've heard from a number of different presenters already, plastics are really at the core of one of our major environmental problems that we're facing, and really the root of that is that as plastics degrade, they don't go away. They don't go anywhere. We've heard some of the challenges. But certainly, if we can reduce the use of those single-use plastics, I think we recognize that we'll be in a better place.

The Leader of the Third Party had commented earlier on the leadership of local governments in this as well. Potentially, the minister presenting this bill will recall that previously, as a regional district chair, I was part of a contingent of rural representatives from across the province

coming forward to ask for this as well. I'm really happy to see that leadership from local governments that has made it clear how important this is — and the responsiveness in the leadership of the province to put forward, now, an opportunity for us to move forward on this.

One of the pieces.... As, historically, also a marine-focused ecologist.... Some of you may have heard of the North Pacific gyre, which is a large circulation pattern that results in a lot of things accumulating in the North Pacific. Recently there has been a real focus — over the last five, ten years, I would say — on the amount of plastic garbage that has accumulated there in terms of what has been known under various titles but, all around, as an enormous garbage patch in the North Pacific.

There's a paper that came out a few years ago that predicts that at least 79,000 tonnes of ocean plastic is floating inside an area of 1.6 million square kilometres, which is a pretty surreal number to try to fathom. An estimated 1.8 trillion pieces of plastic is what they estimate. So these plastics that we're creating when we do not do a good job of our recycling, which is a challenge, end up somewhere. In many cases, there is a significant accumulation in ocean systems, and that accumulation all ends up compiling in localized areas.

Bills like what we have in front of us today help us acquire the tools and provide local governments with those tools to be able to do a better job of minimizing that impact on the environment. It's more than just an aesthetic impact. We heard some of the wildlife impacts from the previous speaker.

Likewise, there are impacts in terms of leachate from those plastics into marine systems. There are impacts — the negative impacts — of cutting off the light integration into the ecological system. So basically, if there is more plastic, there is less light. The plankton doesn't grow as well. That has impacts throughout that whole system, and when we're dealing with the scale that we're talking about here, that can have a substantial ecosystem-level impact.

Likewise, I'm sure some of you are familiar with the challenges of plastics absorbing toxins and then, in turn, being consumed by various levels of the food chain and magnifying up through the food chain, which again causes individual and ecosystem-level challenges.

[3:45 p.m.]

I'm very happy to see this kind of bill in front of this House and happy to hear the support that we've seen for it from across the floor. I don't think I have a whole lot more to say. I wanted to stand up and make clear that I'm very much in favour of this. I'm happy to hear that it is a phased approach that we are moving down to make sure that we are doing this right and that it won't negatively impact the ability of anybody to have their say in what this looks like and making sure we do this right.

**Hon. N. Cullen:** Like my colleague, I'm pleased to be talking about this type of legislation — Bill 24, moved by

my colleague the hon. Minister of Environment — because of what it enables, what it makes possible.

I represent Stikine, the largest riding in this province. It is arguably, although some in this House might disagree, the most beautiful riding in the province as well. It extends all the way out....

**Deputy Speaker:** I think your time is up.

**Hon. N. Cullen:** Is that right, Mr. Speaker? That was a bit arbitrary — and quick — but understandable.

An incredibly beautiful place, as those members in this place and other British Columbians that have had the wonderful opportunity to visit Stikine....

I welcome you, Speaker, if you haven't been up to the northwest.

It extends all the way from Telkwa and Smithers, through the Hazeltons, the Kispiox, up to the north, through Stewart, B.C., a little nook in the corner of British Columbia, nestled up against Alaska — if you've never spent any time in Stewart, then your life is just a little bit more impoverished than it needs to be — all the way up through Tahltan territory and Taku River Tlingit in the far northwest. That little bit on the map that doesn't often get properly recognized, in the Atlin area, is so important to the province.

The reason I so want to base my comments in that place is because when we're talking about plastics, oftentimes the effects of pollution are not felt in the immediate area where the pollution starts. With something so nefarious and persistent as plastics and the microplastics that are so difficult to even see, they accumulate, and they make their way around the world.

I can remember — and the Minister of Environment, I'm sure, can remember as well — various studies on blood toxicity that discovered that people, even in Nunavut.... The far north of Canada, which doesn't generate any of these toxins and pollutants, uses some of those products — but very few people and very few grand quantities.

In their food system, in the food chain, these chemicals can start to bioaccumulate. They can start small and grow and grow in the flesh of fish and various animals and then end up in humans. In fact, a nursing mother can transfer — unintentionally yet still transfer — these toxins and pollutants to their newborn, starting out life.

The responsibility that we all share as people of the planet, as consumers, is to be as responsible as we can. That's the individual's responsibility. What responsibility do we collectively share, especially those of us here, who make laws and pass guidelines for how our province is operating? What care are we taking for this place that we so cherish?

Bill 24 allows us to expand the tools and the measures to do a better job. The tragic irony of things that we have invented as humans, which are incredible and almost magical.... The things that we can come up with and

devise are sometimes so outrageously inappropriate for their originally intended use. The plastic shopping bag that takes your groceries is meant to really be of service for the few minutes you take the bag to your bicycle or vehicle and then get it home, unload it. Once home, it has now served its useful purpose. That's what it was designed to do.

Last thing. A total — I read one industry estimate — of 18 minutes of effective use. Yet that same thing that we invented will last far longer than any of us are on this planet — or our kids or our grandkids. Generations down, it'll still be there. That thing that was meant for 18 minutes will last hundreds, if not thousands, of years.

What we're doing here in this bill today, I think, is important in terms of our responsibility as British Columbians — to expand the products that we are now going to limit, which will be either under a fee or banned outright, with some small and notable exceptions that I think we do need to mention. But we will just simply not have them.

[3:50 p.m.]

There was great rending of garments and gnashing of teeth when it was originally suggested that the plastic straw — again, meant to last for as long as the drink lasts.... For most of us, if it's a tasty drink, it's not very long. But it will then go on for hundreds of years in existence and then eventually break down and end up in our food supply, sickening and poisoning future generations. But that plastic straw could be made out of something else.

Well, goodness, if you follow Twitter — and I don't necessarily advise anyone to do that, but if you do — when originally, other straws were brought onto the market, straws that we can actually make here in British Columbia.... The Ministry of Environment can talk about this as well, and I'm sure has — our ability to actually create jobs with these alternatives. Well, to go away from something that we were accustomed to....

I get my drink, I get the plastic straw, and I know how it works. It's going to last for the duration of my time with that beverage. Who cares what happens next? Well, we do. We need to. We collectively need to.

The foam takeout container that lasts as long as it lasts, until you eat those leftovers.... The responsibility, once you so-called throw it away, and it goes into the garbage, is still ours. It's still ours collectively. I think the whole notion of garbage is a problematic way of thinking about things. It sort of makes it the other. Here I've got this thing, and it's useful to me while I have it, and as soon as it's not useful to me anymore, now it's garbage. It's somebody else's problem. Well, we know that is no longer the right way of thinking. It's not sustainable.

For somebody who lives in the North, many of our communities struggle with this responsibility: the responsibility of what happens when our citizens buy something, use something and then put it in the garbage. Our transfer and our dumps are filling up. They're incredibly expensive,

an enormous burden on the taxpayers over time. You just can't keep paying for these landfills.

I grew up back east in a larger city that.... I can remember the first incidence of real awareness for me was during a garbage strike. If you want to see how a community does, look at what happens six weeks into a garbage strike. The city's design at that time was to use the municipal tennis courts. So residents were to take their garbage, which was no longer being collected, and put it in the tennis court, which was surrounded by fences. After a week, it was as tall as I was as a little kid. After a few more days, it was well over my height. Soon it was over the height of the fences that were in the tennis courts.

Awareness in that community grew dramatically as we saw what we produced, as we were made to come face to face with the effects of our choices. People said: "Is this the only way we do things?" Up until then, the problem had just simply been moved away. The garbage guy came once a week, he picked it up, and it was out of sight, out of mind. It wasn't a problem, until it was a problem. That's when the recycling program was born in that city, from that very dramatic, awful-smelling and slightly — more than slightly, incredibly — embarrassing realization of what our responsibilities were as citizens. Is this right? Are we behaving well?

We've all done it. We've all been to a campsite — some beautiful place. You head down a trail. You get in your canoe. You stop off, and you get into this amazing part of British Columbia, or wherever you happen to be traveling, and someone has left a pile of garbage behind. You think: "Really? Really? This is how it is? You've come to appreciate this beautiful place that we cherish, and the way that you mark your presence there is by leaving all your crap behind?" We can't help but think poorer of the person or the people that did that and how fundamentally disrespectful it is.

Well, collectively, that's what we've been doing this to planet. If anyone follows behind us, and they will, they'll say: "Really? Is that what you thought of the place? You thought just to leave it behind for somebody else to take care of?"

In this bill, introduced by my colleague, the CleanBC plastics action plan grows on the idea that we're responsible, that we have to look at these things in a cyclical and responsible way.

There are three components to it: that we clean it up, that we clean up the mess; that we make sure that we're diverting things away from the landfill that shouldn't be there; and that we, maybe in that diversion effort, can actually make new products that close the loop and say that something we used to see as "garbage" is actually a very useful product. It has a reuse potential and a recycling potential to go again and again because, like I've talked about, these things are incredibly durable. They, by their chemical design, can last for an incredibly long time.

[3:55 p.m.]

I did mention earlier the notion of exceptions. There are a couple of important exceptions for people with some physical disabilities, mobility challenges. There will be some exceptions placed in this legislation, I believe, and what follows next, to allow the use of some straws in those particular cases, but I think it's quite marginal.

This is going to be phased in over time. I think this is important. I think it's a very reasonable and responsible way to go about this. We're not going to suddenly drop the hammer on day one because, as we know, in the restaurant industry, you don't order 20 straws at a time. You order in the tens or thousands. We don't want to bring in a new bill that says: "Take all of that, and now throw it in the garbage." That would be counterproductive to our eventual goals here.

So there's some phasing in. There is some analysis that I see written in, as well, to allow us to understand what the economic impacts are, what the impacts are on our communities, to make sure that what we're intending is working, so that phased-in process works.

I want to take.... I'll perhaps end here, to the great gratitude of many in the place, with acknowledging efforts by the Minister of Environment, but also by some local leaders in my community in the northwest. We had lost our curbside pickup. We had a fire at the transfer station, and it caused the whole domino effect within our community. We no longer had the ability as residents in Smithers, where I live, to bring things down to the curbside once a week, as most British Columbians, most Canadians do.

Our regional director representative Mark Fisher and our local mayor, Gladys Atrill, were incredibly persistent — and the Minister of Environment can confirm this if he chooses to — in rethinking the way that we were doing recycling in the northwest, because we have these challenges.

Any of our rural or remote communities have the great distances to collect the material, send them on and get them somewhere useful so that they can be reused and repurposed. These two local leaders were incredibly motivated and dedicated, and it was with great excitement when we could, once again, take our recyclable materials down to the curbside. I know it doesn't sound like a great thing, but it was remarkable to me, because it was soon after the most recent election a year ago where we engaged in this project.

Interestingly, it's one of the collective reasons I stepped back into politics. I left federal politics, and folks were coming to me with these challenges like this one. It might seem small to people watching, but it mattered to us. A bunch of other cases — sitting in coffee shops with people in Smithers, saying: "How are we going to fix this? The system is not quite working for us in rural B.C." So I would try to phone in. I can remember contacting the minister's staff and saying: "Is there anything we can do about this?" Someone said: "You should run again and just do this all the time, because you enjoy it."

We all believe in recycling, repurposing. I think it's really important not to simply throw things away, be they products or people. I guess folks in the northwest thought that recycling was okay, because a year ago, with great gratitude to the folks in Stikine, I was re-elected to public office, which is an incredible honour and privilege. Every day, you get to walk into a place like this and attempt as best as you can to represent the voices and concerns of people in your constituency.

Interjections.

**Hon. N. Cullen:** What we're doing here today on Bill 24 — it is good to hear of support from across the way — is to continue the work and to understand that it's iterative. It's not perfect and not done. You continue to seek a better solution to the challenges that we face.

Similar to that campsite that we find, always try to leave it better than you found it. We as a generation, as generations, have been unable to make that promise to future generations to this point. We're trying, and we're getting better.

When we all visit those schools and we talk to those kids, we say: "You're the future. We have hope in you. You're who we're leaving this behind to." Inevitably, one of those kids will say: "Well, what are you doing about climate change? What are you doing about the forests? What are you doing about the garbage that we see?" Those are the voices that must compel us and motivate us to see these systems that were built improperly, incorrectly, without considerations of their sustainability and to make them better.

That's what we're doing with this bill. I'm very happy to support it.

**B. Bailey:** It's my pleasure to rise and speak to this bill from the Minister of Environment and Climate Change Strategy, looking at the question of plastics. I want to speak a little bit about why this is so important in regards to our oceans.

[4:00 p.m.]

I was very fortunate to have been raised on a small Gulf Island — rather an idyllic childhood, I'll admit. The ocean is — as it is, I think, to many people in British Columbia — just such an important part of my experience and connection to nature. I've been very, very fortunate to be able to travel to many other oceans, not just our beautiful ocean. I've been able to travel to the north and have been to the Arctic Ocean. I've been able to travel to Antarctica and have kayaked in the Antarctic.

In every one of these extraordinary, pristine, stunning, beautiful places — even in Antarctica, which really feels like the middle of nowhere — inevitably, there is plastic. It's not the plastic that we can see in the oceans that is most threatening and disturbing, in fact. It's the micro-plastic that is most problematic. Folks might not be aware

that plastics actually account for 73 percent of marine litter. It's an extraordinary problem that has to be addressed on a global scale. I'm very proud that this legislation is coming forward to encourage us to address it here in our own beautiful province.

When we think about the impact of plastic, we have to also consider this microplastic. There's research that has come out and shown how that microplastic really is not breaking down and staying within the food systems. It's present in fish; it's present in whales. There is a nearshore study in British Columbia from plastic labs that showed elevated levels of microplastics up to 3,200 particles per cubic metre. Now, I'm not a scientist who specializes in this, but I can assure you, from the article, that that was a very high number. I think it's really important that we consider what the impacts are.

