



February 16, 2011

Mr. Victor Severino,
Assistant Deputy Minister (Acting)
Ontario Growth Secretariat
Ministry of Infrastructure
777 Bay Street, Suite 425
Toronto, ON M5G 2E5

***Re: Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2006
EBR Registry Number: 011-1528***

Dear Victor:

The Residential and Civil Construction Alliance of Ontario (RCCAO) is pleased to submit the following comments on the Proposed Amendment 1 to the Growth Plan concerning the Simcoe sub-area. We recognize that the formal date for submitting feedback has passed and appreciate your willingness to accept our comments even after the deadline.

The RCCAO was formed in 2005 as an alliance composed of management and labour groups that represent all facets of the construction industry. Our members include companies and workers who build both low-rise and high-rise homes as well as roads, sewers and watermains, bridges and other infrastructure.

The RCCAO consults with governments, the private sector and the construction industry to devise solutions to issues related to public infrastructure and advocate for adequate investment in public transit, roads and highway, water and sewer systems and other public infrastructure essential to economic growth and quality of life. We provide research and reports, and make recommendations on how to realistically ensure adequate infrastructure for the province.

The RCCAO members are:

- Joint Residential Construction Association (JRCA)
- Heavy Construction Association of Toronto
- Greater Toronto Sewer and Watermain Contractors Association
- LIUNA Local 183
- Residential Carpentry Contractors Association
- Carpenters' Union
- Toronto and Area Road Builders Association
- Operating Engineers Local 793
- International Union of Painters & Allied Trades, District Council 46

As such, we have a major interest in growth planning in all areas of the province, and have participated in the previous rounds of discussion related to the special circumstances in Simcoe.

The discussion paper, *Simcoe Area: A Strategic Vision for Growth*, identified six steps for guiding the growth of the Simcoe sub-area, of which this Proposed Amendment is the third. As an organization highly supportive of planned and strategic infrastructure investment, RCCAO will have more substantive comments to offer on steps four and five, the Simcoe area infrastructure plan and the area transportation study, respectively. Nevertheless, it is important to get the overall framework right and we offer the following comments in support of good planning for the region.

As mentioned in previous submissions to the Government regarding the Vision Paper and Bill 99: *The Lake Simcoe Protection Act, 2008*, RCCAO supports the principle of planning for sustainable growth in the Simcoe area. In order for the strategy to have weight, however, it must be congruent with and support the principles stated in *Places to Grow: The Growth Plan for the Greater Golden Horseshoe*.

In general, we support the recommendations in the January 31, 2011 submission from the Building Industry and Land Development Association (BILD.) We particularly agree with the concerns around retroactive implementation of policy and support the approach that applications submitted under the previous rules should be dealt with under the regime in place at the time.

Recommendation 1: Existing applications in the defined Simcoe sub-area should continue to be assessed against the approved/adopted policy regime from the date of which the application was deemed to be complete.

The concept of an *interim settlement area boundary* introduces a new and confusing element into the planning process. Investment decisions to date have been made on the basis of existing settlement area boundaries and planning approvals.

While described as “an opportunity for a municipality to reassess and prioritize future growth for the next 20 years within the settlement areas, in keeping with the policies of the Growth Plan”, the reality is that this concept allows for an undefined and uncertain redrawing of boundaries that have already been established through legitimate public processes.

Recommendation 2: The concept of an *interim settlement area boundary* should be deleted from the final amendment.

Simcoe-area municipalities have requested that the determination of an *interim settlement area boundary* be non-appealable to the Ontario Municipal Board. This would present a risk of double jeopardy to developers: already faced with a new and ill-defined concept of *interim settlement area boundary*, they would then be further restricted from challenging specific decisions relating to such boundaries. This approach would be unfair to private sector interests and antithetical to responsible public planning.

Recommendation 3: Should the Ministry decide to proceed with the *interim settlement area boundary concept* despite industry concerns, *interim settlement area boundary* decisions should be appealable to the Ontario Municipal Board.

Recommendation 4: A resolution to various planning matters could be effectively dealt with through mediation. RCCAO supports the appointment of a Provincial Facilitator in order to resolve points of contention that presently exist between municipal organizations and the Province.

Thank you for the opportunity to provide comments on the Proposed Amendment 1. We continue to remain very interested in plans for growth in the Simcoe sub-area and look forward to working with the Ministry as the exercise proceeds.

Sincerely,

Andy Manahan,
Executive Director