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HANSARD

Tuesday, December 22, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2020 Fall Sitting

SPEAKER — Hon. Nils Clarke, MLA, Riverdale North
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Ranj Pillai	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
Hon. Tracy-Anne McPhee	Riverdale South	Government House Leader Minister of Education; Justice
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Pauline Frost	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
Hon. Richard Mostyn	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
Hon. Jeanie McLean	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

GOVERNMENT PRIVATE MEMBERS

Yukon Liberal Party

Ted Adel	Copperbelt North
Paolo Gallina	Porter Creek Centre
Don Hutton	Mayo-Tatchun

OFFICIAL OPPOSITION

Yukon Party

Stacey Hassard	Leader of the Official Opposition Pelly-Nisutlin	Scott Kent	Official Opposition House Leader Copperbelt South
Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Third Party House Leader Takhini-Kopper King
Liz Hanson	Whitehorse Centre

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**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, December 22, 2020 — 1:00 p.m.**

Speaker: I will now call the House to order.
We will proceed at this time with prayers.

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes made to the Order Paper. The following motions have been removed from the Order Paper as they are now outdated: Motion No. 366, standing in the name of the Member for Watson Lake; and Motion No. 368, standing in the name of the Member for Kluane.

The following motions have also been removed from the Order Paper as the actions requested in the motions have been taken in whole or in part: Motion No. 239, standing in the name of the Member for Copperbelt South; Motion No. 241, standing in the name of the Member for Watson Lake; Motion No. 251, standing in the name of the Leader of the Third Party; and Motion No. 341, standing in the name of the Member for Whitehorse Centre.

DAILY ROUTINE

Speaker: We will proceed at this time with the Order Paper.

Introduction of visitors.
Tributes.

TRIBUTES

In recognition of Yukoners during COVID-19 pandemic

Hon. Ms. Frost: I rise today on behalf of all my colleagues on this side of the House to express our deep gratitude to all those working to keep our territory safe and healthy. This year has been one for the books. It has tested each and every one of us. Yukoners, like all Canadians, have faced unprecedented challenges. Now more than ever, we need to come together and continue to do our part to keep our communities safe and healthy. That's exactly what I see happening here in our territory as we prepare for the next step, a very welcome step — the COVID-19 vaccine.

I want to thank some very special and extremely dedicated groups of people today. To all those who have been involved in providing front-line work in these stressful months, to those providing services to the public in our stores and our local businesses, to those in health care, standing tall at their posts, safeguarding our most vulnerable in your scrubs and your N95 masks — we salute you. I know that going into work has not been easy this year and has not been without anxiety, but you played such a critical role in the battle to stop the spread and mitigate the risks of COVID-19 in our territory. Thank you for your courage. Thank you for your dedication.

To all our Yukon nurses, doctors, pharmacists, and support staff at our hospitals, nursing centres and wellness hubs and

those involved in this year's flu clinics, thank you. To all those at the Yukon Communicable Disease Control Unit, the COVID testing and assessment centre and the drive-through testing clinic who have ensured that testing and contact tracing was carried out quickly and efficiently — you have demonstrated true heart. Thank you.

Today in Yukon, we have zero active cases of COVID-19 and we have these teams to thank for this.

I would also like to thank the teams working hard on the vaccine strategy and the planning, logistics, and coordination and the folks working to get information out to Yukoners throughout the territory — online, in print, and on the radio and on posters adorning walls from Watson Lake to Beaver Creek, from Carcross to Old Crow.

I also want to bestow a heartfelt thank you to all those who will be working tirelessly to ensure an efficient distribution of the vaccine once it is approved and delivered, including those who will be at the mass vaccine clinic here in Whitehorse and the mobile teams who will travel to our rural communities. Even though they will be wearing masks, I know that Yukoners across the territory will be smiling as you deliver the vaccine that will protect them and their families and friends.

Mr. Speaker, we owe a debt of gratitude to all those who have contributed to this collective effort for their unwavering commitment to Yukoners, knowing that you are all our heroes and that you continue to make a difference. As I reflect back on the past 10 months that we have been in the grip of this pandemic, I am struck by one word in particular: "resiliency". COVID-19 has tested us, but it has also revealed our ability to adapt and innovate.

We are not out of the woods, but we can finally see the path out of the woods. If we stay vigilant, we will emerge from the woods together. I am so grateful and proud of each and every Yukoner.

Mahsi' cho.
Applause

Mr. Hassard: I rise on behalf of the Official Opposition to provide the House with a little poem here today, in light of the Christmas spirit.

Twas the last sitting before Christmas, in this hallowed House

The Highways Minister practiced for an Emmy — or something thereabouts.

His acting unmatched, his oration unrivaled
His ranting and raving will make you unbridled
No one before, of their voice has been prouder
He knows if you're wrong, you need only shout louder
But enough about him, there are others in here
The Member for Lake Laberge sure brings the Liberals cheer

From talking, to chatting, to expressing dissent
His hours of speeches are sure to torment
Not to be outdone, his expertise will astound
The Minister of Ec Dev will happily give us background
I'll move to the North, with the Premier I'll plead
By consulting and listening is how you'll succeed

Now the Klondike is great, and right now somewhat cold
 But this year our economy owes a thanks to the gold
 To the miners, suppliers, and even their friends
 It's clear more than ever, the Yukon depends
 On your tireless efforts, your sponsorships too
 You deserve an applause and a hat tip or two
 To small business and restaurants, to the book stores and

bars

You've been through so much and all deserve some gold stars

To the doctors, the nurses, all the hospital folks
 The front-line and teachers, you've been solid as oaks
 But back to the Legislature where I started this poem
 It's been 45 days, so it feels just like home
 Now despite all our differences and our partisan stripes
 And even our questions, our statements, and gripes
 It's important to remember that at the end of the day
 We're all people, despite this legislative horseplay
 Just a few more things but I promise to be quick
 Let's talk about all of our letters to Saint Nick
 For requests — the Liberals would only have one
 Please, Santa, you gotta get rid of Dixon
 Now the NDP were a little more altruistic
 Calls for rent and worker support made the government

ballistic

What's in the Yukon Party's letter? I'll get to that now
 A happy Christmas for all — and with this weather — a snow plow

I'll close out our letter, and I have a confession.
 We just want the government to set a date for the election.
 Merry Christmas.
Applause

Ms. White: I have never wanted to be more poetic than today, but sadly, it's not to be the case.

Today I stand on behalf of the Yukon NDP as we look back at 2020 and toward 2021. This last year has been tough. As a planet, we have stood facing a storm of the unknown. Canada has faced and continues to face uncertainty, and we in Yukon haven't been unaffected. It started with the cancellation of the Arctic Winter Games and gathered steam with the cancellation of school and the closure of some businesses and other businesses trying to operate with restrictions. It continued with border closures, openings, and closures again. Parents, teachers, and students faced a new reality of learning with schooling from home. High school students in Whitehorse still grapple with half-day classes, unsure what their future holds.

Yukon, no part of this has been easy, but you did it and you are doing it to the best of your abilities. Businesses adapted, morphed, and did the best that they could — from restaurants to book stores to cafés and markets, each one affected in different ways, with the hard realization that not all could make a go of it with this new reality.

As Yukoners, we have supported each other with the decisions to buy local, to adapt to both serving and buying takeaway meals. We have seen folks reach outside themselves, asking for and offering help as needed. Acts of kindness both

big and small are repeated daily in all of our communities. So many have found a renewed sense of purpose because, after all, we are in this together. That, I believe, is the overarching theme of 2020. It's just not about you or me; it's about all of us. We're all in this together.

As we look toward 2021 and the rollout of a vaccine that we hope will see the world as we know it right itself, let's not go back to the old normal. Let's take the lessons of the last year and look at building a better tomorrow, because together we can do this.

Applause

Speaker: Introduction of visitors outside of the time usually provided.

INTRODUCTION OF VISITORS

Hon. Ms. McLean: I would like my colleagues to help me welcome my husband, Rick McLean, to the Legislative Assembly today.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under tabling returns and documents, the Chair has for tabling, pursuant to section 22(8) of the *Yukon Human Rights Act*, the 2018-19 annual report of the Yukon Human Rights Panel of Adjudicators and the 2019-20 annual report of the Yukon Human Rights Panel of Adjudicators.

Are there any further returns or documents for tabling?

Hon. Ms. McPhee: I have for tabling the crime prevention and victim services trust fund annual report, which is tabled pursuant to section 9 of the *Crime Prevention and Victim Services Trust Act*.

Mr. Speaker, I also have for tabling the Yukon Law Foundation 2019 annual report, which is tabled pursuant to section 83(2) of the *Legal Profession Act, 2017*.

I also have for tabling the Law Society of Yukon 2019 annual report, which is tabled pursuant to section 150(2) of the *Legal Profession Act, 2017*.

Mr. Speaker, I also have for tabling the Yukon Judicial Council annual report for 2019, which is tabled pursuant to section 37(2) of the *Territorial Court Act*.

Lastly, I have for tabling the Workers' Advocate Office annual report for 2019.

Hon. Ms. McLean: I have for tabling today the Yukon Advisory Council on Women's Issues annual report for 2019-20, as required under section 15 of the *Yukon Advisory Council on Women's Issues Act*.

I also have for tabling today the Yukon Geographical Place Names Board report for 2019-20.

Further, I have for tabling two legislative returns, one relating to outstanding questions from the Member for Watson Lake on December 3, 2020, and one relating to an outstanding question from the Member for Whitehorse Centre on December 14, 2020, during Committee of the Whole — during the *Second Appropriation Act 2019-20*, Bill No. 205.

Hon. Mr. Streicker: Monsieur le Président, je dépose aujourd'hui les rapports sur les services en français pour 2018-2019 et pour 2019-2020.

Also, Mr. Speaker, I have for tabling a legislative return responding to questions from the Leader of the Official Opposition during the witness appearance of the chief medical officer of health.

Finally, I have for tabling one more set of statistics — this one for MLA travel claims.

Hon. Ms. Frost: Mr. Speaker, I have for tabling today a response to questions asked on November 24, 2020, from the Member for Kluane regarding funds for wildlife monitoring surveys.

I have for tabling a response to the motion from the Member for Kluane on December 17, 2020, regarding the St. Elias Seniors Society.

Hon. Mr. Mostyn: I have for tabling two legislative returns responding to questions from the Member for Whitehorse Centre on December 8 during Committee of the Whole.

Hon. Mr. Pillai: Mr. Speaker, I have for tabling 21 legislative returns pertaining to questions on Economic Development, Yukon Energy Corporation, and Energy, Mines and Resources.

Speaker: Are there any further returns or documents for tabling?

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

Mr. Adel: I rise today to give notice of the following motion:

THAT this House thank all Yukoners for their efforts in mitigating the spread of the COVID-19 virus and for helping to keep Yukon safe.

I also give notice of the following motion:

THAT this House recognizes the necessity and thanks Yukon's essential workers for their hard work and dedication during this pandemic.

I also give notice of the following motion:

THAT this House supports the 31 action items contained within the MMIWG2S+ strategy.

I also give notice of the following motion:

THAT this House supports energy retrofits for Yukoners to reduce greenhouse gas emissions and increase energy efficiency in homes and buildings.

Mr. Gallina: I rise to give notice of the following motion:

THAT this House supports the Tourism and Culture COVID-19 relief and recovery plan, including:

(1) providing tourism sector leadership;

(2) rebuilding confidence and capabilities for tourism;

(3) supporting the recovery of tourism industry operators; and

(4) refining the brand and inspiring travellers to visit Yukon.

I also give notice of the following motion:

THAT this House thanks all Yukon health care workers for their commitment to keeping Yukoners safe during this pandemic.

I also give notice of the following motion:

THAT this House thanks the public service for their continued efforts and support during this extended Sitting.

Mr. Cathers: I rise today to give notice of the following motion:

THAT this House urges the Yukon government to recognize that many Yukon businesses including farms, the hospitality sector, and condo corporations are experiencing financial hardship due to large spikes in insurance rates by taking the following actions:

(1) doing an assessment to determine how much of the increase in Yukoners' insurance premiums is the result of the territorial Liberal government's tax increase in insurance premiums;

(2) tabling a report on the results of that assessment in the Legislative Assembly by March 31, 2021; and

(3) consulting with local businesses, stakeholder organizations, and insurance providers to determine if government action to amend legislation, regulations, and/or policies would result in a decrease in insurance rates being paid by Yukoners.

Ms. White: I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to make prekindergarten, K4, available in all Yukon communities, including Whitehorse.

Speaker: Are there any further notices of motions?

Is there a statement by a minister?

MINISTERIAL STATEMENT

Yukon economy

Hon. Mr. Pillai: Mr. Speaker, despite the challenges of this year's pandemic, Yukon has had strong economic progress. Success within a pandemic context looks different from other years across various geographic and demographic regions, but our government has strived to centre economic stability within our decisions over the past year, carefully balancing a need to maintain a thriving economy while keeping Yukoners safe. Maintaining as much stability as possible under turbulent times

reflects the values of our community and its future goals going forward.

Despite the challenges that we faced, forecasts show a strong and robust economy for the Yukon. Yukon's real gross domestic product for 2019 was \$2.7 billion, an increase of \$23 million compared to the revised 2018 figures.

That GDP growth of 0.8 percent will increase funding for the Yukon mineral exploration program as part of our economic recovery spending to incentivize mineral exploration and support businesses that strengthen the Yukon and our sector.

Mr. Speaker, under our leadership, we will see three mines in operation as Alexco ramps up production in the Keno Hill silver district. Our mining economy remains thoroughly intact compared to other industries, which has resulted in positive projections for future economic growth in the Yukon. Strong gold, silver, and zinc prices and improving markets are expected to see an increase in exploration and deposit appraisal expenditures.

Baseline forecasts from the Conference Board of Canada foresee that two of the mines located in Yukon — Eagle Gold and Minto — are expected to sharply ramp up production in 2021, allowing output in the territory's mining industry to nearly triple.

Our construction sector is equally strong, with investments totalling an estimated \$29.8 million, representing an increase of 8.2 percent from last year. From January to October of this year, total investment of \$296.4 million shows an increase of 23.9 percent. Building permit values are extremely strong. Residential building investment is up by \$64.6 million — I believe, a record.

The territory saw a 0.7-percent increase in retail sales from January to October, totalling \$733.4 million. Wholesales in Yukon also saw an increase of 2.9 percent compared to the 2019 figures. Although preliminary figures showed business closures in April, June saw a shift in this trend, with 88 businesses opening.

We have seen growth of digital innovation in tech sectors — most recently seen in the expansion of Northwestel's Internet services across the territory.

This week, we heard of a local entrepreneur, Joel Brennan, who has developed the SUPStick with help from the innovation entrepreneurship team at Yukon University. Mr. Brennan has gone from an idea sketched on a napkin to online sales.

Our territory continues to enjoy the lowest unemployment in Canada. Yukon's 4.2-percent unemployment rate is well below the Canadian average of 6.3 percent.