It's so easy to accept convenience instead of what we really should do. It's something that we've all fallen into, regardless of where we stand in our devotion to environmental issues, but we really must move beyond that. It has not always been the case that we have this perception that moving away from single-use plastics will be problematic. I had the benefit of having many hippies in my family and being members of co-ops, where we would bring our own jars and have them filled. That was in the '70s; that was a long time ago. At college we did the same thing.

It has been very fun to watch that movement transition into something much slicker and quite elegant in the solutions that we see in zero-waste stores in Vancouver, where you can have just an extraordinary array of products that do not contain plastics or microplastics, that are not sold to you wrapped in plastic and that you don't take away in a plastic bag. It's very important that we provide the opportunities for people to move away from this.

I do want to mention that I've had the opportunity to be a businessperson, and one thing I really appreciate when I review this proposed legislation is that this is a gradual transition. Why I appreciate that is that in my riding in Vancouver-False Creek, we have more than 1,000 restaurants, probably a few thousand. That sector really has had a very, very challenging couple of years. We've provided great supports to them, and I know that many of them appreciate that.

I think it's really important that we recognize that this transition might take a little bit of time and that we can't just ask people to do so overnight. Having said that, there are many, many restaurants that have already made this transition. Most of the restaurants that I frequent in my neighbourhood are using corn bags, for example, or are using cardboard boxes for their takeouts. So a lot of this work has been done. We're seeing quite an increase in terms of the quality of products that are available, that are alternative and not containing plastic and that are fully recyclable or reusable. Those products will continue to come forward, particularly with....

**Deputy Speaker:** Excuse me, Member.

Could the other members please take their conversations outside? Thank you.

[4:05 p.m.]

**B. Bailey:** Thank you, Mr. Speaker.

Specifically, as we move to incentivize people to step away from plastics, we'll see, I think, even more very high-quality manufacturing of products made out of items that do break down, unlike plastic — things like bags made from corn, and so on.

I do just want to mention that currently the plastic checkout bags, plastic drinking straws and utensils, including stir sticks, have been identified based upon public and municipal feedback and engagement as well as environmental impact. As a member in the House raised a little earlier, we do need to be cognizant of the needs of our community that do rely on plastic straws. Certainly, that's something that we can work with the community to ensure that we address.

The province is going to implement this in a phased approach to single-use items identified in the regulation to effectively address the use of and resulting waste from single-use plastics. It will use a combination of policies, including bans of specific items, fees on alternatives, by request requirements and exemptions, where necessary.

I think it's important just to highlight that fees on alternatives is worth considering and has been proven to be something quite effective and is included here. I think the reality that plastic can be very cheap is one of the challenges that we face, actually, as we bring in this type of change, because people are drawn to it for the convenience and also the inexpensive aspect. So having fees for use is also an important thing to use to sway people away from that behaviour. The first phase is anticipated to be completed by the fall of 2022.

So what will happen to single-use items being used by businesses once they're banned? This is important to consider for our business community. We do recognize that businesses often purchase single-use items in bulk. That's a way to save money and an important part of planning, so it's also important to ensure that these assets aren't stranded. The implementation of a ban on single-use items will be phased in to give businesses time to use up existing inventory.

The question also is: is the province considering banning plastic water bottles? The answer is no. They're included in B.C.'s beverage container deposit refund system to encourage a high recovery rate for recycling. Many municipalities have developed programs to encourage and promote access to reusable and refillable drinking water containers and stations at events, in parks and around cities.

For folks who haven't experienced this, it might sound like that would be a bit of a difficult thing. But I'll share with you.... Just before the pandemic, when things got dif-

difficult to get together in large groups, I attended the jazz festival in Vancouver. A huge crowd at David Lam Park, and many, many stations set up for us to refill our water bottles, which worked beautifully and successfully reduced the use of single-use plastics.

There are lots of examples of all of these suggestions working very effectively, and I think we're able to access the ingenuity and innovation of people who are coming up with great solutions. Various communities throughout the province have tackled this with aplomb. We have manufacturing alternatives that are able to break down. So now is absolutely the time for this legislation, and I'm happy to speak in favour of it.

**Deputy Speaker:** Going once. Going twice.

Seeing no further speakers, would the minister like to close debate?

**Hon. G. Heyman:** I want to thank both the Opposition House Leader and the Leader of the Third Party for understanding the importance of the actions outlined in this bill and indicating their support.

A number of really important points were raised throughout the bill, and I'm sure they'll be explored by members during committee stage. The member for Surrey South talked, in some quite concrete detail, about some of the accessibility challenges that we know we want to address during the consultations on regulations. As many speakers have pointed out, it is certainly the intent to do that. We will do that. That's, in fact, among the conditions that were placed on municipal bylaws that were passed.

I think both the Third Party Leader and Minister of State for Lands and Natural Resources talked about — as did the member for Nelson-Creston — that recycling is one thing. Reducing is the first R. It's what we need to do, and it's what this bill means to do.

[4:10 p.m.]

I do want to correct the Minister of State for Natural Resources a little bit. He wasn't recycled; he was reused.

I think members have made important points about what we experience with plastic waste. The member for Boundary-Similkameen talked about the tremendous impacts that plastics have as they break down, the persistence of plastics, which many people don't think about when we use them. Points were raised about the importance of the Interior and the North and rural areas in British Columbia having better access to recycling.

While that's not contained in this bill, this bill is part of a package to deal with plastics overall, but also moving to a circular economy, moving to a reduction of waste. In our consultations on extended producer responsibility, we are identifying ways to expand recycling operations and accessibility to citizens of British Columbia throughout the province, as well as to include more items in extended producer responsibility.

A couple of years ago I took a trip off Ucluelet with

the former Minister of Indigenous Relations and Reconciliation — the former member for Alberni-Pacific Rim, Scott Fraser — and the current Minister of Municipal Affairs, who was then the mayor of Tofino. We spent some time with Surfrider Foundation talking about waste, talking about products they were making to replace single-use plastic products. But we also spent some time doing a beach cleanup on a small island off the coast of Ucluelet.

It was an object lesson in what happens to plastic or, more correctly, what really doesn't happen to plastic. It doesn't go anywhere. If you went up the high tide line, above the storm high tide line, and looked in behind and under the vegetation on the coast, you saw shreds and bits and scraps of plastic and Styrofoam that had just washed up there. We know what happens to that. It goes out again on a high tide. Birds ingest it. Sea life ingest it. Ultimately, we ingest it.

Cleaning up is important. That's one of the reasons that we set people to work on the clean coast, clean waters initiative over the last slightly more than a year, where more than several hundred tonnes of plastic debris and other debris were cleaned up by people who were not able to work in the tourism industry, by Indigenous nations. It is just, unfortunately, a fraction of the waste that's out there.

My first cleanup was actually in the member from False Creek's riding. She talked about coming from a small coastal community. I spent some time with the Ocean Legacy Foundation, on Ocean Cleanup Day, on a small little island just off False Creek, digging under bushes, looking on the trails, looking around the rocks. The amount of garbage and plastic debris, again, was incredible. People go to that little island to have a relaxing evening, close to the water, but as we all know, not everybody packs out what they pack in.

One of the ways to deal with that is to pass this bill to implement regulations that will control single-use plastics, with the aforementioned attention to health needs and accessibility needs — phasing it in over time so businesses can adapt and people can adapt. But not too long a period of time, because we know that British Columbians expect us to eliminate the negative impacts of plastic waste and pollution on human health, on the health of wildlife and marine life, and to protect our environment. They want to ensure that we cover, broadly, things that have very limited use, whether it's single use or short-term use.

I look forward to this amendment passing. I look forward to consulting with British Columbians to phase out single-use plastics through a comprehensive, provincewide regulation instead of the limited authorities currently available. I look forward to the questions in committee stage. I look forward to the public consultation.

With that, I move second reading.

Motion approved.

[4:15 p.m.]

**Hon. G. Heyman:** I move that the bill be referred to a Committee of the Whole House to be considered at the next sitting of the House after today.

Bill 24, Environmental Management Amendment Act, 2021, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

**Hon. K. Conroy:** I call that second reading on Bill 26, Municipal Affairs Statutes Amendment Act, be heard now.

BILL 26 — MUNICIPAL AFFAIRS  
STATUTES AMENDMENT ACT (No. 2), 2021

**Hon. J. Osborne:** I move that the bill now be read a second time.

I'm pleased to rise in the House today to speak to this important piece of legislation. I'm honoured to be the Minister of Municipal Affairs and to be tabling a bill in the House for the third time in my first year in office. As everybody knows in this chamber, bringing forward legislation is no small endeavour. I'm so thankful for the skills and the expertise of the staff in the Ministry of Municipal Affairs and across government who make this work possible. They work hard each and every day to serve communities and to serve people throughout British Columbia.

I'd like to particularly thank the leadership that came before me on this file, the former Minister of Municipal Affairs and Housing — of course, now our Minister of Finance. I'm really grateful to be continuing on her work and building on everything that she's done.

Bill 26, the Municipal Affairs Statutes Amendment Act (No. 2), 2021, is an important piece of legislation that has three key goals, which I'll speak to in more depth. It gives local governments new tools to deliver housing for people more quickly. It responds to requests from local governments to help serve community needs. It provides authorities necessary to dissolve the Jumbo Glacier mountain resort municipality.

To achieve these goals, Bill 26 proposes amendments to the Community Charter, the Islands Trust Act, the Local Government Act, the Municipal Replotting Act, the Powell River Incorporation Act, the Cultus Lake Park Act, the University Endowment Land Act, the Vancouver Charter, and the Municipalities Enabling and Validating Act (No. 4).

First, I'll speak to how this bill proposes amendments which give local governments new power to deliver more housing for people more quickly. Increasing housing supply is a priority for our government. The province initiated the development approvals process review in December 2018 to improve the efficiency and effectiveness of development approvals as a way to support the timeliness of new housing supply being built for people.

Stakeholders who participated in this review and its

consultations identified process improvement in relation to public hearings and delegation of authority in certain matters from council to municipal staff as two areas of action that could have an impact on streamlining development approvals. What we heard in the DAPR review was that local governments are too often holding public hearings for all zoning bylaws, regardless of whether they're required, and that many decisions are coming to councils and boards for consideration that could be dealt with appropriately by staff.

The proposed amendments to the Local Government Act will start the work of simplifying and shortening approvals processes, supporting a greater and timelier supply of housing while continuing to ensure the fairness and certainty for public and the development industry. These legislative amendments are not a silver bullet solution to delays in development approval processes, but they are two early actions that government can take out of a wider suite of initiatives that will include more legislation, policy, education and technical solutions.

They complement work our government is doing in partnership with the Union of B.C. Municipalities to deliver \$15 million in grants directly to local governments to streamline their development approvals processes. They are key steps in ongoing work that our government is doing in partnership with local governments, the development sector, the non-profit housing associations and housing advocates.

Within this first of the three goals of this legislation — to give local governments more tools to deliver more housing for people more quickly — there are two areas that I'll speak to: public hearings and development variance permit delegation. The first of the proposed amendments responds to the development process delays that are associated with public hearings for zoning amendments, where those amendments are consistent with the official community plan.

Currently a procedural step exists that requires a local government to waive or opt out of holding a public hearing for zoning amendments that are consistent with the OCP. This process step contributes to more public hearings, because local governments tend to go with the default and choose not to waive public hearings in such cases.

[4:20 p.m.]

The amendment in this bill removes the requirement to hold public hearings on zoning bylaws where they are consistent with an official community plan. This means that local governments will be able to proceed without a public hearing, where warranted, because they would no longer need to go through that additional step of waiving the public hearing. However, to ensure continued transparency, because public feedback and input are very important in local government decision-making, local governments would be required to provide public notice that a bylaw will be proceeding to the council or board for consideration of first reading of the zoning bylaw.

The public would still remain informed about all rezoning bylaws, but the default notification would shift to occur before first reading. As well, local governments would still be able to opt in to holding a public hearing for those bylaws where they feel it would be beneficial or helpful to the community to hold the public hearing.

The second area under this goal is the delegation of authority. The second amendment targets streamlining of development processes. It will enable the delegation of authority, for minor development variance permits, to local government staff. The Local Government Act enables some council authority to be delegated to staff, but it doesn't allow for a council or board to delegate decisions on development variance permits. These amendments allow for the delegation to staff of minor variances from existing rules, and that means that these decisions do not need to go to council.

The improvements proposed today give local governments tools to help speed up approvals. They're an important step for giving communities better processes to getting the housing that they need to build for people done in a timely way. And they complement the existing work, like the \$15 million development approvals program.

They're important steps of work that all orders of government need to take together to meet the housing needs for people in our communities. I do want to pause here and speak a little bit about the importance of community-driven housing solutions and how incredibly proud I am of the work that local governments are doing, because they know they play a critical role in helping to get people into homes.

I do have a particular appreciation for what local governments can do, given my experience as the mayor of Tofino and the former chair of the Tofino Housing Corp. But I want to speak about another municipality, and that's Rossland. Back in March of 2018, I received a phone call from Mayor Kathy Moore of Rossland. She explained to me that their municipal hall's roof had caved in because of the heavy snowfall. This means they needed to rebuild and made the decision to rebuild the community hall in a new location. But they seized an opportunity.

They set out to plan for a new municipal hall, and they're well underway in constructing that hall right now, but they aren't just building a new city hall. They're adding three storeys on top of the hall, with a total of 37 units of housing targeted to people and families with low- to moderate-incomes, who are working in the hospitality, retail or service industries.

This is in partnership with the Lower Columbia Affordable Housing Society, the Columbia Basin Trust and the province. Rossland is just one example of the many communities across B.C. that are finding innovative partnerships and using the abilities that they have to build housing for people. It doesn't stop there. It's Pemberton. It's Coquitlam. It's Granisle. It's Vancouver. It's Victoria. Innovative solutions to put more British Columbians in homes.

Next I want to speak to a series of amendments in Bill 26 that respond to specific requests that we've received from local governments to help them better serve their communities. The first area I'll talk to you about is modernizing public notice requirements. Bill 26 modernizes local government public notice requirements by allowing for community choice, in addition to the existing methods for providing public notice. We've heard from local governments on numerous occasions that the existing notice requirements under local government legislation don't fully meet the community needs and the realities of modern electronic communication.

