

# Proposed Ontario child care law might save two Toronto daycares <sup>[1]</sup>

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**Source:** Toronto Star

**Format:** Article

**Publication Date:** 18 Jul 2014

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## EXCERPTS:

New provincial child care legislation, reintroduced by the Kathleen Wynne government this week, may give Toronto new powers to stop commercial child-care centres from gobbling up non-profit daycares when their leases expire, say city staff.

If approved, the legislation may offer some protection to two non-profit daycares that are poised to lose their leases to a for-profit child care chain willing to pay more rent, said Elaine Baxter-Trahair, Toronto's general manager of children's services.

"I'll be discussing with the province . . . what they think this means in terms of dealing with issues like this," she said in an interview.

George Brown College's 25-year-old Scotia Plaza Child Care Centre in the financial district and North York Little Prints Daycare, which has been at Yonge and York Mills since 1994, were both built with taxpayer money in exchange for free rent. But now that their leases are up, the landlords are threatening to evict the non-profits in favour of Kids and Company, a commercial child-care chain that has offered more money for the space.

Under the proposed Child Care Modernization Act, the provincial Education Ministry is still responsible for licensing child care in Ontario. But a new clause requires the province "to consider the advice" of municipalities when issuing a licence that is "inconsistent" with the municipality's child-care service plan, the minister's spokeswoman Lauren Ramey confirmed in an email.

If the legislation passes, Toronto could ask the province to deny Kids and Company's request for a licence in these two locations because the city's child-care service plan clearly favours non-profit or public child care over commercial operations, Baxter-Trahair said.

"But there are a lot of legal issues," she acknowledged. "Certainly landlords are entitled to lease their properties to whoever they choose."

"My official line with the province is that I do want to talk to them about this policy on commercial versus not-for-profit . . . to see how we can work together on this and if we would have a joint position," Baxter-Trahair added.

Parent Ian Cooper, whose two daughters attend the Scotia Plaza daycare, said families would be "ecstatic" if the proposed legislation could help save their high-quality centre.

"This is a public institution that has been lovingly built," he said. "We think it would be great if the landlord realized the value it provides to the community and many of its tenants."

Volumes of Canadian and international research show that public or non-profit child care tends to provide higher quality care than for-profit centres, said Martha Friendly of the Childcare Resource and Research Unit.

Although the percentage of for-profit child-care spaces in Canada has grown to almost 30 per cent - its highest level since 1992 - the commercial sector in Ontario is dropping, Friendly's research shows. Just 24 per cent of the province's daycare spots are for-profit, the fifth lowest in Canada after Quebec (22 per cent), Manitoba (5 per cent), Saskatchewan (0.1 per cent) and Northwest Territories (0 per cent), she said.

Friendly credits a 2005 provincial policy that limits child-care capital funding to non-profit operators only as well as Ontario's "schools-first" retrofit program, which requires school boards to ensure that daycares in schools are run by non-profit or municipal operators. Full-day kindergarten and school-based before- and after-school programs are also limited to school boards or non-profit operators.

In addition, the province's larger municipalities, such as Toronto, Peel Region and Ottawa have policies that discourage new child-care subsidies from being used in for-profit centres.

Toronto allows some for-profit centres to serve children with subsidies in neighbourhoods where there are no non-profit alternatives, Baxter-Trahair said.

"But our preference and council's policy is to go with a non-profit operator," she said. "If there is a better choice, we would always go with the better choice."

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