

## IN THIS SECTION

- 8.1 Proposed Water Reclamation Centre
- 8.2 Project-Specific Phosphorus Off-Setting Program
- 8.3 Proposed York Durham Sewage System Modifications
- 8.4 Approvals Identified in Terms of Reference Not Required

## Section 8.0 Approvals Required for the Undertaking

In addition to requiring *EA Act* approval, there are a number of municipal, other provincial and federal approvals anticipated in order to implement the proposed Undertaking. Potential additional approvals were identified in the Minister of the Environment approved (as amended) Terms of Reference with a commitment to confirm them as part of carrying out the UYSS EA. With this in mind, the potential additional approvals expected at that time were confirmed during the “Impact Assessment” stage of the UYSS EA.

Since the proposed Undertaking is composed of a number of components, the approvals are listed, first, in association with the proposed Water Reclamation Centre (see **Section 8.1**) followed by those associated with the proposed Project-Specific Phosphorus Off-Setting Program (**Section 8.2**) and finally those associated with the York Durham Sewage System Modifications (see **Section 8.3**). In each case, the anticipated approvals are organized by approval authority.

### 8.1 Proposed Water Reclamation Centre

There are a number of post-EA approvals anticipated to be required for implementing the proposed Water Reclamation Centre including its associated conveyance infrastructure and Outfall. No post-*EA Act* approvals have been identified for the proposed Reclaimed Water Program at this time because the specifics of it still need to be developed. For example, York Region is proposing to develop project-specific Reclaimed Water Guidelines in consultation with the Ministry of the Environment prior to commissioning the proposed Water Reclamation Centre.

Similarly, York Region is proposing to undertake a reclaimed water distribution demonstration project during the initial years of operation of the proposed Water Reclamation Centre prior to full scale implementation, which assumes that customer interest in reclaimed water exists.

**Table 8.1** lists the anticipated post-EA permits and approvals.

**Table 8.1: Anticipated Permits and Approvals to Implement the Proposed Water Reclamation Centre**

Approval Authority	Anticipated Post-EA Permits and Approvals Required	Legislation or By-Law Reference
<b>Municipal and Regional</b>		
Town of East Gwillimbury	Sanitary-Storm Sewer Discharge Permit	<i>Municipal Sewer Use By-Law</i> (No. 2008-54)
	Site Plan Approval and Building Permit	Town of East Gwillimbury Official Plan (2010), Ontario Building Code
	Road Occupancy Permits	<i>By-Law 73-28</i>
	Noise By-Law	<i>Noise By-Law 2004-80</i>
	Fill By-Law	<i>Fill By-Law 2013-066</i>
York Region	Consideration of Sanitary-Storm Sewer Discharge Permit requirements	<i>Municipal Sewer Use By-Law</i> (No. 2011-56, and 2012-70)
	Tree cutting permit	<i>Forest Conservation By-Law</i> (No. TR - 0004-2005-036)
	Road Occupancy Permits	Not subject to legislation or by-law
Utility Authorities	Consent from the following utility authorities: <ul style="list-style-type: none"> <li>▪ York Region</li> <li>▪ Enbridge Inc.</li> <li>▪ Hydro One</li> <li>▪ Bell Canada</li> <li>▪ Rogers Cable</li> </ul>	Not subject to legislation or by-law
Lake Simcoe Region Conservation Authority	Permit for Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses	Ontario Regulation 179/06 under the <i>Conservation Authorities Act</i>
	Erosion and Sediment Control Plan and Surface Water Management Plan	<i>Conservation Authorities Act</i>
<b>Provincial</b>		
Ministry of the Environment	Environmental Compliance Approvals	<i>Environmental Protection Act</i>
	Permit to Take Water	<i>Ontario Water Resources Act</i>
Ministry of Natural Resources	Overall Benefit Permit	<i>Endangered Species Act</i>
	Approval under the <i>Lakes and Rivers Improvement Act</i>	<i>Lakes and Rivers Improvement Act</i>
Ministry of Tourism, Culture and Sport	Compliance letter	<i>Ontario Heritage Act</i>
<b>Federal</b>		
Fisheries and Oceans Canada	Letter of Advice or Authorization	<i>Fisheries Act</i>
Transport Canada	<i>Navigable Waters Protection Act</i> Permit	<i>Navigable Waters Protection Act</i>
<b>Property Agreements</b>		
Property owners	Property easements and acquisitions	Not subject to legislation or by-law

Each of the anticipated permits and approvals listed in **Table 8.1** are discussed in further detail in the following sub-sections.

## 8.1.1 Municipal and Regional Approvals

### 8.1.1.1 Town of East Gwillimbury

The following permits and approvals may be required from the Town of East Gwillimbury (Town) prior to constructing the proposed Undertaking situated in the Town (e.g., Water Reclamation Centre, conveyance infrastructure, Outfall, etc.):

- **Sanitary-Storm Sewer Discharge Permit** – under *Sewer Use By-Law* (No. 2008-54). The Town owns the 2nd Concession road allowance north of Queensville Sideroad. The Town has incorporated York Region’s Sewer Use By-Law (No. 2011-56, and 2012-70).
- **Site Plan Approval and Building Permit** – No Official Plan or Zoning By-Law amendments are required because the proposed Water Reclamation Centre is a permitted land use within the applicable Town designations. However, Site Plan Approval from the Town would be required, which includes approval of the Landscape Development Plan. A building permit would also be required for the proposed buildings and structures associated with the proposed Water Reclamation Centre.
- **Road Occupancy Permits** – Road occupancy permits would be required for any construction within local road allowances on 2nd Concession north of Queensville Sideroad.
- **Noise By-Law 2004-80** – If necessary, York Region would require exemptions to the municipal by-law for construction noise from the Town. Exceptions would include requirements to operate beyond the hours of 7:00 am to 7:00 pm Mondays to Saturdays, anytime on Sundays or Statutory Holidays in designated Quiet Zones, and beyond the hours of 9:00 am to 7:00 pm on Sundays in all other areas.
- **Fill By-Law 2013-066** – Approval may be required to place fill and conduct site alteration as part of construction of the proposed Water Reclamation Centre, associated conveyance infrastructure and Outfall.

