



**Ryerson
Urban
Water**

Environmental Compliance Provincial & Federal Perspectives

Monday, January 20th, 2020

Center for Urban Innovation, 44 Gerrard Street East, Room CUI-317

John Nemeth, C.E.T.

Infrastructure Planning and Studies

Ajax, Ontario



AN INTRODUCTORY NOTE

1) *FEDERAL PERSPECTIVE*

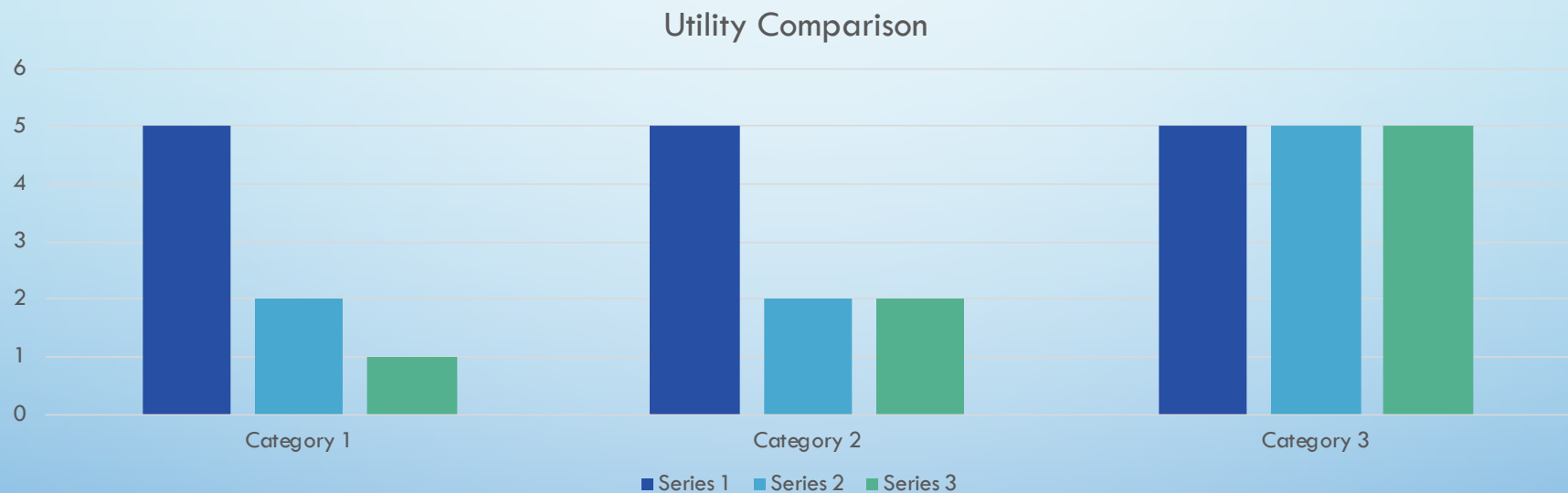
2) *MUNICIPAL PERSPECTIVE*

PERMISSIONS AND APPROVALS

IMPACTS ON THE INFRASTRUCTURE

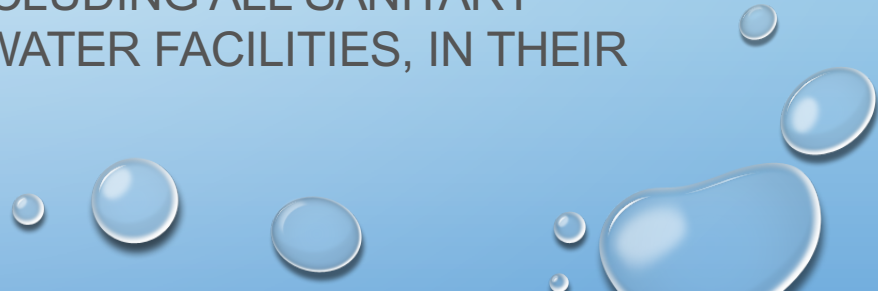
ROLES AND RESPONSIBILITIES

PERMISSIONS MODERNIZATION LESSONS FROM THE DRINKING WATER WORLD






PROVINCIAL OBJECTIVES

- IMPLEMENT **PRESCRIBED PERSONS REGULATION** TO ALLOW PROPERTY DEVELOPERS TO CARRY OUT FUTURE SPECIFIED ALTERATIONS TO THE SANITARY SEWAGE AND STORMWATER COLLECTION SYSTEM ON BEHALF OF THE MUNICIPAL OWNERS, FOR DEVELOPERS WHO HAVE ENTERED INTO AN AGREEMENT WITH A MUNICIPALITY UNDER *THE PLANNING ACT* OR *THE DEVELOPMENT CHARGES ACT*
 - TRANSITION TO AN **AREA-WIDE LINEAR INFRASTRUCTURE ECA** FRAMEWORK FOR MUNICIPAL SEWAGE COLLECTION AND STORMWATER MANAGEMENT SYSTEMS, INCLUDING ALL SANITARY SEWERS, PUMPING STATIONS AND STORMWATER FACILITIES, IN THEIR MUNICIPAL BOUNDARIES
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BACKGROUND INFORMATION

