



RESIDENTIAL AND
CIVIL
CONSTRUCTION
ALLIANCE OF
ONTARIO
Constructing Ontario's Future

August 8, 2008

May Lyn Trudelle
Senior Program Support Coordinator
Ministry of the Environment

2 St. Clair Avenue West
Toronto, Ontario M4V 1P5

To: May Lyn Trudelle

Re: Interim Guide Ontario's Transit Project Assessment Process (EBR #010-3784)

The Residential and Civil Construction Alliance of Ontario previously provided comments on the Proposed Regulation through the EBR Registry (#010-2760), dated May 12, 2008.

Congratulations on bringing forward O. Reg. 231/08, the **Transit Projects and Greater Toronto Transportation Authority Undertakings Regulation**. RCCAO remains supportive of the move toward a more focused and predictable assessment process for transit projects. Below are a few key comments on the 59-page Interim Guide:

Interim Guide, Section 3.4 (p. 39):

RCCAO encourage the Province of Ontario and Metrolinx to broadly communicate the intention to accelerate the environmental assessment process for transit projects as well as the steps that are crucial for a streamlined process to occur. Our May 12, 2008 response pointed out "that the likelihood of more projects being completed within the six month time frame will be enhanced with proper planning and analyses." In this regard, the Interim Guide correctly points out that proponents will have to contact, depending on the project, provincial ministries, various regulatory agencies and other affected groups in order to provide specific information related to the project.

In most instances, detailed studies that are provided early in the process will help to facilitate a six month process and will likely minimize the possibility of triggering time outs. In our May 12th response we encouraged proponents to "undertake comprehensive and balanced planning exercises and then perform rigorous reviews of these scoped alternatives through the EA process." Thus, travel demand forecasts, land use and traffic

impact analyses, financial analyses and a range of environmental studies should be prepared early in the planning stages in order to meet the objective of a six month process.

An awareness campaign about the new EA process, that includes the importance of preparing upfront studies, should be undertaken by an appropriate agency of the Province of Ontario as well as Metrolinx. The communications material should include the “Examples of Studies that May Be Requested” on page 39. (also, the materials should include Figure 2 “Outline of Transit Project Assessment Process”). If such a campaign is not conducted there could very well be expectations that the new Transit EA process will be completed within six months in all cases. Such an expectation is bound to be met with disappointment by the public, politicians and other stakeholders (e.g., contractors, construction unions) when the process takes much longer than this.

Interim Guide, Section 2.3 and 2.6 (pp. 9, 12-13):

RCCAO also provided comments on May 12th that the “use or misuse of these ‘time out’ provisions could prove to be the “Achilles’ heel” of this regulation in terms of the objective of achieving a six-month time frame.” We encourage the Ministry to provide clarification in the Guide that projects cannot be delayed indefinitely – there must be an ultimate time limit for this provision. Consideration should also be given to indicating in the Guide that there is a limit to the number of time outs that can be triggered by objectors to a public transit project.

Interim Guide, Section 2.1 (pp. 7-8):

We would request that the Ministry clarify in the Guide whether projects such as the addition of High Occupancy Vehicle (HOV) lanes or dedicated bus lanes (or Bus Rapid Transit) on existing roadways would fall under this accelerated assessment process or would require an Environmental Assessment. RCCAO supports a broadening of the definition of a ‘transit project’ to include such projects as HOV lanes intended for the use of transit and other HOV vehicles, as well as to include dedicated transit (bus) lanes, on existing shared roadways as eligible projects. These types of projects are practical for dense urban areas which do not have the space resources to create dedicated transit-ways that are separate from other vehicular traffic.

RCCAO supports the adoption of a Guide for Ontario’s Transit Project Assessment Process, with the suggested revisions, and looks forward to the benefits that an accelerated EA process for public transit projects will have on Ontario’s economy and on our environment.

Yours truly,

Andy Manahan

Executive Director

Copy to:

Rob MacIsaac, Chair, Metrolinx

Hon. Dwight Duncan, Minister of Finance

Hon. John Gerretsen, Minister of the Environment

Hon. George Smitherman, Minister of Energy and Infrastructure

Hon. Jim Bradley, Minister of Transportation

Hon. Jim Watson, Minister of Municipal Affairs and Housing

Hon. Sandra Pupatello, Minister of Economic Development and Trade

David Livingston, Infrastructure Ontario

Paula Dill, Office of the Provincial Development Facilitator