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**Official Report
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Monday 16 November 2009

**Journal
des débats
(Hansard)**

Lundi 16 novembre 2009

**Standing Committee on
Justice Policy**

Barrie-Innisfil Boundary
Adjustment Act, 2009

**Comité permanent
de la justice**

Loi de 2009 sur la modification
des limites territoriales
entre Barrie et Innisfil

Chair: Lorenzo Berardinetti
Clerk: Susan Sourial

Président : Lorenzo Berardinetti
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Monday 16 November 2009

Lundi 16 novembre 2009

The committee met at 1313 in room 228.

**BARRIE-INNISFIL BOUNDARY
ADJUSTMENT ACT, 2009**

**LOI DE 2009 SUR LA MODIFICATION
DES LIMITES TERRITORIALES
ENTRE BARRIE ET INNISFIL**

Consideration of Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

The Chair (Mr. Lorenzo Berardinetti): I'd like to call to order this meeting of the justice policy committee. We're here to consider Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil. We're here to do clause-by-clause consideration.

Before we begin, members of the committee, I'd like to explain what I would like to do. Perhaps we could start with section 1, and then with the committee's consent we could stand down sections 2 to 13 in order to deal with schedule 1, as some of sections 2 to 13 in the bill make reference to schedule 1 or to the annexed area described in schedule 1. Is that okay if we do that? We would do section 1 first, then we would hold down the rest of the bill and go into the schedule portion, because there's reference in there. Is that okay with everyone? All in favour? Opposed? Thank you; carried.

We'll move on to section 1. There are no amendments to section 1 at all, so is there any debate on section 1? No debate. Shall section 1 carry? Those in favour? Opposed? Carried.

We agreed to hold down sections 2 to 13 in order to deal with schedule 1, so we'll go to schedule 1 now, and in schedule 1 there are some amendments here. Page 4 of our package of amendments refers to schedule 1. This is a PC motion. Mrs. Munro, did you want to read it and then speak to it?

Mrs. Julia Munro: Certainly. I move that schedule 1 to the bill be struck out and the following substituted—I'd just ask the clerk if you would expect that I would read the whole thing.

The Chair (Mr. Lorenzo Berardinetti): One moment. Before we do—

Mr. Dave Levac: On a point of order, Mr. Chair: There's a vote on the floor and it's a five-minute bell, so would we be right to ask for enough time to do that vote and then proceed to come back and continue where we left off?

The Chair (Mr. Lorenzo Berardinetti): Is that okay? All those in favour? Opposed? Carried. So we'll reconvene after this vote. Sorry to interrupt. We'll recess until after the vote.

The committee recessed from 1316 to 1325.

The Chair (Mr. Lorenzo Berardinetti): I call the meeting back to order. Ms. Munro, you had the floor and you were going to read a motion.

Mrs. Julia Munro: I move that Schedule 1 to the bill be struck out and the following substituted:

“Schedule 1

“Those portions of the town of Innisfil described as follows:

“Firstly,

“Commencing at the westerly boundary of the town of Innisfil, at the eastern limit of the road allowance of County Road 27 and a point parallel to the southwest angle of the north half of Lot 1 in Concession IX;

“Thence easterly along the southerly boundary of the north half of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 in Concession IX to the eastern limit of the road allowance between Lots 10 and 11, also known as Sideroad 10;

“Thence northerly along the eastern limit of the said road allowance between Lots 10 and 11 (Sideroad 10) to the northerly limit of Concession X;

“Thence westerly along the northerly limits of Lots 10, 9, 8, 7 and 6 in Concession X to the northeasterly angle of Lot 5 in Concession X, also being the westerly limit of the road allowance between Lots 5 and 6 in Concession X, also known as Sideroad 5;

“Thence northerly along the westerly limit of the said road allowance between Lots 5 and 6 (Sideroad 5) to the north limit of the south half of Lot 5 in Concession XI;

“Thence westerly along the northerly limit of the south half of Lots 5, 4, 3, 2 and 1 in Concession XI to the eastern limit of the road allowance of County Road 27 also being the westerly boundary of the town of Innisfil;