### 8.1.1.2 York Region

The following permits and approvals may be required from York Region prior to constructing the proposed Undertaking (e.g., Water Reclamation Centre, conveyance infrastructure, Outfall, etc.):

- **Sanitary-Storm Sewer Discharge Permit** – under *Sewer Use By-Law* (No. 2011-56, and 2012-70). York Region owns the road allowances along Queensville Sideroad and along 2nd Concession south of Queensville Sideroad, and the disposal of water from the

dewatering systems to the adjacent land drainage (e.g., roadside ditches) may require approval under York Region's *Sewer Use By-Law* (No. 2011-56, and 2012-70).

- **Tree cutting permit** – A tree cutting permit may be required prior to vegetation removal for the proposed Water Reclamation Centre on Site WH1 West, the Conveyance Infrastructure to and from the Site, and the proposed Outfall under *Forest Conservation By-Law* (No. TR - 0004-2005-036)
- **Road Occupancy Permits** – Road occupancy permits may be required for any construction within Regional road allowances on Queensville Sideroad and 2nd Concession south of Queensville Sideroad.

### 8.1.1.3 Utility Authorities

As mentioned, an existing 90 m wide hydro-electric power corridor easement owned by Hydro One runs south-west to north-east through the proposed Water Reclamation Centre site. No buildings are proposed to be constructed within the easement and access for maintenance of the hydro-electric power lines would be maintained. Formal notification and consent would be required from Hydro One prior to construction.



Existing Hydro-Electric Power Corridor

Although it is not anticipated that local utilities are located within the proposed Water Reclamation Centre Site, utility providers would be consulted in advance of construction and utilities would be relocated if required. Formal notification and consent would be required from these authorities prior to construction as necessary.

The following utilities are located on 2nd Concession and Queensville Sideroad and may be temporarily affected during construction.

- Buried Bell lines on 2nd Concession between the Queensville West pumping station and Queensville Sideroad, buried Bell lines on Queensville Sideroad west of 2nd Concession for approximately 675 m, and pole mounted Bell lines on 2nd Concession between the proposed Water Reclamation Centre Site and Queensville Sideroad
- Pole mounted and buried Rogers Cable on Queensville Sideroad from Queens Court to the East Holland River
- Pole mounted Hydro One 44kV lines on 2nd Concession between the Queensville West pumping station and Queensville Sideroad, pole mounted Hydro One lines of lesser service on 2nd Concession between the proposed Water Reclamation Centre Site and Queensville Sideroad, and pole mounted Hydro One lines of lesser service on Queensville Sideroad between 2nd Concession and the East Holland River

Prior to construction, formal notification and consent would be required from the authorities responsible for the preceding utilities prior to construction.

#### 8.1.1.4 Lake Simcoe Region Conservation Authority

The following permits and approvals may be required from the Lake Simcoe Region Conservation Authority (LSRCA) prior to implementing the proposed Undertaking (e.g., Water Reclamation Centre, conveyance infrastructure, Outfall, etc.):

- Permit for Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses** – Any works to be completed within water bodies, floodplains or wetlands would require review and approval from the LSRCA under Ontario Regulation 179/06 (Development, Interference with Wetlands and Alteration to Shoreline and Watercourse Regulation). As such, LSRCA would be consulted during detail design of watercourse crossings, works proposed within regulated areas, and works proposed within wetland vegetation communities required for the proposed Water Reclamation Centre, Conveyance Infrastructure, and Outfall.



Watercourse crossing on 2nd Concession

Specifically, York Region may require a permit under Ontario Regulation 179/06 for watercourse crossings where a waterway would be interfered with, which would include a description of the purpose of the Undertaking, methods and alterations to be carried out, timeframe for the work to be carried out, and additional studies or documentation as required by LSRCA. This would apply to works within the LSRCA Regulated Area including in-water work at the proposed Outfall near the outlet of the Queensville drainage ditch to the

East Holland River and watercourse crossings at the Ravenshoe/Boag drainage ditch, located parallel to 2nd Concession; the Queensville drainage ditch, located parallel to Queensville Sideroad; and the Holborn drainage ditch, which intersects Queensville Sideroad west of 2nd Concession.

In addition, York Region may require a permit under Ontario Regulation 179/06 for constructing the proposed Outfall within the Holland Marsh Wetland Complex, a Provincially Significant Wetland. As part of supporting documentation for this permit, a Wetland Habitat Restoration and Compensation Plan would be developed during detail design in consultation with LSRCA and the Ministry of Natural Resources.

- Erosion and Sediment Control Plan and Surface Water Management Plan** – An Erosion and Sediment Control Plan and a Surface Water Management Plan would be prepared in accordance with the LSRCA Technical Guidelines for Stormwater Management Submissions (LSRCA, 2013) and submitted to LSRCA for approval in order to protect surface water quantity and quality as a result of construction and operation of the proposed Water Reclamation Centre and Conveyance Infrastructure.

