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Ontario Water Resources Act

ONTARIO REGULATION 525/98

APPROVAL EXEMPTIONS

**Consolidation Period:** From March 6, 2015 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [40/15](https://www.ontario.ca/laws/regulation/R15040).

Legislative History: [174/03](https://www.ontario.ca/laws/regulation/R03174), [272/03](https://www.ontario.ca/laws/regulation/R03272), [396/07](https://www.ontario.ca/laws/regulation/R07396), [301/14](https://www.ontario.ca/laws/regulation/R14301), [40/15](https://www.ontario.ca/laws/regulation/R15040).

This is the English version of a bilingual regulation.

**1.**In this Regulation,

“appurtenance” includes a valve, valve chamber, flow meter, maintenance access point, maintenance hole, manhole, grate, catch basin, catch basin lead, ditch inlet chamber or other minor accessory part of a sewer; (“accessoire”)

“combined sewer” means a sewer that is intended to function simultaneously as a storm sewer and a sanitary sewer; (“égout unitaire”)

“industrial land” means land used for the production, processing, repair, maintenance or storage of goods or materials, or the processing, storage, transfer or disposal of waste, but does not include land used primarily for the purpose of buying or selling,

(a) goods or materials other than fuel, or

(b) services other than vehicle repair services; (“terrain à usage industriel”)

“sanitary sewer” means a sewer for the collection and transmission of residential, commercial, institutional or industrial sewage, or any combination thereof; (“égout sanitaire”)

“service connection” means the pipe portion of a sewage works that extends from a sewer to the property line of a property serviced by the sewer; (“conduite de branchement”)

“sewer” means any system of pipes, drains and appurtenances used for the collection or transmission of sewage, but does not include plumbing to which the Building Code Act, 1992 applies or a pumping facility; (“égout”)

“storm sewer” means a sewer for the collection and transmission of storm water drainage; (“égout pluvial”)

“storm water” means rainwater runoff, water runoff from roofs, snowmelt and surface runoff; (“eaux pluviales”)

“storm water management facility” means a facility for the treatment, retention, infiltration or control of storm water; (“installation de gestion des eaux pluviales”) O. Reg. 525/98, s. 1; O. Reg. 40/15, s. 1.

**1.1**Revoked: O. Reg. 40/15, s. 2.

**2.**(1)  Subsections 53 (1) and (3) of the Act do not apply to:

1. The use, operation, establishment, alteration, extension or replacement of or a change in a service connection.

2. The use, operation, establishment, alteration, extension or replacement of or a change in an appurtenance of a sewer, if the appurtenance does not disrupt the operation of the sewage works of which the sewer is a part.

3. The relining of a sewer if the new lining does not disrupt the operation of the sewage works of which the sewer is a part.

4. The replacement of an existing sewer with a new sewer that has similar dimensions and performance criteria and that is in the same or approximately the same location, if the existing sewer was used, operated, established, altered or extended in accordance with an approval granted by a Director. O. Reg. 40/15, s. 3 (1).

(2)  This section does not apply to the use, operation, establishment, alteration, extension or replacement of or a change in a combined sewer or any part of a combined sewer. O. Reg. 525/98, s. 2 (2); O. Reg. 40/15, s. 3 (2).

**3.**Subsections 53 (1) and (3) of the Act do not apply to the use, operation, establishment, alteration, extension or replacement of or a change in a storm water management facility that,

(a) is designed to service one lot or parcel of land;

(b) discharges into a storm sewer that is not a combined sewer;

(c) does not service industrial land or a structure located on industrial land; and

(d) is not located on industrial land. O. Reg. 525/98, s. 3; O. Reg. 40/15, s. 4.

**3.1**  Subsections 53 (1) and (3) of the Act do not apply to a sewage works that is part of a large municipal residential system or a small municipal residential system, as those systems are defined in Ontario Regulation 170/03 (Drinking Water Systems) made under the Safe Drinking Water Act, 2002. O. Reg. 272/03, s. 1.

**3.2**(1)  Subsections 53 (1) and (3) of the Act do not apply to a vegetated filter strip system that manages runoff as part of an agricultural operation. O. Reg. 396/07, s. 1.

(2)  Despite subsection (1), subsections 53 (1) and (3) of the Act apply to vegetated filter strip systems that are exempt from the application of Part IX.2 of Ontario Regulation 267/03 (General) made under the Nutrient Management Act, 2002 by section 98.15 of that Regulation. O. Reg. 396/07, s. 1.

(3)  For the purpose of this section,

“vegetated filter strip system” has the same meaning as in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002. O. Reg. 396/07, s. 1; O. Reg. 301/14, s. 1.

**3.3**(1)  In this section,

“agricultural operation” has the same meaning as in the Nutrient Management Act, 2002; (“exploitation agricole”)

“GNF” means GNF within the meaning of Ontario Regulation 300/14 (Greenhouse Nutrient Feedwater), made under the Nutrient Management Act, 2002, that is generated at a greenhouse operation that is registered under that regulation; (“SNS”)

“management” has the same meaning as in the Nutrient Management Act, 2002. (“gestion”) O. Reg. 301/14, s. 2.

(2)  Section 53 of the Act does not apply to a sewage works for the management of GNF at an agricultural operation if the only material managed by means of the sewage works is GNF. O. Reg. 301/14, s. 2.

(3)  Section 53 of the Act does not apply to a sewage works for the transmission of GNF from one agricultural operation to another agricultural operation if the only material transmitted by means of the sewage works is GNF and the only destination to which the GNF is transmitted is the agricultural operation. O. Reg. 301/14, s. 2.

**4.**An exemption under this Regulation from subsection 53 (1) or (3) of the Act does not relieve a person of any other legal duty or obligation, including a duty or obligation arising under an existing approval. O. Reg. 40/15, s. 5.

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