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HANSARD

Tuesday, October 31, 2023 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2023 Fall Sitting

SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Lane Tredger, MLA, Whitehorse Centre

CABINET MINISTERS

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

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Takhini-Kopper King
Lane Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

LEGISLATIVE STAFF

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Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, October 31, 2023 — 1:00 p.m.

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Mr. Speaker, we have several guests here for the tribute to Carl Friesen. Could everyone in the Assembly please welcome Robyn Tripp-Friesen, friends Brenda Morrison and Brenda Estabrook, and Adele and Paul Lackowicz. We have Karin Waterreus, Dominic Alford, Arden Meyer, Mike Pemberton, Brandon Kassbaum, Ted Adel, Mike Kearney, and Pat Ross — if we could welcome them all, please.

Applause

Speaker: Are there any tributes?

TRIBUTES

In remembrance of Carl Friesen

Hon. Mr. Streicker: Mr. Speaker, I rise today to pay tribute to the late Carl Friesen, who died last year at the age of 69. Carl was a land surveyor, involved in many projects across the Yukon and the north. Carl was a partner at Underhill engineering, working there for some 50 years, leading the Whitehorse office for many of those years, and, by the way, Underhill is celebrating 110 years as a company this year.

Carl brought me to the Yukon to work as an engineer — something that I am forever grateful for. I remember him picking me up at the airport and taking me downtown in the 1990s. Carl asked me what my first impressions were, and I could tell that he loved this place and was checking to see if I had the same sense as he did.

Carl believed in serving his community. He was the president of the Association of Canadian Lands Surveyors in the early 2000s and the president of Engineers Yukon from 2011 to 2013. In recognition of his long and distinguished career, he was made a fellow of Engineers Canada in 2014.

Carl was rightfully proud of his role as a trusted resource for Yukon First Nation land claims surveys. Carl was involved in these historic land claims surveys and worked with Yukon First Nations and Indigenous governments in Nunavut and the Northwest Territories, including Carcross/Tagish First Nation, Kwanlin Dün, Tr'ondëk Hwëch'in, Kluane, Selkirk, Vuntut Gwitchin, Na-Cho Nyäk Dun, Teslin Tlingit Council, as well as the Inuvialuit, Gwich'in, and Nunavut land claims.

As an employer, Carl was smart and hard-working and expected solid, responsible work from his teams. He was a strong, tough boss, and we all had a lot of respect for Carl.

Carl himself had a deep respect for Indigenous communities, including First Nation businesses. For example, for many years, Underhill has been one of the key sponsors of the Yukon First Nation Chamber of Commerce's big event at Roundup. Carl was a key negotiator in Underhill's partnership with the First Nation of Na-Cho Nyäk Dun and Victoria Gold on the Eagle Gold mine.

I am grateful to Carl for his contributions to the land claims work that forms a fundamental part of the Yukon's governance today. The agreements that he helped support play a crucial role in fostering reconciliation, empowering Indigenous communities, and building stronger relationships through meaningful dialogue and shared decision-making. The Premier asked me to relay that Carl was a mentor for him — a professional, personal, and political mentor. The Premier and I have spoken often about how much we appreciated Carl's role as a mentor.

Carl was a grandfather, a father, and a husband. He loved his family, he loved golf, and he loved the Yukon. I remember working with him out in the field and I think he really loved to be out in the backcountry on top of mountains.

Today in the Yukon Assembly, we take a moment to remember Carl Friesen and thank him for his service. Today, Mr. Speaker, is actually Carl's birthday. Greatly missed by his family, friends, and colleagues — happy birthday, Carl.

Applause

Mr. Dixon: Mr. Speaker, it is an honour to rise today on behalf of my colleagues in the Yukon Party Official Opposition to pay tribute to Carl Friesen.

Carl's contribution to the Yukon has been deep and wide. He made a long and lasting impact on the business community here in the Yukon and throughout the north, serving over 50 years with Underhill Geomatics and Underhill and Underhill including, most notably, as a partner and the lead for the Whitehorse office for several decades. He was very active in a variety of professional associations and held many leadership roles.

The Association of Canada Lands Surveyors, the board of Professional Surveyors Canada, and Engineers Yukon were just a few of the ways that Carl tried his best to play a leadership role within the business community and within his profession.

As his career progressed into the later years, he certainly remained closely involved in the happenings at Underhill but also often stepped in to fill leadership roles in the business and professional community as a whole.

Carl had always expressed that it was his duty, as someone with his experience and knowledge born out of his decades in the private sector, to give back to his community, so he became involved in pretty much every business association in this territory. For the chambers of commerce, the Yukon Contractors Association, a variety of industry working groups, and pretty much any group or organization that needed a

representative who could speak to the needs of the business community, Carl would step up.

I got to know Carl throughout my political career, and I think that, for many of us here today, Carl was always willing to share his thoughts about current political happenings. Regardless of which party was in power or what policies they were pursuing, Carl was always willing to share his thoughts and advice with anyone who would ask. In fact, I seem to recall him offering pointed advice a few times without me even having to ask, but he was always honest and sincere in the feedback he would provide. While that sometimes meant he could be critical, he was never shy to compliment or support when he thought that was warranted as well.

I know that Carl's loss was very difficult for the team at Underhill, but I also know that he was confident in the resiliency of the company and felt that, under Sandy and the rest of the leadership team at Underhill, the company was in good hands. I hope that his colleagues know that his loss is shared by the entire business community. Carl also notably served on the Independent Advisory Board for Senate Appointments in 2018 and he often spoke about his pride in that work. He was particularly proud of the appointment of Pat Duncan as senator. He told me several times that not even I could disagree with that one.

Before I conclude, Mr. Speaker, I also want to say a few words about his family. Carl was a committed family man. Time won't allow me to speak about his entire family, but I want to mention his special affinity and pride for his grandson, Jax. Carl knew that I was friends with his daughter, Zoe, and that she was quite close with my sister, so whenever we would speak about policy, procurement, or anything else, Carl would always fill me in on the latest with Jax and ask me about my kids as well.

It was always clear that he was a very proud father and grandfather. I will conclude by saying that Carl made an incredible contribution to Underhill, to the business community, to the entire private sector, and, of course, to the Yukon as a whole. To Robyn and the rest of his family, our sincere condolences. He will certainly be missed.

Applause

Ms. White: Mr. Speaker, I rise on behalf of the Yukon NDP caucus to share condolences with those who are feeling the loss of Carl Friesen. We thank our colleagues for their tributes. We wish all of you feeling your loss peace and comfort as you grieve.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Silver: Mr. Speaker, pursuant to section 101 of the *Public Service Labour Relations Act*, I have for tabling the Yukon Public Service Labour Relations Board annual report.

Mr. Speaker, I also have, pursuant to section 103 of the *Education Labour Relations Act*, the Yukon Teachers Labour Relations Board annual report.

Finally, I have, pursuant to section 9 of the *Public Service Group Insurance Benefit Plan Act* — I am tabling the Government of Yukon's financial accounting benefits report for the Public Service Commission. The report summarizes the financial results of the Government of Yukon's group insurance plan with Canada Life for the fiscal year of April 1, 2022, to March 31, 2023.

Hon. Mr. Streicker: Mr. Speaker, I have for tabling today a statement in my capacity as Minister of Tourism and Culture.

Hon. Mr. Mostyn: Mr. Speaker, I have for tabling today a statement in my capacity as Minister of Community Services.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

Ms. White: Mr. Speaker, I have the honour to present the *Final Report of the Special Committee on the Yukon Citizens' Assembly on Electoral Reform*.

Speaker: Are there any further 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. Cathers: Mr. Speaker, I rise today to give notice of the following motion:

THAT this House urges the Minister of Finance to live up to the Government of Yukon's commitment to transparency and accountability in financial reporting by following the *Financial Administration Act* and tabling the Public Accounts on or before October 31.

Ms. McLeod: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Canada to treat all Canadians equally and expand the carbon tax exemption on home heating oil to all home heating fuels, including propane.

Ms. Van Bibber: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Minister of Finance to provide an update on the current amount of money in the carbon price rebate revolving fund.

Mr. Istchenko: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Premier to stand up for the Yukoners struggling with the cost of living in Canada and lobby the federal government to provide a permanent carbon tax exemption for people living north of 60.

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

THAT the Special Committee on the Yukon Citizens' Assembly on Electoral Reform's final report, presented to the House on October 31, 2023, be concurred in.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with the City of Whitehorse and the Lansing Point Condominium Corporation to resolve the issue of seasonal flooding.

Speaker: Is there a statement by a minister?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Carbon tax exemptions for home heating fuel

Mr. Dixon: Mr. Speaker, yesterday, the Yukon Liberal government expressed their disappointment in the federal Liberal government for the decision to remove the carbon tax from home heating oil. The Prime Minister has been clear that this exemption of the carbon tax on home heating oil is because the carbon tax is making life more expensive and that people were struggling to afford to heat their homes. However, the Yukon Minister of Finance doesn't agree. He said that he wants to see the carbon tax on home heating oil stay in place here in Yukon.

This means that, as far as we can tell, the Yukon Liberals are the only government in Canada that wants to see this tax stay in place on home heating oil.

Does the Minister of Finance really believe that keeping the carbon tax on home heating oil while Yukoners are struggling with among the highest costs of living in the country is really what is best for the Yukon?

Hon. Mr. Silver: Mr. Speaker, the part of the narrative that the Yukon Party continues to forget is that every single dollar collected from the federal carbon price does get returned to Yukoners and in the individual bucket, on average, Yukoners will get more back than what they put in. This is a convenient absence in the narrative from the Yukon Party.

We have a suite of other inflation-relief mechanisms that we, as a government, have been providing, not just in this budget but in all of our budgets. We will continue to work down a pathway where we focus in on making sure that lives are more affordable for Yukoners.

We won't follow the narrative of the Yukon Party. We got stats out just today that the Yukon population is now at 45,000 — another growth of 1.2 percent, I believe, this year. If you go back to the Yukon Party, the first year after they signed Yukon to a carbon-pricing mechanism, they said that everyone is going to leave the Yukon, and that is just not so.

We will continue to offer inflationary rebates. We will continue to return 100 percent of the federal carbon-pricing money to Yukoners.

Mr. Dixon: This narrative isn't coming just from the Yukon Party; it's coming from the Trudeau government and every other government in Canada.

Yesterday, the Minister of Finance said that he agreed with the Alberta NDP's opinion on this matter and quoted the Leader of the Alberta NDP. Yesterday, the Alberta NDP made their position clear and tabled a motion calling on the federal government to extend the federal carbon tax exemption to all home heating fuel. Here's what the main part of the motion says — quote: "...the federal government's recent changes to climate policy announced October 26 should be applied to all Canadians, regardless of geography or home heating method, including natural gas."

As my colleague pointed out yesterday, there are more than 700 homes that are heated using propane in the Yukon. The federal changes are clearly unfair to those Yukoners. Will the Yukon Liberals push the federal Liberals to extend the new carbon tax exemption to propane as well as home heating oil?

Hon. Mr. Silver: It's interesting reading the Yukon Party's press release on the topic saying that the Yukon Liberals have never pushed for exemptions in the Yukon. That's just simply not true. We have pushed for a suite of rebates and exemptions, and we have had to change and pivot those when the federal government decided this time last year that the price signal is the biggest variable when it comes to their carbon-pricing mechanism. They changed that — by their statements just in the last week — when it comes to heating fuel. We are asking them now the same thing that other governments are asking: Where do we go from here? What else is going to be the next thing that falls off of a carbon-pricing mechanism, which, in my opinion and in the opinion of many different think-tanks right across the world, is the most effective way of putting a price on carbon?

The Yukon Party has an absence there in their think-tank when it comes to what they would do to put a price on carbon to address climate change. We saw their actions when they were in government as woefully inadequate. Now they are saying: Even though we signed on to carbon pricing for the Yukon, now we want you to get rid of it. So, it is a mixed message there.

What we are asking from the federal government is some clarity. We need to know that they are committed to putting a price on carbon, because we don't think that the taxpayers should be paying for climate change; we think that the polluters should be paying for climate change.

Mr. Dixon: Mr. Speaker, this is interesting to see. Now the Yukon Liberals have veered to the left of the Alberta NDP on this issue. I suppose that I shouldn't be surprised, though, given that they are one of if not the only government in Canada that is actually arguing that the carbon tax should stay on home heating oil.

We continue to hear from Yukoners that the biggest issue facing our communities right now is the rising cost of living, and that is for good reason. We face some of the largest increases in cost of living in the country, and now the federal government has finally admitted that the Liberal carbon tax has been contributing to the soaring increases in our cost of living,

and they have exempted home heating oil from the carbon tax to try to give Canadians a break.

But what we learned yesterday is that the Yukon Liberals don't want that break; they actually want the carbon tax to continue to make it more expensive for Yukoners to heat their homes this winter. Now they are the only government in the country to take that position.

Mr. Speaker, how can the Yukon Liberals be so out of touch?

Hon. Mr. Silver: I think "out of touch" is not having a plan to deal with climate change. I think "out of touch" is maintaining this narrative that the carbon pricing in the Yukon somehow comes into the Yukon coffers; it doesn't. It goes back into the pockets of Yukoners, businesses, individuals, First Nation governments, municipalities, and, on average, individuals get back more money than they put into this carbon-pricing mechanism.

What is "out of touch" is the Yukon Party signing us up to a carbon-pricing mechanism — which I applaud — and then, during the election campaign: Absolutely, we are going to do this. Then, when they don't win the government of the day, they go back to: We don't believe in carbon pricing. That, to me, is out of touch. That is also a little bit unscrupulous.

We need to hear from the Yukon Party what their plan is to deal with climate change.

On this side of the Legislative Assembly, we believe that carbon pricing is the most cost-effective method of dealing with climate change. We will also continue the full statement that the Yukon Party continues to forget about, which is that every single nickel that is collected from the federal carbon pricing in the Yukon — different systems in different areas of Canada — but in the Yukon, all of that money goes back to Yukoners.

Question re: Public Accounts and carbon tax

Mr. Cathers: Mr. Speaker, according to the *Financial Administration Act*, the Minister of Finance is required by law to table the Public Accounts for the last fiscal year by today. He did not and has broken the Yukon's most important financial transparency and accountability law.

Public Accounts are important as they are audited by the Auditor General and are the only government financial statements certified as accurate by independent experts. It also allows Yukoners to see if government is living up to some key promises.

For instance, the government continues to promise that Yukoners will get back more money than they pay into the carbon tax, but since the tax was created, the amount of tax revenue that the government received and is sitting on is millions higher than the amount of tax rebates that it has given back.

My question for the Premier is simple: If the Liberals give back every single nickel — as the minister claimed — to the Yukoners paying carbon tax, why is the carbon-price revolving fund growing by millions of dollars per year?