Our economic response to the current challenges that face Yukoners today allows for flexibility while we continue to lead Yukoners through this time using an adaptive approach. We must continue to prioritize recovery for our economy. Our strong economic footprint underpins our perseverance in challenging circumstances.

I know that COVID has resulted in many struggles. There are businesses that are on the edge and people who are not able to make ends meet. There are supports in place for Yukoners who need assistance, and those supports will continue.

Yukon's economy is strong and able to bounce back from economic hardship as our economy has shown such resiliency over the past year.

Mr. Istchenko: I'm pleased to rise and respond to this ministerial statement.

The COVID-19 pandemic and the subsequent government response has created an economic crisis in the world, in Canada, and right here in the Yukon. While everyone recognizes the importance of these public health measures, the impacts have created huge issues here in the Yukon.

Industries like tourism and the hospitality industry which depend on social interaction have taken a big hit. The restrictions on travel have created significant hurdles and additional costs for the mining exploration and drilling industries.

Over the past weeks and months, we have tried our best to raise issues about the government's response to this economic crisis. In some cases, we have supported the government's efforts, and in some cases, we have offered suggestions for improvements or changes.

For instance, we have made a number of recommendations related to the government's handling of the support for tourism and hospitality industries. For example, we have suggested removing the red tape for bars and restaurants, like the requirement to prove that 60 percent of the restaurant's 2019 revenue came from visitors. We have suggested the government abandon their plans to end the additional wholesale discount on alcohol pricing for licensees — a decision that we know will hurt bars and restaurants. We have suggested allowing cannabis retailers to once again be allowed to sell their products online, which is what the government retailer was able to do already.

We have questioned why no money from the accommodations sector support packages flowed to any Yukon businesses yet, despite being announced months ago. We have questioned why the non-profit support package still doesn't even have an application process. We were glad that the government has released a new tourism strategy, but we are worried that they aren't as focused as they should be on getting immediate support out the door and on to the actual businesses that need them.

To cap it off, the government raised power rates by nearly 12 percent last year, and they've announced that they will raise them by a further 11.5 percent next year.

Further, we have raised concern that the government parks strategy did not even mention the impacts of the pandemic on tourism, nor did it contemplate economic recovery. In fact, the only mention of the word "recovery" in the documents were the words "cost recovery", which is a government code for "fee increase".

So, during this pandemic, it became obvious how important the mining industry is to our economy. As other industries ground to a halt, the mining industry continued to be a driver of employment, investment, and local purchasing. This was especially true in the placer mining industry in the Dawson area. Services and supply companies that support the hardrock

mining industry continued to thrive despite the challenging circumstances.

While mining should clearly be the keystone of our economic recovery, there are troubling signs on the horizon. The decision on the ATAC Resources project has sent chills through the industry. Even operating projects are getting questions about what this means for the future of investment in the mineral development industry in the Yukon.

Combined with the government's inability to get any large resource road projects done, despite the years of promises, there are some legitimate questions being raised about whether or not Yukon is indeed open for business.

Even on newer emerging industries like tech and communications, we've seen this government stumble. Their signature project was the Dempster fibre project which has gone from a top priority in 2016 to being completed in 2018 and to 2020 and now the Liberals are finally admitting it won't be ready until 2024 — that's at the earliest. This inability to meet their own timelines and commitments and get things done is one of the government's biggest failings.

Yukoners are looking for a government that can actually meaningfully engage with the Yukon business community, take action to ensure that Yukon businesses make it through this crisis and chart a path forward on economic recovery that is driven by the private sector. That's not what we've seen from this Liberal government.

Ms. White: It gives me great pleasure to respond to a record-breaking 45th ministerial statement today. I appreciate that in this House there's at least one person who finds beauty and power in numbers. I myself prefer words, but I thought that today I would give a nod to the numbers.

So, each ministerial statement comes with time restraints. First, the minister can speak for up to four minutes and history will show that they do a fine job of nearly hitting that mark. Today's statement rang in at three minutes and 55 seconds.

Next, it's four minutes to the Yukon Party and four minutes for us here in the Yukon NDP. These first sets of comments are what one could call "curated". We as opposition know what will be said as we prepare our responses. Now, I probably don't need to point out that, although we're both in opposition, our perspectives are very different. But it doesn't end with these 12 minutes because there are still four minutes to go. Now, these next four minutes are wide open — the wild north, if you will — because government has the final word. Each day of this Sitting, the government has set aside 16 minutes of time out of a possible 270 minutes for these statements. That's 64 minutes a week; we're at the end of our response to number 45; it's 720 minutes all together.

So, for those who were following along — and I don't blame you if you aren't — that's 360 minutes for the Liberals, 180 minutes for the Yukon Party, and 180 minutes for us here in the Yukon NDP. Or for those of you who prefer these numbers in hours, that's three hours of curated government statements and three hours of unopposed closings, and for the opposition parties, it's three hours a piece.

So, all together out of a possible 202.5 hours of this Sitting — and this doesn't include any 10-minute breaks — 12 hours have been dedicated to ministerial statements. That's one and a half hours shy of three solid Sitting days.

Now, as for the state of the economy, Mr. Speaker, I appreciate the review of Yukon's economy through rose-coloured glasses, but it's not roses for all. Our economy is not doing well when essential workers are not making a living wage without government wage top-ups. Our economy isn't doing well when people can't afford their rent or their hydro bills and hundreds sit on affordable housing wait-lists. Our economy isn't doing well when our teachers and nurses are burning out because they are all understaffed. None of this is sustainable, even from a strictly economic standpoint.

Until we start measuring how well our economy is doing by how well working folks are doing, then all government is doing is listing off numbers, just like my minute-by-minute breakdown of ministerial statements.

Hon. Mr. Pillai: I would like to thank the Leader of the Third Party for her comments and analysis of ministerial statements. Also, though, I have to touch on the fact that I think that it is important that we provide this forecast. We have had a lot of individuals, companies, and leaders within the business sector as well as investors reach out, so I think that it is important information.

Concerning the comments from the Official Opposition, quickly — first of all — wow. Great to see some support, I guess, for the private sector and especially on cannabis. I am just reflecting on where the position of the Official Opposition was when the legislation was coming through. Concerning the hospitality sector, we continue to provide our business relief programs which support them, if they are in challenging situations from a revenue perspective.

The Yukon Energy Corporation is looking to increase the power rates by 11 percent — simply not true. It was corrected already. So, sad that this misinformation continues to be shared. Then again, I guess, on meaningful consultation — there are some big projects that we continue to work through, and meaningful consultation also means working with the business sector. It also means that there are other governments in this territory, and they are First Nation governments, and you have an obligation to consult with them too — maybe not the same as it was in the past.

So, happy, again — Mr. Speaker, I think it's best if we just — I am going to touch on a few comments that really reflect on the work of the Department of Economic Development. Private sector partners — some of the thoughts that they have shared over the past months — and this really speaks to the public service. The chair of the Business Advisory Council told us back in the spring — and I quote: "It is increasingly obvious that your team's work on getting the standard setting business relief grant out quickly, has had a major impact in keeping certain businesses alive, and you and your entire team are to be commended on this work." It is really the Department of Economic Development.

Also, he said — and I quote: “The proactive responses by Yukon territorial government, which we believe are indicative of a greater level of concern for businesses than in some other areas in Canada, are responsible for us being in a slightly stronger position than our northern peers, and I sincerely believe that Yukon will reap dividends for their level of forward thinking.”

Also, from the chair of the Tourism Industry Association, he said, “We have the best relief programs in the country.”

Mr. Speaker, we are seeing a bit of cheering against Yukoners here again, especially with the comments around the mining sector. I think that we have great leaders there and that we are in a good position going into the spring of this year.

From our conversations with the private sector, we know that Yukon is destined for great investment. Companies are looking to invest in the Yukon Territory as a place of opportunity, in part due to strong, collaborative relationships with First Nation governments following many years of legal battles and uncertainty. We have seen positive GDP growth every year that our Liberal government has been in office. This is a big change. We know what the numbers looked like back in 2015.

I want to thank the private sector for showing such strength and resiliency through the pandemic. I know that it has not been easy to adapt this year, but you have shown remarkable determination in the face of adversity.

I also want to thank the many dedicated public servants who have worked tirelessly to administer the relief programs over the past several months. The strength of our economy reflects the efforts of so many people, Mr. Speaker, and I just want to express deep gratitude on behalf of my colleagues and me.

I encourage all Yukoners to continue to support local businesses and organizations. Please get out, order some food, hit a restaurant, and shop local in these last couple of days. Again, I want to thank my colleagues. Today, we have zero active cases, which are the best numbers in the country.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Access to information

Mr. Cathers: Mr. Speaker, the *Access to Information and Protection of Privacy Act* requires government to respond to a request for information within 30 days. They have an option to extend the deadline by 30 days two times. On August 22, 2019, we submitted two ATIPP requests to government. On December 15 of this year, we finally received a response to one of our requests; that is 391 days late. This morning, we received a response to the second request; that was 398 days late. Not only is this not compliant with the act, it's ridiculous, and the only reason that we even got anything was because we filed a complaint with the Information and Privacy Commissioner.

This government talks a good game on access to information, but it's becoming clear that they are not giving the

resources necessary to departments to actually meet those obligations.

How do the Liberals justify being nearly 400 days late on an ATIPP request?

Hon. Mr. Silver: I will take this information from the member opposite under advisement. Of course, as the member opposite knows, caucus does not control the ATIPP request. There is a whole department and team that does that, and we are not privy to that information. At the same time, we do know that there are timelines and we will look into those timelines for the member opposite.

Mr. Cathers: Well, that's a pretty weak response. Let's go to another question.

A local reporter filed an ATIPP request in November 2018, and the government has still not handed all the documents over. As a result, they've filed a complaint to the Information and Privacy Commissioner who began looking into it, but they found the government uncooperative and non-transparent. Frustrated by the government not living up to its commitments of transparency, on December 18, the reporter posted on social media — and I quote: “It's been two years and 11 days.

“My complaint is now a toddler and at this point I'm wondering if I should start looking for openings at pre-schools.”

Now the commissioner has resorted to an inquiry in January to get the government to release this information. This is another example of the Liberal government talking a good game on openness and transparency, but when it comes time to put their money where their mouth is, they do not deliver.

How do the Liberals justify this continued fight with the Information and Privacy Commissioner?

Hon. Mr. Mostyn: I'm happy to talk about ATIPP — access to information and protection of privacy — this afternoon. It's an issue of importance to Yukoners. I know this, Mr. Speaker, because I actually used the former act in a former role and knew its shortcomings and its warts and wrinkles and how it had been amended to make this government one of the most closed governments in Canada.

When we came to power, we took action to rewrite, from head to tail, the ATIPP act, and we did that important work because we heard from Yukoners and knew that they wanted access to their information. This government is a repository of public information, and we want to make sure that we get it into their hands.

Now, the member opposite knows that Cabinet and caucus do not control ATIPP and do not look over these requests. If there are concerns about ATIPP, I'm happy to bring them up with the department, but as the members opposite know, we have rewritten the ATIPP act. It will be clearer and more robust. We're having more resources put into the provision of access to information, and the regulations to enable that act are coming before this Cabinet very shortly.

Mr. Cathers: Mr. Speaker, again, nice talking point for the minister, but four years in office and the government has gotten worse on transparency under this Liberal government and under the minister.

During Right to Know Week in October of this year, the Information and Privacy Commissioner wrote an open letter in local papers. In that letter, she said — and I quote: “I know that those processing access to information requests are doing their best. It is not their fault that they are struggling to process these requests in accordance with the requirements of the ATIPP Act. The system is faltering because there is a lack of commitment by those at the top of Yukon government public bodies to ensuring that the access to information programs within their respective departments are functioning properly.”

I know that the Liberals don’t like it sometimes, but they are the ones at the top and they are the ones responsible for this problem. They are the ones who the Information and Privacy Commissioner was admonishing.

So, will the Liberal government finally give public servants the resources and direction that they need to start living up to the government’s commitments to be accountable and transparent?

Hon. Mr. Mostyn: As I said, Yukoners take the information that this government holds and the protection of their privacy very seriously. We heard from Yukoners that they wanted better access to their information. Mr. Speaker, we found when we came into government that a lack of focus — a lack of attention — had been paid to the information resources of this government. So, we have bolstered that. We have rewritten the ATIPP act. We are getting more public information through the open data repository. I just heard — close to 21 legislative returns. Mr. Speaker, we’re putting reports and tables before the people of the territory. We’re answering the questions, and we will continue to do that, Mr. Speaker.

It is a little rich coming from one of the most closed, most repressive, information-clutching governments that we’ve ever seen — to have them chastising us for our information provision. We will continue to get the information and data of this government into the public’s hands. That’s what we committed to do; that’s what we’re doing, Mr. Speaker, and we’re happy to do that because it is the public’s information.

Question re: Early learning and childcare programs

Ms. McLeod: On July 15, the Premier announced that the Liberal government is developing a universal, affordable, early learning and childcare program modelled after the Québec system.

At the time, the Premier committed that he would release the details of this program in the fall. Well, winter solstice has come and gone and, with it, the commitment that the Premier made this summer.

So, can the Premier tell us when he’s going to live up to his commitment to release the details of the new childcare plan?

Hon. Ms. Frost: I would be happy to speak about early learning childcare and the great work of the department. I just would like to take a moment to acknowledge the department for doing such an exceptional job and pulling together the details. Of course, we would not be where we are had we not had the support of the department looking at the best practices across

the country and investigating the priorities and looking specifically at ensuring high-quality childcare, and the earliest stages of children’s development is key to success.

Earlier today, we spoke about K4. That is part of the discussion that we are having as well. Early learning and, of course, universal childcare is a key priority for this government. We committed to doing that and we will endeavour to make that happen. That is our focus and we want Yukoners to know that it is in our vision and we aim to implement it.

Ms. McLeod: And no answer to that question.

So, Mr. Speaker, the worst-kept secret in the Yukon is that the Liberals were planning to call an election this fall and that is why they made this commitment. They never actually intended on having a detailed plan in place by the fall, but they hoped to include it in their platform. The only problem is that they got cold feet about the election.

Now they have officials scrambling to get a plan together. The problem with that is that rushing a massive new childcare and early learning program is the wrong way to go about it. They need to consult with the people working in the field.

So, will the minister commit to ensuring that they adequately consult with experts in the field before rushing out a flawed program?

Hon. Ms. McPhee: I think that it is incredibly important that Yukoners have accurate information about this initiative being brought forward by our government and the commitment that we have made to develop early learning initiatives and early learning plans for the benefit of Yukon children.

The *Putting People First* plan recommended that the government work toward a fully-funded, universal, early childhood education. That work was already underway at that time, in the conceptual phases. The panel also recommended that, over the early learning years, that the file be transferred from Health and Social Services to Education. We will ensure that early learning services are coordinated at all levels, which is key to the planning for this process, including the transition into preschool and primary school years.

