

February 3, 2026

Submitted online and via email to permissions.modernization@ontario.ca

Permissions Modernization Team
Ministry of the Environment, Conservation and Parks
Client Services and Permissions Branch
135 St. Clair Avenue West, Floor 1
Toronto, ON M4V 1P5

RE: ERO 025-1361 - Exempting low-risk activities from requiring environmental permissions:

The City of Guelph (the "City" or "Guelph") appreciates the opportunity to provide feedback on the proposed regulatory amendments to exempt various activities from provincial environmental approvals, including Environmental Compliance Approvals (ECAs) and Permits to Take Water (PTTW).

Overall, the City supports the intent of the proposed exemptions to reduce regulatory burden on proponents of minimally impactful activities, or activities where other approvals are in place. The City recommends including clarifying language and guidance in the regulations, where appropriate, to ensure that the exemptions are applied consistently and only to activities with minimal environmental impacts.

However, the City has concerns about the proposed exemptions from the PTTW process for dewatering activities. As a groundwater community these activities can pose a significant threat to groundwater availability, and it is essential that municipalities continue to be notified and be able to meaningfully comment on water takings.

Below, you will find the City's comments regarding the proposed changes:

Ontario Water Resources Act Approval Exemptions (O.Reg. 525/98):

The ministry is proposing to amend *Ontario Regulation 525/98* to exempt proponents from requiring an ECA or Environmental Activity and Sector Registry (EASR) registration for various sewage and stormwater works.

The City supports these changes to the OWRA where there are adequate approvals still in place, such as municipal approvals for sewage or sewer systems which discharge to the sanitary system. Further, it is essential to ensure that any sewage works which could possibly discharge to land, surface water and groundwater remain outside of this proposed exemption.

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As the establishment, the operation or maintenance of a system that collects, stores, transmits or disposes of sewage is considered a drinking water threat under the Clean Water Act; the ministry should confirm the impact of these exemptions on local Source Protection Plan policies. If necessary, the ministry should fund and support the Source Protection Authorities to update their Source Protection Plans to ensure conformity.

The ministry should clarify if these changes - specifically number 3 outlined in the Appendix - would impact the Consolidated Linear Infrastructure (CLI) ECA process.

Finally, the City recommends that the ministry require verification by a qualified professional that the sewage works subject to the exemptions has been adequately designed. The term "qualified professional", including the qualifications and training necessary for this role, should be clearly defined in the regulation.

Air and Noise Approval Exemptions (O.Reg. 524/98):

The ministry is proposing to amend *Ontario Regulation 524/98* to exempt proponents from requiring an ECA or EASR registration for air and noise emissions from various equipment and activities. Any municipal by-laws such as noise control by-laws would continue to apply.

The City does not have concerns with the list of activities and equipment proposed to be exempt from the regulation.

The City encourages the ministry to consider extending this exemption to emergency standby power systems.

Waste Management Exemptions (O.Reg 347):

The ministry is proposing to exempt proponents from requiring an ECA or EASR registration for the following waste activities:

- Small-scale community composting.
- Upgrading biogas to renewable natural gas for injection into natural gas distribution infrastructure when receiving the gas from a landfill site or from an organic waste anaerobic digestion facility.

The City is supportive of the exemption for small-scale community composting, however, would like to see the regulation or implementing guidance provide more prescriptive conditions for these exemptions.

There is a need to ensure that a prescriptive set of conditions are laid out, similar to O.Reg 101/94 for the leaf and yard waste ECA exemption. Further, there is a need to clarify the difference and avoid conflicts with O.Reg 101/94.

There is also a need to consider standards and guidelines for odour control, such as appropriate setbacks from adjacent properties, and consider mechanisms for addressing odour and non-compliance complaints.

The regulation should also provide additional clarity and certainty with respect to the materials that these small sites should be allowed to accept to qualify for an exemption:

- Need to further clarify the definition of “paper cardboard” as these sites should not be attempting to compost waxed paper, heavily printed board, etc.
- “Clean woodchips” needs to exclude painted/treated wood explicitly.
- Should further clarify that the “dairy or animal food waste” that these sites are prohibited from composting also includes all animal derived materials, including fats/oils/greases.

Finally, there is a need for more concrete definitions and thresholds for stakeholders and waste sources to ensure effective enforcement. For example, there needs to be a clearer definition of what the ministry considers “neighbourhoods” and “non-profits” that would be allowed to operate the sites. Additionally, there needs to be a clearer definition of “community gardens or community kitchens” as a source for the compostable waste.

The City has no comments with respect to the exemption for biogas-to-natural gas facilities.

Permit to Take Water Exemptions (O.Reg. 387/04):

The ministry is proposing to exempt more proponents from requiring a Permit to Take Water (PTTW) for certain foundation dewatering activities, as well as cofferdam dewatering.

Consistent with [previous comments](#) provided to the ministry with respect to dewatering activities, the City does not support this change to exempt these activities from the PTTW process. Foundation drainage, while providing protection for basement flooding, removes large amounts of shallow groundwater from the natural heritage system. This has impacts to the local water balance and, for the City of Guelph – which is almost entirely dependent on ground water - may impact the amount of water available for drinking water supply.

The Clean Water Act, 2006 also defines Water Quantity Threats that could be associated with dewatering of foundation drainage. The ministry should consider the impact of the proposed process where these drinking water threats would apply. If necessary, the ministry should fund and support the Source Protection Authorities to update their Source Protection Plans to ensure conformity. It is noted the Grand River Source Protection Area/ City of Guelph currently have draft Water Quality Policies with the MECP for pre-consultation review.

If this change is made, the City should be made aware of all EASR applications submitted under this new exemption to ensure that the City’s water supply is not

reduced based on the prolonged large water taking. For new development, this should be completed early in the process. Further, the City should have the ability to comment on this automatic provincial approval if interference is noted at our municipal wells like that of PTTW approvals.

Lastly, if implemented, the ministry should encourage proponents to discharge this "clean water" back to the shallow groundwater system to maintain the water balance. This would reduce potential impacts to local groundwater supply and impacts to natural heritage systems.

The City has no comments related to clarification of dewatering for cofferdams.

Closure:

We appreciate this opportunity to provide input on this proposal and look forward to working together with the Ministry to support regulatory streamlining initiatives while ensuring adequate environmental protections. Should you have any questions about the feedback provided or require additional details please do not hesitate to contact the City at intergovernmental.relations@guelph.ca.

Sincerely,

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