Hon. Mr. Silver: The simple answer to that question is: It's not growing by millions of dollars. What is happening is that we are working — and I have to give credit to the public

servants who are working on this all the time to make sure that the businesses apply for the money they are owed. Of course, if we are not going to be able to get to all those businesses — the first year, it was tough because people didn't necessarily know how to apply. It was a new program. As we move down this road, it gets easier and easier because of the dedicated public servants in the Yukon government who are making this known to the businesses and getting to that dollar value.

Is the member opposite asking me to book money in a fiscal year that is not spent? Well, I won't do that, because the same part of the question that the member opposite is asking is about breaking the financial rules. If we want to go back to the Public Accounts conversation, I can answer that in the next response.

But to say that we are holding back money — no, we want all that money out because it's not ours. It is Yukon citizens' money; it is Yukon businesses' money, and the public servants who are working on this do an excellent job of making sure that we get this money into the rightful hands, which is Yukoners.

Mr. Cathers: The territorial Liberals talk a good line about giving people back more money than they pay in carbon tax, but the Public Accounts continue to show an inconvenient truth. According to the most recent audited Public Accounts, the amount of carbon tax revenue that the territorial government was sitting on at the end of March 2020 was \$2.7 million. By March 2021, it grew to \$6.9 million. In March 2022, that had ballooned to a whopping \$18.8 million in carbon tax revenue that the government has not given back.

Even using Liberal math, sitting on \$18.8 million in carbon tax money doesn't equal giving people back more than they paid.

So, a simple question for the Premier is: How many millions of dollars in carbon tax revenue was this Liberal government sitting on at the end of the last fiscal year?

Hon. Mr. Silver: Mr. Speaker, I believe the same question was asked in Committee of the Whole. If not, I can get the updates for the member opposite.

Again, we are not sitting on this money. We want it out the door. We don't want it in our accounts. We want it in the accounts where it is designed to be. We fought extremely hard to get a Yukon-made carbon-pricing mechanism that refunded back into Yukoners' pockets every single dollar of this carbon-pricing mechanism.

The way that it gets accounted on the books — yes, we have to follow the rules of the Public Accounts, absolutely, and we will do that as much as we possibly can. But at the same time, to hear the Yukon Party say or suggest that we are trying to hold this money internally — that is absolute nonsense.

Mr. Cathers: Well, Mr. Speaker, I would encourage the Minister of Finance to actually read the Public Accounts. When the territorial Liberal government created the *Carbon Price Rebate Act*, it took over control of how carbon tax rebates were paid out in the Yukon. When the Prime Minister announced recent changes to the carbon tax, he said: "If you live in a rural community, you don't have the same options as people who live in cities do. We get that. So, this is even more money in your pocket..." He then announced that the rural top-up rebate

would be doubled. But yesterday, the Minister of Finance seemed to indicate that this increase to the rebate would not be available in the Yukon.

Did the Minister of Finance misspeak yesterday, or will he confirm that, despite the changes announced by the federal government and the fact that he has been sitting on over \$18 million in carbon tax revenue, according to the Public Accounts, this Liberal government has no plans to increase carbon tax rebates for Yukoners?

Hon. Mr. Silver: Mr. Speaker, I am going to have to go back to look at the Blues again to try my best to follow that narrative to see what exactly the member opposite is talking about. If he is talking about the rural rebate that the federal government talked about the other day, well, we are looking at that. We already offer a rural rebate when it comes to carbon pricing. It is 10 percent more. The federal government is saying that they want to offer 10 percent more on top of that. We need to take a look at our numbers and make sure, as we rebate every single bucket — whether it is individuals, businesses, municipalities, or First Nation governments — that we do it fairly and that we make sure that we continue that narrative of more money back, on average, than what was actually put in for those individual groups.

That is what I am talking about. The member opposite can try to spin a narrative as much as he wants about us trying to keep some carbon pricing dollars — no, we fought extremely hard to be in a situation where we can give all that money back out. As far as the accounting of that, the Public Accounts is a moment in time that has to actually account for the dollars spent, but that doesn't mean that we are not doing our utmost to make sure that this money gets into the pockets of Yukoners.

Question re: Old Crow garbage disposal

Ms. Blake: Mr. Speaker, in 2012, the previous government installed a waste-to-energy gasifier in Old Crow. This was to be a step forward for the community. At the time, Old Crow was the last community in the Yukon still burning its garbage. The intent of the gasifier was to eliminate the community's dependency on the burning of garbage, which, in turn, polluted the air and the Porcupine River. A few years after the gasifier was installed, it broke down and Old Crow has since returned to burning its garbage. It has been at least five years.

What is the government's plan to get the Old Crow gasifier up and running again?

Hon. Mr. Mostyn: Mr. Speaker, investing in renewable energy projects is part of the many initiatives that the Yukon government is taking to meet the goals of *Our Clean Future*. We are excited to be nearing completion in 2023 of three biomass and two solar initiatives that, combined, will offset 837 tonnes of greenhouse gas emissions each year. We are conducting renewable energy feasibility studies to evaluate biomass, geothermal, and other renewable heating options at over 50 sites across the territory. These studies will identify several renewable energy projects that could be constructed over the next several years.

I have no information before me on the state of Old Crow projects, but I will certainly get back to the member opposite with some answers to that question.

Ms. Blake: With the gasifier out of commission for so long, waste is piling up at the Old Crow garbage dump. The recent growth in construction activity has resulted in increased piles of construction waste being stockpiled near the burn area. Earlier this year, that pile caught fire, creating a significant hazard. Luckily, it was extinguished, but this situation is an accident waiting to happen. The backlog of trash is so large that the construction waste will have to sit until at least the spring before it can be burned in the burning vessel.

What is the government's timeline for dealing with the safety hazards created by not having a functional gasifier at the Old Crow garbage dump?

Hon. Mr. Mostyn: Mr. Speaker, I am pivoting away from our renewable energy initiatives into how we are handling waste in the territory, which is, of course, another issue that is very important to me and to this government. We are working toward a sustainable model for solid-waste management in the Yukon and we are investing in waste management facilities that reflect modern and sustainable practices that benefit the environment and the economy.

We are also investing with our municipal partners. We have entered into interim regional agreements with Watson Lake, Teslin, Mayo, and Carmacks. Dawson has operated a regional solid-waste facility for approximately 20 years. These agreements provide financial support to rural municipalities for modernizing their solid-waste facilities and extending their waste management services to unincorporated residents within the regional boundary.

We will continue investing in the infrastructure to ensure sustainable waste management services across the Yukon, including Old Crow. Once regionalization is fully implemented, all waste-disposal facilities in the Yukon will have gates, operating hours, tipping fees, and on-site staff to monitor and manage waste streams. This will reduce environmental risk and help to extend the life of landfills and the costs associated with liabilities. We are currently in phase 2 of our plan, Mr. Speaker. Phase 3 involves Beaver Creek and Old Crow.

Ms. Blake: Mr. Speaker, I don't think residents in Old Crow could drive their garbage to the garbage dump in Dawson. In 2021, a study was conducted and published by the University of Waterloo. The study measured the levels of contaminants in residents of Old Crow. That study found that persistent organic pollutants, such as HCB, lead, cobalt, and manganese, are higher for Old Crow residents than in the rest of Canada.

HCB has been banned globally under the *Stockholm Convention on Persistent Organic Pollutants*. Lead and manganese cause neurological toxicity. Exposure to cobalt can cause cancer and harm the eyes, skin, heart, and lungs. What is the government doing to address these very serious health concerns and support the citizens and the Vuntut Gwitchin Government?

Hon. Mr. Mostyn: Thank you, Mr. Speaker, and I really do thank the Member for Vuntut Gwitchin for the question this afternoon. It really cuts at the heart of what we've been talking an awful lot about this last session, which is better management of our waste treatment facilities across the territory. That's really what's at the heart of it and that's what we're doing here, Mr. Speaker.

We have a plan that was initiated in 2016 by the Association of Yukon Communities. It was then carried on by the Ministerial Committee on Solid Waste. That committee actually laid out a plan for which we can deal with solid waste in the territory. We started with Whitehorse and its environs. We've now gone beyond that to municipalities like Carmacks, Teslin, and Watson Lake. Now we are going to Old Crow in phase 3. It's on the list and we will certainly get to it as phase 3 now resolves, but we have to get through this second phase, which we are in right now. We are working through those issues right now, which includes investing in our communities, so we have regional landfills in every single municipality that is managed and looks after our environment. I am very glad to hear the member from Old Crow supporting that initiative.

Question re: Vimy Heritage Housing Society funding

Ms. Clarke: Mr. Speaker, the Vimy Heritage Housing Society has been working toward a new seniors housing option for many years. The past extension that the Premier signed in January includes a clause committing to fund the Vimy Heritage Housing Society as the government funds other similar projects in the Yukon. In return, the NDP will prop up his government. There are many organizations providing housing solutions for Yukoners asking for money. For example, the Safe at Home Society received an additional \$700,000 to continue their operations until the end of March.

Can the minister tell us how much funding is now being provided to the Vimy Heritage Housing Society?

Hon. Mr. Pillai: Mr. Speaker, I can go back and speak with officials. Actually, I think that later on this afternoon, we are going to be in Committee for the Housing Corporation for the supplementary budget. That will be a great time to dig into some of the deeper numbers. I will have our Finance folks here, but where things are at with the Vimy Heritage Housing Society — right now, they are in engagement with CMHC. There is a current program — they were working toward accessing money. Over the last 24 months, I believe, that program changed their criteria. Now they have moved the criteria back to where it was, which gives an opportunity for significant funds for Vimy. We continue to be in very close contact with Vimy. We continue to hold their lot in Whistle Bend. At this particular time, we are just trying to figure out how to best support them in their continued vision toward building some independent living for many individuals here who helped build the Yukon.

Ms. Clarke: Last spring, the minister shared that Vimy reported that they are about \$5.5 million short compared to what they expected to need to proceed.

Over the past few years, Yukoners have seen public announcements about funding to other housing organizations in the territory. Safe at Home announced that they have found additional funding from an undisclosed source to complete their project. Yukon Housing is now renting a total of 26 units at the Normandy Living seniors residence.

Can the minister tell us what work the Liberals have done to help Vimy close the funding gap?

Hon. Mr. Pillai: Mr. Speaker, we have put more support and time into the Vimy project than any other housing project. It has been seven years now. They are still in a position where, if they came to the table today, they probably would not know exactly the amount of money they need. That makes it very difficult. We have spent hundreds of thousands of dollars in support, de-risking the project. What we need to have is a very clear path forward. They are in engagement with CMHC. The co-investment program has changed criteria. It could be very advantageous for them. My latest briefing on this topic was last week. We continue to be extremely supportive. We have had engagement with multiple housing ministers at the federal level as well as the CEO of CMHC directly on this topic. It has been a priority for the MP for the Yukon as well as for many others. We want to see this project come to fruition.

We know that the Yukon Party was asked, during their time in government, for support. I don't know if there was support. I know that we believe in this project and we have put a tremendous amount of effort into supporting Vimy, and we will continue to do that.

Question re: Teacher staffing

Ms. Van Bibber: Mr. Speaker, both school councils of Holy Family Elementary and Selkirk Elementary have raised the alarm about the lack of teachers on call, or TOCs, to their schools. Holy Family has said that they are often 15 to 20 percent short each day in teacher coverage. It is leading to stress and low morale among the staff, as they have to juggle schedules and often ask vulnerable students to stay home because their EA is covering a class. Councils are asking about thresholds to cancel classes and even close their schools. We have heard that this is the top concern at most every school in the Yukon. Now they are calling this a crisis situation.

What action has the minister taken since last week's meeting at Holy Family to address the TOC shortage in schools?

Hon. Ms. McLean: Mr. Speaker, as I have said previously on other occasions, effective teachers are one of the most important factors in a student's success at school, and we work to attract and retain the best educators.

As of October 18 of this year, in terms of the number of registered teachers on call, we have 151 registered. The number fluctuates a bit because — I think that it's really important for folks to know that, as we are recruiting for positions in schools, some of the teachers on call have taken on other positions, so we've had 22 teachers on call — 14 in Whitehorse and eight in rural Yukon — who have now moved from the teachers-on-call positions into temporary positions supporting schools since the start of the school year. We continue to recruit teachers on call

and recognize that the demand for coverage continues to be a challenge. We continue to evolve our recruitment efforts to attract candidates for these roles. An information session, for instance, has happened and is continuing to happen with Employment Central. We also have open houses at various schools, including Selkirk.

Ms. Van Bibber: One suggestion is to deploy staff from the Department of Education to help on days with low coverage. This was done at the height of the pandemic to cover staff vacancies. One school asked for this a couple of weeks ago and was met with a hard no from the Department of Education. Has the minister instructed staff from the department to deploy available staff to help with the TOC crisis?

Hon. Ms. McLean: I will continue with some of the efforts that are taking place in terms of working to attract more teachers on call and to ensure that they are feeling supported in these positions. We are planning, as I have stated, an open house at Selkirk Elementary School as a pilot to generate interest to provide information to community members on the teachers-on-call role. We have also increased advertising through various mediums, including Facebook, in universities, on YuWIN, Employment Central, and other recruitment sites. We also recognize the renegotiation of our collective agreement at the end of the current term in June 2024 as a joint opportunity to work within those negotiations.

In terms of temporary vacancy management, there are a number of tools that schools can work with. Schools have several options available to help them manage, should they have a need. These include but are not limited to temporarily adjusting staff teaching assignments, adjusting to student learning groups, and the use, of course, of teachers on call. There are a number of other tools that are available to each school as they manage.

Question re: Beaver River watershed land use plan

Mr. Kent: Mr. Speaker, way back in 2018, the now Premier trumpeted what he called “a new way of doing business” by announcing that a sub-regional land use plan would need to be completed before an all-season road to mining claims north of Keno could be permitted. At the time, the Beaver River land use plan was to be ready in two years — by March 2020. Unfortunately, it has been hampered by missed deadlines, industry backlash, and even a lawsuit from the First Nation of Na-Cho Nyäk Dun against the Liberal government.

Earlier this year, it was reported that perhaps a draft plan would finally be ready by December 2023. Can the minister confirm that the draft will be ready this year, and what is the new timeline for a final plan?

Hon. Mr. Streicker: I thank the member opposite for the question. To begin with, let’s talk about how we are trying to work with First Nations rather than against them, which is what the Yukon Party was doing. Yes, it is a new way to work. I have met with the First Nation of Na-Cho Nyäk Dun to talk to them about land use planning broadly and about advancing the Beaver River watershed plan. It is continuing.