This would apply to in-water work at the proposed Outfall near the outlet of the Queensville drainage ditch to the East Holland River and crossings of the Ravenshoe/Boag drainage ditch, located parallel to 2nd Concession; the Queensville drainage ditch, located parallel to Queensville Sideroad; and the Holborn drainage ditch, which intersects Queensville Sideroad west of 2nd Concession.

## 8.1.2 Provincial Approvals

### 8.1.2.1 Ministry of the Environment

The following permits and approvals may be required from the Ministry of the Environment (MOE) prior to implementing the proposed Undertaking (e.g., Water Reclamation Centre, conveyance infrastructure, Outfall, etc.):

- **Environmental Compliance Approval** – An Environmental Compliance Approval (ECA) would be required for the proposed Water Reclamation Centre and conveyance infrastructure in accordance with Part II.1 of the *Environmental Protection Act* prior to constructing the proposed Water Reclamation Centre for activities regulated under section 9 of the *Environmental Protection Act* and section 53 of the *Ontario Water Resources Act* (OWRA)
  - **Air and Noise:** The ECA would document that the proposed Water Reclamation Centre is in compliance with MOE Point-of-Impingement criteria for air contaminants as defined under Ontario Regulation 419/05.  
The ECA application would include an Emission Summary and Dispersion Modelling Report that documents the environmentally significant air and odour emissions, and an Acoustic Assessment Report (AAR) that documents the environmentally significant noise sources and associated noise abatement measures.
  - **Water and Sewage Works:** The ECA would include operating limits for the facility and other effluent discharge criteria. The ECA (Waste and Sewage Works) would also include a monitoring plan for various physical, chemical and/or biological parameters.
- **Permit to Take Water** - A Permit to Take Water (PTTW) is required under Section 34 of the *OWRA* for temporary water taking from groundwater which exceeds 50,000 L/day (or 7.5 Imperial gallons per minute). The water taking for the proposed Undertaking would be temporary and may exceed this limit in some areas. Based on the nature of water taking anticipated, the permit application would satisfy the requirements of a Category 3 water taking.

A Category 3 Permit to Take Water application requires the completion of a hydrogeological study. The hydrogeological field work and data analysis completed as part of the UYSS EA was undertaken to the level typically required for a PTTW application. Supporting documentation to the PTTW would include a detailed Monitoring

Plan outlining the number and frequency of groundwater monitoring wells, streamflow measurements, stream piezometer measurements, and water chemistry data collection.

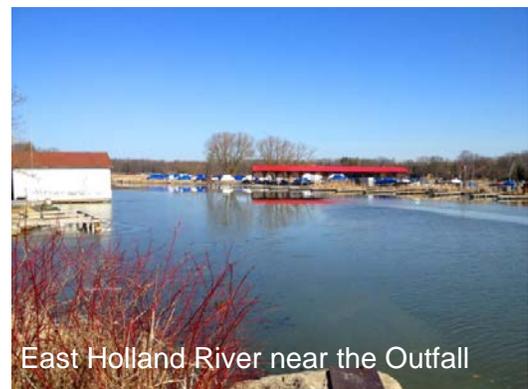
### 8.1.2.2 Ministry of Natural Resources

The following approvals may be required from the Ministry of Natural Resources (MNR) prior to implementing the proposed Undertaking (e.g., Water Reclamation Centre, conveyance infrastructure, Outfall, etc.):

- **Species at Risk** - No Species at Risk are anticipated to be adversely affected by the proposed Undertaking based on the UYSS EA. In the event that a Species at Risk is encountered, a permit would be required from the MNR under the *Endangered Species Act, 2007*. A 17(2)(c) Overall Benefit Permit would be required if the proposed Undertaking would have an adverse effect on a protected species or its habitat. Aquatic Species at Risk permitting would be completed in co-operation with MNR and Fisheries and Oceans Canada, although no aquatic Species at Risk have been identified in the area of the proposed Undertaking.
- **Lakes and Rivers Improvement Act** – Approval under the *Lakes and Rivers Improvement Act* is required to construct, alter, improve or repair water control infrastructure in Ontario including dams, water crossings (bridges, culverts and causeways), channelization of rivers including dredging, diverting or enclosing a channel. As a result, approval may be required for the proposed Outfall and discharge of treated water to the East Holland River. The local MNR District office would be consulted during detailed design to confirm approval requirements under the *Lakes and Rivers Improvement Act*.

### 8.1.2.3 Ministry of Tourism, Culture and Sport

The Ministry of Tourism, Culture and Sport (MTCS) must review the archaeological reports prepared as part of the UYSS EA to ensure that their fieldwork and reporting requirements are met in accordance to *Standards and Guidelines for Consultant Archaeologists* (Ministry of Tourism, Culture and Sport, 2011). If the licence report meets MTCS's requirements, then a compliance letter is issued to the archaeologist and copied to the project proponent, and it is filed into the Ontario Public Register of Archaeological Reports. No construction can take place until the compliance letters from the MTCS for the Stages I and II archaeological assessments carried out as part of the UYSS EA have been received.



East Holland River near the Outfall

### 8.1.3 Federal Approvals

#### 8.1.3.1 Fisheries and Oceans Canada

No harmful alteration, disruption and destruction of fish habitat at the outfall/river interface is currently anticipated based on a determination by Fisheries and Oceans Canada during the UYSS EA. However, this would be confirmed as part of the post-EA approvals process in consultation with Fisheries and Oceans Canada.

#### 8.1.3.2 Transport Canada

The East Holland River is identified under the *Navigable Waters Protection Act (NWPA)* as a navigable waterway. As a result, permitting may be required for the proposed outfall into the East Holland River. However, this would be confirmed as part of the post-EA approvals process in consultation with Transport Canada, who is responsible for administering the *NWPA*.

