



January 14, 2020

**Via: Email**

Mr. Curtis Marshall  
County of Wellington  
Manager of Development Planning  
Administration Centre  
74 Woolwich Centre  
Guelph ON N1H 3T9

Dear Mr. Marshall:

**Re: Notice of Incomplete Zoning Amendment Application - Z19-05  
185 Main Street  
Project No.: 300040783.0000**

We are in receipt of the Notice of Incomplete Zoning Amendment Application - Z19-05 dated November 28, 2019 for the proposed development of the property located at 185 Main Street, in the village of Erin, Ontario. In response R.J. Burnside & Associates Limited (Burnside) has reviewed the Wellington County Official Plan Section 11.2.3 Servicing Options Assessment for multi-lot or multi-unit development applications. In our opinion all of the information required as part of the Servicing Options Assessment is already contained in the previously submitted documentation, as follows:

All Sections and Appendices, which are referenced within this document are from the submitted Functional Servicing Report (FSR) dated October 23, 2019.

- The site was assessed, and the soil suitability was reviewed as stated within:
  - Section 1.2 Phase II Environmental Site Assessment
  - Section 1.3 Existing Site Conditions
  - Geotechnical Report, which can be found in Appendix A, see:
    - Section 5.12 Septic Design Properties
    - Section 5.9 Service Pipe Bedding
    - Section 5.1 Serviceability and Ultimate Limit Pressure
- Burnside recommended that the property be serviced by municipal water services and a private communal onsite wastewater system (Section 1.4). The Town of Erin does not currently have a municipally owned sanitary collection and treatment system. Individual private onsite sewage systems were not considered for a number of reasons, including that individual private sewage systems are not consistent with the hierarchy of servicing as outlined in Guideline D-5 Planning for Sewage and Water Services.

- Burnside provided recommendations on the types of sewage disposal system to be used for this specific site within the submitted FSR as stated in:
  - Section 7.5.1 Waterloo Biofilter, additional detail information was given for this system in Appendix E of the report.
  - Section 7.5.2 WSB Clean with Nitrex Filter, additional detail information was given for this system in Appendix F of the report.
  - Section 7.5.3 Newterra, additional detail information was given for this system in Appendix G of the report.
- Burnside provided a preferred treatment alternative specific for this site as stated in Section 7.6 Preferred Treatment Alternative.
- The FSR clarified the required and established appropriate lot, unit and/or block sizes, to be acceptable to the local municipality which demonstrate suitability for the on-site services, by providing the recommended On-Site Sewage Treatment System as stated in:
  - Section 7.6 Preferred Treatment Alternative, as well as required leaching bed as stated in Section 7.7 Proposed leaching Bed. In addition, detailed drawings were provided to explain the design as seen in Drawing SS1 and SS2.
- The capacity in the system to be sufficient for the proposed size and density of the development was discussed in:
  - Section 7.1 Wastewater Quantity
  - Section 7.2 Wastewater Quality
  - Section 7.7 Proposed leaching Bed
- The proposed development consists of new multi-unit townhomes. Part 7 of the Ontario Building Code requires the use of water conserving fixtures in new residential occupancies. Strategies for water conservation and other water demand management initiatives will be implemented throughout the County of Wellington following the Background Report from January 2016.
- Impact assessment on ground, surface water, associated ecological functions and interference with wells and other natural features were explained within:
  - Section 7.3 Subsurface Conditions
  - Section 7.4 Impact Assessment, in conjunction with the Hydrogeology Report, which can be found in Appendix B of the submitted FSR, within:
    - Section 5.0 Groundwater Levels
    - Section 5.1 Water Well Data
    - Section 6.0 Groundwater Quality
    - Section 6.1 Monitoring Well Data
    - Section 7.1 Maximum Nitrate Concentration
    - Section 7.2 Effluent Criteria – Disposal Bed
    - Section 8.0 Wastewater Treatment Objectives
    - Section 9.0 Conclusions and Recommendations
- Plans of expansions or new services for future growth were discussed in Section 8.0 Future Connection to Municipal Sanitary Sewer. Both the current proposal, as well as the expansion, is to consist of multi-unit townhomes, which supports intensification and density.

As part of the site plan approval all requirements from both the County and Local will have to be adhered to.

In addition, Burnside can confirm that the land will be held under one ownership as a Condominium. The Condominium will have the responsibility to operate and maintain the sewage system until such time that a connection to the municipal system is available.

As a component of the Site Plan Approval, it is expected that a Responsibility Agreement will be signed with the municipality for operation and maintenance of the system and the take over and cost recovery in the case of failure.

We trust that the pertinent sections of the submitted FSR, as stated above, as well as the additional information provided above satisfies the requirement for the Servicing Options Assessment. Please feel free to contact us at any time, in the case of any upcoming question that might arise.

Yours truly,

**R.J. Burnside & Associates Limited**



Shawn Watters, OALA, CSLA  
Project Manager  
SW:js

Enclosure(s)      Background Report, County of Wellington, January 2016  
D-5 Planning for Sewage and Water Services  
Servicing Options Assessment

cc:      John Cox, Cox Construction Ltd., (enc.) (Via: Email)

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Letter to County of Wellington  
14/01/2020 9:19 AM

# BACKGROUND REPORT

SOURCE PROTECTION PLAN IMPLEMENTATION  
OFFICIAL PLAN AMENDMENT

COUNTY OF WELLINGTON

Date:

**January 2016**

Prepared for:

**County of Wellington**

Prepared by:

**MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)**

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# 1.0 INTRODUCTION

## 1.1 Purpose of this Project

The County of Wellington contains 14 municipal drinking water systems in the municipalities of the Town of Minto (Harriston, Palmerston, Minto Pines and Clifford); Township of Wellington North (Mount Forest and Arthur); Township of Mapleton (Drayton and Moorefield); Township of Centre Wellington (Elora and Fergus); Town of Erin (Hillsburgh, Bel-Erin and Erin); and Township of Guelph/Eramosa (Rockwood). These systems draw water from groundwater sources. A surface water intake is located on the Eramosa River in the Township of Puslinch, and serves the City of Guelph. These municipal well systems and surface water intake are protected by the policies contained in one of the following Source Protection Plans that apply to the County of Wellington:

- Grand River Source Protection Plan
- Saugeen Valley, Grey Sauble, Northern Bruce Peninsula ('Saugeen Valley') Source Protection Plan
- Halton- Hamilton Source Protection Plan
- Maitland Valley Source Protection Plan
- CTC (Credit Valley, Toronto and Region, Central Lake Ontario) Source Protection Plan

These Source Protection Plans (SPPs) also protect the municipal drinking water sources in neighbouring municipalities where the vulnerable areas associated with these sources extend into the County of Wellington.

In anticipation of approval of all Source Protection Plans by the Ministry of Climate Change by the end of 2015, the County of Wellington has initiated the preparation of a draft Official Plan policy framework that will implement the relevant source protection policies through an amendment to the County of Wellington Official Plan. In accordance with Section 40 of the *Clean Water Act, 2006* S.O 2006, c.22 (the '*Clean Water Act*') the County is required to amend its Official Plan to conform with all Source Protection Plans within five years of their approval. Similarly, the various municipalities in the County are required to amend their Zoning By-laws pursuant to Section 42 of the *Clean Water Act*.

In addition, and more importantly, Section 39 of the *Clean Water Act* requires that all decisions under the *Planning Act, 1990* R.S.O 1990 c.P.13 (the '*Planning Act*') and *Condominium Act, 1998* S.O 1998, c.19 (the '*Condominium Act*') made by County, Town and Township Councils conform with the significant threat policies as set out in the SPP as of an individual Plan's effective date, whether or not County and local planning documents are updated.

This report will provide the following:

- an overview of the SPP policies to be implemented through an amendment to the County of Wellington Official Plan;
- a review of the existing Water Resource Protection policy framework in the County Official Plan, and any zoning regulations existing in municipal zoning by-laws;
- a comparative analysis of County Official Plan and Source Protection Plan policies,
- a review of best practices from other municipalities that are currently implementing source protection policies through Official Plan and Zoning By-law Amendments;
- policy implementation options and recommendations, considering the findings of the comparative policy analysis and Best Practices review;
- an overview of the Area Municipal Workshop and the input received from local municipal planning representatives on the recommended policy implementation options; and
- considerations for the framework and content of the draft Official Plan Amendment, including a draft Official Plan Amendment for consideration by the County to serve as a basis for consultation with the public, local area municipalities, agencies, and neighbouring municipalities and Source Protection Authorities

## 1.2 Source Protection Background

The *Clean Water Act* introduced a new level of protection for Ontario's drinking water resources that establishes requirements for protecting drinking water resources at-source. The Act established roles and responsibilities for the Province, municipalities, and landowners in protecting drinking water resources for current and future generations.

Municipalities are a key partner in the Source Protection process and are represented on Source Protection Committees. Source Protection Committees lead the process of implementing the *Clean Water Act* through the preparation of the Assessment Reports and Source Protection Plans for the areas they represent. The County of Wellington is represented on the following Source Protection Committees:

- Lake Erie Source Protection Region
- Ausable Bayfield Maitland Valley Source Protection Region
- Saugeen Valley, Grey Sauble, Northern Bruce Peninsula Source Protection Region
- CTC Source Protection Region
- Halton-Hamilton Source Protection Region

The purpose of an Assessment Report is to identify drinking water threats within vulnerable areas, for example identification of Well Head Protection Areas (WHPAs). Following the completion of an Assessment Report, a Source Protection Plan is prepared by the Source Protection Committee which contains policies on significant threats. From a land use perspective, the policies put in place through the Source Protection Plan are to ensure that:

- an activity (or use) never becomes a significant drinking water threat; and
- if the activity (or use) is being engaged in, the activity (or use) ceases to be a significant drinking water threat.

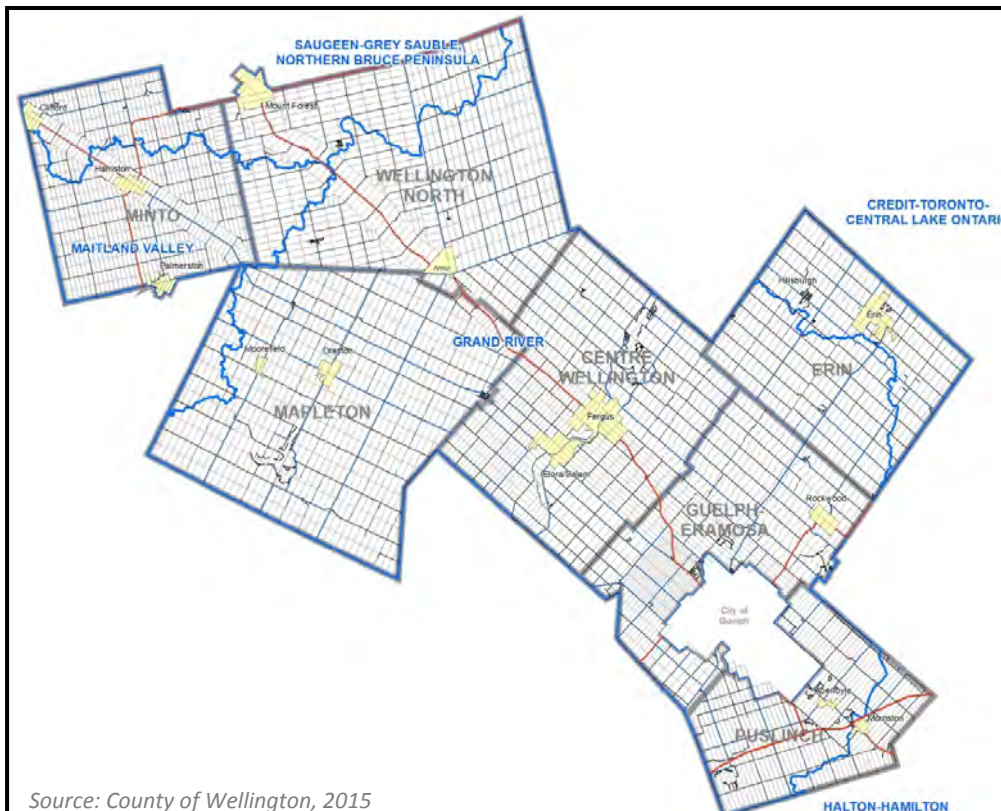
Table 1 outlines the status of the five Source Protection Plans applicable to Wellington County with respect to their approval by the Ministry of Environment and Climate Change and their respective effective dates.

**Table 1: Status of Source Protection Plans in County of Wellington**

Plan	Status
Grand River Source Protection Plan	Approved November 26, 2015 In effect July 1, 2016
Saugeen Valley, Grey Sauble, Northern Bruce Peninsula Source Protection Plan	Approved October 16, 2015 In effect July 1, 2016
Halton-Hamilton Source Protection Plan	Approved August 5, 2015 In effect December 31, 2015
Maitland Valley Source Protection Plan	Approved January 15, 2015 In effect April 1, 2015
CTC Source Protection Plan	Approved July 28, 2015 In effect December 31, 2015

## 1.3 Source Water Protection Plan Areas

The County of Wellington is located in a number of watersheds and as such is subject to the policies of the five source protection plans discussed above. The Source Protection Plan Areas as they apply to the County are illustrated in Figure 1 below.



Source: County of Wellington, 2015

**Figure 1. Source Protection Plan Areas within the County of Wellington**

# 2.0 THE SOURCE PROTECTION PLANS

## 2.1 What is a Source Protection Plan?

The Source Protection Plan is a document that contains policies to protect municipal sources of drinking water against threats identified in the Assessment Report. The Assessment Report provides the scientific background and justification for the policies contained in the Source Protection Plan. The objectives of a Source Protection Plan as established under the *Clean Water Act* are:

1. To protect existing and future drinking water sources in the protection region; and
2. To ensure that, for every area identified in the Assessment Reports as an area where an activity is or would be a significant drinking water threat:
  - a. The activity never becomes a significant drinking water threat; or
  - b. If the activity is occurring when the Source Protect Plan takes effect, the activity ceases to be a significant drinking water threat.

Source Protection Plans focus on protecting water before it enters the drinking water treatment system. The process is intended to be a locally-driven, science-based, multi-stakeholder process to protect municipal drinking water sources. Generally, Source Protection Plans set out:

- How the risks posed by drinking water threats will be reduced or eliminated;
- Policy, threat and Issues monitoring programs;
- Who is responsible for taking action;
- Timelines for implementing the policies and programs; and
- How progress will be measured.

## 2.2 Vulnerable Areas in Wellington County

Each Source Protection Plan delineates the limit and vulnerability score for the following vulnerable areas within Wellington County, based on the Approved Assessment Reports for individual Source Protection Plan Areas:

- **Wellhead Protection Areas (WHPA):** the area around a municipal wellhead where land use activities have the potential to affect the quality and quantity of water that flows into the well. See Table 2 for WHPAs in the County.
- **Intake Protection Zones (IPZ):** the area around a municipal surface water intake within which a spill or leak may enter the intake too quickly prior to implementing measures to prevent pollutants from entering the municipal water system. See Table 3 for the IPZ in Wellington County.
- **Issues Contributing Areas (ICA):** the area within a WHPA where the existing or trending concentration of a parameter (i.e. trichloroethylene (TCE), chlorine, nitrate, or sodium)

or pathogen at a well would result in the deterioration of the quality of water for use as a source of drinking water. See Table 4 for ICAs within the County.

**TABLE 2. Wellhead Protection Areas in Wellington County**

Area Municipality	Well Location	Source Protection Plan
Minto	Clifford	Saugeen Valley
	Minto Pines	
	Harriston	Maitland Valley
	Palmerston	
North Wellington	Mount Forest	Saugeen Valley
	Arthur	Grand River
Mapleton	Drayton	Grand River
	Moorefield	
Centre Wellington	Elora	Grand River
	Fergus	
Erin	Hillsburgh	CTC
	Erin	
	Bel-Erin	
	Acton and Georgetown (Halton Region)	
	Rockwood	Grand River
Guelph/Eramosa	Rockwood	Grand River
	Hamilton Drive	
	City of Guelph	
Puslinch	City of Guelph	Grand River
	Cambridge (Region of Waterloo)	
	Freelton (Halton Region)	Halton-Hamilton

**TABLE 3. Intake Protection Zones in Wellington County**

Area Municipality	Intake Protection Location	Source Protection Plan
Puslinch	Eramosa River Intake	Grand River

**TABLE 4. Issue Contributing Areas in Wellington County**

Area Municipality	Well Location	Source Protection Plan
Centre Wellington	City of Guelph (ICA-TCE)	Grand River
Erin	Acton (ICA-Nitrate)	CTC
Guelph/Eramosa	City of Guelph (ICA-TCE)	Grand River
Puslinch	City of Guelph (ICA-TCE)	Grand River
	City of Guelph (ICA-Nitrate)	
	City of Cambridge (ICA-Nitrate, Chloride, Sodium)	

The term “vulnerability” describes how easily a source of water can become contaminated with a hazardous material. The ‘vulnerability score’ identifies the degree to which a WHPA or IPZ within the County is vulnerable to contamination. The vulnerability score of an area can range from 1 to 10, with 10 being the most vulnerable.

The vulnerability score is used, together with a table of drinking water threats published by the Ministry of Environment and Climate Change, to determine whether a drinking water threat is either significant, moderate, or low. ICAs are not assigned a vulnerability score.

## 2.3 Water Quantity

Well Head Protection Areas associated with water *quantity* concerns are identified as WHPA-Q1 and WHPA-Q2 Areas in Source Protection Plans. WHPA-Q1/Q2 areas apply to municipal drinking water sources where policies to protect the quantity of water are required by a municipality to meet their current or future water needs. A WHPA-Q1/Q2 area has been identified within the Town of Erin along the municipal boundary with Halton Hills, generally located between Wellington Road 125 and 4<sup>th</sup> Line, and is associated with an Acton municipal water supply well.

Mapping of the above-noted vulnerable areas and associated vulnerability scores from the applicable Source Protection Plans is enclosed as Appendix 1.

## 2.4 Prescribed Drinking Water Threats

Land use activities which may pose a drinking water threat to municipal water supplies are defined by the *Clean Water Act* as an activity or condition that adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source or drinking water. Drinking water threats are prescribed by Ontario Regulation 287/07 of the *Clean Water Act* and include the following:

1. Waste disposal sites within the meaning of Part V of the Environmental Protection Act.
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
3. The application of agricultural source material to land.
4. The storage of agricultural source material.
5. The management of agricultural source material.
6. The application of non-agricultural source material to land.
7. The handling and storage of non-agricultural source material.
8. The application of commercial fertilizer to land.
9. The handling and storage of commercial fertilizer.
10. The application of pesticide to land.
11. The handling and storage of pesticide.
12. The application of road salt.
13. The handling and storage of road salt.
14. The storage of snow.
15. The handling and storage of fuel.
16. The handling and storage of a dense non-aqueous phase liquid (DNAPL).
17. The handling and storage of an organic solvent.
18. The management of runoff that contains chemicals used in the de-icing of aircraft.
19. An activity that takes water from an aquifer or a surface water body without



- returning the water taken to the same aquifer or surface water body.
20. An activity that reduces the recharge of an aquifer.
  21. The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

## 2.5 Source Protection Plan Policies for Wellington County

All Source Protection Plans applicable to the County of Wellington employ the range of policy tools enabled under the *Clean Water Act*. Given these policy tools have varying levels of restriction, they can be categorized as Regulatory or Non-Regulatory. The policy tools utilized in the applicable Source Protection Plans are described in Table 5.

**TABLE 5. Policy Tools Used in Source Protection Plans**

Policy Tool	Category	Description
Section 57 Prohibition	Regulatory (Part IV of <i>Clean Water Act</i> )	Existing and future activities may be prohibited that pose a significant threat to drinking water sources. Prohibition is meant to be used as a “tool of last resort” for existing threat activities.
Section 58 Risk Management Plans	Regulatory (Part IV of <i>Clean Water Act</i> )	Risk Management Plans are to be negotiated between a Risk Management Official and a land owner. However, a Risk Management Official may impose a Risk Management Plan where an agreement cannot be reached. Risk Management Plans are used to ensure that a threat to drinking water does not become significant.
Section 59 Restricted Land Uses	Regulatory (Part IV of <i>Clean Water Act</i> )	This tool is used in conjunction with a Risk Management Plan or prohibition and is intended to function as a screening tool in order to ensure that activities do not occur within a specified area that have the potential to result in a significant threat.
Land-Use Planning Approvals	Regulatory ( <i>Planning Act</i> & <i>Condominium Act</i> )	Land use planning tools issued under the <i>Planning Act</i> and <i>Condominium Act</i> can be used to prohibit or regulate land uses. Land use tools such as Official Plans, Zoning By-laws and Site Plan Control Agreements can be used.
Prescribed Instruments	Regulatory (Various Legislation)	A prescribed instrument is any document of legal effect (including a permit, license, approval, authorization or direction or order) issued or otherwise created under an Act. An example of a prescribed instrument is an Environmental Compliance Approval. Acts listed in the <i>Clean Water Act</i> include the <i>Environmental Protection Act</i> , <i>Pesticides Act</i> , <i>Nutrient Management Act</i> , <i>Aggregate Resources Act</i> , <i>Ontario Water Resources Act</i> , and the <i>Safe Drinking Water Act</i>
Education and Outreach	Non-Regulatory	These tools can be used to educate the public in order to limit the chances of significant drinking water threats being developed in a community.
Incentives	Non-Regulatory	Incentives can be used to encourage education and reduction in threats. Incentives could include financial or community recognition programs.
Specify Action	Non-Regulatory	These policies are not legally binding and assign a discretionary obligation to the implementing body to achieve an objective of the Source Protection Plan
Monitoring	Non-Regulatory	Monitoring policies can be included in the Source Protection Plan to track the implementation of the threat policies in order to confirm the effectiveness of the Source Protection Plan.