“Thence southerly along the eastern limit of the road allowance of County Road 27 and the westerly boundary of the town of Innisfil to the point of commencement;

“Secondly,

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“Commencing at a point that is located at the southern limit of the road allowance between Concessions X and XI, also known as Lockhart Road, this point being south on a line parallel to the northeasterly angle of Lot 11 in Concession X;

“Thence easterly along the southern limit of the said road allowance between Concessions X and XI (Lockhart Road) to the western limit of the road allowance between Lots 20 and 21 in Concession XI, also known as Sideroad 20;

“Thence northerly along the western limit of the said road allowance between Lots 20 and 21 in Concession XI (Sideroad 20) to the northerly limit of the road allowance between Concessions XII and XIII, also known as Big Bay Point Road;

“Thence westerly along the northerly limit of the said road allowance between Concessions XII and XIII (Big Bay Point Road) to a point that is located north on a line parallel to the northwest angle of Lot 19 in Concession XII;

“Thence southerly along the westerly limit of Lot 19 in Concession XII to a point in the southern limit of the road allowance between Concessions XI and XII, also known as Maplevue Drive East;

“Thence westerly along the southern limit of the said road allowance between Concessions XI and XII (Maplevue Drive East) to the northwest angle of Lot 13 in Concession XI;

“Thence southerly along the westerly limit of Lot 13 in Concession XI to the southerly limit of the north half of Lot 12 in Concession XI;

“Thence westerly along the southerly limit of the north half of Lot 12 in Concession XI to the westerly limit of Lot 12;

“Thence southerly along the westerly limit of Lot 12 in Concession XI, to the point of commencement.”

The Chair (Mr. Lorenzo Berardinetti): Any discussion?

Mrs. Julia Munro: Yes. I would just say that there was considerable discussion with relation to the schedule, particularly on the issue of long-term responsibilities, and I think that all parties understand the importance at the local level of reaching those kinds of agreements on the manner in which road allowances and the roads themselves would be maintained.

The Chair (Mr. Lorenzo Berardinetti): Any further debate?

Mr. Lou Rinaldi: We are not going to support this motion, and the reason is fairly simple. I know we've heard from all parties that they are collectively working to best define what those boundaries are, and from the sounds of what we heard, they were making really good progress and they were still working at it.

Section 9 of the bill allows regulatory powers, through the regulation process, to address those issues. The motion that was just read really is very, very descriptive in the sense that, as they move forward, that may impede further adjustments. So I think those details will be best

dealt with through the regulatory process, and the municipalities could further enhance that by their own bylaws when it comes to serviceability.

For those reasons, we will not be supporting the motion.

The Chair (Mr. Lorenzo Berardinetti): Mr. Prue?

Mr. Michael Prue: I passed in order to hear what the government had to say.

Quite frankly, any municipality needs to know what is called its metes and bounds, and surely the members opposite would know the metes and bounds set the framework under which a municipality operates: that for which they are responsible, that for which they are not. It's a clear delineation of the property line as it seems to be moving back and forth.

I don't know what advantage can be had here by the government procrastinating. Quite frankly, both parties seem to agree. I heard from the city of Barrie, as did you; I heard from the town of Innisfil, as did you. There seems to be unanimity on this point. I don't know how much more it needs to be studied, but to walk away from it today, I think, would do a disservice to both communities, because both communities will need to know when they leave here today—and certainly when the bill is passed—where the new boundary line is going to be drawn, who is going to be responsible for the road maintenance, and it ought not simply to be left up to ministerial whim in regulation. Clearly, if it is worth doing, it needs to be set in legislation so that hereafter it cannot be the subject of further ministerial whim. If we do it in legislation, that boundary will be set; if we do it by regulation down the road, what is to say that a subsequent minister, a subsequent government or the same government with a new minister years from now cannot change it again?

Quite frankly, I think that the people of Barrie and Innisfil have had enough of this. If it is worth doing, do it right. Put it in legislation so that no further minister can tinker around, make separate side deals or go back to the people of those communities and say, “We want to change it over on this block or that block, or on this street and that street.” Quite frankly, the rationale behind this leaves me wanting. As a former mayor, I knew where every single house and every single street was, and I'm sure that Reeves and mayors and people who served in municipal office opposite knew the same things. To leave it up in the air for the minister to change at whim is a total disservice.