We've heard from local governments that the requirements are difficult to meet, particularly in smaller and rural communities. Other jurisdictions, including Quebec, Manitoba, Saskatchewan and Alberta, have already updated their notice requirements. This bill will address these concerns and modernize the options for the important requirement to provide notice to citizens.

[4:25 p.m.]

The bill creates a flexible, local-choice option for local governments to determine and specify, by bylaw, the means of public notice that will have the broadest reach in their communities. Where the existing rules are working well for communities, there will be no requirement for change, and they can continue to use local newspapers for notice. In communities where existing rules are not working, the new modernized rules would allow for a choice that meets their specific needs.

These amendments will also provide for modernized public notice requirements for regional districts and the Islands Trust to post public notices in the public notice posting places identified in their procedure bylaws. This brings that notice requirement for regional districts and the Islands Trust into line with what is currently required for municipalities.

Amendments to the University Endowment Land Act and the Vancouver Charter will also provide for a new, modernized and flexible public notice option for the city of Vancouver and for the University Endowment Lands. This change responds to what we have heard from local governments about how they can best reach their citizens with public notice for civic engagement. It improves and expands on the current approach, with safeguards to ensure that the important principles that are associated with public notice requirement are preserved.

Now I'll speak a little bit about code of conduct. This bill also contains changes that aim to strengthen the processes that support responsible conduct of local elected officials. Responsible conduct of elected officials is a cornerstone of the function and trust that is vested in the officials we elect to local office, be that a municipal council or a regional district board. This is of utmost importance. It shapes every aspect of local governance and the experience of elected officials and staff. It impacts the ability to retain



leaders in the local government sphere, and it impacts the quality of decision-making at the local level.

That's why I've committed to working closely with the Union of B.C. Municipalities to support responsible conduct, and it's work we must do together. Codes of conduct set shared expectations for behaviour, and these amendments will add a new requirement for municipal councils and regional district boards to publicly consider the development of a code of conduct for their council or board members. Currently, there is no requirement for local governments to develop codes of conduct or even engage in a conversation about having a code of conduct.

The changes in this bill create a standardized process for elected officials to engage in regular and meaningful dialogue about how they will govern together while demonstrating their accountability to the public. It responds to the calls for more tools to strengthen local government responsible conduct, and it was supported through an endorsed resolution of the membership at the Union of B.C. Municipalities convention just this past September. This is another step in the ongoing work that the province, the Union of B.C. Municipalities and the Local Government Management Association have committed to doing together.

Next I'll speak to amendments that relate to specific places in the province, and first is the Islands Trust. The Islands Trust is a special purpose body that's responsible for protecting the unique nature and amenities in the trust area, which spans the Gulf Islands and many other smaller islands.

The bill includes amendments to the Islands Trust Act that address specific requests made by Islands Trust. These amendments support effective governance of the trust area by ensuring the Islands Trust is able to meet its mandate to preserve and protect. The Islands Trust has demonstrated leadership in reconciliation efforts in its dealings with First Nations interests in Islands Trust governance and activities, and the changes in this bill requested by the Islands Trust will amend the act to include a specific reference to First Nations in the trust's objective statement to recognize and enshrine its ongoing relationship and reconciliation efforts with First Nations.

Amendments will also enable the Islands Trust to provide financial support to third parties for activities that provide education about or preserve the environment and unique amenities of the trust area. The ability to support community efforts to educate about the Islands Trust environment and its unique amenities complements the existing ability to support heritage and history projects that already exist in the act.

Finally, the proposed amendments will streamline development approval processes in the Islands Trust by enabling local trust committees to adopt and amend development approval information bylaws. This change is consistent with other authorities of the local trust committees

in the trust, and it will create efficiencies in the approval processes.

The bill also adds new targeted amendments to the unique statute incorporating the city of Powell River, as requested by the city of Powell River. Powell River was incorporated in 1955 under specific legislation, the Powell River Incorporation Act, and this incorporation statute contains extensive limitations on municipal regulation of the mill in Powell River and the mill site area in the city.

[4:30 p.m.]

These provisions protected the operations of the pulp mill at the time of incorporation, but the reduced activity of the mill and transfer of mill lots to the city have made these restrictions a constraint on the economic development of those lots today, now owned by the city.

The city of Powell River approached the province to remove these restrictive prohibitions on council powers in the historic mill site area, specific to the incorporation of Powell River as a mill town. The proposed amendment will support the city's economic development objectives by removing city-owned parcels from the mill site area to allow for further development of those parcels. This proposal is supported by the Tla'amin First Nation and the current mill owner, Paper Excellence.

Last but not least, I am very pleased to be able to speak to the amendments in this bill that enable the dissolution of the Jumbo Glacier mountain resort municipality. Members may recall that Jumbo, which is located in the back country of the regional district of East Kootenay, was incorporated by the former government as a mountain resort municipality in 2013 with no residents. It was done to facilitate the development of a ski resort in the Jumbo Valley.

At that time, members on the other side of the House were in government, under the leadership of then-Premier Christy Clark, and many people across the Kootenays, the Ktunaxa Nation and the former NDP MLA, Michelle Mungall, fought the development of Jumbo from the very start. Opposition grew due to the disregard for environmental protection and First Nations voices, but because of their advocacy, this development was halted, and today this bill provides the authority for the dissolution of Jumbo.

Specialized provisions are required for this dissolution. Dissolutions of municipalities are very, very rare in British Columbia. The last one was 100 years ago, in 1921 — the former copper mining town of Phoenix. Existing authorities are not sufficient to dissolve a municipality without residents or accommodate the changes to revert this area to the regional district of East Kootenay. So these amendments will also repeal the authority to incorporate a mountain resort municipality without residents, like Jumbo, in the future.

[S. Chandra Herbert in the chair.]

The provisions in this bill to enable the dissolution of the municipality at Jumbo are also integral to the agreement between the province and the Ktunaxa Nation to create an Indigenous-protected and -conserved area in the Jumbo Valley.

Our government is listening to the needs and requests of local communities. We are working closely with them to provide tools so they can build more housing more quickly for people in their communities and providing local governments with the authorities that they need to respond to their communities' needs.

The proposed amendments in Bill 26 are supported by the Union of B.C. Municipalities, the Local Government Management Association, Islands Trust and the city of Powell River as well as the city of Vancouver, where amendments will impact them specifically.

With that, I want to again thank the staff for all of their efforts and work for the people of British Columbia.

I look forward to hearing the debate from my colleagues on this bill, on the second reading. With that, I will sit.

**D. Ashton:** Well, first of all, I would like to start and thank the minister personally and publicly for the opportunity for a briefing by the diligent, incredibly dedicated and hard-working staff of the ministry. I would ask if she would pass that along for me, please. It's a wonderful process where people in opposition have a chance to talk to ministry staff and get a briefing and a direction of what the proposed bill is going to be.

All members of this House can agree that creating housing for their constituents is a key issue we all face today. We're in the midst of a housing crisis, and it's up to all levels of government, now and in the future, to lead, not to follow. According to Oxford Economics, the least affordable metro area in North America is Vancouver. I need to say that the Okanagan is not that far behind. Something has to be done to help facilitate construction and the utilization of new residences for the people that need those.

The Real Estate Board of Greater Vancouver says that the benchmark price for all residential properties in Metro Vancouver is currently \$1.186 million. This represents a 13.8 percent increase over September of 2020, and a 0.8 percent increase compared to August of this year.

[4:35 p.m.]

I have two young kids, a 25- and a 23-year-old, and I take a look at their future and their opportunity to be able to have a home anywhere, literally, in British Columbia today. Number one: not only to be able to afford the home, but to be able to afford the down payment on the house, especially with interest rates now starting to take a look of increasing.

It's incredibly important that we all work together. I can't stress that enough. We have to work together, not only ourselves here in provincial government, but in municipal government and in regional government. We have to put our collective heads together and ensure that we are going

to make a difference for future generations and those in need of housing right away.

We have been consistently calling for a reduction in red tape when it comes to building homes. It's good to see government stepping in to help local municipalities create ways to speed up the development process. But much, much more needs to be done. I really hope the ministry and the minister don't stop with this. This is a step in the right direction, and I think it's incredibly important that it continues to proceed. It will make a difference into the future.

We have seen many municipalities struggle with a development process that takes longer than it should and, to be frank, some of it's their own fault. I, like the minister.... We cut our teeth in municipal government and in regional governments. We've seen some of the backstops and some of the backlogs that have been created by those backstops.

Again, I'm going to repeat: we collectively now have to start working together at all levels of government in British Columbia to make a difference. Making that difference should lead to the opportunity of not only my children, but other people's children in this wonderful province, having the opportunity that many of us have had in this House to own a piece of property and to have our own roof over our heads.

This bill. While the bill does provide local governments with some minor abilities to bypass hearings and delegate minor variance approvals to staff, many of these powers are voluntary and do not guarantee the action at the ground level. I really hope that the minister will keep her eye on this, and the ministry staff. Any modernization in today's world is a positive sign. These changes will provide local governments with some more flexibility on how public notices for development are delivered to the residents of their communities or to their area.

While we are very happy to see government remove barriers and speed up approvals at the local level, we would like to ensure that local community input is still a part of the decision-making process. Again, coming from municipal and regional government, where you are literally the first stop with people coming in the door that have issues with government.... We need to listen to those individuals carefully, but we need a balance. It has to be a balance between all of what is best for the community, not just best for the neighbour or the individuals in the area, but what is best for the community.

I would also like to say that the amendments regarding the Islands Trust, which were requested and will bring First Nations to the table.... That's a long overdue process, and I'm so glad to see it. In the city of Powell River, which the minister touched on, they approached the province to make these amendments. It's good to see them, in conjunction with the ministry, remove the barriers that are going to help the city's economic development objectives and also their housing opportunities there.

Importantly, these amendments were supported by the landowner, and just as importantly, they're supported by First Nations. Although local governments will be asked to create and update their codes of conduct, of which the minister also spoke, there are no repercussions if they decide not to do that. I kind of think that's a bit of a red flag on the field. There are repercussions when people's conduct in other agencies is disrespectful or not appropriate.

Maybe it is time that we make a code of conduct, not only the requirement for them, but the responsibility of carrying through with it.... If you don't, there are consequences. I think that may be something that I will plant the seed for the future with the ministry, that they may be able to take a look at that. I would ask, again, the minister directly that she consider that, along with her staff. Again, there are issues in all levels of government. It's not....

[4:40 p.m.]

The world has become less tolerant, which is good, of some of the issues that have besieged governments of all levels at some point in time. I really think it's important that a code of conduct reflects that and has penalties attached to it.

The legislative changes, I would like to say at this point in time, are a step in the right direction. I really look forward to committee stage and the committee process, where we will have lots of questions, and hopefully, my peers on this side of the House will have questions. Again, to the minister, that incredibly capable and dedicated staff that you have in that ministry will, I'm sure, have the right answers. So thank you very much for the opportunity.

**Deputy Speaker:** Thank you, Minister.

Recognizing the Minister of State for Lands and Natural Resources.

**Hon. N. Cullen:** Thank you very much, Mr. Speaker. I'd like to comment publicly, as I have done privately, on the very fabulous nature of your cufflinks today, in recognition of a statement you made earlier with respect to the drag community in your constituency. It's not easy to sparkle up that particular outfit you're required to wear, but you've managed it somehow.

To the House and with respect to the bill in front of us, Bill 26, the statutes amendment act for municipalities, I join my colleague across the way, in opposition, in commending the minister and her staff for always looking out, as best and capably as possible, for the interests of our communities in British Columbia.

I represent Stikine in this Legislature, and I do so proudly. Stikine, for those not familiar, is the largest riding in B.C. It also contains some of the most beautiful communities which have some of the most dedicated mayors and councillors, regional district representatives, a series of First Nations governments, up and down that highway, all the way up to the Yukon and Alaska border.

Often these communities can understandably feel a little

bit frustrated with the way that laws have been constructed in British Columbia over time, with a certain sense — historically, certainly, not, hopefully, since we formed government — of a lack of care and attention to the needs of rural and remote British Columbia, small town British Columbia.

We in the north very much understand the population realities. British Columbia, much like the rest of Canada, is somewhat all huddled up to our southern border, to our American friends. That's been our immigration patterns. That's been our patterns as a province.

Although I would say, and I think that this is an important note for my other rural colleagues, that in the last number of years — and I think the pandemic has somewhat accelerated this trend, but it pre-existed the pandemic — we've seen, increasingly, a number of escapees from the urban parts of this province coming to smaller and smaller communities, looking for a different life. I don't want to say, necessarily, a better life, but maybe, from their perspective. Maybe one that's a little less crowded, maybe one that's a little bit more affordable, a little more connected to the natural world.

That is nothing but to the good. It does cause some challenges sometimes for municipalities, in dealing with an influx of newcomers and folks who are looking for that rural life. But generally speaking, we're pretty welcoming folks, with some notable exceptions, and want the increase in diversity and the increase of different interests and walks of life. It is nothing but for the good.

Now, this bill in particular, I think, is being done great service by the minister herself and her experience as somebody who has represented a community. Can I say small community? I think that I can. I think we're going to firmly put Tofino in the small community ranks, without any discomfort to those that live there. It has, probably much sooner than my community has in Smithers, experienced that influx of people from the city who come for a weekend and realize they want to stay for a lifetime.

Her experience and the challenges that face municipal leadership, in trying to make decisions, make decisions to the best of their ability to improve the quality of life in their communities....

The acts as written, the laws that guide municipalities, have too often encumbered them. It's made life more difficult, made those decisions more difficult, particularly when it comes to housing — when it comes to the non-profit sector, which is looking to start projects to create not just affordable housing but the NGOs that are trying to get the support they need from government and from their communities to build women's shelters, to build healing centres, to build various projects that are encumbered by a process that was written in another time for other ideas.

[4:45 p.m.]

We've been faced with a housing challenge — again, not just in our urban centres in this province but throughout British Columbia — for some time. Part of it is due to

speculation and sometimes rampant, I'd say, almost villainous, speculation in some of our communities. We hear incidences of people selling a house six, seven, eight times — in a way that many have argued on this side should be made criminal — before it eventually ends with an actual buyer, inflating the prices dramatically and making life more and more unaffordable for British Columbians.