The policies of the Source Protection Plans apply to significant drinking water threats in WHPAs, IPZs, or ICAs, or a combination thereof and address existing and future activities that are considered significant drinking water threats.

Generally, the purpose of the proposed amendment to the County of Wellington Official Plan is to:

- Identify the vulnerable areas in which drinking water threats prescribed under the *Clean Water Act, 2006* would be significant;
- Indicate that within the areas identified, any use or activity that is, or would be, a significant drinking water threat is required to conform with all applicable Source Protection Plan policies and, as such, may be prohibited, restricted or otherwise regulated by those policies; and
- Incorporate any other amendments required to conform with the threat specific land use policies identified in the Source Protection Plan

The following is a review of the policy tools identified in Table 5 that need to be implemented through the draft Official Plan Amendment.

### **2.5.1 Section 57 (Prohibition) and Section 58 (Risk Management Plan) Policies**

Each Source Protection Plan identifies those existing and future uses and activities that are either prohibited or require Risk Management Plans based on the degree of vulnerability (vulnerability score) of the vulnerable area (i.e. WHPA, IPZ or ICA).

The Section 57 and 58 policies of all applicable Source Protection Plans were compared and analyzed to determine how each drinking water threat was addressed in the individual Plans. The charts contained in Appendix 2 provide a visual comparison of the application of the Section 57 and 58 policies in each Source Protection Plan for individual threats by vulnerable area and associated vulnerability score (i.e. WHPA-A, WHPA-B v.10, WHPA-B v. 8, etc.). The following conclusions were drawn from the Section 57 and 58 policy analysis:

- For some threats within the most vulnerable areas (i.e. WHPA-A and WHPA-B v. 10 areas), the Section 57 or 58 policy is applied consistently across all Source Protection Plans, however, the conditions or circumstances under which they are applied vary between Plans.
- For other threats within the most vulnerable areas, the application of a Section 57 or 58 policy varies between individual Source Protection Plans. There may also be variation in the policy tool used to prohibit the use or activity (i.e. Prescribed Instrument Prohibition (PI), Land Use Prohibition (LU) or Section 57 Prohibitions).
- As the vulnerability of the specific area (i.e. WHPA or IPZ) decreases, the less policies conflict. For some vulnerable areas, there are no policies contained in individual Source Protection Plans (i.e. ICA-TCE policies only apply to the Grand River Source Protection Area).

Overall, there are significant discrepancies and inconsistencies between the applicable Source Protection Plans regarding the application of Section 57 and 58 policies within vulnerable areas.

### **2.5.2 Section 59 – Restricted Land Use Policy**

Each Source Protection Plan designates all land uses<sup>1</sup> as *Restricted Land Uses* within vulnerable areas and requires the issuance of a written Notice from the Risk Management Official prior to approval of any Building Permit, *Planning Act*, or *Condominium Act* application. The Restricted Land Use policy does not apply to a site specific land use if it can be demonstrated to the satisfaction of the appropriate authority/individual that a significant drinking water threat activity will not be engaged in.

The Section 59 policy is intended to serve as a ‘red flag’ so that building permit and *Planning Act* applications can be reviewed in areas where Section 57 and 58 are in effect. A Section 59 Notice is required from a Risk Management Official before an application or approval under the *Planning Act* can proceed or a building permit issued. This ‘flag’ was developed to integrate with existing review functions of a planning or building department. Obtaining the Section 59 Notice is required for a complete *Planning Act* application for activities occurring in vulnerable areas.

### **2.5.3 Land Use Planning Approvals Policies**

The *Clean Water Act* recognizes the authority of the *Planning Act* and *Condominium Act* to regulate land uses and provides for the implementation of certain source protection plan policies through Ontario’s existing land use planning framework. Each Source Protection Plan identifies those policies that must be implemented through amendments to the applicable Official Plan(s) and Zoning By-law(s) in a given Source Protection Plan area.

The number, content and scope of land use policies vary significantly between Source Protection Plans. For example, the Grand River Source Protection Plan contains no land use planning policies for the County of Wellington whereas the CTC Source Protection Plan contains 18 policies that will apply to the Town of Erin.

The charts contained in Appendix 3 provide a visual comparison of the land use planning policies of individual Source Protection Plans’ individual threats by vulnerable area. The following conclusions were drawn from the analysis of applicable land use planning policies:

- Some land use policies conflict between Source Protection Plans for individual drinking water threat activities.
- Most land use policies only apply in one Source Protection Plan for a given threat activity (primarily within the CTC Source Protection Area).
- Some policies may be appropriate to consider for application across the County, as they are representative of best management practices or are somewhat already established in the policies of the Official Plan.

Generally, land use planning policies conflict between Source Protection Plans or are specific to an individual Source Protection Plan for a given threat activity.

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<sup>1</sup> Note the Source Protection Plans of the Grand River, Halton-Hamilton, Saugeen Valley and CTC (partially) exclude solely residential uses from the Section 59 Policy.

# 3.0 EXISTING GROUNDWATER PROTECTION POLICIES IN WELLINGTON COUNTY

The County currently has a groundwater protection policy framework in its Official Plan, which is further implemented through the Zoning By-laws of the Townships of Centre-Wellington, Guelph-Eramosa, and Mapleton. The policy framework is comprehensive in its approach to the protection of water resources and has served as a foundation upon which to implement the source protection policies. The policy framework of the Official Plan and regulatory framework of applicable municipal zoning by-laws are discussed in the subsections below.

## 3.1 Wellington County Official Plan

The Wellington County Official Plan was recently subject to a five-year review that resulted in the adoption of Official Plan Amendment (OPA) 81 in September 2013 by County Council. Additional policies to protect the Paris and Galt Moraine were introduced through OPA 81. OPA 81 was approved by the Province with some modifications in April 2014, and was subsequently appealed. All but one site-specific appeal have been resolved. The March 2015 consolidation of the Official Plan contains the policy framework established through OPA 81.

Section 4.9 – Water Resources of the Wellington County Official Plan contains the existing policies of the County with respect to surface and groundwater protection and the policy framework for Well Head Protection Areas. The section primarily focuses on the protection of groundwater resources through the establishment of Well Head Protection Areas (WHPAs) and associated policies in Section 4.9.5 of the Official Plan. The location, extent and vulnerability of WHPAs are identified on Schedules B1 to B7 of the Official Plan.

The WHPAs are modeled based on two factors – the time related capture zones of each well (0 to 2 years and 2 to 25 years) and the sensitivity rating (the vulnerability of the aquifer from which the water is drawn) and are delineated in the Official Plan as follows:

**TABLE 6. Delineated WHPAs in Wellington County Official Plan**

Well Head Protection Area	Time of Travel	Aquifer Vulnerability
WHPA 1	0 to 2 years	High
WHPA 2	0 to 2 years	Medium or Low
	2 to 25 years	High
WHPA 3	2 to 25 years	Medium or Low

A number of land uses listed in Section 4.9.5.1 are prohibited within the WHPAs depending on their degree of sensitivity. Land uses are categorized as Category 'A', 'B', or 'C' uses, with Category 'A' uses posing the highest risk. The Category 'A', 'B', and 'C' uses are generally associated with industrial and commercial uses and include the manufacturing of a variety of

materials. Table 7 identifies the WHPAs within which Category A, B and C uses are prohibited or require a ‘level of assessment’. The ‘level of assessment’ refers to the level of detail required in a risk assessment and hydrogeological analysis for siting Category B and C uses permitted within WHPAs. Table 12 of the Official Plan outlines the study requirements based on the ‘level of assessment’ within a specific WHPA.

**TABLE 7. Prohibited Uses in WHPAs in Wellington County Official Plan**

WHPA	Category A Uses	Category B Uses	Category C Uses
WHPA 1	Prohibited	Prohibited	Level I Assessment
WHPA 2	Prohibited	Level I Assessment	Level II Assessment
WHPA 3	Prohibited	Level II Assessment	Level III Assessment

A Disclosure Report and Risk Assessment are required in all levels of assessment. Disclosure Reports are to identify the risk activities to be undertaken, including chemical uses, quantities, types, storage, handling and disposal, as well as the Category (B or C) classification of each activity. Risk Assessments are to identify potential risks of the use/associated activities to local aquifers. Proponents are also required to disclose the management programs associated with the use of chemicals at the site, including risk management/reduction measures, management (emergency response plans), employee awareness training, best management practices and monitoring programs.

It is important to note that communal wells located in the Township of Puslinch are illustrated on Schedule B7 of the Official Plan and as such are subject to the same WHPA policy framework as municipal wellheads within the County of Wellington.

Section 4.9.4 provides the general policy direction related to water resources and addresses land use planning; the use of regulatory and voluntary means for protection; protection of wetlands, groundwater, surface water and hydrogeological functions; the efficient and sustainable use of water resources; and the preparation of impact studies. Policy 4.9.4 r) specifically refers to amending the Official Plan to address relevant Source Protection Plan recommendations.

Subsections 4.9.5.3 and 4.9.5.4 of the Official Plan provide the policy framework for large-scale development (i.e. the creation of 4 or more lots/units, commercial water takers, and a major recreational use such as a golf course, sports fields, campgrounds or tent/trailer parks) on private communal or individual on-site water services within and outside of WHPAs and requires the preparation of a site-specific hydrogeological assessment. Outside WHPAs, the preparation of a scoped water budget and water conservation plan is also required.

Subsections 4.9.5.6, 4.9.5.7, and 4.9.5.8 provide a policy framework for industrial, commercial, agricultural and mineral aggregate resource uses within WHPAs. Policies applicable to industrial and commercial uses require local municipalities to use site plan control to address these land uses within WHPAs. The WHPA policies of Section 4.9.5 of the Official Plan also apply to the designation of new lands for industrial or commercial purposes. Agricultural policies of Subsection 4.9.5.7 are intended to apply to agricultural uses and reflect the existing regulations implemented through the *Nutrient Management Act* and *Environmental Protection Act*. Policy of subsection 4.9.5.8 with respect to mineral aggregates within WHPAs identifies land use study requirements for new or expanding aggregate extraction operations and provides further

direction for certain activities associated with this use, including bulk fuel and oil storage/dispensing facilities and bulk road salt storage.

Subsection 4.9.5.9 provides the policy direction for existing Category A, B and C uses within WHPAs.

The establishment of new, or removal of existing, WHPAs requires an Official Plan Amendment as per Subsection 4.9.5.10 a) of the Official Plan, which also provides the policy direction for determining the location of lands within WHPAs. 4.9.5.10 b) requires local area municipalities to adopt Zoning By-laws and other development controls to protect WHPAs.

Subsection 4.9.5.11 provides the policies associated with water quality protection measures and generally addresses the following matters:

- Alternative measures (i.e. conservation easements) to protect highly sensitive WHPAs;
- Implementation of well monitoring systems;
- The development and promotion of Best Management Practices;
- Public education and financial incentive programs;
- The designation of hazardous waste haulage routes;
- Regulating the use of domestic chemicals exempted from the *Pesticides Act*; and
- Guidelines for the proper maintenance and pumping of septic tanks, drilling or private wells, and decommissioning of unused water wells.

Section 4.9.7 provides the policies for the Paris Galt Moraine Policy Area. These policies are intended to protect moraine processes and features and promote stewardship activities by requiring large scale developments to demonstrate that there would be no negative impacts on moraine functions. Small scale developments that do not involve major site alterations but require planning approvals are required to use best management practices to avoid or reduce cut and fill activity that would result in the filling in of depressions.

Generally, the policies of the Official Plan currently provide significant protection for Wellhead Protection Areas and a general policy framework for the protection of surface and groundwater resources outside of these areas.

## 3.2 Local Area Municipal Zoning By-laws

The Zoning By-laws of the Townships of Centre Wellington, Guelph-Eramosa and Maple currently contain Schedules and regulations related to Well Head Protection. The following is a summary of the approach and content of each Zoning By-law:

### ***Township of Centre Wellington***

Wellhead Protection Area regulations are contained in the General Provisions Section (specifically Section 4.41) of the Zoning By-law. Wellhead Protection Areas are identified generally in 'Appendix Map 1' for general information purposes only, and further outlined on the individual schedules of the Zoning. WHPAs are not included as an overlay on individual zone schedules – instead the boundaries of WHPAs 1, 2 and 3 are identified. Between individual zone

schedules and the Appendix 1 Map, it can be clearly determined where the WHPA regulations apply.

Zone regulations identify/list the prohibited uses, prohibited activities, and restricted uses within WHPAs 1, 2 and 3 in accordance with the Wellington County OP policy framework. For restricted uses, the regulations require Township approval of a risk or hydrogeological assessment in accordance with the provisions of the Official Plan.

Regulations for existing uses in WHPAs permit existing 'prohibited' uses identified in the Zoning By-law to continue. Expansions to these uses are subject to Township approval of a risk or hydrogeological assessment in accordance with the Official Plan and compliance within the regulations of the underlying zone category.

With respect to the change in the limit of an existing WHPA or establishment of a new WHPA in the County Official Plan, modifications are deemed to be reflected in the By-law. When a new WHPA is added, an amendment to the Zoning By-law is required.

#### ***Township of Guelph-Eramosa***

Wellhead Protection Area regulations are contained in the General Provisions Section (specifically Section 5.17) of the Zoning By-law. WHPAs are identified on a single Schedule to the By-law (Schedule B) and referenced in the regulations.

The regulations include a table identifying where Category A, B and C uses are prohibited or subject to additional regulations of the By-law, and are defined in the Definitions section of the Zoning By-law in accordance with Official Plan policy. Uses identified as 'restricted' in the Official Plan are subject to a specific regulation in the By-law (5.17.1.1) that requires Township approval of a risk or hydrogeological assessment completed in accordance with the provisions of the Official Plan.

Similar to Centre Wellington, existing Category A and B uses, where prohibited in the Official Plan, are permitted to continue. Expansions are subject to the approval of risk or hydrogeological assessment, the underlying provisions of the By-law are complied with, and the imposition of performance standards, if required.

There are no regulations with respect to changes to the limits of WHPAs.

#### ***Township of Mapleton***

Similar to Centre Wellington and Guelph-Eramosa, the wellhead protection regulations are contained in the General Provisions Section (specifically Section 6.36) of the Zoning By-law. WHPAs are illustrated in the By-law in Appendix B. WHPAs are not illustrated on individual schedules to the By-law. The regulations identify the uses that are prohibited in WHPAs 1, 2 and 3 and list these uses in accordance with the Official Plan.

Restricted Uses are not identified or regulated as they are in the Centre Wellington and Guelph-Eramosa By-laws. The existing use regulation permits prohibited uses in WHPAs to continue in accordance with the use provisions of the underlying zone category and an expansion of 10% of the floor area that existing on the day of passing of the By-law.

Based on the review of existing Area Municipal Zoning By-laws, the following is concluded with respect to the current zoning approach to implementing the groundwater/WHPA policy framework within the County Official Plan:

- A zone overlay approach is used to identify WHPAs in the By-laws;
- All By-laws identify prohibited uses as per the County Official Plan, uses are either listed specifically in the regulation of the By-law or as a definition to the Zoning By-law;
- The Centre Wellington and Guelph-Eramosa By-laws identify restricted uses as per the Official Plan and list these uses in the regulation;
- All By-laws contain existing use provisions with respect to prohibited uses in WHPAs, however in some cases the provisions differ between By-laws (i.e. Mapleton); and
- Only one By-law (Centre Wellington) provides regulations with respect to changes in the boundaries of WHPAs.



# 4.0 THE OFFICIAL PLAN AND SOURCE PROTECTION PLANS – COMPARISON & ANALYSIS

In order to further understand how the policies of the applicable Source Protection Plans may be implemented through the Official Plan, a comparative analysis of the mapping and policies of the Source Protection Plan and Official Plan was undertaken to identify potential policy options, opportunities and issues. The analysis undertaken in this Section combined with the Best Practices Review undertaken in Section 5 of this report form the foundation for the policy options to implement the Source Protection Plan policies through the County Official Plan.

## 4.1 Mapping of Vulnerable Areas

### 4.1.1 Wellhead Protection Areas (WHPAs)

The Official Plan contains existing schedules of WHPAs based on time of travel and includes a sensitivity rating (Sensitivity 1, 2 or 3). WHPAs delineated in the Source Protection Plan are also based on time of travel. The most sensitive WHPA is defined as a 100 metre radius around the well. The comparison of the Official Plan and SPP approach to defining WHPAs is provided in Table 8 below.

**Table 8. Comparison of WHPA Delineation – Wellington Official Plan & Source Protection Plans**

County Official Plan	Source Protection Plans
0 to 2 year Time of Travel (WHPA 1)	100 metre radius (WHPA-A)
	2 year time of travel (WHPA-B)
2 to 25 year Time of Travel (WHPA 2 and WHPA 3)	5 year time of travel (WHPA-C)
	25 year time of travel (WHPA-D)
N/A	The zone in which a contaminant could travel, in two hours or less, from the surface water body to the well. (WHPA-E)

The WHPAs delineated through the Assessment Reports prepared for the five Source Protection Plan areas represent the most recent science with respect to source water protection. Given the different approaches to delineating WHPAs between the current County Official Plan and applicable Source Protection Plans, there may be areas of the County currently subject to WHPA policies of the Official Plan that will not be subject to the policies of the applicable Source Protection Plan. Conversely, areas of the County that are not currently subject to WHPA policies in the Official Plan may be subject to certain policies of the applicable Source Protection Plan.

Schedules B1 to B7 of the Official Plan will have to be updated to identify the limits of WHPAs as delineated in applicable Source Protection Plans.

#### **4.1.1.1 WHPA Q1/Q2 and Paris Galt Moraine Policy Area**

WHPAs associated with the protection of water quantity are not currently identified in Schedule B to the Official Plan. The Assessment Report for the Credit Valley Source Protection Area identified a WHPA-Q1/Q2 area that extends from an Acton municipal water supply well west into the Town of Erin. The WHPA-Q1 is the combined area that is the cone of influence of the well and the whole of the cones of influence of all other wells that intersect in that area. The WHPA-Q2 is the area of WHPA-Q1 and any area where a future reduction in recharge may have a measurable impact on the area. The CTC Source Protection Plan contains specific policies that apply to WHPA-Q1/Q2 areas and affect the Town of Erin.

Schedule B2 of the County Official Plan will need to identify the limits of the WHPA-Q1/Q2 area as it affects the Town of Erin.

#### **4.1.2 Intake Protection Zones (IPZs)**

Schedule B of the County Official Plan does not currently identify the location of surface water intakes within the County. The Official Plan does not contain specific policies related to the protection of these intakes. The Grand River Source Protection Plan identifies the Eramosa River Intake within the Township of Puslinch and contains policies to protect this municipal drinking water source. As such, Schedule B7 of the Official Plan will need to be updated to identify the limits and vulnerability of this vulnerable area.

Areas of Puslinch Township not previously subject to policies for the protection of water resources will now be subject to source protection policies.

#### **4.1.3 Issues Contributing Areas (ICAs)**

Issues Contributing Areas were identified and established as part of the scientific work undertaken in the preparation of Assessment Reports and as such are not contemplated in the current Schedules or policy framework of the Official Plan. ICAs include the limits of the entire WHPA and as such may include lands within the County that are currently not subject to specific groundwater protection policies of the Official Plan. Various ICAs identified within the County in applicable Source Protection Plans are associated with either TCEs, Nitrates, Sodium or Chloride, or a combination thereof. Therefore, activities that involve these substances may be prohibited or regulated through the Source Protection Plan.

Applicable Schedule B Schedules of the Official Plan will have to be updated to identify the location and limit of ICAs within the County as identified in the applicable Source Protection Plan.

## 4.2 Policies

### 4.2.1 ***Prohibited/Restricted Land Uses vs. Activities***

The policies of the Official Plan and Source Protection Plan address land uses and drinking water threats differently – the Official Plan lists specific uses that are prohibited within WHPAs (note some uses are permitted in lower sensitivity WHPAs subject to Risk Assessments prescribed by the Plan), whereas the SPP prohibits uses and *activities* in certain WHPAs based on the degree of vulnerability of the WHPA.

Official Plans can regulate land *uses*, but not *activities*. A given land use may or may not be associated with a significant drinking water threat based on the nature of the proposed use, the details of the operation, and the activities associated with that operation. For example, a car dealership with a service bay that provides a rust-proofing service could be considered a significant threat depending upon its location within a WHPA and its associated vulnerability score. The car dealership and service bays (the use) may not be an issue; however, the activities within the use (i.e rust proofing/handling and storage of organic solvents) may be a significant drinking water threat. Therefore, to prohibit a land use that may or may not be associated with a significant drinking water threat activity, such as the car dealership described above, could be considered overly restrictive because the *use* is being prohibited whether or not a significant threat *activity* is being undertaken.

Aside from being overly restrictive, attempting to regulate all land uses that may be associated with a significant drinking water threat activity is not only an overwhelming task, but it is almost certainly a given that some uses would be missed. Although missed uses could be addressed through a catchall policy statement, the approach could create confusion for a property owner trying to determine whether policies apply to a particular land use or activity.

Furthermore, new drinking water threat uses and activities can be either prohibited or restricted in a single WHPA depending on the vulnerability score of the WHPA. For example, a specific use or activity could be prohibited within a WHPA-B with a vulnerability score of 10, but restricted within a WHPA-B with a vulnerability of 8. Threats that have these characteristics can result in interpretation issues with mapping vulnerable areas identified in the Source Protection Plans as WHPAs are currently mapped in the B Schedules of the Official Plan. Therefore, it is anticipated that new Official Plan Schedules to implement Source Protection Plan policies will have to delineate the extent of WHPAs and IPZs, as well as the associated vulnerability score.

As discussed previously in Section 2.4.2 of this report, the approach taken to restricting or prohibiting uses in vulnerable areas varies significantly between applicable source protection plans. Variations in policy approaches between the Source Protection Plans also result in conflicts for specific uses and activities as identified in the policy charts enclosed as Appendix 2 to this Report.

