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Client Services and Permissions Branch (Policy and Program Development Section)  
Ministry of the Environment, Conservation and Parks  
135 St Clair Ave West 1st Floor  
Toronto, ON M4V 1P5

**ERO Number:** 019-6951 - Exploring changes to streamline the permit-by-rule framework

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## **The West End Home Builders' Association (WE HBA)**

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton. The WE HBA represents nearly 300 member companies made up of all disciplines involved in land development and residential construction. The residential construction industry employed over 550,000 people, paying \$37.7 billion in wages, and contributed over \$76.9 billion in investment value across Ontario in 2021.

The WE HBA is coordinating our public policy response with input from members across Ontario. WE HBA proudly affiliated with the **Ontario Home Builders' Association (OHBA)** and is working in conjunction with the **Building Industry and Land Development Association (BILD)** and the **Greater Ottawa Home Builders' Association (GOHBA)**.

## **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**

WE HBA 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 our provincial association (OHBA), the residential construction industry has participated in and supported exploring opportunities to expand and improve Ontario's "permit-by-rule" framework. WE HBA 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.

WE HBA supports the enabling of more activities to register for a permission when they demonstrate they meet established environmental outcomes (assessed EASR). WE HBA supports moving more activities to permit-by-rule that must follow prescribed rules once registered (rules based EASR). WE HBA 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.

WE HBA 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 for 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.

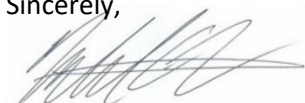
Lastly, we generally support this streamlined framework, but believe that there are still some EASRs that should remain as assessed EASRs (water taking EASRs for example). Further clarification from the Ministry as to which EASR sectors will be classified as assessed and rules based EASRs. ERO number 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, WE HBA strongly believes that there continue to be opportunities for the province to streamline Ontario’s environmental approvals processed 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 (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. WE HBA believes we can maintain the integrity of the approvals process, while finding efficiencies in process.

WE HBA believes 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 300-member companies we appreciate the opportunity to provide the provincial government with our feedback and recommendations for short-term water takings. In coordination with OHBA, BILD and the Greater Ottawa HBA, we would be pleased to meet directly with MECP officials to discuss further.

Sincerely,



Mike Collins-Williams, MCIP, RPP  
Chief Executive Officer  
West End Home Builders’ Association