



Greater Ottawa Home Builders' Association
Association des constructeurs d'habitations d'Ottawa

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Permissions Modernization Team
Ministry of the Environment, Conservation and Parks
Client Services and Permissions Branch (Policy and Program Development Section)
135 St Clair Ave West 1st Floor
Toronto, ON, M4V 1P5
To: permissions.modernization@ontario.ca

Re: ERO Number: 019-6853 - Streamlining permissions for water takings for construction site dewatering activities and foundation drains

Please accept the below from the Greater Ottawa Home Builders' Association (GOHBA) and its members as a submission to the government's request for feedback on Streamlining permissions for water takings for construction site dewatering activities and foundation drains (ERO Number: 019-6853).

In addition to our comments, we support those submitted by the Ontario Home Builders' Association and our fellow municipal HBAs across the province.

Detailed Feedback

GOHBA continues to support provincial actions which streamline processes and approvals to facilitate the implementation of infrastructure required to support housing availability and new housing in the province. We are strongly supportive of the provincial goal to build 1.5 million new homes across Ontario over the next decade.

Achieving such an ambitious goal will require cooperation from all three levels of government and public policy adjustments to expedite both infrastructure and housing.

Through our provincial association (OHBA), the residential construction industry has participated in and supported the general direction of several initiatives over the past few years to streamline permissions for temporary water taking activities as well as expanding opportunities for low-risk activities to be self-registered on the Environmental Activity and Sector Registry (EASR), otherwise known as a "rules-in-regulation" approach.

GOHBA notes that this initiative (019-6853) represents the province's ongoing work to modernize environmental approvals. Our provincial association (OHBA) has been working with MECP staff in this regard to seek efficiencies in the approval processes that promote housing choice for residents of Ontario, while continuing to provide Ontarians with strong environmental protections.

GOHBA notes that the proposed amendments in the ERO (019-6853) posting will support the *More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022-2023*, as they will enable a greater number of temporary construction site dewatering activities to register on the EASR, instead of obtaining a Permit to Take Water (PTTW). This will reduce the time, cost, and resources that proponents spend on seeking environmental permissions from the ministry.

From a residential construction and land development industry perspective, the proposed content of the Environmental Registry posting is welcome and will expedite development applications and construction processes. The proposed amendments will help to reduce overall costs and expedite the process.

GOHBA is seeking one key point of clarification for what “more complex water taking activities” are from the Ministry that would be subject to ministry review or require ministry approval.

Generally, the proposed changes put more responsibility on the Owner and Engineer. The changes could result in a requirement to prepare additional documentation at the cost of the Owner. Should the municipality adopt a process to review the additional documentation required by the MECP, there would be greater cost and time impacts.

In addition, the proposed changes would require that a current holder of an ECA hire an Engineer to assess their current works. The Owner would then be responsible for updating documentation, making repairs, etc., before reporting the works on the EASR.

We are supportive of the proposal to eliminate upper limit for water taking reporting on EASR for construction as long as it meets all other criteria, as well as raising EASR limit for water taking for foundation drainage.

We are also in support of the proposed changes to streamline the water taking application process. However, we are seeking further clarity from the Ministry regarding the items listed below:

- Currently, PTTW and water taking EASRs are separate applications through the MECP online portal. Once the 400,000 L/day limit for water taking EASRs is removed, will there still be two separate applications for larger (>400,000 L/day) and smaller (<400,000 L/day) water taking permits?
- We support the change to allow >400,000 L/day water taking permits to undergo the same streamlined registration process as the current water taking EASR permits, but believe that there should be separate EASR classifications for <400,000 L/day and >400,000 L/day water taking permits.

- If >400,000 L/day permits undergo the same streamlined registration process as the current water taking EASR permits, will the registration fee be reduced from \$3000? What is the new registration fee for the new EASR water taking permits?
- It is stated that more complex water taking activities will continue to be subject to ministry review and require ministry approval. Please provide clarification/specific details as to what defines complex water taking activities. What will be the review period for proposed complex water taking activities.

Finally, we wish to raise the issue of allowing for permanent dewatering (or foundation drains) in new developments.

Municipalities have a variety of approaches throughout Ontario, with some municipalities permitting permanent dewatering with groundwater discharge into the municipal storm sewer, while others prohibit it entirely.

The City of Burlington allows for permanent dewatering provided the groundwater control systems satisfy their municipal bylaws, whereas the City of Hamilton does not allow for any dewatering and instead mandates waterproofing requirements for even low-density developments (or single detached homes).

Requiring waterproofing has a significant impact on the costs associated with new homes, and we strongly encourage guidance to be provided by the province to encourage more municipalities to allow for permanent dewatering in lieu of bath tubbing where necessary.

Conclusion

In closing, GOHBA 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.

Our provincial association (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 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.

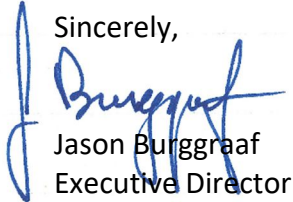
GOHBA believes we can maintain the integrity of the approvals process, while finding efficiencies in process.

GOHBA also believes the current proposal by the MECP is another positive step to further reduce the regulatory burden on low-risk short term water takings.

On behalf of GOHBA's 415+ member companies, we appreciate the opportunity to provide the provincial government with our feedback and recommendations for short-term water takings.

We are pleased to answer questions or provide further information as requested. In coordination with Ontario Home Builders' Association and our fellow municipal HBAs, we would be pleased to meet directly with MECP officials to discuss further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Burggraaf", is written over a light blue rectangular background.

Jason Burggraaf
Executive Director