I had a bilateral this morning at 8:00 a.m. with Energy, Mines and Resources. I asked them to give me an update on the plan. I understand that they have ongoing meetings with this plan and are also making sure that it works well with regional land use planning, which we are working toward. The work is ongoing. I don’t have a date to provide for the member opposite today, but we continue to work on the Beaver River land use plan.

Mr. Kent: So, Mr. Speaker, no answer on timing — when it was promised to be ready in December of this year. I have to remind the minister about the lawsuit and the appeal that the government filed against the First Nation of Na-Cho Nyäk Dun when it came to a project in this planning area.

A business law bulletin about the Beaver River plan put out by McMillan LLP in February raised — quote: “... questions about how permitting decisions will be affected in cases where the government has established ad hoc ‘land use planning’...” When we asked about this in the spring, the minister dismissed it as an opinion piece from an Outside firm. As this was making its way around the investment community, we were concerned about damage to our investment reputation.

So, what policy actions has the minister undertaken to ensure that our investment reputation is protected in light of this disastrous planning process that the Premier launched almost six years ago?

Hon. Mr. Streicker: Mr. Speaker, let’s talk a little bit about history here. The Peel was the plan that ended up in the Supreme Court, and I appreciated how that resolved. We signed off on the Peel plan, and I disagree with — I believe that the member opposite who is asking the questions was once the Minister of Energy, Mines and Resources and probably was involved in that. I think that is the wrong approach.

So, we have been working, for example, on the Dawson regional land use plan, and even though these plans do take longer to achieve, they are the right thing to do. We are committed to them through our final agreements and we believe that we have to do that hard work with nations.

When it comes to Na-Cho Nyäk Dun and their traditional territory, the regional plan is the Northern Tutchone plan. We have talked to all three nations within that plan, and we may have to change the internal boundaries to allow them to go at the pace at which they wish to go. We have had conversations about the Beaver River plan and how it would work within that broader context, and we will continue to do that important planning work for our mining industry.

Mr. Kent: Mr. Speaker, I need to bring the minister back to what we are actually talking about here today, which is the sub-regional planning fiasco launched by the former Premier.

In the spring when we questioned the Yukon’s investment reputation, the minister was quick to reference the Fraser Institute’s 2021 investment attractiveness index for mining and dismissed the legal bulletin regarding the Beaver River plan.

On March 23, he told the House — and I quote: “The Fraser Institute listed the industry in the top 10 last year, so that’s pretty good — top 10 jurisdictions in the world.”

In 2021, we were ranking ninth overall in the world, but one year later, that ranking plummeted to 20th overall for 2022. That's the lowest ranking for Yukon since the Premier had us at 23rd in 2019.

So, now that the minister's preferred measurement — which is the Fraser Institute ranking for Yukon — is in freefall, will he take this issue seriously and tell Yukoners what steps he is taking to restore investor confidence in Yukon's mining industry?

Hon. Mr. Pillai: I know the question is about Beaver River, but then it strayed off to investment attractiveness.

The member opposite knows very well — holds the record probably over the last two decades for that — \$6 million in investment into the exploration industry under the member opposite who is asking the question. Now we are at, usually, about \$200 million. In his day, holding that record of \$6 million versus \$200 million — but he gets up to criticize us.

All I know is that the most significant major mining companies in the world are looking to invest in the Yukon. We know that. We know that some of the biggest companies that do offtake — Glencore, Mitsubishi are here looking to invest in the Yukon. We know that they have the means to be able to put up appropriate security. We know that they have to be focused on corporate social responsibility and they are the right players. We know what is happening in the Yukon when it comes to this industry. We believe that continuing to work with First Nations at the table, looking at modernizing mining legislation instead of hiding and running away from it, thinking things will get better, which they don't — but taking this on and showing leadership is the way to move forward and that is what we will do. We will continue to do that work, and we will continue to support that industry.

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

ORDERS OF THE DAY

Hon. Mr. Streicker: Mr. Speaker, 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

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order. Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*. Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Deputy Chair (MLA Tredger): Committee of the Whole will now come to order.

Bill No. 32: Act to amend the Victims of Crime Act (2023)

Deputy Chair: The matter before the Committee is general debate on Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*.

Is there any general debate?

Hon. Ms. McPhee: I am just welcoming to the Legislative Assembly the Deputy Minister of Justice Mark Radke and Mina Connelly, who is the drafter with respect to the bill that is before the House. Welcome to both of you and I look forward to our debate here in Committee of the Whole.

In my earlier remarks during second reading, I provided a high-level overview of Bill No. 32, the *Act to amend the Victims of Crime Act (2023)*. This bill will enhance protection of client information that is voluntarily provided and is collected in the provision of services by the Victim Services branch under the *Victims of Crime Act*. I will provide some context that underscores the need for these changes and a bit about the bill in greater detail.

These proposed changes establish a framework for the treatment of victim records, which are currently subject to access-to-information requests. The right to access information includes information about the public body as well as any personal information held by that public body. The right of individuals to access their own personal information means that any member of the public can request copies of records that contain their name, their address, or other identifying information. There are limits to the type of information that an applicant may receive. For example, copies of responsive records will have any third-party information redacted.

The Victim Services branch operates several programs that provide victim-led, trauma-informed supports for anyone who has been victimized. Programs such as the sexualized assault response team, the independent legal advice program, and the family information liaison unit are examples of programs managed by the Victim Services branch.

Victims or clients are given assurances that any information that they share with a service provider will not be shared with anyone else unless disclosure is compelled by an enactment, a court subpoena, or voluntarily disclosed by the client. The assurances of confidentiality refer not only to the content of information provided but also to the very fact that an individual has sought help from Victim Services. An individual who consents to the provision of services will be given information about options that they can pursue to improve their safety, their psychological well-being, and themselves. This could mean counselling, it could be a referral to medical care, or it could be the opportunity to explore legal options.

Victim Services guides clients to whatever help they wish to receive. If a client chooses to receive services or maintain their relationship with Victim Services — if they choose not to do that — then no records are produced for that individual. But

if they choose to receive assistance and that results in records being created, those records may contain the name of an offender or an alleged offender or other individuals who are peripheral to the offence. It is important that these records and sensitive and personal information be protected from those who may seek to harm a victim. The records not only contain information about the victim and the services that they may choose but also information about the offender. For example, service providers may record the personal information about an offender or an alleged offender in a personal safety plan for the victim or a victim of intimate-partner violence, of sexualized violence, or of family violence. If this information is accessed by an alleged perpetrator through a request for access of information, it could potentially divulge sensitive information that could then be used to further harm the victim.

Through these proposed amendments, we hope to provide more protection to victims' records and ultimately then more protection to victims. Firstly, in this bill, we introduce the definition of "victim record". This includes any record created in the provision of services on behalf of a victim of an offence or an alleged offence. The introduction of the category of victim records specifies what those records are, why they are created, and how they are different from other records. Secondly, the bill also introduces the definition of "protected information". This protects both the type of information in a record and the existence of that information from anyone who may present a risk of harm to a victim. "Protected information" by definition includes the personal information of an access request applicant.

The risk of the current operation of the *Access to Information and Protection of Privacy Act* is that, by confirming to an applicant that a record exists at Victim Services containing their own personal information, this inevitably confirms that their alleged victim has sought service and support through Victim Services and shared their name or other identifying information. A confirmation of records containing an offender's personal information is particularly dangerous for victims who are trying to leave a situation of intimate-partner violence or for those who cohabit with a violent or coercive individual.

Lastly, the final term defined in this bill is "harm". This definition specifies the types of negative outcomes that may impact a victim if protected information is made known to anyone else. "Harm" is defined broadly to include physical or mental injury and includes emotional trauma, humiliation, damage to reputation or relationships, as well as economic loss or deprivation of property. While service providers cannot know the level of risk that an access request could present for a particular client, any additional risk of stress, fear, humiliation, or safety is an unacceptable burden on a vulnerable victim.

It is important that victims can trust that, when they come to Victim Services, their sensitive information is treated with care and those who have harmed them will not be able to know if they have sought care or be able to retaliate against them for seeking care and support. As I said earlier, those assurances are made that the information they give to Victim Services will not be disclosed to anyone.

There are already discretionary provisions in the *Access to Information and Protection of Privacy Act* — also known as the ATIPP act — that prevent a victim's records from release to access-to-information requests. This is particularly important when requests are submitted by individuals who have been named by the victim. However, the process for refusal prescribed in the ATIPP act is onerous and leaves some gaps and uncertainties that this bill will address.

This is why we are here today. The proposed changes would add section 14.01 to the *Victims of Crime Act* to address the non-disclosure of protected information. This section aims to expedite refusal on the basis that the release of protected information contained in victim records or even acknowledging the existence of the victim records can present a risk of harm for a victim.

Section 14.01(3)(a) enables the department head to refuse access to requests to any individual named as an offender or an alleged offender by a client. Refusal is expanded in subsection 14.01(3)(b), stating that protected information will not be disclosed to "any other person, unless the public body is satisfied that the disclosure cannot reasonably be expected to cause harm to the victim." Section 14.01(3) does not apply to victims requesting access to their own records.

With respect to access-to-information requests, an additional provision expressly prevails over the *Access to Information and Protection of Privacy Act* to the extent of any conflict or inconsistency. Refusal of access is based on the belief that information provided by a victim should remain private. This is the core belief behind this bill.

Generally speaking, no individual outside of service provision should be able to find out that a victim has sought help. Refusal to grant access will only apply to a small set of access requests with a very narrow scope.

The amended act retains the right of the public body to disclose information if it means that disclosure is necessary to protect an individual or a group of individuals or if the matter is of such public interest that it outweighs victim privacy. By retaining the right to use discretionary disclosure, the public body is afforded some flexibility for unforeseen situations where disclosure would be necessary — for example, to alert an individual that they are in danger.

Victim Services only provides supportive services and resources; they are not adjudicators or law enforcement.

The amended act would only apply to requests for information under the ATIPP act and does not apply to the collection of records compelled by any other enactment. The amendments would also only apply to access requests for protected information contained in a victim's records, so it's very specific and quite narrow. Any requests that fall outside the scope of these amendments will not be impacted and Victim Services will continue to be responsive to any access requests of other kinds. Protecting the privacy of victims by limiting the access to information that is collected through the provision of services reinforces a victim's trust in that they can safely and confidentially access services when they need them most.

I am very pleased to bring this bill forward to enhance the protection of privacy and the safety and privacy of victims. I

look forward to comments or questions and to the support by the other members of the Legislature to make this very narrow change that will protect the safety and privacy of victims.

Mr. Dixon: Thank you very much, Deputy Chair, and thanks to the minister for her opening remarks introducing this bill in Committee. I appreciate the overview. I would also like to join her in welcoming her officials to the Legislature as well and thank them for the briefing on behalf of my colleagues who attended. They informed me that all of their questions were answered at that briefing.

Of course, access to information is very important, but there are reasonable limits to that. The protection of the personal safety of victims is an obvious example of that, so we will certainly be supporting the bill and don't have much in the way of questions today.

I would like to give the minister the opportunity, though, to discuss implementation a little bit — if she could indicate how this bill, once it becomes law, will be implemented. How will public bodies and departments take action to implement the bill? Any other information that the minister could provide us about implementation would be appreciated. After that, I will cede the floor to my colleague from the NDP.

Hon. Ms. McPhee: Thank you for the opportunity to address the concept of implementation and how the public will be advised of this. There are a few details that I can provide today as a result of the question.

The implementation of this new law, should it pass the Legislative Assembly, will be upon assent. So, almost immediately, the new rules will begin to be enforced and applied. They will apply to all active ATIPP requests, so even for an ATIPP request that was made last week but has not yet been answered, the new provisions would apply going forward.

The other note that I can add — because it was a question that I had as we were working on this matter — is that the very narrow scope will be enforced through this process because all of the requests that this new bill will impact will be requests to Victim Services. Victim Services will be the only public body that is affected, and therefore, any of the requests that are coming to them — they will be well aware of the requests of someone looking for their own information and be mindful of the new provisions to protect the privacy of that information.

Ms. Blake: The safety and privacy of victims of crime is of critical importance. The minister indicated that changes to this act will further reinforce privacy rights for victims and help them to stay safe. I just wanted to follow up on one of the questions that was asked by my colleague the Leader of the Third Party.

In terms of victims who are dealing with domestic violence, if the offender or person causing harm files for access to information in regard to someone whom they have caused harm to in a domestic violence situation, how are the privacy and safety of the victims of domestic violence upheld if there is a request for information — if that makes sense?

Hon. Ms. McPhee: Thank you for the question from the member opposite. I think that, in general, what I would like to say about that is that this is exactly the intent of the provisions of this new bill — that the privacy and safety of any victim, no

matter why they access services at Victim Services, are intended to be protected here, whether it is intimate-partner violence or whether it is domestic violence. For that reason, any — I am going to call them an “ATIPP applicant” — who is seeking information about themselves in a file will enable Victim Services to refuse to disclose any of the information in that file, including the existence of the file, because sometimes it is enough information if somebody is trying to use the ATIPP act in this way to request information — it is enough that there is a file that exists. That would tell an offender or an alleged offender that their partner or their victim, depending on the circumstances, had, in fact, either attempted or is accessing Victim Services. That is the core concept here.

I hope that answers the question.

Ms. Blake: What measures are in place to support victims if protections provided by the act are breached? For example, will victims be able to complain if the act is breached and through which channels?

Hon. Ms. McPhee: I thank the member for the question. The question is about what recourse is there for victims should the new provisions of this act be breached and their privacy or safety be breached.

I will say, firstly, that we don't expect that there would be breaches in these situations, because all of the requests of this nature, to which these new provisions apply, would be requests directly to Victim Services for access to information that is in their files only. It will be Victim Services and the officials there — and the officials at Justice, under which Victim Services operates — who would look very, very carefully at these kinds of ATIPP requests.

However, if there were a breach, all of the provisions of the ATIPP act — or even a concern or question that there could have been a breach — with respect to recourse in those situations still apply and, of course, some of those would lead them to the Information and Privacy Commissioner and complaints that could go there. All of those provisions would still be applicable.

Ms. Blake: In terms of potential breaches, can family members or non-governmental organizations file complaints on behalf of a victim if there has been a breach, or does it have to come specifically from the victim?

Hon. Ms. McPhee: This is something that I can respond to in a further letter or note for the member opposite. It would clearly depend on the circumstances of the potential breach or of the complaint and what provisions of the ATIPP act — which I don't have at my fingertips — would apply and how they would apply to the particular situation. There is certainly no limit — in my recollection, and it's getting pretty old with respect to the ATIPP act on a daily basis when I worked with it. But certainly, there are no restrictions on who might come to the Information and Privacy Commissioner and what sort of concerns they might bring. I would say that generally other people could ask about a situation, but if it involves personal information — of course, I won't speak for IPC — that would limit what could be brought to them, but it would depend on the circumstances. I can find those provisions of the act with

respect to taking complaints or concerns forward under the ATIPP act.

