

The Regional Municipality of York

Committee of the Whole
Environmental Services
February 11, 2021

Report of the Commissioner of Environmental Services

East Gormley Water and Wastewater Servicing Request

1. Recommendations

1. The Region reiterate the need for the province to review policies regarding servicing of settlement areas within the Greenbelt and Oak Ridges Moraine Plan areas.
2. The Region continue to work with the Town of Whitchurch-Stouffville to assess servicing options until there is greater clarification from the province regarding exemptions for Great Lake based servicing in the Greenbelt and Oak Ridges Moraine.
3. The Region support the Town of Whitchurch-Stouffville's continued investigation of enhanced fire protection through improved non-potable water services as a reasonable and economical approach to address the immediate fire protection needs for the Hamlet of East Gormley.
4. Regional Clerk circulate this report to the Town of Whitchurch-Stouffville and the Minister of Municipal Affairs and Housing.

2. Summary

In response to communications received by Council last fall from the Town of Whitchurch-Stouffville and City of Richmond Hill, this report provides an overview and recommendations for full municipal servicing options for the Hamlet of East Gormley located in the Town of Whitchurch-Stouffville.

Key Points:

- The Hamlet of East Gormley is currently serviced by individual well and septic services
- 2007 subdivision agreement required private communal non-potable water services to be shared among the dry industries in the Hamlet of East Gormley for fire protection purposes
- The Hamlet of East Gormley water and wastewater services are currently constrained by two provincial plans:

- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) does not permit extension of water and wastewater services from a Great Lake source
- The Oak Ridges Moraine Conservation Plan, which does not allow partial servicing
- Need for enhanced fire protection in the area could be mitigated by upgrading the existing non-potable fire suppression system and/or private servicing, either individual or communal. Costs to upgrade the system are estimated to be \$5 million
- Costs to extend full municipal services are significant and estimated at \$40 million for Regional water servicing, \$55 million for Regional wastewater servicing and over \$5 million for local municipal watermains and local sewers. These costs are currently not part of the Region's Capital Plan or local municipal budgets

3. Background

Hamlet of East Gormley is currently serviced by private individual wells, septic systems and a non-potable fire suppression system

The Hamlet of East Gormley is in the Town of Whitchurch-Stouffville located north and south of Stouffville Road, bounded to the west by Highway 404 and extending 750 metres east of Woodbine Avenue. This community consists of 30 homes and 35 mixed industrial and commercial lots. The community is situated within the Greenbelt and Oak Ridges Moraine (see Attachment 1).

Currently there is no municipal drinking water or wastewater servicing in Gormley. The existing community is serviced by private wells, septic systems and a communal non-potable fire suppression system. The non-potable fire suppression system consists of a well, pumps, storage tanks, a pipe network, and fire hydrants which provide pressurized water for firefighting only. A handful of commercial buildings have sprinkler systems connected to this system.

The fire suppression system was constructed around 2008 as part of a Plan of Subdivision for the lots and blocks within the plan. The system was transferred to the Town of Whitchurch-Stouffville, which now operates the fire system. New industrial developments that do not require water for anything other than the non-potable needs of their employees (dry industrial) have been given the option to connect to the existing fire suppression system.

Whitchurch-Stouffville Council has expressed a strong desire for full municipal water and wastewater servicing for the Hamlet of East Gormley over the past decade

In 1995, the Ontario Municipal Board approved the settlement boundary and secondary plan for the Hamlet of East Gormley. The Secondary Plan for the Hamlet of East Gormley states that the long-term objective is the establishment of one communal ground water system and a communal sewage system. The communal systems have yet to be constructed.

Whitchurch-Stouffville Council wants to further develop the Hamlet of East Gormley given its location, 89 hectares of developable industrial land and ease of access to Highway 404. At the Town's [October 6, 2015 meeting](#), a resolution was passed requesting the Region to aggressively plan, design and construct infrastructure to service existing and future employment areas including the Hamlet of East Gormley.

In 2019, the Town requested urban boundary expansion under the Region's Municipal Comprehensive Review, which was outlined in a [October 8, 2020 Committee report](#) to Council regarding employment along 400 series highways (decision shown in Attachment 2).