The Department of Education and the Department of Health and Social Services are working in earnest and collaboratively in an effort to introduce an affordable childcare model for the Yukon using the Québec model and best practices in the industry as a guide. We are working with our partners to do so — including Yukon First Nation governments, education stakeholders, Yukon Childcare Association, Yukon Child Care Board, the Yukon Teachers’ Association, and school councils so that this work can be done properly, to the benefit of Yukon children.

Ms. McLeod: For a government that ran on a platform of “Be Heard”, this government sure has struggled with listening. They have refused to consult businesses about their new procurement policy. They’ve failed to consult school councils about school reopening, and most recently, it seems that they haven’t consulted with the early learning and childcare groups about changes within the family resources unit. So, Yukoners can be forgiven for questioning their commitment to consultation. What has become clear about their

plans for childcare and early learning is that they depend entirely on what the federal government is willing to fund.

Can the Premier confirm that the new childcare plans are entirely contingent on receiving support from the federal government?

Hon. Ms. Frost: Where I would like to start is by acknowledging the communities and acknowledging the childcare centres, acknowledging the good work and the vision that they had and the contribution that they've put into *Putting People First*. The recommendations came out in May — not a pre-election platform — the commitment came out in May and it came from Yukoners.

The Member for Watson Lake should well know that her community has a childcare centre that certainly was not supported historically by the previous government — fundraising, trying to make funds, make ends meet — the efforts of putting that childcare centre back in operation by working with the executive director and modelling a best practices effort going forward and working together with various departments.

Mr. Speaker, we recognize the importance of childcare for Yukoners and the need to improve children's learning outcomes and opportunities, and the work toward universal childcare and other initiatives that have been underway since the spring is not something that has just come to light. The extension of the early learning childcare initiative over the course of this last few months is an indication that we are moving in the right direction and we are looking at the integration of K4. We are looking at universal childcare and best practices to ensure that every child is supported in the Yukon.

Question re: Opioid crisis

Ms. White: Across the Yukon, we're experiencing the COVID-19 pandemic. At the same time, our communities are experiencing the trauma of an increase in drug overdoses and deaths.

In the first five months of this year, Yukon reported 13 deaths related to opioid and fentanyl overdoses. According to Yukon's chief coroner, these deaths occurred across Yukon communities and many were adults in their 20s and 30s. Sadly, some died alone. These folks represent more than just numbers — they're Yukoners. They have names. They're someone's family members, someone's friend, and they're our neighbours.

Since May, when the 13 deaths were first reported, can the minister tell us how many more overdose deaths have been confirmed and how many suspected overdoses are still being investigated?

Hon. Ms. Frost: I couldn't agree more. Certainly, it's tragic whenever we lose an individual in the Yukon. It's sad in communities that experience this loss as a result of the opioid crisis as a result of pressures. With respect to how many more deaths have occurred, I certainly don't have that number in front of me, but I would be happy to endeavour to get that information.

Ms. White: I look forward to that response.

Last week, we had the opportunity to ask the chief medical officer of health questions about the increased number of opioid deaths. He spoke about the outreach van that has expanded their services and now offers fentanyl drug testing. Dr. Hanley said that he supported safe consumption sites, but the caveat for him was the need for further discussion around questions such as: Where should it happen? How should it be run, and who should run it? What are the staffing models? Dr. Hanley also discussed the need for more rural capacity for harm reduction.

Mr. Speaker, can the minister tell us what work this government is doing to support harm reduction specifically in rural communities?

Hon. Ms. Frost: With regard to the actions related to opioid safety and of course ensuring safe supplies across the Yukon, ensuring that we reduce the opioid crises, eliminate as much as we can the serious harms and effects that it is having — knowing that we are in the middle of a pandemic and we're seeing increased stresses — I shudder to think about how many more unfortunate deaths we would have had we not had the supports of the mental wellness hubs and the supports of our communities.

I just want to acknowledge also that we have our supports and our drug-testing services through Blood Ties Four Directions through their location on Ogilvie Street and, of course, through the outreach van and now at Housing First. So, we are expanding the services. We are working very closely with our partners to ensure that we have all the supports that are readily available as much as we possibly can to eliminate any further incidences.

Knowing that we are coming up against the holiday season, we are ensuring that we are working even more closely now than we have been in the middle of a pandemic, ensuring that we have the necessary naloxone kits out there and providing further supports as required.

Ms. White: Unfortunately, deaths don't just happen in Whitehorse and I was looking for the government's response to supporting harm reduction in rural communities.

So, Blood Ties Four Directions is one organization in Whitehorse promoting harm reduction programs such as offering drug testing for toxic levels of fentanyl, needle exchanges, and training and distribution of naloxone kits for the public.

Since the 13 deaths were announced, the president of the Yukon Medical Association pointed out that a safe consumption site could be lifesaving in Whitehorse. In fact, we have seen this lifesaving program and policies in action in British Columbia for a number of years.

Mr. Speaker, what steps is this government taking now to offer safe consumption and safe supply in Whitehorse, like we have seen in British Columbia?

Hon. Ms. Frost: I couldn't agree more with the member opposite with respect to supports in the communities. We have been working very closely with Blood Ties Four Directions to increase supports in our rural Yukon communities, which they have agreed to, and we are working with them on that.

We are also in conversation on ensuring that we have added supports here in the city — safe consumption here in the

city. Wet shelters are always in the conversation, of course, with the chief medical officer of health. It is certainly something that we would endeavour to pursue with direction and with support from our partners.

Question re: Queen's Printer Agency and Central Stores services

Mr. Hassard: So, in October 2019, the Minister of Highways and Public Works picked a fight with the public servants when the Liberals decided to close Central Stores. At the time, the minister refused to meet with the employees and they were only given a heads-up that their jobs were going to be affected minutes before the public announcement went out. The minister claimed, without evidence, that getting rid of Central Stores would save the government \$1.2 million. However, the 2019-20 Public Accounts reveal that the minister's decision not only didn't save the government money, it actually ended up costing the government \$138,000.

So, can the minister tell us how his cuts to the public service that were supposed to end up in savings actually ended up costing taxpayers money?

Hon. Mr. Mostyn: Now more than ever, Yukoners need consistent leadership and accurate information. Consistently, Mr. Speaker, we are seeing a lack of clear or accurate information coming from the opposition benches. I just heard the Official Opposition leader say that we cut the civil service. We did not cut the civil service. Every single employee working within the civil service is still working in the civil service.

We did do what we said we were going to do with the Financial Advisory Panel. I don't know if the members opposite agree with the recommendations of the Financial Advisory Panel, but they said that we should look at our services and provide the services that we need in the best way possible.

We have actually focused the work of Central Stores and the Queen's Printer. We now have print shops that are lauding our government for the work that they are getting out of this government. We have made sure that every civil servant working at the Queen's Printer and Central Stores retained their positions in the civil service. We are proud of the work that we are doing on this file, Mr. Speaker. We will continue to work in the best interests of Yukoners on so many other different files.

Mr. Hassard: I will remind the minister that the Public Accounts tend to be pretty accurate, so I think that he had better reconsider that statement.

At the time, the minister sold the narrative of privatizing Central Stores as a cost-saving of \$1.2 million. We know from the Public Accounts that the write-off for Central Stores actually ended up costing taxpayers money. In fact, the fight that the minister picked with the public service actually ended up costing taxpayers at least \$138,000. At the time, the minister said that, as part of his decision to make cuts to Central Stores, there would be \$300,000 in savings in personnel costs. Well, looking at the Public Accounts, we see that the Department of Highways and Public Works actually went overbudget by

\$2.4 million in its operation and maintenance budget, which would cover personnel costs.

Can the minister tell us why his alleged savings are reflected nowhere in the Public Accounts?

Hon. Mr. Mostyn: Again, Yukoners demand consistent leadership and clear information. What they are getting is spin, chaos, fear, and discord under the guise of opposition.

Well, here's what Yukoners need to know. Our government is improving service delivery and providing better value for taxpayer dollars by modernizing the way that we do business. We are reducing the number of steps that it takes to order goods and eliminating the costs of storing and holding products.

By closing the agency, we eliminated the long-term storage of a wide variety of supplies, and we contracted out printing that used to be done in the Queen's Printer Agency while maintaining the function of confidential printing. The central purchasing unit within the Supply Services branch remains a key department function and will continue to serve the Yukon government by taking orders for supplies from departments and arranging their delivery.

The change to service delivery has resulted in an almost \$1.6-million reduction in ongoing costs. This is money that we will then use to put in early childhood and daycare. We will hire more nurses and doctors. We will provide the services that Yukoners need with the savings that we are realizing. We are realizing savings, Mr. Speaker. The members opposite just do not understand the principles.

Mr. Hassard: Yet the Public Accounts show that it actually costs the government an additional \$138,000.

You know, during the pandemic, many departments and public servants have indicated that purchasing goods such as hand sanitizer and personal protective equipment in one central location is preferable. However, on the eve of the pandemic, the Minister of Highways and Public Works cut the government's Central Stores. This left many departments scrambling early on in the pandemic. We've learned that at least one department has been forced to set up their own distribution system for PPE during the pandemic, so it seems that the minister broke something that certainly did not need breaking.

So, can the minister confirm if individual government departments are setting up their own version of Central Stores to replace the branch that the minister cut? If so, how much is this costing taxpayers?

Hon. Mr. Mostyn: Again, what we've seen on this closing day is exactly what we've seen throughout this entire session: wild innuendo, speculation, chaos, discord, and hypothetical speculations.

Mr. Speaker, I would like this afternoon to thank the hard-working staff at the Department of Highways and Public Works. The folks there have worked through all of their regular work, they have worked through the pandemic, and they have worked through the longest session in Yukon history.

Mr. Speaker, sustaining this democratic institution has been an absolutely enormous task for the entire civil service. I want to take a moment — on top of everything that they have done this season — to thank them from the bottom of my heart

for the support that they have provided this government, the opposition, and the people of the territory under extraordinary circumstances.

I think that they deserve our thanks and I think that they deserve our support. I really hope that they take this Christmas season to get some rest because they have worked harder than I have ever seen people work over the last nine months.

Question re: Mining sector development

Mr. Kent: I have a series of mining-related questions for the government.

So, on the heels of this year's Geoscience Forum, the Liberals denied permits to ATAC Resources for a tote road into their project north of Keno City. This, of course, was after the company received a favourable recommendation from the YESA board in 2017, only to be saddled with the need for a sub-regional land use plan a year later, which the minister at the time described as a "new way of doing business".

Others have described it as creating uncertainty in our permitting process. The company actually put out a press release questioning whether or not the Yukon was indeed open for business.

So, what message is the minister giving to companies, shareholders, and investors about the Yukon in the aftermath of his decision to move the permitting goalposts for this project?

Hon. Mr. Pillai: I think it is important to start off by just thanking the staff at the Department of Energy, Mines and Resources. As I think about the spring and the exploration season that we had — the many, many late nights that folks worked so effectively and efficiently to ensure that we looked at our alternative isolation plans — even helping out companies from the Yukon that were working in northern British Columbia — I want to thank those — lots of late-night calls and a lot of folks working very, very hard. I think that, really, that is what we should be sharing — and what we do share with the investment world — the fact that — whether it is Energy, Mines and Resources or the folks on the ground in the ecosystem — prospectors, drillers, you name it, and the many associations that support it — folks are only a phone call away. They understand the importance of this particular sector — what it did in this last year, as it was reflected upon today — and the fact that it is important that you put the time in for the respectful relationships and you understand the structure and governance of the Yukon. When we see that done, we see good, responsible projects put forward.

Mr. Kent: Companies that are active here are looking for consistent and predictable permitting, which has been undermined by this decision by this minister.

Another issue that is outstanding from this Liberal government is the four-year-old promise by the Premier for a commitment that he made to the Yukon mining industry to develop a collaborative framework with respect to timelines and reassessments of projects. We have consistently asked questions about the progress of this work and we have continually been met with excuses, deflections, and, of course, the ever-popular blame game.

Can the Premier tell us what will come first — a completed collaborative framework, or the next election?

Hon. Mr. Silver: I want to take this opportunity — as my colleagues are doing — to thank the public servants in ECO for all of the work that they have been doing on the YESAA reset oversight group, for example. Through the work of ECO, and in partnership collaboratively with our government, we have a joint effort — not only internally, but with the Government of Canada as well and Yukon First Nations — to collectively speak about efficiencies and ongoing improvements on the YESAA process. I know that is alien to the members opposite. They took Bill S-6 directly to Ottawa without the First Nations' blessings. But here on this side of the Legislative Assembly — whether it is the mining MOU or the YESAA reset or responding to the litigation that we were left with from the previous government — we have an obligation to First Nation governments to make sure that we are working with them in partnership.

As part of the mandate, the oversight group is considering changes to YESAA and/or its regulations that will address the amendments and renewals of existing projects in an effort to reduce unnecessary assessments. We've been working very hard in that capacity.

The government, with the Council of Yukon First Nations, has written to Canada to request a review of the *Yukon Environmental and Socio-economic Assessment Act* to address whether or not the assessments are required throughout the authorization as amended or renewed. We met with the chairs of the Water Board and YESAB together. I don't think that the members opposite ever did that and I don't think that they ever really talked to the First Nations as much as we have when it comes to this important industry.

Mr. Kent: I guess the answer to my question should have actually just been: "Next election". The Liberals are zero for two in answering questions here today with respect to mining, so I'll give them another shot.

There is currently over 50 percent of the Yukon off limits to mineral claim staking. A healthy and sustainable mining industry needs the ability for new claims to be staked. Two large areas that are off limits to mineral staking are the Kaska traditional territories of the Ross River Dena Council and Liard First Nation.

Can the Premier update this House on negotiations for when those blanket staking bans will be removed?

Hon. Mr. Silver: I wonder why we're in that situation that we're in with Kaska. I think there were some litigation questions that were outstanding from the previous government. But, Mr. Speaker, what we've seen — and I'll give credit to the Minister of Energy, Mines and Resources and the Minister of Environment, as well, for coming together collaboratively with ECO as well when we talk with First Nation governments, when we talk to proponents, when we travel internationally to drum up business for the mining industry.

You have a government here that is committed to working with First Nation governments — unlike the previous government — when it comes to our resource industry. You have a government here that is going to take the time it needs

to take to make sure that we have a strong industry. But at the same time, I'm so proud of the work that this government has done to diversify the portfolio in Yukon — whether it's through the process with the YuKonstruct folks, tourism industry strategies that have never happened before, working with the municipalities through Community Services, or the work that we've done with the Yukon Forum to unite and to communicate with First Nation governments.

I'm extremely proud of the work that we've done in this 34th Legislative Assembly. The members opposite are pining away for an election. We're still busy working, Mr. Speaker.

Speaker: The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

ORDERS OF THE DAY

Hon. Ms. McPhee: I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Speaker: It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Motion agreed to

Speakers leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Mr. Adel): I will now call Committee of the Whole to order.