Ms. Blake: I just feel it's important to ask about potential privacy breaches, because that's something that I've noticed occurring in different organizations and First Nation governments in the territory, especially when there are data or records kept on a computer system.

I know that for victims of crime or victims who are dealing with domestic violence, it's not always easy for them to reach out and ask for support or reach out for help.

Are victims notified if there is someone putting a request in to access their information?

Hon. Ms. McPhee: I just want to clear up the scope or the specifics of the kinds of requests that this bill will apply to, and those are requests that are made for an offender's — I will call the person an "offender" and an "alleged offender" — information.

So, if an offender is asking to see or to know as to whether or not there is any information about them in a Victim Services file, that is when this bill or the details of this bill will kick in — if I can say that.

If I am the offender — that's probably a bad example — I can't ask for a victim's information in Victim Services anyway, because that is the victim's private information, and the "regular provisions of ATIPP" — I will call them that for the purposes of this discussion — would apply, and that would be another party's personal information, which I am not permitted to have.

But if I am looking for whether or not my name exists as the offender or an alleged offender in a Victim Services file, we note — and therefore have brought forward this bill — that even the existence of that information and what it might say about an offender or an alleged offender is enough to potentially put a victim at risk.

These provisions apply when someone is asking for information about themselves that might exist in Victim Services. The protections exist here to make sure that this information isn't disclosed in there, which then, inadvertently, would allow someone to know that someone they are accused of victimizing has mentioned them or has told someone that the alleged offender against me in the file is so-and-so, with their address, their name, where they work, and some personal information about that party.

Of course, anyone is entitled to seek information under ATIPP or to just request information from government files about themselves. In this context, the existence of that information in Victim Services files could put a victim at risk, so these are the limitations.

Ms. Blake: I thank the minister for her response to that question.

The next question I have is in regard to protecting witnesses of crime. I am sure we all understand the challenges that witnesses sometimes face when they come forward with information — whether it's regarding their safety or their well-being when they are witnessing some form of crime. Will these changes help to protect witnesses to crime who come forward in the same way as a victim?

Hon. Ms. McPhee: I just want to take a moment to thank my officials who are getting up and coming over to help me, as opposed to me normally having to get up and move around a bit, but I certainly appreciate the set-up today.

With respect to the question regarding witnesses, if an individual is receiving the sort of gate upon which someone enters into Victim Services, receiving services of any kind from Victim Services, then a request through the ATIPP process for someone to seek information about themselves would fall into this category.

But this is about protecting the information that is in Victim Services' files and the reason that Victim Services' files are created is because someone is receiving services from Victim Services. That may be witnesses on occasion, but this is not specifically designed to protect witnesses unless they are also, as a witness or for some other reason, receiving services from Victim Services.

Ms. Blake: I think that is an important question that we didn't even think of until someone who is tuned in to the debate right now called in with this specific question. I know just from my past work experience that witnesses often face challenges too, whether they are coming forward to the RCMP or Victim Services, and there are concerns of safety and protection when witnesses are coming forward with information on a crime that has been committed against another person.

I think the person who tuned in and called our office really wants reassurance that they will be protected as a witness with this act coming into place.

Hon. Ms. McPhee: I appreciate the concern expressed by the member opposite. If that person's name exists as a witness in a file that exists at Victim Services, then information would not or could not be disclosed in that situation. But to give a broader assurance of witnesses' potential names — for instance, when a crime is committed or alleged to have been committed and there is an RCMP file and there are witness statements, they proceed to the Crown's office and then the Crown proceeds to bring the matter to open court. In our system, a witness might be called or subpoenaed to court. This act and the amendments here in Bill No. 32 don't have any impact on any of that process. A witness's name, for example, who is going to be called to a trial is disclosed to the alleged criminal or to their legal counsel through that process. That is the way that it works. The protections for individuals who are accused of a crime and the potential loss of liberty for those individuals is what is protected. Therefore, the full aspects of the alleged crime and the witnesses are disclosed to them in documentation as well as witness statements, et cetera, so that an individual can meet the case that is going to come against them from the state.

That being said, these particular provisions do not protect the information or the name of that individual once it has been disclosed, for instance, to the alleged offender. However, just to be clear, these provisions do exist to protect information that is in a Victim Services' file when someone is seeking services from Victim Services.

Ms. Blake: I thank the minister for the response. As per article 14.01(3)(b): "A public body must not disclose protected

information to ... (b) any other person, unless the public body is satisfied that the disclosure cannot reasonably be expected to cause harm to the victim.”

So, if an access-to-information request is granted to the individual, will the victim be notified, and will the victim have any say as to whether information is disclosed or not or what types of information can be released?

Hon. Ms. McPhee: I thank the member for the question. As a matter of practice, I think what the member opposite is asking is: If there was a decision under 14.01(3)(b) that information was to be disclosed — again, information about an offender or an alleged offender that is being asked for — would the victim be consulted in that decision and be advised of that decision?

I would expect that to almost never happen, because the provisions in this bill have been crafted so that the default position — when an alleged offender is asking for information about themselves in a Victim Services’ file — is that it will not be provided.

It would be an extremely rare circumstance in which a decision would be made that there would be no harm, because the assumption is that if this information was disclosed — if the existence of a Victim Services’ file at all was disclosed — it could result in potential harm.

Ms. Blake: Thank you, Deputy Chair, and I thank the minister for her response.

I am glad to see that the definition of “harm” includes mental injury and emotional trauma, as victims often struggle with the aftermath of what they have experienced.

The question I have is: Who will make the judgment call of what constitutes harm and who decides what circumstances would warrant disclosure or not?

Hon. Ms. McPhee: The definition of “harm” to be included in this piece of legislation to impact the *Victims of Crime Act* is a new term that is added to section 14.01 of the amended act. It is incredibly important to the operation of the new provisions. “Harm”, of course, in the new *Victims of Crime Act*, or the act to amend it, is defined as “bodily or mental injury...” — as noted by the member opposite — “... personal humiliation, reputational or relationship damage, emotional trauma, economic loss, or deprivation of property.”

So, it is very broad. It is defined to be very broad intentionally. The definition of “harm” in the amended *Victims of Crime Act* will form the basis of a test that is applied to determine the non-disclosure by the public body. That is part of the answer.

The other question before me is: Who will decide? These access requests will all come to Victim Services. They are ultimately dealt with at the level of director and service providers, so there are individuals named in each department in the government to determine what information they have that exists in response to an ATIPP request and therefore what could possibly be disclosed, and then to apply the provisions of the ATIPP act to make sure that they can disclose that information or redact certain information. That is the process, very generally.

It would ultimately end up at Victim Services, as they will review the access request. Ultimately, as noted in this bill that is before you, it is the responsibility of the deputy minister or deputy head, as they are called in the acts, to make the determination. So, it will occur in the Department of Justice, and the department head making that decision is consistent with the operation of the ATIPP act. While this will impact victims of crime and those provisions, they are all in alignment. As I said earlier, the ATIPP act continues to operate, but if we have someone who is asking for information about themselves in a Victim Services’ file, alarm bells will go off and the application and the protections that exist in this bill will be applied, and quite likely, that information will not be provided or even the existence of that information being in a file will not be given in response.

Ms. Blake: Deputy Chair, I thank the minister and the officials for the response to my question. Will the provisions to this act apply to all victims even if their cases do not go to trial or if their cases were dismissed or filed as unfounded?

Hon. Ms. McPhee: I thank the member for that question, because it is one that is of concern and should be understood by Yukoners. Again, the provision applies to all files that exist in Victim Services. Often individuals come to Victim Services and seek support or seek help or advice about where to go and they seek assistance of Victim Services even if there ultimately are not criminal charges or are not charges involving their cases or whether they do or do not end up in a courtroom. Certainly, the provisions that Victim Services is providing through the sexualized assault response team, as an example, is something that we say on a regular basis to everyone. It has nothing to do with whether or not the individual even speaks to police. If they seek services from Victim Services and those are provided, that’s the scope of the files that we are dealing with in this situation and it doesn’t matter whether or not criminal charges are laid or how they proceed through the courts.

Ms. Blake: I thank the minister for answering that question. The next question that I had is just in regards to education on the changes to the act. Whose responsibility is it to educate anyone who is carrying out the changes with the provisions of this act? Will there be training for implementation if needed? And what is the timeline to ensure that resources are allocated to educate and raise awareness for the public and service providers to know about the provisions of this act?

Hon. Ms. McPhee: Deputy Chair, I thank the member for the question — again, it’s important as we proceed. First of all, the most important piece of information I think that I can provide today is that Victim Services is fully educated about these changes and ready to implement them immediately. The ATIPP office — so, the administrator for government as to how ATIPP requests come through — has been notified of the plans to change and will be briefed of changes to answer any questions that might come to them immediately.

There is really no other work required for implementation, because Victim Services and the folks in the Department of Justice who deal with these ATIPP requests — which is where

they will all end up — have been advised and educated about the changes.

I will just be clear: The implementation will be upon assent, so it could be very soon if this bill proceeds through Committee of the Whole into third reading, which is not very often the case with respect to legislation. I am pleased to say that it could be almost immediate.

Ms. Blake: Deputy Chair, I don't have any further questions. I would just like to thank the officials for being here today, and I thank the minister for answering my questions.

Deputy Chair: Is there any further general debate on Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*?

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

Ms. Blake: Deputy Chair, pursuant to Standing Order 14.3, I request the unanimous consent of the Committee of the Whole to deem all clauses and the title of Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*, read and agreed to.

Unanimous consent re deeming all clauses and the title of Bill No. 32 read and agreed to

Deputy Chair: The Member for Vuntut Gwitchin 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. 32, entitled *Act to amend the Victims of Crime Act (2023)*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted.

Clauses 1 to 4 deemed read and agreed to

On Title

Title agreed to

Hon. Ms. McPhee: Deputy Chair, I move that you report Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*, without amendment.

Deputy Chair: It has been moved by the Member for Riverdale South that the Chair report Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*, without amendment.

Motion agreed to

Deputy Chair: The matter now before the Committee is general debate on Vote 18, Yukon Housing Corporation, in Bill No. 211, entitled *Second Appropriation Act 2023-24*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair (Ms. Blake): Committee of the Whole will now come to order.

Bill No. 211: Second Appropriation Act 2023-24 — continued

Chair: The matter now before the Committee is general debate on Vote 18, Yukon Housing Corporation, in Bill No. 211, entitled *Second Appropriation Act 2023-24*.

Yukon Housing Corporation

Chair: Is there any general debate?

Hon. Mr. Pillai: Madam Chair, I would like to first welcome the officials — our president from the Yukon Housing Corporation, Justin Ferbey, as well as our acting vice-president, Beth Fricke, are here with me today. So, thank you to them but as well to all the other officials who have worked to pull together our supplementary budget, to prepare for today, and to undertake the briefings with the opposition parties.

As Minister responsible for the Yukon Housing Corporation, I am pleased to rise today to outline our first supplementary budget estimates for 2023-24. Our government is committed to expanding housing supply, increasing wide availability, improving affordability, and integrating housing programs with supportive services. In short, we are committed to improving housing outcomes for all Yukoners.

I would like to take this opportunity to thank, again, the staff from Yukon Housing Corporation for their hard work and dedication in helping us deliver on this commitment.

First, a few updates on new capital projects: In August, the corporation opened two accessible duplexes, one in Mayo and the other in Carmacks. The work is progressing on duplexes in Dawson City and Faro. All of these new duplexes are affordable and will help to meet identified housing needs.

We are also nearing completion of a tenplex in Old Crow, which will add much-needed housing for this community as well. It is worth noting that the construction of this facility, along with the new health centre, created at least \$10.5 million in economic benefit for the community from employment, shipping, accommodations, and other related benefits.

I am also pleased to announce that we recently broke ground on the new Housing First initiative in Watson Lake, a project to provide low-barrier supportive housing to those experiencing homelessness and struggling with mental health and/or addiction challenges. The complex was designed with input from the Liard First Nation Chief and Council, the Town of Watson Lake mayor and council, and local community members. It is a perfect example of how a partnership-based approach to supporting housing solutions is what is required to deliver results for Yukoners.

Beyond bricks and mortar, the corporation is improving client service and collaborating with partners to unlock new funding opportunities and support the diverse housing needs in Yukon communities. In early summer, we launched the housing flood recovery program to support residents affected by the devastating flooding events in the Klondike region. The program is on track to support more than 20 households with grant and loan funding to help recover from last May's floods.

I also have a few announcements to make regarding our collaboration with the federal government. First, I am pleased to note that we recently secured \$5 million from CMHC's rapid

housing initiative — cities stream — to support nine new affordable housing units.

Second, we are currently in negotiation to expand the Canada-Yukon housing benefit. This is our subsidy program for renters in need. The expanded program will include a dedicated stream for survivors of gender-based violence.

On a lighter note, I would like to acknowledge the little things that we were doing to foster stronger communities and neighbourhoods in September. Staff at the Yukon Housing Corporation hosted a community barbecue at the mixed-income, mixed-use 401 Jeckell building, which is now fully tenanted. The barbecue was a great success. Residents and neighbours came together and made connections with staff and representatives from local NGOs — a great example of community building in action.

Even with all of the progress we have made, more work needs to be done. We are committed to further increasing housing supply, to get more shovels in the ground. Yukon Housing Corporation's development pipeline alone includes a 34-unit building on the Korbo lot in Dawson, a 45-unit build at the Ryder site in Whitehorse, a 10-unit build in Mayo, sixplexes in Teslin and Carcross, among other projects, not to mention other capital projects being led by our partners.

Moving these capital projects forward will require an unwavering commitment to get the job done. We are in a time of global challenges, such as high inflation, interest rates, and building costs, which are adding to daily complexities and impacting project timelines. In part due to these challenges, the Yukon Housing Corporation's supplementary budget estimates for 2023-24 include \$6 million in deduction from the main estimates. The supplementary budget also includes a \$455,000 increase to the corporation's operation and maintenance budget. This is due to obligations associated with the new collective agreement, retroactive to April 1, 2023.

Overall, therefore, the supplementary budget entails a decrease in total appropriation of \$5,540,000, for a revised total for both operation and maintenance and capital of \$71.8 million. Of the reduction to the capital budget, \$2 million is a decrease for the developer-build loan program, which helps to finance new residential land infrastructure projects and multi-unit residential building construction. This adjustment is due to lower than anticipated uptake in the application-based program.

An additional \$4 million capital decrease is the result of delays to the Korbo project in Dawson City, which is being partially funded through CMHC's northern carve-out program.

In conducting their due diligence and planning for the project, staff at the corporation, in conversation with Yukon Energy, discovered that significant energy infrastructure upgrades would be required to support a building of this size. Now that the plans are in place to make these upgrades, the Korbo project will be forging ahead.

