

VIA ONLINE SUBMISSION AT ENVIRONMENTAL REGISTRY OF ONTARIO

Ministry of the Environment
c/o Laura Blease, Senior Policy Advisor
Land Use Policy, Environmental Policy Branch
40 St. Clair Avenue W., 10th Floor
Toronto, ON M4V 1M2

March 30, 2022

RE: ERO #019-5203, Implementation Pause of Excess Soil Requirements in Effect January 1, 2022

Dear Ms. Blease:

On behalf of the City of Mississauga (“City”), this comment letter is being submitted through the Environmental Registry of Ontario in regard to proposal number 019-5203 that seeks to pause the implementation of excess soil requirements that came into effect on January 1, 2022 per O. Reg. 406/19.

The City confirms its position in favour of this pause of the full regulatory requirements, as was stated in the letter sent to the Ministry of the Environment, Conservation and Parks (“MECP”) dated November 22, 2021. Although some of issues and questions the City raised in the letter have since been resolved or clarified, the majority of City staff and management have recently expressed their renewed interest in pausing the regulation to give them more time to fully understand how to properly comply with all requirements in their construction projects and the cost implications.

At least one City project has been filed on the Excess Soil Registry and others that are currently being tendered will continue to follow all requirements as planned. If the Minister decides to pause the regulation, the City will use this as a learning opportunity. The City is also working with the Region of Peel, the City of Brampton and the Town of

Caledon on a joint procurement for an information technology solution to track excess soil movement, compliance and potentially soil matching of reuse sites. This process has been delayed, so a pause in the regulation will also afford us more time to seek a soil tracking solution before it becomes mandatory.

Furthermore, during this proposed pause, City staff would also appreciate the opportunity to meet with MECP policy staff along with other interested municipalities to further discuss issues encountered or anticipated with the Excess Soil regulatory requirements that are particular to municipal infrastructure projects and its role as a local regulatory authority in approving development projects under the *Planning Act*. Such meetings can be coordinated through the Regional Public Works Commissioners of Ontario and/or through the Association of Municipalities of Ontario.

On behalf of the City of Mississauga, we appreciate your consideration of our comments that confirms our support for the delay of implementing the full requirements of O. Reg. 406/19 and we look forward to continuing to work in collaboration with MECP policy staff.

Respectfully yours,



Imshun Je

Manager, Environmental Site Management & Compliance

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[City of Mississauga](http://www.mississauga.ca) | Transportation & Works Department,
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cc: Helen Noehammer, Director, Infrastructure Planning & Engineering Services
Lincoln Kan, Manager, Environmental Services
Katrina MacDonald, Environmental Project Manager