

Amendments to Reduce Records of Site Condition That Are Not Supporting Brownfields Redevelopment

AMO'S SUBMISSION TO THE MINISTRY OF ENVIRONMENT, CONSERVATION
AND PARKS

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Executive Summary

AMO appreciates the opportunity to comment on the proposed amendments to reduce Records of Site Condition (RSC) requirements currently limiting brownfields redevelopment. AMO supports these changes at reducing red tape and helping expedite brownfields redevelopment while also continuing to ensure that human health and the environment are protected. Responsibly accelerating development on brownfield sites is crucial to help the province achieve its ambitious goal of building 1.5 million new homes by 2031. AMO has long advocated for the province to review its own processes and approvals to enable development while welcoming these efficiencies.

Prohibiting the filing of RSCs in specified circumstances

AMO understands that these changes are intended to reduce filing of RSCs where there are no mandatory requirements in legislation (under the *Environmental Protection Act*, RSC regulation), and under low-risk circumstances where they would have been filed with a Phase-One Environmental Phase Assessment (EPA) - meaning that no potentially contaminating activities or areas of potential environmental concern were identified for that property.

In AMO's previous submissions on proposed changes to other environmental policy, we have supported a risk-based approach and encouraged the province to consider the importance of striking a balance of local support and environmental protections with the need to expedite timelines. The same principle applies here. We welcome changes that streamline lower-risk processes while still maintaining requirements for submitting an RSC where soil or groundwater contamination is a concern. It's important to ensure that the requirements associated with proposed exemptions remain in place – for example, continuing to require an RSC if findings show environmental and health risks that require Phase-Two assessments. This could help reduce workloads for both municipalities and the province while focusing efforts in the right place.

AMO encourages the ministry to consider any technical input or comments received from municipal staff and associations. This will help inform the implementation of these changes, ensuring they address the diverse reasons that municipalities request Phase-One EPAs and RSCs in their review processes. We ask the ministry to develop more detailed provincial guidance as required.

Expanded exemption from RSC filing requirements for changes to existing commercial or community use buildings

AMO recognizes that these are pragmatic changes that build upon existing exemptions. By reducing barriers to redeveloping commercial or community use buildings, these changes could facilitate the conversion of commercial buildings into needed residential units.

AMO supports these changes subject to a Phase-One ESA that concludes no potentially contaminating activities or areas of potential environmental concern were identified for that property. Continuously reviewing policy areas, both large and small, to identify opportunities to unlock lands or buildings for new housing is critical. This is especially important given Ontario's housing affordability and supply crisis, which is creating increased homelessness and a decline in Ontarians' quality of life.

Conclusion

Brownfields can be an untapped opportunity. If left idle, these sites represent a safety hazard for residents, a lost development opportunity for developers, and a loss in property tax revenue for municipal governments. AMO encourages the ministry to continue streamlining brownfield processes while maintaining essential environmental protections, including reducing RSC processing times.