We will continue to move capital projects along and meet challenges head-on. Again, Yukoners are depending on us to deliver.

Thank you, and I will open up the floor to questions from the opposition.

Ms. Clarke: I would like to thank the officials for the briefing and welcome them to the House.

Last year, the Auditor General found that the Liberal government was not adequately supporting Yukoners with the greatest needs when it comes to affordable housing. They made several recommendations for the Housing Corporation, which the government accepted.

Can the minister please provide us with an update on his work plan to address the issues outlined in the Auditor General's recommendations?

Hon. Mr. Pillai: The Yukon Housing Corporation and the Department of Health and Social Services continue to work together to address the gaps identified in the 2022 Office of the Auditor General of Canada report on housing. Of the 25 actions Yukon Housing Corporation is responsible for in the OAG report work plan, four actions have been completed. We are: amending the prioritization system and eligibility requirements as part of the community housing operational policies; commitment to a multi-year MOU between the ministers of Health and Social Services and the Yukon Housing Corporation to create a framework for cooperation on affordable housing and housing with services; establishing the terms of reference for the joint Yukon Housing Corporation and Health and Social Services assistant deputy minister steering committee; and publishing of the 2019-22 housing action plan report.

Three actions have not been started; 11 are underway with partners, such as the Health and Social Services and the Yukon Bureau of Statistics; while seven continue to evolve, based on the housing needs of Yukoners.

The Yukon Housing Corporation and Health and Social Services released that work plan in December of 2022, consisting of the 36 actions to address the OAG recommendations.

Again, a high level would be that we are including: liaison with Yukon First Nation governments, municipalities, community groups, the university, and the federal government to share information and data on housing in the Yukon; conduct community assessments of all Yukon communities within an established reporting cycle and publishing an annual summary, including recommendations to inform decision-making and resource allocation; and to develop program monitoring and evaluation frameworks.

Ms. Clarke: Thank you, Madam Chair, and I thank the minister for that answer. The Yukon Legislative Assembly's Public Accounts Committee made six recommendations to Yukon Housing to better serve Yukoners. Can the minister share what progress has been made to adopt those recommendations?

Hon. Mr. Pillai: We are going to come back with a note on the specific six items that were identified from Public Accounts and just bring back a legislative return with progress on that.

Ms. Clarke: The supplementary budget includes a \$6-million decrease to the capital budget of the Yukon Housing Corporation. Can the Premier please outline where these funds are being reallocated?

Hon. Mr. Pillai: The work that is done within the Yukon Housing Corporation is — part of our obligation is to go back and look at the funds that we will use within the time frame of this fiscal year. We don't then identify where it goes; we identify what we need. What I outlined today was some of our programs that were undersubscribed. I also outlined in the preamble areas where we needed additional funds — really because of the collective agreement. Then, within that process, all departments across government would then identify and provide similar information: needs they may have or, in some cases, funds that they will not use within this fiscal period. Then, it's the work of the Finance department to coordinate a response to that.

So, it's not the work of Yukon Housing or me to tell you where it's going to come from or where it's going to go. It's the work of the Department of Finance to identify all of the requests that are submitted as we get ready for a supplementary budget process.

Ms. Clarke: Last spring, the Premier said that the \$5 million they had budgeted for the developer-build program would support community development partnerships that would increase housing supply in the territory. A couple of weeks ago, he confirmed that the program is undersubscribed and that funds would be reallocated.

There seems to have been some discrepancy between the numbers we were given in the briefing and the numbers the Premier has around this program. I am hoping that the Premier can confirm how many applications the Yukon Housing Corporation received for the program and how many were approved.

Hon. Mr. Pillai: I am just going to reflect back on the question. I think the question was: How many applications did we receive for the developer-build loan program? We received two applications for the developer-build loan program as of last week, or a week or two ago, when we were having this discussion. One was withdrawn, and officials have just told me that we have just received one more application for the developer-build program, so right now, you would be looking at, for this fiscal, a total of two applications for the developer-build loan program.

Ms. Clarke: Considering the urgency to expand housing in the territory, did the Premier consider alternatives, such as expanding eligibility to this program, rather than reallocating a considerable portion of the money available?

Hon. Mr. Pillai: I think that, under the current circumstances, the criteria for the program have not seemed to be the challenge. I think that it is something where we heard that developers who are in that sector talk about the fact that they need to offset some of their costs, especially when they are looking at horizontal services. I think that it was actually pretty innovative for us to move in this direction. I guess I would say that I am open to the debate about it, but what would be the criteria or scope change within the program that would — we think that some of the projects that are being identified will be coming back next year requesting some of the funds that we have not spent this year.

We think that some of the projects are going to stretch out their timeline, so we are still going to be supporting those projects. Again, it was 2022 when we looked at land development. Actually, this is driven — probably in this case, we know of at least 150 more opportunities just on one of these projects. When you consider that the City of Whitehorse's threshold for annual lots that they wanted to see was 200, the fact that this one tweak of this program is leading to 150 lots is, we think, very innovative. I am definitely open to suggestions or advice from the member opposite on ways that we could change criteria to increase interest in the developer-build loan program.

Ms. Clarke: I just wanted to touch on some of the work that was included in the Premier's mandate letter for himself, as Minister responsible for the Yukon Housing Corporation, from March 2, 2023. He has committed to develop new land parcels and lots. Can the Premier provide more information on this? How many new land parcels and lots have been developed since March, and how many lots have been developed since the 2021 election?

Hon. Mr. Pillai: From our standpoint, the work of the Yukon Housing Corporation is to support work for both Community Services and Energy, Mines and Resources. I know that Community Services has had an opportunity to come and have a long dialogue here. I will leave it to Community Services to talk about their portfolio on land development. I think the question specifically pertained to new innovative ways to look at land development.

Of the things that I am focused on that would pertain directly to that line in the mandate letter, the first one actually pertains to the last question that I had, which was about innovative ways to look at other land development. I think that we are on pace right now. The lots are in the midst of being developed. I don't have the breakdown right now of Chu Níikwán. I know that the Leader of the Official Opposition was up on-site and did a walk-through with the CEO of Chu Níikwán, and I have as well. We have been on that ground. We have put our feet on those new roads and looked at those lots and those new neighbourhoods. There is a portion of work right now that is being done in that phase. There are 24 lots in that first phase that are being developed, so that is something that is key.

I also would touch on the work around the tank farm. There are no lots available just yet, but I think what is really important about the tank farm is that there is the potential, as far as we are aware, of 100 lots in the tank farm area. I think that the Yukon government has done a good job of making this a priority. There have been lots of discussions back and forth. We have requested — and supported the city and asked what they need for this. The City of Whitehorse wanted to go through a master planning exercise.

Our last conversation with officials was that we should be in a position this winter where they will bring that to their mayor and council. They would then be looking to support it. Then it will also give us a better sense of what our needs are. As the member opposite said, you are not going to get some of these things done in 90 days or over the summer season

from a March mandate letter, but you will make important progress in moving projects like this ahead.

For a little bit of extra information, the remediation of the land known as the “tank farm” between the Valleyview and Hillcrest areas and Hamilton Boulevard is now complete and the site is ready for development. The government acknowledges the tremendous effort on the part of private, municipal, and Yukon government stakeholders to develop and bring a sizable lot on to market. There have been discussions happening between the private sector — that I am aware of — and First Nation governments. They are also looking for partnership in that area.

It is probably the most complex undertaking when we see land development from a governance perspective, because you have multiple private sector holdings, two self-governing First Nations, and the City of Whitehorse and the need for the Government of Yukon to be part of that work as well.

I think that, over the winter, we are waiting to see the master plan completed. It was done by local teams. There was significant consultation with neighbours and in the adjoining area.

The other piece of work that we have kind of sparred over here in the House — but I think it is important — is 5th and Rogers. We are waiting right now. We have only one proposal that was received over the summer. I believe Energy, Mines and Resources is working closely with the Yukon Housing Corporation on a final review of that submission. Of course, we are looking at appropriate pricing for the lot. There is also a deeper dive into what that work would look like. We want to see significant development in that area. That would be something that would be pertaining to that language in my mandate letter.

I think it is also important to add that, in my discussions with municipalities — and there have been a few that I have had discussions with on this topic, and we will be offering this up to many.

You will have to go back and look at some of the things that we have done. The first would be a pretty significant agreement that was put in place and would also pertain to that line, which is our work and our significant work toward lot development in Watson Lake. That was work that was done directly with the Liard First Nation but also with the leadership of Mayor Irvin and the council in Watson Lake. Again, that’s another project where they are looking at how they are going to roll out lots in a phased approach. We think we want to do more work like that as well.

We also have offered to support municipalities. If municipalities want to go out and look at potentials as well on their work, I think that is something that is going to be very significant. Whether it is a municipality that goes out and does an expression of interest or they go out and do some sort of RFP for land acquisition that they want to undertake, I think that is something that we could be party to as well.

Those are a lot of things that we are trying to be involved with, but there are also planning and design projects underway, including Willow Acres, which is serviced expansion, in the

area 3 country residential subdivision — that is in Haines Junction.

We have the lower Dome Road and Dredge Pond phase 2 in Dawson City — that is work that is underway. We have Mayo’s 7th Avenue north and the joint Yukon government-Teslin Tlingit Council-Village of Teslin green subdivision in Teslin. There are some other projects that we have an eye on as well.

Maybe I will stop there; that kind of gives an overview. We could probably spend a bit more time going over these, but that is some of the work that we are focused on at this time that pertains to different and innovative ways of lot development.

Ms. Clarke: Thanks to the minister for that answer.

The minister mentioned 5th and Rogers — that there is one proposal — and they are looking at the pricing. He committed to release the 5th and Rogers land parcel to the private sector. Could he give me more of an update on where we are on this idea?

Hon. Mr. Pillai: Yes, the officials at Energy, Mines and Resources and Yukon Housing Corporation are reviewing the submission from the private sector. As far as I know — I don’t have full detail, but I think that it is all a number of Yukon-based companies — all Yukon private sector. I think that it is a mix between private sector entities as well as First Nation development corporations. That is what I am aware of. They are reviewing the proposal at this time. I am hoping that it will come to a final decision quite quickly. We would like to see an opportunity — the officials are saying that they expect the final decision this calendar year, before the end of December. We would like to see, hopefully, a good deal in place for Yukoners. We want to see appropriate value put on the land but also an appropriate plan moving forward that meets the needs of our housing ecosystem.

That’s our update at this point in time. I’m hoping that we will just be able to bring further information here in the remainder of this calendar year.

Ms. Clarke: I thank the minister for that answer. In his mandate letter, he also committed to create opportunities for public and private partnerships in land development. Can the minister explain what has been done so far?

Hon. Mr. Pillai: Well, I think that the earlier questions going back to the mandate letter and when we talked about what some of these ways are to move land development out — the public/private partnerships. The start of the dialog today was the developer-build loan program, which is our ability, as a public entity, to work with private entities to be able to move things forward. I would say that the majority of answers that I have given have been about public/private partnerships, whether it be the work around the tank farm, the work with Chu Nii kwän, the work being done with some of the municipalities, and 5th and Rogers as well. That type of work is what we’re really focused on — trying to have the public side be innovative and help de-risk and make things easier to finance in the public markets and, at the same time, have the private sector execute that particular work.

Ms. Clarke: The Premier also wrote in the mandate letter that he will develop and maintain Yukon government

staff housing in rural communities in partnership with First Nations and development corporations. Can the Premier give us an update on where we are on this?

Hon. Mr. Pillai: Our government continues to provide employee housing in rural Yukon communities to help with staff recruitment and retention. The Public Service Commission's employee housing policy was revised in 2019 to prioritize housing for essential positions, such as health professionals and teachers, with limited tenancies to three years to encourage alternative housing options and support private-market housing development and to help realign each community's rental rates to be closer to the private market.

A review of the policy changes from 2019 is underway to determine their effectiveness. While it should be noted that some tenancies are limited to three years, the policy also allows for extensions in some situations, such as where alternative housing options do not exist in the employee's community. So, normally, what we would do is — I will give an example: If there is a teacher in a community, for instance, what they will do is that they will have the opportunity to work through the Department of Education and request an extension for the unit that they're in. Part of that, especially in previous work on the housing file, is that you will go out to one of the communities and have that conversation, but it's really a policy that is communicated through the Department of Education, as an example.

I just want to touch on this, because we have talked about it a bit in the House earlier in this session. It is concerning staff housing requests from the Department of Education. I just want to touch on a few notes here.

Between May and December of 2023, in our communities, we had a total of 27 requests, and from those, we have filled 25 of those requests. We had two individuals in Carmacks, one in Dawson, two in Haines Junction, two in Mayo, one in Old Crow, four in Pelly Crossing, two in Ross River, two in Teslin, and nine in Watson Lake, and all of those were filled. We have two outstanding requests from September, and I will go back and find out if we have had solutions to those. One is in Mayo — so, we have filled two, and we still have one in Mayo, and that is, of course, what we had talked about earlier where we had finished off our duplex and as well under the affordable housing piece. In Teslin, we still have one outstanding, and we are working right now on a substantial build in Teslin. Our hope is that there could be a private sector solution on the Teslin piece where we could help de-risk. We have been chatting a bit about that, but we also have plans in place, if not, where we have the ability to build something out.

The question was, as well, I think: How is that going in the sense of this commitment to include the work around staff housing? Right now — just to give a sense — we have three individuals in Beaver Creek; three individuals in Carcross; 14 individuals in Carmacks; 37 individuals in Dawson City; two in Destruction Bay; 10 in Faro; six in Haines Junction; seven in Mayo; seven in Old Crow — with Old Crow, we have, of course, a tenplex that is coming online quite quickly; we have 10 in Pelly Crossing; 18 in Ross River; 10 in Teslin; and 37 in Watson Lake.

Ms. Clarke: I appreciate that answer from the minister. Now, at this year's AYC AGM in Watson Lake, the Premier promised that he would provide resources to municipalities to support them to apply for federal funding. What has been done so far to fulfill that commitment?

Hon. Mr. Pillai: I had a discussion with an AYC official over the last two weeks. It was brought to my attention that — I don't know; I will have to go back. I spoke with officials today just to make sure that we reached out to the executive director of AYC, but I think that part of that challenge was — absolutely, the commitment was made to support the Association of Yukon Communities in their ability to leverage money, primarily from the Federation of Canadian Municipalities — from FCM.

I made that commitment, and then there was a request made from AYC leadership to follow up on that particular item. I don't think we had a letter after the event that said: How do we move forward? And our officials had been waiting. It was brought up to me just the other day — actually, two weeks ago, on Friday morning — and I spoke with officials, and we are just going to reach out to Executive Director Hassard on that note.