### 8.1.4 Property Agreements

Property acquisitions and easements required for the proposed Water Reclamation Centre and proposed Outfall have been identified and property owners were informed as part of consultation undertaken during the UYSS EA. Specifically, York Region would purchase the proposed Water Reclamation Centre Site from a private property owner and would obtain a permanent easement for the proposed Outfall on the south side of Queensville Sideroad at the East Holland River from a private property owner. Prior to construction, property easement and acquisition requirements would be confirmed and agreements obtained with the affected property owners.

## 8.2 Proposed Project-Specific Phosphorus Off-Setting Program

There are a number of post-EA approvals anticipated to be required for implementing the proposed Project-Specific Phosphorus Off-Setting Program. **Table 8.2** lists the anticipated post-EA permits and approvals.

**Table 8.2: Anticipated Permits and Approvals to Implement the Project-Specific Phosphorus Off-Setting Program**

Approval Authority	Anticipated Post-EA Permits and Approvals	Legislation or By-Law Reference
<b>Municipal and Regional</b>		
Town of Georgina	Sanitary-Storm Sewer Discharge Permit	Applicable by-law
	Site Plan Approval	Applicable by-law
	Noise By-Law	<i>Noise By-Law 2003-0075</i>

Approval Authority	Anticipated Post-EA Permits and Approvals	Legislation or By-Law Reference
Town of East Gwillimbury	Fill By-Law	Applicable by-law
	Sanitary-Storm Sewer Discharge Permit	<i>Municipal Sewer Use By-Law</i> (No. 2008-54)
Town of Newmarket	Noise By-Law	<i>Noise By-Law 2004-80</i>
	Fill By-Law	<i>Fill By-Law 2013-066</i>
	Sanitary-Storm Sewer Discharge Permit	Applicable by-law
Town of Aurora	Noise By-Law	<i>Noise By-Law 2004-94 and 2005-158</i>
	Fill By-Law	Applicable by-law
	Sanitary-Storm Sewer Discharge Permit	Applicable by-law
York Region	Noise By-Law	<i>Noise By-Law 4787-06.P</i>
	Fill By-Law	Applicable by-law
	Consideration of Sanitary-Storm Sewer Discharge Permit requirements	<i>Municipal Sewer Use By-Law</i> (No. 2011-56, and 2012-70)
Utility Authorities	Tree cutting permit	<i>Forest Conservation By-Law</i> (No. TR - 0004-2005-036)
	Potential on-site utilities to be determined through further design, topographic surveys, and consultation with utility authorities during post-EA approval	Consents to be obtained, as applicable; Not subject to legislation or by-law
Lake Simcoe Region Conservation Authority	Permit for Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses	Ontario Regulation 179/06 under the <i>Conservation Authorities Act</i>
	Erosion and Sediment Control Plan and Surface Water Management Plan	<i>Conservation Authorities Act</i>
<b>Provincial</b>		
Ministry of the Environment	Environmental Compliance Approvals	<i>Environmental Protection Act</i>
<b>Property Agreements</b>		
Property owners	Property easements and acquisitions	Not subject to legislation or by-law

Each of the anticipated permits and approvals listed in **Table 8.2** are discussed in further detail in the following sub-sections.

### 8.2.1 Municipal and Regional Approvals

York Region proposes to enter into a signed agreement with the affected Local Area Municipalities regarding the proposed stormwater management pond retrofits, new stormwater management pond and Low Impact Development to ensure the total phosphorus off-sets are

realized by York Region in perpetuity in accordance with the approved Undertaking. Pending *EA Act* approval, York Region will meet with each individual Local Area Municipality that will benefit from the Project-Specific Phosphorus Off-Setting Program to discuss the proposed form of agreement that will be used to memorialize the relationship.

The agreement will specify terms and conditions between York Region and the Local Area Municipality to address such issues as costs, operation and maintenance, inspection, and compliance monitoring and reporting.

### 8.2.1.1 Town of Georgina

The following permits and approvals may be required from the Town of Georgina prior to constructing the proposed Undertaking (i.e., Project-Specific Phosphorus Off-Setting Program):

- **Sanitary-Storm Sewer Discharge Permit** – under applicable municipal by-law. The Town of Georgina owns the road right of ways and stormwater conveyance system easements and North of Walter Street at Lake Drive South and Georgette Street. Stormwater retrofit location K-S8 in Keswick is a private property located in this area. The proposed stormwater management pond will most likely outlet into the existing stormwater conveyance system easements of the Town of Georgina.
- **Site Plan Approval** – No Official Plan or Zoning By-Law amendments are required because a stormwater management facility is a permitted land use within the applicable Town of Georgina designations; however, Site Plan Approval from the Town of Georgina would be required, which includes approval of the Landscape Development Plan.
- **Noise By-Law 2003-0075** – If necessary, York Region would require exemptions to the municipal by-law for construction noise from the Town of Georgina. Exceptions would include requirements to operate beyond the hours of 7:00 am to 7:00 pm Mondays to Saturdays and anytime on Sundays or Statutory Holidays.
- **Fill By-Law** – Approval may be required to place fill and conduct site alteration as part of construction of the proposed stormwater management pond.