The Chair (Mr. Lorenzo Berardinetti): Mr. Rinaldi and then Ms. Munro.

Mr. Lou Rinaldi: I too had the privilege of serving in the municipal sector for 12 years, and I truly knew where those boundaries were. Normally they were in the middle of the road, and normally adjoining municipalities had service agreements to address, if I remember correctly—maybe I stand to be corrected, but it seems that each municipality took responsibility, as a rule of thumb, although it was then prescribed in bylaws, that the road to the west, when you were going from west to east, seemed to be the responsibility of the adjacent municipality.

Having said that, I know we passed many bylaws during my days in the municipal sector for municipalities to assume service responsibilities. Furthermore, in many cases, based on the development on either side of that road, municipalities chose to take further responsibility when it came to reconstruction. So it was left totally within those municipal jurisdictions to make those decisions. Hence, I would prefer to have that flexibility left in this legislation, and quite frankly we did hear—the member is right—that they are basically in agreement with what they would like to do when it comes to the service piece. I'll leave it at that.

The Chair (Mr. Lorenzo Berardinetti): Ms. Munro?

Mrs. Julia Munro: I find it rather interesting to hear the argument presented by the parliamentary assistant, because at the very heart of the bill—if you look at the title, it says, “An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil,” and in the original draft of the bill, obviously because the bill exists over a boundary dispute, the boundaries were very clearly identified. This schedule merely attempts to bring some kind of further clarification to the bill.

It seems to me that in the case we're looking at here, the minister felt compelled to introduce a bill on the very issue of a boundary, and this amendment is one that we know both sides have been working toward. It would simply clarify for all parties what they have been working together on. So I find it interesting that you would argue that this should all be swept over to regulation when the purpose of the bill is in fact a boundary change.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion? None?

Mr. Michael Prue: Recorded vote.

Ayes

Munro, Prue.

Nays

Balkissoon, Brownell, Levac, Pendergast, Rinaldi.

The Chair (Mr. Lorenzo Berardinetti): That does not carry.

We'll move on, then, to the next amendment, which again relates to the schedule. I think it's on page 5. Ms. Munro?

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Mrs. Julia Munro: I move that schedule 1 to the bill be amended by adding “save and except for those lands described as Block 29, Plan 51M-806 (PIN #58098-2006 (LT))” after “Thence easterly along the southerly boundary of the north half of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 in Concession IX to the centre line of the road allowance between Lots 10 and 11, also known as Sideroad 10.”

The Chair (Mr. Lorenzo Berardinetti): Any discussion?

Mrs. Julia Munro: As has been previously identified, the issue around the centre line created some discussion between the two municipalities. This is to further try to bring clarity to that issue.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Further debate?

Mr. Lou Rinaldi: This change will remove the Doral stormwater management pond from the proposed annexed area. The proposed amendment will change the boundary of the annexation area, and we feel this amendment is not necessary for the following reason: This motion proposes to leave the pond within Innisfil as a stormwater pond service development and will remain within the Innisfil boundaries. The three parties have been working towards the intermunicipal side agreement to deal with the transition issue as this one is.

Barrie has agreed to transfer title back to the town of Innisfil for one dollar. We believe this local agreement upon the solution is the right way to go. Even though the pond services land is outside of Barrie's proposed new boundary, its function will continue as the city has the capacity to ensure the pond's long-term viability in keeping with the strong action needed to protect the health of Lake Simcoe and its watershed.

Once again, the proposed bill will provide the minister with some regulatory power to help those municipalities reach those final agreements.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Michael Prue: Again, I have some problem with this. I don't have a problem because it's going to be leased back for a dollar, because I know that an arrangement can be made.

But I think back to my own mayoral days. I know that we had a large swath of land in East York, Dentonia Park and all the land around Dentonia Park, which was the property of the city of Toronto. We had to lease it back for a dollar, and every year we had to go to the city of Toronto and ask for bylaws to make recommendations on improvements in the park. Everything from the bleachers that were put up to the ball diamonds to the cutting of the grass, we had to go back and get an agreement.