There are many responses that we've taken as a government. One of them is to go after the speculators — the speculation tax. One of them is to try to clean up the more nefarious actors in the real estate industry, which are maybe not many but are certainly damaging and cause these huge ripple effects.

It may have started within Metro Vancouver and some other of our larger cities, but the ripple effects have come out to many, many more communities, where we see a dramatic rise in housing prices — I don't know about for other members or those watching — seemingly so dislocated from the very idea of home ownership into something else, like a wild stock market ride, rather than what it is. It's just a place for someone to live, to raise their family, to be able to contribute back to society.

When I look at this act, Bill 26, it does something which I think a lot of municipal leaders have called for, which is a more honourable and trusting process with those leaders and those communities. It relies much more fundamentally and faithfully on their plans, their own visions for their communities, which are incorporated in most of our communities in official community plans.

That process is done every so often. The community gathers. Hopefully, members of the community participate and say: "What do we want to look like, five and ten years out? What kind of development do we want? What kind of development do we not want? Where do we want it to take place?"

We've had vigorous and boisterous debates in the community I live in, in Smithers, when folks have proposed wild big-box schemes, where we were going to have a hundred big-box stores, and we were going to do this, and we were going to develop this way. Ultimately, I believe these conversations come down to values. What is it that you believe in? What is it that you hope for? For many of our residents in the northwest, connectivity, affordability and the notion of livable communities are front and centre, as well as notions of prosperity and opportunity for not just ourselves but for future generations.

One of the things that has stymied a lot of municipal governments — that I think is going to be greatly ameliorated by Bill 26, as introduced for debate today — is the ability to streamline the process, to be able to bring to the community those important questions that need community input and vigorous debate and all the rest. And to allow other decisions that kind of clog up the system, frankly, sometimes, where everything is brought to a public hearing.... Overstretched municipal staffs, whether it's

a large city or a small community, are then brought to another public hearing. There are notices given.

I didn't serve at the municipal level, but I have attended enough public hearings to know some of them are somewhat perfunctory. You have the hearings. A couple of people show up, generally people who are opposed, not so much people who are in favour. That's a general statement and plays sometimes to NIMBYism on the local levels.

I'm particularly speaking of some of those social betterment projects, the projects that are of a social improvement nature that I'm talking about. There's a certain women's shelter that we saw a great controversy over, unfortunately, in one of my communities. We saw it over more affordable housing. People get very, very exercised — and the Internet has not helped for this — and quickly exercised and animated about what the prospect is of a ten-room project being built that's going to help low-income people get on their feet, find affordable housing and move on.

I saw it once, actually, with a community garden, if you can believe. Our community had to go to full public hearings because somebody had proposed a community garden across from our local hospital. To hear that public hearing was to detach yourself from reality. It was going to bring drug dealers, and it was going to bring terrible actors into the area immediately close to our hospital. I could see the mayor and council constantly reminding people testifying that this was a community garden we were talking about, growing vegetables and nothing more nefarious than that. But you would have thought it was an opium den that was being proposed across the way.

[4:50 p.m.]

Regardless, we fundamentally believe in the right of the public to be able to assert themselves and insert themselves into what happens in our local communities. Yet we have seen so many projects delayed and stymied, and they tend to have issues of social equity and justice at their core. I saw this recently with a healing centre that had been proposed by a local First Nation. It played to the worst aspects of some folks in our community. That was manifest in the most public way, which was incredibly unfortunate.

To those groups that have proposed these projects, that have raised the funds, that have received government support and now have a project that they would like to lift off the ground, if they're able to fit it into the official community plan, if they're able to understand what it is that the community has said for themselves, the future that they want that had the input of local residents and other stakeholders, then that project has a much better opportunity to be able to proceed and get through the development phases and actually become material, answering questions about healing and affordability and all of the other great ideas that our residents and our government has supported.

That's the broad aspects. So for housing advocates, for affordable housing advocates, non-profits, those that are

looking for that hope and opportunity of solving this incredibly challenging problem, I think they're going to be extremely pleased with what it is that we're doing here today.

The other aspects of this bill that I think are very important to the residents that live there, particularly Powell River and the Islands Trust, is the ability to include Indigenous representation in a more meaningful way. Nothing but for the good. It's 2021. Thank goodness we got around to this.

In terms of Powell River also receiving both the company support but the local Indigenous support as well, this is the mechanics of government. It can be pretty dry stuff at times, but for the local communities, this is unbelievably important. Walking the talk of reconciliation means changing the way that we interact with one another. Changing the way that approvals are done or not done, in this case, is really important.

The last thing that I'll speak to, and this is about the broader philosophy that I think is under this bill, is that it's much like land use planning, which previous governments left to die.

The ability to come together at a values level, at a landscape level, when it comes to land use planning — this is municipalities — is incredibly important. That's where, in my experience, the deeper investment must take place: in understanding at the landscape level, at the territorial level, at the marine planning level, what it is that we hope for, what it is that we want to sustain and support and what it is that we don't want to see. That is where the real battle should take place — the clash of views, the ideas and identities coming together to describe that future together.

Our governments, when we were government in the 1990s, invested quite heavily, although not fully. Because of the era and the time and the lack of understanding, it didn't include deeper understandings of reconciliation and of free, prior and informed consent. The UN declaration was still in its early days in manifest. It was the idea that, at the landscape level, this is how we do our planning. This is how we do our thinking about what happens in a territory in that landscape.

This is similar to what we're trying to achieve here, I believe. More investment into the official community plan. More ideas about how it is that we want to build our future together and not have the system get represented and clogged up with every single decision.

I'm seeing this — and this is where I'll stop — on some of the reconciliation agreements that I have watched come forward from the province, where the Crown, British Columbia and local Indigenous government come together. There's higher-order thinking in terms of the territorial plan. There's higher-order thinking about the relationship between the two levels of government.

Then there's an understanding that — for all of the permitting of a certain level that doesn't meet the requirements of the local Indigenous community to have a funda-

mental say and a right and a duty to consult on each and every individual permit — allows those permits to take place at the staffing level rather than a government-to-government level.

We've heard this from a number of First Nations in the northwest, where the number of permitting requests and the numbers of duties to consult that are coming in — with communities that may have three, two or four staff on hand to do all of those permitting requests — make for hundreds, if not thousands, of requests a year, when they would rather have the agreement at the larger level, they've described to me, and that those permits get handled at a much more day-to-day operational level rather than ticking and triggering a full accommodation and consultation process.

[4:55 p.m.]

Do that for the big stuff. Do that for the most important stuff, for the landscape stuff, for the stuff that sets our direction. I think what I'm seeing here in Bill 26 is the effort to say that not every single decision that comes before a municipality about building affordable housing or about building a healing centre or a woman's shelter needs to go, always, to that full public review and consultation. We can achieve those agreements as a community — as to what our community looks like now and what we hope it looks like in the future — and designate those zones in the official community plan to allow that to take place.

Then, for those decisions that fall even below that, the staff are then more greatly empowered, so that municipal leaders are taken up with those big questions, that the community is brought together on those bigger questions to allow us to express ourselves and for that future that we hope for.

My full-throated support comes as no surprise to you, Mr. Speaker — not just for this bill but also for your incredible cufflinks. I hope that we can move with some.... They are sensational, folks, for those.... Yes, agreement from all sides of the House, Mr. Speaker. I know that might embarrass you, but you can't be embarrassed. They're so sensational and fabulous.

For this bill, to the minister, congratulations to her and her staff for putting something together that I know is called for by many of the communities that I represent in Stikine and across our beautiful province.

**A. Olsen:** Well, thank you very much. [Applause.] That's five cents for each of you.

Thank you to those who are clapping and for the round of applause for me to stand. It doesn't happen very often, so I really appreciate it. [Applause.]

There we go. Thank you.

Interjection.

**A. Olsen:** No, I won't. I absolutely will not get used to it. Thank you to the member.

I've been writing notes on a variety of different pieces of paper, so I'm going to do my best to try to provide a coherent set of comments here. I think it might be arguable whether some of the stuff that I deliver in here is coherent, but today I'm going to really try to keep it together for you.

I do want to raise my hands to the minister for bringing forward this bill and for taking action on some of the things that we've been hearing. I do have some questions that I look forward to canvassing with the minister when this bill moves forward to committee stage, should her colleagues vote for it to move to committee stage and we get the support.

I do want to, I think, just acknowledge a question that I have, at the very high level, which is: what is the problem that we're trying to solve with this piece of legislation? I've heard some of the debate suggest that this is about solving or at least a partial solution to the housing crisis that we face. I think that it was put forward in one of the two government news releases for one bill — which is kind of unique: two news releases and one bill — celebrating this legislation on the new tools to increase housing.

I guess that could be one outcome of these changes. It could increase housing. The decision still has to be made at the local level. While this does free up, and allow for, municipalities to change the way that they do business, I think it's important to acknowledge the big things, the big changes that need to be made in housing affordability and fixing the housing crisis that we're facing in our society.

It's not only here in British Columbia. Jurisdictions right across the country and, as well, around the world are facing a housing crisis, largely due to the economic structures that we have in place and to how we governments legislate within those economic structures. These were norms that we operated within but that, I think, we are now seeing are letting us down and letting current generations and also future generations down. We have to be willing to actually challenge those economic philosophies that we've built these governments around, be willing to ask the tough questions and be prepared to make some tough decisions about how we approach that.

[5:00 p.m.]

One of those, of course, is to acknowledge the fact that while we have been saying that local government processes have been slow, slower or too slow — not fast enough, maybe — it's important to acknowledge that there has been an incredible building boom that has been going on in our communities around the province. There are an awful lot of units — if that's how you care to measure housing — of housing that have been built, and in not all instances has it been the kind of housing that is needed or required in those communities.

I think one of the important steps that was taken in the previous parliament was the housing assessments that municipalities take, because I think that understanding what.... Again, the question that I had: what is the problem that we're trying to solve?

I know that we've done one. The former member for Saanich North and the Islands before me, now the CRD director on Saltspring Island and someone that I work with very, very closely, during his time representing this seat did, I think, a really important job — I want to raise my hands up to him; I think that I can say his name here, Gary Holman — in doing a housing needs assessment before it became law. I think we've been able to take the information that was generated from that assessment and use that information.

I think that, partly, we do need to acknowledge the fact that blaming the housing situation that we're in right now — the lack of supply or the slow access to supply — on local governments is a red herring. Anybody who has been in local government knows that some of the processes.... Certainly, some of the processes in the district that I was a councillor in were improved over time and provided a much more flexible and streamlined process for the development community. However, whether those processes actually achieved the outcome of housing affordability, I think, is questionable.

More housing? Yes. But more affordable, more attainable housing for a wider demographic? Not so sure. Because the actual.... Getting the types of housing that the missing middle and that the low- to middle-income earners in our communities need.... They're not going to be built, and they have not been built, by the for-profit development community.

The for-profit development community does a great job of doing a thing — the thing that they do well. But one of the things that they don't well is building non-market solutions for people who can't afford housing in this real estate market. So the work that the provincial government and the federal government need to be focusing their minds on, and the money that we're investing in the housing market needs to be in, is non-market housing solutions, because leaving it to the housing market to provide truly affordable housing has not proven to be successful.

We have got a lot of housing stock that has been built under the auspices of housing affordability, increased affordability. I think that this is one of the things that I wanted to just acknowledge with my comments that my friend from Stikine was mentioning — that when it comes to official community plans and when it comes to some of the challenges that neighbourhoods bring forward....

For the last 15 or 20 years or so, we've heard development applications brought forward to municipal councils as affordable housing. There are measures of affordability in those projects, but ultimately, when they go to market, they're still outside of the reach of many people in our communities. I think it's important to acknowledge that — that even the so-called affordable housing being built right now, whether it be rental or home ownership, is still outside of the reach of so many people in our communities. That needs to be addressed more directly.

While I will accept the fact that there was an important

development approvals process review that is going to address part of this, we must also take a look at all of the measures that.... As I was reviewing this earlier today, there are many, many measures here that are underlined that have yet to be taken.

I would like to hear from the minister. Perhaps we can set up a time just to talk about where we're at with the implementation of all of the measures, recognizing that some of the measures are being addressed in this bill, but certainly not all. Even if we were just to take it to the measures that are noted as being of high importance, we're still a long way away from implementing those.

[5:05 p.m.]

I think it's important to acknowledge that public input into their communities is part of the public interest. So while I agree that there are definitely, certainly, applications that need not go to a public hearing process, in this bill it appears that we're changing the language only slightly. It still gives the decision to a municipal council as to whether or not they're going to have a public hearing.

If I'm thinking back to my time as a municipal councillor, I'm thinking I'm going to default to a public hearing, partly because the reality of notifying the public that we're not going to have a public hearing means that the very next meeting becomes a public hearing. It almost is certain that the public chambers are going to be full of people from that neighbourhood saying: "Why are you taking away my right to say something about my neighbourhood?"

What I think needs to be done in this bill is we need to be very clear about which applications are not going to be receiving a public hearing — and do that work on behalf of our council colleagues, perhaps. Leaving the decision and leaving it vague.... What is a major application? What's a minor application? Who's defining that? Where is that defined?

I think that what we're doing here is we're setting up a situation where we look like we're doing a lot in this chamber here, but in application, on the ground in our communities, they're going to default, I believe, to public hearings. They are. We often say of our colleagues in local government: "They're courageous, because they are the closest."

For those of us who are around the council table, we know the level of courage you have to have to sit before the public every Monday evening and make the decisions about the changing nature of neighbourhoods. None of the work, I would suggest, in this House is nearly as courageous as the work that's done in local governments on a weekly basis. I'm looking around. There's a number of our colleagues in here right now — they can give themselves a round of applause all they want — who've been on local government councils.

That is a bit of a challenge for me. It's bit of a challenge to understand how we're going to determine what's in an OCP and what's not. Now, you might say: "How do you do that?" Well, you can read the OCP, and you can find out

what's in the OCP. But in my experience, I remember the sides for an application, and the sides against the application always used the OCP as the foundation of their arguments.