### 8.2.1.2 Town of East Gwillimbury

The following permits and approvals may be required from the Town of East Gwillimbury prior to constructing the proposed Undertaking (i.e., Project-Specific Phosphorus Off-Setting Program):

- **Sanitary-Storm Sewer Discharge Permit** – under *Sewer Use By-Law* (No. 2008-54). The Town of East Gwillimbury owns the two stormwater management pond easements and corresponding stormwater conveyance systems in the Communities of Holland Landing (stormwater retrofit HL-SE2/SE6 located in the northeast corner of Oakridge Court) and Sharon (stormwater retrofit SH-S9 located in the northeast corner of Mary

Avenue and Donlands Avenue). The Town has incorporated York Region's Sewer Use By-Law (No. 2011-56, and 2012-70).

- **Noise By-Law 2004-80** – If necessary, York Region would require exemptions to the municipal by-law for construction noise from the Town of East Gwillimbury. Exceptions would include requirements to operate beyond the hours of 7:00 am to 7:00 pm Mondays to Saturdays, anytime on Sundays or Statutory Holidays in designated Quiet Zones, and beyond the hours of 9:00 am to 7:00 pm on Sundays in all other areas.
- **Fill By-Law 2013-066** – Approval may be required to place fill and conduct site alteration as part of construction of the proposed Water Reclamation Centre, associated conveyance infrastructure and Outfall.

### 8.2.1.3 Town of Newmarket

The following permits and approvals may be required from the Town of Newmarket prior to constructing the proposed Undertaking (i.e., Project-Specific Phosphorus Off-Setting Program):

- **Sanitary-Storm Sewer Discharge Permit** – under applicable municipal by-law. The Town owns the four stormwater management pond easements and the stormwater conveyance system along Stellar Drive, Pony Drive and between Harry Walker Parkway and Pony Drive as noted below:
  - N-NW5 located in the northeast corner of Dorchester Court
  - N-CW2/3/5/7/11 located in the northeast of Eagle Street West at McCaffrey Road
  - N-CE14 located in the northwest corner of College Manor Drive and Devanjan Circle
  - N-CE18 located in the southeast corner of Renzius Court
  - Low Impact Development (N-NE1/NE2): perforated pipes in existing swales in roadside stormwater ditches along Stellar Drive, Pony Drive, and on the existing stormwater easement located between Harry Walker Parkway and Pony Drive
- **Road Occupancy Permits** – Road occupancy permits would be required for any construction within local road allowances on Pony Drive and Stellar Drive for the Low Impact Development stormwater retrofit N-NE1/NE2.
- **Noise By-Law 2004-94 and 2005-158** – If necessary, York Region would require exemptions to the municipal by-law for construction noise from the Town of Newmarket. Exceptions would include requirements to operate beyond the hours of 7:00 am to 8:00 pm Mondays to Fridays, and 9:00 am to 8:00 pm on Saturdays, Sundays, and holidays.
- **Fill By-Law** – Approval may be required to place fill and conduct site alteration as part of construction of the proposed Water Reclamation Centre, associated conveyance infrastructure and Outfall.

#### 8.2.1.4 Town of Aurora

The following permits and approvals may be required from the Town of Aurora prior to constructing the proposed Undertaking (i.e., Project-Specific Phosphorus Off-Setting Program):

- **Sanitary-Storm Sewer Discharge Permit** - under applicable municipal by-law. The Town owns the one stormwater management pond easement (stormwater retrofit A-NW33) located north of Wellington Street West between Marksbury Court and Harmon Avenue.
- **Noise By-Law 4787-06.P** – If necessary, York Region would require exemptions to the municipal by-law for construction noise from the Town. Exceptions would include requirements to operate beyond the hours of 7:00 am to 7:00 pm Mondays to Saturdays, and anytime on Sundays or Statutory Holidays.
- **Fill By-Law** – Approval may be required to place fill and conduct site alteration as part of construction of the proposed Water Reclamation Centre, associated conveyance infrastructure and Outfall.

#### 8.2.1.5 York Region

The following permits and approvals may be required from York Region prior to constructing the proposed the proposed Undertaking (i.e., Project-Specific Phosphorus Off-Setting Program):

- **Sanitary-Storm Sewer Discharge Permit** – under *Sewer Use By-Law* (No. 2011-56, and 2012-70). York Region may own the road allowances where the nine stormwater management retrofits will outlet to and the disposal of water from the dewatering systems to the adjacent land drainage (e.g., roadside ditches) may require approval under York Region's *Sewer Use By-Law* (No. 2011-56, and 2012-70).

#### 8.2.1.6 Utility Authorities

Although it is not anticipated that local utilities are located within the nine stormwater management retrofits, potential on-site utilities would be determined through further design, topographic surveys, and consultation with utility authorities during post-EA approval. With this in mind, utility authorities would be consulted in advance of construction and utilities would be relocated if required. Formal notification and consent would be obtained from these authorities prior to construction as applicable.

### 8.2.1.7 Lake Simcoe Region Conservation Authority

The following permits and approvals may be required from the Lake Simcoe Region Conservation Authority (LSRCA) prior to implementing the proposed Undertaking (i.e., Project-Specific Phosphorus Off-Setting Program):

- **Permit for Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses** - Any works to be completed within water bodies, floodplains or wetlands would require review and approval from the LSRCA under Ontario Regulation 179/06 (Development, Interference with Wetlands and Alteration to Shoreline and Watercourse Regulation). As such, LSRCA would be consulted during detail design of watercourse crossings, works proposed within regulated areas, and works proposed within floodplains required for the proposed nine stormwater retrofits of the TP Off-Sets Program.
- **Erosion and Sediment Control Plan and Surface Water Management Plan** – An Erosion and Sediment Control Plan and a Surface Water Management Plan would be prepared in accordance with the LSRCA Technical Guidelines for Stormwater Management Submissions (LSRCA, 2013) and submitted to LSRCA for approval in order to protect surface water quantity and quality as a result of construction and operation of the nine stormwater management retrofits that comprise the Project-Specific Phosphorus Off-Setting Program.

