

**Pilon, Janet**

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**Subject:** Notification of Proposal on Modernizing Environmental Compliance Practices and Ontario Community Environment Fund Re-Launch

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

**Sent:** May 5, 2021 11:46 AM

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Good morning:

I am writing to you today to share important information about several initiatives the Ministry of the Environment, Conservation and Parks is moving forward with our commitments in our Made-in-Ontario Environment Plan to help strengthen enforcement tools that hold polluters accountable and create consistent guidelines to prevent and address noise and odour issues.

**These initiatives include:**

1. Proposed Land Use Compatibility Guideline
2. Proposed Odour Guideline
3. Updating the ministry's Compliance Policy to focus on high-risk incidents and publicly posting the Referral Tool and Service Standards
4. Stakeholder Consultation on the Expansion of Administrative Monetary Penalties
5. Re-Launch of the Enhanced Ontario Community Environment Fund

Further details on these initiatives are available in the Environmental Registry of Ontario bulletin posting: [strengthening our environmental compliance approach](#).

Additional information related to stakeholder engagement for the proposed administrative monetary penalties expansion and the re-launch of the Ontario Community Environment Fund is available below.

**1. Proposed Land Use Compatibility Guideline**

Ontario is proposing a new land use compatibility guideline as an update to a number of existing D-series guidelines for municipalities to use when making land use planning decisions.

The proposed guideline will help ensure certain land uses can co-exist and thrive for the long-term within a community, including major industrial facilities and more sensitive residential land uses.

By clarifying when compatibility studies related to the assessment of potential noise, odour, dust and other effects are needed to support land use planning decisions, the proposed guideline would help to prevent adverse impacts. Preventing noise and odour issues resulting from incompatible land uses is a key commitment in the Made-in-Ontario Environment Plan. For more information and to provide comments, please visit [Environmental Registry Posting 019-2785](#).

**2. Odour guideline**

We are proposing guidance on how industrial facilities, development proponents and other members of the regulated community can anticipate, prevent, and address odour issues.

Our proactive approach will provide more regulatory certainty for facilities, better coordination with land planning decisions, and more effective remediation of issues caused by odour mixtures.

For more information, please visit [Environmental Registry Posting 019-2768](#).

### **3. Updating the ministry's Compliance Policy to focus on high-risk incidents and publicly posting the Referral tool and Service Standards**

The ministry is updating and modernizing its compliance policy to ensure that compliance and enforcement activities are risk-based.

The ministry has publicly posted the Referral Tool which will help the ministry to triage public reports received through phone calls or emails so that we are more efficiently identifying incidents which the ministry will respond to or refer to more appropriate levels of government or other agencies. Service standards for responding to incident reports received from the public have also been posted publicly to ensure timeliness of the ministry's response.

For more information, please visit [Environmental Registry Posting 019-2972](#).

### **4. Administrative Monetary Penalty Expansion – Stakeholder Consultations**

The ministry is expanding our ability to issue administrative monetary penalties, currently known as environmental penalties, to more violations and to our entire regulated community, an estimated 150,000 entities. This includes individuals, small businesses and large corporations as well as public entities like municipalities and crown corporations. Currently, these penalties can be applied when certain environmental violations, such as spills and unlawful discharges, occur at about 140 industrial facilities.

We are now inviting you to participate in an engagement session where we will present proposed approaches on the details of the new administrative monetary penalties framework for environmental violations, to seek your feedback prior to drafting regulations. The engagement session will be delivered online and offer an opportunity for you to provide direct input. The input received will inform the development of draft regulations and a guidance document in order to implement the new administrative monetary penalties framework, which we anticipate consulting on further later this year. Please register for one of the four engagement sessions that best suits your availability using the corresponding link below.

DATE	TIME	EVENT LINK
Tuesday, May 18	9 AM to 12 PM	<a href="#">Registration</a>
Thursday, May 20	1 PM to 4 PM	<a href="#">Registration</a>
Wednesday, May 26	1 PM to 4 PM	<a href="#">Registration</a>
Friday, May 28	9 AM to 12 PM	<a href="#">Registration</a>

Once registered, we will send you the engagement materials, the webinar link and the event code for Slido (i.e. an interactive web-based question and answer and polling tool), which the ministry will be using to collect your input.

Please review the discussion document, including discussion questions, prior to the engagement session and prepare your responses. Let us know if you are unable to attend any of the scheduled engagement sessions. We will try to accommodate where possible.

Please send any questions you may have on these engagement sessions to [Andre.Martin@ontario.ca](mailto:Andre.Martin@ontario.ca)

## 5. Re-Launch of Enhanced Ontario Community Environment Fund

Funds collected from administrative monetary penalties will continue to be dedicated to the Ontario Community Environment Fund, to support environmental improvement projects in the regions of Ontario where the violations occurred. Projects will support increased environmental restoration, and resilient communities and local solutions to environmental issues. Projects will be assessed through a competitive process, based on their positive environmental and community benefits as well as the quality of the project design.

More information about the enhanced Ontario Community Environment Fund and the 2021 call for applications will be announced soon. The application period is expected to be open from early May 2021 to late June 2021 and will make funds available, collected from penalties between 2016-2019. Local organizations can apply for the funding available based on the region where they are located:

- Northern Region: \$475,009
- Southwest Region: \$306,151
- Eastern Region: \$62,864
- West-Central Region: \$43,298
- Central Region: No funding available this round because the value of penalties collected did not meet the minimum funding threshold of \$5,000.

Please send any questions you may have on the Ontario Community Environment Fund to [OCEF@Ontario.ca](mailto:OCEF@Ontario.ca).

If you have any further questions or comments related to these initiatives, please direct questions to the appropriate contact above.

Thank you,

Robyn Kurtes, Director  
Environmental Policy Branch, Ministry of the Environment, Conservation and Parks