The matter now before the Committee is general debate on Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Deputy Chair: Committee of the Whole will recess for 15 minutes.

Recess

Deputy Chair: Committee of the Whole will now come to order.

Bill No. 16: Act of 2020 to Amend the Condominium Act, 2015

Deputy Chair: The matter before the Committee is general debate on Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*.

Is there any general debate?

Hon. Ms. McPhee: Thank you very much, Mr. Deputy Chair. I'm just asking our officials to get comfortable and take their seats. I will ask my colleagues to welcome Peter Morawsky, the managing counsel of the solicitors' group with the Department of Justice, and Abdul Hafeez, who is our policy development officer at the Department of Justice, having worked on this particular bill. I welcome them both to the Legislative Assembly and thank them for their assistance this afternoon.

This is Bill No. 16, Mr. Deputy Chair. The government is pleased to bring forward the *Act of 2020 to Amend the Condominium Act, 2015* for discussion at Committee of the Whole.

I just have a few remarks which might alleviate some of the questions and then we're pleased to address questions the opposition may have with respect to this particular bill. The *Condominium Act, 2015* was developed as part of the land titles modernization project with the participation of Yukon First Nation governments, real estate lawyers, surveyors, and the business community as well as condominium owners, the federal Surveyor General's branch, the Law Society of Yukon, the City of Whitehorse, the Association of Canada Lands Surveyors, and the Government of Yukon.

The act was passed in May — the original *Condominium Act, 2015* — not original. The *Condominium Act, 2015* which Bill No. 16 will amend was passed in May 2015. Three years later, a public engagement was held. There were no regulations put in place in 2015 to accompany that piece of legislation. So, when work began on developing those regulations, public engagement was held from December 2018 to March 2019 on the concept of regulations and draft regulations.

Stakeholder and public engagement efforts in the draft regulations made it clear, Mr. Deputy Chair, that in order to operationalize the regulations and to ensure consistency with legislative developments in other Canadian jurisdictions, some amendments to the act were necessary, and that bill brings us to Bill No. 16.

The amendments before us are a result of engagement feedback and the recommendations of an independent consultant and reflect the practices in other Canadian jurisdictions. To respond to the recommendations and engagement feedback on the draft regulations and the concepts of what should be in those regulations that were received over the past few years, changes are required to Yukon's *Condominium Act, 2015*. The proposed amendments to the *Condominium Act, 2015* seek to provide a balance between economic development objectives and consumer protection measures.

I would like to provide the members and Yukoners with a brief overview of the key provisions of Bill No. 16. To begin, the proposed amendments modify insurance requirements to create greater flexibility for condominium corporations to respond to the changing insurance market. The amendments will also establish a clear reserve fund process and system for pre-existing condominiums, new condominiums, and condominiums that are in various stages of development. Additionally, the proposed amendments will modify voting entitlements and proxy voting and will clarify rules related to condominium liens.

Furthermore, these amendments will modify timelines for developers and purchasers in terms of the delivery of documents and funds, provide for a legislative framework to create and manage mixed-use condominiums — which is an important development here in the territory — establish special requirements for bare-land condominiums, and determine what type of condominium developments will qualify as

“substantially completed” in pre-existing condominiums. Those are all quite technical changes, but necessary in order for proper regulations to be brought in to enhance and give life to the *Condominium Act, 2015*.

Lastly, Mr. Deputy Chair, the proposed amendments provide transitional provisions to allow owners and developers an opportunity to prepare for and implement the new legislative requirements, such as those pertaining to insurance, reserve funds, timing of agreements, and management contracts. So, there is a transitional period here so that condominiums that are currently in existence or are being developed or are in the process of planning to be developed will know the timeline for the implementation of Bill No. 16, should it pass, and the regulations coming.

The items presented today exemplify the highlights of the proposed amendments in Bill No. 16 — a bill that our government is pleased to bring forward so that regulations can be brought into force and effect, give life to the *Condominium Act, 2015*, and resolve a number of issues for developers, condominium owners, and those in the future business of this type of housing project for the Yukon Territory.

I thank the Members of the Legislative Assembly for the opportunity to review those changes and I look forward to any questions that they may have.

Mr. Cathers: This is the last day of the Sitting and we have had very little chance to debate the Department of Health and Social Services, which is not only the largest department financially in government, but also one that is vital to the territory — especially during a pandemic. So, in the interest of getting to the Department of Health and Social Services later today and asking questions there, I will not be asking any questions at this point in time on the legislation and I will cede the floor to the Member for Whitehorse Centre.

Ms. Hanson: I thank the minister for her comments. We last spoke to this bill on November 9, and it’s unfortunate that we’re actually having this discussion this late in the game of this Assembly. I think that it was somewhat of an understatement to say that there are “some” amendments to the act, as I understand that there are 134 amendments to the legislation. As we discussed on November 9 when reviewing some of the issues, concerns, and questions that we felt — and still feel — needed to be addressed, key is the whole issue of regulations.

The minister pointed out in her opening comments this afternoon that the act of 2015 — there were no regulations, and work began three years later over the period of 2018-19, and it was in that course that they identified that amendments were necessary. On November 9, I asked the minister to confirm the timing of regulations and what work has been done — because, as I said at the time, the documents that were prepared by officials were very good. There was a series of summary documents and a summary of the proposed condominium regulations under the *Condominium Act, 2015*. Those documents are quite comprehensive. But it boils down to this act, and all the work that has been done over the last number of years by all of the people who were enumerated — individuals, groups, as well as public servants — will be for naught if we

don’t have a timeline for regulations. All the transitional provisions and all the new improvements to this legislation will be like, “So what?”

So, I have asked this question before about other legislation that we have debated in this Legislative Assembly. It is unfortunate that we have some pretty — there has been some decent legislation passed, but it’s useless unless it comes into force and effect.

So, can the minister — for the record — give this House an indication — before getting into any detailed questions with respect to the proposed amendments and the proposals for regulations — of what the timeline is? Have the regulations been developed in tandem with the development of these 134 — that’s what my notes tell me — amendments to the *Condominium Act, 2015*? If they have been done in tandem, then that may provide some relief to those who have been anticipating this work being completed and the changes being brought into effect.

As we discussed on November 9, the impact of the delays is more than just the good governance that is outlined in the proposed amendments. There are significant financial risks associated with the delaying of the reference to the transitional provisions even further when we see condominium corporations that do not currently have adequate reserve funds and the transitional provisions that would allow them to extend — as I recall from the minister — by special resolution but on an annual basis — that could be another 10 years. There are some corporations that will not have adequate reserve funds because they have been already in place for a number of years. There is a risk collectively and to individuals.

So, before I move into any other questions, I would very much appreciate, for the record, having an update and some information as to what we’re looking at with respect to the timing of regulations.

Hon. Ms. McPhee: Thank you to the member opposite for the question. I think that we have talked many times about regulations being aligned with legislation and the importance of that. She and I clearly agree on that as an improved process going forward.

The information that I have is that the schedule for regulations to be completed is the spring of 2021. I have May — other people think that maybe spring is a bit sooner than that — but April or May 2021 is the goal.

As part of the question, there was a notation that the work began several years after the act, which was the reference to the engagement that began in 2018. I should say that the work began immediately upon me being given this file because I was aware that the *Condominium Act, 2015* was an important piece of legislation that had been passed in 2015 and that there had been no regulations developed. Work began when I first had the privilege of being given this job. It was through that work between 2017 and 2018 that it became clear that a number of the recommended regulations for implementation of this legislation were not supported by the act that was drafted at the time.

It became evident that, in order to put in place the regulations that are contemplated here, changes needed to be

made to the 2015 piece of legislation to come up to best practices in Canada and address a number of the issues that I mentioned earlier. As part of that process — and the implementation committees and the consultation that took place with respect to this project — regulations were being drafted along the way because that was the way in which it became evident what changes needed to be made.

A first draft of the regulations was shared for feedback in December 2018, and we will continue the work. The work has continued with the Land Titles Office Stakeholder Advisory Committee to finalize the regulations — so between now and the final version in the spring of 2021.

What I want to also say is that, with all good intentions, we will meet the deadline or the timeline set out for those regulations in the spring of 2021, but I should also emphasize that work is being done with the stakeholders advisory group and with industry. They have indicated that, while the regulations should be completed at that time, a transition period of implementation is recommended so as to not adversely affect the building seasons.

No decision has been made, but conversations have been had with respect to the idea that the regulations would be completed, but they would come into force and effect likely in the fall of 2021 for the purposes of making sure that everybody is properly educated about the changes. There will still be transitional provisions in the bill and in the regulations. They are in this bill and will be in the regulations — but nonetheless, the idea being that, even though they may be finished in May, they probably won't be implemented until the fall upon the recommendation of industry folks and their working schedule to not adversely affect projects that might be in the middle of being built over our short building season.

Lastly, I think there was a question regarding the reserve funds. I'm just going to take a moment to obtain the information that was related.

What I understood to be a question about reserve funds, or it may have just been a comment by the member opposite about — that's one example of something that's going to take a while. I can respond to that if she wishes or I can take my seat and, if she has a question about those, I can go there.

Ms. Hanson: I do want to speak about the reserve funds. I want to posit a question with respect to that. It may be what the minister is going to respond to.

One of the underlying concerns that I've heard from some is that the proposed regulations change the contribution by developers — the percentage that's required to be contributed to the reserve fund by developers — from, I believe — and the minister can confirm this — six percent.

The reason that I'm being a little bit vague on this is that, as I said before, we have a 156-page act and 80 pages of amendments. I'm not trying to go through clause by clause because I can't possibly do that. As I had said before, we don't have a crosswalk between the old legislation or the current legislation and the proposed amendments.

If the delay is to facilitate several large constructions that are being done — currently on the market — and so they wouldn't get caught in that cycle of having the larger

contribution — I am trying to figure out what would be the interest in seeing that delay.

If the minister could explain the changes being proposed with respect to what is currently expected of a developer of a condominium — in terms of contributions to the reserve fund — so the current — and what is going to be required under the proposed regulations.

Hon. Ms. McPhee: Thank you very much, Mr. Deputy Chair, and thank you for the question.

I am going to restate what I understand to be the question, which is basically why developers are required to contribute 25 percent of the estimated common expenses in a reserve fund, which is a change. I will see if I can address that and whether that answers the question.

Currently, the *Condominium Act, 2015* provides for three types of calculations to determine a developer's contribution to the initial reserve fund. The act requires that a developer make a payment to establish the reserve fund when the first unit is conveyed to a purchaser. This is the current legislation.

The timing of the first conveyance determines the amount that the developer must pay. If it occurs within one year from the deposit of the condominium plan, the developer's minimum contribution, at this time, is five percent of the estimated operating expenses in the interim budget multiplied by the number of years, or partial years, since the deposit of the condominium plan — not terribly clear cut.

If the first conveyance occurs after one year from the deposit of the condominium plan, the act requires the developer to contribute up to 25 percent of the estimated operating expenses in an interim budget, depending on several other factors.

In the draft regulations, we propose that the contribution — again, the draft regulations are not before us, but this is I think what is being asked — to the reserve fund in the first interim budget should be an amount equal to at least 0.6 percent of the total asking sale price of all the units, calculated as of the day that the first unit is sold — so it is a little more certain based on the amount of units that will be sold. In other words, that would mean that an amount greater of five percent of the operating costs or 0.6 percent of an amount equal to the total of the asking sale price of all the units. That would be calculated at the time of the sale of the first unit.

Mr. Deputy Chair, we received feedback from a number of stakeholders that, while they agreed in principle that the developer should provide the initial funding for the reserve fund, the amounts proposed by the regulations would result in an unrealistically high initial contribution that developers would not be able to achieve. Therefore, the proposed amendment will simplify the calculation to determine the developer's contribution to the reserve fund and will provide more confidence to the purchasers. Requiring the developer to establish a reserve fund by contributing 25 percent of the annual estimated common expenses to the reserve fund is more logical and simple — and, I would add, knowable — to the developer, as it allows the developer to determine their costs well in advance of a sale.

I have several examples, but I am going to stop there to see if that addresses the changes. In the past, there was a very complicated calculation based on a number of factors and based on some time when the first unit was sold to when the second unit was sold. There is an attempt here with all of the engagement that occurred to simplify that process to have the developer know up front the amount that is required to establish the reserve fund.

Ms. Hanson: I thank the minister for that. I understood from the summary documents that the government was proposing this 0.6 percent in terms of the value of all the units. If the minister then could speak to how the proposed regulations will serve to prevent a developer from underestimating so that the condo corporation is not left with a budget that is inadequate and then the baseline is set too low for the operation of the condo corporation, which can make it very challenging for a group of people who are just, first of all, coming together in a community to sort out.

I believe — but I ask to have it on the record — that the proposal is that there are some safeguards proposed to be built in. My purpose for asking these questions is to try to get them on the record because I think they're fairly important.

Hon. Ms. McPhee: This is an excellent question. The amendments that are proposed in Bill No. 16 would — there are amendments that would address the current section — what is currently section 141 of the *Condominium Act, 2015*. It directly addresses the situation that's being asked about here. Section 141, if it is to be amended, would indicate that the actual common expenses that are reasonably accrued by the condominium corporation would need to be done so that, in the event that the condominium corporation — they would pay their percentage into the reserve fund based on their estimated expenses. In the event that the estimated expenses are wrong or incorrect, they would need to pay the difference into the reserve fund, which would enhance their interest in making sure that their expenses are accurately reflected or their estimates are accurately reflected. If, for instance, the changes were made to section 141, it would read that — if the difference described in the section above is greater than 10 percent of the total estimated common expenses, the developer would be required to pay the corporation at the same time as the developer pays that difference of an additional amount calculated according to the regulations.

So, there would be — it's not called here a "penalty", but the provision is that they would be trying to estimate their expenses as close to reality as possible; otherwise, they would be required to pay the difference. If it's out by more than 10 percent, they would be required to pay an additional cost that will be set out in the regulations — so, encouraging, I will say, the developer's interest in making sure that those estimates are as close to the true expenses or calculations as appropriate so that they are not financially penalized.

I can make a reference for the member opposite to section 141 in Bill No. 16. It talks about adding certain wording. That wording would be added into the section of the act, which would give the effect that I've just described.

Ms. Hanson: I thank the minister for that. So, those penalties — or whatever they want to be called — the amounts that are identified that can go up to nine times the amount of the difference — if it is more than 35-percent skewed, according to the document. Is that going to be in legislation or in regulation? I am just unclear, when she was referencing section 141, whether she was suggesting that the method of calculating these differences would be set out in the legislation as an amendment to section 141, or if the intent is to have that reflected in regulations?

Hon. Ms. McPhee: The requirement for the condo corporation to properly estimate their expenses — and the fact that they would need to pay the difference if they do that incorrectly — will exist in the legislation. The additional amount that they might need to pay if their calculation is wrong by more than 10 percent will be in the regulation. That is the distinction.