- ON JULY 1, 2019, ONTARIO REGULATION 208/19 (ENVIRONMENTAL COMPLIANCE REGULATION IN RESPECT OF SEWAGE WORKS) MADE UNDER THE ENVIRONMENTAL PROTECTION ACT CAME INTO FORCE.
 - THE REGULATION APPLIES TO MUNICIPALITIES WHO HAVE ENVIRONMENTAL COMPLIANCE APPROVALS (ECAS) WITH PRE-AUTHORIZATIONS. IT ENABLES DEVELOPERS TO CONSTRUCT WORKS THAT THE MUNICIPALITY MAY OWN UNDER THE MUNICIPALITY'S ECA, IF SPECIFIC CONDITIONS ARE MET. DEVELOPERS MUST ENTER INTO AN AGREEMENT WITH THE MUNICIPALITY, AND THE WORKS MUST MEET THE CONDITIONS OF THE MUNICIPALITY'S ENVIRONMENTAL COMPLIANCE APPROVAL.
 - MUNICIPALITIES WITH PRE-AUTHORIZATIONS WILL BE REQUIRED TO AMEND THEIR ECAS TO BENEFIT FROM THE REGULATION. MUNICIPALITIES WHO DO NOT HAVE PRE-AUTHORIZATION CONDITIONS IN THEIR EXISTING ECAS WILL BE REQUIRED TO AMEND THEIR ENVIRONMENTAL COMPLIANCE APPROVAL IF THEY WISH TO TAKE ADVANTAGE OF THIS REGULATION. UNTIL A MUNICIPALITY HAS AN ENVIRONMENTAL COMPLIANCE APPROVAL WITH PRE-AUTHORIZATIONS, DEVELOPERS ARE STILL REQUIRED TO OBTAIN SEPARATE ECAS FOR SEWAGE COLLECTION WORKS.
 - THIS NEW REGULATION SUPPORTS OUR ONGOING WORK TOWARDS CONSOLIDATING PERMISSIONS FOR SEWAGE WORKS ACTIVITIES. MECP WILL CONTINUE TO ENGAGE STAKEHOLDERS ON THESE EFFORTS.
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PRESCRIBED PERSONS REGULATION

- R208/19 (ECA IN RESPECT OF SEWAGE WORKS AKA “PRESCRIBED PERSONS REGULATION”) TO STREAMLINE APPROVAL REQUIREMENTS FOR CONSTRUCTING SANITARY SEWAGE COLLECTION AND STORMWATER MANAGEMENT SYSTEMS THAT A MUNICIPALITY WILL OWN
- PRESCRIBED PERSONS (I.E. DEVELOPERS THAT HAVE A PART VI AGREEMENT UNDER THE PLANNING ACT WITH A MUNICIPALITY) WOULD BE ABLE TO CARRY OUT FUTURE ALTERATIONS TO A MUNICIPALITY’S SEWAGE COLLECTION OR STORMWATER SYSTEM APPROVAL (ECA), IF SPECIFIC CONDITIONS ARE MET, INSTEAD OF HAVING TO OBTAIN A SEPARATE ECA
- SPECIFIC CONDITIONS INCLUDE MEETING THE SEWER AND FORCEMAIN DESIGN CRITERIA, AND COMPLYING WITH THE CONDITIONS OF PRE-AUTHORIZATION IN THE LINEAR INFRASTRUCTURE AREA-WIDE ECA FOR THE MUNICIPALITY
- THE SLIDE BELOW IS WORDING FROM R208/19
([HTTPS://WWW.ONTARIO.CA/LAWS/REGULATION/R19208](https://www.ontario.ca/laws/regulation/R19208))

ONTARIO REGULATION 208/19
MADE UNDER THE
ENVIRONMENTAL PROTECTION ACT

MADE: JUNE 21, 2019
FILED: JUNE 24, 2019
PUBLISHED ON E-LAWS: JUNE 24, 2019
PRINTED IN THE ONTARIO GAZETTE: JULY 13, 2019

ENVIRONMENTAL COMPLIANCE APPROVAL IN RESPECT OF SEWAGE WORKS

PRESCRIBED PERSONS

1. (1) SUBJECT TO SUBSECTION (2), ANY PERSON WHO ALTERS, EXTENDS, ENLARGES OR REPLACES A SEWAGE WORKS ON OR AFTER THE DAY THIS SECTION COMES INTO FORCE IS PRESCRIBED
FOR THE PURPOSES OF CLAUSE 20.6 (1) (C) OF THE ACT.

(2) SUBSECTION (1) APPLIES IF THE FOLLOWING CONDITIONS ARE SATISFIED:

1. THE ALTERING, EXTENDING, ENLARGING OR REPLACING IS CARRIED OUT UNDER AN AGREEMENT WITH A MUNICIPALITY, ENTERED INTO UNDER THE *PLANNING ACT* OR THE *DEVELOPMENT CHARGES ACT, 1997*.

