

Region of Durham Submission for 026-0301

Summary and Comments on 026-0301 (Proposed amendments to the Water and Wastewater Public Corporations Act, 2025 and consequential amendment to the Safe Drinking Water Act, 2002)

ERO/RR Posting and Comment Period	Region of Durham Comments
<p data-bbox="86 367 716 435">026-0301 March 30, 2026 – April 29, 2026 (30 days)</p> <p data-bbox="86 513 716 646">Proposed amendments to the Water and Wastewater Public Corporations Act, 2025 and consequential amendment to the Safe Drinking Water Act, 2002</p>	<p data-bbox="716 367 2003 402">(1) Legislative Amendments to Water and Wastewater Public Corporations Act, 2025</p> <p data-bbox="716 441 1100 472">Region of Durham Comments:</p> <ul data-bbox="779 480 1990 1367" style="list-style-type: none"><li data-bbox="779 480 1990 581">• Durham Region supports the Province’s proposed amendments intent to strengthen the Water and Wastewater Public Corporations Act following Bill 60 / Bill 98 by clarifying ownership, continuity of services, and treatment of debt.<li data-bbox="779 589 1990 722">• Durham Region supports the legislative amendment explicitly guaranteeing 100 per cent public sector ownership of Water and Wastewater Public Corporations (WWPC). This clarification is essential for protecting public trust and confirms that drinking water and wastewater services must remain public goods.<li data-bbox="779 730 1990 799">• Durham Region also supports amendments ensuring continuity of contracts and preservation of employee rights (successor, pay equity, collective agreements).<li data-bbox="779 807 1990 940">• While prohibiting the transfer of water and sewer debt is important for ensuring a smooth transition, the Region of Durham is seeking provincial confirmation that any model ensures municipalities are not left retaining water and wastewater liabilities without supporting revenues or appropriate mitigation mechanisms.<li data-bbox="779 948 1990 1081">• Durham Region continues to support the position that municipalities are best positioned to determine whether a public corporate utility model is appropriate for their unique circumstances. Decisions should consider local costs, risks, efficiencies, and long-term impacts on household rates.<li data-bbox="779 1089 1990 1222">• While corporate utility models may offer benefits in certain contexts, they can also introduce additional regulatory costs and risk higher household rates. Many existing municipal and regional systems have already achieved significant efficiencies and accountability through local governance and public input processes.<li data-bbox="779 1230 1990 1364">• While WWPCs may enhance financial flexibility, especially for smaller municipalities, the benefits are likely more limited for large regional systems like Durham, which already achieve economies of scale, and include multi-regional partnerships, which further increase broader system efficiencies.

- In addition, Durham Region has a AAA credit rating which enables low-cost borrowing and access to private capital to fund debt. The incremental benefit of a new corporate structure is therefore minimal, while the risks and costs are substantial.
- The potential shift of growth related capital costs from development charges to user rates under a WWPC could result in significant water and wastewater rate increases. These impacts would disproportionately affect existing residents who have already paid historic development charges and receive no offsetting benefit.

(2) Legislative Amendment to the Safe Drinking Water Act (SDWA - MECP) to clarify that drinking water systems owned by WWPCs constitute municipal drinking water systems and such that applicable SDWA provisions would apply to them.

Region of Durham Comments:

- While treating WWPCs owned systems as municipal drinking water systems under the Safe Drinking Water Act maintains regulatory continuity, clarity is required on responsibility for compliance to ensure municipalities are not exposed to residual regulatory or legal risk where ownership and operational control reside with a separate public corporation.