

**From:** MECP Land Policy (MECP) <[MECP.LandPolicy@ontario.ca](mailto:MECP.LandPolicy@ontario.ca)>

**Sent:** Wednesday, November 20, 2024 2:57 PM

**To:** MECP Land Policy (MECP) <[MECP.LandPolicy@ontario.ca](mailto:MECP.LandPolicy@ontario.ca)>

**Subject:** Brownfields - Proposed amendments to reduce records of site condition that are not supporting brownfields redevelopment

Greetings,

Ontario is committed to reducing regulatory burdens across industry sectors to accelerate the development of housing, highways and other critical infrastructure while continuing to protect the environment.

I am reaching out to share that the Ministry of the Environment, Conservation and Parks (MECP) is proposing to amend O. Reg. 153/04: Records of Site Condition (“RSC Regulation”) and the Environmental Protection Act (EPA). This is to support building more homes faster by reducing the need for a record of site condition where it is not supporting brownfields redevelopment. These proposed amendments would apply to low-risk sites and would continue to ensure that human health and the environment are protected.

We are now proposing the following amendments and seeking comment through an Environmental Registry of Ontario (ERO) and Regulatory Registry posting:

- Regulatory amendments to the RSC Regulation that would prohibit a record of site condition from being submitted for filing in the Record of Site Condition Registry, if it is not otherwise required by the EPA or RSC Regulation and the RSC was prepared solely on the basis of a phase one environmental site assessment. In this circumstance, no potentially contaminating activities or areas of potential environmental concern have been identified for that property. These RSCs are not necessary to demonstrate that contaminants have been addressed to support brownfields redevelopment. An exception to this prohibition is proposed that would allow a property owner to submit an RSC for filing based on a phase one ESA if it is not as a result of a requirement of another person.
- To further support housing, regulatory amendments are also proposed to expand an existing exemption from the requirement to file an RSC when converting existing commercial or community use buildings (e.g., office buildings) to mixed use containing residential or institutional uses. A restriction on building height of six storeys for this exemption to apply would be removed, while other criteria remain in place.

The posting also describes legislative amendments to the EPA that would, if passed, provide regulation-making authority to prohibit RSCs from being submitted for filing in specified circumstances.

To review the proposed amendments in more detail and to provide your feedback, please visit ERO [#019-9310](#) which is available for public comment until **January 10, 2025**.

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

If you have any questions or would like to discuss this proposal, please contact Sanjay Coelho and Reema Kureishy at Land Use Policy Unit, at [MECP.LandPolicy@ontario.ca](mailto:MECP.LandPolicy@ontario.ca).

Sincerely,

**Original Signed by:**

Robyn Kurtes

Director, Environmental Policy Branch

Ministry of the Environment, Conservation and Parks