Although the city of Toronto never refused this, it did stick in my craw, and I'm sure it will stick in the craw of the town of Innisfil in the future. It is the land that they are going to have to look after, but each and every year, whenever anything has to be done around the stormwater management, the land that it's on or something else, they're going to have to go to another jurisdiction and ask them for permission to do what they know is necessary to be done.

In the alternative, should the city of Barrie wish to do something with the pond and they're going to have to go to the rightful owners and ask them, it seems to me that it is not worth the potential trouble, the festering of old municipal wounds if in fact it is the goal of everybody involved that this pond be under the control of the town of Innisfil, and it should be in Innisfil. It's pretty simple, and you will not have those municipalities coming back

and asking for regulations and changes, to a future Minister of Municipal Affairs and Housing or Municipal Affairs and whatever iteration it takes on in those days.

Is the \$1 solution doable? Yeah. Is it the best solution? No. The best solution is this motion and you should be doing it.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Ms. Munro.

Mrs. Julia Munro: I just want to add further to the fact that, going back to the process here, why we're all here is to develop some kind of recognition for Barrie and at the same time provide some viability for Innisfil. When people look at this boundary line that means that the stormwater management pond is actually in Barrie serving the residents of Innisfil, it sort of defies reasonable logic. I understand the \$1-a-year issue, but it seems to me that at a point at which you are trying to define growth in Barrie, to leave this piece like an appendage hanging out and not include it in Innisfil is just simply a complication, quite frankly, that no one needs.

The Chair (Mr. Lorenzo Berardinetti): Any further debate? None? So we'll take a vote on the motion.

Mr. Michael Prue: Recorded vote, please.

Ayes

Munro, Prue.

Nays

Balkissoon, Brownell, Levac, Pendergast, Rinaldi.

The Chair (Mr. Lorenzo Berardinetti): That does not carry.

Those are the only amendments that we have in regard to schedule 1. So the next question is: Shall schedule 1 carry? All those in favour? Opposed? That carries.

We'll go back to the bill itself. We did section 1. Shall section 2 carry? All those in favour? Opposed? That carries.

Section 2.1: There are a couple of amendments here. They seem to be similar.

Mr. Michael Prue: They're identical. We have the same lawyer.

The Chair (Mr. Lorenzo Berardinetti): Mr. Prue, did you want to go first?

Mr. Michael Prue: Mine is first, so I'll go with it. If it passes, I'm sure Ms. Munro will be happy. If it doesn't, I will be happy to vote for hers as well.

I move that the bill be amended by adding the following section:

"Compensation

"2.1(1) The city of Barrie shall compensate the town of Innisfil with respect to the tax assessment loss, debt repayment and future growth and assessment with respect to the annexed area.

"Same

"(2) The Minister of Municipal Affairs and Housing may make regulations dealing with the manner in which

the compensation is to be calculated, the amount of the compensation to be given and the timing of the payments by the city of Barrie to the town of Innisfil."

The Chair (Mr. Lorenzo Berardinetti): Any debate?

Mr. Michael Prue: Surely. The solicitors for the town of Innisfil were very kind and have set out—and I'm sure all members have a copy of this—exactly what is going to happen to Innisfil should the bill be passed without this amendment.

The first will be the lost tax revenue. Innisfil will lose over \$80 million in tax assessments, which comprises 2.5% of Innisfil's current assessment base, which is a net loss of property tax revenue of \$419,000; which in total is 1.9% of its current tax revenues from these lands. They are simply stating that if they are to lose this assessment base, there should be some compensation for it.

They go on to write about the fiscal impact on debt servicing ability and the fact that it will add some \$30,000 annually to the service costs of the debt for the new administration building, the Innisfil Recreation Complex and the Cookstown library. They are asking that this, too, be compensated for up to 20 years.

Last but not least, they point out the very real loss of development opportunity, because when this is transferred to Barrie, let there be no mistake about this: This is going to be developed to its maximum potential, as Barrie intends to grow. The land is identical. If Innisfil grew that same section, they would get all of the revenues coming out of the future assessment revenue. This would amount, it has been conservatively estimated, to nearly \$50 million more in assessment for Innisfil, and they believe that Innisfil should be compensated by the province for the loss.