Someone would come in, and they'd say: "I've gone through the official community plan, and I've found the 26 things that make it so that you cannot approve this development because of all of these — in your own official community plan." Then there would be the proponents of the official community plan.

I used to be the chair of planning and development for the community that started this whole thing, frankly, by electing me back in 2008. I remember sitting with the development community and saying: "Look, go into our official community plan, find the aspects of the official community plan that support your development, and build your application around those pieces." But no, the opposition is doing exactly the same thing with the same document.

The reason why I'm raising this is because.... How are the interpretations of the OCP going to play out with this legislation? It's a question that I'll be asking the minister and hoping to have a good exchange on, just understanding better how it is that the municipal councils are to reconcile whether or not a certain application fits within the official community plan. And what parts of the official community plan are you going to have to ignore to have that level of certainty so that you can say: "Yes, for certain, we're not going to have a public hearing on this matter, because it's so certain"?

Perhaps I'm making a bigger deal of it than is necessary, although I think that this is the place to ask these questions. This is the place just to have the exchange. There might be a very simple answer to it, and I look forward to having that.

[5:10 p.m.]

I think it's just important to acknowledge that my hope is that all 200-and-something municipalities in this province adopt a code of conduct. My hope is that after November of next year there are zero municipal councils and zero regional districts that decide: "Now is not the time to have a code of conduct." I don't think that that's.... You know what? Maybe they'll come up with a good reason as to why they shouldn't have a code of conduct.

The reason I'm raising this is because I think that what we've done here is we've said: "Look, you have to have the conversation." That's a good initial step. I'm not sure why we've decided to not say: "By June of the year following your election, you have to have a code of conduct in place." Even if they brought in and put in place a blank document — a single page with nothing written on it — and called that their code of conduct, that would be very instructive. My hope is that all of our council colleagues, at the end of the election next fall, decide to implement a code of conduct.

I do want to make a comment. I don't think that any municipality in the province should have zero residents.

I'm quite happy that the Jumbo mountain saga is finally coming to a close. It will be one of the reasons I'm quite happy to raise my hand or stand in support of this legislation. I really do look forward to.... And I thank the government for paying attention to the interests of the local Indigenous nations in the area, who have been quite vocal about this mountain resort municipality with zero residents. I do look forward to seeing what comes of the Indigenous conserved and protected area that, perhaps, is proposed there.

As the representative of two-thirds of the population of the Islands Trust — I think that's about right and about correct — I want to just reflect very briefly on the small amount of amendment that's happening to the Islands Trust Act in this legislation. It won't be a surprise to the minister. We've had many conversations. Every time I run into her in the hallway, I'm like: "And about the Islands Trust Act...." I think the minister actually takes different routes now. No, I'm kidding. She doesn't.

It's no small point that I think the amendments here that are made in this act for the Islands Trust, as requested by the Islands Trust Council, are just a few of what I think.... If I'm to take the advice of my constituents, I'll just say this. There is a lot more work that needs to be done on the Islands Trust Act, and I think that the provincial government has a much larger role than simply waiting for the Islands Trust Council to come to us.

It's our act. I think we have the opportunity to take a reactive posture here. We also have the opportunity to take a proactive posture, as we've done with other acts — to review it and to put the resources in place to ensure that what was thought of decades ago is now still applicable in the way that we hope it to be applicable. That is to protect and to preserve those wonderful communities that I have the honour of representing and that others in this House have the honour of representing in the way that they need to be preserved and protected today.

The world has changed a lot since the Islands Trust Act first came in or since there was a substantive review of that act. I would just say that we can wait for the Islands Trust to come and make the request, or we can also.... I think one of the challenges is always resourcing here. It's our act, and I think that there's an opportunity for us to take a more proactive role.

Again, I don't think that I'll be surprising the minister. It might be first time that I've said this on the record, but from all of the time that I've been, now four years, the representative of Saanich North and the Islands, this has been a major part of the work that I've done: listening to and understanding the people who live in those Island communities. They're really a joy to represent. I think that there's a much greater role that we can play.

With that, I think I have actually covered most of the notes that I have. I'd like to thank the House for giving

me this opportunity to speak to this bill. I look forward to engaging with the minister in the committee stage, where I can ask some of these questions, and we can have more of an exchange. And there you go.

*HÍSWKE SIÁM.* Thank you.

[5:15 p.m.]

**Deputy Speaker:** Thank you, Member.  
Recognizing the member for Kelowna West.

**B. Stewart:** Thanks very much.

**Deputy Speaker:** That's right. Very good. Going from memory here.

**B. Stewart:** Mr. Speaker, I would have had no idea that those sparkly cufflinks were part of a kind of celebration today. Anyway, congratulations.

I think most of the members of this House can agree that creating housing for their constituents is really an important part of what we need to be doing. It's almost every day that we see another report talking about the shortages, the higher costs, the unaffordability. Unfortunately — in a report I saw yesterday from Oxford Economics — under this government, Vancouver has become the least affordable metro area in North America. That's not just British Columbia. That's not Canada. That's in North America. It's staggering.

What are the issues that are preventing that from happening? I mean, there are many. I know that local government.... That's part of what Bill 26 is here to try to address, the challenges — that the community that's trying to build and supply housing, etc., has a purposeful way forward to being able to eliminate barriers.

The real estate board in Vancouver talks about how the benchmark price for all residential properties in Metro Vancouver has now just topped \$1.186 million. That's the mean average. I mean, I can't imagine that. Even myself, when I think about my first home that I bought, I think I paid \$28,500, and I had a 5 percent down payment. I'm thinking: "Wow, this is a long way from that." I do think that we have to work on eliminating these barriers.

That price that I just quoted — the \$1.186 million as the mean price — is up almost 14 percent over September of 2020. That just is unbelievable. Frankly, I know that there's an attractiveness to low interest rates. Having been through the high interest rates of the early 1980s, having had to make some very difficult, tough decisions and having watched people lose their businesses — I watched my friends lose their homes and things like that — I definitely worry about that as we try to buy into the marketplace.

I have to reach out and give a shout-out to Mayor Stew Young of Langford with the announcement the other day. Stew Young and the council in Langford are putting money on the table for first-time homebuyers. I have to



say that that innovation, that leadership, is really what is at stake here. We have to find a way to reduce red tape. We say that all the time. We talk about red tape. It's easy to put barriers in front of the communities, etc.

Every community wants to have better bike lanes, better parks, better this, better that. At the end of the day, that burden all falls back to the taxpayer. I think that that's kind of one of the things that.... I know that this particular bill isn't about necessarily adjusting those things, whether it's development costs or community amenity agreements. But the minister, in her own words, is trying to address.... This is part of the DAPR report that came to government just about two years ago.

The situation is that it's implementing some of the things. I'm going to come to some of the things that aren't in here, and I know that we're going to get into that in committee stage. I do want to speak about.... If you're a renter and you can't afford that \$1.186 million in Metro Vancouver, you're currently paying \$2,532 more per year, in just the last four years. Is that making life more affordable?

We haven't done that. As much as we want to say that or promise it, we haven't delivered on that, as the government promised back in 2017. Do you know that according to the Minister of Housing, in estimates just a few months back, we've only completed 5,269 new, additional homes as part of the promise of 114,000 new homes that were going to be added to the housing stock?

[5:20 p.m.]

Now, I think that this bill actually does partially get us there in making it easier for communities, but we've got to go a whole lot further in making this all happen. We've been consistently calling for reducing red tape. I think I'm going to touch on some that I just heard about from the Urban Mayors Caucus this afternoon, when they found out that this bill was coming forward.

I think that municipalities all over.... There isn't one I can think of that would not say they're struggling with the development permit process in terms of what it requires to get through. The Community Charter and the Vancouver Charter — what they require municipalities to have to go through in being able to deliver what it is that the development community.... It is not the municipality, and it's not the provincial government. This is the people that do this. They build, they develop, they sell, and they rent. The bottom line is the fact that we're....

There are some minor alterations in terms of the public hearing process that are outlined in Bill 26. It does raise the question about some of the things that we do need to consider when we're relying on the OCP as being the document that council and mayors across this province are going to be counting upon.

I do like the part about the modernization, in terms of being prescriptive about the fact that municipalities have a responsibility to make certain that the public is aware of upcoming changes, etc. I know that recently a community

that I represent, West Kelowna, was cited at UBCM for a great public consultation — as a matter of fact, considered to be the best in the province by the other municipalities in the province. So congratulations to the city of West Kelowna.

I know that last night the city of Kelowna approved its new OCP. That is a long and arduous process that every.... I don't think there's a councillor around, or somebody that has been in local government, that would not agree that it is a painful process — perhaps more painful than being here and talking about legislation or other things like that.

I do think that these modernizations in the Community Charter and the other things that the minister has proposed are vast improvements, and we're going to need to find ways to move faster and more relatively in the future. I look forward to hearing how she suggests that. I do think that speeding up this process....

I know that in not only the DAPR report but in many other ones.... The government-commissioned report with CMHC that former Finance Minister Joy MacPhail delivered in June, and her committee, talked about some bold changes — really bold, big changes — that we absolutely have to embrace if we're going to deal with this problem about getting housing stock into the marketplace.

It's funny. I'm sure that people heard about what New Zealand did the other day about restricting in major cities around New Zealand. They are not going to allow single-family zoning anymore. I mean, it's certainly bold. I don't know how well it'll work, but needless to say, I know it's something that I'm sure the government will be considering in its quiver of all the different solutions.

There have been lots of things that have been presented to the Minister of Municipal Affairs, the Minister of Housing. We have to work together. There are actually other ministers that are part of the solution to making this process work better. We have to all work together. I say that meaning that I think Bill 26 has the elements of working together, but we do have to go further and make certain that we embrace other changes.

The idea that I guess public input.... I did work for quite a number of years, before getting elected here, on an advisory planning committee and dealt with all sorts of rezoning, etc. I became familiar with the local zoning bylaws, etc. Prior to any of the public hearing side of it, we gave the recommendations to the planning department for the Central Okanagan regional district.

It was a very revealing experience for myself, having been through that process and seeing how there are flaws from things that got built that shouldn't have been there, changes that needed to be done and trying to fix past wrongs or whatever. But more importantly, you can see where things that.... Sometimes people don't expect that the maximum height of a building will be just under 30 feet, at 29.6, or whatever the requirement is in bylaw 871, which is what we used.

[5:25 p.m.]

The point about it is that I know if I'm in a single-family, one-storey house and somebody comes in and builds something that really is, effectively, three storeys next to me, putting a top deck on there or whatever, it does really change things.

You have to be crystal-clear when you're talking about things like the OCP. What does that mean? What's allowed? I don't think that people understand. Nor do they understand that application that I may have approved under bylaw 871 that talked about: "Well, it's within the bylaw that from the centre line on the street up to the top of the house — the peak — it can be that high." These things are going to affect.... And people are going to be outraged.

I love how the member for Saanich North and the Islands — Gulf Islands — talked about the fact that the next meeting following the approval is going to be the community or the public hearing, and you'll have people outraged. I'm sure that many councillors or all councillors can talk with some authority on that particular issue.

I think one of the things that this change in bylaws or change in requirements in terms of public hearing.... We do need to make certain that the public understands this OCP, the process. They need to understand what that actually means. I know it was cited by the member for Stikine about the fact that it defaults back to the OCP. Lots of times they bring back in: "What about the OCP?" I honestly can remember, in the work that I did for the regional district, just how many times people were saying: "Well, how did the OCP end up approving that type of development here? Where did that come from?"

Well, I think that that's a bigger question, when OCPs currently, by the Community Charter, I think, have to be done only once every ten years. They have to be updated. There may even be places where there's no OCP allowed. I think that if we're going to rely on that, we're going to have to make certain that that process is understood. It has to be clear to the communities that are going to be relying on this.

I think it is embraced. As I mentioned, the city of Kelowna just approved its OCP last night, and they're appreciative of the fact that they got through the process. But I don't know how many people in a municipality of probably over 160,000 people really engaged in that.

Now, one of the things that needs to be done and that city councils and the Urban Mayors Caucus have been talking about is that there's another part of the equation besides the municipal government and the barriers for them of getting approval. Do you know that it takes about 12 months to get Ministry of Transportation approval if you have a development within 800 metres of the centre line of a provincial highway? It's not delegated. You have to have that approval.

That 12 months is after the city has looked at it and approved their application in terms of the developer. We agree with that. It fits the OCP.

I think, at the end of the day, that provincial restrictions like the Ministry of Transportation's requirement — and I understand.... But they order traffic studies. They slow the process down. I'm not saying that traffic studies aren't important, especially on Highway 97 through the Okanagan. It is a very highly used, restricted corridor between the mountains, the lake and the agricultural land reserve, and the bottom line is that we have to be thoughtful about that.

So why is it that we can't get Transportation to the table on the OCP to give approval or, within some limitation, give approval to local governments so that they can make these changes that are meaningful in their community and get to yes, which is important? We need to get to yes. That's what this is all about. It's not about putting up more road-blocks. That's one thing that I know we'll get into in committee stage on this particular bill.

You know what? Until earlier today, I hadn't thought much about Powell River. Having been the former minister and having dealt with Catalyst pulp and paper there and the whole lands issue, etc..... It's funny that these things were one-offs that we did, at a time. I think that it's good to go back and give the council there the ability to do what they're trying to do, which is build a community in Powell River. So I look forward to that, and I'm sure Mayor Formosa and the other people in Powell River will be very excited.

[5:30 p.m.]

Mr. Speaker, thank you very much for allowing me to take my place, hopefully providing some insight in where I think that we should be going on Bill 26 — questions that we want answered. We want the government to move further and faster if they can on this.

**R. Russell:** I'm a little disappointed. I wore my most boring cufflinks today, unfortunately. I thought it wouldn't matter, but maybe it does.

I rise today to speak in favour of Bill 26, the municipal statutes amendment act. Really, the heart of my rationale for support here, as has been talked about already today for the last couple of bills, is around local leadership. I see these amendments to the act as really positioning to give more support to our local governments.

We know, certainly, that local governments, whether those are municipalities, regional districts or otherwise, have had an extremely painful and difficult time navigating COVID. There has been an enormous amount of pressure placed upon those local government representatives. So I'm proud to see our government working alongside UBCM to move forward amendments like this to help make their lives easier.