### 4.2.2 ***Land Use Policies***

The Saugeen Valley, Halton-Hamilton, CTC, and Maitland Valley Source Protection Plans all contain land use policies that are to be implemented through amendments to the County Official Plan and local municipal Zoning By-laws. There are 23 policies in total. There are no land use policies in the Grand River Source Protection Plan.

As noted in Section 2.4.2 of this report, while some of the land use policies conflict between applicable SPPs, there are select policies in the Halton-Hamilton and CTC Source Protection Plans that could be applied across all source protection areas within the County as they are already established to some degree in the existing policy framework of the Official Plan. These policies are as follows:

#### Halton-Hamilton Source Protection Plan

*“T-53-C/S b. To facilitate the effective implementation of policies for significant drinking water threats and assist in municipal decision-making, the City of Hamilton, the Region of Halton and the County of Wellington are requested to require a full disclosure report as part of a complete application under the Planning Act.”*

#### CTC Source Protection Plan

*“SAL-3 3) Where the application of road salt to roads and parking lots would be a significant drinking water threat, the planning approval authority shall require a salt management plan, which includes a reduction in the future use of salt, as part of a complete application for development which includes new roads and parking lots where the application of road salt is significant...Such plans should include but not be limited to mitigation measures regarding design of parking lots, roadways, and sidewalks to minimize the need for repeat application of road salt such as reducing ponding in parking areas; and directing stormwater discharge outside of vulnerable areas where possible.”*

Policy T-53-C/S b. builds upon and is reflective of existing policies in subsection 4.9.5.2 of the Official Plan that require the preparation of a disclosure report for Category B and C uses in WHPA 1, 2 and 3 areas. This policy is not necessarily restrictive and could be considered as enhancing or improving the existing policy framework in the interest of sourcewater protection.

Policy SAL-3 3) expands upon Subsection 9.9.9.1 ‘General Infrastructure Policies – Greenbelt Policies (Erin and Puslinch) of the Official Plan and more specifically 9.9.9.1 b) ii., which requires that planning, design and construction practices shall minimize wherever possible negative impacts and disturbance of the existing landscape caused by road salt application. Applying this policy County-wide within vulnerable areas would also build upon current approaches in the County with respect to salt management and road salt application. It is noted that other municipalities, such as the Region of Waterloo, require the submission of salt management plans as part of the review/approval of applications for new development, where applicable. Applying this policy across the County is not considered restrictive and would be considered an implementation of best practices in the interest of groundwater protection.

The County-wide application of select Source Protection Plan policies within vulnerable areas, such as those provided in the examples above, is further discussed in the context of policy implementation options in Section 6 of this Report.

### **4.2.3 Water Quantity Land Use Policies – Town of Erin**

The CTC Source Protection Plan contains specific water quantity land use policies applicable to the WHPA-Q1/Q2 area that is located within the Town of Erin. These policies relate to activities within WHPA-Q1/Q2 that take water from an aquifer without returning the water to that aquifer (‘DEM’ policies), and to recharge reduction of the aquifer (‘REC’ policies). The land use policies of the CTC Source Protection Plan that apply within the WHPA-Q1/Q2 area relate to new or

amended Permits to Take Water (PTTW), settlement area expansions, Low Impact Development (LID) and water balance assessments.

Specifically, policy REC-1 requires new development on lands zoned low density residential and agricultural to incorporate Low Impact Development stormwater management practices. A water balance assessment is also required for site plan and subdivision applications for residential, commercial, industrial and institutional development that considers the implementation of Low Impact Development measures, among others, to ensure that recharge rates to the aquifer are maintained after development occurs.

Policy DEM-2 requires final approval for new development requiring a new or amended PTTW once the Ministry of Environment and Climate Change has determined that the proposed water taking will not become a significant drinking water threat.

As further illustrated in Figure 2), this vulnerable area overlaps in part with the Paris Galt Moraine Policy Area in the vicinity of Wellington Road 125, 4<sup>th</sup> Line, and the Halton Hills/Town of Erin municipal boundary. Therefore, the Paris Galt Moraine Policy Area policies of the Official Plan and WHPA-Q1/Q2 policies of the CTC Source Protection Plan also overlap in this area. Table 9 on the following page provides an analysis and comparison of the Paris Galt Moraine policies and large water taking policies of the Official Plan with the DEM-2 and REC-1 policies of the CTC Source Protection Plan (for reference, a full copy of the policies from the CTC Source Protection Plan are included in Appendix 4). Based on the analysis, the following is concluded:

- The WHPA-Q1/Q2 policies do not appear to conflict, and in most cases enhance, the Official Plan policy framework by requiring additional study to support new development within the vulnerable area;
- Policy REC-1 is more restrictive than Policy 4.9.7.2 with respect to study requirements for large scale development proposals within the Paris Galt Moraine Policy Area; and
- Policy REC-1 complements existing Official Plan policies related to large water users/takers.

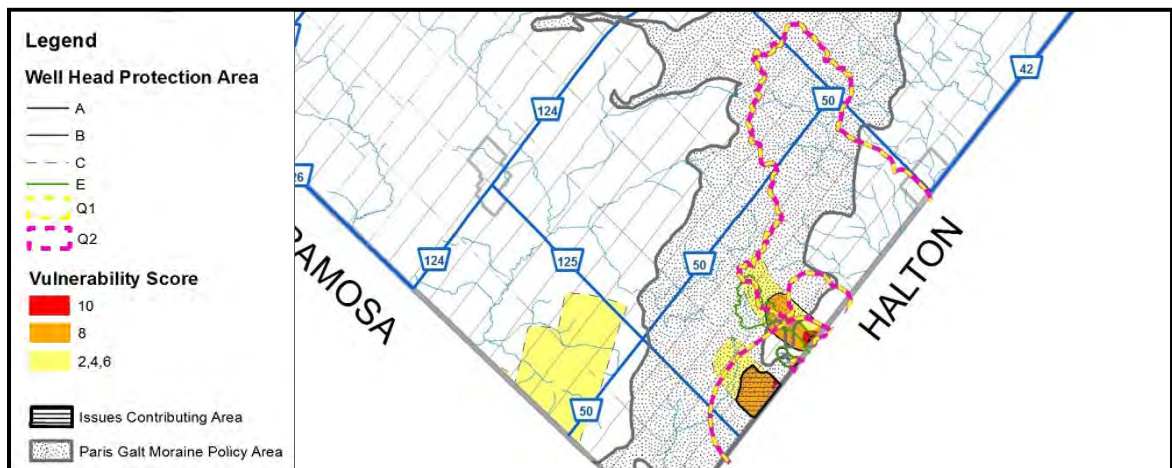


Figure 2. Overlap of WHPA-Q1/Q2 Areas with Paris Galt Moraine Policy Area

**TABLE 9. Comparison of Official Plan Policies with CTC Q1/Q2 Water Quality Policies**

Paris and Galt Moraine Policy Area (Policy 4.9.7)	CTC WHPA-Q1/Q2 Policy Comments
<p><b>Preamble</b>                      The Paris and Galt Moraines are unique landforms. With their combination of soil types, numerous land surface depressions, and higher elevations relative to surrounding lands, they function as a support for hydrologic processes and features that influence groundwater and surface water resources at regional and local scales. These processes and features include:</p> <ul style="list-style-type: none"> <li>• groundwater recharge;</li> <li>• groundwater storage;</li> <li>• surface water detention;</li> <li>• groundwater potential;</li> <li>• baseflow to streams;</li> <li>• springs; and</li> <li>• watershed divides for groundwater and surface water</li> </ul> <p>On the moraines, and in catchment areas influenced by the moraines, there are coldwater fisheries, wetlands, private wells, farms, industrial and commercial businesses, mineral aggregate operations, and municipal water supplies that rely, either directly or indirectly, on these moraine processes and features.</p>	<p>The preamble does not conflict with CTC Q1/Q2 policies and instead could be considered complimentary.</p> <p>Additional text identifying the WHPA-Q1/Q2 Area within the Policy Area should be considered and include a discussion of how the SPP relates to this broader, established policy area.</p>
<p><b>4.9.7.1 Objectives</b>                      The Paris and Galt Moraine policies are intended to:</p> <ul style="list-style-type: none"> <li>• protect moraine processes and features in order to maintain and where possible restore and enhance groundwater and surface water resources; and</li> <li>• promote stewardship activities on the moraines that maintain, restore or enhance groundwater and surface water resources.</li> </ul>	<p>Do not appear to conflict with CTC policies – objectives of this policy framework are similar to that of source protection and in particular Q1/Q2 policies.</p>

<p><b>4.9.7.2 Policy Direction</b></p> <p>On lands in the Paris and Galt Moraines Policy Area on Schedule 'B' that lie outside of Wellhead Protection Areas, the following shall apply:</p> <p>a) Large scale development proposals including intensive recreation, mineral aggregate operations, new rural employment area designations, and urban boundary expansions will be required to demonstrate that ground and surface water functions will be maintained, and where possible, restored and enhanced;</p>	<p>CTC Policy DEM-2 permits:</p> <ul style="list-style-type: none"> <li>• new development only if the development does not require a new or amended Permit to Take Water (PTTW)</li> <li>• final approval of new development that requires a new or amended PTTW once the MOECC has determined the proposed taking will not become a significant drinking water quantity threat</li> </ul> <p>CTC Policy DEM-2 also outlines criteria to be met through the municipal comprehensive review process when examining settlement area boundary expansions. Given the location of the WHPA-Q1/Q2, this policy should not have any bearing on any settlement area expansions within the County.</p> <p>CTC Policy REC-1 requires site plan and subdivision applications for new residential, commercial, industrial and institutional uses include a water balance assessment that addresses specific requirements outlined in the policy framework. New development on lands zoned low density residential (excluding subdivisions) or zoned Agricultural must implement BMP's such as 'Low Impact Development' (LID) practices.</p> <p>CTC Policy REC-1 also provides for the approval of settlement area expansions through a municipal comprehensive review only where it has been demonstrated that recharge functions will be maintained on lands designated significant groundwater recharge areas within Q2.</p> <p>CTC Policies DEM-2 and REC-1 do not appear to conflict with 4.9.7.2 and instead further specifies the requirements for water taking uses and boundary expansions.</p>
<p>b) Small scale developments that do not rely on significant site alterations will not normally be required to demonstrate protection of the moraines. Where planning approvals for small scale developments are needed, best practices for alteration will be required to reduce or eliminate cut and fill activities that would fill in land surface depressions.</p>	<p>CTC Policy REC-1 requires site plan and subdivision applications for new residential, commercial, industrial and institutional uses include a water balance assessment that addresses specific requirements outlined in the policy framework. New development on lands zoned low density residential (excluding subdivisions) or zoned agricultural must implement BMP's such as LID practices. <b>This is more restrictive than County policy.</b></p>



<p>c) Agriculture is a major activity on the moraines and is an accepted and supported use of land. The County will encourage best practices for agriculture by developing and supporting stewardship programs.</p>	<p>CTC Policy REC-1 requires new development on lands zoned Agricultural to implement best management practices such as LID with the goal to maintain predevelopment recharge.</p>
<p><b>Large-Scale Development on Private Communal or Individual On-Site Water Services (Policy 4.9.5.4)</b></p>	<p><b>CTC WHPA-Q1 Policy Comments</b></p>
<p>New large-scale developments on private communal or individual on-site water supply shall be required to demonstrate to the satisfaction of the County and the local municipality that adequate water supply is available and that the proposed water taking will not interfere with existing or future municipal water supply and private wells. New large-scale development shall also be required to provide a scoped water budget and water conservation plan for the subject property and adjacent lands and include:</p> <ul style="list-style-type: none"> <li>• characterization groundwater and surface water flow systems;</li> <li>• identification of availability, quantity and quality of water sources;</li> <li>• development of a water-use profile and forecast;</li> <li>• determination of a water budget; and</li> <li>• identification of water conservation measures.</li> </ul> <p>Where the supporting information demonstrates acceptable water use in accordance with the objectives of the Plan, the County may consider such proposal to be in conformity with this Plan. Development approval shall be conditional upon the implementation of water conservation measures recommended through the development review and consultation process, as appropriate. Implementation of such measures will be through conditions of subdivision, land severance or site plan control or other legislated means.</p>	<p>CTC Policy DEM-2 permits:</p> <ul style="list-style-type: none"> <li>• new development only if the development does not require a new or amended Permit to Take Water (PTTW)</li> <li>• final approval of new development that requires a new or amended PTTW once the MOECC has determined the proposed taking will not become a significant drinking water quantity threat</li> </ul> <p>CTC Policy REC-1 requires that all site plans and subdivision applications for new residential, commercial, industrial and institutional uses provide a water balance assessment for the proposed development to the satisfaction of the municipality. The water balance assessment is to address a number of requirements set out in the Source Protection Plan.</p> <p>CTC Policies DEM-2 and REC-1 do not appear to conflict with 4.9.5.4 and instead complement and further specify the requirements for large water-taking uses.</p>

#### 4.2.4 Communal Well Policies

Source Protection Plans only address municipal well and surface intake systems, whereas the existing WHPA policy framework of the County Official Plan applies to both municipal and certain communal well heads identified on Schedule B to the Official Plan. Updating Official Plan Schedules to reflect the mapping of vulnerable areas in the applicable SPPs would result in removing communal well systems from the Schedules.



Communal well systems, although privately owned and operated, supply drinking water to a number of residents within the County and should continue to be afforded a level of protection as they are currently in the Official Plan. The delineation of certain communal well WHPAs in the current Official Plan is based on the findings and conclusions of the County's 2006 Groundwater Protection Study, undertaken by Golder and Associates. WHPAs 1 and 2 as currently delineated in the Official Plan represent the 0 to 2 year time-of-travel and 2 to 25 year time of travel (high vulnerability) for communal wells. Source Protection Plans delineate the limit of the 0 to 2 year time of travel for wellheads (WHPA-B) and contain significant threat policies to protect these areas, indicating that similar areas for non-municipal water supply sources should also be protected.

There is nothing preventing the continued protection of certain communal well systems that are identified in the Official Plan. In fact, Policy 2.2.1 e) of the Provincial Policy Statement, 2014 directs that planning authorities shall protect, improve and restore the quality and quantity of water by implementing necessary restrictions on development and site alteration to protect sensitive groundwater features. The continued protection of certain communal well systems through the draft Official Plan Amendment is recommended as there is precedent to do so in the current Official Plan and the protection of water sources is consistent with Provincial Policy.

# 5.0 BEST PRACTICES

The municipal implementation of Source Protection Plans has been limited to date in Ontario despite the number of Source Protection Plans that have received final approval from the Ministry of Environment and Climate Change. However, some municipalities with approved Source Protection Plans have initiated their implementation exercises, and in other cases, municipalities have adopted an implementing Official Plan amendment.

The following sections provide examples of policies and policy frameworks and zoning by-law regulations in place or proposed in other jurisdictions currently implementing source protection policies.

## 5.1 Conservation Ontario Implementation Resource Guide

The Implementation Resource Guide was created to assist municipalities with their implementation responsibilities under the *Clean Water Act*. Module 3 of the Guide – Land Use Planning – provides an overview of how municipal planning is influenced by Assessment Reports and Source Protection Plans. The following suggestions taken from the Resource Guide with respect to Official Plans and Zoning By-laws and related planning processes were considered:

- Municipal Official Plan updates may include general or detailed policies, together with mapping of designated vulnerable areas as identified in the Assessment Reports;
- Official Plans can be amended to include provisions to make certain classes of uses within vulnerable areas subject to site plan control (where appropriate);
- Official Plans can be amended to include to require supporting documents such as a disclosure report, hydrological/hydrogeological study, or a spill prevention and contingency plan to address significant drinking water threats as part of a ‘complete’ *Planning Act* or development application in vulnerable areas;
- Generally, official plan policies could:
  - Include provisions to ensure that the vulnerable area is subject to site plan control (for certain types of uses)
  - Use an overlay designation or provide provisions to use an overlay designation in the zoning by-law to ensure source protection matters are considered in vulnerable areas
  - Include mapping of vulnerable areas delineated in the Assessment Reports;

- Generally, zoning by-laws could:
  - Prohibit use of land, buildings and structures in vulnerable areas
  - Continue to allow agriculture as a main use, but prohibit certain accessory uses or structures, such as structures intended to store agricultural materials in specific areas
  - Limit the size of additions or prohibit additions in vulnerable areas
  - Provide an overlay zone to define a building envelope, to restrict the size, location or nature of the development, or to impose other restrictions as may be deemed necessary by the municipality;
- Development application checklists can require proponents to include a sourcewater protection checklist as a requirement for a complete application, or existing checklists and application forms can be updated to incorporate questions regarding source water protection and proposed activities; and
- Site plan control can be required for all or certain classes of development in vulnerable areas delineated in Assessment Reports or only where there are significant threats and can be used:
  - when a property partially falls within a vulnerable area or where more than one vulnerability score applies
  - to ensure that significant threat activities associated with specific structures are not in vulnerable areas or areas of the highest vulnerability
  - to ensure an activity is sited so that it is no longer a significant threat.

The purpose and effect of Section 59 – Restricted Land Uses of the *Clean Water Act* is reviewed in the Implementation Guide. The Guide suggests that official plan and zoning by-law mapping could include a textual reference to the policy, mapping of the area where the policy applies, and the land uses that have been designated for the purpose of screening applications.

Generally, it is acknowledged in the Implementation Guide that all Part IV policies, including Section 59, are enabled through the *Clean Water Act* and therefore do not need to be integrated into official plans or zoning by-laws to be implemented by municipalities. However, it is recommended that as a minimum, municipalities include schedules in their official plans and zoning by-laws where the policies of Part IV apply, as many residents and businesses are familiar with these documents and rely on them for information related to development.

## 5.2 Official Plans

### 5.2.1 **City of Barrie**

The City of Barrie is considering the implementation of the Source Protection Plan in two phases. The first phase, undertaken in 2013, involved updating the mapping and policies of the Official Plan based on the information contained in the approved Assessment Report. The Official Plan will again be amended when the Source Protection Plan is approved. The policies reviewed below are associated with the amendment resulting from the first phase of implementation.

The Official Plan currently contains policies related to the protection of Wellhead Protection Areas (WHPAs), and utilizes a Schedule overlay to delineate of those areas where drinking water sources are vulnerable. Relevant policies within Section 3.5.2.3.5.1(b) require that:

- Development or site alteration that involves the storage or manufacturing of pathogens, chemicals or dense aqueous phase liquids are prohibited in vulnerable areas where they would be a significant threat;
- The expansion, alteration or redevelopment of existing uses in an area where an activity is or would be a significant threat may be permitted if the Risk Management Official (RMO) is satisfied that the threat ceases to be significant;
- A Threats and Issues Assessment (Water Quality) study is required when it is necessary to determine if a proposed development or use would be a significant threat within a vulnerable area; and
- The Zoning By-law shall prohibit or restrict land uses that involve a significant threat.

Further to the above policies, the City's Official Plan also includes policies related to the application and development process within WHPAs. Key concepts include:

- Any development, site alteration, or Planning Act proposal within a vulnerable area must include a Source Water Information Form
- A Threats and Issues Assessment – Water Quality study is required when it is necessary to determine whether a proposal would be a significant drinking water threat
- The City will seek opportunities through conditions of planning applications, development plans, community improvement plans, or other means to acquire lands, register easements or apply other methods to control activities within lands identified as WHPA-A.
- All industrial, commercial, institutional, open space and high density residential areas within vulnerable areas are subject to Site Plan Control.

### **5.2.2 *Town of Innisfil***

The Town of Innisfil introduced draft source water protection and commercial water taking policies in May 2014 through an amendment to the Town's Official Plan. The purpose of the draft policies is to implement the direction of the 2014 Provincial Policy Statement with respect to protecting, improving or restoring the quality and quantity of water and to implement the land use policies of the South George Bay Lake Simcoe Source Protection Plan. The Amendment affects the 'groundwater recharge and discharge areas', 'wellhead protection areas', 'intake protection zone' and 'complete application' sections of the Official Plan, and introduces a new section for 'commercial water taking'.

The amendment integrates the wellhead protection, intake protection zone, and significant groundwater recharge area mapping into an Appendix in the Official Plan. Policies 4.2.1 and 4.2.2 of the amendment require any development, redevelopment, site alteration and proposed land use that involve any of the prescribed drinking water threat activities be prohibited or restricted where they would constitute a significant drinking water threat. These policies further require development and site alteration applications in these areas to be forwarded to the Risk Management Official for review in accordance with the Source Protection Plan and the issuance of a Notice to Proceed. With respect to a complete application, Policy 4.2.2 indicates

that applications will not be considered complete until the Risk Management Plan and/or all other required information and supporting studies, as applicable and requested by the RMO have been submitted and deemed complete by the RMO.

Remaining policies of the amendment with respect to wellhead protection areas and intake protection zones provide direction with respect to the following:

- The location and establishment of new municipal drinking water wells and the potential impact of existing and permitted uses;
- The acquisition of land or easements by the municipality within 100 metres of any new municipal well;
- The design of parking lots, roadways, sidewalks and walkways within vulnerable areas to minimize the need for road salt application and implementation of salt management measures;
- The development/redevelopment of stormwater management facilities and wastewater facilities in vulnerable areas and the potential requirement for a Master Environmental Servicing Plan as part of a complete application to avoid locating threats in vulnerable areas; and
- The establishment of new small on-site sewage systems in accordance with Ministry of Environment guidelines.

Complete application requirements are to be updated to include a *wellhead/vulnerable areas protection – risk assessment study and/or risk management plan* with reference back to the wellhead protection policies of the Amendment and *salt management plan*.