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In a nutshell, what is being requested here by way of this motion that I am making and that my colleague who represents the area is making is that the Minister of Municipal Affairs and Housing make regulations dealing with the manner in which the compensation is to be calculated, the amount of compensation that is to be given and the timing of the payments by the city of Barrie to the town of Innisfil.

This is complex. I'm not asking you to do it on the fly. I believe the other motions that were made needed to be set in stone and could have been set in stone in the bill itself and not in the regulations. However, this will make it imperative for the minister to sit down with the two parties involved and come up with some kind of financial agreement.

This is not unique. I have spoken in the past of three other agreements that have been made since 2003 with other municipalities across Ontario and how, in every single case, there were monies made available by the municipality which was taking over the land in compensation for those municipalities which were losing the land and the assessment base. It seems to me that if it was good in every other case since 2003, it should be good in this case too. Certainly when a bigger city like Barrie takes over a portion of land from a smaller town like

Innisfil, that compensation should be, first and foremost, to the front.

I did hear from the people from Barrie in the deputations that they didn't want to pay. I heard from Innisfil that they expect payment. But I think the telling moment, for me, came when one of the developers, who surely knew the lay of the land, knew that it was going to increase the cost of the development should Barrie have to make these payments and issue some kind of levy against them. I came out in favour of it, and that was the fundamental thing: that the people who are going to develop this land saw the inherent unfairness of not compensating for it and were willing to do so even though it was going to increase their costs.

I'm asking the members opposite to vote for this in the issue of fairness and so that these two municipalities, who have been at some considerable odds for 20 years, can at least say, "Okay, the deal has been done, but I have been compensated." To not compensate them is literally tantamount to taking over a property without compensation in any form, and we would not escheat some property. We would not do that in any other case, save and except that it is allowed here without compensating those who are potentially aggrieved.

The Chair (Mr. Lorenzo Berardinetti): Ms. Munro?

Mrs. Julia Munro: I'm not going to repeat the points that my colleague has made, but I do want to emphasize a few that have been raised in this issue.

At the base of this whole issue and the whole problem is the question of compensation. Anywhere else that one does business, there's an exchange. You get something back for having given something, and yet in this particular proposed legislation there is absolutely nothing. This comes as a huge affront to the legitimacy, frankly, of both municipalities, but also certainly to the residents, who think about the fact that they have to pay for whatever it is that they receive at the municipal level—or the provincial level, for that matter—and yet here we are legitimizing in this process that one municipality can absorb part of another community when it's very clearly identified that there is a loss to that community by this process, and yet that appears not to enter into the equation at all.

Quite frankly, if I were a member of the government, I'd be embarrassed to think that I was standing behind a piece of legislation that simply took almost 5,000 hectares from one municipality to another and didn't think there was anything wrong with not having some compensation.

The question of the compensation, as my colleague has mentioned, has been carefully thought out, not in the details of amounts, but certainly in principle.

I was shocked when, in the course of the public hearings, it was very clear to everyone there that there is precedent for providing some kind of compensation and recognition of the lost value, the lost opportunity. I just think that fundamental economics talks about lost opportunity and the importance of being able to measure that. To be able, with the stroke of a pen, to deny a legitimate municipality the opportunity for any kind of future

recognition of that loss is quite clearly very unfair and certainly wouldn't operate in any other kind of business transaction.

I would just like to say, in defending the need for Barrie to acquire this land—it's referred to in the area of the need for growth and recognizing Barrie's growth. But I must say that at different times, the former Minister of Infrastructure and the Minister of the Environment have referred to the same kind of growth as "sprawl." So I find it interesting that when it's Barrie it's growth, but when it's anyone else it's sprawl.

I can't say any more strongly how fundamentally important it is to support this motion because of the fact that, otherwise, you're setting another rather dangerous precedent, in my view, which is that one municipality can expect to be able to absorb part of another municipality with no recognition of the principle of compensation.

The Chair (Mr. Lorenzo Berardinetti): Mr. Rinaldi?