Ms. Clarke: I do have a little longer question here, so make sure you have a pen.

The Premier committed to support the community land trust to advance its project in Whitehorse. Can the Premier provide a status update on this?

I have a few other questions related to the community land trust. The government pledged to support the land trust society through a letter of intent in December 2022, committing to provide them with a lot in the Whistle Bend subdivision in Whitehorse. Can the Government of Yukon give land as a land trust to a society? How would this free land transfer be accomplished?

The key to the land trust model is protecting the affordability of the home by allowing the owner to resell at prices that can be inflated over time but only at the rate of inflation. Can the Government of Yukon actually control the resale prices? What happens if an owner of a condo doesn't abide to sell the condo at the required price? Is this allowed under the condo act or the land titles act, and does the government have any estimates of the total cost, and has it been budgeted in the fiscal framework?

Hon. Mr. Pillai: I think that, with a question framed in that particular way with such technical ability to frame it, I think our best option would be to come back with a legislative return. We will take it from Hansard, and we will come back on each one of those very technically structured questions.

I want to make sure that the Legislative Assembly gets the best available information, so that's how we will respond.

Ms. Clarke: Can the minister provide us with an update on the old Macaulay Lodge site, and what are the next steps? This spring, he was very keen to demolish it and rezone the land for use other than seniors housing.

Does the Premier have a specific project that is being considered for the lot, or is seniors housing still an option?

Hon. Mr. Pillai: I would like to correct the record. First of all, I believe that the zoning change was something that was

requested and suggested by the City of Whitehorse planning department. I can go back, but that was my sense.

I definitely wanted the lot demolished, and I know that it wasn't a department that I am responsible for that had gone through some of those key conversations with the City of Whitehorse. I can find out from my colleague about that. I believe it was Energy, Mines and Resources that did that work.

My sense is that the work was done to demolish the site. I think it was done well. I will go through and share a couple of notes with you here. It was demolished in September of 2022 to repurpose the site for new housing development. The demolition of Macaulay Lodge provides for a variety of opportunities for future land use, which we initially explored through the expression of interest issued in the spring of 2022.

We are committed to making housing available. There have been no barriers put in place to see some level of seniors housing put in the area. I think the biggest change with the zoning, as I recall, was really around the fact that there was the potential for commercial on the first floor. I believe that — I will go out on a ledge a bit here — it probably pertains to the official community plan and the work that would have been done by the City of Whitehorse and the City of Whitehorse wanting to see more opportunities for commercial activity in that area. We have absolutely no projects that have come to us to this date. I just want to see housing built there, and I want to see the private sector — whoever it is — do that work and hopefully to do it quickly.

So, at this particular time, I think that the latest conversation I had was, near the end of this calendar year; we were supposed to be in a situation where there would be an opportunity. What we had said publicly was that we want the private sector to build this. We talked during Question Period a bit about Vimy, and so, we are focused on working with Vimy. We are focused on looking at some of our other community housing models, which include a very broad demographic of individuals — it is seniors in many cases, as well as some of our most vulnerable folks, in sort of a collective.

We continue to be focused on seniors housing. We continue to work with Vimy on their project. We are not eliminating any options on the lot in Macaulay, although that has been some of the dialogue here. It has been framed incorrectly. We want somebody — whoever it is, whether it is a development corporation or others — to hopefully look toward building that, and I think that it is Energy, Mines and Resources — I'll check — that is going to be dealing with the procurement side of this.

Again, the rezoning application of the former Macaulay Lodge — yes, it was approved in May 2023. The zoning was amended from public service — because we did have a government-run building there — public service to comprehensive neighbourhood commercial, which permits mixed-use residential and commercial development, with supportive housing included. So, you would be looking at multi-tiered — you could have a daycare, you could have something along those lines on the first floor, and then you could have people living on the second floor, to give you a sense.

I know that the city — even if you look at 5th and Rogers and some of these other areas, they have really looked toward having — throughout the community plan — more opportunities for commercial or business, usually within the continuum of what is being requested to be built.

Ms. Clarke: Thank you, Madam Chair, and I thank the minister for that answer.

We know that there are 26 units in Normandy Manor reserved for Yukon Housing Corporation tenants. Can the minister confirm what the Yukon Housing Corporation is paying for each unit? Is the Department of Health and Social Services covering any portion of the rent or the cost for services, and what is the tenant responsible for covering?

Hon. Mr. Pillai: First of all, all the units are occupied, so all 26 units are occupied. The fee is paid by the Yukon Housing Corporation. We pay \$2,990 per unit, and that's what we are paying for both the unit and for service costs, with an inflationary adjustment over the life of the agreement. The residents who are there have access to recreational programming, community meeting areas, 24-hour security, customized menu options for three meals a day, laundry services, and housekeeping. But our clients who are in there from Yukon Housing Corporation are paying 25 percent of their income and 40 percent toward the services that are also provided. So, again, we're paying \$2,990 — almost \$3,000 — and then there is an offset with what's affordable to those seniors who are in those 26 units with a very good array of services that they are being provided.

Ms. Clarke: I thank the minister for that answer. I'm going to move on.

I would like to ask the minister about some of the practices for tenant issues. We have heard stories of tenants who have paid the majority of their rent but come up short. In circumstances like that, what is the Yukon Housing policy for dealing with tenants?

Hon. Mr. Pillai: I guess, Madam Chair, respectfully, it's very difficult — first of all, we would not discuss a particular case, as stated, where it's like: We heard a story. I know there is something.

I think where I go to is this: What we would be doing is, if there is a discrepancy with payment — and to be fair to the member opposite, I have sat in on community meetings and I met with tenants in all of our buildings in downtown last year and our bigger multi-use buildings. There definitely were times — to be respectful in answering — when there was a situation. I think that a bigger thing was that there was some disruption in somebody's life, and they were probably a very good long-term tenant who had been consistently paying the rent — and then what happens is that, because there is some disruption, there's a conversation and it will potentially lead to a letter from the corporation. The letter would talk about things such as eviction, potentially, or some measure of action, so it comes as a very strong letter and the individuals, of course, have anxiety from that. Then, usually there is a follow-up with our liaison staff who will then come in and remediate the situation.

What we try to do in any of these cases — whether it's a situation that has to do with a financial transaction or with a

maintenance issue — we are always going to try to have our folks at the Yukon Housing Corporation work with those tenants. If there is a situation where there is not enough money for payment, we try to work out a payment plan. I think what was asked was — if the individual paid up front and then there was some disruption. Overall, what we are going to try to do in every case is have our liaison folks work directly with them.

We have approximately 1,100 units, so there are a lot. There are new units that are in our portfolio where we are dealing with less maintenance, and then there are buildings that sometimes need more tender care, and therefore, that will lead to more maintenance calls in many cases. There is a lot of work that gets done by our folks at the Yukon Housing Corporation. As well, as you can imagine, you have your potential maintenance issues.

We have talked about some of the other challenges as well with some of the other buildings. Then you have your tenant-to-tenant relationships and potential conflicts. Some tenants don't always follow the rules exactly, and when something like that happens, it can set off a lot of interaction between neighbours and the corporation. There are times when — our process for access to the building is that we make sure that first responders have access to our buildings with keys, and then you find out that one of the first responders — one of the entities that do that — has lost the keys and it's potentially an organization that is outside of the responsibility of the Yukon government. All of those different things are happening simultaneously, and we try to make sure that we manage — so, yes, we have 1,150 supported households.

I would go back and say that if there is a discrepancy on a financial issue — and I have watched that work out in real time — you would have our head of client supports — our folks within that part of the shop — who would be reaching out and trying to work through that issue as well.

Ms. Clarke: I really appreciate the minister's answer on that one. Does Yukon Housing ever follow up directly with tenants or is a letter of notice the only method of contact?

Hon. Mr. Pillai: No, we do follow up with our tenants in modes other than written communication.

Ms. Clarke: If a tenant has identified maintenance issues, what are the response timeline standards for the Yukon Housing Corporation to fix the issues in units? Does Yukon Housing track if they have fixed issues within their service standards?

Hon. Mr. Pillai: Yes, I think that at this time it is definitely not a fine science. First of all, there is a bit of a bottleneck from COVID when we didn't have the ability to go into units. That was probably one of the most challenging times, because there were moments when clients needed to have a maintenance issue addressed and you were trying to ensure that you have government employees at that point — or the folks going in are subcontractors that we have worked through to do that work. In many of those cases, they couldn't address it. If it was something that was critical, we would address it and we would figure out a way to look at it.

To give you the example of the magnitude of what we are talking about, from January 1, 2023 to September 15, 2023, the

corporation completed 2,310 minor repairs and emergency works in Whitehorse and 851 minor repairs and emergency works in our communities.

The corporation also completed 65 major repairs — or are under contract to complete them — from April 1, 2023 to September 15, 2023.

The corporation employs four building maintenance workers in Whitehorse to respond to emergency calls and complete work orders and vacancy repairs. The four workers rotate on-call duties to provide emergency on-call service after hours and weekends in Whitehorse. In addition to the four workers on that team, Yukon Housing Corporation has two maintenance contractors in Whitehorse who complete work orders and vacancy repairs.

The Yukon Housing Corporation contracts with maintenance contractors in the communities to handle the after-hours and emergency calls as well as to complete work orders and vacancy repairs.

The corporation is working on internal system improvements to accurately track work order status, so a lot of that data collection is underway. It's work that we are still doing. We do have a backlog.

Coming to the timing, look, I think it would be fair to say that you can see the amount of work that was done during that period of time, but I would have to come back and discuss that, because I don't know how much of that work is some of the backlog from 2020 to 2021. Those would have been minor repairs that we are working on.

I have been in meetings with the tenants in separate buildings when we talked about maintenance. It depends on some of the issues. Sometimes it's a lighting issue, and I have sat there with Ron, who leads our work, and I have listened to that dialogue where we can pivot quickly and work on some of those minor repairs or maintenance issues, but then it might be something where there is a long-term issue in a bathroom and you are trying to work through two or three things in an older building that has some challenges. You are trying to get the parts. You might have to bring a plumber in on contract — all of those things.

I would say that we are constantly trying to ensure that our clients are comfortable and are well supported. That's the key, and I see the commitment and passion of our team at the Yukon Housing Corporation and their empathy toward the situations we are discussing with clients. I think they do their very best to do it in a very timely manner. Also, for the record, we spent \$5 million more on repairs and maintenance last year in the fiscal year than we did in 2021-22, so it gives you a sense of the scale that went on after COVID versus when we were in the middle of COVID.

Chair: Would members like to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continuing general debate on Vote 18, Yukon Housing Corporation, in Bill No. 211, entitled *Second Appropriation Act 2023-24*.

Is there any further general debate?

Ms. Clarke: I am hoping that the minister can also provide an update on the current wait-list for both social and seniors housing. Wait-lists remain long and we continue to hear reports of empty units. Also, can the minister take us through the policy for vacant units and tenancy offers?

Hon. Mr. Pillai: I think it's important to start by saying that we were in a position a number of years ago where we had a lot of pressure at that time on our housing wait-list. I can remember at least 525 or 530. As of October 26, 2023, though, just last week, there were 301 eligible applicants on the wait-list for our rent-geared-to-income program, with 250 in Whitehorse and 51 in our rural communities.

A quick breakdown of the wait-list, going through our communities, is: one in Carcross; one in Carmacks; 20 in Dawson City, which is why we have to look at significant capital buildouts there; we have none in Destruction Bay; three in Faro; five in Haines Junction; three in Mayo, and we have talked about more substantial investment there; none in Old Crow; none in Pelly right now; and 10 in Ross River. It is appropriate to say, of course, that in Old Crow and Pelly, it would just be Yukon government staff, because the nations support their own seniors and non-seniors housing stock, but we are still having broader discussions about how we can play a more collaborative role in both of those communities on that housing stock.

In Ross River, we are looking at a total of 10 — so, eight non-seniors. We did just move some emergency housing. We met with chief and council in May, and I believe, just in the last number of weeks, the housing has arrived there to be put in place and installed. They are modular-style — mobile-style units. In Teslin, we have three people on the wait-list, and in Watson Lake, 15 are on the wait-list — so that would be eight non-seniors and four seniors in Watson Lake and then the three employees whom we talked about. So, 311 is the total.

I won't get into a demographic breakdown. I think this is important and this gives you a sense, I think, of where things are. Some of the work that we started to do when we were in this discussion is: How many individuals are on our wait-lists who are new to the wait-list? I think that is important. When you think about our total of 320 — first of all, you will say that there are 320 wait-listed by time, versus the 311, but that is because some people are on the wait-list in two places. They have applied in the community, and we had a challenge here at one point because one of our community MLAs was advocating for somebody, appropriately — and family was as well — but didn't know that the individual had actually applied both in Whitehorse and at home. We do have that happening in some cases. They will apply from the community and at home as well.

I think that what is important is that out of that 320 — and asking how we make those decisions. The majority of people are folks who have joined the wait-list over the last two years, so they are not folks in a long-time situation. It has mostly been

— 163 people have been less than a year, and 85 of those people have been one to three years. I just wanted to touch on that. The majority — there are some seniors — probably 62 seniors but 100 seniors in total. That is why we thought that the partnership on the Normandy lots was good. That is why we think that continuing to support Vimy is also really important for us to do, as well as look at how we build up more of our own stock.

So, that is sort of the numbers. I guess I will just go through our by-name list again, which is another piece of work that we do. Housing partner with Safe at Home Society — that is the start of our by-name list, and you've probably heard that. It is a way of using multiple organizations to work and support individuals — to prioritize housing for individuals experiencing homelessness or if they are precariously housed.

The rent-geared-to-income units are allocated based on the following: 20 percent are for individuals who are on the by-name list; 20 percent for individuals based on their experience of intimate family violence or medical need; and 60 percent for individuals who indicate having only affordability needs. That is our criteria and our breakdown based on that.

Ms. Clarke: I really appreciate the minister's answer, and thank you for that. With respect to the new asset cap that has been placed on seniors looking to secure housing with the Yukon Hospital Corporation, it appears that those who hold assets in excess of \$100,000 and who are unable to remain in their own home due to health or other reasons are now ineligible for seniors housing. What options are there for these individuals in this situation?

Hon. Mr. Pillai: The 2022 Auditor General of Canada's report to the Yukon Legislative Assembly, as we spoke about earlier today, on Yukon Housing Corporation identified concerns that the Housing Corporation had applied different asset cap criteria for seniors and non-seniors in community housing. Again, the government recognizes the importance of ensuring that the program eligibility is transparent and equitable for all tenants.

In December 2022, to address this concern, Yukon Housing Corporation implemented and revised the asset cap policy where new applicants to the rent-geared-to-income program, including seniors, must not have over \$100,000 in assets. At the time of implementation, 37 clients on the wait-list had assets over the cap, three have since been housed, and we ensured that all 34 who remained on the wait-list — 34 remained on the wait-list because they fit the eligibility criteria at the time of their application.