[N. Letnick in the chair.]

One of the questions that was mentioned, that was raised and framed, by the member for Saanich North and

the Islands was around what the problem is that we are attempting to solve here. To me, one of the problems that we are attempting to solve is support, again, and recruitment into our local governments. We know, I think — especially going into this next round of elections, given what we've seen over the last 18 months and more — the rewards for being in local government are slim and few and far between, often, and the costs are very high in terms of personal consequence.

I see part of this process, especially around the amendment for local governments to publicly consider a code of conduct, is to help provide support for those local governments, to help provide an incentive and an avenue through which we see more attraction of new minds, more attraction of different perspectives and new people to those local government tables who, at this point, are being excluded because, at times, the harassment and the discrimination and beyond around those tables is too much.

I'm pleased to see this requirement of an open conversation for a code of conduct should this act come into force. Again, I think this will do a great deal for increasing the value and the recognition of respect around those local government tables.

My daughter — my brother, her uncle, gave her the nickname of Entropy, because she was just a little bit of chaos in the system at all times. In my mind, that's partly what this requirement to have a conversation around a code of conduct will help diminish — the amount of chaos that local government tables are forced to sit through, taken away from their ability to do the good work that is at the core of what they are intending to do.

Another aspect of this that I wanted to speak to is the notion of streamlining that zoning bylaw requirement. As we all know, again, in local government, at times, processes can seem painfully slow. When we do have an OCP that aligns strongly with a direction that the community wants to go in, presumably, and through that process, there is a zoning amendment that needs to be made, it makes sense to be able to expedite that process. With, of course, to speak to....

As the member for Penticton mentioned earlier, as well, we need to make sure that our communities have a voice in this process. I think we all agree that that's really key — that our local governments retain that ability to make sure that the communities have a voice.

[5:35 p.m.]

Also, one of the challenges, certainly, from my own time in local government was the process around how we communicate to our residents and how we make sure we're communicating in a way that's actually meaningful. We would spend a great deal of time and money going down a legislated communication path that didn't necessarily actually reach most of our residents, so we would have to go above and beyond to actually do the communication that we knew was important.

The amendment within this to let local governments

decide, via bylaw, what forms of communication are most effective for them to communicate to their residents and their communities, I think, again, provides some more value and puts more voice back into local residents. It helps us make sure that local residents recognize and appreciate what is going on in local government and the value of those local government elected representatives. That solves that problem of how we communicate to people, how we make sure that our constituents, our residents are engaged.

My final point would be around the dissolution of Jumbo. So 100 years ago to the year in this House, as I would understand, would have been the last time we passed a disincorporation act. That's my new word for today: disincorporation. That disincorporation act 100 years ago — maybe appropriate to the Jumbo conversation — was a community in my riding that is now nothing but a ski hill, which I think is interesting. At that point it was the end of a remarkable era of Phoenix community which was a very significant and bustling mining community in my riding.

I think it's interesting and appropriate that 100 years on, we're moving forward the next time that we've put forward a disincorporation process for a municipality, in this case, that never was.

These changes, in my mind, will help increase efficiency in our local government systems, improve communication, support an increase for housing, as we've heard talked about, and get rid of a community that never had any people in it.

Also, the member for Nelson-Creston did ask me on her behalf to say: "Keep Jumbo wild."

**Hon. S. Malcolmson:** I'm very pleased to stand and speak in support of the bill of my friend and colleague the Minister of Municipal Affairs, the former mayor of Tofino. I come from local government also, and although to anybody watching out there, the Municipal Affairs Statutes Amendment Act does not sound like the most interesting bill, there are a lot of really interesting things in Bill 26.

First of all, responding to the need for us to get more housing built in more communities, particularly more affordable housing. Some of the tools that local governments can then opt into: delegation of decisions to staff on minor development variance permits and also shifting the requirements so that local governments can opt in to holding a public hearing when there is a development approval, a rezoning that is consistent with the official community plan.

Again, this is something.... Right now it's a default requirement, and with passage of this legislation, local governments would be able to decide whether their communities needed that public notice.

Also related.... A lot of small towns in British Columbia have experienced this with a loss of community newspapers. The requirement to advertise for two days consec-

utively when your paper only publishes once a week can often add weeks to the time period for providing notice for public hearing.

When I was serving in local government within the Gulf Islands, the notice for advertising was often fulfilled in a community newspaper far away from where the actual development was going to happen and not, in fact, the form of news that people were getting in their communities. I really appreciate that this, again, gives local governments the ability to opt in to alternate methods of public advertising, not prescribing that it have to be in a newspaper.

I'm encouraged also by the validation offered by some of our important partners on building affordable housing in British Columbia. Jill Atkey from the B.C. Non-Profit Housing Association identified that these actions "have the potential to save as much as one year in the development process." Neil Moody from the Canadian Home Builders Association believes "it will better allow home builders to increase the housing supply we need and create prosperous, vibrant communities."

[5:40 p.m.]

In my own community where I serve, Nanaimo, already since 2017, we've built 432 new affordable housing and supportive housing units. We have another 751 either under construction or initiated. That is a colossal increase in the amount of housing supply that, simply funded by our government, is coming on stream.

The mayor of Nanaimo, a member that many other members here in the chamber will know, Leonard Krog, often cites the astonishingly accelerated building permit values in Nanaimo, as in so many other communities. But the simple volume of construction has challenged local government's ability to process them. So especially for developments that are consistent with existing zoning or are consistent with existing community plans, I'm encouraged that Bill 26 provides some way that when the communities have already bought into the general concept of the proposal, local government has the ability to make that move a little bit faster.

I served in the Islands Trust, so I'm particularly encouraged to see several amendments to the Islands Trust Act. This does not happen very often. This is legislation that was enacted, I believe, in 1973. It was created by an all-party committee in this chamber. They recognized that the 450-plus Gulf Islands — with their unique environment, almost a Mediterranean type of climate; with the introduction of B.C. Ferries; and with a real building boom in British Columbia after expo — were under intense development pressure. A single development subdivision that was approved on North Pender Island — 1,600 lots created in one fell swoop with insufficient water and sewer supplies.

It was that imperative that led this chamber unanimously to recommend to the NDP government of the day that they implement the Islands Trust Act, and it has stood the test of time. Ahead of its time in many ways, in par-

ticular, because the Island Trust's object calls on the Island Trust Council, elected along with all other local government reps across British Columbia, governed under the Local Government Act.... It requires the trustees elected by the residents of the Gulf Islands to carry out the mandate to preserve and protect the Gulf Islands — the Islands Trust area — for the benefit of all British Columbians.

It's a mandate that the 26 trustees, who sit around the Island Trusts Council table together, take very seriously, with, I believe, 42 different First Nations. It may be more, in fact, than that, all having some element of their traditional territory within the Islands Trust area.

The Islands Trust Council and the local trust committees, which implement land use planning bylaws and official community plans in the islands, are very much challenged to know to which nation you refer development approvals, with which nation you sign a memorandum of understanding, as we have done, within council, with Snuneymuxw First Nation and others.

This amendment, at the request of the Islands Trust Council, now will build in special reference to First Nations as one of the many governments that Island Trusts Council is required to preserve and protect with and to work together with.

I also appreciate the Islands Trust amendment proposed within Bill 26 that gives permission, as all other local governments do, to give financial support, by resolution of council, of course — it's all done in a transparent way — to community groups or organizations who will carry out the purpose of the trust, of providing education, of preserving the environment and the unique amenities of Islands Trust area.

I won't speak to this act's amendment which will remove a barrier to development of the very beautiful downtown city of the Powell River area, because my colleague is just sitting so close to me here. I won't speak other than on just the beauty of Powell River and how it has developed.

[5:45 p.m.]

Neither will I speak, really, much about the requirement now in this act for local governments to consider developing or updating a code of conduct. It's certainly been a hot topic in a lot of British Columbia municipalities. I can think, just a couple of terms ago, in Nanaimo, we certainly made a lot of national headlines about some of the conduct of some of our elected council. Lantzville, very close by, also took up some space in the national news.

I really appreciate that this amendment would require local governments to, if not adopt a code of conduct, review once a year their rationale for not adopting one and to have a conversation in public about the reasons that they wouldn't document how they intend to interact with each other.

Especially at this time of increased awareness of sexual harassment, political harassment, the fallout and the revelations of the Me Too movement, the very important anti-racism and anti-Indigenous racism education and aware-

ness that is increasing in our communities, I'm encouraged to hear that a code of conduct will be required — or at least consideration of one.

I will end just with a final amendment that I wanted to speak to in this legislation — the dissolution of the Jumbo Glacier mountain resort municipality. Jumbo Glacier is a place that I have powder-skied. It's an astonishingly beautiful part of the world. The fight to have that land recognized as Indigenous traditional territory, a spiritual place, the fight by local people....

I think also of my colleague, the former MLA Michelle Mungall, involved in that fight. I was in the government at the time. The outrage at the time that the government of the day created a resort municipality, although there were no residents of it.... So they could not elect, under the Local Government Act, residents to be their representatives. It was such a distortion of what any of our understanding was of local representation.

I remember being at the Union of B.C. Municipalities convention when resolutions were passed in opposition to the act by the government of the day to create this municipality. I remember the reports of the first convened meeting of representatives of the resort municipality that had been appointed by the government of the day, and people in the adjacent areas, the surrounding communities, pounding on the doors of the council chamber to try to push their way in so they could witness this first meeting. It was extremely hot.

Now that that this legislation formally dissolves that really inappropriately created resort municipality, this, in turn, facilitates a proposal to create an Indigenous protected and conserved area in the Jumbo Glacier Valley.

I'm just so encouraged to see this range of amendments and modernizations bundled together. I'm honoured to speak to it and grateful to my friend the Minister of Municipal Affairs for bringing this work forward.

Thank you for your attention and the opportunity to speak.

**R. Leonard:** I'm very pleased to be able to rise today in support of Bill 26, the Municipal Affairs Statutes Amendments Act.

I want to begin by saying thank you very much to the minister. I think it is a real tribute to her history in local government that the kind of amendments that we're seeing, the kind of actions that we're seeing coming out of her ministry, are taking those measured steps, step-by-step, that are demonstrating a response to what local governments are asking for, at the same time as connecting it to our commitments to the people of British Columbia.

We all know that local governments are that first line of government, the first line of defence. They know their communities. They know the challenges that they face.

As they're trying to build those communities, we're working with them. We started with the housing needs assessments, so that communities could get a better handle

on what was going on with their housing needs. We've joined in partnership to build affordable housing. We continue to support local governments in their roles as builders of their community.

[5:50 p.m.]

To that end, this legislation does provide balance to move forward, moving forward to address the opportunities that local government has requested, and in working with UBCM, with local governments, with stakeholders — like developers, the non-profit housing providers, housing advocates — we're starting to see that next step take place with this legislation.

I want to just talk a little bit in terms of one of the my communities. Courtenay-Comox has the city of Courtenay, has the town of Comox, and it has a regional district. I'm going to concentrate on Courtenay for this purpose so that I won't bore everybody with all of the various statistics.

In their housing needs assessment, they spoke to the B.C. Housing wait-list. There are 214 households listed as of last May. The growth of renters in a single year was 585. The percentage of renters has continued to maintain the same but has grown by nearly 600 people. That was in May of 2020. Affordability is one of the problems, and tied to it is supply and the speed that housing can be built.

I want to talk a little bit about the fact that we have some real challenges in our housing supply. We have had executive directors move on to other communities because they could not find housing in our community. I've had families begging for housing, who have had to split up because they've lost their rental housing, and they can't find housing for a mother, a father and their child. We've had seniors who are on wait-lists that grow and grow and grow.

When I say seniors.... I'm just going to say people who become retired, because you often go from having an income that is significant and makes life affordable, and when you retire, your income drops significantly. If you don't own your home, you can be in a very challenging place.

These are the kinds of stories that we're responding to, not just on an individual basis but across the province. People have had to move away. Businesses have struggled with the fact that they don't have workers, because the workers can't find housing. We've had problems when we've needed nurses, and nurses are going to come from away, and there is no place to house them.

Local governments want to be dealing with that, and they want to be dealing with the fact that we want affordable housing, and we also need to increase the supply. One of the things that we know is that, well, time is money. If we can build housing faster, we can make it more affordable. But we also want to build community, and local governments are very aware of that. They are right there in the face of community and know the challenges that can happen if you build the wrong thing in the wrong place. But

they also know that they have a responsibility for the greater community.

This bill has a number of measures that create the balance that we need to be able to introduce a more modern way of looking at our development approval process, as was described at one conference that the previous minister responsible for housing put on early in our last parliament, where they talked about the development approval process having been a patchwork that's been created over hundreds of years. How do you streamline things? How do you change things that become so entrenched, when we have over 200 — or is it 250? — local governments that are all challenged with the same patchwork of processes?

[5:55 p.m.]

This legislation starts by introducing, when I talk about balance, that public notice. It's a way for residents to be able to engage earlier on in the development approval process. When you have the flexibility as a local government to reach out to more people, you do a better job of engaging with them as you move through the approval process. Engaging early helps identify problems and fix them earlier. It also gives people an opportunity to feel that their voices are heard. So that's one of the pieces that's really important in this legislation.

I think the part around streamlining the development approval processes that remove the requirement for local governments to hold public hearings for zoning bylaws that are consistent with the official community plan is a really important distinction that people should be aware of.

Official community plans are the foundation of how things can proceed in building community. The public is invited, very much, to be a part of it. It's a very robust process where people get to engage in a visioning process. They get to imagine what their communities are going to be like. If a rezoning is consistent with that, the notion of having a public hearing, a third reading, is way down the line.

Get your public input in early, and you're going to have a better outcome. This is supporting that. I think it's a terrific balance for communities to be able to take that step of engaging early with their communities, moving the process along faster so that we can build more affordable housing, so that our communities can grow, so that we can have nurses in our hospitals, so that we can have the jobs in the bakeries and in the stores. All of the different range of need for housing is important for us to have better communities.

If a rezoning isn't in compliance with the OCP, it means that there will be a public hearing, because you have to amend the official community plan. So it's not an attempt to try and remove the public from the process. It's actually an attempt to make it better.

