



December 1, 2025

Ministry of the Environment, Conservation and Parks (MECP)
Conservation and Source Protection Branch
300 Water Street, north tower, 5th floor
Peterborough, Ontario K9J 3C7

Public Works

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peelregion.ca

Re: Regulatory Changes for accelerating and improving protections for Ontario's drinking water (ERO 025-1104)

Attention: Public Input Coordinator - Source Protection

Peel Region appreciates the opportunity to review the proposed changes outlined in the Environmental Registry of Ontario (ERO) posting *Regulatory Changes for accelerating and improving protections for Ontario's drinking water*. Peel Region staff offer the following comments and recommendations.

PEEL REGION STAFF COMMENTS

The comments contained in this correspondence are provided by Peel Region staff and may be considered by Regional Council for endorsement. If additional or differing comments are provided through a Council resolution, they will be forwarded to the Ministry for consideration.

Proposed Amendments to O. Reg. 287/07 under the Clean Water Act

Peel staff acknowledge and appreciate the MECP's efforts to streamline the amendment process and reduce duplicative consultations and Minister-level approvals. Under the proposed amendment, source protection authorities (SPAs), would become the approval authority for certain "routine" amendments to source protection plans. SPAs would both draft and approve certain amendments. This suggests a move toward a self-regulatory model, which could be efficient but susceptible to accountability gaps, legal risks, potential conflicts of interest, and reduced checks and balances. Without an independent review, there is a risk of perceived or actual bias, and potential erosion of public trust if decisions appear self-serving. SPA local discretion, interpretation, and rationale could lead to inconsistencies and uneven standards across SPAs, affecting fairness and predictability for municipalities and stakeholders.

The proposed amendment notes that technical review of assessment reports by the MECP remains, and states that before the SPA can approve the source protection plan, approval of the assessment report by the MECP Director would be required. Peel staff recommend that the MECP consider a more streamlined approach to shift approval to the MECP Director for "routine" amendments to source protection plans instead of the SPA. This will reduce fragmentation, ensure consistency, and maintain higher-level provincial oversight.



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Peel staff appreciate the MECP's intent to address gaps where prescribed instruments are self-created (e.g., Nutrient Management Plans). The proposed amendment expands the Risk Management Official role and authority to review these instruments. This creates an additional burden on Risk Management Officials, as they must apply professional judgment to assess its adequacy and justify why an instrument is sufficient or why a Risk Management Plan is needed. Peel staff recommend that the MECP consider amending the regulation so that the provincial authority (and not the Risk Management Official) is responsible to issue, approve, and enforce compliance under the regulation for these types of instruments.

Peel staff would like to request clarification from the MECP on the role of source protection committees under the proposed amendment and would like to understand implications for moderate and low threat policies.

New Minister's Regulation under the Clean Water Act

Peel staff are supportive of standardized wording for policies affecting prescribed instruments; however, clarification is needed on which elements will be standardized, removed, or restricted within source protection plans, and which will allow local flexibility to address site-specific risks (e.g., event-based area modelling). MECP should confirm that Lake Ontario prescribed instrument policies in the Credit Valley - Toronto and Region - Central Lake Ontario (CTC) Source Protection Plan will be preserved or appropriately replicated in the new regulation. Peel staff emphasize the extensive technical work and unique nature of event-based area spill risk assessments and are concerned that regulation-based obligations could introduce policy gaps. It is critical that consistency does not come at the expense of weakening protections during extreme weather or spill events, particularly for municipalities with Lake Ontario intakes serving large populations. The draft regulation language should be provided for public review to fully understand the proposed changes.

Changes to O. Reg. 205/18 (Municipal Residential Drinking Water Systems in Source Protection Areas) and O. Reg. 287/07

Peel staff appreciates the MECP's intent and efforts to provide flexibility to municipal drinking water system owners by allowing the supply of drinking water before a source protection plan amendment is complete in certain circumstances. The proposed amendment gives SPAs discretion to advise the Director that a prohibition condition is not required in a permit or licence. This places significant responsibility on SPAs. Peel staff recommend that the MECP provide clear guidance and criteria for SPAs to maintain accountability, transparency, and consistent decision-making across Ontario. Peel staff recommend that the MECP include a mandatory review if the timelines for source protection plan amendments approach the three-year limit. If an SPA approved amendment fails to adequately protect drinking water sources, liability and enforcement become more complex. Clear provincial oversight and intervention mechanisms should be retained to ensure compliance and public trust.



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Peel staff respectfully request that the MECP avoid downloading approval responsibilities and compliance activities to municipalities and limit SPA roles to primarily administration functions. Given the number and significance of recent legislative and regulatory amendments affecting the source protection planning framework, we strongly recommend additional consultation and stakeholder engagement to ensure these changes are clearly understood and implemented as intended.

CONCLUSION

Peel Region asks that the MECP consider the enclosed comments when amending these regulations.

If you have any questions or require more information, please contact Therese Estephan at therese.estephan@peelregion.ca.

Kind Regards,

Signed by:

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Elvis Oliveira, Director – Infrastructure Planning, Partnerships and Compliance
Water and Wastewater Division