Lastly, the Amendment provides direction for the preparation of the implementing zoning by-law amendment and reads as follows:

*4.2.3 The implementing zoning by-law shall contain an overlay zone to identify vulnerable areas where the uses set out in policy 4.2.1 that constitute a drinking water threat are prohibited.*

The Town will be preparing an implementing zoning by-law amendment for the SPP policies once the Official Plan Amendment is approved and in effect.

Policy 4.2.1 provides an example of how Section 57 and 58 policy of the Source Protection Plan may be implemented in more ‘flexible’ approach. Policy 4.2.2 provides an example of implementing Section 59 policies, the link to complete application requirements, and how Risk Management Plans can be integrated into the process.

### 5.2.3 **Niagara Region**

The Niagara Peninsula Source Protection Plan was approved by the Ministry of the Environment with an effective date of October 1, 2014. Niagara Region brought forward a draft Regional Official Plan amendment in June 2014 to implement the Source Protection Plan. The amendment is still under review.

Niagara Region draws its drinking water from surface water sources and as such the policy framework is limited to intake protection zones. The amendment will create a new section in the "Natural Environment" chapter of the Official Plan. Existing policies related to water resources remain unchanged.

The majority of the policies are worded similarly as those of the Source Protection Plan and therefore represent a direct implementation of the Source Protection Plan document. The policies are organized by intake protection zone (i.e. water treatment plant) similar to the Source Protection Plan and include prohibition and restriction policies for significant drinking water threats. Some of the prohibition policies reference the specific tables of circumstances where the activity or use is considered a significant drinking water threat such as policy 7.F.1.3 (DeCew Falls Water Treatment Plant):

*Policy 7.F.1.3 The discharge from wastewater treatment plants or combined sewer overflows, or discharge of industrial effluent is considered a significant threat as defined under the applicable circumstances in table 22 and table 48 in Appendix C of the Assessment Report (2013). Future combined sewers, wastewater treatment facilities, and industrial effluent systems which meet these criteria are not permitted within the DeCew Falls Intake Protection Zone 1.*

This approach is not taken for uses and activities requiring Risk Management Plans.

The amendment also includes an annual reporting/monitoring policy, which outlines the content to be contained in the annual report, as well as new definitions to the definitions section. Included in the amendment are the definitions of the significant drinking water threats identified in the policies of the amendment, to be read in conjunction with the policy framework.

The Niagara Peninsula Assessment Report contained the applicable Tables of Circumstances in an Appendix to the Report.

Niagara Region's approach to prohibition represents another manner in which to address prohibited uses in the Source Protection Plan by incorporating the applicable Tables of Circumstances. Defining threats in the policy framework provides an understanding of the nature of prohibited uses and activities without the need to consult the Source Protection Plan or Assessment Report. The County may want to consider this approach as a means to provide 'lay' information to the public through a document (the Official Plan) that is most often used by the public.

#### 5.2.4 **Town of Midland**

With the anticipated approval of their Source Protection Plan in 2014, the Town of Midland has been in the process of preparing official plan and zoning by-law amendments to implement relevant SPP policies. The Official Plan currently contains a policy section related to groundwater resources and addresses groundwater source protection, wellhead protection areas, groundwater discharge areas and water takings. The amendment involves replacing the majority of the policies in this section with policies from the Town of Midland Source Protection Plan. Generally, the policies;

- Provide a text description of vulnerable areas and delineate wellhead protection areas on the Land Use Plan;
- List the drinking water threats regulated through the *Clean Water Act* and require the Risk Management Official to determine whether uses and activities would be a significant drinking water threat and should be prohibited or require a Risk Management Plan;
- Update existing general policies to include source protection considerations;
- Modify community design policies to address specific SPP policies;
- Add a number of on-site sewage system and stormwater management-related policies that are specific to the Town of Midland SPP;
- Incorporate a Restricted Land Use policy under Section 59 of the *Clean Water Act*, which reads as follows:

*No Planning Act Application may be made and no Building Permit or Change of Use Permit under the Ontario Building Code may be issued to establish the following uses:*

- *Application of agricultural source material to land*
- *Handling and storage of agricultural source material*
- *Application of non-agricultural source material*
- *Handling and storage of non-agricultural source material*
- *Application of commercial fertilizer to land*
- *Handling and storage of commercial fertilizer*
- *Application of pesticide to land*
- *Handling and storage of pesticide*
- *Application of road salt*
- *Handling and storage of road salt*
- *Storage of snow*
- *Handling and storage of fuel*
- *Handling and storage of DNAPLs*
- *Handling and storage of organic solvents*
- *Use of land for livestock grazing, pasturing land, an outdoor confinement, or farm animal yard,*

*unless a Risk Management Official has issued written notice under Subsection 59(2) of the Clean Water Act and the planning approval authority or building official is satisfied that:*

- a) *The application complied with circumstances specified in the written notice from the Risk Management Official; and*

*b) The applicant has demonstrated that a significant drinking water threat activity designated for the purposes of Section 57 or 58 will not be engaged in, or will not be affected by the application.*

- Establishes the following policies in their Implementation and Administration section:
  - Requirements for a site plan control agreement where a use or activity may be a significant drinking water threat;
  - Education and outreach policies for individual threats grouped by broader categories (i.e. agriculture-related, chemical-related, weather-related and infrastructure-related threats)

It is noted that in the Midland approach to the implementation of SPP policies, the drinking water threats are referred to as ‘uses’ and the policy framework does not expressly prohibit uses that may be associated with prescribed drinking water threats in vulnerable areas. Instead, the policy leaves the determination of whether a use should be prohibited or requires a Risk Management Plan to the Risk Management Official. An example of the policy language with respect to prohibited uses is as follows:

*7.3.2.3 The following uses and activities are prohibited in accordance with Section 57 and Section 59 of the Clean Water Act, where they are or would be a significant threat to drinking water as determined by the Risk Management Official, or another professional duly qualified through the Clean Water Act...If the Risk Management Official or another person duly qualified through the Clean Water Act determines that there is no significant risk, then a use listed above may be permitted without the need for an amendment to this Plan where such use would otherwise be permitted.*

*7.3.2.4 The following existing uses and activities are designated for the purpose of Section 58 of the Clean Water Act, and require a risk management plan there they are a significant drinking water threat, as determined by the Risk Management Official, or another professional duly qualified through the Clean Water Act...*

The Midland policy approach provides another implementation option with respect to prohibited uses and uses requiring a Risk Management Plan that could be considered by the County of Wellington.

### **5.2.5 County of Lennox & Addington**

The first draft of the County’s Official Plan was released in November 2014. This draft contains policies for Water Resources. Contained in the Plan are policies that apply restrictions to development and site alteration in Source Protection Area.

The Development and Site Alteration policies in Section D2.2 state the following:

- a) Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.*
- b) Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.*



With respect to Source Protection Plans, proposed policy D2.3.2 directs readers of the Official Plan to the relevant Source Protection Plan(s) for specific policies that may “*restrict or prohibit certain existing and future land uses or activities.*”

Section D2.3.3 provides policies for the protection of WHPAs and IPZs and relies on ‘notwithstanding’ policies to indicate that uses may be prohibited or restricted. These policies read as follows:

- a) *Notwithstanding the land use activities permitted by the underlying land use designations, shown on the Schedules to this Plan, land use activities which have been identified by a Source Protection Plan as being prohibited within SPP Policy Applicable Areas shall not be permitted.*
- b) *Notwithstanding the uses permitted by the underlying land use designations shown on the Schedules to this Plan, uses/activities may only be permitted within the SPP Policy Applicable Area if the applicant demonstrates to the satisfaction of the lower tier municipality that the proposed use/activity is in conformity with the policies contained within the relevant Source Protection Plans.*

The policy framework of Section D2.3.3 also addresses existing uses as follows:

- c) *Legally existing uses that are located within a SPP Policy Applicable Area, but which are regulated by the provisions of a Source Protection Plan policy and/or are incompatible with the provisions of this section of the Official Plan may be permitted to expand subject to the policies of this Official Plan and the relevant Source Protection Plan. Such uses shall be required to undertake measures that would protect municipal drinking water sources in the SPP Policy Applicable Area.*

This policy approach represents the simplest and most straightforward implementation of relevant source protection policies through the Official Plan.

### **5.2.6 Summary**

From a review of the official plan policy practices of other municipalities with respect to source water protection, the following is observed:

- Some municipalities take a more restrictive approach to significant drinking water threats by prohibiting or restricting specific uses in vulnerable areas, whereas others take a more permissive approach by deferring to the Risk Management Official or to the relevant Source Protection Plan in the policy framework;
- In some cases, individual significant drinking water threats are defined within the source protection policy framework or glossary of the Official Plan, whereas in others the prescribed drinking water threats are simply listed without further definition in the Official Plan;
- Required studies related to sourcewater protection in vulnerable areas are defined or described within the framework of the Official Plan; and
- The Tables of Circumstances are cited in Official Plan policy, such as in the case of Niagara Region.

## 5.3 Zoning By-laws

Only a few best practice examples of SPP implementation through zoning by-laws are currently available. As such, these examples, as well as some zoning regulations that implement existing sourcewater protection Official Plan policies, were examined to understand what, if any, innovative regulatory approaches exist to implement source protection Official Plan policies in a general sense. Existing By-laws that took a two-tier approach to regulating uses in WHPAs were the focus of the review. The following provides examples of how the County of Wellington could structure a zoning implementation framework for use by area municipalities to bring their By-laws into conformity with the Official Plan Amendment, and applicable Source Protection Plans, when approved.

### 5.3.1 **Township of Zorra**

The Township of Zorra has provisions within Section 5.1.2 of Zoning By-law 35-99 related to the protection of Groundwater Recharge Areas. Through these provisions (as associated mapping of such recharge areas on their Zoning Schedules), the Township uses a two-tiered approach to protect such areas. First, permitted uses are outlined as those uses that existed as of the date of the passing of the By-law. Furthermore, all uses permitted within the underlying zone are also permitted, with the exception of a list of uses that are deemed a threat to groundwater resources.

Those uses that are restricted by the By-law, when permitted in an underlying zone, require a Disclosure Report and/or Contingency Report prior to issuing a building permit, and also require the proponent to enter into a Site Plan Control agreement.

### 5.3.2 **Town of Midland**

The Town of Midland has approved a Zoning By-law amendment to implement the policies of the Official Plan with respect to sourcewater protection under their respective Source Protection Plan. The amendment involves establishing a Wellhead Protection Area Overlay Zone and a regulatory framework that restricts non-residential uses or activities associated with non-residential uses that involve any of the 20 significant drinking water quality threats identified in the *Clean Water Act* until it is demonstrated to the satisfaction of the Risk Management Official, or other qualified professional, that the use does not represent a significant threat to drinking water within the overlay zone.

The amendment also establishes a Wellhead Protection Area *Quantity* Overlay Zone that prohibits non-residential uses that have the potential to impact the supply of water by removing water from an aquifer without returning it to the same aquifer unless it has been demonstrated to the satisfaction of the Risk Management Official, or other qualified professional, that the use does not represent a significant threat to drinking water within the overlay zone.

### 5.3.3 **Town of Innisfil**

Section 35.1 of the Town of Innisfil Zoning By-law 080-13 contains provisions that prohibit uses in wellhead protection areas and intake protection zones that are identified in the current policy framework of the Official Plan. Wellhead protection areas and intake protection zones are shown on all zoning maps that form Schedule A to the By-law as opposed to being provided on a separate schedule to the Zoning By-law.

### 5.3.4 **Township of Tiny**

The Township of Tiny has released a draft Zoning By-law Amendment for comment that implements the source protection policies of the South Georgian Bay Lake Simcoe Source Protection Plan and proposed sourcewater policies of the Township's Official Plan. A new section is to be added to the Zoning By-law through the proposed amendment that regulates or prohibits uses in source protection areas. The By-law uses an overlay zone approach to identify water quality and water quantity WHPAs and establishes a holding zone for uses involving the prescribed drinking water threats, which are listed in the amendment. The holding zone is only to be lifted upon confirmation from the Risk Management Official, or other duly qualified professional, that the use does not represent a significant drinking water threat. The same approach to the holding provision is used for drinking water quantity threats.

### 5.3.5 **Summary**

The zoning approach is consistent between all reviewed municipal zoning by-laws – an overlay is established, either in individual zoning maps or as a separate schedule to the By-law, and the regulatory framework applying to the overlay is contained in the General Provision section of the Zoning By-law.

The specific regulations are implementations of the Official Plan policy framework and as such are unique to individual municipalities.

The Township of Tiny takes a unique approach by establishing a holding provision on lands within vulnerable areas associated with the prescribed drinking water threats. The use of a holding provision is not recommended as it:

- Continuously requires amendments to the Zoning By-law to remove the holding provision for uses associated with prescribed drinking water threats where they do not constitute a *significant* drinking water threat, resulting in an overlap of process where such overlap is not required; and
- Puts the decision-making power to Council or Committee with respect to permitting the use, through the lifting of the holding provision, where the Risk Management Official is to determine whether the use is permitted subject to the *Clean Water Act* and applicable Source Protection Plan, provide the use is permitted by the underlying land use designation/zoning category.

Regulatory examples from the review Zoning By-laws-noted By-laws that could be applied to the County of Wellington include:

- The listing of the significant drinking water threats and deferring determination of whether use/activity is permitted to the Risk Management Official (Town of Midland example);

- The establishment of a Wellhead Protection Area overlay for quantity and associated regulations (Town of Midland example); and
- Requirement of a Disclosure Report prior to the issuance of a Building Permit (Oxford County Townships example).

The recommended framework for the implementing Zoning By-law Amendment to be undertaken by local area municipalities will be further assessed when initial comments on the proposed draft Official Plan Amendment is received and the structure and content of the policy framework is further refined.

## 5.4 Development Permit System (DPS)

The feasibility of using a Development Permit System (DPS) to implement source protection policy in the Official Plan was also reviewed at the request of County Planning Staff. DPS is an alternative to the use of zoning to implement the Official Plan. The DPS replaces zoning, site plan and minor variance approvals in those areas of a municipality where a Development Permit By-law has been approved, effectively streamlining and expediting the development approvals process. A DPS differs from the traditional zoning by-law amendment/minor variance/site plan approval process in that, under a Development Permit By-law, discretionary uses, conditional approvals, and variations to standard requirements are permitted – providing staff and Council with flexibility within the context of the Development Permit By-law to review development proposals and provide approvals without further site-specific amendments to the by-law. Furthermore, the DPS allows the municipality to have greater control over exterior design elements and the removal of vegetation in certain areas.

A Development Permit System has three components: a policy basis in the Official Plan; a Development Permit By-law, and a Development Permit that can be issued as a planning approval. A Development Permit By-law is similar to a zoning by-law in that it outlines how land may be used; where buildings/structures can be located; the types of buildings that are permitted and how they may be used; and the lot sizes and dimensions, parking requirements, building heights and street setbacks. A Development Permit By-law must:

- Identify and define a list of permitted uses
- Establish minimum and maximum standards for development (i.e. setbacks, lot coverage, parking, etc.)

In undertaking research regarding the DPS, the following benefits of the system were identified:

- can be supportive and reflective of local character and distinctiveness;
- facilitates the establishment of a comprehensive vision and development objectives for a particular area within a municipality with resident participation;
- ensures that neighbourhood development is in keeping with the vision and objectives for the area;
- fosters greater certainty for developers, planners and residents with respect to expectations and requirements for development;
- streamlines the approvals process in an effort to create ‘investment-ready’ communities; and
- more flexible than zoning.

Much of the discussion of the use of DPS occurs in the context of promoting intensification, infill and redevelopment within a municipality and the benefits of this system in providing for a streamlined approvals process. For example, the City of Brampton has established a DPS for Main Street North within the downtown as a result of the preparation of an urban design and visioning study. The City of Toronto is establishing a DPS policy framework in their Official Plan so that they may replace zoning in certain areas of the City.

Based on our research, the Development Permit System does not emerge as a viable, or warranted, approach to implementing source protection policies in Area Municipal zoning by-laws. The *Clean Water Act* mandates the protection of drinking water, with source protection plans being used to address threats to municipal drinking water at the source. The uses prohibited and restricted within vulnerable areas are prescribed by legislation and are further administered by the Risk Management Official. Individual Source Protection Plans further identify uses that are prohibited or permitted under certain conditions. When considering the structure and purpose of the DPS with that of the *Clean Water Act* and source protection plans, we do not recommend the use of the DPS to implement source protection policies for the following reasons:

- The identification of prohibited and restricted uses is prescribed by the *Clean Water Act*
- The circumstances under which certain uses and activities are prohibited or restricted are prescribed by the *Clean Water Act*;
- The circumstances under which a risk management plan is required and the content of same is determined in the Source Protection Plan; and
- establishing a DPS results in an unnecessary duplication of process.

Based on the research undertaken and the reasons cited above, the use of a DPS to implement the implementing source protection Official Plan Amendment is not recommended.

# 6.0

## POLICY IMPLEMENTATION OPTIONS & RECOMMENDATIONS

Based on the review and analysis undertaken in this report, a number of SPP policy implementation options and considerations were developed for review by County and local area Municipal planning staff. The following provides an overview of the policy implementation options analyzed and discussed prior to the preparation of the draft Official Plan Amendment.

### 6.1 Section 57 and 58 Policies

Considering the current policy approach to prohibiting and restricting uses in the County of Wellington Official Plan and the range of approaches in individual Source Protection Plans with respect to prohibiting or restricting significant drinking water threat activities, the following policy implementation options were identified:

**Option 1. Prohibit all uses associated with significant drinking water threat activities through the OP policy framework.** This approach attempts to mimic the current OP policy framework which identifies prohibited uses in WHPAs and would require developing a comprehensive list of uses that would be captured under the prescribed significant drinking water threats. The challenge with preparing such a list is that almost certainly some uses would be missed. A notwithstanding clause would need to be included in the policy framework in the event a use associated with a prescribed significant drinking water threat is missed. Another challenge is that a given land use may or may not be associated with a threat based on the nature of the use, the details of the operation, and the activities associated with the operation. Therefore, to prohibit a land use that may or may not be associated with a threat activity could be considered overly restrictive because the use is being prohibited whether or not a significant threat activity is being undertaken in a specific case.

Given discrepancies with respect to prohibitions for some threat activities between SPPs in vulnerable areas as shown in the attached charts, the following sub-approaches could be considered

- i. Take a 'majority rules' approach – establish prohibitions through OP policies for threats in some SPP areas where only an RMP is required. This is the most restrictive approach. The challenge under this scenario is that the County's policies may be more restrictive than the SPPs.
- ii. Prohibit as required within individual SPPs.

The Best Practices Review contained in Section 5 of this report did not reveal any municipality that is taking this approach through their draft Official Plan Amendments to implement the applicable Source Protection Plan(s).

**Option 2. Prohibit or require RMPs for those threat activities where the prohibition or RMP requirement is consistent between all SPPs that apply within the County of Wellington (i.e the storage and handling of snow).** In this option, the policy framework would expressly prohibit or require Risk Management Plans for those drinking water threat activities where the prohibition or restriction is consistent between all Source Protection Plans. For the remaining threat activities where the prohibition or restriction approach is inconsistent between Source Protection Plans, they could be addressed by a more general policy framework, similar to that outlined in Option 3 below. Note that the challenges associated with capturing all land uses associated with prescribed drinking water threat activities, as outlined in Option 1 above, will also apply to this Option.

Niagara Region takes this approach in their draft implementing Official Plan Amendment framework. Policies of the draft Amendment are a direct implementation of Source Protection Plan policies and address both prohibited activities and those activities requiring a risk management plan.

**Option 3. Establish a general policy that defers determination as to whether a land use is restricted or prohibited to the RMO.** This approach involves listing the prescribed significant drinking water threat activities and outlining the process requirements for the RMP review and its relationship to the planning application process. The Section 59 Notice to Proceed could be identified as a requirement prior to an application being deemed complete.

The Town of Innisfil and Town of Midland take this approach in their draft implementing Official Plan Amendments.

**Option 4. Establish ‘notwithstanding’ policies and defer/refer directly to relevant SPP (in addition to the Option 3 approach).** In addition to Option 3, a notwithstanding policy could be added to address both prohibited and restricted uses. An additional policy statement would direct plan readers to the appropriate SPP based on geographic location (such as through an Official Plan Schedule). Notwithstanding policies could read as follows:

*“Notwithstanding the land uses permitted by the underlying land use designation in this Plan, permitted land uses that involve a significant drinking water threat within a vulnerable area identified in Schedule XX to this Plan may be either prohibited or regulated by the applicable Source Protection Plan.”*

This approach is taken in the policy framework of the County of Lennox & Addington Draft Official Plan. The County is an upper-tier municipality that is subject to three different Source Protection Plans.

### 6.1.1 Preferred Approach

Option 4 – direct deferral to the applicable source protection plan – was preliminarily identified as potentially the most desirable option for addressing Section 57 and 58 policies of individual Source Protection Plans. This recommendation considers the following:

- **Complexities associated with implementing Options 1 and 2**, including challenges associated with identifying, defining and capturing all land uses associated with the prescribed drinking water threats.
- **Significant discrepancies and inconsistencies between the policy approach and scope of individual Source Protection Plans**, including the prohibition or restriction of drinking water threat activities within vulnerable areas, variations in policy tools to prohibit certain uses and activities, and the conditions or circumstances under which a certain activity may be prohibited and restricted.
- **Option 3 can be addressed through existing development review and approval processes.** The process outlined in Option 3 could be outlined in the Official Plan policy framework or addressed through the existing development processes of the County and area municipalities, including preconsultation requirements, and does not necessarily need to be outlined in the Official Plan. However, implementing Option 3 may improve understanding of the review process by the Risk Management Official for readers and users of the Official Plan.
- **Implementation responsibilities under the *Clean Water Act*.** Municipalities are required to amend Official Plans to conform with the significant threat policies of the Source Protection Plan. Deferring to the applicable Source Protection Plan within the policy framework of the Official Plan accomplishes this.
- **Maintains integrity of existing Official Plan policy framework** by retaining existing general policies with respect to ground and surface water protection outside of vulnerable areas identified in the applicable Source Protection Plans.
- **Encourages straightforward implementation of Source Protection Plan Section 57 and 58 policies** by deferring directly to the appropriate Source Protection Plan instead of translating or repeating policy in the Official Plan policy framework.