Mr. Lou Rinaldi: I would say at the outset that we're not prepared to support this.

I, too, know of municipalities that have been compensated. One of the municipalities that I represent came to an agreement some seven, eight, 10 years ago with their adjoining municipalities in another riding. It was a locally driven agreement. It wasn't just about dollars and cents; it was about some exchanges of services.

We talked about and we heard that day about loss of revenue from taxation, but municipalities are there to deliver a service to their community, and taxation is the need to be able to provide services that community needs. We never talk about the part of the savings from the Innisfil portion—I won't say the savings; the money they don't have to expend to service those lands anymore, which up to now they had to. So the taxation revenue should roughly balance out with the expenditures, if one wants to gear it down to that area.

The legislation allows, if municipalities wish, for compensation—not just compensation, as I mentioned a minute ago, but also for other intermunicipal agreements, whether it be for sewage, water, roads.

Also, as we know, Barrie is a fast-growing community, probably one of the fastest-growing in Canada. I would think that people are not constrained to work within those municipal boundaries, so as areas develop, I would think that there are opportunities not just for Innisfil, but for the whole Simcoe area—at least the surrounding area. Just this June, the Simcoe area strategic vision for growth was initiated, and that's not just for Barrie; it's for the whole area. Everybody in Barrie, Innisfil and the whole Simcoe area will probably benefit from that once that's collaboratively put together.

1400

I hope that instead of being heavy-handed from the top down—and I know it has been a long struggle. That's why we're here today. Normally, this is not needed, but it has been a long struggle for everybody concerned. That's why we're here today with this piece of legislation. But I would hope that, if this legislation is passed, as those

municipalities move forward, they'll be able to seek some commonality that they can work together on.

We heard just last week or the week before that those lands, in large part, were moratorium lands, as the years went by, to see how they could be best used down the road. So there was an intent that something might happen.

For these reasons, we're not prepared to support this. Thank you.

The Chair (Mr. Lorenzo Berardinetti): Further debate? Mr. Prue.

Mr. Michael Prue: I have to say I'm disappointed, because my support of this bill hinges on this motion, so you've got me in a position where I was more than prepared to go along with the bill, provided there was compensation in it, but without the compensation, I, quite frankly, cannot do so.

I keep thinking back—and I know he's gone now—to a former minister of the government who talked about winners and losers and that the government is in the business of picking winners and losers. Well, you've done that today by what you've just said. You've picked a winner—the winner is Barrie; you've picked a loser, and the loser is Innisfil. Not one thing is going to happen in Innisfil's favour as a result of this decision. If there is one, please point it out. They're losing the land, they're losing the assessment, they're losing their ability to develop further as a community on lands that are going to be designated industrial or commercial, where there's a higher tax base, and their proud history since Confederation is being lessened. I can see why Barrie's the winner. They're going to get the land, they're going to be able to expand and they're going to have additional monies. There it is: You picked a winner and loser.

But more than just what a former minister said, I'm reminded of the old way in which people develop Siamese fighting fish. I don't know if you've ever noticed how Siamese fighting fish become fighting fish. They put two fish in a glass tank, they put a piece of glass in the middle so that the fish can't get at each other, and then they feed one fish but they don't feed the other one. They do that for days and weeks. They give one fish all the food and another one just enough to sustain itself. Then they take the glass out and the fish that wasn't getting the food attacks the other one viciously, and usually to his own death because he's weaker and smaller than the fish that has been given all the attention.

That's what you've done here. That's exactly what you're doing. I don't understand why the people opposite can't see this. This is going to fester in the wound of the people of Innisfil for 100 years. They're going to remember this as a day of infamy. They are going to remember when their land got taken away, they weren't compensated, and they were treated like that poor, losing Siamese fighting fish. If you want to do that, I'm sure that the people of Innisfil will never forget. I'm sure they will never forget. And I know you're probably not worried because they're represented by a Conservative now, but they will never forget what this government has done, nor will I.

The Chair (Mr. Lorenzo Berardinetti): Further debate? None? Then we'll vote on this amendment.

Mrs. Julia Munro: Recorded vote.