I think that is important, because I have sat with individuals in some of our communities. I think probably the most significant conversations that happened and really stand out were in Watson Lake, and it was really individuals who had been taken off the list, and so, we went back and said: Look, they met the criteria at the time of the policy.

We probably could spend a lot of time on this topic. What I will say — just some high-level points — is that, without going too deep, I think our cap is the highest asset cap in western Canada. I think our bigger challenge is that we need to ensure that we are still supporting the private sector and the public/private partnerships so that there can be more housing

stock built in the communities, especially when it comes to rental or more supportive living so that we can see individuals who want to stay in their communities stay there, because, in many cases, they need to have those options.

I think that covers it, but there was one part of that question — I think it was something about Hospital Corporation — it might have been Housing Corporation — but I just want to make sure that I have covered the question in full.

Ms. Clarke: I'm just looking at the time. It's 4:37 p.m., and I still would like to give the Third Party a chance to ask their questions, so I will have one more question, and then I am going to pass it to my colleague.

My last question would be — the Safe at Home Society has publicly suggested that they have found additional money to move forward on their renovation of the old High Country Inn for affordable housing units. They have been hesitant to share where that funding is coming from, so does the minister know where Safe at Home has sourced that additional funding, and if he does, could he share those funding sources with the House and confirm if the Yukon government has promised additional capital funding to the Safe at Home Society for the project?

Hon. Mr. Pillai: Our government does, as I have said all along, support the Safe at Home Society's vision to develop 55 units of permanent and supportive housing. While the resources have been provided to date from Yukon government and the Canada Mortgage and Housing Corporation, there were a number of challenges that continue with the delay of this project.

Yukon government, CMHC, and Safe at Home — CMHC being the Canada Mortgage and Housing Corporation — are working to explore practical options to address these challenges, including the code compliance issues, which was the big issue.

So, what I know to date is that Safe at Home has continued to work on identifying funds. Actually, today, I was taken aback a little bit with the question — that they had found other funds that they haven't announced. All I know — what I have been told is that things were progressing positively. I thought they came up with some solutions which, in turn, would be either a reduction in budget or they would access more funding.

I know that the team at Yukon Housing Corporation wants to meet and have a discussion with me soon on the subject, but I think they were waiting to have further clarity from Safe at Home about how they were going to proceed. I am hoping that they were in a position to come up with some new funding sources that will work for them on that project. I think this project is very important. I was waiting to see how it was going to proceed. I know it has been delayed because of the code issue with them and working with the City of Whitehorse on that code issue, but I hope that there is a solution forward. I haven't had a formal ask put in front of me for any more resources. We will make appropriate and prudent considerations on that. Again, I am hoping that can move forward.

The officials are also just saying that we are waiting to get a sense. They seem to be pulling the pieces together on the capital part of the project, but we are also trying to get real clarity on what the ongoing O&M requirements will be for the

project as well and figuring out which departments are going to be supportive and which NGOs as well, just to make sure that we have visibility on those costs moving forward.

MLA Tredger: I will start by welcoming the officials here, as well as all of those listening in, and I thank the minister for making himself available for these questions today.

I want to start by talking about Vimy. In Question Period today, the Premier said that this government has put — and I quote: "... more support and time into the Vimy project than any other housing project." In the context, I think it is "housing project".

I was pretty surprised to hear that, because I went back and I looked. Normandy Manor has gotten in the neighbourhood of about \$4.7 million. Cornerstone got close to \$2 million from this government, as of 2018 — it might be more by now. I haven't heard of millions going to Vimy. I assume by "support", he means intangible support — things like meetings and help in applying for funding, and I think that's great; I'm glad that's happening. I'm glad that's underway for Vimy, but I think that they would probably appreciate some actual tangible funding as well.

So, is the government planning to turn that intangible support into dollars? Will there be funding for, for example, design work for predevelopment work for Vimy?

Hon. Mr. Pillai: First of all, I think that I would say that, yes, money is part of the equation with working to de-risk a project, to define a project, to understand a project. What I was talking about is the amount of support — technical conversations that have happened at the public service level and the political level — throughout. Yes, in some cases, you can be in a position where there is a quantum identified financially. You can make a decision on that. You can look at what kind of a return for that investment, for that support, and does it fit into that criteria that you're looking at from a mandate or from inside a policy? Those decisions can be easy but substantial because of the funding.

In this case, I think what has happened is that everybody, from the board right through to the partners in government — I think the scope of cost has changed, the partnership models have changed, and all of that has led to more of a challenge.

What I am hearing from the member opposite, to get right down to it, is: Are you going to put money into it? Yes, we are. I think that the clarity is that we have to de-risk it. The other question was: Are you going to put money toward getting a better sense of what the costs are? Yes, we have seen some new asks, but we are also made aware that CMHC have changed their funding criteria, which will have some potentially significant implications for the project.

When the project scope is moved on a number of occasions, this announcement on the co-investment fund, which I believe our officials have been in the room for and there have been discussions on that in the last two weeks — so, for clarity, there has been some movement. We are at the table, and we want to understand what the financial model is for the project. We are going to hold that land and continue to work with Vimy.

I think it is important, and I would love to get into this discussion to get it on the record with more detailed questions, but what I would state is that I did attend the annual general meeting. In that general meeting, I stated that either Vimy as a society will move forward to try to figure out how to get this project built, but it's also important — and we said: Look, if there needs to be support from the Yukon government — this started before our government.

This goes back — there were a number of people, before the current leaders inside of Vimy, who wanted to see this done. This goes back probably over a decade, in different iterations of the model, the vision, the scope, and the cost. All of those things have continued to evolve, and I think that there are a lot of individuals who have been along and part of that discussion for a long time.

I think that when there is clarity to understand about how much exactly needs to be put in, we can do that. I think that when we know the model exactly, that is important, and we need to make sure that the project is de-risked. There is some early work that we have done. I think the lates — I can go back and take a look. I am checking with the officials. We have offered substantial funds, as well, as of late in a phased approach to, again, de-risk and figure out what the total cap ex is on the project. I think that there have been discussions just even in the last couple of weeks on that.

MLA Tredger: I heard the Premier say that once there is a clear ask, that then they will give the funding. So, is he saying that they are waiting for a clear ask from Vimy to give them funding?

Hon. Mr. Pillai: There are different pieces. Part of it is that we have continued to have discussions with Vimy on what I would term as “feasibility work”. I know that, within that work, we, as of late, have just offered up more funds. I think that our latest is \$300,000 that we have just put out again — and offered up. The model at Vimy of how they will fund their project, as well, and trying to understand the project — what is important about that is that we have changed — we seem to be seeing some sort of a change in how they will access funding.

It is important to note that, within the Vimy project, just a short time ago, Grey Mountain Housing was going to partner with Vimy on this project, and now that partnership has dissolved. This has been a long time moving through the process. What I was getting to is what will be really important — really important after this — is to understand exactly what the capital cost will look like. We provided funds — I think over \$400,000 previously.

We have the land commitment on our lot and another \$246,000 that we put through as well in funding today. Just to give you a sense going back — some of the preconstruction management preliminary work was done in 2013 for \$74,000. In 2016, there was \$50,000 from Highways and Public Works. That was the functional plan to give us a sense of what they were going to build. Then, in 2018, we did another \$23,000 and that was for the comparative site analysis. Then we did another \$78,610, which was the comprehensive business operations governance and construction plan — just so we knew what was going to be built. Then, in 2019, we did another \$5,000 which

was through Yukon Housing Corporation to help the society with an application to CMHC.

What I was chatting about today was that they went to CMHC, and some of that modelling was based on, I believe, \$75,000 per door, and then there are criteria within that. That is the co-development fund.

To be fair, Vimy was going through a process to leverage that money. As I understood it, then CMHC came back and said that they would no longer be offering support at that quantum of \$75,000 a door, so they had to change their project again.

In 2022, we did another \$15,000 from the HIF, which is our innovation fund as well. On top of that, we have just offered another \$300,000 toward feasibility to try to get a number on the costing. It's not quite that simple. In the original request, I think they were looking for, to be clear, another \$1.2 million to get better numbers on the construction cost. We have come back and said that we can do a phased approach and support them. That's \$300,000. Then, on top of that, we have \$1.35 million as well for the land that is being held and looking to be transferred.

Vimy, as of this date, has not completed — after the funding that has been put in place — a detailed architectural or engineering — again, we have offered \$300,000 to advance those documents. Those documents are extremely important work to be done. We did help offset the costs of them working with Colliers on a lot of that extra work as well.

I think what I am trying to illustrate is that we are completely committed to the project. We need to go through a stage-gate approach on de-risking it. We need to understand who their partners will be or will not be, and we want to see this built.

But again, we also have offered up to take a more significant role, if need be, in helping to manage this project or helping to look at our own capital build and to get something in place. One of the concerns that we have tabled as well is that, within the model that they are looking at, they want to look at a food services requirement, so they are looking at having their own commercial kitchen and also having food services staff. We are trying to get a sense of: Is the business model that has been developed also considering the current challenges within that labour market and the extra pressures to cover and manage those costs? That is also a piece of it that we are looking at — trying to figure it out before we get a real sense of what the total cost will be.

There are a number of pieces that we are trying to de-risk and trying to get to a solid sense of what this building will cost and what the building will look like. I think they have got good partners with their architect, but I think that they have probably lost some ground from their announcement around their partnership — and now that dissolving — and looking to continue on just as the organization as a stand-alone.

MLA Tredger: What that answer really illustrated to me is that it is a miracle that anyone at Vimy is still working on this. The Premier said that previous to his government, I think, it has been in the neighbourhood of 12 years, and they have completed plan after plan after plan and they are still not getting the support that they need.

The Premier said that other funders have backed away — so they have to back away too? Other partners have fallen apart, so that is when you need a partner the most. When your other partners are leaving, that is when you need YG to step in the most and be there for you, not to say that everyone else is stepping back, so we better step back too.

Like I said, it is a miracle to me that the people there are still so dedicated to this project and are still pushing through obstacle after obstacle when they are trying to get a building built and they are being asked if they can staff a kitchen.

The question I have is — it sounded to me like the Premier said that they have committed \$300,000 for the architectural design. Can the Premier confirm that they have offered \$300,000 to Vimy for an architectural design? Is that underway, and is it good to go?

Hon. Mr. Pillai: I have to reply to that. It portrays an absolute lack of understanding from the member opposite. To challenge the fact that all of the officials and years of work to de-risk a project and to sit with individuals month after month is not support is absolutely disrespectful to the officials.

It shows a lack of understanding of how to actually oversee and support a project. It makes great political hay inside the Legislative Assembly at 5:00 p.m., but the reason it's annoying is that it is so disingenuous to what we have been doing. To simplify it to the point that we're saying that we are trying to find kitchen staff is, again —

Some Hon. Member: (Inaudible)

Point of order

Chair: Member for Whitehorse Centre, on a point of order.

MLA Tredger: I believe that “disingenuous” is a violation of Standing Order 19(h).

Chair: Member for Mount Lorne-Southern Lakes, on the point of order.

Hon. Mr. Streicker: The Premier is not suggesting that there have been false motives. He is talking in a way that is describing the words that are being used. It's not disrespectful.

Chair's ruling

Chair: I believe that this is a dispute between members. I would just caution members to not use words that may be out of order.

Hon. Mr. Pillai: Madam Chair, I would just say that the comments from the member opposite do not support the facts.

What is important to state is that when you are looking at a capital project, the key thing is: What is the cost of building it? Over the years, we have been putting dollars and support into figuring out the cost of building it. We don't know the cost to build it. The member opposite wants to simplify this and say to just give out the money and write a cheque. Well, I need to know what the number is. Then, have we supported the team? Yes, we have come back and said that we could do another \$300,000. The term was — quote: “... is it good to go?” I don't know what “good to go” means. I know that we sat down two

weeks ago. We have seen a different model and we are looking to support Vimy in that work.

The member opposite is giving no help to Vimy today — absolutely no help. If the goal today is to help support this project, it is absolutely degrading the work that has been done and it is of no use. If today's Committee of the Whole and the supplementary budget request where Vimy is not even identified here — it's going to take this project back two steps by flooding the air with misinformation; that is not going to do any good. I look forward to getting back to the supplementary budget in detail and to questions from the member opposite.

MLA Tredger: I think that we have probably taken that topic about as far as we can go. I just have to say one more comment. We have heard a lot of comments about de-risking this project. If there was ever a time to take a risk, it feels like a housing crisis for a non-profit trying to serve seniors would be it.

I am going to leave it for now; I will pass the comments on to Vimy and I hope that things can get resolved and move forward.

I want to ask about the Canada-Yukon housing benefit. My understanding is that how much people are eligible for through that benefit depends on their family size — how many adults and then how many children and siblings are in the family. I believe that if you have siblings that are the same sex, they have to share a bedroom, and if they are of a different sex, they are eligible for a bedroom each. Could the Premier confirm that and let me know if, depending on how many children of different sexes that you have, that changes the amount that people are eligible for through that benefit?

Hon. Mr. Pillai: The Yukon housing benefit is a rental subsidy program run by the Yukon Housing Corporation that provides financial support to help Yukoners meet their housing needs. The subsidy is paid directly to the individual, allowing portability and tenant confidentiality. Since the program's launch in November 2020, it has helped over 300 households. As of October 26, 2023, we have 128 households that were approved for the benefit this year. This fall, the corporation will begin a targeting campaign to promote the subsidy.

A little background — in our communities, most of the individuals who are using it are in Dawson at this time and Whitehorse and Haines Junction as well. We are in the midst of trying to leverage some more funds for that program over the next number of years, because we think this is a good tool that can be used. We can give up to \$200, \$400, \$600, or \$800 a month, depending on the household income. The corporation, as I said, is working on another stream that really focuses on the support of survivors of domestic violence.

A bit more criteria — clients must rent in the Yukon and not be receiving other housing benefits for the subsidy. Clients must have an annual household income below the affordable household income limits for their eligible unit size. Clients must have less than \$100,000 in assets and clients must file annually with their Canadian income tax return. Approved clients receive cheques before the first day of the month. We did 165 out of our subsidies from April 2022 to 2023. We have

done about \$433,200, so the average subsidy has been a bit over \$200.

Going back to the particulars on unit numbers, I think we have had this discussion before. It's based on bedrooms, but officials want to come back with some more information about the sharing of rooms according to the National Occupancy Standard and how that pertains to the funds.