## 6.2 Land Use Policies

### 6.2.1 *Water Quality Land Use Policies*

A number of options to implement the applicable source protection plan water quality land use policies have been identified and address the following:

- The application of land use policies; and
- The implementation of land use policies within the County.

The following implementation options for the draft Official Plan Amendment were identified through the policy analysis:

**Option 1. Implement select policies County-wide.** The yellow-highlighted policies identified on the Land Use Policy Chart enclosed in Appendix 3 and previously earlier in this report may be appropriate to implement across the County given they are already established to some degree in the existing Official Plan policy framework. These policies are not necessarily restrictive and may be considered an ‘improvement’ over existing practices within the County in the interest of source water protection.



**Option 2. Implement SPP-specific policies based on municipal boundaries.** The boundaries of the SPPs coincide somewhat in a manner that is consistent with the boundaries of individual area municipalities of the County. As such, a policy option to implement the individual SPP land use policies would be to apply them to the appropriate area municipality as follows:

- Town of Erin (CTC)
- Town of Minto – Harriston and Palmerston Wells (Maitland)
- Town of Minto – Clifford Wells and Minto Pines/Township of North Wellington – Mount Forest Wells (Saugeen Valley)
- Township of Mapleton (Grand)
- Township of Puslinch (Grand & Halton-Hamilton)
- Township of Guelph/Eramosa (Grand)
- Township of North Wellington – Arthur Wells (Grand)

**Option 3. Implement SPP-specific policies based on source protection area boundaries.** To ensure clarity in the implementation of these policies in the OP policy framework, a schedule to the Official Plan can be added through the amendment process that delineates source protection area boundaries in relation to municipal boundaries. This schedule can then be referenced in the protection area-specific policies of the Official Plan.

#### 6.2.1.1 Preferred Approach

Option 3 – implementing SPP-specific policies based on source protection area boundaries – was preliminarily identified as the most desirable option for addressing water quality land use policies of individual source protection plans. This recommendation considers the following:

- **Strength of existing Official Plan policy framework.** The existing policy framework of the Official Plan provides a general policy framework that protects surface and groundwater resources and affords additional protection to WHPAs. If retained, the policy framework would still apply to land uses outside of vulnerable areas
- **Implementation responsibilities under the *Clean Water Act*.** Municipalities are required to amend Official Plans to conform with the significant threat policies of the Source Protection Plan. There is no requirement for implementing source protection policies beyond the scope of individual Source Protection Plans.
- **Direct Implementation of the applicable Source Protection Plan.** Applying land use policies to Source Protection Areas instead of municipal boundaries ensures the direct implementation of source protection policies for existing and future municipal water supply sources. Deferring to the applicable Source Protection Plan within the policy framework of the Official Plan accomplishes this.
- **Conflicts between Source Protection Plan Policies.** Some land use policies between source protection plans conflict with each other as outlined in Appendix 3 to this report. Direct implementation of land use policies on a Source Protection Plan Area basis ensures policy conflicts are avoided within different areas of Wellington County.
- **The number and scope of SPP policies that apply to individual source protection areas (i.e. CTC vs. Grand Source Protection Areas).** There are no specific land use policies that are to apply to the portion of the County within the Grand Source Protection Plan Area,

which applies to the greatest land area within the County of Wellington. Conversely, the CTC Source Protection Plan contains 18 land use policies that apply only to a portion of the Town of Erin. Direct implementation of land use policies ensures that policies are not more restrictive than required by individual Source Protection Plans in a given Source Protection Plan Area.

**Consideration should be given to implementing Option 1 with respect to requiring the submission of a Disclosure Report as part of a complete application within all vulnerable areas identified in the County.** The submission of a Disclosure Report within WHPAs is already required by the Official Plan. Under Section 4.9.5.2 of the Official Plan, Disclosure Reports are to outline the type of risk activities being undertaken, including chemical uses, quantities, types, storage, handling, disposal, and other matters. Disclosure Reports are also required to outline the proposed management programs associated with the use of chemicals at the site, including risk management/reduction measures, emergency response plans, employee awareness training, best management practices and monitoring programs.

The submission of a Disclosure Report in WHPAs is required by the land use policies of the Halton-Hamilton SPP and therefore applies to the WHPA-C area in the Township of Puslinch extending from a wellhead in the neighbouring municipality. Extending this land use policy to all vulnerable areas in the County builds on existing Official Plan policy and would provide the County's Risk Management Official will additional information upon which to evaluate development applications in vulnerable areas.

### **6.2.2 Water Quantity Land Use Policies – Town of Erin**

Considering the overlap between the Paris Galt Moraine Policy Area of the Official Plan and the WHPA-Q1-Q2 area identified in the CTC Source Protection Plan and the relationship between the two policy frameworks of these Plans as previously discussed in Section 4.2.3 of this report, there are two options with respect to implementing the Q1/Q2 Water Quantity land use policies.

- Option 1. Apply the Q1/Q2 policies across the WHPA Q1/Q2 and the Paris Galt Moraine Policy Area.** The policies of the CTC Source Protection Plan generally complement and enhance the existing policy framework, with the exception of Policy 4.9.7.2, where the Q1/Q2 policies are more restrictive. This would require modifications to Section 4.9.7 and Policy 4.9.5.4 of the Wellington County Official Plan through the Source Protection Plan implementing OPA.
- Option 2. Limit the application of the Q1/Q2 land use policies to the extent of the WHPA Q1/Q2.** The addition of a 'notwithstanding' clause to the policy framework of Section 4.9.7 would be sufficient to defer reference to the Q1/Q2 land use policies for the WHPA-Q1/Q2 area within and outside of the Paris Galt Moraine Policy Area. The Official Plan schedule will need to be updated to delineate the WHPA-Q1/Q2 area in the Town of Erin.

#### **6.2.2.1 Preferred Approach**

Option 2 – limiting the application of land use policies to the WHPA-Q1/Q2 – is be the most desirable option for implementing the Q1/Q2 land use policies of the CTC Source Protection Plan. This recommendation considers the direction from County and local are Municipal Staff with respect to the preferred approach to implementing the Section 57 and 58 and the land use

policies of all applicable Source Protection Plans within the County of Wellington, the restrictiveness of the REC-1 policy with respect to the existing Paris Galt Moraine Policy Area framework of the County Official Plan, and the adequacy of the existing Official Plan policy framework.

## 6.3 Existing Communal Well Policies

Maintaining a policy framework for the protection of communal well systems identified in the Official Plan is recommended. Currently, the policies applying to municipal WHPAs apply to the communal WHPAs identified in the Official Plan. Considering the availability of updated technical information and requirements of the *Clean Water Act*, the following options are available:

- Option 1. Retain existing WHPA policy framework in Official Plan, including prohibitions and restrictions, applying only to communal well systems identified in Schedule B.** This option would involve the mapping of communal well WHPAs differently from other vulnerable areas (i.e. different colour scheme) and retaining and applying the policy framework of subsections 4.9.5.1 (Land Use Risk Categories) and 4.9.5.5 (Use Restrictions and Study Requirements within WHPAs for Category A, B and C Uses) to these areas.
- Option 2. Update mapping of communal well system WHPAs with updated technical information and apply Section 57 and 58 policies of the applicable Source Protection Plan to these areas.** This option involves updating the communal well WHPA mapping in the Official Plan with the available updated technical information and sensitivity ratings, and deferring to the Risk Management Official to determine whether a use is prohibited or restricted in accordance with the *Clean Water Act* and Section 57 and 58 policies of the applicable SPP.
- Option 3. Retain existing Official Plan mapping for most vulnerable areas associated with Communal Well systems and create a special policy for these areas, drawing from applicable SPPs and the Official Plan.** This option involves retaining the WHPA 1 and 2 mapping and creating a “made in Wellington” policy framework that utilizes the policies of the applicable SPP that affords the greatest level of protection for the most vulnerable parts of the Communal WHPAs while retaining elements of existing Official Plan policy with respect to study requirements within WHPAs. This option would be less restrictive than the policies of the Official Plan while affording protection to these drinking water sources without relying on the policies of the Source Protection Plan, which are intended to only address municipal well and surface intake systems.

### 6.3.1 Preferred Approach

Option 3 is recommended for extending protection to communal well WHPAs that are currently identified in the Official Plan. Considerations for a hybrid policy framework based on this implementation option include the following:

- **Establishing the policy framework as a ‘Communal Well Policy Area’.** Given discrepancies between the delineation and vulnerability scoring between the Official Plan and Source Protection Plans, the WHPA 1 and 2 mapping of the Official Plan should remain applicable, as it represents the most vulnerable areas of the wellhead,

but be referred to as a 'Policy Area' to differentiate the communal wells from the vulnerable areas of the Source Protection Plans and their respective policy frameworks.

- **Prohibit certain land uses within 100 metres of the communal well.** The 100 metre radius (WHPA-A) is the most vulnerable portion of a WHPA identified in the Assessment Reports under the *Clean Water Act*. Source Protection Plans applicable to the County prohibit the greatest number of land uses and activities in this area under Section 57 of the *Clean Water Act*. The communal wells within Puslinch are located within the Grand River SPP area. Therefore, consideration should be given to prohibiting those land uses that are prohibited in WHPA-A areas of the Grand River SPP within 100 metres of communal wells to afford a similar level of protection to these systems.
- **Retain and apply study requirements (i.e. Disclosure Report and Hydrogeological Assessments) of existing OP policy framework for communal well systems.** Carrying forward and modifying (as required) the policy framework of the existing Official Plan regarding disclosure reports and hydrogeological assessments retains the existing level of protection and evaluation for these systems that is currently provided in the Official Plan when combined with prohibiting land uses in the most vulnerable areas.
- **Defer review of development applications in the Policy Area to the Risk Management Official.** Deferring review to the Risk Management Official for communal wells ensures that the land use planning and source protection planning process remains coordinated for communal wells as it will be for municipal well drinking water sources. It is noted that a need for a Section 59 Notice under the *Clean Water Act* cannot be applied to communal wells, however there is nothing to prevent the Risk Management Official from reviewing applications in this area.

## 6.4 Considerations for Official Plan Amendment Framework

Based on the recommended policy option approaches, the proposed framework for the implementing Official Plan Amendment would:

- Defer/refer directly to the relevant Source Protection Plan where applicable;
- Establish new policies that set out the land use policies for specific Source Protection Areas;
- Establish new policies that set out the water quantity policies applicable to the Town of Erin;
- Update existing Official Plan Schedules to reflect Source Protection Plan mapping;
- Modify other policies within Section 4.9 – Water Resources (i.e. the description and delineation of WHPAs, IPZs, and ICAs, and associated vulnerability scores);
- Modify other/related policies of the Official Plan outside of Section 4.9 to reference the Source Protection Plan; and
- Address/update communal well policies.

## 6.5 Local Area Municipality Workshop

A workshop was held with planning staff from all local area municipalities on the morning of Monday, June 15<sup>th</sup>, 2015 to discuss the analysis and recommended policy options contained in this report. The primary purpose of the workshop was to obtain input from the local area municipalities on the recommended policy implementation options and comments on the general proposed approach to the content of the draft Official Plan Amendment.

The range of policy options were presented and discussed with local area municipal staff and general agreement was expressed for the recommended policy approaches outlined in this report. As such, no changes to the considerations for the Official Plan Amendment, as outlined in Section 6.4 above, were made.

# 7.0

## DRAFT OFFICIAL PLAN AMENDMENT

Based on the analysis of the policies of the applicable Source Protection Plans, the requirements for amending Official Plans under the *Clean Water Act*, the content of existing Official Plan policies for water resources, and the feedback received at the Municipal Workshop, a proposed first draft of the Source Protection Plan implementing Official Plan Amendment has been prepared. It is intended that this proposed first draft serves as the basis of consultation with the public, relevant agencies, neighbouring municipalities, and applicable Source Protection Authorities. Details of the structure of the proposed amendment and next steps are discussed in the following subsections.

### 7.1 Amendment Text and Policy

Based on the recommended policy option approaches and input from County and local area Municipal staff, the draft proposed implementing Official Plan Amendment will:

- Update Section 4.9.4 – Policy Direction to incorporate references to the protection of vulnerable areas and source protection plans where required;
- Amend policy text in Section 4.9.5 – Well Head Protection Areas (WHPAs) to reflect Source Protection Planning under the *Clean Water Act* and individual SPPs, including:
  - the description of vulnerable areas (WHPAs, IPZs), ICAs, and associated vulnerability scores;
  - listing the prescribed drinking water threats;
  - deferring directly to the relevant Source Protection Plans where applicable through the use of a ‘Notwithstanding’ policy, describe determination of prohibited and restricted uses to Risk Management Official, and include Section 59 policy;
  - establishing new policies that set out land use policies for individual Source Protection Areas. These policies are initially established in the applicable Source Protection Plans and are implemented directly into the Amended policy. They are arranged by Source Protection Plan Area and references a proposed Schedule in an Appendix to the County Plan, which identifies the limits of Source Protection Plan Areas within the County;
  - establishing new policies that set out the water quantity policies applicable to the Town of Erin and are included in the same manner as other SPP land use policies described above;
  - requiring the submission of a Disclosure Report as part of a complete application under the *Planning Act* in vulnerable areas; and
  - the review of existing land uses within vulnerable areas by the Risk Management Official.

- Delete existing policies related to small-scale residential development in WHPAs, industrial or commercial uses, and agricultural uses, as these matters are addressed in the applicable source protection plans.
- Add a ‘notwithstanding’ clause to the Paris Galt Moraine Policy Area policies, deferring to the WHPA-Q1/Q2 policies within the Town of Erin where applicable.
- Establish a new ‘Communal Well Policy Area’ framework.
- Add a ‘notwithstanding’ clause to the Paris Galt Moraine Policy Area policies, deferring to the WHPA-Q1/Q2 policies within the Town of Erin where applicable.
- Revise policies of the Plan outside of Section 4.9 that reference the water resources policy section of the Official Plan to address source protection planning and vulnerable areas, as required.
- Renumber existing policy sections to be retained, as required.

## 7.2 Required Schedule Revisions and Considerations

Schedules B1 to B7 (Wellhead Protection Areas) are proposed to be revised to reflect the mapping of vulnerable areas within each Source Protection Plan as follows:

- Schedules are re-titled as ‘Vulnerable Areas’ to reflect terminology of Source Protection Plans and recognize that Intake Protection Zones and Issues Contributing Areas have been identified in the County in addition to Well Head Protection Areas;
- Schedule B-1 for Centre Wellington is revised to reflect the WHPA-A, -B, and –C areas delineated for municipal wells, as well as an Issues Contributing Area extending from wells within the City of Guelph;
- Schedule B-2 for Erin is revised to reflect WHPA-A, -B, and –C areas delineated for municipal wells, as well as an Issues Contributing Area, WHPA-E and WHPA-Q1/Q2 area extending from wells within Acton (Halton Hills);
- Schedule B-3 for Guelph-Eramosa is revised to reflect WHPA-A, -B, and –C areas delineated for municipal wells and wellheads extending from the City of Guelph, as well as an Issues Contributing Area extending from wells within the City of Guelph;
- Schedule B-4 for Mapleton is revised to reflect the WHPA-A, -B, and –C areas delineated for municipal wells;
- Schedule B-5 for Minto is revised to reflect the WHPA-A, -B, and –C areas delineated for municipal wells;
- Schedule B-6 for Wellington North is revised to reflect the WHPA-A, -B, and –C areas delineated for municipal wells; and
- Schedule B-7 for Puslinch is revised to reflect the WHPA-A, -B, and –C areas for municipal wells within the City of Guelph and Halton Hills that extend into the Township, the Intake Protection Zone for the Eramosa River Intake, and identify the proposed ‘Communal Well Policy Area’ based on the mapping of WHPA 1 and 2 for communal wells in the existing Official Plan.

A new Appendix (Appendix 4) is also added to the Official Plan through the Amendment that identifies the limits of the five Source Protection Plan Areas within the County of Wellington to facilitate Source Protection Plan reference within the Official Plan policy text, as well as for information for readers and users of the Official Plan to determine whether they are affected by the policies of an individual Source Protection Plan.

## 7.3 Summary & Next Steps

A proposed draft Official Plan Amendment and Schedules have been prepared and reflect the above-noted policy text and Schedule revisions. Upon County Council's direction, it is intended that the draft Amendment be circulated to the public, stakeholders, agencies, and applicable Source Protection Authorities and neighbouring municipalities for review and comment. All comments received on the proposed Official Plan Amendment will be recorded and considered in the preparation of the final Amendment.

A Policy Implementation Report will be prepared that will document comments received during the circulation of the draft Amendment to agencies and authorities and consultation with the public on the content of the proposed policy text. Generally, this report will accompany the final implementing Official Plan Amendment for consideration by the County Planning Committee and County Council and will include the following:

- The process undertaken to develop the implementing Official Plan Amendment;
- A record of consultation undertaken during the preparation of the of the Amendment, including comments and responses from the public, Area Municipalities, Source Protection Authorities, and other agencies;
- Documentation of any changes made to the draft Amendment as a result of comments received;
- The Basis and Justification for the Amendment; and
- The recommended zoning implementation approach.

We look forward to the circulation of the proposed Official Plan Amendment in order to obtain comments and finalize and prepare the Amendment for adoption by the County of Wellington.

Respectfully submitted,

MHBC



Pierre Chauvin, MA, MCIP, RPP  
Partner



Meghan Lippert, BA, MAES  
Planner



# **APPENDIX 1:**

## **IDENTIFIED VULNERABLE AREAS IN WELLINGTON COUNTY**



**MAP 5.1.M.C.1 CLIFFORD WELL SUPPLY WHPA**

Updated Proposed Source Protection Plan



- Municipal Well
- Watercourse
- Road
- Municipal Boundary
- County Boundary
- Source Protection Region Boundary
- Neighbouring Source Protection Area

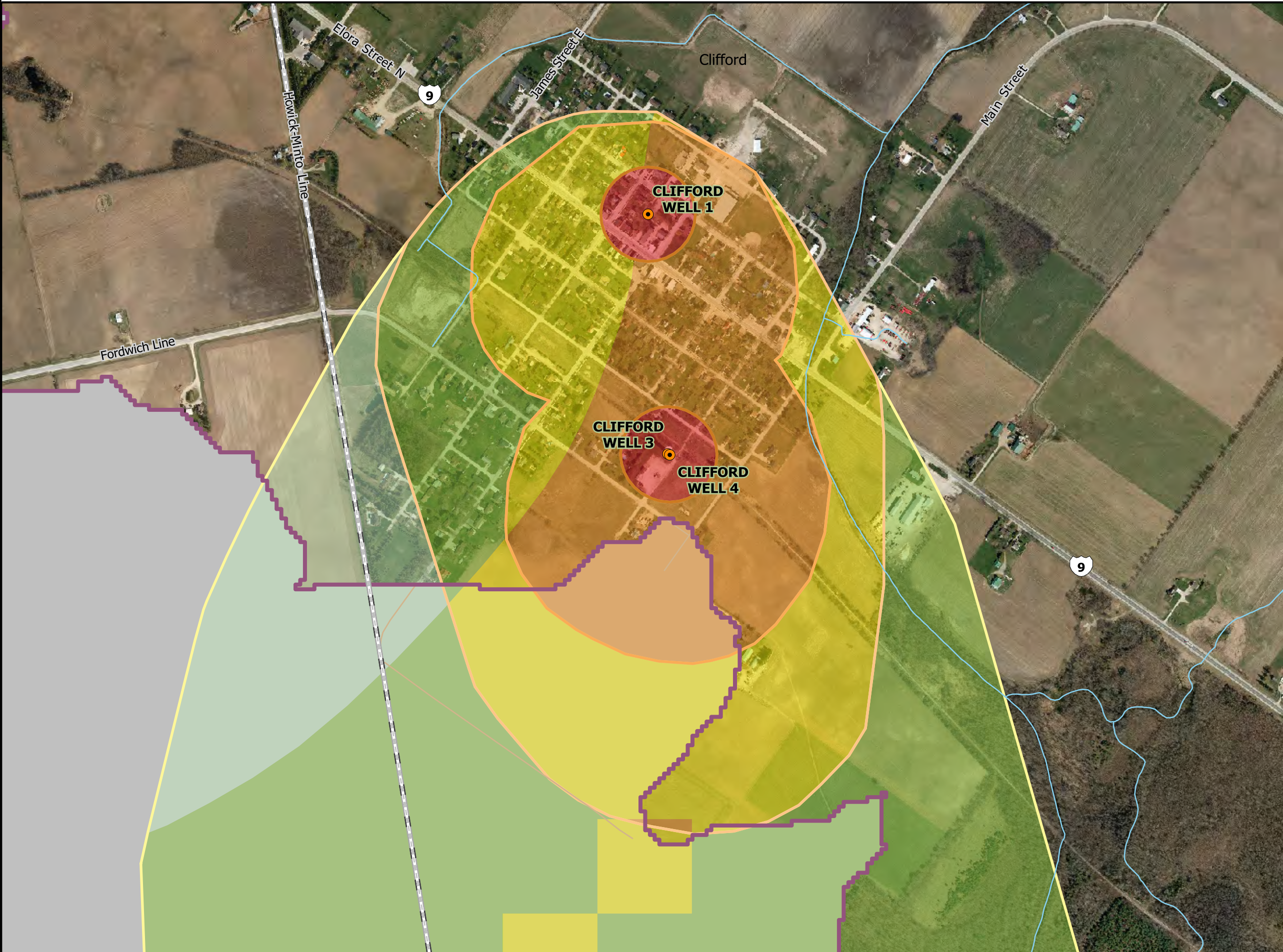
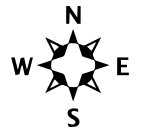
- Wellhead Protection Area**
- WHPA-A (100 m Radius)
  - WHPA-B (2 Year Time-of-Travel Capture Zone)
  - WHPA-C (5 Year Time-of-Travel Capture Zone)
  - WHPA-D (25 Year Time-of-Travel Capture Zone)

- Wellhead Vulnerability Score**
- 10
  - 8
  - 6
  - 4
  - 2



1 : 8,000

Projection:  
UTM NAD 83 Zone 17



February 3, 2015

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Wellhead Protection Areas delineated by Waterloo Numerical Modelling Corporation and DWSP Staff.  
Vulnerability Scores delineated by DWSP Staff.