2. THE AGREEMENT, WHETHER ENTERED INTO BEFORE OR AFTER THE DAY THIS REGULATION COMES INTO FORCE, PROVIDES THAT OWNERSHIP OF THE SEWAGE WORKS MAY BE TRANSFERRED

TO ONE OF THE FOLLOWING:

- I. THE MUNICIPALITY.
- II. A PUBLIC UTILITY COMMISSION DEEMED TO BE A MUNICIPAL SERVICE BOARD UNDER SECTION 195 OF THE MUNICIPAL ACT, 2001.
- III. A MUNICIPAL SERVICE BOARD ESTABLISHED UNDER SECTIONS 9, 10, 11 AND 196 OF THE MUNICIPAL ACT, 2001 OR A CITY BOARD AS DEFINED IN SUBSECTION 3 (1) OF THE CITY OF TORONTO ACT, 2006.
- IV. A CORPORATION ESTABLISHED UNDER SECTIONS 9, 10 AND 11 OF THE MUNICIPAL ACT, 2001 IN ACCORDANCE WITH SECTION 203 OF THAT ACT OR UNDER SECTIONS 7 AND 8 OF THE CITY OF TORONTO ACT, 2006 IN ACCORDANCE WITH SECTIONS 148 AND 154 OF THAT ACT.

COMMENCEMENT

2. THIS REGULATION COMES INTO FORCE ON THE LATER OF JULY 1, 2019 AND THE DAY IT IS FILED.



AREA-WIDE LINEAR INFRASTRUCTURE ECA

ONE PERMISSION FOR ALL INTERCONNECTED WORKS WITH THE SAME OWNER

STANDARDIZED PERMISSION TEMPLATES FOR MUNICIPAL COLLECTION SYSTEMS AND FOR STORMWATER MANAGEMENT SYSTEMS THAT INCLUDE:


- PRE-AUTHORIZATION FOR ROUTINE ALTERATIONS TO THE SYSTEM BY MUNICIPALITY
- PRE-AUTHORIZATION FOR EXPANDING THE COLLECTION AND STORM SYSTEMS TO INCLUDE NEW RESIDENTIAL DEVELOPMENT PROJECTS BY PROPERTY DEVELOPERS
- MODERN TERMS AND CONDITIONS FOR ENVIRONMENTAL PROTECTION

A STANDARDIZED DESIGN CRITERIA FOR SANITARY SEWERS, STORM SEWERS AND FORCEMAINS FOR ALTERATIONS AUTHORIZED UNDER AN ECA






PROVINCIAL POLICY STATEMENT

- 1.6.6.7 PLANNING FOR STORMWATER MANAGEMENT SHALL:
 - A) MINIMIZE, OR, WHERE POSSIBLE, PREVENT INCREASES IN CONTAMINANT LOADS;
 - B) MINIMIZE CHANGES IN WATER BALANCE AND EROSION;
 - C) NOT INCREASE RISKS TO HUMAN HEALTH AND SAFETY AND PROPERTY DAMAGE;
 - D) MAXIMIZE THE EXTENT AND FUNCTION OF VEGETATIVE AND PERVIOUS SURFACES; AND
 - E) PROMOTE STORMWATER MANAGEMENT BEST PRACTICES, INCLUDING STORMWATER ATTENUATION AND RE-USE, AND LOW IMPACT DEVELOPMENT.
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STANDARDIZED DESIGN CRITERIA FOR SANITARY SEWERS, STORM SEWERS AND FORCEMAINS FOR ALTERATIONS AUTHORIZED UNDER AN ECA

- **WATER BALANCE**
 - **WATER QUALITY**
 - **EROSION CONTROL**
 - **WATER QUANTITY (MINOR SYSTEM)**
 - **FLOOD CONTROL (MAJOR SYSTEM)**
 - **CONSTRUCTION EROSION CONTROL**
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STANDARDIZED DESIGN CRITERIA FOR SANITARY SEWERS, STORM SEWERS AND FORCEMAINS FOR ALTERATIONS AUTHORIZED UNDER AN ECA

- WHAT DOES IT MEAN FOR MUNICIPALITIES ?
 - OPERATIONS AND ASSET MANAGEMENT PLANNING
 - SWM MASTER PLANS
 - GROWTH PLAN – PLACES TO GROW
 - PROVINCIAL POLICY STATEMENT
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NEXT STEPS

ENVIRONMENTAL BILL OF RIGHTS (EBR)
CONSULTATION ON AREA-WIDE LINEAR ECA PROCESS
PROPOSED, WITH STAKEHOLDER OUTREACH SESSIONS
TO BE DETERMINED



CAUTION !

PLEASE BE AWARE THAT THE INFORMATION PROVIDED IN THIS SLIDE PRESENTATION AND
VERBALLY, IS STILL IN

“DRAFT FORM AND FOR DISCUSSION PURPOSES ONLY”

IT IS BY NO MEANS FINALIZED.