## 8.2.2 Provincial Approvals

Once a signed agreement with the Local Area Municipality has been reached, design will be carried out and post-EA approvals/permits will be obtained by the Local Area Municipality for the applicable stormwater management pond retrofits, new stormwater management pond and Low Impact Development. Permitting for a stormwater management pond is addressed through an ECA with MOE as the regulator and approval agency.

Since an ECA is associated with each individual stormwater management pond, which is operated and maintained by the Local Area Municipality, compliance will continue be the responsibility of the Local Area Municipality. This responsibility will include annual reporting requirements to the MOE.

Notwithstanding this, York Region, as the proponent for the proposed Undertaking, will carry out annual compliance reporting of the Project-Specific Phosphorus Off-Setting Program based on the ECAs annual reporting requirements subject to any conditions imposed by the Minister of the Environment (Minister) in the Notice of Approval of the Preferred Undertaking. As a result, the overall effectiveness of the Project-Specific Phosphorus Off-Setting Program (phosphorus reduction) will be associated with the ECA for the proposed Water Reclamation Centre.

### 8.2.3 Federal Approvals

No federal approvals are anticipated.

### 8.2.4 Property Agreements

A property acquisition or easement may be required for the one stormwater retrofit K-S8 in Keswick, Town of Georgina as K-S8 is located on private property. Specifically, York Region or the Town of Georgina may purchase the K-S8 Site from a private property owner and would obtain a permanent easement for the proposed stormwater management pond K-S8. Prior to construction, property acquisition and easement requirements would be confirmed and agreements obtained with the affected property owners. The other eight stormwater retrofits are on existing stormwater management easements or road right of ways and would not require property agreements.

## 8.3 Proposed York Durham Sewage System Modifications

There are a number of post-EA approvals anticipated to be required for implementing the proposed YDSS Modifications. **Table 8.3** lists the anticipated post-EA permits and approvals.

**Table 8.3 Anticipated Permits and Approvals to Implement the Proposed YDSS Modifications**

Approval Agency	Name of Approval	Legislation or By-Law
<b>Municipal and Regional</b>		
Town of Newmarket	Road Occupancy Permits	<i>Road Occupancy By-Law 2009-32</i>
	Noise By-Law	<i>Noise By-Law 2004-94 and 2005-158</i>
York Region	Tree cutting permit	<i>Forest Conservation By-Law (No. TR - 0004-2005-036)</i>
	Road Occupancy Permits	Not subject to legislation or by-law
Utility Authorities	Consent from the following utility authorities:	Not subject to legislation or by-law
	▪ York Region	
	▪ Town of Newmarket	
	▪ Enbridge Inc.	
	▪ Hydro One	
	▪ Powerstream	
	▪ Bell Canada	
	▪ Rogers Cable	
▪ Allstream		

Approval Agency	Name of Approval	Legislation or By-Law
Lake Simcoe Region Conservation Authority	Permit for Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses	Ontario Regulation 179/06 under the <i>Conservation Authorities Act</i>
	Erosion and Sediment Control Plan and Surface Water Management Plan	<i>Conservation Authorities Act</i>
<b>Provincial</b>		
Ministry of the Environment	Environmental Compliance Approvals	<i>Environmental Protection Act</i>
	Permit to Take Water	<i>Ontario Water Resources Act</i>
Ministry of Natural Resources	Overall Benefit Permit	<i>Endangered Species Act</i>
	Approval under the <i>Lakes and Rivers Improvement Act</i>	<i>Lakes and Rivers Improvement Act</i>
Ministry of Tourism, Culture and Sport	Compliance letter	<i>Ontario Heritage Act</i>
GO Transit	Consent from GO Transit	Not subject to legislation or by-law
Infrastructure Ontario	Consent from Infrastructure Ontario	Ministry of Infrastructure Public Work Class Environmental Assessment
<b>Federal</b>		
Fisheries and Oceans Canada	Letter of Advice or Authorization	<i>Fisheries Act</i>
Transport Canada	<i>Navigable Waters Protection Act</i> Permit	<i>Navigable Waters Protection Act</i>
<b>Property Agreements</b>		
Property owners	Property easements and acquisitions	Not subject to legislation or by-law

### 8.3.1 Municipal and Regional Approvals

#### 8.3.1.1 Town of Newmarket

The following permits and approvals would be required from the Town of Newmarket prior to implementing the proposed Undertaking (i.e., YDSS Modifications):

- **Road Occupancy Permits** – Road occupancy permits would be required for any construction within local road allowances along the YDSS Modifications route.
- **Noise By-Laws 2004-94 and 2005-158** – If necessary, York Region would require exemptions to the municipal by-law for construction noise from the Town of Newmarket. Exceptions would include requirements to operate beyond the hours of 7:00 am to 8:00 pm Mondays to Fridays, and 9:00 am to 8:00 pm on Saturdays, Sundays, and holidays.

### 8.3.1.2 York Region

The following permits and approvals may be required from York Region prior to implementing the proposed Undertaking (i.e., YDSS Modifications):

- **Tree cutting permit** - A tree cutting permit may be required prior to vegetation removal along the YDSS Modifications Route under the *Forest Conservation By-Law* (No. TR - 0004-2005-036)
- **Road Occupancy Permits** - Road occupancy permits would be required for any construction within Regional road allowances along the YDSS Modifications Route.