Ayes

Munro, Prue.

Nays

Balkissoon, Brownell, Pendergast, Rinaldi.

The Chair (Mr. Lorenzo Berardinetti): That does not carry.

On the next page, I think the motion is similar.

Mrs. Julia Munro: As it is, I'll withdraw it.

The Chair (Mr. Lorenzo Berardinetti): Thank you. It's withdrawn then.

We'll move on, then, to section 3. Sections 3 to 7: There are no amendments put forward in any of those sections. Can I take a vote together on them, on sections 3 to 7?

Mr. Michael Prue: Sure.

The Chair (Mr. Lorenzo Berardinetti): Shall sections 3 to 7 carry? All those in favour? Opposed? Carried.

We'll move on, then, to section 7.1. This is a new section, on page 3. NDP motion, Mr. Prue.

Mr. Michael Prue: I move that the bill be amended by adding the following section:

“Special development charge

“7.1(1) The city of Barrie shall levy a special development charge on the owners of annexed property to recover the cost of any required growth-related improvements in the town of Innisfil resulting from the development of the annexed lands.

“Same

“(2) The city of Barrie shall collect the special development charges and remit the payments to the town of Innisfil in a timely manner.”

Mr. Chair, if I could, this is asking for a special development charge for that which has already taken place in the new potential growth area, and is simply asking that the residents of Innisfil not be stuck with the bill, or be able to collect what they've spent in advance before the land was taken over, in order to recoup some of their losses.

I don't expect any government support here, but it seems to me that the town of Innisfil has, for the longest period of time, done as much as they can in moratorium lands, albeit it's not as great as what they probably would have wanted to do. But they were wise and prudent in not developing and spending a lot more money, seeing the results here today.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Any further discussion? Mr. Rinaldi.

Mr. Lou Rinaldi: Development charges in the municipalities are normally something that—councils of the local municipalities have to do certain studies—if they so

choose, I should say; it's not mandatory—to help to develop, with growth, monies for roads, water, waste water, transit, libraries and a number of other things. That's normally stemmed upon the rate of growth in that municipality and it's what the local community decides to do.

To impose a development charge on a different jurisdiction is not permissible now under the Development Charges Act as it stands. And I'm not so sure one would want to go down that road, because whatever growth happens in those new lands—say, if there were roads or bridges or transit or libraries—the new municipalities, if this bill is passed, folks from the surrounding areas would benefit. Some of those services don't have municipal lines that divide the jurisdiction. So I don't feel this is something that we, as a government, want to impose from one municipality to another.

Once again, those are the things that I think both Innisfil and Barrie—although not as successfully as one might want to think, in some cases—have been working on. I'm sure that if this legislation is passed, the two municipalities and the county of Simcoe would work collectively.

But, certainly, to impose development charges from one municipality to another, I don't think it's the right thing to do.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Any further debate? None?

Mr. Michael Prue: Recorded vote.

Ayes

Prue.

Nays

Balkissoon, Brownell, Levac, Pendergast, Rinaldi.

The Chair (Mr. Lorenzo Berardinetti): Okay, that's not carried.

Sections 8 to 11: There are no amendments, so we can vote on them together.

Shall sections 8 to 11 carry? Those in favour? Opposed? Carried.

Section 12 is the commencement. Shall section 12 carry? All those in favour? Opposed? Carried.

Shall section 13 carry? Those in favour? Opposed? Carried.

Then we go to the title. Shall the title of the bill carry? All those in favour?

Mr. Michael Prue: Recorded vote.

Ayes

Balkissoon, Brownell, Levac, Pendergast, Rinaldi.

Nays

Munro, Prue.

The Chair (Mr. Lorenzo Berardinetti): That carries.

Shall Bill 196 carry?

Mr. Michael Prue: Recorded vote.

Ayes

Balkissoon, Brownell, Levac, Pendergast, Rinaldi.

Nays

Munro, Prue.

The Chair (Mr. Lorenzo Berardinetti): Shall I report the bill to the House? All those in favour? Opposed? Carried.

Thanks, everybody, for your assistance. The committee is now adjourned.

The committee adjourned at 1408.

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