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Pickering drops lawsuit against York over Big Pipe, looks to settle

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[Reka Szekely](#)

PICKERING -- Seeing little chance of victory, the City of Pickering is looking to settle a lawsuit with York Region over the expansion of a massive pipe that will carry sewage to the Duffin Creek sewage plant.

Last fall, Pickering councillors decided to launch a legal battle against York over whether residents were properly consulted when York Region decided to put an odour control facility close to the Cherrywood West subdivision to accommodate the expansion of the York-Durham sewer line, known as the Big Pipe. Though the facility is now planned to sit just west of the York-Durham Townline, a vocal group of Pickering residents continue to say they weren't properly consulted on the issue.

At Monday's final council meeting before the summer break, Mayor Dave Ryan announced council had decided not to continue with a lawsuit, but instead would look to settle with York Region. The City had not yet reached the point of actually filing the lawsuit.

"Should the City proceed on its current legal course, which quite frankly has very little chance of success, the resultant financial implications would significantly impact our budget and tax rate," said the mayor.

He added later that the battle would likely cost the City millions and wouldn't likely see a positive outcome. The Ministry of the Environment approved the environmental assessment for the Big Pipe expansion this spring.

Pickering will abandon legal action and look for a settlement that's financially beneficial to the City and ensures proper environmental controls are implemented, said the mayor.

The decision to abandon the lawsuit was made behind closed doors due to attorney-client privilege, said Mayor Ryan. The negotiations will remain quiet until a settlement is reached, at which point details will be made public.

Like other opponents to the Big Pipe expansion, Pickering resident Peter Herrmann said he was very surprised the City was looking to settle. He'd like to see the lawsuit proceed.

"There might be financial benefits for Pickering if they settle, but that's outweighed by the consequences of having a billion litres of sewage flowing through our city," said Mr. Herrmann.

Following the meeting, Mayor Ryan said he expected some would be upset by council's decision.

"I appreciate the residents who have been involved in this may not necessarily like or agree with this action," he said.

"(But) council as a whole have come to the conclusion this is the best action on behalf of all of the residents of Pickering."

So far, Pickering has spent about \$320,000 on the legal battle with York.