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**MAP 5.1.M.MP.1 MINTO PINES SUBDIVISION DRINKING WATER SYSTEM WHPA**

Updated Proposed Source Protection Plan



- Municipal Well
- Watercourse
- Municipal Boundary
- County Boundary
- Lake

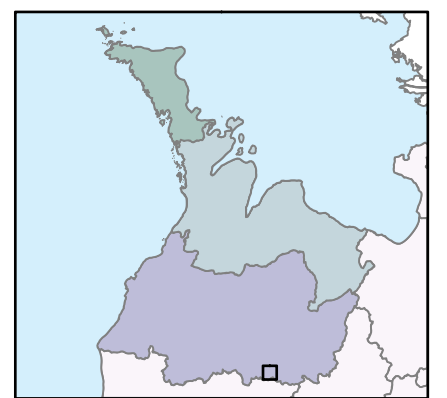
- Wellhead Protection Area**
- WHPA-A (100 m Radius)
  - WHPA-B (2 Year Time-of-Travel Capture Zone)
  - WHPA-C (5 Year Time-of-Travel Capture Zone)
  - WHPA-D (25 Year Time-of-Travel Capture Zone)

- Wellhead Vulnerability Score**
- 10
  - 8
  - 6
  - 4



1 : 4,000

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Vulnerability Scores delineated by DWSP Staff.

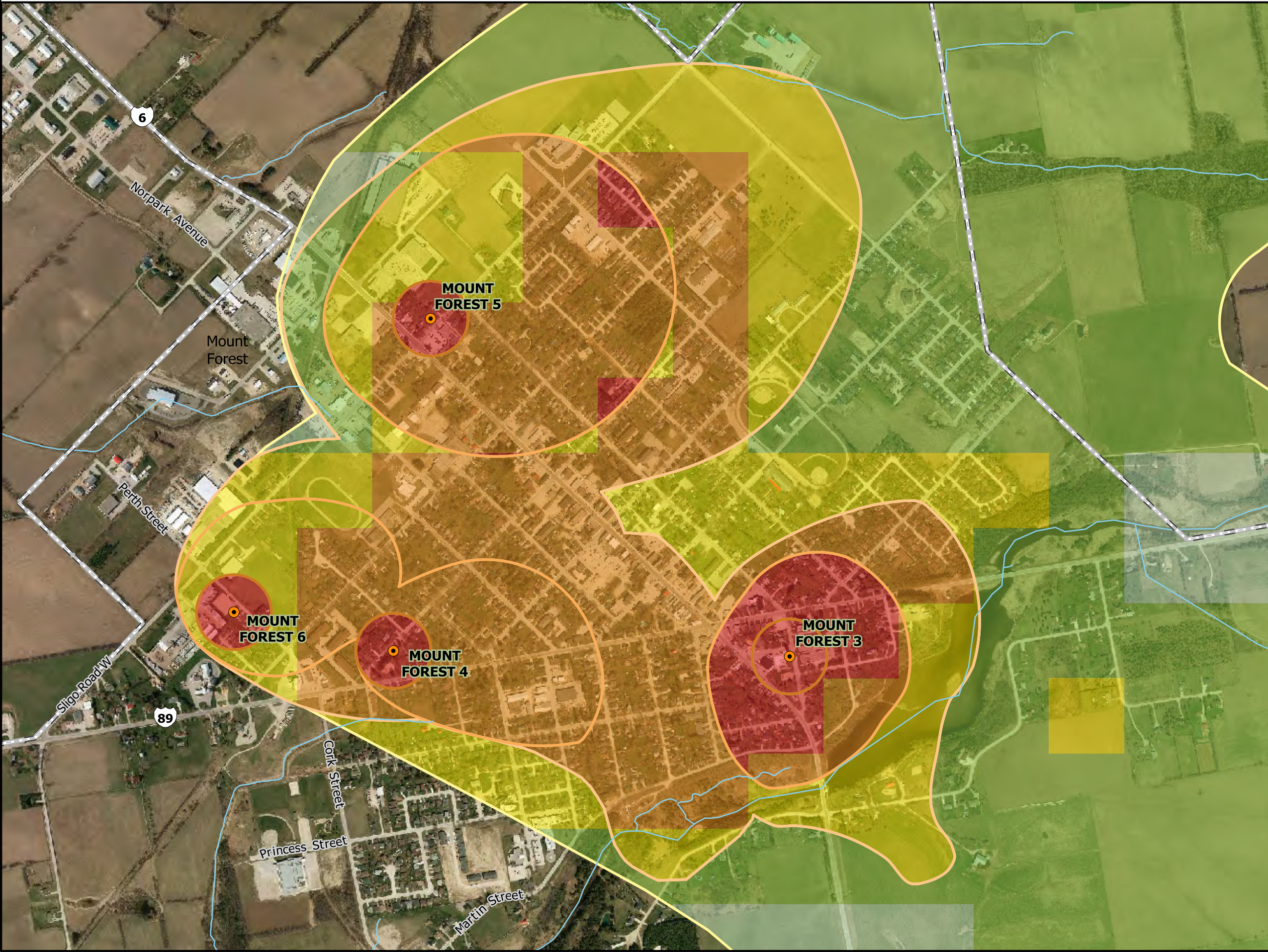
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**MAP 5.1.WN.MF.1 MOUNT FOREST DRINKING WATER SYSTEM WHPA**

Updated Proposed Source Protection Plan



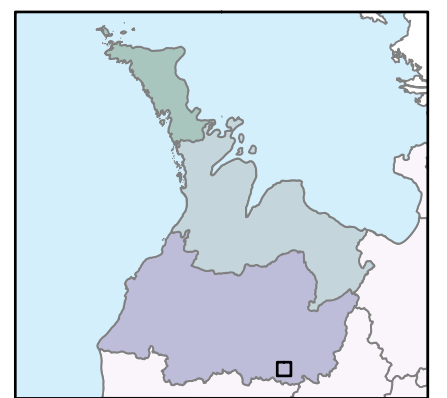
- Municipal Well
  - Watercourse
  - Municipal Boundary
  - County Boundary
- Wellhead Protection Area**
- WHPA-A (100 m Radius)
  - WHPA-B (2 Year Time-of-Travel Capture Zone)
  - WHPA-C (5 Year Time-of-Travel Capture Zone)
  - WHPA-D (25 Year Time-of-Travel Capture Zone)

- Wellhead Vulnerability Score**
- 10
  - 8
  - 6
  - 4
  - 2



1 : 10,000

Projection:  
UTM NAD 83 Zone 17



February 3, 2015

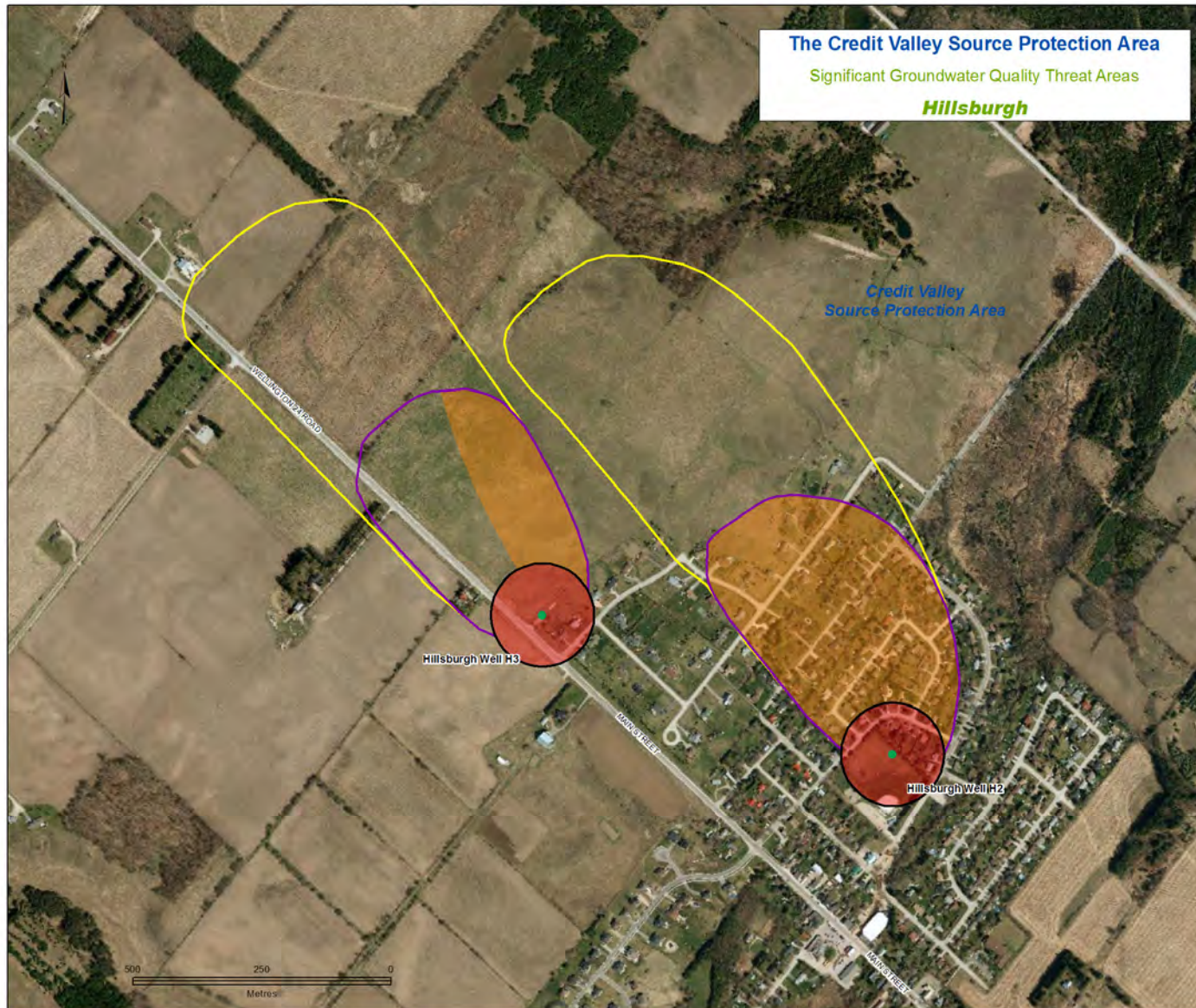
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Wellhead Protection Areas delineated by Golder Associates.  
Vulnerability Scores delineated by DWSP Staff.

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**Legend**

- WHPA - C
  - WHPA - B
  - WHPA - A
  - Wellhead
- WHPA areas with Vulnerability Score = 10
- WHPA areas with Vulnerability Score = 8
- Source Protection Area (SPA) Boundary

Reference: Prescribed threat circumstances as listed in the Ministry of the Environment Table of Drinking Water Threats (2009)

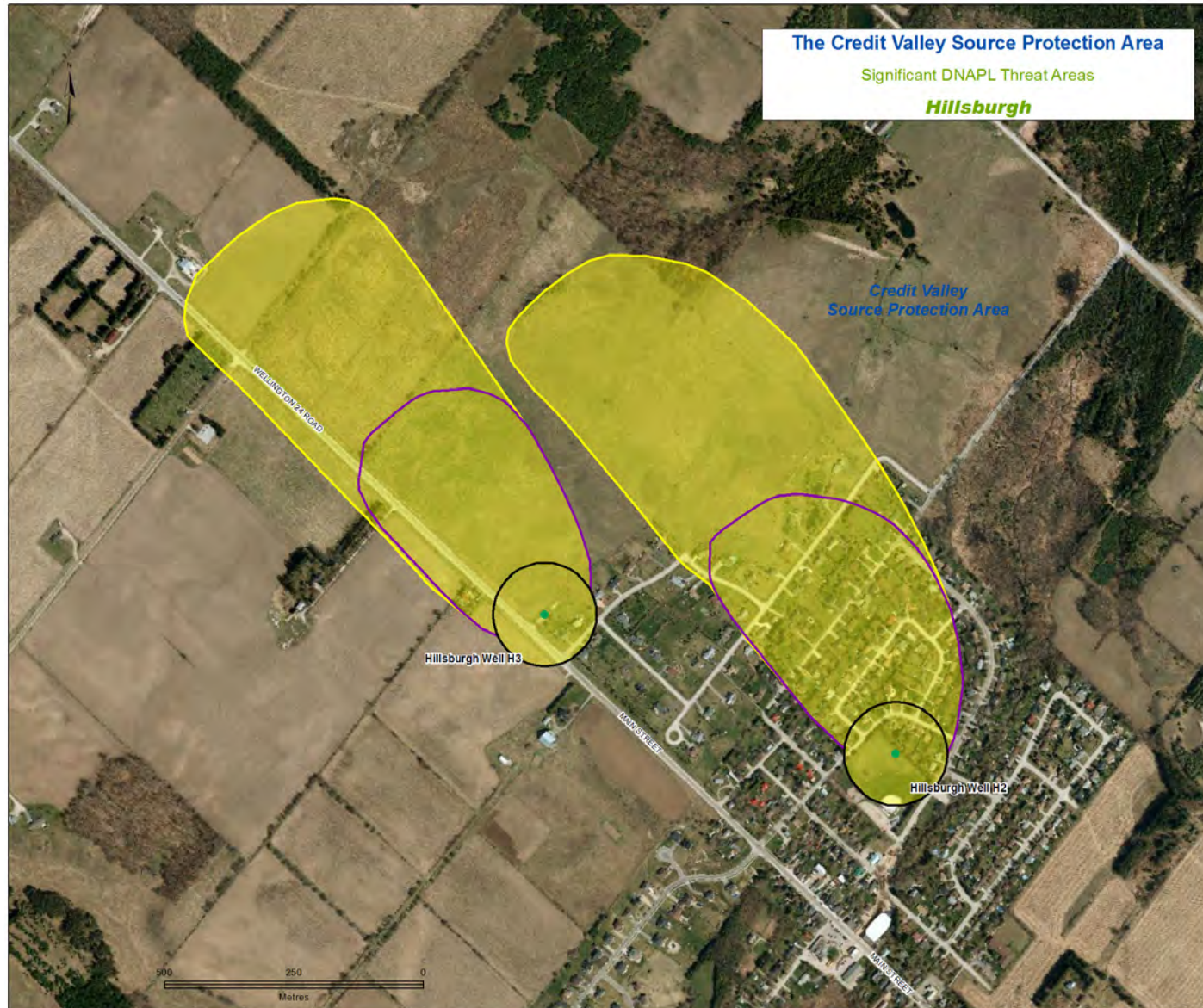
(c) Copyright, Toronto & Region Source Protection Area, 2014.  
Source: TRCA, 2014; SWOOP: Orthomagey 2010, LJO, MNR.

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Map 1. 6: Hillsburgh – Significant Groundwater Quality Threats





**Legend**

- WHPA - C
- WHPA - B
- WHPA - A
- Wellhead

- Dense Non-Aqueous Phase Liquids
- Source Protection Area (SPA) Boundary

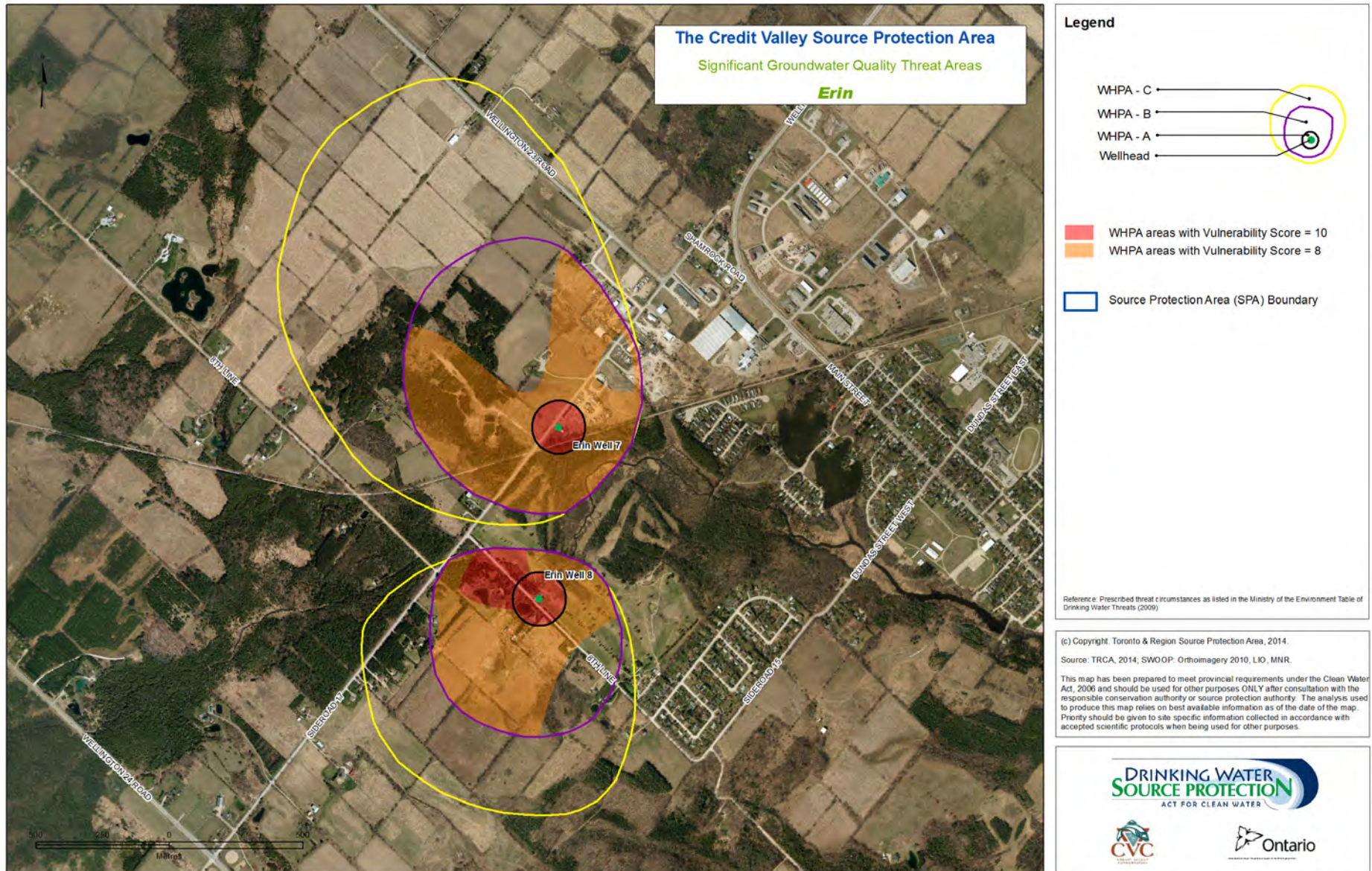
Reference: Prescribed threat circumstances as listed in the Ministry of the Environment Table of Drinking Water Threats (2009).

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Source: TRCA, 2014; SWOOP. Orthomagey 2010, LIO, MNR.

