



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: 2024-INFO-35
Date: May 17, 2024

Subject:

York Region Sewage Works Project Progress Update

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 The purpose of this report is to inform and provide an update to Committee and Council members on the progress of the York Region Sewage Works Project, which includes a copy of the April 24, 2024, letter from the Ministry of the Environment, Conservation and Parks (MECP) to the Regional Municipality of York for information.

2. Background

2.1 On November 28, 2022, the Province of Ontario passed Bill 23, the More Homes Built Faster Act (Bill 23) and introduced Schedule 10 of Bill 23, the new Supporting Growth and Housing in York and Durham Regions Act, 2022 (the Act).

2.2 The Act mandates wastewater servicing for the Upper York area to expedite and allow for growth in York that impacts the Regional Municipality of Durham (Region of Durham).

2.3 Under the Act, a Project Report, pursuant to Section 4 and a Consultation Report, pursuant to Section 5, had to be prepared to describe the York Region Sewage

Works Project, how it will be constructed, how potential impacts of the Project will be managed, and to document the public consultation process, including Indigenous Communities.

3. Previous Reports and Decisions

- 3.1 [Report #2021-COW-28](#) summarized Council's preferred alternative to the Upper York Sewage Solution as an advanced treatment system in the Lake Simcoe watershed within the Regional Municipality of York. Bill 23 now requires a solution based on conveyance to the Duffin Creek Water Pollution Control Plant (WPCP).
- 3.2 [Report #2022-INFO-93](#) provided an overview of the More Homes Built Faster Act 2022 (Bill 23), including its impacts on the Region of Durham, staff-level feedback to the province and key messaging reflecting staff-level positions on the Bill.
- 3.3 [Report #2022-COW-33](#) provided a summary of Bill 23's impact for the Region of Durham and its anticipated impacts on Durham taxpayers and ratepayers.
- 3.4 [Report #2023-INFO-58](#) provided an overview of the York Region Sewage Works Project background and a summary of the initiation and the progress of the Project.
- 3.5 [Report #2023-INFO-90](#) provided a summary of the related works to be undertaken within the Region of Durham, including the Primary Trunk Sanitary Sewer twinning, new pumping stations, Duffin Creek WPCP expansion, and new outfall. The report also provided information on the Project Report release to Indigenous Communities, Agencies, and the Public for review and consultation. In addition, the Report identified a proposed timeline to complete the construction of the proposed infrastructure.

4. Update on Project Activity

- 4.1 After the release of the Project Report and Consultation Report on November 3, 2023, comments were provided by Indigenous Communities, Agencies, the public and stakeholders.
- 4.2 The Region of York and Durham's staff and Consultant Team reviewed and addressed the comments in finalizing the Project Report and Consultation Report.
- 4.3 The Project Report and Consultation Report were submitted to the MECP on March 15, 2024.

- 4.4 As per the attached letter, dated April 22, 2024 (Attachment #1), the MECP informed the Regional Municipality of York that they are satisfied with the Project Report and Consultation Report, subject to the following requirements:
- a. Continue communicating with the MECP during the implementation phases of the project.
 - b. Annual reports are to be prepared by the Regions of York and Durham, updating the MECP on the status of the project and any changes from the information provided in the Project Report.
 - c. Interim reports are to be prepared by the Regions of York and Durham, summarizing the progress of the Project within ten (10) days of a significant change.
 - d. A biannual Indigenous Community Engagement Progress Report is to be prepared by the Regions of York and Durham, detailing the consultation with Indigenous Communities and any progress on the commitments made by the Regions of York and Durham as outlined in the Consultation Report.
- 4.5 Future Council Information reports will be prepared to provide updates on this project as it progresses.

5. Conclusion

- 5.1 Works staff will distribute a copy of this information report to the Durham Region Local Area Municipal Councils.
- 5.2 For additional information, contact: Nathaniel Andres, Manager, Water & Wastewater Infrastructure Planning, at 905-668-7711, extension 3170.

6. Attachments

Attachment #1: April 2024 MECP Letter

Respectfully submitted,

Original signed by:

Ramesh Jagannathan, MBA, M. Eng., P. Eng., PTOE
Commissioner of Works

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature et des
Parcs**



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357-2024-483

April 22, 2024

Mr. Mike Rabeau
General Manager, Capital Infrastructure Services, Public Works
Regional Municipality of York
Email: mike.rabeau@york.ca

Dear Mr. Rabeau:

Thank you for your March 15, 2024, submission of the reports required pursuant to sections 4 (the "Project Report") and 5 (the "Consultation Report") of the *Supporting Growth and Housing in York and Durham Regions Act, 2021* (the "Act") in respect of the York Region Sewage Works Project (the "Project").

I understand that the report proposes three categories of improvements to the York Durham Sewage System – those required by the *Supporting Growth and Housing in York and Durham Regions Act, 2022*, improvements that are in keeping with the Regions' long term capital plans for the system, and those that are required to meet future projected population growth. I also understand that the costs have been estimated using the Association for the Advancement of Cost Engineering approved methodology, which results in an expected cost accuracy range between -50 and +100%.

The Ministry of the Environment, Conservation and Parks (the "Ministry") has completed its review of these project and consultation reports. I have carefully considered the concerns raised by Indigenous communities and the advice provided by ministry reviewers. Pursuant to section 6 of the Act, I am writing to inform you that I am satisfied with all of the reports subject to the following requirements:

- A. The Regions will continue the ongoing dialogue with the Ministry throughout the implementation of the Project.
- B. The Regions shall provide the following to the Ministry:
 - Annual reports on the progress of the Project ('Progress Reports'). Progress Reports submitted annually, beginning on March 31, 2025. Each report shall contain information about the following:
 - The status of the Project.

- Any changes from the information provided in the Project Report or a report required in this letter, including changes to the design, route, capacity, schedule, and projected or actual cost of the Project.
 - Interim reports on the progress of the Project within 10 days of a significant change in the Project's projected or actual design, route, capacity, schedule, and projected or actual cost.
- C. In keeping with the Regions' commitments to continue to engage with impacted and interested Indigenous communities, the Regions shall provide the following to the Ministry:
- A twice-annual Indigenous Community Engagement Progress Report detailing the ongoing engagement with Indigenous communities, including details of any progress on the commitments made by the Regions to Indigenous communities as outlined in the Consultation Report. The reports shall be submitted to the Minister every six months beginning on September 30, 2024.

Should it be necessary, I may exercise my authority under the Act to require additional reports on the Project and any related consultation.

While this letter expresses my satisfaction with the reports, as per the mentioned requirements, it does not provide any commitment to provincial funding for the project nor for any required provincial approvals. Also, my expectation is that the regions will implement the project in the most cost-effective way possible.

Should you have any questions, please contact Lisa Trevisan, Assistant Deputy Minister, Environmental Assessment and Permissions Division, at (416) 230-3161 or lisa.trevisan@ontario.ca.

Sincerely,



Andrea Khanjin
Minister of the Environment, Conservation and Parks

- c: Jon Presta, Commissioner for the Works Department, Regional Municipality of Durham
Lisa Trevisan, Assistant Deputy Minister, Environmental Assessment and Permissions Division, MECP
Tom North, Director, York Region Wastewater Project, MECP
Heather Malcolmson, Director, Client Services & Permissions Branch, MECP