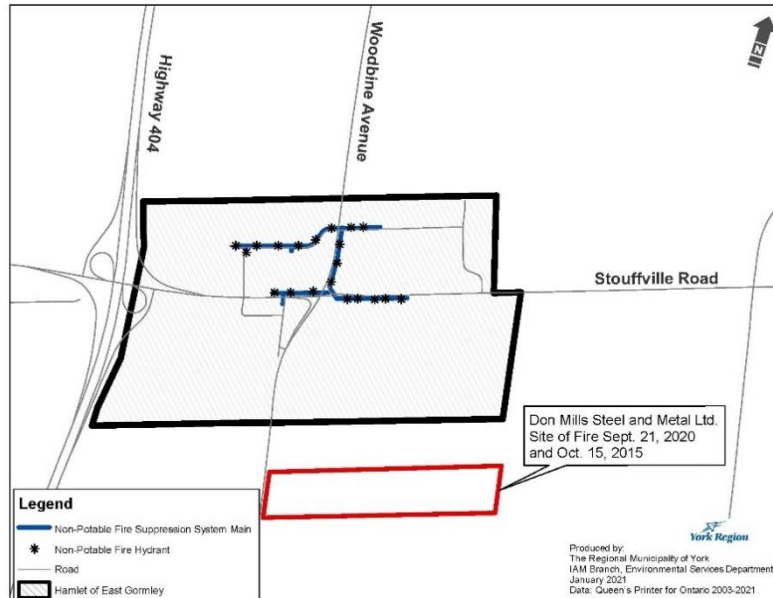
A recent rural industrial fire, located south of the Hamlet of East Gormley, highlighted the need for enhanced fire protection

Rural fires pose significant challenges for firefighting services due to the limited water sources and can be mitigated by shuttling water from nearby sources, including neighbouring communities. The Town of Whitchurch-Stouffville Fire and Emergency holds the Tank Shuttle accreditation that is administered by Insurer's Advisory Organization, reducing risks and lowering rural property insurance premiums for town residents.

On September 21, 2020, a major scrap yard fire at the Don Mills and Steel Ltd. property, located one kilometre south of the Hamlet of East Gormley, see Figure 1 below, required the Fire Department to shuttle water from nearby fire hydrants in Markham, approximately 2.8 kilometres from the site. Given the duration of the fire, the Gormley fire suppression system could not provide sufficient water and the business did not have an on-site reservoir for fire fighting purposes.

A previous fire in 2015 at the same scrap yard also required shuttling water services due to the length and duration of the fire. There are limited requirements and local municipal authority to ensure landowners have sufficient fire protection systems on-site to address large fires in rural locations.

Figure 1
Hamlet of East Gormley Fire Suppression System and Fire Location



Following the September fire, Whitchurch-Stouffville Council at their [October 20, 2020](#) meeting passed a resolution requesting the Region to immediately initiate a process to extend full municipal services to the Gormley Industrial Secondary Plan Area due to immediate risks to public health and safety. Whitchurch-Stouffville staff advocate that their urgent need to mitigate property damage and safety risks warrants the exemption under Section 3.2.6.3 (a) of the Growth Plan to enable Great Lake based services to the Hamlet of East Gormley. The City of Richmond Hill Council passed a resolution endorsing the Town’s request at its [October 28, 2020](#) meeting. Both the Town’s and the City’s resolutions were received as correspondence at the Region’s Committee of the Whole meeting on [November 5, 2020](#).

Servicing settlement areas is a joint responsibility shared by the Region and local municipalities

In accordance with the *Municipal Act*, water and wastewater servicing in York Region is a shared responsibility between the upper-tier and lower-tier municipality. York Region is responsible for providing water and the treatment of wastewater. The local municipality is responsible for the distribution of water to residential homes and businesses and conveyance of wastewater to Regional infrastructure. York Region works with local municipalities to update the Regional Water and Wastewater Master Plan (the Master Plan) at regular intervals to develop a long-term water and wastewater servicing strategy. The local municipalities, in turn, produce their own servicing master plans. For example, in the 2016 Master Plan there are projects designed to increase capacity in Stouffville Zone 2 supporting growth in Stouffville and a project increasing permitted water taking for Ballantrae’s well system for potential additional development. The Town worked with their development

community to construct new local infrastructure supporting growth in these areas. These joint ventures demonstrate that communities can be successfully created with a systematic approach that is financially sustainable and consistent with an overall vision of strong, caring communities.

4. Analysis

Great Lake based water and wastewater services are limited by the Growth Plan and Oak Ridges Moraine Conservation Plan in the Hamlet of East Gormley

Provincial policy provides direction for municipalities to assess all reasonable alternatives to meet community needs for municipal water and wastewater services. Policy 3.2.6.3 of the Growth Plan limits the extension of water and wastewater services from a Great Lake source in settlement areas that are serviced by rivers, inland lakes, or groundwater in the Greenbelt. The Oak Ridges Moraine Conservation Plan prohibits partial services of water and wastewater, requiring the water and wastewater to be fully delivered by the municipality or by private ownership.

