



Ontario
Home Builders'
Association

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Delivered via email

To: permissions.modernization@ontario.ca

Ministry of the Environment, Conservation and Parks
Client Services and Permissions Branch (Policy and Program Development Section)
135 St Clair Ave West 1st Floor
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ERO Number: 019-6951 – Exploring changes to streamline the permit-by-rule framework

The Ontario Home Builders' Association

The Ontario Home Builders' Association (OHBA) is the voice of the residential construction industry in Ontario, representing 4,000 member companies organized into 27 local associations across the province. The residential construction industry employed over 550,000 workers, paying \$38.8 billion in wages and contributing over \$80 billion in investment value to Ontario's economy in 2022. Our members have the vital responsibility to build the housing supply that current Ontario residents are counting on at all stages of their lives and be the voice of future home buyers who want to call our province home.

Environmental Registry Background

We are exploring opportunities to expand and improve Ontario's permit-by-rule framework. This will help us propose improvements to Ontario's environmental permissions.

Detailed Feedback

OHBA continues to support provincial actions which streamline processes, permissions and approvals to facilitate the implementation of infrastructure required to support housing availability and new housing supply in the province. We are strongly supportive of the provincial goal to build 1.5 million new homes across Ontario over the next decade. Through OHBA, the residential construction industry has participated in and supported exploring opportunities to expand and improve Ontario's "permit-by-rule" framework. OHBA is supportive of the Ministry direction to seek input on how to expand the use of its permit-by-rule framework to reduce delays on projects that matter most to Ontario communities, such as new housing and job-creating businesses.

OHBA supports the enabling of more activities to register for permission when they demonstrate they meet established environmental outcomes (assessed EASR). OHBA supports moving more activities to permit-by-rule that must follow prescribed rules once registered (rules based EASR). OHBA recommends that MECP consider activities and outcomes such as:

- Currently, as it relates to the residential construction and land development industry, only construction-related water takings are available for proponents to self-register on the rules based EASR. The experience of our members moving from a Permits-To-Take-Water (PTTW) system to a permit-by-rule framework has been positive.

- We are supportive of the ERO 019-6928 proposal to streamline environmental permissions for stormwater management under the EASR and will be responding to the consultation directly.

OHBA generally supports a more streamlined and modernized approach to environmental approvals, including, expanding what is eligible under the permit-by-rule approach. We support the Environmental Registry posting language regarding exploring how best to improve the permit-by-rule framework by:

- streamline permit-by-rule requirements to make them easier to understand
- develop an online registration system that is easier to use, efficient and effective
- ensure the improved permit-by-rule framework is protective of the environment

We are generally supportive of developing a single permit-by-rule regulation, moving prescribed rules governing activities into “codes of practice” outside of regulation and allowing a single registration for a facility. We are supportive of the additional flexibility that would be provided by moving prescribed rules outside of regulation into “codes of practice” to allow the ministry to develop and update rules much faster. We look forward to additional consultation once a detailed plan is developed.

Lastly, we generally support this streamlined framework, but believe that there are still some EASRs that should remain as assessed EASRs (water taking EASRs, for example). Further clarification from the Ministry as to which EASR sectors will be classified as assessed and rules based EASRs. ERO number 019-6853 proposes removing the 400,000 L/day limit for water taking EASRs which we support; however, it is our opinion that all water taking EASRs should fall under the assessed EASR category and require a qualified person to prepare the technical assessment.

Conclusion

In closing, OHBA strongly believes that there continue to be opportunities for the province to streamline Ontario’s environmental approvals processes to ensure that Ontario is open for business while balancing environmental protections. OHBA has previously recommended that the MECP modernize approvals processes by taking a risk-based approach, eliminate duplication, improve customer service, eliminate regulations, or take a rules-in-regulation (permit-by-rule) approach to low-risk activities. A modernized risk-based approvals process will make it easier and more affordable to live and conduct business in Ontario while protecting people and resources. OHBA believes we can maintain the integrity of the approvals process, while finding efficiencies in process. We believe the current proposal by the MECP is another positive step to further reduce the regulatory burden on low-risk activities by allowing proponents to self-register activities on the ministry’s online Environmental Activity and Sector Registry (EASR) and start work immediately instead of waiting up to a year for a ministry review. On behalf of our over 4000 member companies, we appreciate the opportunity to provide the provincial government with our feedback and recommendations for short-term water takings. We would be pleased to meet directly with MECP officials to discuss this further.

Sincerely,



Dave Depencier
President, Ontario Home Builders’ Association



Neil Rodgers
Interim CEO, Ontario Home Builders’ Association