The other piece of it is around variances. I've lived in communities where there have been boards of variance, and those processes can be pretty cumbersome. Having

variances that have to go to city councils is also another form of encumbrance. The types of variances that are allowed to be completed by staff are not substantive.

If people are worried that there's going to be a variance that is going to cause more density in their neighbourhood, or if it's going to change a permitted use, that's not a minor variance. That's not what this legislation is intended to do. It's intended, once again, to help speed up the development approval processes so that we can meet that goal of creating more affordable housing in our communities. It's yet another step in the process of getting rid of a patchwork of hundreds of years of trying to make it work, to bring us into the 21st century and to continue to build more affordable and build better.

In saying that, I want to say that it's not over with this legislation. There is still so much more work to do. This is just one more expression of the commitment that we have as a government to make life better, to make life more affordable and to help grow a stronger B.C.

Thank you for your time, Mr. Speaker.

**M. Starchuk:** I stand here today to speak in favour of Bill 26, the Municipal Affairs Statutes Amendment Act.

[6:00 p.m.]

As a former city councillor and other people here that were part of local government.... There are a lot of good portions in this act in how it applies to my constituents of Cloverdale.

Firstly, I'd like to point out to the member for Courtenay-Comox the phrase that she used: "Time is money." There are many times where a development proposal comes within the OCP, and it could take them a year to move it forward. In that year, that person that has that project is paying a mortgage on a piece of land with no buildings on it. I think that's one of the important parts that we're going to talk about.

When we talk about the public hearing, I think everybody here wants the same level of transparency. The member for Abbotsford South, as a former mayor, will probably admit to having an open form of government that's there.

This isn't about that. This is about providing the ability to move from first to final adoption in a more streamlined manner. There are plenty of times where public hearings have a minor variance of being a little bit closer to a setback, where something was required to be 7.5 metres, and they want to have it six metres away from the setback, and it doesn't change the form and character of anything that's coming forward.

In a city that is growing by more than 12,000 people every year, housing is very important to my constituents. When we talk about the level of where you have your transparency, now you'll have your input at the time that first reading comes around. In the local government that I'm with, the mayor and council, it would be my expectation that if there was a lot of input on that proposal that's coming forward, they would utilize their option

to hold a public hearing. That would be my expectation that would be there.

With regards to the OCP amendments, in a city the size of Surrey, it's 132 square miles. Please don't ask me to put it in kilometres. I have no clue what it is. It's more than that in square kilometres. An OCP is a very onerous tool in a piece of land that's that large. However, that's not to move away from it. When you do an OCP amendment, then you will have that public hearing. You will have that say, by the people that are in your constituency, to be able to do those things.

With regards to the way in which it gets advertised, there are new methods. Not everybody here reads a newspaper. I don't remember the last time I touched a newspaper, but I know you can read it online and you can get it online. These new ways of doing it are that. But it's my hope and my expectation that in cities like mine, where we have three local papers, they're still going to be able to keep those local papers in business with the advertising that's there. There would be nothing that would be wrong with having the local papers and doing online advertising with that as well.

With the area around public hearings, I think it's really important to note that they're still there whenever there is a variance in the OCP. In the city where I am, that is growing exponentially. That is a regular occurrence, because as we're densifying around SkyTrain and future SkyTrain areas that are there, the OCPs will have to be amended, and public hearings will have to be heard. As far as how it's going to apply in my city and my riding, with SkyTrain coming right through it, it is important for the public to have that say.

Going back to the newspaper ads that are there, I don't think the intent is to have them change the communities that are out there, to force them to change. It just gives them an option that's there in the other communities that are there. We heard from other members that community papers don't exist in their communities any longer. So those places will need this amendment to be able to conduct that business that goes forward.

With regards to code of conduct, I know that in my city, there is a code of conduct. Some will say sometimes it's not regulated very well, but here there are some specific provisions for those municipalities that don't have a code of conduct. In particular, what I really like inside of there is it says: "If the council decides...not to establish a code of conduct or review an existing code of conduct, it must make available to the public, on request, a statement respecting the reasons for its decision."

[6:05 p.m.]

When I take a look at this bill that we have today, it's actually encouraging more transparency in local government. The whole adage as to: "Why are we bringing this forward? Why are we bringing it forward now? It's not broken..." It's not completely broken, but there's a way to

tinker with this. There is a way to fine-tune this, and that's what we're here to do.

I hear it from the development community, on a regular basis, that some of the projects are taking a year and a half because of certain ways that business is being done. In a housing crisis that we have today, this will do nothing but bring those units to sale a lot quicker. The rental units that are being built in my city are being built at a rate that's never been seen before. As recent as seven years ago was the first time a rental unit was built in my city in the previous 30 years.

Now people are seeing the need for that. The provisions inside of this bill will actually allow those things to take place. You can have first, second, third and fourth reading and final adoption all done in one evening, with the public still having input into how that came from point A to point B. That's a really good thing.

We take a look at the buildings that are coming forward and the ability to have the child care that's attached to all of this. Those are all parts of the OCP that we take a look at when we talk about height and density.

For the most part, a local government is land use and — I say this with my tongue in my mouth — barking dogs and potholes. This will allow government to really concentrate on what it is that's needed in those cities. That's a streamlined way of getting from point A, where that bare land is today, to where there are housing units, which are so desperately needed in my city and in Metro Vancouver.

I think the last thing that I want to leave with is that OCPs are fairly complicated, but they're done with the community in mind, and they're done with community input. There's nothing that prevents any city, any municipality, from allowing a public hearing to be held on a development that comes through. There is nothing that stops that.

I'll close by saying that as a former member of local government, Bill 26 would have been very welcome when I was there, to streamline things.

**Hon. D. Eby:** I rise to speak, no surprise here, in support of the bill. I'm going to confine my remarks to the portion of the bill that deals with official community plans and the need for public hearings.

As Minister Responsible for Housing, I've had a lot of meetings with local government, with the development industry and with people searching for housing. Without question, we have a housing supply issue in our province.

The province has funded local governments to do housing needs studies about how much housing they need in order to respond to population increases in their community. It is our sincere hope that they use that to inform their official community plans.

When they develop an official community plan that says how they're going to meet the housing needs that are present in their community, this bill fits in very nicely with that. There is a plan in place, developed by the community.

Where do we want certain kinds of housing? Where do we want high-density housing? And so on. This bill will create the possibility for rezoning in accordance with that official community plan without additional public hearings.

The opportunity, at the high level, is at the official community plan development stage. It's for people to show up and advocate for how they want their community to develop. There shouldn't be multiple opportunities for people who are opposed to new neighbours coming into their community to try again and again and again to delay and derail the process of building badly needed new housing.

[6:10 p.m.]

This is work that comes out of two different reports: the DAPR report, the developmental approvals review process report commissioned by the provincial government, and the *Opening Doors* report, which was a joint commission report between the federal government and our provincial government, chaired by Joy MacPhail. Both reports have identified this approvals process within local governments and provincial government as a barrier to the development of housing.

I certainly have had my moments of frustration with local governments, and I know they've had their moments of frustration with the province, but we are working together. We're working together to address this crisis in housing. I've had a number of really positive meetings with, for example, the urban mayors group, who has advocated for reform in this area, mayors including Kennedy Stewart, Lisa Helps, Ken Christian, Leonard Krog — mayors from across the province.

The reason why I'm emphasizing the fact that this work is happening in cooperation, despite some tension.... I think when you're talking between different levels of government, frustrations can arise, and I don't pretend that the province doesn't have work to do in our own approvals processes. The reason I emphasize this is because I heard the critic for Housing from the opposition speak on this. In some of his remarks, I had the feeling that, you know, maybe we were all taking the same approach, we all had the same kind of perspective on this. And I don't think we do.

I welcome clarification from the opposition about this, but I'm going to quote a couple of pieces from a prominent and, I understand, the front-running.... I don't mean any disrespect to members who sit in this House who are running for leadership, but I do understand he's the front-runner for the Liberal leadership. I don't fully understand their system, but this is my understanding. A gentleman named Kevin Falcon, talking about local governments and talking about how, if he is selected leader and elected to this place, he would relate with local governments.

In one op-ed, he described the "intransigence and policy incoherence" of local governments, and in another event, he described the "incompetence" of local government. Now, I understand being frustrated with local government. I understand being frustrated with the provincial

government. I do. But I don't think that calling other levels of government incompetent is going to get us where we need to get on housing.

I think that it's right to set out expectations to support local government in delivering housing supply in a way that is consistent with the hopes and aspirations of people who live in their communities and to say: "You need to deliver this housing that's needed." But I don't think.... And I've had my challenges with various local governments, and they've had their challenges with me. We haven't yet gotten to the point of calling local governments incompetent or saying they're intransigent and incoherent in their policy.

I understand what local governments are trying to do. They're trying to serve their constituents. In many communities, they're next to volunteers. They get paid part-time wages. They come in. They are trying to do their best for their community. They have a public hearing. People come. They say: "We don't want this housing. It shades our lot — the character of our neighbourhood." They're trying to make the right decisions.

I think that the goal here, at least on our side of the House, is engagement with local government to give them the tools they need with the housing needs surveys, to give them the tools they need with the official community plans and this new law that will assist them in forming that plan with their community, but then avoiding those hearings where people try again and again to derail the decisions that have already been made about where the housing is going to be. I think that's a much better approach.

I think another important distinction — supply is a critically important issue in our province, for market housing, for purchase and for rent — is to understand that on our side of the House, we believe that supply is important, but so is demand management through the speculation tax, as one example. Again, Kevin Falcon is out there saying the speculation tax is a terrible thing. This is an additional tax on people who don't pay income tax in our province when they buy housing. I think that's fair.

I think that if you're working in our province, if you're a tax resident in our province, then you should get priority for housing when we have a supply issue. If you are not a tax resident in our province, if you're not paying taxes here, if you're leaving homes vacant, then you should pay for the externalities that you create through that kind of investment activity, when you're speculating in housing. You are creating our homelessness problem. You are creating our housing crisis that requires additional government investment, and you should have to pay to offset that.

[6:15 p.m.]

Yet Kevin Falcon has been very outspoken about getting rid of what he describes as speculation taxes and empty home taxes.

Interjections.



**Hon. D. Eby:** The sensitivity of the other side on this is important. There is a difference in our approach to housing, and you could be forgiven for misunderstanding that we have different approaches to housing, based on the comments from the Housing critic on this bill.

Interjections.

**Deputy Speaker:** We'll let the minister continue to speak, please.

**Hon. D. Eby:** I'm happy to go, if the member is interested, into the supply numbers of where we are on housing and how his government did when they were on this side of the House.

Interjection.

**Hon. D. Eby:** Yeah, I'm glad to. I'm very proud of the numbers that we're putting up on housing supply.

Interjections.

**Hon. D. Eby:** We're descending into a committee stage debate here, but I'm happy to take it on.

So far this year, over 11,000 purpose-built rental homes have been registered in B.C. — almost five times the yearly average under the old government. So that's pretty good. This year more purpose-built rental units were registered for construction by June than the old government ever registered in a single year. In just the first three years of our government, more purpose-built rental units were registered for development than in the previous decade combined, which is pretty significant, I would say.

The September housing starts are above the long-run average, at 31,100. That's 17.4 percent above the old government's average and 16.8 percent above the old government's budget projections for this year, so not too bad. Keep in mind that this is all happening during a global pandemic. Just imagine where we would be without those challenges that have come.

The member is rightly quiet. We are doing well on bringing more housing supply on, but we're not there yet. We've got a lot of work to do. This bill is an important step in that direction, but we won't get there by calling local governments names. We'll get there by working in partnership where we can and setting clear standards and expectations about housing supply.

I'm very grateful to the Minister of Municipal Affairs for bringing this forward. It's why the bill has been, generally, very well received and why we need to keep doing work in this direction.

**Hon. N. Simons:** It's a pleasure to be able to add my voice to the Municipal Affairs Statutes Amendment Act. As we all know by now, it consists of five essential areas

of concern. One is the requirement that requires government to consider developing or updating codes of conduct. That's one element of this bill. Authorization of the dissolution of Jumbo Glacier mountain resort municipality is the second.

Streamlining local government development approval processes is the third. Modernizing local government public notice requirements is the fourth. And close to my heart and constituency is to facilitate economic development, removing Powell River mill site areas from the sole control of the mill and putting it back into the jurisdiction of the city of Powell River.

I mostly just want to focus on two areas: the dissolution of the Jumbo mountain resort, in part because of my memory of the time back in 2012 and before, when my colleague Norm Macdonald, the former mayor of Golden, was a strong advocate to protect that particular area of the province. At the time, he was engaged in disagreement with the Minister of Community, Sport and Cultural Development, Bill Bennett.

I wanted to harken back to that period of time because, in effect, Norm Macdonald was right at the time. He should have been listened to, but he wasn't. I found a letter to the editor that he wrote. I think it was the newspaper in Golden.

[6:20 p.m.]

He talked about how whenever anyone talked to him about this proposal, the word "ridiculous" often came up in the discussion. To quote my friend Norm Macdonald, he said:

"The B.C. Liberals have passed legislation that allows, with the stroke of a pen, Bill Bennett, Minister of Community, Sport and Cultural Development and a longtime Jumbo resort booster, to declare that Jumbo Valley is now a municipality."

He went on to say:

"And that municipality will have a hand-picked, appointed mayor and council with all the powers and responsibilities of any other municipality. There does not have to be a single resident living in the Jumbo Valley, nor does there have to be an election for mayor and council at any time...."

"Bennett will tell you that we do this sort of thing all the time. We establish new municipalities to promote mining communities, and within a few years, we have a fully functioning community with an elected mayor and council."

"With no investors, significant opposition from First Nations" and the opposition party at the time, "Jumbo resort will not go ahead" should the at-that-time opposition form government.

He was really questioning who would benefit from a decision to declare a place with no residents a municipality.

Norm Macdonald characterized it as a giveaway of public lands. I have to say that Norm Macdonald was right. He was still right a few years later when, after a number of years, the then Minister of Environment, Mary Polak, determined that the project hadn't been substantially star-

ted — a requirement of the Environmental Assessment Act. Thus, they revoked the permit.