Exemptions under these two provincial policy directives may be used where there are serious health and safety concerns. The provision to allow the extension of Great Lake based water sources may be considered as outlined under section 3.2.6.3. (a) of the Growth Plan. Partial services may be used when addressing serious health and environmental concerns within the Oak Ridges Moraine. However, at this time, there is no provincial process to assess alternative servicing considerations in the Greenbelt as outlined in the Growth Plan. To enable these exemptions, it is assumed that the municipality is required to demonstrate all reasonable alternatives using the Municipal Class Environmental Assessment process.

York Region Official Plan only permits private services in Hamlets, including East Gormley

The Growth Plan and York Region Official Plan (ROP) state that the objective of a Hamlet is to retain the rural character and cultural heritage of the Hamlet while permitting limited growth through infilling of vacant parcels within the previously built areas. This minor infilling is subject to the ability to meet water and wastewater needs through individual private on-site water and wastewater systems. As a result, East Gormley, as a Hamlet, is outlined in the ROP to be serviced through these privately owned systems and not municipal services. Any future development, including infilling, in this area would need to conform with Regional and provincial policies.

Municipal services for rural areas like Gormley were not included in the 2016 Water and Wastewater Master Plan

York Region is committed to providing long term water and wastewater services to its communities that are safe, well managed, sustainable and delivered in a fiscally responsible manner, while ensuring the environment is protected and enhanced. The Water and Wastewater Master Plan denotes the necessary infrastructure and costs to accommodate

the growth projections identified in the ROP within Urban Areas. As it follows a Municipal Class Environmental Assessment process, it must conform to all legislative requirements. To date, the Hamlet of East Gormley has not been considered for full municipal services primarily due to the policy restrictions under the Growth Plan, which is further reflected in the ROP. The 2021 Water and Wastewater Master Plan will include appendices with servicing considerations in East Gormley and other areas in the Region which are constrained by the current policy regime.

Existing private services are meeting current drinking water needs and on-site sewage systems are meeting environmental standards in the Hamlet of East Gormley

Given the premise for municipal services stems from drinking water needs, the Growth Plan enables Great Lake servicing where drinking water is poor quality or there is environmental contamination to drinking water due to poor septic system performance. The need to protect human health from environmental harm is upheld in the provision provided in the Growth Plan. At present, with the Region's information, there are no long-standing drinking water threats relating to water quality that affect the health of the Hamlet of East Gormley residents. Existing private services meet the drinking water needs and environmental standards for the community.

Non-potable water sources enable emergency response in rural areas and are not required to meet drinking water standards

To protect public safety and property, fire fighting requires readily available water sources that do not have to meet the same quality level as drinking water. Municipal Drinking Water Systems are highly regulated by the *Safe Drinking Water Act* or the *Health Protection and Promotion Act*, depending on the number of residents connected to the system. Providing drinking quality water for fire protection purposes would be costly. A non-potable fire suppression system, such as the one in the Hamlet of East Gormley, is a reasonable alternative in rural locations and allows for a local source of water to be stored and readily available in emergency situations.

Upgrades to the existing fire suppression system are a reasonable alternative to address Whitchurch-Stouffville's immediate fire safety concerns at a cost of approximately \$5 million

Town staff have identified concerns with the existing pumping station for the fire suppression system and recently completed an assessment to identify the short-term needs and solutions. Regional hydrogeology staff have reviewed the performance of the well associated with the fire suppression system in the Hamlet of East Gormley and shared their findings with Town of Whitchurch-Stouffville staff. Findings on the well performance have been incorporated into Whitchurch-Stouffville's work to assess the existing system.

Expansion and rehabilitation of the existing system at an estimated cost of \$5 million could address the health and safety concerns and would not have the inherent risks and costs associated with complying with drinking water standards. Additional fire pumps and reservoir storage could be considered for significantly less cost than full municipal services and is

likely faster to implement as it is compliant with existing legislation. The Town would be responsible for these costs which would likely be recovered from existing landowners.

York Region will continue to advocate for a process to evaluate servicing options for communities within the Greenbelt and Oak Ridges Moraine

Regional staff continue to advocate for a process to assess Great Lake sourced servicing within the Greenbelt to be considered by the province. As documented in the [May 2015](#), [September 2016](#), [October 2016](#) and [November 2020](#) Council reports the Region requested an opportunity to reassess options in the Greenbelt areas. The Region also corresponded with the Regional Director at the Ministry of Municipal Affairs in Housing in 2019. The province remains committed to the servicing options currently available within the legislation. A more long-term option is necessary as communities continue to grow and expand into areas that make Great Lake sources services a viable and sustainable option for these isolated and strategic communities.

5. Financial

Staff estimate that Regional municipal services would cost as much as \$95 million for drinking water and wastewater infrastructure to service East Gormley

Given its geographical location and relatively small developable land, the capital investment to extend full municipal Great Lake based servicing to the Hamlet of East Gormley is significant. Should provincial policy change, preliminary costs to extend Regional infrastructure to service the Hamlet of East Gormley with municipal services are estimated to be as much as \$95 million. This estimate does not include local municipal system capital costs and operational costs.