### 8.3.1.3 Utility Authorities

Portions of the route would be constructed using open cut construction on Cotter Street, Pearson Drive, Wellington Street, Queen Street, Charles Street and Bayview Parkway. This construction will potentially require temporary disruption and/or relocation of underground utilities:

- York Region and Town of Newmarket watermains and sanitary sewers
- Town of Newmarket storm sewers
- Enbridge gas mains
- Powerstream and Hydro One power lines
- Allstream, Rogers Cable and Bell Canada communications lines

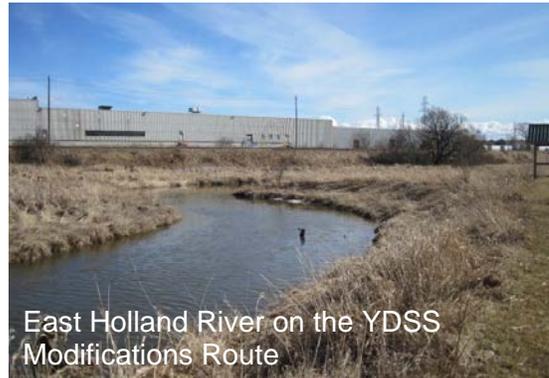
As part of detailed design, formal notification and consent would be required from these authorities prior to construction as necessary.

South of Mulock Drive, a portion of the YDSS Modifications route crosses a Hydro One hydro corridor. As a result, York Region would request an extension of the existing permanent easement within the hydro corridor to allow access to the new forcemain for periodic inspections and routine maintenance. This portion of the forcemain route will be constructed using directional drilling. Formal notification and consent would be required from Hydro One prior to construction. Infrastructure Ontario is responsible for managing real estate property that is owned by Hydro One. Additional information on approvals that would be required from Infrastructure Ontario is included in **Section 8.3.2.5**.

### 8.3.1.4 Lake Simcoe Region Conservation Authority

The following permits and approvals may be required from the Lake Simcoe Region Conservation Authority (LSRCA) prior to implementing the proposed Undertaking (i.e., YDSS Modifications):

- Permit for Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses** - Any works to be completed within water bodies, floodplains or wetlands would require review and approval from the LSRCA under Ontario Regulation 179/06 (Development, Interference with Wetlands and Alteration to Shoreline and Watercourse Regulation). As such, LSRCA would be consulted during detail design of watercourse crossings, works proposed within regulated areas, and works proposed within wetland vegetation communities required for the proposed YDSS Modifications Route.



East Holland River on the YDSS Modifications Route

Specifically, York Region would require a permit under Ontario Regulation 179/06 for watercourse crossings where a waterway would be interfered, which would include a description of the purpose of the Undertaking, methods and alterations to be carried out, timeframe for the work to be carried out, and additional studies or documentation as required by LSRCA. This would apply to the majority of the proposed YDSS Modifications Route, which is within the LSRCA Regulated Area associated with the East Holland River and includes 17 watercourse crossings along it.

In addition, York Region would require a permit under Ontario Regulation 179/06 for construction of the YDSS Modification Route within 0.7 ha of unevaluated wetlands including a Reed-canary Grass Mineral Meadow Marsh located south of Mulock Drive wherein temporary access roads are proposed; a Cattail Mineral Shallow Marsh located north of Mulock Drive wherein a staging area is proposed; a Cattail Mineral Shallow Marsh located within Wesley Brooks (Fairy Lake) Conservation Area wherein a staging area is proposed; and a Willow Mineral Deciduous Swamp located within Wesley Brooks (Fairy Lake) Conservation Area wherein a staging area is proposed. As part of supporting documentation for this permit, a Wetland Habitat Restoration and Compensation Plan would be developed during detail design in consultation with LSRCA.

- Erosion and Sediment Control Plan and Surface Water Management Plan** – An Erosion and Sediment Control Plan and a Surface Water Management Plan would be prepared in accordance with the LSRCA Technical Guidelines for Stormwater Management Submissions (LSRCA, 2013) and submitted to LSRCA for approval in order to protect surface water quantity and quality during construction of the YDSS Modifications. This would apply to the majority of the YDSS Modifications Route, which

is within the LSRCA Regulated Area associated with the East Holland River and 17 watercourse crossings along it.

## 8.3.2 Provincial Approvals

### 8.3.2.1 Ministry of the Environment

The following permits and approvals may be required from the Ministry of the Environment (MOE) prior to implementing the proposed Undertaking (i.e., YDSS Modifications):

- **Environmental Compliance Approval** - An Environmental Compliance Approval (Air and Noise; Water and Sewage Works) would be required for the proposed YDSS Modifications under the *Environmental Protection Act* prior to constructing the YDSS Modifications.
- **Permit to Take Water** - A Permit to Take Water (PTTW) is required under Section 34 of the *Ontario Water Resources Act (OWRA)* for temporary water taking from groundwater, which exceeds 50,000 L/day (or 7.5 Imperial gallons per minute). The water taking for the proposed YDSS Modifications would be temporary and exceed this limit in some areas. Based on the nature of water taking anticipated, the permit application would satisfy the requirements of a Category 3 water taking.
- A Category 3 Permit to Take Water application requires completion of a hydrogeological study. The hydrogeological field work and data analysis completed as part of the UYSS EA was undertaken to the level typically required for a PTTW application. Supporting documentation to the PTTW would include a detailed Monitoring Plan outlining the number and frequency of groundwater monitoring wells, streamflow measurements, stream piezometer measurements, and water chemistry data collection.