At the time, people were pleased. At the time, the request was that there be a dissolution of the municipality, and that's happening now because of this legislation tabled by the Minister of Municipal Affairs. I think that it's about time. It's a good step.

The other part of this legislation that I wanted to just focus on was the Powell River angle. In Powell River, the mill was built on a traditional village site of the Tla'amin Nation called tisk'wat. The mill is actually changing their name to incorporate the traditional name of the area, tisk'wat, which meant "big river."

In 1955, Powell River was incorporated under specific legislation. It was basically a company town, a mill town. What the mill needed, the mill got. That included a lot of land and the ability to decide what happened on that particular piece of land. When the jurisdiction changed and the ownership of the land changed, the rules still applied to the mill site.

What this does is actually allow the city to make decisions on the land that they already own and to revoke — I think it was — section 21 of the Powell River Incorporation Act. This is something that the Chiefs, the *hegus*, of the Tla'amin Nation — John Hackett and previous Hegus Clint Williams and others before them, the leadership of the nation — were asking for and the city of Powell River was asking for as well.

This is important legislation, because it allows for the development or the repurposing of this large area of land in the traditional area that was a village site, but for economic development purposes.

I'm just pleased that after many years of lobbying.... Probably, it was one of the first things that I heard of when I was elected in 2005: that this was an issue that needed to be addressed. I'm pleased that the first opportunity has arrived and the work has been done by the staff and the representatives of the ministry to accomplish this. I congratulate everyone involved. I hope that the expectations of this transfer will be realized and that that important land will be made available for other purposes.

I'm pleased that other members of this House have commented on the importance of making it easier for municipalities to make it possible to build more housing — and the other aspects of this act, which are certainly commendable. So I just wanted to put on record that I'm glad that Powell River has succeeded in this endeavour.

I thank the House for this opportunity.

[6:25 p.m.]

**Deputy Speaker:** Seeing no further speakers, the minister would like to close debate.

**Hon. J. Osborne:** Thanks for the opportunity to close the debate. First of all, I want to say thank you to all of

my colleagues for their perspectives that they've shared throughout this debate. It is good to hear the thoughts that have been shared on code of conduct for local elected officials, councils and boards. It's also good to hear the comment made on the amendments that we've proposed for the Islands Trust Act around Powell River and the Jumbo mountain resort municipality.

I want to particularly thank the member for Penticton for his comments, as the critic for Municipal Affairs. It's always good to not only work with him but to be able to look forward to the committee stage, where we'll get to talk more about the importance of the amendments proposed in this bill.

As well, the member for Saanich North and the Islands.... I would assure the member for Saanich North and the Islands that I do not take alternative routes throughout this House to avoid him, and in fact, I always enjoy the conversations that we have about the communities that he represents.

I want to briefly address the reason why we've brought these amendments forward, when it comes to increasing housing supply and how it is a priority for the province. I am pleased to hear what I would characterize as confirmation from all corners of this House that we need to do more. There is encouragement to do more, and that is exactly what we will do.

I am so privileged and pleased to be able work with the Attorney General and Minister Responsible for Housing to support local governments in helping them to deliver housing for more British Columbians. We do have more to do, and I look forward to that work.

I also want to comment that in making the transition from being a local elected official myself to this House, I really enjoy the second reading debate, and I really look forward to the committee stage, because it is the part of this whole experience that probably is most like being in a council meeting — a very, very, very long council meeting but one nonetheless that I really enjoy hearing from everyone about.

With that, I look forward to the continued discussion and committee work, and I move second reading.

Motion approved.

**Hon. J. Osborne:** I move that the bill be referred to a Committee of the Whole House to be considered at the next sitting of the House after today.

Bill 26, Municipal Affairs Statutes Amendment Act (No. 2), 2021, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

**Hon. L. Beare:** I call Committee of the Whole, Bill 22, FOIPPA.

**Deputy Speaker:** Thank you. We'll take a two-minute recess while we set up the Committee of the Whole.

The House recessed from 6:28 p.m. to 6:31 p.m.

### Committee of the Whole House

#### BILL 22 — FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY AMENDMENT ACT, 2021

The House in Committee of the Whole on Bill 22;  
N. Letnick in the chair.

The committee met at 6:31 p.m.

On clause 1.

**Hon. L. Beare:** I'd like to introduce my staff that I have here to support me today. I have Deputy Minister Shauna Brouwer, government chief information officer CJ Ritchie, assistant deputy minister Kerry Pridmore and executive director Matt Reed.

I'm very pleased to be able to speak to this very important piece of legislation and to answer all the members' questions. This bill is the result of significant work and consultation in order to hear and fix the concerns that people have expressed to us with the FOIPPA bill. The current bill is out of date, and the current bill is not serving the needs of British Columbians. We are fixing the problem. We know we can offer modern services online securely, which is why we're fixing the data residency requirements that were adopted during the pandemic through a soon-to-expire ministerial order.

You'll also see items that reflect the needs of public bodies, of the Information and Privacy Commissioner, of stakeholders, partners and the people of British Columbia. We balanced what we've heard from these groups as well as the recommendations of two special committees in order to put forward a bill that is responsive to what British Columbians have told us they need.

I'm looking forward to this stage of debate so I can, on a section-by-section basis, demonstrate how the bill will improve and protect personal privacy. You will see how this bill helps people get their information faster, get the highest level of service required and helps people to feel safe. I'm looking forward to answering the questions.

**B. Banman:** It is indeed a pleasure to go through this today. I would beg your indulgence, as this actually my first time going through the committee process. So if I do happen to.... Please help me keep within the boundaries, if you wouldn't mind. I'd appreciate that very much. I'm sure you will.

Although it is cufflink day today, apparently.... There we go. You're wearing a pair as well. I think that should go

without noting. Apparently that is the theme of today: taking a look at the Speaker's cufflinks.

I believe I heard in the House that the minister basically said that this side of the House was misinformed when it came to this particular bill. Would the minister be in agreement that the freedom-of-information commissioner is also informed? He's written a rather lengthy letter — I believe unprecedented — outlining a number of issues that he has with this particular legislation. So would she say that the freedom-of-information commissioner is misinformed?

[6:35 p.m.]

**Hon. L. Beare:** I want to thank the member for the question. I'm really looking forward to going clause by clause through this bill, in which we'll be able to address every aspect of the commissioner's letter, section by section.

We worked very closely with the commissioner through the creation of the bill. My team and myself have met with the commissioner 20 times about the bill, and there are points that we absolutely don't see eye to eye on. The commissioner does have a very singular focus of privacy. That is, he's very good at his job, in taking a look at that.

We also need to take a look at what we're hearing from British Columbians, and we on the government side have to address what's going on in people's lives. So as we go clause by clause, I'm sure we'll be addressing every single piece of what's in the commissioner's letter.

**B. Banman:** I agree with the minister that we've heard from British Columbians, a number of them — in particular, the Privacy Commissioner. I would point out it's their duty to look at this type of legislation.

Would the minister please describe the process by which the legislation was actually developed?

**Hon. L. Beare:** The process for this bill actually began in 2017. It's been a very long process of consultation since 2017 — rigorous policy process, a long drafting process. More consultation, including with our Indigenous partners. We have before you a bill that I'm looking forward to debating.

**B. Banman:** To the minister: would you please give us specific examples of what you felt was misinformation from this side of the House?

**The Chair:** Since the member asked for direction, it would be: would the minister give examples, or would she....

**B. Banman:** Would the minister give examples? Thank you.

**Hon. L. Beare:** Over the course of second reading, there

were a number of comments made by members opposite, everything from claiming that we are somehow giving the ability to scrape from social media sites, which is blatantly not correct, along with things like the removal of the Office of the Premier as a public body, that by removing it from schedule 2, it actually causes the Premier's office to not somehow be under FOI scrutiny. That's blatantly untrue.

There are a number of pieces like that that, that as we go through clause by clause, we'll be addressing. The members have many, many questions they'll be asking of me, but that's just an example of some of the misinformation.

[6:40 p.m.]

**B. Banman:** In the Privacy Commissioner's letter, he is asked a question.... He would be happy to discuss his views prior to the third reading of Bill 22. Has the minister had an opportunity to discuss those views with the Privacy Commissioner?

**Hon. L. Beare:** My last conversation with the commissioner was on Friday. We spoke personally, before the tabling of the bill. We had a conversation, again, about what was included, what the commissioner's concerns were and when I would be tabling the bill on Monday.

This was a great conversation with the commissioner, one of 20 or so that we've had with the commissioner and his staff over the summer. There is nothing new in the letter that the commissioner wrote that we haven't previously discussed with the commissioner.

It's been a close, ongoing conversation with the commissioner — absolutely value his input, advice and support. His team has been remarkable to work with over the consultation and development of this bill. I know the commissioner and I will continue to work closely on all matters, moving forward.

**B. Banman:** Considering the tone of the Privacy Commissioner's letter.... I take a look at when he says that proposals would be a step backwards for British Columbia, with regards to freedom of information.

Would the minister please explain in more detail whether or not that particular sentence was discussed and what specific suggestions he had, or concerns that he had, that he discussed with the minister on Friday?

**Hon. L. Beare:** I just want to remind the member that we are on section 1. I'd love to begin debating the bill on section 1.

The commissioner and I had a one-on-one personal conversation on Friday. The bill is now before the House, which is the appropriate place to have this debate. The commissioner and I have been in consultation throughout the summer. There was nothing new in the letter that we haven't discussed before.

I look forward to going through each of those clauses as we go.

**A. Olsen:** On section 1, the 2010 legislative committee recommended that a section be added to section 2 to require that an infringement of the right to privacy must be proportional to the public interest to be lawful. This bill doesn't do that. Why?

[6:45 p.m.]

**Hon. L. Beare:** We have considered all of the committee recommendations about the 2010 and the 2016 committees. The act currently, as it stands, contemplates protection of people's privacy already.

**The Chair:** Just a little bit of parliamentary education. Bills have clauses; acts have sections. So we are using the term "clause," not "section," as we proceed, please. Thank you.

**B. Banman:** Is part of developing legislation, especially when one considers that this is freedom of information...? Is part of that development of this legislation having discussions, regular discussions, with the Privacy Commissioner?

**Hon. L. Beare:** Chair, I have already answered that question. Yes.

**B. Banman:** Then I'm confused. If they are part of the ongoing discussions of developing the bill, would the conversation on Friday not be relevant to section 1? It's important to find out what those discussions were. It does help with section 1, because it's part of the development of that.

**Hon. L. Beare:** The call on Friday was a collaborative call between myself and the Privacy Commissioner to inform the commissioner when we were tabling the bill.

As I've already answered to the member, we had a brief conversation about concerns that the commissioner has, which are very clearly articulated in his letter. We will be answering, clause by clause, as we go through. We'll continue to consult with the commissioner and continue our relationship with him on an ongoing basis.

**S. Furstenu:** I noted that the minister indicated that the preparation of this bill has been underway since 2017. I'm interested to hear that.

As the Chair knows, there was a lot of conversation and back-and-forth between our caucus and the government caucus between 2017 and 2020, including a joint legislative agenda, which is publicly available in the confidence and supply agreement that was signed. Also, we would be apprised of legislation, potential legislation, and what was coming forward.

My colleague from Saanich North and the Islands and I have no recollection of there being any mention that amendments to this act were part of the legislative agenda.

The minister indicates that there was consultation. Are there records of that consultation?

**Hon. L. Beare:** Yes, it was public consultation. That's where all legislation and policy development starts. Consultation was happening throughout the ministry, publicly, since 2017.

[6:50 p.m.]

**S. Furstenau:** Again, very interesting. I'm also curious about the minister's statement that she, in drafting this legislation, took the recommendations of both the 2010 and 2016 committees. Particularly, the 2016 committee's recommendations either don't appear to be in this legislation, or the opposite of what was recommended is in this legislation.

Can the minister explain how the process of absorbing those recommendations went from that committee report and translated into what seems to be quite the opposite in this legislation?

**Hon. L. Beare:** For the member, yes, both the 2010 and the 2016 committee reports were contemplated. There are a number of pieces throughout the report from various committee recommendations or OIPC recommendations.

The world has changed significantly in the past two years. The amendments we're bringing forward in this bill are required now because our bill was falling behind.

**S. Furstenau:** I'm just going to.... One of the recommendations of the 2016 report was really around proactive disclosure and increasing transparency.

Oh, indeed, the world has changed. What has changed is the need in democracies to respond to an erosion of trust. One of the ways that a healthy democracy responds to the erosion of trust is by being more transparent. So the recommendation — in fact, the number one recommendation — from that 2016 committee report was proactive disclosure, which is actually the opposite of what this bill moves us towards. This bill makes access to information more difficult, as opposed to proactively disclosing.

I'm wondering if the minister can explain how the world has changed and, in response to that change, this government moves away from the recommendation for more transparency and proactive disclosure, as was provided by the committee after a year of work, and chooses instead to make access to information more difficult for the public.

**Hon. L. Beare:** I thank the member for the question.

This is a perfect example of where the information is just simply wrong. The very first thing I did as Minister of Citizens' Services, when I received the file, was increase proactive disclosure by 40 percent. Ministers' transition binders are now proactively disclosed. Ministers' estimates binders, which are arguably the most important information in government, proactively disclosed. They were just put on the open government website on Friday, in fact, for all members of the public to look at for free.

We're going to continue that discipline of openness and transparency. We're already contemplating over here, on this side, along with my team, what our next set of proactive disclosures could be.

I'm sorry that the member missed that great news when it happened. We increased proactive disclosures by 40 percent.

**B. Banman:** To review, if I may, can the minister confirm that the work on this legislation actually started prior to when the select standing committee was convened on August 23 of 2021?

**Hon. L. Beare:** Yes. Of course this bill was not developed in under a month. Consultation and conversations with the public.... Open and very public consultations have been happening throughout the year, and we're going to continue that work.

I know the member and I are going to continue to have a great conversation about this bill tomorrow.

With that, I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 6:55 p.m.

The House resumed; Mr. Speaker in the chair.

The Committee of the Whole, having reported progress, was granted leave to sit again.

Hon. L. Beare moved adjournment of the House.

Motion approved.

**Mr. Speaker:** This House stands adjourned until 10 a.m. tomorrow.

The House adjourned at 6:56 p.m.



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