



**Ontario  
Professional  
Planners  
Institute**

**Legislative Corner**

**Dec 2019**

## **Excess Soil Regulation and Amendments to Record of Site Condition Regulatory Changes Finalized**



The Ministry of the Environment, Conservation and Parks (MECP) is pleased to inform members that they have finalized and are implementing regulatory changes that will make it safer and easier for industry to reuse more excess soil locally and to redevelop brownfield properties.

They have clarified rules that will reduce construction costs associated with managing and transporting excess soil, limiting the amount of soil being sent to landfill and lowering greenhouse gas emissions from the sector, while continuing to ensure strong protection of human health and the environment.

This regulation supports delivery of actions in Ontario's "Made-In-Ontario" Environment Plan including reduced barriers to redevelop brownfields, clear soil reuse rules and improved enforcement of illegal dumping of excess soil. It will:

- recognize excess soil as a resource;
- set clear rules to increase reuse opportunities and reduce soil relocation costs, including reuse standards;
- reduce clean excess soil going to landfill as waste;
- lower greenhouse gas emissions associated with excess soil movement;

- protect human health and the environment;
- ensure compliance related to soil management and reuse; and
- remove specific brownfields redevelopment barriers.

This regulatory package will come into effect on the following timing:

- Brownfields redevelopment amendments: upon filing;
- Excess soil provisions related to more flexible reuse rules, waste designation and approvals and the new excess soil standards would come into effect in July 2020;
- Aspects of the excess soil regulation related to sound soil management planning (e.g. sampling, tracking and registration) and the requirement related to carrying a hauling record, would come into in January 2022;
- Restrictions on landfilling would come into effect in January 2025 allowing time to ensure alternate reuse approaches are available, as needed.

The Ministry appreciates all of the interest and input it has received on this regulatory package. For the final Decision Notice, please visit the Environmental Registry, [EBR# 013-5000](#). For additional information on the finalized regulations and associated materials, including educational materials as they are developed, please also see MECP's [Excess Soil](#) and [Brownfields](#) web-pages.

Please pass this along to colleagues, members of your organization, and other organizations that may be interested.

If you have any questions or would like to discuss, please contact Laura Blease, Senior Policy Advisor, Environmental Policy Branch at (416) 722-9194 or [laura.blease@ontario.ca](mailto:laura.blease@ontario.ca).

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## Bill 138, *Plan to Build Ontario Together Act*, 2019 Schedule Changes



As part of [Bill 138, the \*Plan to Build Ontario Together Act\*, 2019](#), there are two scheduled changes that members will be interested in:

- **Schedule 25** proposes an amendment to include rules about recalculating property taxes when there is a change to the permitted uses of land.
- **Schedule 31** proposes an amendment to set out a process for a person or public body to appeal a community benefits charge by-law to the Local Planning Appeal Tribunal.

For more information on this bill and others before the legislature, please visit the Ontario Legislature's [website](#).

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### In the News...



On November 29, the Ministry of Transportation announced construction beginning on Highway 401 from Mississauga to Milton. To learn more about this, please visit the Government of Ontario's [website](#).

On December 2, the Ministry of Municipal Affairs and Housing announced the release of a "Build or buy a tiny home" guide offering practical advice about building or buying a factory-built tiny home that complies with Ontario's Building Code. To learn more about this, please visit the Government of Ontario's [website](#).

On December 4, the Ministry of Natural Resources and Forestry announced the release of a draft Forest Sector Strategy aiming to stimulate job creation, promote economic growth, and reduce unnecessary burden and costs for businesses, all while ensuring forests continue to be managed sustainably. Consultation on this strategy will close on February 5, 2020. To learn more about this, please visit the Government of Ontario's [website](#).

On December 4, the Ministry of Energy, Northern Development and Mines announced the City of Kenora is receiving \$45,000 to undertake a study that will pinpoint the city's economic strengths and key resources. This will help the city identify, target and market the community to potential investors and existing businesses interested in expansion. To learn more about this, please visit the Government of Ontario's [website](#).

On December 5, to mark World Soil Day, the governments of Canada and Ontario announced the launch of the On-Farm Applied Research and Monitoring (ONFARM) project that will support new activities to make the agri-food sector greener and more competitive. To learn more about this, please visit the Government of Ontario's [website](#).

On December 6, the Ministry of Labour, Training and Skills Development announce the investment of \$20 million in training partnerships helping job seekers and workers get the in-demand skills they need for good jobs, and connect them with employers looking to grow their businesses. To learn more about this, please visit the Government of Ontario's [website](#).

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## Ontario regulations open for review...



There are a number of changes to regulations and legislation happening in Ontario that are open for review and comment. OPPI recommends members [visit our Legislative Corner webpage](#) to review specific legislation and regulations open for review and comment, including:

- Proposed Modifications to the Innisfil Heights Strategic Settlement Employment Area (December 13)
- Proposal to extend the current moratorium on water bottling permits (December 18)
- Harmonizing greenhouse gas reporting requirements to reduce burden (December 20)
- Amendment to the Record of Site Condition (Brownfields) Regulation related to the Requirement to Sample Ground Water (January 13)
- Ontario's Forest Sector Strategy (Draft) (February 5)

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