MLA Tredger: I was reading the National Occupancy Standard earlier today and I believe it is that children over five are required to share a room — or are eligible for a shared room — if they are the same sex and for separate rooms if they are different sexes. I am wondering if, when Yukon Housing Corporation applies that criteria, children who are non-binary are considered a different gender or sex or whatever they want to call it. Are trans children required to have legally changed their gender or sex in order to be considered?

Hon. Mr. Pillai: I will go back to the corporation and find out what sort of analysis was used — if there was an analysis on that policy at all or if there has been any determination of the policy buildout from the federal government as well that also takes into concordance within the TPA that we have. I know that we have gone back and forth a lot on this with housing ministers, primarily because, going back to the previous questions, if you take into consideration how we work through our wait-list, an individual who has experienced domestic violence in some cases is at the top of our list.

This new money that we're looking at coming in — the criteria around it was really around domestic violence.

The challenge that we said is: Look, we think we are doing a really good job, and we are meeting the needs of individuals who have been in this horrible situation, but we still want those funds. The reason I reflect on that is because the criteria within the TPA can be very descriptive, so I am hoping that, also, Canada has identified how the national occupancy standards should reflect in our policies as well. Yes, the officials are saying that is part of the work in reviewing our program as well. I want to get back to the member opposite with an appropriately detailed answered on this subject.

MLA Tredger: I appreciate the Premier saying that he will get back to me, and I will just provide some information. A family came to me recently. This is a family with one parent and two children, both teenagers. One of them is a girl, and one of them is non-binary. The one who is non-binary has not changed their sex legally on their ID — as many trans people don't ever, for a lot of reasons, and certainly, many trans teenagers don't — but has been living as non-binary at school and in their personal and public lives for many years. They have been told that they are only eligible — that those two children, the girl and the one who is non-binary, have to share a room, and that is how their eligibility for the Canada-Yukon housing benefit is being calculated. The household income is based on the two children sharing a room.

That is pretty frankly discriminatory. I hope that, while that review is underway, the Premier can direct his department to have a provisional policy that would treat that family and other families more fairly. I am also wondering if this also applies to

being eligible for Yukon Housing Corporation units and their eligibility to apply for those.

Hon. Mr. Pillai: I think we will go back and just take a look at our policy overview on this topic. I would also share with the member opposite that, if the member opposite wants to reach out directly to me, we can provide the appropriate application form so that the member opposite can advocate on behalf of that particular family.

You have our commitment at a macro policy level to take a look at it, but also, that might help those individuals as well, because we are not aware — or I am not aware — but as long as we have that sign-off from the family identifying that, I think this is something that we can probably go back and take a look at pretty quickly.

MLA Tredger: I will absolutely follow up with the minister about that family in particular, and I look forward to wider policy changes on that.

There were a bunch of numbers that the Premier shared about the Canada-Yukon housing benefit. I may have missed this, but is the program fully subscribed right now?

Hon. Mr. Pillai: No, it's not.

MLA Tredger: I am very glad to hear that there haven't been people who haven't been able to access it for that reason yet.

In the spring, we had talked about — this is actually all related to the National Occupancy Standard. According to the National Occupancy Standard, single people are only eligible for a bachelor unit under this program, which is fine, except that, in most parts of the Yukon, there aren't bachelors available. The minister said he was going to look into that. Could he provide an update?

Hon. Mr. Pillai: I am looking over to officials. If I remember the conversation in the spring session, it was really around the fact that, as well, you have these individuals — which the preamble identified — who were finding a one-bedroom and, in some cases, only a two-bedroom, and that was all they could find. Yet, they wouldn't be — the funding wouldn't be applicable. Let me go back. I want to look at this in a more operational sense. I just want to know if we are now accepting any individuals who have come through with that sort of application so we are not leaving anybody out.

What we are getting back from our officials is that we are housing based on available units in the community, so that would then give the person the ability to look at something that's outside of a bachelor, if that is all that is available. That's what our officials are telling me. If there is any sort of space between what we have here in data and a real-world situation that the member opposite is aware of — some sort of an example — please let us know. But I think, coming out of last spring, we were in a position that we would be accepting clients based on what's available in their community.

MLA Tredger: So, just to clarify, if someone was, according to National Occupancy Standard, eligible for a bachelor, but all they could find was a one- or two-bedroom, would they get the subsidy that was appropriate for a one- or two-bedroom unit?

Hon. Mr. Pillai: That's what the Yukon Housing Corporation officials are telling us — that they have made that change. We want to make sure that is correct, that's what it is. So, one, would we support the two-bedroom if they were only one individual, as an example? I want to understand if they are also ensuring that there's an increase in that. I just want to make sure there is proper data there.

Are you just getting \$200 — because I know that the average that we are rolling out is about \$218 or \$219 for each of the 165 applications. I want to make sure that, if we do support you in getting your two-bedroom, are we also looking at that extra cost that probably comes with a two-bedroom and then are we increasing the Canada-Yukon housing benefit at the same ratio as the rooms. So, let us get back to you on that one, please.

MLA Tredger: I appreciate that, and it is exciting to hear that might have changed. I am sure that will make a big difference for a lot of people.

I wanted to ask a little bit about the Yukon home ownership program. In the briefing, I believe the numbers that we had — please correct me if I am wrong — were that there have been 40 applications, but only one of those had been approved. If that is correct, could the Premier explain why so many of those applications are getting denied?

Hon. Mr. Pillai: Yes, look, there have been a number of applications that have been denied, and it has really been around the strength of the applications from a standpoint of — it is something that is set out — the criteria are set out using a risk analysis. We are looking at 2.5 percent down is the normal rate. We had a third-party analysis done, I think in 2018 — and the officials can just check on that. What we did was we looked at — the same way that when you go to an institution to get a mortgage at a bank and you are walking in, they will go through criteria. Ours is more lenient, and our debt-to-service ratio — I think that the only change was that it went from 40 percent to 42 percent — right?

Okay — so, a very minor change that was directed by a third-party group — it was mortgage-lending programs. Of course, we don't build the mortgage-lending programs — we implement, with help from experts — and that supports programs for eligible Yukoners to build or purchase a home, based on loans at one percent below the average posted five-year rate of major banks, and we reduced the down payment to 2.5 percent.

On the debt-to-service ratio, we went from 40 percent to 42 percent, which actually was making the program more accessible. Those are the things that we looked at. It is really coming up to being very open. I am not going to speak to a specific application, but it is household debt. Folks are coming in; they are putting in their submissions, and their household debt is making them ineligible.

It's difficult, because we want to see people in a position to be able to leverage this more accessible program, compared to going to a bank or financial institution, which can be rigorous. I think anyone here in the room could say that even going back to do any kind of remortgage or anything can be rigorous. We are trying to remove that, but at the same time, we

have to ensure that we're supporting folks to be set up to succeed and that we're not — because of their household, things are not getting approved, and they're taking on a burden that experts would say are over the risk that they should take on or that we should take on with public funds.

MLA Tredger: I believe that the Premier said that the eligible debt-to-service ratio is 42 percent. I am not sure if he means the gross or the total. I know that CMHC restricts debt-to-service ratios to 39 percent for gross and 44 percent for total, so if that is the total, it is actually higher than what the Yukon Housing Corporation is supporting. If it's the gross, it's still not actually improving the options very much for people who aren't eligible for a traditional mortgage, which is my understanding of what this program is intended to do.

Has the Premier's department looked at how to make this program more accessible to people so that more than one person is able to access it?

Hon. Mr. Pillai: Within that program, I think that it is important to note that you have to look at the ratios in a different way. We're actually, you know — financial institutions are using 36 percent, CMHC is saying 39 percent, and we are saying 42 percent. It's more lenient, because we are saying that this is the percentage of your gross income that can go toward servicing debt, so we are more flexible.

What we are looking at — I'm not going to — and there are no announcements on the floor today — different ways to get people into the housing continuum. I think that it is really around how, if it's not going to be in this normal process of going out and doing an acquisition based on some debt instrument, how do we get people into having some equity?

I think, for us, we are looking at the housing trust — there were questions earlier. We are trying to unlock that ability for people to gain equity there, and there are some other things in which we want to continue to look at best practices.

On this one, at the end of the day, this is tough. I think that the question was appropriate. I will leave it to the experts at Yukon Housing and folks who we lean on to help us. When I take first glance at it, I would say that it is a tough one, because at the end of the day, it is either: Are you in a position to carry that level of debt or are you not, if you are going to acquire? I think, for us, how we play a role — maybe there is, you know — we want to be able to provide that debt instrument based on that calculation. That's not to say that there are not best practices and other solutions.

The answer would be: Are we looking at making that program more lenient? Not now. Are we looking at using the resources and tools that we have in the corporation to get people into levels of home ownership? Yes, we are certainly investigating that, and we are also completing our strategic plan at the board level, which will also give us a good sense of where the corporation should go and the roles that we should play in the housing continuum.

MLA Tredger: Yes, I know there are no easy answers when it comes to this. Like, we don't want people walking away from homes. I get that, but it is also so frustrating and unfair for people who are renting and paying more in rent every month than they would on a mortgage payment, but because

they can't get the down payment — because they can't support that debt ratio — they can't actually ever break into home ownership. So, they are never getting to save that money; they are never getting to build assets.

I mean, I guess there is a bigger question around if that is the way it should work. I just think that a program that only has one person accessing it — it really says to me that the program really needs to change for it to meet its mandate, which is helping people access home ownership. I look forward to hearing what the department comes up with around that, and I hope that we can discuss it again soon.

I want to follow up a little bit on a couple of things that were said in the spring. Actually, sorry, before I do that, I want to follow up on something that my colleague the Member for Porter Creek Centre asked. That was about eviction notices for tenants who have missed one payment, for whatever reason. I mean, we have been talking about this a long time. It has been happening for a long time that people will have one missed payment, whether it is because something happened with their banking or something happened that month, and then they immediately get eviction notices, which is just a really traumatic thing for people.

The Premier confirmed that's what happens: As soon as you miss a payment, you get an eviction notice or a letter that refers to eviction. I'm wondering if he would consider changing that policy to start with a phone call or a letter saying: We noticed you missed a payment; can you call us and talk about options? I know that he said that it's their policy to reach out to people. I hear a lot of stories of that happening — that it's just a letter and nothing else.

Would he consider that policy so, instead of sending a letter that refers to eviction, it could be a letter that refers to support and collaboration?

Hon. Mr. Pillai: I would just start by saying that if I said "one payment" — and maybe I did — what I was getting at is "one disruption". I'm reflecting to a conversation that happened between a client at one of our buildings last year, and I had a chance to be apprised of that dialogue with our client-support team. It happened over multiple months, so it wasn't just one month, but I will go back and see how we responded. I think we dig into ensuring that we have relationship-building and I think the first thing I'll say is I think the clients also have a responsibility as well. I think for clients who are Yukon Housing clients, the first thing is: Please, if you see a disruption coming, have that conversation — even if you reach out to us beforehand, that's important, because that will give us a sense of how to work on a payment plan or support you and for you not to have that anxiety.

That's something that happens and we are open to that. So, go down that route first. Even if it is the day before and whatever is happening, please reach out to us. I think what becomes difficult is when we don't have a dialogue and we are not aware of what is going on and then there are challenges. It is the same thing each year when we need to get people's NOAs. We get notices of assessment that we require. Months go on and we do send out notes after awhile saying: Look, we need this notice of assessment. I think that the process has

always been where you are trying over a series of months to get that information; I think that we have heard this.

I am not going to commit to a policy change today during Committee of the Whole for the supplementary budget, but what I would say is that I am sensitive to the question and I know that it is difficult if an individual is making best efforts or it has been a very short period of time and something has happened in their life and then, all of a sudden, this can compound it. I think that a lot of our clients have had extremely traumatic experiences in their life. I think that any sort of instability or sense of potential displacement is going to be a potential trigger in their life. It is just going to compound, potentially, whatever they are dealing with anyway, which is maybe the reason that they didn't have an opportunity to make that payment. I think it's a valid suggestion. It is a balance between direct language that we have to use collectively but also being empathetic to what the clients we serve are going through. All of a sudden, for some, it can probably really compound things and we don't want that to happen. It is always the last resort for us; we don't want to be in a position of evicting folks. We want folks to be leaving with a smile on their face and hopefully using another one of our programs to get in a better situation and an improved quality of life.

It is also important to note that it is not just about repayment or payment of rent. We also deal with noise, disturbance, and damage to property that we hear of. Sometimes, there is conflict between clients or other issues that do happen.

In my next bilateral meeting with our folks, I will just ask officials who are here with me that we get — I just want to see the sort of flow chart on what it looks like as we escalate our communication and also ensuring that there is an opportunity.

Again, I am saying that the onus is on the client to come back. But as I also touched on earlier today, we do have other forms of communication. Either it's face to face with our client services support folks or, in some cases, we are on the phone with individuals as well. Sometimes people get frustrated; let's be open. I get e-mails, and people say: I've called and nobody has gotten back to me on the subject. Or they say: I called and the phone was busy.

I think what we've been able to look at today is how we are in a position to think about the 2,500 pieces of work that our team has done in minor maintenance, the 65 contracts and the ongoing work, the 1,150 units, the 301 people on the wait-list — think about all of those different interactions and interfaces that we have, the activities we have put in place, as well as back-and-forth working with the 27 requests through the Department of Education, being able to fill those other 25 positions — the two people who are there plus all the other work — and our officials going back and forth all the time and the people who are right on the front lines having discussions all the time.

We think there is still lots of work. We have to get better, but sometimes, yes, people do get frustrated as well with the communication. I am just stating that so that people will also be sensitive toward the public servants who are working really

hard at the Yukon Housing Corporation to be supportive of those clients.

Madam Chair, seeing the time, I move that you report progress.

Chair: It has been moved by the Member for Porter Creek South that the Chair report progress.

Motion agreed to

Hon. Mr. Streicker: Madam Chair, I move that the Speaker do now resume the Chair.

Chair: It has been moved by the Member for Mount Lorne-Southern Lakes that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 32, entitled *Act to amend the Victims of Crime Act (2023)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 211, entitled *Second Appropriation Act 2023-24*, and directed me to report progress.

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.

Hon. Mr. Streicker: Mr. Speaker, I move that the House do now adjourn.

Speaker: It has been moved by the Government House Leader that the House do now adjourn.

Motion agreed to

Speaker: This House now stands adjourned until 1:00 p.m. tomorrow.

The House adjourned at 5:27 p.m.

The following sessional papers were tabled October 31, 2023:

35-1-122

Annual Report 2022-2023 Yukon Public Service Labour Relations Board (Silver)

35-1-123

Annual Report 2022-2023 Yukon Teachers Labour Relations Board (Silver)

35-1-124

Government of Yukon Financial Report For the Period April 1, 2022 to March 31, 2023 (Silver)

35-1-125

Final Report of the Special Committee on the Yukon Citizens' Assembly on Electoral Reform (October 31, 2023) (White)