Ms. Hanson: I thank the minister for that. With respect to reserve funds and establishing — we have talked about how they are going to be done, but the whole issue around transitional rules for reserve funds — in the notes that were provided to the public, it talks about — neither the provisions in the *Condominium Act, 2015* dealing with reserve funds nor the regulations dealing with them immediately apply to pre-existing condominiums. We had some discussion about this before.

There is a proposal for a three-year transition period, and existing condominiums — all the buildings that are currently around the territory that are condominium corporations — will be expected to have obtained a reserve fund report. Reserve fund reports, which we discussed, have to be done by a qualified person — and establish a reserve fund by that three-year anniversary.

Can the minister confirm that this is the only extension? As I recall, I thought that there was some discussion — that this could be longer than that. But is there only one three-year extension proposed in the amendments that we're talking about today?

I will come back to another aspect of that in a moment.

Hon. Ms. McPhee: I just want to make sure that we have the correct reference here. The reference that is being made by the member opposite indicated a three-year extension. Bill No. 16 changes that to a five-year extension, and I'm looking at section 133 in the bill which will amend section 239 of the act. That's on page 78 of the bill, if that's of assistance to the member opposite. It notes the change in the definition of "substantially advanced". In relation to a condominium corporation, it means that the necessary documentation has been developed under the former act. On page 79, it goes on to speak about the bylaws of a pre-existing condominium and then notes a number of other changes that are transitional in that section.

I can also indicate — I think it's under (g) in that section. Paragraph (2)(f) is replaced with the following: section 17 of the former act applies to sections 171 and 181 of the act and does not apply to any pre-existing condominium unit, subject to the later of the following — the day that is 18 months after

the day it comes into force and effect in relation to a particular type of insurance for a condominium. It goes on to talk about the insurance policies and does not note the changes in that section.

I want to say, Mr. Deputy Chair, that part of the difficulty in this — and I truly appreciate it for the member opposite as well as for anyone who is reading Bill No. 16. The member opposite has mentioned it before about the benefit of a consolidated piece of legislation where the actual changes are inserted into the act. Often — well, always — legislation is not amended in that way. When amendments are made to a piece of legislation, they exist separately to that piece of legislation, of course, which is why it's always difficult to make sure that you are reading the most up-to-date piece of legislation, until such a time as a consolidated act or a consolidated set of laws are published.

While I certainly will follow up with the department about us being able to make that available in an unofficial way, if it exists when work is this complicated, it's not generally the way in which that work happens. Clearly, you are reading things like "the insertion of these two words" into a piece of legislation that you may or may not have in front of you. I appreciate how complicated that is.

Let me do it this way. The proposed amendments do provide that pre-existing condominiums with the following types of transition assistance — so these will apply to condominiums that already exist if and when Bill No. 16 becomes law. These transitions are in place to help them comply with the reserve fund requirements, which I understand the member opposite to be asking about. Pre-existing condominium corporations that are 10 years or older on the day of the coming into force of the act are exempt from the reserve fund study for a period of five years. They will not need to do a reserve fund study for at least five years. After that period, those condominium corporations may waive the reserve fund study requirement annually through a special resolution. So, if a group of individual condominium owners choose — and they own a building that is more than 10 years old — to not do the reserve fund study, they may do that by way of special resolution going forward.

Pre-existing condominium corporations that are less than 10 years old on the day of the coming into force of the act are exempt from the reserve fund study for a period of five years only. So, newer condominiums will have to sort out how they are going to do a reserve fund study at some time after five years. They can do it sooner, of course, if they choose to, but they will have to do it after five years. I hope that is helpful.

I also have a note that, for condos that are older than 10 years, there could be a regulation developed, based on the information and advice that comes forward in the next number of months, that a later date for a reserve fund study could be prescribed in the regulations, but right now, it's five years and then they would have to make a special resolution each year after that unless the regulations provide differently. I hope that is helpful.

Ms. Hanson: I thank the minister for that. I understand it, and I guess that is what made me twig to it because the concerns that I had — and I still have a couple.

One is that you could have a situation now where a building is 10 years old — and so it's 15 years before you can waive it. There are provisions — and I hope that we can get to the parts about ensuring people's rights to have prudent management of a condo corporation. But it could be quite a shock to find out that, if you wait 15 years after a building to do a reserve study to find out what the actual costs of replacement — as it says, the reserve fund is for the repair or replacement of major components of common property and common assets like your roof, your exterior paint, your windows, heating systems, elevators, et cetera. Those are all very, very expensive. They all have an end-of-service life, and the reserve study identifies that and it identifies the cycle with which money should be put toward that.

I noted that, when the government's document was published — one of its public consultation documents — the draft regulatory summary for public engagement on governance reserve funds and general matters — the government was proposing that there be a three-year transition period. I'm wondering why it was changed from three to five years in what we see before us today.

Hon. Ms. McPhee: I think that this is, again, an excellent question and something that was worked on — clearly with careful thought — by the advisory committee. The question is: Why are condominiums 10 years old or older allowed the five years, and why was it changed from three to five?

It is important to note that the following types of pre-existing condominiums may require more time — and that was the discussion — for them to comply with the reserve fund requirements. Let's remind ourselves that, currently in the legislation, there are no reserve fund requirements. There are certainly condominiums much older than 10 years — maybe older than 20 years — here in the territory that will ultimately be affected by this, and the concept was to give them a bit more time to resolve that fact.

Again, this will be driven ultimately by the legislation but more clearly by the condominium owners because they can choose to have a reserve fund report done sooner than that or an assessment of what the reserve fund might be. Older condominium corporations that were built more than 20 years ago may be in need of substantial repairs or replacements, which is, I think, what the member opposite has noted. These types of older condominiums may require a large amount in their reserve funds, and it will be difficult to establish that in a short period of time — the idea being to give a bit more time for those owners to come to terms with that and to sort out how to achieve that reserve fund.

There are no reports or statistical data, unfortunately, available that can provide the current state of these older condominiums. However, discussions with the independent consultant and others, and research, showed that those types of condominiums may require substantial repairs and

replacements and, in order to come up with the reserve fund, a bit more time would be beneficial.

Secondly, some pre-existing older condominiums built on affordable housing concepts for Yukoners may have low-income residents, and they may face difficulties in paying a higher monthly condo fee to meet the reserve fund threshold in a shorter period of time.

So, there is some thought about making that period of time five years instead of three to ease that adjustment.

There may also be a situation — which is an important factor for consideration as well — that condominiums, as reserve funds as they have across the country, become more and more common and ultimately required by the legislation, there needs to be this transitional period for condos that don't have that kind of reserve fund, but ultimately they could also affect the value of an owner's property if it's determined, for instance — you're making a choice between buying into a condominium corporation where there is a reserve fund and you think that's a positive thing and you think there's some ability to help pay what those costs might be over time. Those who do not have a reserve fund and whether that could ultimately affect the property values — those things were all taken into account so that the transition could be as smooth as possible — not too long and not too short.

After five years, the annual review to grant an exemption annually to meet the reserve fund requirements allows unit owners of older condominiums to make more informed decisions. They can ultimately still decide not to have a reserve fund going forward or to waive the requirement for the report going forward — but ultimately, that's a decision made jointly by special resolution that will need to be made by the owners of that unit. At that point, the authority — or the power, really — in that decision-making shifts, when you have an older condominium, to the owners.

If I could just have one more moment to see if I can add anything.

I will add one more piece of information that has been provided to me, and that is that the owners in this type of situation of an older condominium could also choose not to establish a reserve fund through budget amendments, but the majority would have to do so at a general meeting and that ultimately — again, back to the concept that those decisions rest in the hands of the owners, but those also could affect property values. So, those are the people who should be making that decision.

Ms. Hanson: I thank the minister for that. I would ask the minister to clarify: If that's the course that was decided — not to do a reserve study — do the regulations or proposed regulations set out a threshold — so a higher threshold — with respect to members of the condo corporation deeming that they will waive the conduct of a reserve study after the requisite period of time has passed? It would appear to me, Mr. Deputy Chair, that many of the older condominiums, in fact, are probably what we would call "condo conversions". That has passed. Looking forward with respect to condo conversions — so, you own an apartment building and you want to convert it to condos — are you, as the owner of that building, pursuant to

the new regulations, required to assure that a reserve study has been completed as part of the sale and to ensure that it's adequately resourced prior to selling it? Again, it's like you're putting something on the market that already has a history as opposed to something that's new. So, I'm looking to see how condo conversions are anticipated to be addressed in the amendments as well as in the proposed regulations.

Hon. Ms. McPhee: That's another good question. There are two parts I think that are important to make distinct. Even if an existing building which is currently rented out as apartments, let's just say — or it could be a smaller building; it could be a house with three apartments or that sort of thing — ultimately, if he wants to convert it from being a rental unit into a condominium, the rules and regulations — the legal authority and the legal entity that is a condominium — would need to come into play under this legislation — or the *Condominium Act, 2015* — and it would actually create a new legal entity. So, despite the fact that the building was 10 years old or 40 years old or whatever it might be, the triggering factor would be the fact that it was being converted into condominiums, and then the condominium laws and authorities would apply to it.

The other part of the answer to this question is that those specific concepts of a conversion and what rules will apply are to be included in the regulations, but aren't in the current draft regulations. It is something that the advisory committee is still grappling with, but important to note — because the concept of changing some property from what is currently a rental or owned by one person into a condominium is about a condominium as a legal entity and the requirements of the owners to have value in that, and those concepts will be a new situation, regardless of whether the building is currently existing or if it is built new.

Ms. Hanson: I thank the minister for that. My reason for raising that was because it was referenced in the document that talks about condominium conversions as part of the regulations consultation that was published, and I had a further question. I mean, it does say that the reserve fund study is to be obtained for a converted condominium by the developer, and in many cases, the amount identified as required for the reserve fund would be higher than for a new building because it's old — as I said earlier — older, anyway. I look at the ones that I am aware of and they are significantly older. As I understand it, the onus is on the developer to obtain that reserve study for the converted building and to contribute to the reserve fund the amount recommended by the reserve fund study at the time the first unit is transferred. I am hopeful that this is something that the minister has directed that is a reasonable approach.

I have a question with respect to building assessment reports for converted buildings. I am quoting here — the Government of Yukon suggests that the regulations state that an approving officer for a public authority may require the developer to obtain a building assessment report. The report would be prepared by a professional engineer, a licensed or registered architect, or another person specified by the approving authority. I guess my question is: When we are looking again at the issues associated with something that was built in a time previous, why would the government be hesitant

to make it obligatory as opposed to permissive? Why would it be “may” as opposed to “shall” ensure that a building assessment be done by a qualified professional?

Hon. Ms. McPhee: I will see if I can make my way through this. I think that the question is about what is referenced in section 54(2)(i) of the current *Condominium Act, 2015* — not of the bill. I am going to look that up. It is unchanged by the adoption of Bill No. 16.

I will describe that this section relates to the developer’s requirement to disclose, and that is in respect of a converted building. It requires that the developer disclose, of course, information that they have and that the additional requirements will be set out in the regulations, but the actual legislation will be unchanged — if I can make a reference to that.

I also want to make comments with respect to — I believe that the member opposite is identifying some draft regulatory summaries back from November 2018, at which time a set of detailed summary documents were released that contained proposed provisions to be included in the regulations and sought feedback on those proposals. The issues that were identified in the draft regulatory summaries for public engagement are still being addressed in the regulations, but the concept of the developer being required to disclose certain facts with respect to the conversion of the details of that building will remain unchanged and live in the legislation.

Ms. Hanson: I understand that the issue I’m raising is — if I don’t know it, then I’m obviously not going to disclose it. The question I’m raising about conversion — the language and the notion that, rather than requiring making an obligation of somebody who is converting an existing series, condo, or apartments into a condominium to get a professional assessment so that then there is no excuse for not knowing that there’s mould or there is a faulty foundation or whatever. It’s really a direction that government takes as to whether or not they put that onus on the seller — keeping in mind that we have no homeowner protection in this territory, let alone for an old building.

It would seem to me to be reasonable to expect that, if somebody is able to make money by converting an existing building into condominiums, there should be some basic undertaking expected of them that they have a professional assessment of the integrity of that building.

Acting Chair’s statement

Acting Chair (Mr. Gallina): If it helps members, they can refer to me as the Acting Chair.

Hon. Ms. McPhee: I have “Acting Chair” written right here, sir — if I can remember.

Mr. Acting Chair, I take the member opposite’s point. The current legislation enables regulations to be made in relation to this. The final determination has not been made as to whether or not that will be a must, but I certainly take note of your concerns. I completely understand that anything that is available to the developer must be disclosed. I think that the likely regulation direction will be that they are required — in the concept of the conversion — to determine all of the

information that they can possibly ascertain so that we are not ultimately having converted buildings or converted condominiums that do not have the appropriate protection for owners.

Ms. Hanson: I thank the minister for that. I hope that the government will — or whichever government is in place at the time — err on the side of protecting those purchasers.

I have a question with respect to information certificates. In the summary documents, it talks about section 186(1) of the existing act — of the act prior to amendment — providing certain persons — for example, a unit owner or a mortgagee — the right to request an information certificate from the condominium corporation setting out specific information about the corporation.

The regulations would require that the information certificate include — in addition to the information set out in section 186 — the financial statements and budgets of the corporation for the current year and for the previous five years and any claim, order, or judgment filed or issued by the court against the developer or corporation.

One question is: Is it any judgment or claim against the developer specific to that condo corporation, or is it any judgment? What protection does an existing condominium owner have, or how do they exercise the rights identified in section 186(1) — currently absent the coming into effect of this five-year-old legislation? I raise this question because we have had people come to our office who have been unable to get financial statements from their condominium corporation. It’s hard to believe, but it is true — where information has been withheld by people who are actually legally owners, or part owners, of that condominium whole — the common.

What rights does a condominium owner in a condo development have as part of a corporation? Is section 186 just sort of hanging out there and it doesn’t do anything? I’m just curious. I can see how it would be beneficial when this legislation actually comes into effect.

Hon. Ms. McPhee: I want to make reference to section 186(4) of the *Condominium Act, 2015*, which I understand the member opposite to be asking about: “On application by the corporation, a unit owner or a person who is affected by an information certificate, the Supreme Court may make any order it considers just in the circumstances to give effect to or relieve the corporation from some or all of the consequences of an inaccurate certificate.”

That’s the reference, I think, in section 186, to how those difficulties could be addressed. What I would like to say about — that’s currently unchanged. The regulation — often our conversation here is about what might be in the regulations, but I take note of the member opposite’s question. I think, if I understand this correctly — I want to say that the first part of her question was about if it would be that the information certificate would have to disclose any adverse information about the corporation or developer’s legal status. I think that’s fair. It can’t just be about a particular building or reserved for that.

Again, it’s not my role here — or ability — to provide legal advice, but I think that’s information that would be reasonably

inferred from the legislation — that if you're disclosing a history of bankruptcy, for instance, it can't be in relation to — I'm using another example — but it can't just be, "Oh, I'm only bankrupt with the Bank of Nova Scotia and not with the Royal Bank." That's not the intention here. It's about disclosure of information.