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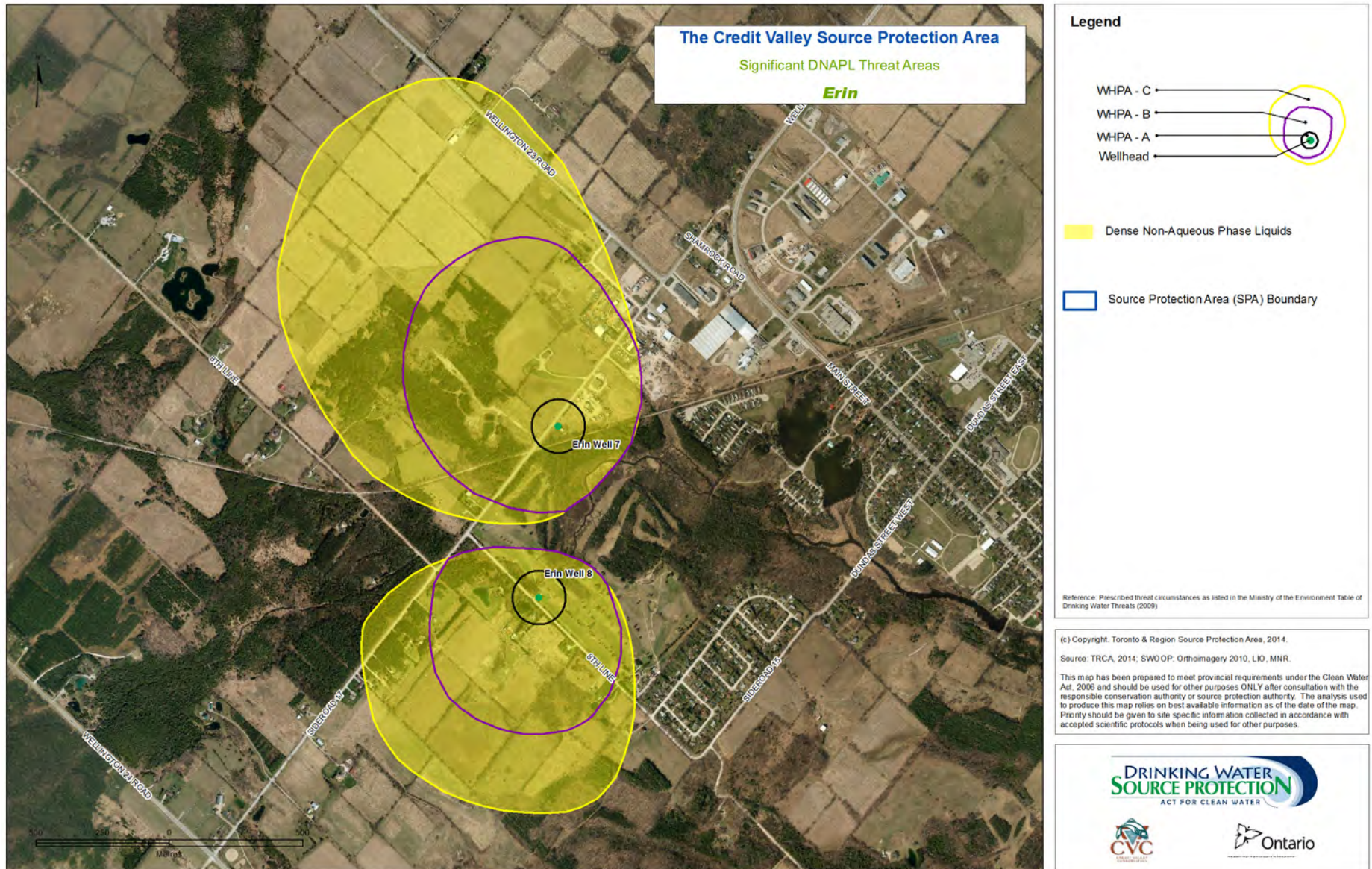
Map 2. 6: Hillsburgh – Significant Groundwater Quality Threats DNAPLS





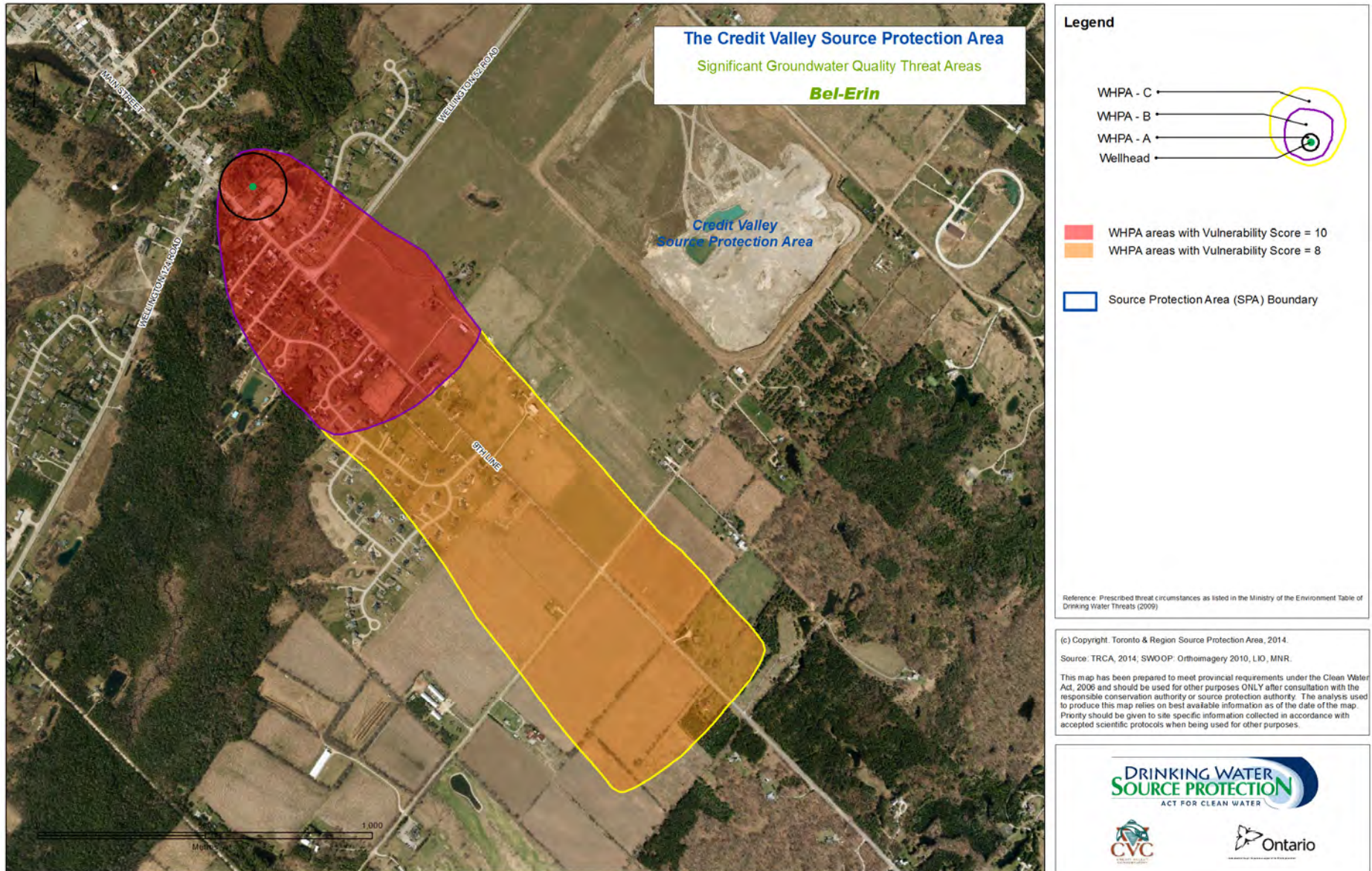
Map 1.7 Erin – Significant Groundwater Quality Threats





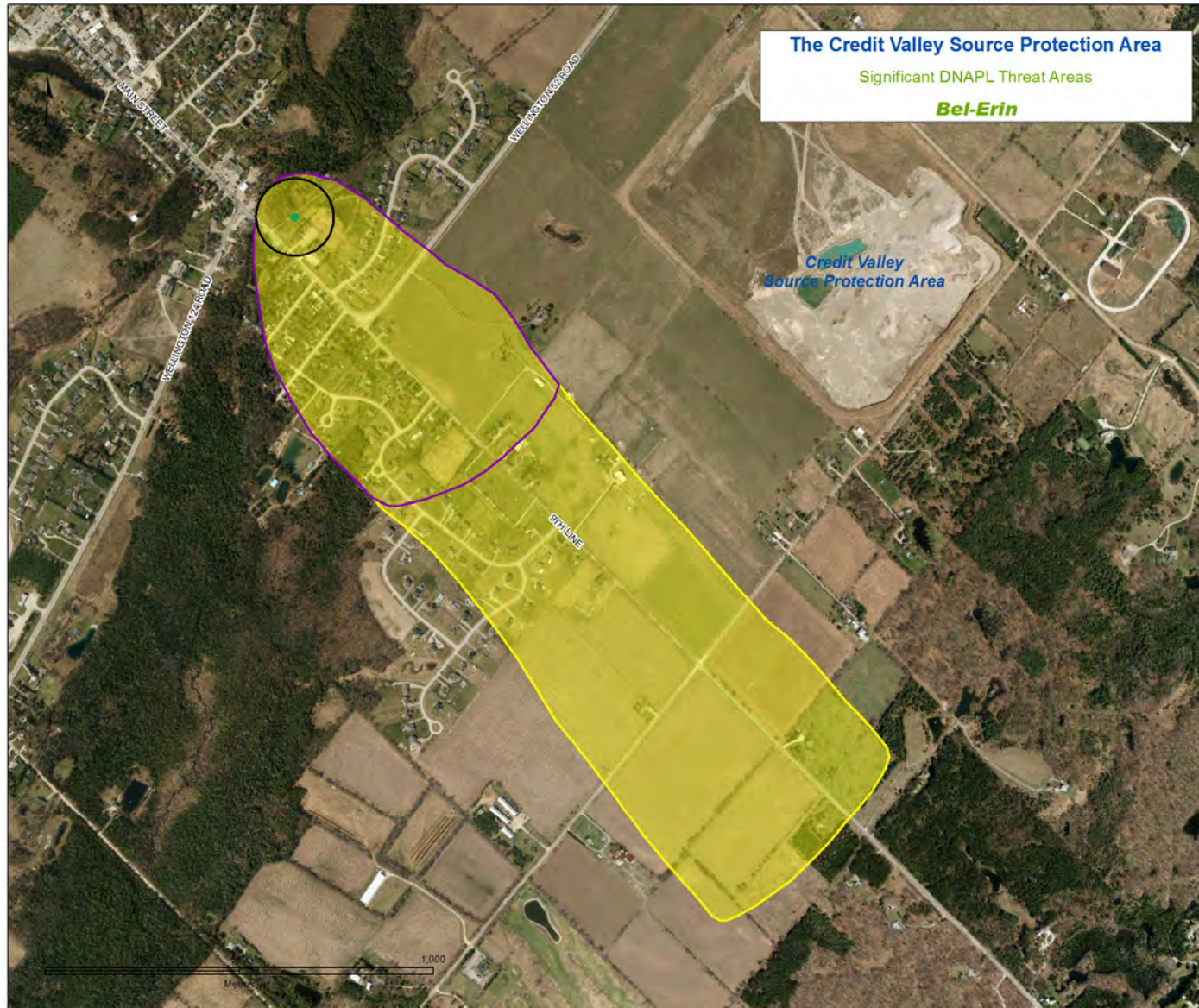
Map 2.7: Erin – Significant Groundwater Quality Threats DNAPLs





Map 1.8: Bel-Erin – Significant Groundwater Quality Threats





**The Credit Valley Source Protection Area**  
 Significant DNAPL Threat Areas  
**Bel-Erin**

**Legend**

- WHPA - C
- WHPA - B
- WHPA - A
- Wellhead

- Dense Non-Aqueous Phase Liquids
- Source Protection Area (SPA) Boundary

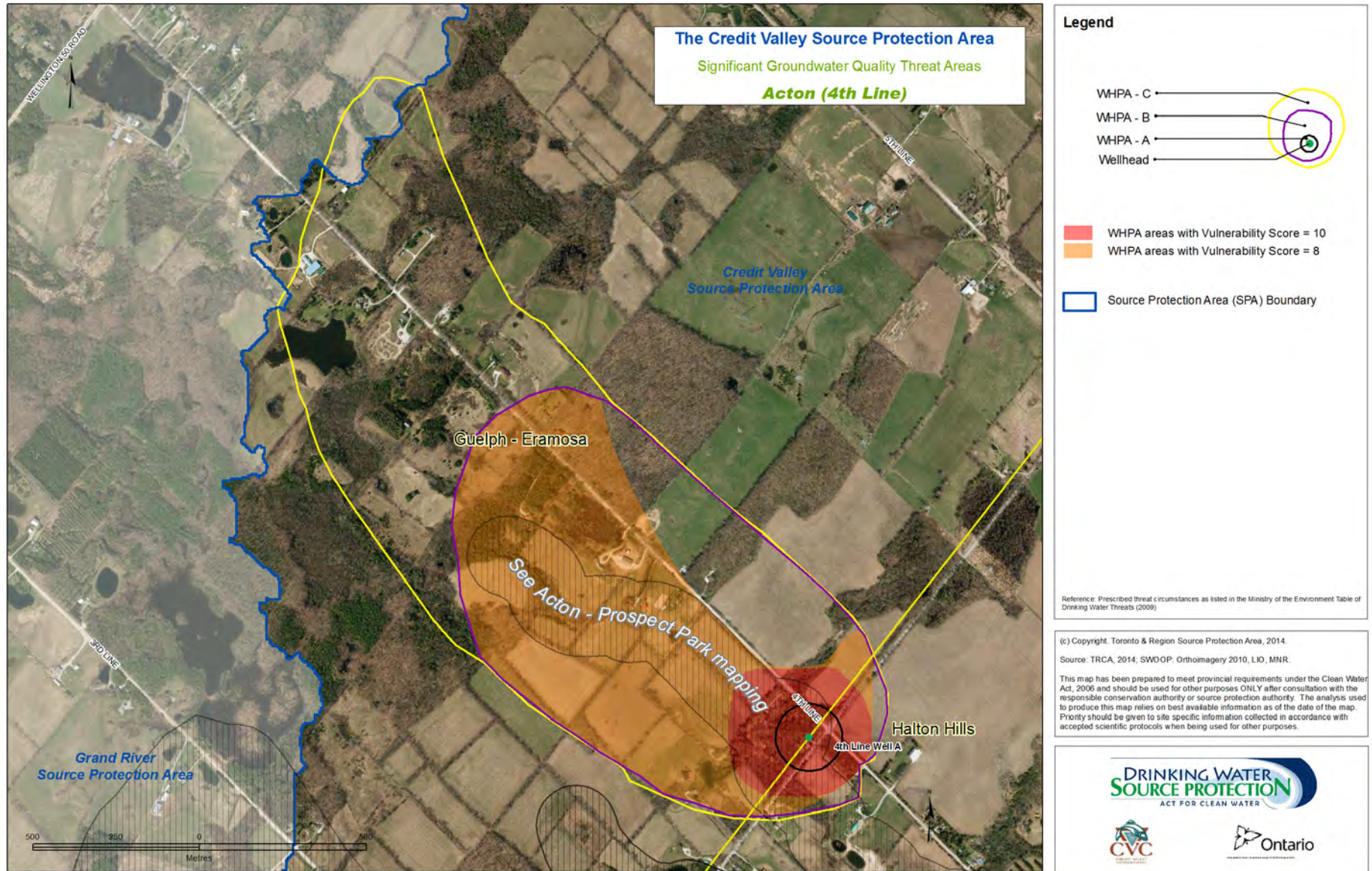
Reference: Prescribed threat circumstances as listed in the Ministry of the Environment Table of Drinking Water Threats (2009)

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 Source: TRCA, 2014; SWOOP- Orthomagey 2010, LJO, MNR.  
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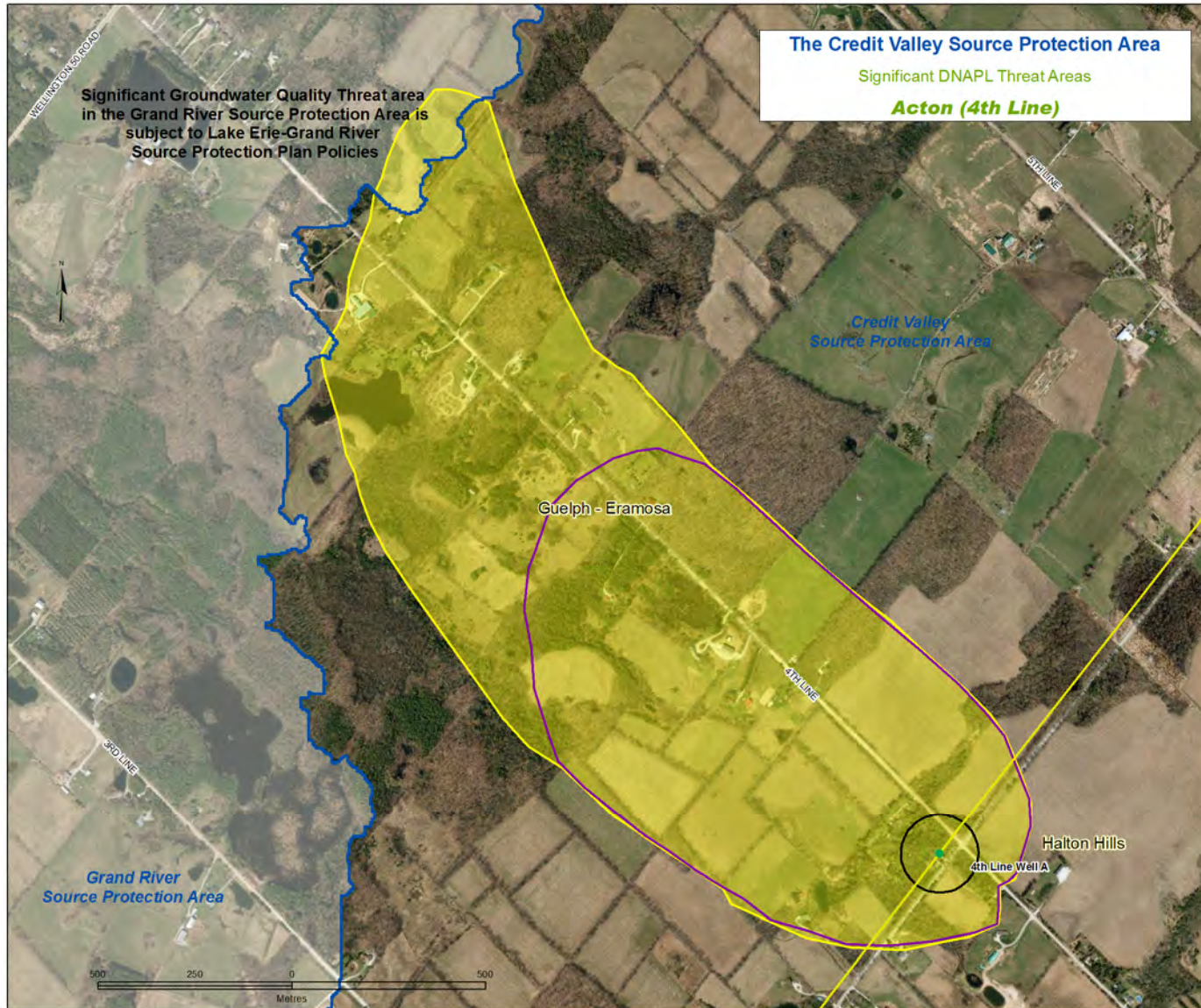
**Map 2. 8: Bel-Erin – Significant Groundwater Quality Threats DNAPLS**





Map 1.12: Acton (4<sup>th</sup> Line) – Significant Groundwater Quality Threats





**Legend**




- WHPA - C
- WHPA - B
- WHPA - A
- Wellhead

- Dense Non-Aqueous Phase Liquids
- Source Protection Area (SPA) Boundary

Reference: Prescribed threat circumstances as listed in the Ministry of the Environment Table of Drinking Water Threats (2009)

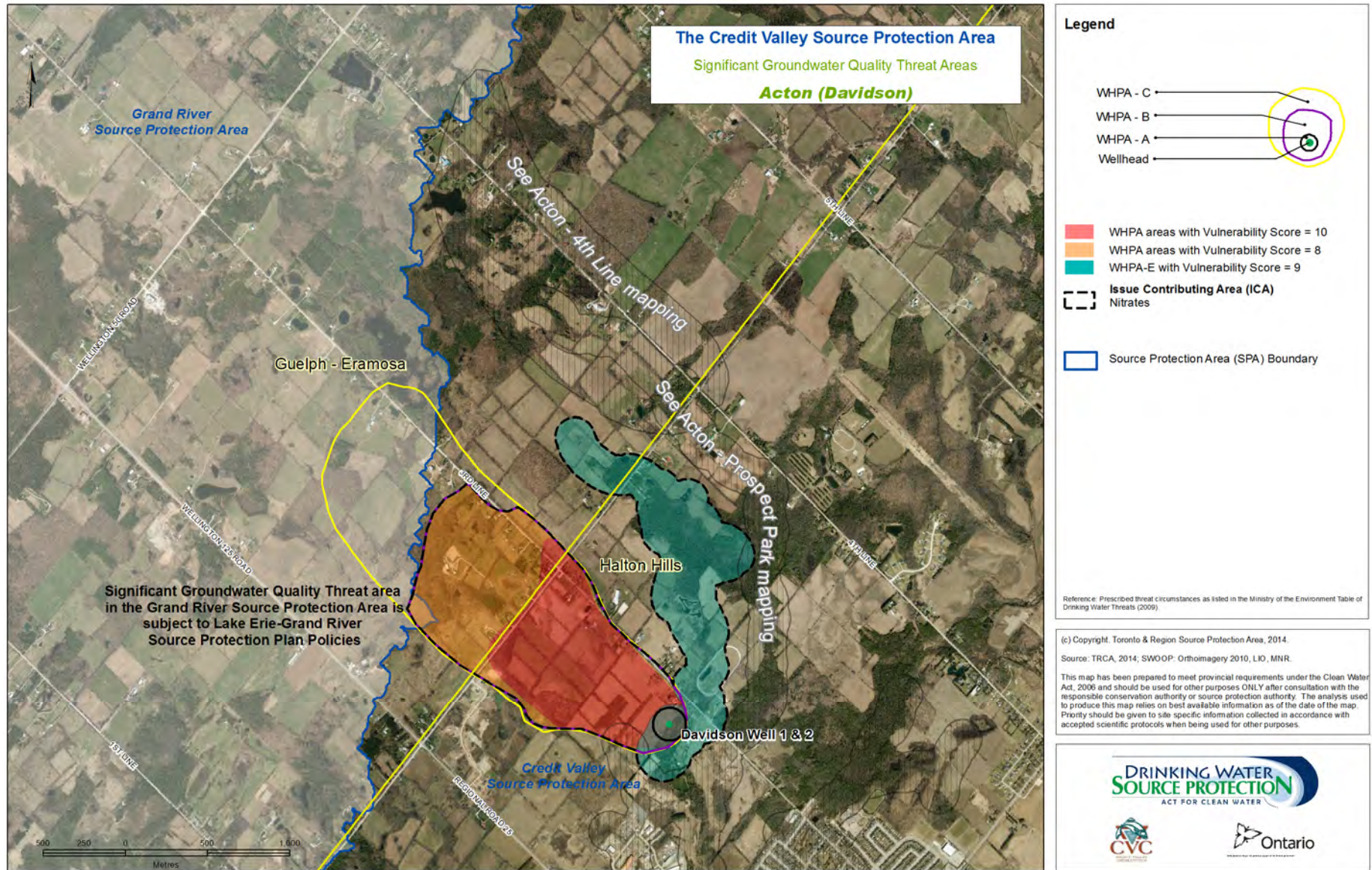
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Source: TRCA, 2014; SWOOP: Orthomagey 2010, LIO, MNR.