Preliminary Regional servicing options to bring services to the East Gormley area are outlined in Table 1 and further illustrated in Attachments 3 and 4. Further analysis to confirm the best option based on detailed technical, environmental and financial viability would be required prior to selecting the proposed solution. As with any servicing plan, there are engineering and capacity trade-offs to the adjacent communities to ensure the Regional system provides the overall benefit to all communities served and meets service level requirements. Preliminary cost estimates to provide Regional infrastructure to extend Great Lake based servicing to the Hamlet of East Gormley are estimated to be as much as \$40 million for water servicing and \$55 million for wastewater servicing. These estimates will be provided in the appendices of the 2021 Master Plan.

Table 1
Preliminary Costs Regional Servicing Options

Water	Preliminary Estimate *
W-1	Connection to future PD7 watermain on 19th Avenue, east of Highway 404, identified by the 2016 Master Plan to service white belt lands in Markham. \$5M to \$10M
W-2	Connection to Stouffville Water System at McCowan Road and Stouffville Road. \$10M to \$20M
W-3	Connection to the PD9 system via the Town of Richmond Hill's water system. \$15M to \$20M
W-4	Extend a watermain from Bayview Avenue to Bethesda Sideroad to Woodbine Avenue to serve the Gormley area and connect to Markham's watermain system at Elgin Mills. \$25M to \$40M
Wastewater	
WW-1	Connection to Leslie/Stouffville Road sanitary sewer owned by the City of Richmond Hill. \$15M to \$25M
WW-2	Connection to Woodbine Avenue Sewer owned by the City of Markham. \$25M to \$30M
WW-3	Connection to the Region's 19th Avenue Trunk Sewer at Leslie street. \$25M to \$35M
WW-4	Connection to the Region's 404 Trunk Sewer. \$35M to \$55M

*Preliminary cost estimates will be reviewed and updated in the 2021 Master Plan and exclude local infrastructure

Infrastructure to service the Hamlet of East Gormley has not been included in the multi-year capital budget or in the Region's Development Charges Bylaw. Facilitating this connection would require deferral of planned capital works or third-party funding to keep the capital plan in alignment with the fiscal strategy.

Additional local municipal infrastructure would be required to connect Regional services to residents and business, estimated to be over \$5 million

In accordance with the *Municipal Act*, the Town of Whitchurch-Stouffville would need to construct local municipal infrastructure to connect the existing and future residential homes and business to Regional infrastructure. Local watermains and sewers are estimated to be over \$5 million and would require additional local funding. Given the low development

capacity of the Hamlet, financial options would need to be explored by the Town to consider options outside of typical development charges.

6. Local Impact

Staff are working together to estimate the financial viability to address local and Regional infrastructure needs

The Region continues to have ongoing dialogue with Town of Whitchurch-Stouffville staff to support their servicing needs from a multi-disciplinary approach. Engineering and planning staff are sharing their perspectives, including their unique expertise on Regional and groundwater systems. Staff are working together to estimate the financial viability of a local community improvement plan to aid in assessment of these options. Transparency on known constraints, trade-offs and costs related to operations, maintenance and asset conditions are paramount. Further analysis of potential ancillary impacts to existing Regional services, like pressure and capacity losses, to neighbouring municipalities of Richmond Hill and Markham would need to be undertaken as part of a broader study.

7. Conclusion

Current provincial policy regime does not permit the Region to plan for full municipal services for the Hamlet of East Gormley. Drinking water continues to be well served by the individual wells and wastewater needs by on-site septic systems within the community. Adequacy of the fire suppression system could be addressed through well rehabilitation and additional works at an estimated cost of \$5 million which is significantly less than the estimated costs (up to \$95 million) for Regional municipal water and wastewater services and over \$5 million for local infrastructure. Along with local municipalities, Region staff will continue to advocate for the province to consider a process to address servicing needs for communities within the Greenbelt. To support immediate fire protection needs within the Hamlet of East Gormley Regional staff will continue to work with Town of Whitchurch-Stouffville staff to assess all options considered and to ensure drinking water systems are safe, well managed, sustainable and delivered in a fiscally responsible manner.

For more information on this report, please contact Wendy Kemp, Acting Director Infrastructure Asset Management at 1-877-464-9675 ext. 78164. Accessible formats or communication supports are available upon request.

Recommended by:



Erin Mahoney, M. Eng.
Commissioner of Environmental Services

Approved for Submission:



Bruce Macgregor
Chief Administrative Officer

January 22, 2021
Attachments (4)
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