I think I'll stop there because I don't want to misinterpret the question, but let me make one more reference, if I could.

One more reference, Mr. Acting Chair, if I can, to section 212 in the *Condominium Act, 2015* — it provides for authority if the corporation does not do what it's required to do. I'm afraid I'm not able to answer the question about what the current state of affairs is for an individual, but I will encourage the member opposite — if she is aware of a specific situation — which I think she alluded to — I would be happy to talk outside of this process and determine whether there is some assistance that could be given to having people obtain the information. But under section 212 of the current *Condominium Act, 2015*, "Enforcing performance of duties" is the title of section 212(1) and it has enforcement provisions there.

Ms. Hanson: I appreciate the minister's comments. It does point to the importance of — really, it's going to be critical to have good public education. The number of people — over the last five or six years, in particular — who have moved into condominiums that are exceedingly expensive and who are very much unaware of — currently, they don't have any rights because this law is not there. But this section 186(1) is really important. I just can't overstate the importance of making sure that people are aware of that as we get this forward.

As I was reading through and looking at some of the changes, there are a number of amendments. I just want to ask for clarification. It's my understanding that the current legislation allows for active engagement on the condominium corporation board of all unit owners in a condominium corporation. Can the minister clarify that in fact — having previous experience — that in the past, tenants were not allowed to be on a condominium board? But am I correct in understanding that tenants can, under what's being proposed here, be members of a condominium board?

Hon. Ms. McPhee: I'm looking at section 65(1) of the *Condominium Act, 2015*. It is unchanged by Bill No. 16. Let me just note that it indicates an eligibility to serve as a director and indicates that the only person eligible to be a director of a condominium corporation are: (a) an individual who is a unit owner; and (b) an individual who is representing a corporate unit owner — so maybe a commercial space or something like that.

I suppose that technically someone representing a corporate owner could also be a tenant, but the current Bill No. 16 will not change *Condominium Act, 2015* section 65, which really makes it only unit owners who can be a director of the condominium corporation.

Ms. Hanson: I appreciate that from the minister, but I thought I had read in the proposed regulations that there were proposed regulations with respect to participation in condominium corporation governance that would, by regulation, allow tenants. The second part of the next question

is with respect to the representation — I would like to have this clarified for the record as well — whether or not the representatives of the developer of the condominium — so if XYZ corporation has developed a condominium, are they also allowed to be part of the governance of that condominium?

Hon. Ms. McPhee: I will make reference again to section 65 of the *Condominium Act, 2015*. I didn't maybe go far enough, and perhaps this is what the member opposite is thinking about. Let me just, before I read that section, clarify that there is no reference in regulations — or there hasn't been a conversation in regulations — specifically about tenants being able to become a director, but section 65(2) says that "(2) Despite subsection (1)..." — which is the one I already read about unit owners or individuals representing corporate owners — "... but subject to subsection (3)..." — which sets out all the folks who are not eligible to be a director because of certain personal circumstances — "... a corporation..." — so, a condo corporation — "... may, by a bylaw passed at a general meeting held after the first annual general meeting, allow classes of persons other than those referred to in subsection (1) to be directors." So, an individual condo corporation could say, "We, by virtue of passing a proper bylaw, think that tenants should be available to be directors. We might have a lot of tenants who are active in the community of the condo..." — something like that. They may make that decision for whatever reason. They could do that by virtue of that kind of a bylaw, but it is not provided for otherwise as a class of individuals as tenants.

I know that there was a second part of the question. I'm sorry that I am forgetting what it was.

Some Hon. Member: (Inaudible)

Hon. Ms. McPhee: About the developer — thank you. Somebody else remembered what it was — not me.

Yes, initially, the developer appoints a board. So, a new condominium corporation has a board that is appointed by the developer.

They're known as the "first directors". The first directors have the same standard of care to the condo corporation as later elected directors. In order to get it up and running, that's the way that they are required — the developer, because they are the initial entity, is required to develop a board of first directors. They are required to have the same responsibilities that ultimately the directors who are owners of that space would have, and that's in section 76.

I will make reference also — further down in section 76, which might be of assistance to the members opposite and to the Member for Whitehorse Centre. First directors, as I will call them — the first initial board is not entitled — section 76(2) indicates that they have to exercise the powers and perform the responsibility of a condo corporation. They have the same powers and responsibilities as ultimately elected voters. They owe the same standard of care. They're not entitled to remuneration from the corporation to serve as a director even though, in other cases, directors might have that available to them. They are vicariously responsible. There's a real requirement here that they carry out these duties in the best interests of the soon-to-be owners or of the owners — those

who will be elected as the directors of the condominium corporation. That's all set out in section 76 of the legislation.

Ms. Hanson: I appreciate the minister's clarification on that.

I think that where I was coming from, with respect to the role of the developer — when I look at the summary of proposed condominium regulations — the summary that deals with governance of condominiums — it talks about the fact that the current act allows for voting by proxy and that the government proposes that the regulations provide that, if the proxy voter is a director or an employee — the developer or a person who provides management services to the corporation of the condominium corporation — then the forum that appoints the proxy voter must acknowledge that the proxy voter is one of those identified persons and must note the possibility of that person having a conflict of interest.

This is not how it is set out in the act right now, so I'm just seeking clarification. Is this one of the proposed regulations that will get tracked? I personally think that it is a good one — that it's only valid for one meeting or a specific resolution and that this type of proxy voter cannot vote on any issue in which they have a direct or indirect material interest. So, it's a limitation being placed on the use of proxies. The proposed limitation by regulation would only apply to those persons who are a director or an employee of the developer or a management services contract — such as a management services company that the condominium corporation employs to manage its condominium or some of its affairs. I want to see confirmation that this is the correct interpretation. Otherwise, proxies would be allowed for members who may be absent or unable to attend the meeting in person.

Hon. Ms. McPhee: I am going to first make reference to the question asked and the response set out in the *Condominium Act, 2015* in section 98. Then I will make a reference to proxies in general.

Section 98, with the passage of Bill No. 16, would read that a person other than a mortgagee, who may vote under section 97 — which is about voting generally — may attend a general meeting and vote either in person or by proxy. A person may not be a proxy if the person is the developer. I think that the question is that — under section 98(3), there are a number of items listed about individuals who cannot be a proxy. The developer cannot act in that capacity. A person who is an agent or any employee of a developer — again, these are references that have already been made — I think that the question is: Is this the interpretation — that those people cannot be a proxy? The interpretation is correct.

Also, a person who is an agent or an employee of the condominium corporation, a person who provides management services to the corporation, or a proscribed person or someone who belongs to a proscribed class of persons — none of those people can operate by way of a proxy.

The proxy concept in the work that was done in getting us to today — the question was asked not here today, but in that work: Is there a limit on an individual as to how many proxies they could carry? Are directors of the condominium corporation allowed to cast proxy votes? Ultimately, the

determination was that the proposed amendment to section 98 — which I have just made reference to — in the *Condominium Act, 2015* has removed the limitation on the number of proxies that an individual can carry at a meeting. In the past, there was a limited number that they could carry. Now that has been removed.

The proposed amendment to section 98(3) defines who may not hold proxies. I have just mentioned that. The provision does not include directors of a condominium corporation. The proposed amendments also provide opportunities to unit owners to attend meetings and vote electronically as provided for in the corporation's bylaws. This was an important progressive move, taking into account much of the information we heard.

At least in days past, when individuals would leave the territory for longer periods of time — sometimes known as "snowbirds" in the territory or in Canada — there was difficulty sometimes for condominium corporations to deal with their business or people could not do so remotely. So, this is a progressive change. Proxy voting and attending meetings electronically is the way of the future. This was not brought on by COVID, but it certainly fits into that category of progressive moves so that owners can participate. The proposed amendments to proxy voting are intended to assist condominium corporations in holding general and special meetings while providing enhanced opportunities for participation and voting in those meetings.

I hope that answers the questions.

Ms. Hanson: Just a clarification, if a condominium developer owns units in the building — they own it, so they're an owner as well as a developer — do they have rights, as owners, to vote? Is there not a conflict potentially in there?

Hon. Ms. McPhee: Certainly a developer, if they are an ongoing legal entity, could be a unit owner. We are just looking for the references to whether or not there are limitations on that experience or their authority. They certainly could own a unit and have the rights and responsibilities of a unit owner, but we are just looking for that. I will get back to the member opposite on that, if there is a specific limitation that we can reference. It is not at our fingertips and I know that there might be more questions, so I am going to move on, if that's okay.

Ms. Hanson: I thank the minister for that. Could the minister clarify — so, we have talked about the role and what limitations are placed on somebody using a proxy to vote, but there is also discussion about powers of attorney — that the proposed regulation would provide that a property manager, developer, or condominium corporation or director can be given a power of attorney to act for a unit owner. Then it sounds very much similar to what a proxy can do. The proposal is that the person appointed as attorney acts with respect to only one specific meeting or resolution and is limited to voting on only one issue, and there are similar conflict of interest provisions. So, I am just wondering what difference is intended and if that is reflected in the legislation or the just-proposed regulations.

Hon. Ms. McPhee: I can indicate that — I am going to go back a question. Mr. Morawsky has been very helpful at finding section 138 of the *Condominium Act, 2015*, and that

references the ownership by the developer of a unit. I am just looking for my own version. I will leave that as a reference that might — it comes under the title of: “Unit owners pay condo fees during transition period based on interim budget”. That reference is there and the changes that are suggested — that is, developers as owners.

Let me go forward with the question about power of attorney. The distinction would be: If I am a condo unit owner, and the member opposite owned condos in that building as well, and I can’t be at a meeting, I can certainly provide a proxy to either of the other tenants who might be directors on the board to go forward and to vote with respect to my interests at that particular meeting.

A power of attorney is quite a separate legal document. I’m going to say it this way: A power of attorney would not be appropriately used for the purposes of just giving someone a vote, like a proxy, to take place at a condominium board of directors meeting. A power of attorney would be required — first of all, there are legal documents that are required in order to advance a power of attorney. There are requirements about when that power of attorney would be invoked. It generally has to do with the individual’s inability to provide for their own decision-making and/or their own needs with respect to assistance.

Power of attorney, as noted here, indicates that, if a power of attorney has been invoked for a particular director, that could be used to further their interest in the condo corporation, but it’s not the same as a proxy. A proxy is the opportunity to vote in my stead if I’m not able to be at the meeting — or as I said, with changes, to participate electronically. A power of attorney is quite a different legal requirement and responsibility, and it is regulated by the power of attorney act, not by the condominium act.

Ms. Hanson: I appreciate that clarification. I’m just curious as to why — and I’m just referencing this document at page 8 which says that proposed regulations would provide that a property — blah, blah, blah — can be given a power of attorney. I’m just curious as to why the government document would say that’s what the regulations propose given the — as I understand it — and we’ve talked about powers of attorney before in this Legislative Assembly, so I just was curious about that.

Can the minister identify or outline for us how the act — with respect to placing liens — and I understand that it’s section 167 or something in the act — we had some correspondence — the minister had correspondence from an interested individual who indicated some concerns with respect to the burdens — and I’m quoting here — and restrictions for placing liens in section 167 as being too high — so the threshold — and how the new amendments to the act address issues like liens for fines or repairs for damage caused by an owner of a condominium — ultimately, it’s the owner’s responsibility — and how are condominium corporations enabled by the legislation to address unpaid condo fees and/or special assessments that are determined by the condominium board of directors — or the majority of owners through the board meetings, not just the directors? So, they’re just some general questions in terms of

the whole governance with respect to ensuring that, when there are contraventions of bylaws or regulations that are established by the condominium corporation through its duly elected board, they’re enforceable. What are the mechanisms that are open to the board now under the act and what, if any, amendments are being proposed in the new legislation?

Hon. Ms. McPhee: I just want to take a moment to distinguish between fines and the question about liens and the more general question about how monies owing could be collected.

The concept of condominium liens is new in this legislation; they didn’t exist in the past. I can also indicate that — sorry; I may be incorrect about that. Let me say it this way: They’ve been rewritten so that they are — as set out in section 167 — let’s go there. There was a concept in a question about whether or not liens would also include fines. The decision has been made to keep them separate. The *Condominium Act, 2015* specifically provides that a lien may not be filed if the amount owing is a result of a fine — so a bylaw fine of some kind or something imposed by the condominium corporation. This is aligned with the purpose of liens specifically to secure unpaid contributions such as contributions to common expenses or reserve funds — so, generally smaller amounts versus larger amounts is one way to look at it.

We do understand concerns regarding the collection of fines from unit owners, especially in these challenging times as we go forward and there are changes to the legislation. Section 121 of the *Condominium Act, 2015* provides various enforcement options for condominium corporations to collect fines and any other money owed to the corporation.

Section 161 of the act also provides an option to the condominium corporation to charge interest on unpaid fines. In addition to the provisions of the *Condominium Act, 2015*, the proposed amendments to sections 104 and 104.01 would allow a condominium corporation to develop bylaws on various matters. That could include bylaws with respect to repairs, maintenance, and fines.

I will note that, in section 167, there are proposed changes that would ultimately result in condominium corporations having various means to collect money. I said section 167, but I meant 163, I think.

There are different options there. A tenant could pay an amount owing. A lender could agree to pay, whether it be a mortgage company or others. There is an option for a lawsuit if that was necessary. Alternative dispute resolution could be a possibility. Perhaps lastly, a condominium lien is used mostly for larger or for an ongoing claim, such as condominium fees that weren’t being paid — again, that reference is in section 167 — if it was a special levy of some kind or costs of repair work that wasn’t done and that is trying to be recouped.

Of course, a condominium lien process involves some process that is decidedly more complicated and more time-consuming. It wouldn’t likely be the first option, although ultimately, depending on the amount, length of time, severity, and complexity of the problem, it could result in the sale of a unit, but that’s certainly a much more complicated process than

it has been in the past. Those changes would result from the passing of Bill No. 16 and ultimately the regulations.

Ms. Hanson: I thank the minister for that. I wanted to ask a question with respect to phased developments. We see — and we have seen, as I live in one — phased development. The document — a summary of proposed condominium regulations under the act — speaks to postponing the approval of bylaws that restrict rentals, pets, age of occupants, age for access to common property, and the marketing of the units by the developer until all phases of the development are completed.

I have a note to myself that this could be up to six years. There is a question mark after that. I am assuming that this was in something I read or that it was just a general question.

I guess what I am looking for is: What kind of suspension of some significant powers for a condo corporation — if the ability to make bylaws that restrict rentals or pets — I'm not so concerned about the pets — but there are other aspects, in terms of good governance, that normally you would expect, if you're living in a condominium setting — that you would have some say over those kinds of matters?

Can the minister confirm if that is what the current — not “regulatory environment” because there aren't regulations — law says? How would that proposed regulation be reflected in the legislation, and what kind of time frame? What reasonable parameter or limit can be placed on a developer in terms of ensuring that you are not in limbo forever as a board?