### 8.3.2.2 Ministry of Natural Resources

The following approvals may be required from the Ministry of Natural Resources (MNR) prior to implementing the proposed Undertaking (i.e., YDSS Modifications):

- **Species at Risk** - No Species at Risk are anticipated to be adversely affected by the proposed YDSS Modifications based on the UYSS EA. In the event that a Species at Risk is encountered, a permit would be required from the MNR under the *Endangered Species Act, 2007*. A 17(2)(c) Overall Benefit Permit would be required if the proposed Undertaking would have an adverse effect on a protected species or its habitat. Aquatic Species at Risk permitting would be completed in co-operation with MNR and DFO, although no aquatic Species at Risk have been identified in the area of the proposed YDSS Modifications.
- **Lakes and Rivers Improvement Act** – Approval under the *Lakes and Rivers Improvement Act* is required to construct, alter, improve or repair water control

infrastructure in Ontario including dams, water crossings (bridges, culverts and causeways), channelization of rivers including dredging, diverting or enclosing a channel. As a result, approval may be required for bridges over the East Holland River along the proposed YDSS Modifications Route. The local MNR District office would be consulted during detailed design to confirm approval requirements under the *Lakes and Rivers Improvement Act*.

### 8.3.2.3 Ministry of Tourism, Culture and Sport

The Ministry of Tourism, Culture and Sport (MTCS) must review the archaeological reports prepared as part of the UYSS EA to ensure that their fieldwork and reporting requirements are met in accordance to *Standards and Guidelines for Consultant Archaeologists* (Ministry of Tourism, Culture and Sport, 2011). If the licence report meets MTCS's requirements, then a compliance letter is issued to the archaeologist and copied to the project proponent, and it is filed into the Ontario Public Register of Archaeological Reports.

No construction can take place until the compliance letters from the MTCS for the Stages I and II archaeological assessments carried out as part of the UYSS EA have been received.

### 8.3.2.4 GO Transit

A portion of the new forcemain proposed as part of the YDSS Modifications crosses a rail corridor, owned by GO Transit (a division of Metrolinx) at two locations. The forcemain also parallels the GO Transit rail corridor for approximately 400 metres (m) south of Mulock Drive and for 440 m on Cotter Street. The forcemain has been designed in accordance with TC E-10 Standards Respecting Pipeline Crossings Under Railways requirements for sewers under railways as published by Transport Canada.



As per GO Transit's direction, GO Transit and their third party reviewer have been provided with the preliminary design for the YDSS Modifications including proposed construction mitigation measures for their review. Future discussion with GO Transit would be undertaken during detailed design and consent would be required prior to construction.

### 8.3.2.5 Infrastructure Ontario

As discussed in **Section 8.2.1.3**, a portion of YDSS Modifications route crosses a Hydro One hydro corridor south of Mulock Drive. As a result, York Region would request an extension of

the existing permanent easement within the hydro corridor to allow access to the new forcemain for periodic inspections and routine maintenance.

Infrastructure Ontario is responsible for managing real estate property that is owned by Hydro One, and reports to the Ministry of Infrastructure. As a result, the Ministry of Infrastructure Public Work Class Environmental Assessment, in which Infrastructure Ontario is authorized to act on the Ministry of Infrastructure's behalf, may apply. Contact and discussions with Infrastructure Ontario have been undertaken regarding this easement as part of the UYSS EA. Consent would be required from Infrastructure Ontario prior to construction.

### **8.3.3 Federal Approvals**

#### **8.3.3.1 Fisheries and Oceans Canada**

Any in-water work would require review under the *Fisheries Act* to determine any impacts on fish and fish habitat. This would apply to in-water work at the open-cut watercourse crossing locations. No aquatic Species at Risk or critical habitat has been identified in the area of the proposed YDSS Modifications Route. Therefore, no approval from Fisheries and Oceans Canada is anticipated to be required.

#### **8.3.3.2 Transport Canada**

The East Holland River is identified under the *Navigable Waters Protection Act (NWPA)* as a navigable waterway. As a result, permitting may be required for construction in the East Holland River. However, this would be confirmed as part of post-EA approvals in consultation with Transport Canada, who is responsible for administering the *NWPA*.

### **8.3.4 Property Agreements**

Permanent and temporary easements required for the YDSS Modifications have been identified and property owners were informed as part of consultation undertaken during the UYSS EA. Temporary easements are required during construction of the forcemains and permanent easements are required during construction and operation of the forcemains. Prior to construction, property easement and acquisition requirements would be confirmed and agreements obtained with the affected property owners.

## **8.4 Approvals Identified in Terms of Reference Not Required**

The following approvals were identified in the Minister of the Environment approved (as amended) UYSS EA Terms of Reference (2010), but are not required with reasons provided as follows:

- *Canadian Environmental Assessment Act* - Canadian Environmental Assessment Agency.
  - The *Canadian Environmental Assessment Act* was significantly revised in 2012 (referred to as *CEAA 2012*). Following consultation with the Canadian Environmental Assessment Agency and a review of *CEAA 2012*, York Region determined that the proposed Undertaking is not on the Regulations Designating Physical Activities list. As a result, it is not subject to *CEAA 2012*.
- Right of Way Encroachment Permit for Railways – Transport Canada (CN and CPR).
  - Approval from Transport Canada for encroachment on CN and CPR railways is not required because the proposed Undertaking does not encroach on any railways owned by either authority.
- Right of Way Encroachment Permit for Highways – Ministry of Transportation.
  - Since the proposed Undertaking does not encroach on any provincial highways, approval from the Ministry of Transportation is not required.
- *Oak Ridges Moraine Conservation Act, 2001*.
  - The *Oak Ridges Moraine Conservation Act* does not apply because the proposed Undertaking is not within the area designated under the *Oak Ridges Moraine Conservation Act, 2001*.