Hon. Ms. McPhee: I am just going to make reference again to the change of control from the developer to the elected board of directors. That is in section 76 of the *Condominium Act, 2015*. I think the reference that the member opposite is making is to some of the draft regulations that were distributed back in 2018 with respect to a possibility — in the concept of phasing in bylaws. Let me say that those are in the regulations. Bill No. 16 does not make any reference to it — the bill that is before the House today. Nonetheless, I appreciate that the question might be for phases going through. I make reference to section 76 because it is the opportunity for the developer to have the initial — or the responsibility and the fiduciary duty to the first board of directors, but that is not indefinite.

As a result, the types of bylaw questions or restrictions on ownership of a condominium corporation that are being contemplated in the question, I think, will rest with the directors as duly elected, but I don't have any information on whether the question that the member has about it possibly being up to six years — it is not something that we know about and it is not something that we can locate. I am happy to track that down, but it's certainly not in the proposed regulations that are currently drafted. Nobody is interested in having those kinds of decisions being delayed indefinitely. They are the responsibility of the owners, directors, and the board of directors that is duly elected in a condominium corporation.

Ms. Hanson: I appreciate that answer. Essentially, as the minister knows, this is not a legal mind over here. I am referencing and trying to understand the concepts that are being put forward based on what I have read in the documents that speak to the consultation process. That is where a lot of these questions are arising from — the publicly available documents

that were provided as a way of interpreting the existing act and ways that have been proposed to amend it, including the regulations.

I appreciate the minister's response.

I have one other question with respect to reserve funds, which I should have asked earlier, but I just wanted to ask about mixed-use condominiums. As we have talked about before, the act as it is now makes references — this is where you can have residential with non-residential units, and then they are quite clearly delineated with respect to the specific interests of each “section”, I guess you would call it. My understanding is that the proposed regulations would see separate reserve funds for the residential and non-residential units.

My question is: Will the same timelines — and sort of exemptions or extensions — of the obligation to complete a reserve fund be applied to mixed-use condominiums as well?

Hon. Ms. McPhee: I will make reference to section 114 of the *Condominium Act, 2015*, and I will also make reference to Bill No. 16.

Let me just say it this way. Section 114 of the *Condominium Act, 2015* will be amended by the passing of Bill No. 16 to the point where it deals with mixed-use development and sets out the provision that a mixed-use development can have some sections. There will only ever be one condominium board, but there could be bylaws put in place for — let's just call it “commercial and residential” — if that was the mixed use, as an example — for the commercial units versus the residential units, and there could be bylaws and certain responsibilities and duties that apply to one type of unit versus the other.

Section 114, when and if it is amended, would indicate that a bylaw for a section may be in relation to the following types of matters: the control, management, maintenance, repair, et cetera for those particular units or for common property or common assets.

They could make bylaws regarding the duties of the condominium corporation in relation to the two types of units — or maybe there would be three types of units, but in my example, there are two — or any common property or common asset in that section. They could make bylaws with respect to the assessment of — and fixing — common expenses in relation to any of the common property or common assets of that particular section. They could also make bylaws regarding the exclusive use of any of the common property or common assets of the section. Meetings of eligible voters for those units in the section could include voting at meetings and individuals who are authorized to bring forward to the board certain matters of interest or certain particulars. So, there would be one board of directors, but individual bylaws or sections are authorized by what will be the new section 114.

Ms. Hanson: That is one board that I don't want to be on. Clearly, I am disqualifying myself.

I have questions with respect to understanding leasehold land condominiums. We understand that the *Condominium Act, 2015* provides that public authorities can develop leasehold condominium housing on lands that they own, including, as we just recently saw — and we talked about this

as part of the land titles modernization act. We have First Nation categories A and B and fee simple settlement land if they are registered in the Land Titles Office.

My question has to do with how the existing legislation deals with leasehold condominium agreements and the proposed regulations that the discussion document — the summary of proposed condominium regulations — talked about. All of the terms and conditions — I am quoting here from page 6 of that document — agreed upon regarding the leasehold condominium — for example, what happens with assets remaining at the end of the lease and to what extent the property is to be remediated, whether the condominiums are to be a particular type — low-cost housing, for example — would be set out in the leasehold condominium.

I understood that there was also a provision that spoke to not just the remediation, but the length of time and what happens to those buildings. Is there an expectation that regulations would talk about the expected life or duration of the buildings — the duration in terms of a leasehold condominium agreement? The public authority and the developer must enter into these agreements, so what is contemplated being contained in those?

Hon. Ms. McPhee: As noted in the question, leasehold condo agreements are only ever going to be public with respect to a public authority — so a government or a First Nation government. So, it will entirely depend on the choice of that lease — if I could say it that way — or the length of the leasehold. There is not expected to be anything with respect to the regulations regarding the life of a building, because it's really about the life of the legal entity, which is the lease. The leasehold condos will only exist, as I've said, in the public realm or government realm. It's really about what will occur at the end of a lease. There are two options really. One option would be for the units of the lease to revert back to the landlord at the end of the lease. The other would be that the actual legal entity or the legal authority that is the condo structure — and I don't mean the building structure; I mean the legal structure of the condo — would in fact end and would be terminated, and then there would need to be a decision about what would be happening with the units or with the lease. So, the concept of the lease is about the length — partly about what are the rights and responsibilities and ultimately what is the decision for the length of that. It's not necessarily related to the expected life of the building, as was noted in the question. Regulations have yet to be developed with respect to the details of that, but that's what I can say to date with respect to that concept.

Ms. Hanson: I understand that we are talking about leasing the land from the public authority — you're building, as a condo, a home for which you may have a lease for 40 or 50 years or whatever — say, 40 years — and at the end that, if the land lease is not renewed, then am I correct when I read the proposed — I guess what I'm looking for is what experience elsewhere — because we've seen that these situations do exist elsewhere — so, in terms of determining the compensation. So, if my lease expires and I have a significant investment — I've built a house, my home, my condominium on that land — the regulations set out that, at a minimum, the public authority

would pay the leaseholder to ensure that they receive some compensation. So, are there industry standards? Is that what the government is intending to reflect in the regulations, or could the minister just elaborate on that? I mean, this is a model that we will see — we have seen it in other jurisdictions, but I think that the public — again, this is part of the public education piece — is going to want to know what kind of protections they have and what reasonable expectations they have that their investment of a number of years is not going to be for naught.

Hon. Ms. McPhee: I appreciate the question. I am happy to have the opportunity also to comment on what the member opposite has said with respect to public education, because we certainly agree — our government, as does the Department of Justice — that the public education with respect to changes to the condominium act — because, as the member opposite has mentioned, condos are becoming a popular way of life here in the territory — is going to be critically important, and I agree that this is the case.

With respect to leasehold situations, I should say that there are, of course, other situations, and the member opposite has mentioned situations where this has happened in other places. A short answer with respect to industry standards regarding compensation — I think that was part of the question — there is not such a thing. The lease and what will occur at the end of the lease will be a requirement of disclosure. Individuals who are entering into those agreements are going to need to know fully what the expectation is at the end of the lease, what the life of the lease is to be, and what, if any, situation is going to occur at the end of that situation.

The fixtures, after the end of a lease, generally — by virtue of the operation of the principles of law — revert to the landowner at the end of the lease, and that's a standard principle of law. Anything else would be a fundamental policy change. If we were to consider changing that in some way, I don't think that is what is anticipated here.

Public authorities may choose to have lease terms accordingly. They may want to make sure that individuals who are entering into such leases know full well what the expectation is. I would say that we have had conversations regarding perhaps a special notation on the title of such a property so that — of course, there may be restrictions on selling such a property. If I have such a property under that circumstance, am I allowed to sell it to someone else? Certainly, issues of disclosure and making sure that, if I am permitted to do that, others who are buying into that situation know full well what the consequences of that are — there are many reasons why people might enter into such a situation — whether they want to enter into that lease type of arrangement with a public authority, with a government, with a First Nation government is a personal choice. Full disclosure of what the roles and responsibilities are in that situation must be available to the buyer.

Ms. Hanson: I would hope so. One would expect that there would be notice of expiry provided.

So, my question would be: Is the intention — when they talk about the proposed regulations, provide advance notice of an expiration of a ground lease — that they are going to — if

somebody enters into a ground lease condominium — leasehold land condominium agreement — that they will have, in the landhold agreement, an expectation that they will have five years' notice or X number of years notice of the expiration, and — to the minister's point — would the government propose, in its proposed regulations, that there be some restrictions toward the end of that lease with respect to selling?

Hon. Ms. McPhee: I think that the protections with respect to the situation noted by the member opposite — there are a number of ways for those protections to exist. One might be a notice provision required in the regulations. One, of course, is a disclosure requirement to any potential buyer that you might be interested in buying this property, but the lease is up in five years or 15 years or 100 years — whatever it might be. That would absolutely be required by way of a concept of sale. Any other provisions that might be put in place by the — I am going to call it “the government” — whether it would be the Yukon government or a First Nation government — they could require certain provisions in their lease for notification and other protections. Lastly, I think that one of the protections would be that, if there was notation on the title of the property, somebody could be notified of that. It would absolutely be a requirement.

All of those could happen and probably should happen. There would be no way that a purchase or a sale of a property with that type of restriction could happen without that clear notification to a potential buyer.

Ms. Hanson: I know that you have enjoyed this condominium act 101, but I think that I have exhausted the questions that I could possibly ask. There are many more, but I would like to thank the minister for her forbearance this afternoon and her officials for their presence here, providing such able advice to the minister as we tried to glean the surface of these 134 amendments.

Deputy Chair: Is there any further general debate on Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*?

Seeing none, we will now proceed to clause-by-clause debate.

Ms. Hanson: Mr. Deputy Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, read and agreed to.

Unanimous consent re deeming all clauses and the title of Bill No. 16 read and agreed to

Deputy Chair: Ms. Hanson has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted.

Clauses 1 to 134 deemed read and agreed to

On Title

Title agreed to

Hon. Ms. McPhee: Mr. Deputy Chair, I move that you report Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, without amendment.

Deputy Chair: It has been moved by Ms. McPhee that the Chair report Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, without amendment.

Motion agreed to

Deputy Chair: The matter now before the Committee is continuing general debate on Vote 15, Department of Health and Social Services, in Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Do members wish to take a 15-minute recess?

Some Hon. Members: Disagreed.

Deputy Chair: Okay. Due to our COVID-19 protocols, there will be a mandatory five-minute break to ensure that staff can have time to properly clean the desks and chairs.

Recess

Deputy Chair: Committee of the Whole will now come to order.

Bill No. 205: Second Appropriation Act 2020-21 — continued

Deputy Chair: The matter before the Committee is continuing general debate on Vote 15, Department of Health and Social Services, in Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Is there any further general debate?

Department of Health and Social Services — continued

Hon. Ms. Frost: I appreciate the opportunity to rise today to speak on the Health and Social Services supplementary budget. As we have seen before us, a lot of questions with respect to the \$33,695,000 relating specifically to COVID-related expenses — broken down as I have gone through it. I tabled the report introduced here in the Legislative Assembly to support Yukoners as we go through the pandemic — and looking at some of the top priorities as we look at the COVID pressures that we were seeing — some of the difficult and challenging pressures within the department — and the supplementary submission really covers that.

It covers the territory's position with respect to supports required to ensure that Health and Social Services was well positioned to protect and enhance the well-being of Yukoners during the global pandemic, as well as looking at mobilizing and establishing an emergency health operation centre with the support of the chief medical officer of health.

In that, we have also had to put significant resources in place for continuing care facilities and looked from there to ensure that our staff were well-supported and that we have the necessary essential cleaning supports and of course mobilizing the supports to ensure the safe protection of all the clients and visitation and limitations there — ensure that we had to look at

providing necessary supports to all of our continuing care workers, as well as the doctors and nurses who frequent these facilities to provide essential services — and bringing in additional cleaning staff, as well, during that time.

We had looked at the vision, health, and vibrancy of Yukon in ensuring sustainability of our communities during the pandemic. At the same time, there were significant obligations of the government to fulfill its mandate commitments to still deliver essential health services.

Part of the requirement around virtual care — knowing that we were not able to provide in-person supports, we certainly had to look at virtual opportunities and expanding the 1Health initiative, working with Highways and Public Works on the supports to health delivery.

As well, we had significant resources available to support our social support clients, our vulnerable citizens — looking at ensuring that the testing sites were established and set up along with our — of course, the communities had to have direct response and direct supports. We worked very closely with the chief medical officer of health in combatting COVID.

So, lots of really great things in the budget that covered our obligations — our COVID obligations. Incorporated in that — which we didn't spend a lot of time on — was the appropriations specific to the other added responsibilities of health.

An increase related to collective bargaining was part of the supplementary requests. We also had information as I indicated — information technology — acceleration of activities in the health care system during COVID. We also had policy and program development to support planning for our bilingual health centre — so that of course had to continue on, looking at ensuring we provide that essential service.

We looked at increasing supports to primary health care and expanded support for virtual options. We had to also look at Family and Children's Services and ensuring that we continue to provide coverage and funding for extended family care agreements, which was not historically funded. As part of the supplementary request to Family and Children's Services — let me see, now — \$100,000 was added to that — but a lot of conversations and discussions in the Legislative Assembly about early childhood and prevention services. We've had \$2,400,000 added to that specific line item to look at the one-year renewal commitment as well as the additional staff that was required for the Yukon family review process. Of course, we looked at increase-related supports to collective agreements for social supports, which weren't in the COVID-related expenses.

But off of that, a continuation of that, we had established or incorporated income support — the pioneer utility grant increased funding to meet the projected increases and demand for 2020-21. The income support for Yukon seniors supplement was also identified over and above the COVID-related expenses in this particular budget request.

Disability services — for parents of children with disabilities, there was increased funding — an agreement to meet the increase in needs and demands. There were also increased fees related to extension of supports — partly to deal

with mental wellness supports and to mental wellness hubs and increased requests related to the collective agreements.

Those were some of the objectives and the priority areas that we covered under this supplementary request. The opposition was briefed on that, so what I have just highlighted is information that was shared in the opposition briefing.

Out of the COVID-related expense budget — I know that we had extensive discussions with the health supports to mitigate COVID transmission — significant coverage — \$1,107,757. On top of that, there is the requirement to incorporate the mass flu clinic, and the flu clinics in the middle of a pandemic have had to continue on to ensure that Yukoners were provided the necessary health supports to remain healthy during the pandemic.

Further to that, we had enhanced screening and enhanced cleaning staff required throughout our facilities and an increase at WES for domestic aides. We had screening staff at our continuing care facilities and the Whitehorse Emergency Shelter. We had increased cleaning at our health centres. There are quite a number of care facilities across the Yukon, so we had supports in each of our facilities.

In addition, quite a lot of supports on our PPEs and cleaning supplies went out to all of our health centres and our continuing care facilities. We talked a bit about a vaccine — very excited to let Yukoners know. Of course, we are on the cusp of making an announcement very shortly, pending federal approval on the vaccines — the Moderna vaccines. That was covered in the budget. There was \$4 million set aside for that funding — really exciting news for Yukoners. I think that we will see, early in the new year, the rollout of the vaccines across the territory — excited for Yukoners that we will start seeing the end of COVID and the end of COVID in such a way that we will start putting some proactive measures in place with the vaccine as it comes quickly available and supporting, of course, Yukon communities and setting the sights and the vision on vaccinations and vaccinating our priority clients.

We will continue to work with the chief medical officer of health and our health professionals and work with our health centres as we look at rolling out the vaccines to mobile clinics that will be out in the communities. We have one mass clinic here in the city that is mirrored after the mass flu clinic.

The community and the team are well prepared for the delivery of the vaccines. Further to that, we have continuing, of course — we still need to have the enhanced screening and staff supports as we go out across the Yukon. That will continue on.

The estimated budget request that we have before the House today for debate is \$33,695,000 and the difference that we have in capital requests is \$8.62 million. Then, on top of that, there is an additional request of \$43,602,000.

Deputy Chair: Order.

Termination of Sitting as per Standing Order 76(1)

Deputy Chair: The time has reached 5:00 p.m. on this, the 45th sitting day of the 2020 Fall Sitting.

Standing Order 76(1) states, "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the

Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

“(a) put the question on any amendment then before the Committee;

“(b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;

“(c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and

“(d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.”

It is the duty of the Chair to now conduct the business of Committee of the Whole in the manner directed by Standing Order 76(1). The Chair will now ask the Government House Leader to indicate whether the government bills now before Committee of the Whole should be called.

Hon. Ms. McPhee: The government directs that Bill No. 205, entitled *Second Appropriation Act 2020-21*, and Bill No. 13, entitled *Act to Amend the Elections Act 2020*, be called at this time.

Bill No. 205: *Second Appropriation Act 2020-21* — continued

Deputy Chair: The Committee will now deal with Bill No. 205, entitled *Second Appropriation Act 2020-21*.

The Chair will now recognize Mr. Silver for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

Hon. Mr. Silver: I move that all clauses, schedules, and the title of Bill No. 205, entitled *Second Appropriation Act 2020-21*, be deemed to be read and carried.

Deputy Chair: It has been moved by Mr. Silver that all clauses, schedules, and the title of Bill No. 205, entitled *Second Appropriation Act 2020-21*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$96,591,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$18,253,000 agreed to

Total Expenditures in the amount of \$114,844,000 agreed to

Clauses 1 and 2 agreed to

Schedules A and B agreed to

Title agreed to

Hon. Mr. Silver: Mr. Deputy Chair, I move that you report Bill No. 205, entitled *Second Appropriation Act 2020-21*, without amendment.

Deputy Chair: It has been moved by Mr. Silver that the Chair report Bill No. 205, entitled *Second Appropriation Act*

2020-21, without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Bill No. 13: *Act to Amend the Elections Act (2020)*

Deputy Chair: The Committee will now deal with Bill No. 13, entitled *Act to Amend the Elections Act (2020)*.

The Chair will now recognize Mr. Silver for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

Hon. Mr. Silver: Mr. Deputy Chair, I move that all clauses and the title of Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be deemed to be read and carried.

Deputy Chair: It has been moved by Mr. Silver that all clauses and the title of Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Clauses 1 and 2 agreed to

Title agreed to

Hon. Mr. Silver: Mr. Deputy Chair, I move that you report Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, without amendment.

Deputy Chair: It has been moved by Mr. Silver that the Chair report that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Deputy Chair: As the government bills identified by the Government House Leader have now been decided upon, it is my duty to rise and report to the House.

Speaker resumes the Chair

Termination of Sitting as per Standing Order 76(2)

Speaker: I will now call the House to order.

May the House have a report from the Deputy Chair of Committee of the Whole?

Chair's report

Mr. Adel: Mr. Speaker, Committee of the Whole has considered Bill No. 205, entitled *Second Appropriation Act 2020-21*, and directed me to report the bill without amendment.

Also, Committee of the Whole has considered Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, and directed me to report the bill without amendment.

Finally, Committee of the Whole has considered Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, and directed me to report the bill without amendment.

Speaker: You have heard the report from the Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Standing Order 76(2)(d) states: “On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the Committee of the Whole, shall:

“(d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,

“(i) receive a motion for Third Reading and passage of the bill, and

“(ii) put the question, without debate or amendment, on that motion.”

I shall therefore ask the Government House Leader to indicate whether the government bills now standing on the Order Paper for third reading should be called.

Hon. Ms. McPhee: Mr. Speaker, the government directs that Bill No. 205, entitled *Second Appropriation Act 2020-21*, and Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be called for third reading at this time.

Mr. Speaker, in addition, the government directs that Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, be called for third reading at this time.

Bill No. 205: *Second Appropriation Act 2020-21* — Third Reading

Clerk: Third reading, Bill No. 205, standing in the name of the Hon. Mr. Silver.

Hon. Mr. Silver: I move that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now read a third time and do pass.

Speaker: It has been moved by the Premier that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question to the House. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Mr. Cathers: Disagree.

Mr. Istchenko: Disagree.

Ms. Van Bibber: Disagree.

Ms. McLeod: Disagree.

Ms. Hanson: Disagree.

Paired: Mr. Hutton and Ms. White

Clerk: Mr. Speaker, the results are nine yea, seven nay.

Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 205 agreed to

Speaker: I declare that Bill No. 205 has passed this House.

Bill No. 13: *Act to Amend the Elections Act (2020)* — Third Reading

Clerk: Third reading, Bill No. 13, standing in the name of the Hon. Mr. Silver.

Hon. Mr. Silver: I move that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be now read a third time and do pass.

Speaker: It has been moved by the Premier that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be now read a third time and do pass. As no debate or amendment is permitted, I shall put the question to the House. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Mr. Cathers: Disagree.

Mr. Istchenko: Disagree.

Ms. Van Bibber: Disagree.

Ms. McLeod: Disagree.

Ms. Hanson: Disagree.

Paired: Mr. Hutton and Ms. White

Clerk: Mr. Speaker, the results are nine yea, seven nay.

Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 13 agreed to

Speaker: I declare that Bill No. 13 has passed this House.

Bill No. 16: Act of 2020 to Amend the Condominium Act, 2015 — Third Reading

Clerk: Third reading, Bill No. 16, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Justice that Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question to the House. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Mr. Cathers: Agree.

Mr. Istchenko: Agree.

Ms. Van Bibber: Agree.

Ms. McLeod: Agree.

Ms. Hanson: Agree.

Paired: Mr. Hutton and Ms. White

Clerk: Mr. Speaker, the results are 16 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.
Motion for third reading of Bill No. 16 agreed to

Speaker: I declare that Bill No. 16 has passed this House.

We are now prepared to receive the Commissioner of Yukon, in her capacity as Lieutenant Governor, to grant assent to bills which have passed this House.

Commissioner Bernard enters the Chamber announced by her Aide-de-Camp

ASSENT TO BILLS

Commissioner: Please be seated.

Speaker: Madam Commissioner, the Assembly has, at its present session, passed certain bills to which, in the name and on behalf of the Assembly, I respectfully request your assent.

Clerk: *Act to Amend the Land Titles Act, 2015; Act to Amend the Wills Act (2020); Act to Amend the Elections Act (2020); Act to Amend the Environment Act (2020); Corporate Statutes Amendment Act (2020); Act of 2020 to Amend the Condominium Act, 2015; Enduring Powers of Attorney and Related Amendments Act (2020); Second Appropriation Act 2020-21.*

Commissioner: I hereby assent to the bills as enumerated by the Clerk.

I would like to thank all the members for their work this Sitting. I invite you to check the Office of the Commissioner's Facebook page on January 1, 2021, at 2:00 p.m. to see our virtual levee where we will be handing out the Order of Yukon to the 2020 inductees. It will also be broadcast on Northwestel's community channel 209 from January 1 to 10. You can also check our Facebook page for Christmas stories with the Commissioner if you want to hear some stories. You can view one story in English and one story in French per day until Christmas Eve and catch up on the ones that you missed because you were working.

I wish every one of you happy holidays and a safe and healthy 2021. Take care of yourselves and each other. Thank you.

Commissioner leaves the Chamber

Speaker: I will now call the House to order. Please be seated.

Before I adjourn the Fall Sitting of the Yukon Legislative Assembly, I have a few brief comments. I would like to extend my thanks on behalf of the Speaker, the Deputy Speaker, and the Deputy Chair of Committee of the Whole and on behalf of all Members of Legislative Assembly to Clerk Dan Cable, Deputy Clerk Linda Kolody, Clerk of Committees Allison Lloyd, Director of Administration, Finance, and Systems Helen Fitzsimmons, Operations Manager Brenda McCain-Armour, Finance and Operations Clerk Lyndsey Amundson, as well as Sergeant-at-Arms Karina Watson and Deputy Sergeant-at-Arms Joe Mewett, who have all provided invaluable support to all MLAs and their staff in order for us to continue to do the important work that we are sent here to do on behalf of all Yukoners. Thank you very much.

Applause

Speaker: As well, I would also like to thank the skilled team at Hansard for their timely and accurate service and all of the other background staff and contractors who keep this operation going. I would also commend the hardworking civil servants who delivered services to Yukoners and support to all of us as members in our work since October 1.

I would also be remiss if I did not specifically commend and provide heartfelt thanks to all of the Legislative Assembly cleaning staff who have all done the fantastic and much-appreciated job of keeping MLAs and Yukon Legislative Assembly staff safe by effectively and efficiently cleaning the Chamber on a daily basis in order to comply with the Chamber's COVID-19 protocols.

This has been a difficult year for many Yukoners resulting from the known and unknown impacts and the unforeseeable impacts of the global COVID-19 pandemic. Many of our relatives, friends, and colleagues have suffered financially, physically, and emotionally over the past 10 months. It is my strong hope that all Yukoners can look forward to and realize a brighter 2021, where we can come together and support each other in person again.

We may not be able to see our extended families, friends, and constituents in person in the near future, but I urge all of us to reach out, as able, in friendship and in generosity in our communities and neighbourhoods as we remain vigilant in a final and important push of complying with the “safe six” — plus one — prior to receiving a much-anticipated vaccine.

Finally, I wish happy holidays to all members and your loved ones and safe travels to those MLAs travelling back to your communities. Thank you very much.

As the House has reached the maximum number of sitting days permitted for this Fall Sitting and the House has completed consideration of all designated legislation, it is the duty of the Chair to declare that this House now stands adjourned.

The House adjourned at 5:35 p.m.

The following sessional papers were tabled December 22, 2020:

34-3-64

Yukon Human Rights Panel of Adjudicators 2018-19 Annual Report (Speaker Clarke)

34-3-65

Yukon Human Rights Panel of Adjudicators 2019-20 Annual Report (Speaker Clarke)

34-3-66

Crime Prevention & Victim Services Trust Fund Annual Report 2019-20 (McPhee)

34-3-67

Yukon Law Foundation Annual Report November 1, 2018 to October 31, 2019 (McPhee)

34-3-68

Law Society of Yukon Annual Report December 31, 2019 (McPhee)

34-3-69

Yukon Judicial Council Annual Report 2019 (McPhee)

34-3-70

Yukon Advisory Council on Women's Issues Annual Report 2019-2020 (McLean)

The following legislative returns were tabled December 22, 2020:

34-3-68

Response to matter outstanding from discussion with Ms. McLeod related to general debate on Vote 11, Women's Directorate, in Bill No. 205, *Second Appropriation Act 2020-21* — COVID-19 cell phone program (McLean)

34-3-69

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 54, Tourism and Culture, in Bill No. 205, *Second Appropriation Act 2020-21* — virtual familiarization tours (McLean)

34-3-70

Response to matter outstanding from discussion related to the appearance of the chief medical officer of health as a witness before Committee of the Whole on December 17, 2020 — critical worker isolation requirements (Streicker)

34-3-71

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 52, Environment, in Bill No. 205, *Second Appropriation Act 2020-21* — wildlife monitoring funds (Frost)

34-3-72

Response to Motion No. 390 re: explanation of delay on the St. Elias Senior Society's gathering place (Frost)

34-3-73

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 55, Highways and Public Works, in Bill No. 205, *Second Appropriation Act 2020-21* — Robert Service Way bike crossing (Mostyn)

34-3-74

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 55, Highways and Public Works, in Bill No. 205, *Second Appropriation Act 2020-21* — brushing budget (Mostyn)

34-3-75

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — thermal fuel consumption for electricity generation in 2020 (Pillai)

34-3-76

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — days rental diesel units ran in 2020 (Pillai)

34-3-77

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — litres of diesel consumed in 2020 (Pillai)

34-3-78

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — rental diesel costs in 2021 Yukon Energy Corporation general rate application (Pillai)

34-3-79

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — costs of inserting information in local publications (Pillai)

34-3-80

Response to matter outstanding from discussion with Mr. Kent related to general debate on Vote 53, Energy, Mines and Resources, in Bill No. 205, *Second Appropriation Act 2020-21* — Southeast Yukon transfer payment agreement amount and annual allowable cut limits (Pillai)

34-3-81

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — cannabis trade regulations (Pillai)

34-3-82

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — business nominee program (Pillai)

34-3-83

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — Memorandum of Understanding with Republic of the Philippines (Pillai)

34-3-84

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — Yukon community program (Pillai)

34-3-85

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — business incentive program rebates (Pillai)

34-3-86

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — Yukon Energy's 2021 general rate application (Pillai)

34-3-87

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — Southern Lakes enhanced storage surveys (Pillai)

34-3-88

Response to matter outstanding from discussion with Ms. Hanson related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — Whitehorse Emergency Shelter community safety planning (Pillai)

34-3-89

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — costs of planning proposed liquefied natural gas, diesel or blended-fuel plant (Pillai)

34-3-90

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — business relief program (Pillai)

34-3-91

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — Yukon essential workers income support program (Pillai)

34-3-92

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 7, Economic Development, in Bill No. 205, *Second Appropriation Act 2020-21* — paid sick leave rebate (Pillai)

34-3-93

Response to oral question from Mr. Hassard re: Panache Ventures return on investment (Pillai)

34-3-94

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — detailed analysis of fuel choices considered for the 20-megawatt thermal facility (Pillai)

34-3-95

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on December 15, 2020 — cost options for the 20-megawatt thermal facility (Pillai)

The following documents were filed December 22, 2020:

34-3-49

Workers' Advocate Office 2019 Annual Report (McPhee)

34-3-50

Yukon Geographical Place Names Board 25th Annual Report 2019-2020 (McLean)

34-3-51

Report on French-language Services 2018-19 (Streicker)

34-3-52

Report on French-language Services 2019-20 (Streicker)

Written notice was given of the following motion December 22, 2020:

Motion No. 406

Re: *Condominium Act, 2015* amendments (Cathers)