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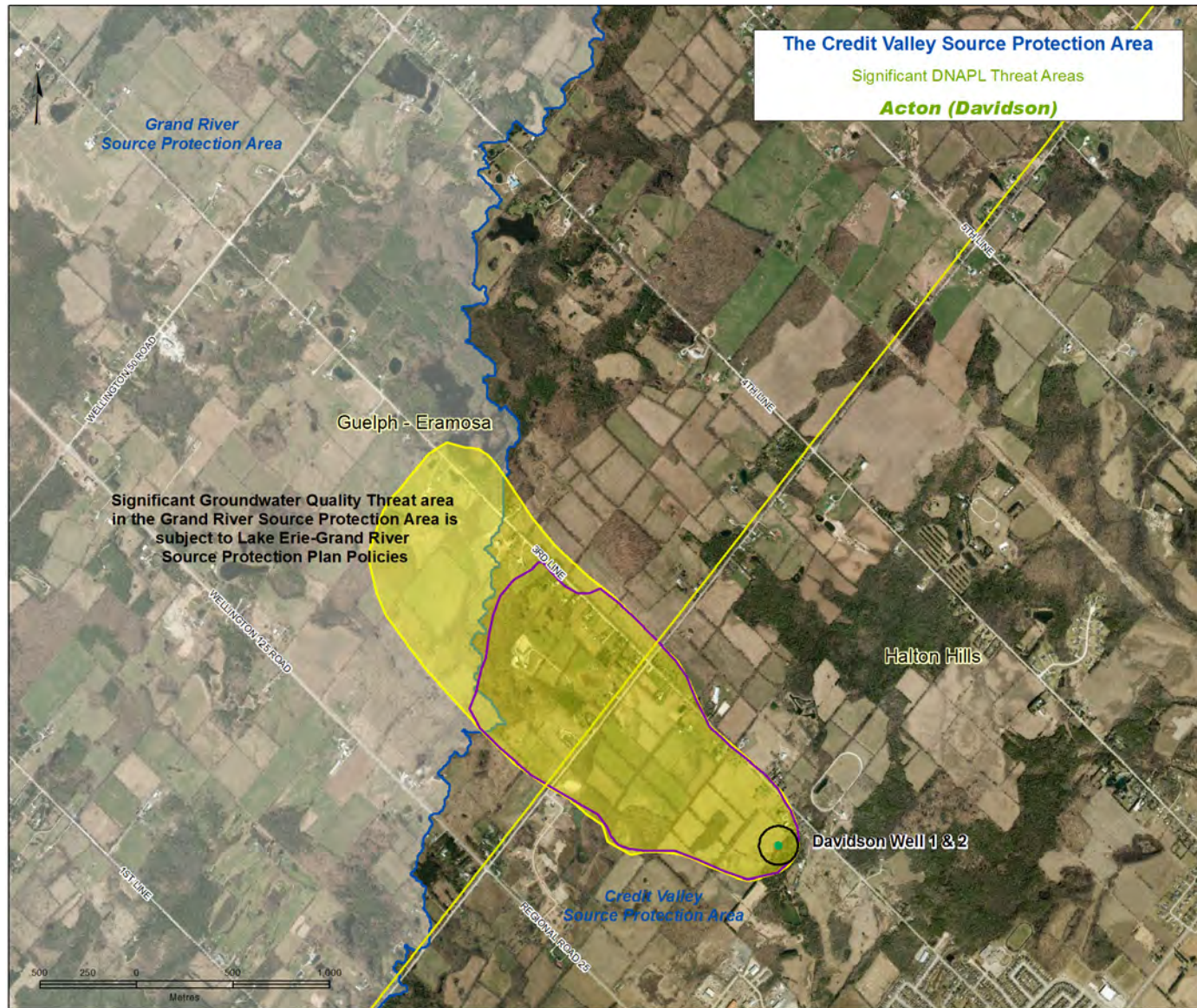
Map 2.12: Acton (4<sup>th</sup> Line) – Significant Groundwater Quality Threats DNAPLs





Map 1.13: Acton (Davidson) – Significant Groundwater Quality Threats





**Legend**

- WHPA - C
- WHPA - B
- WHPA - A
- Wellhead

- Dense Non-Aqueous Phase Liquids
- Source Protection Area (SPA) Boundary

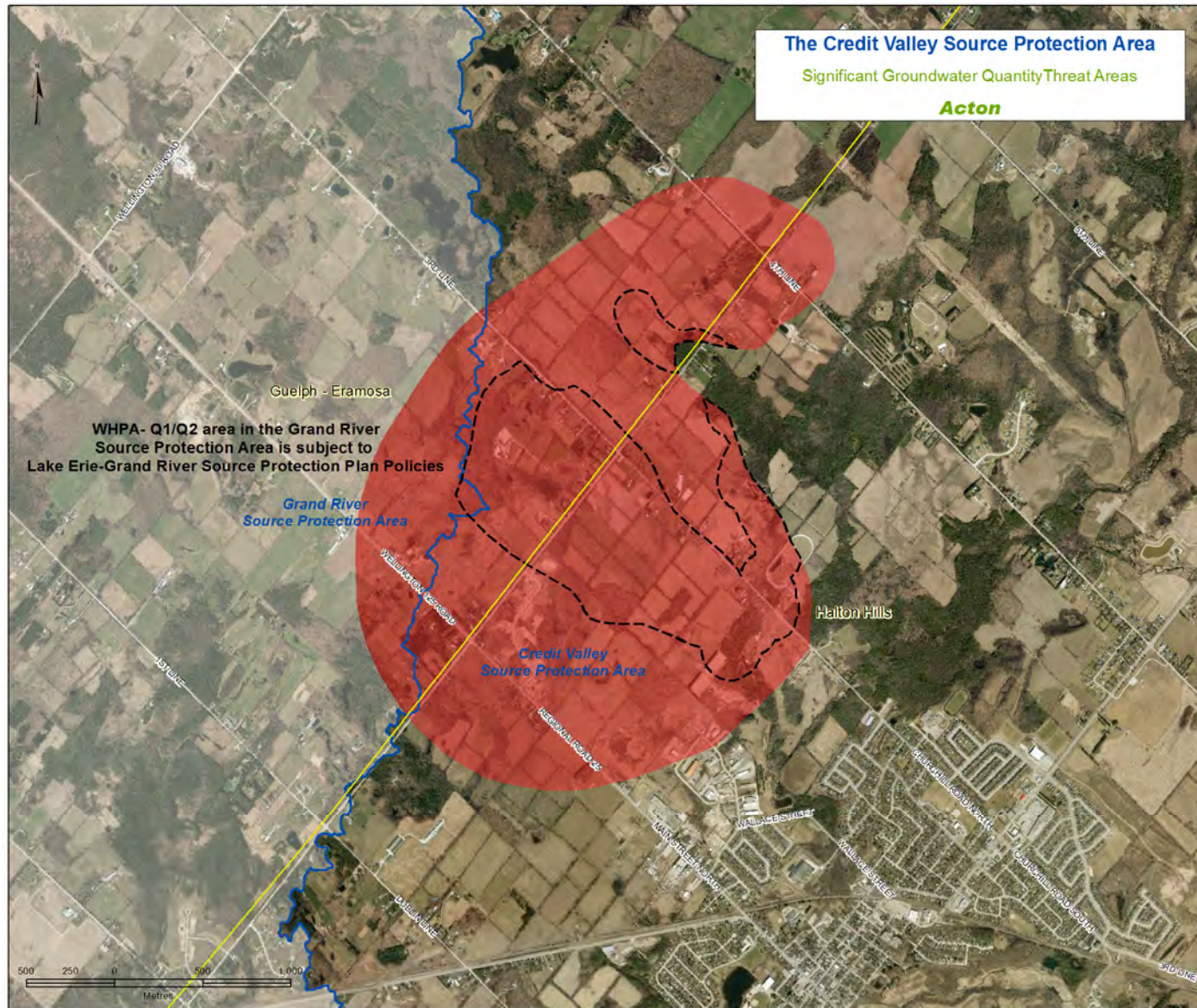
Reference: Prescribed threat circumstances as listed in the Ministry of the Environment Table of Drinking Water Threats (2009)

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Source: TRCA, 2014; SWOOP; Orthomagey 2010; LIO, MNR.

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Map 2. 13: Acton (Davidson) – Significant Groundwater Quality Threats DNAPLS





**Legend**

- WHPA- Q1/Q2 - Significant Risk Level
- DEM - Demand: Water Taking
- REC - Recharge: Recharge Reduction
- Issue Contributing Area (ICA)  
Nitrates
- Source Protection Area (SPA) Boundary

Reference: Prescribed threat circumstances as listed in the Ministry of the Environment Table of Drinking Water Threats (2009)

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Source: TRCA, 2014, SWOOP: Orthoimagery 2010, LIO, MNR.

This map has been prepared to meet provincial requirements under the Clean Water Act, 2006 and should be used for other purposes ONLY after consultation with the responsible conservation authority or source protection authority. The analysis used to produce this map relies on best available information as of the date of the map. Priority should be given to site specific information collected in accordance with accepted scientific protocols when being used for other purposes.

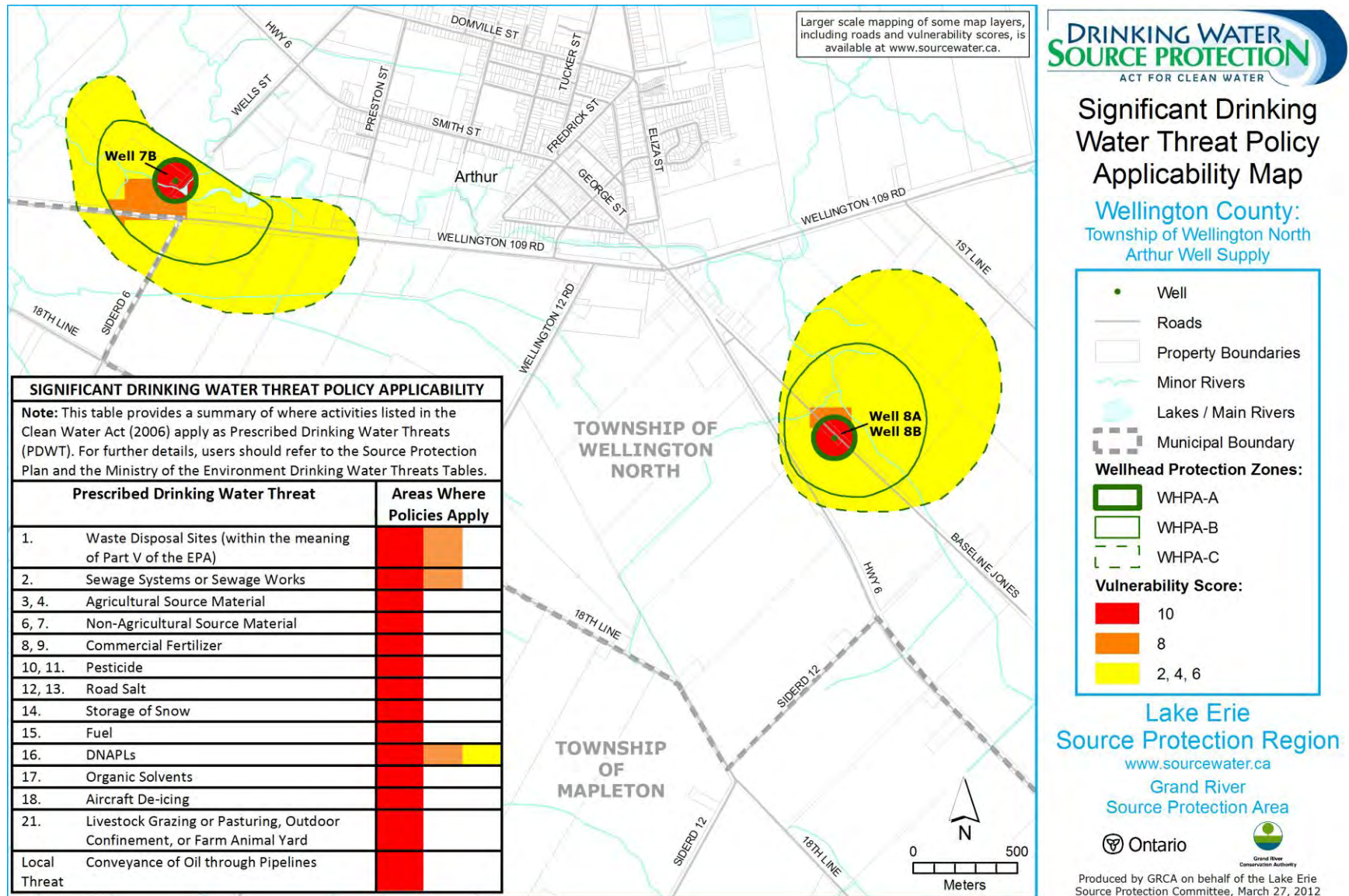




Map 3. 2: Acton – Significant Groundwater Quantity Threats

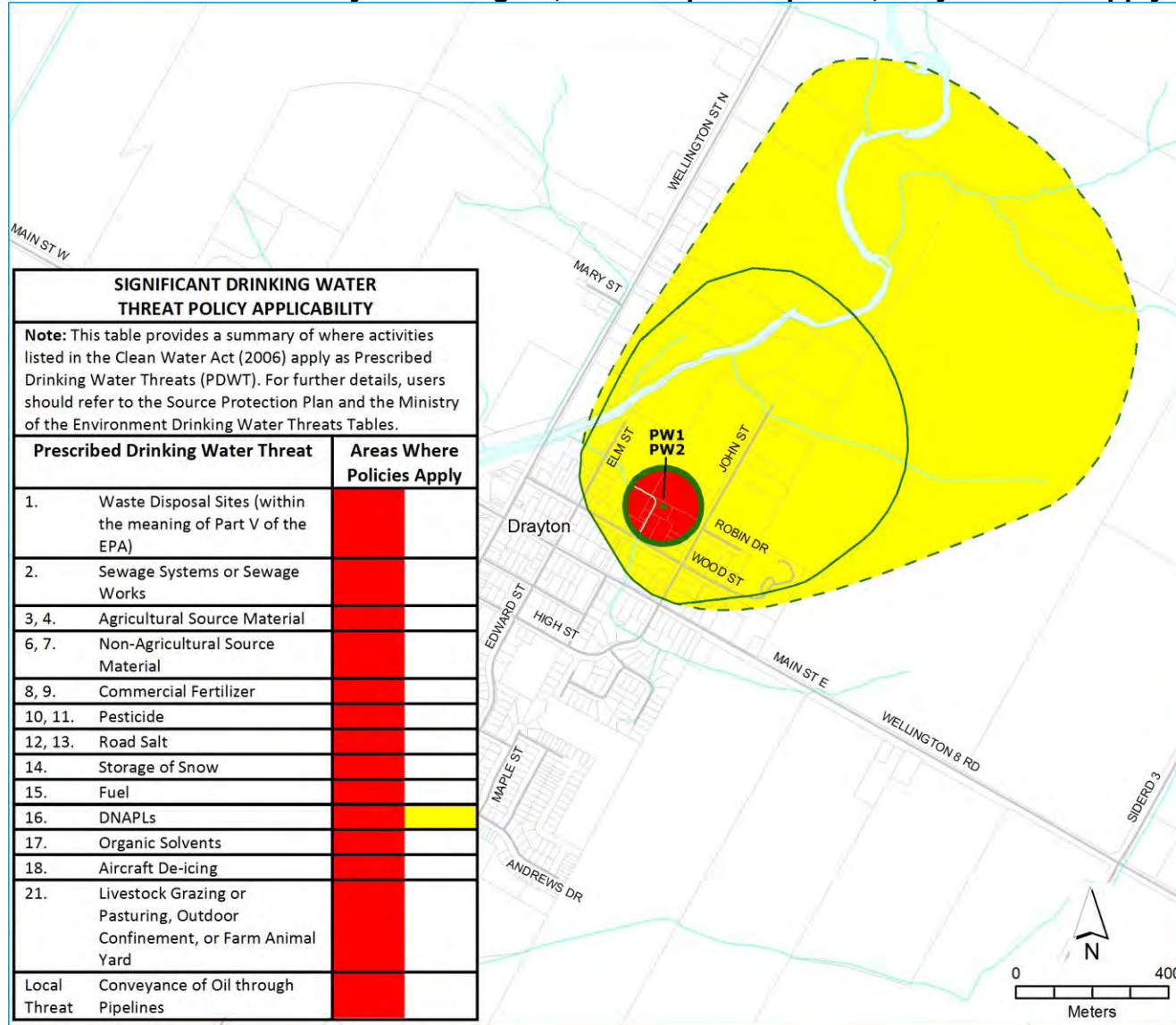


6.6 Schedule A: County of Wellington, Township of Wellington North, Arthur Well Supply





6.7 Schedule B: County of Wellington, Township of Mapleton, Drayton Well Supply



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Township of Mapleton  
Drayton Well Supply

- Well
- Roads
- Property Boundaries
- Minor Rivers
- Lakes / Main Rivers

**Wellhead Protection Zones:**

- WHPA-A
- WHPA-B
- WHPA-C

**Vulnerability Score:**

- 10
- 2, 4, 6

Lake Erie Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

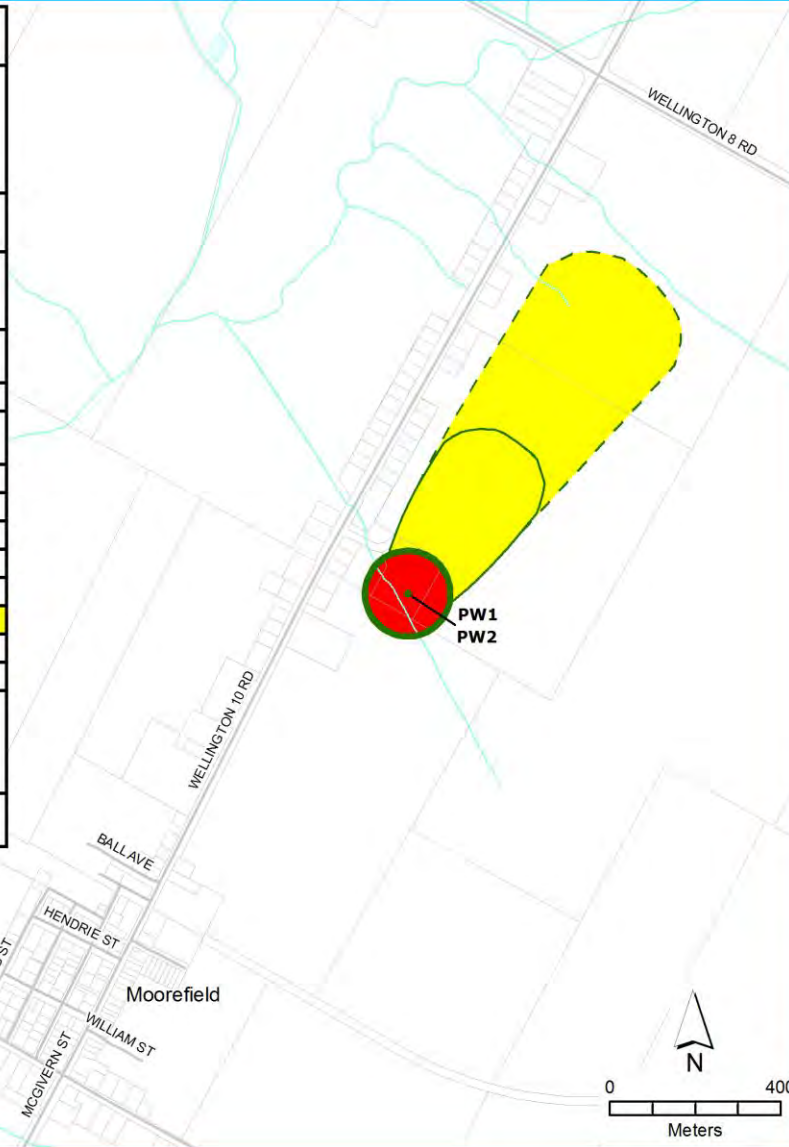
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, March 27, 2012

6.8 Schedule C: County of Wellington, Township of Mapleton, Moorefield Well Supply

SIGNIFICANT DRINKING WATER THREAT POLICY APPLICABILITY	
<p><b>Note:</b> This table provides a summary of where activities listed in the Clean Water Act (2006) apply as Prescribed Drinking Water Threats (PDWT). For further details, users should refer to the Source Protection Plan and the Ministry of the Environment Drinking Water Threats Tables.</p>	
Prescribed Drinking Water Threat	Areas Where Policies Apply
1. Waste Disposal Sites (within the meaning of Part V of the EPA)	
2. Sewage Systems or Sewage Works	
3, 4. Agricultural Source Material	
6, 7. Non-Agricultural Source Material	
8, 9. Commercial Fertilizer	
10, 11. Pesticide	
12, 13. Road Salt	
14. Storage of Snow	
15. Fuel	
16. DNAPLs	
17. Organic Solvents	
18. Aircraft De-icing	
21. Livestock Grazing or Pasturing, Outdoor Confinement, or Farm Animal Yard	
Local Threat	
Conveyance of Oil through Pipelines	



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Township of Mapleton  
Moorefield Well Supply

- Well
- Roads
- Property Boundaries
- ~ Minor Rivers
- ~ Lakes / Main Rivers

**Wellhead Protection Zones:**

- WHPA-A
- WHPA-B
- WHPA-C

**Vulnerability Score:**

- 10
- 2, 4, 6

Lake Erie  
Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

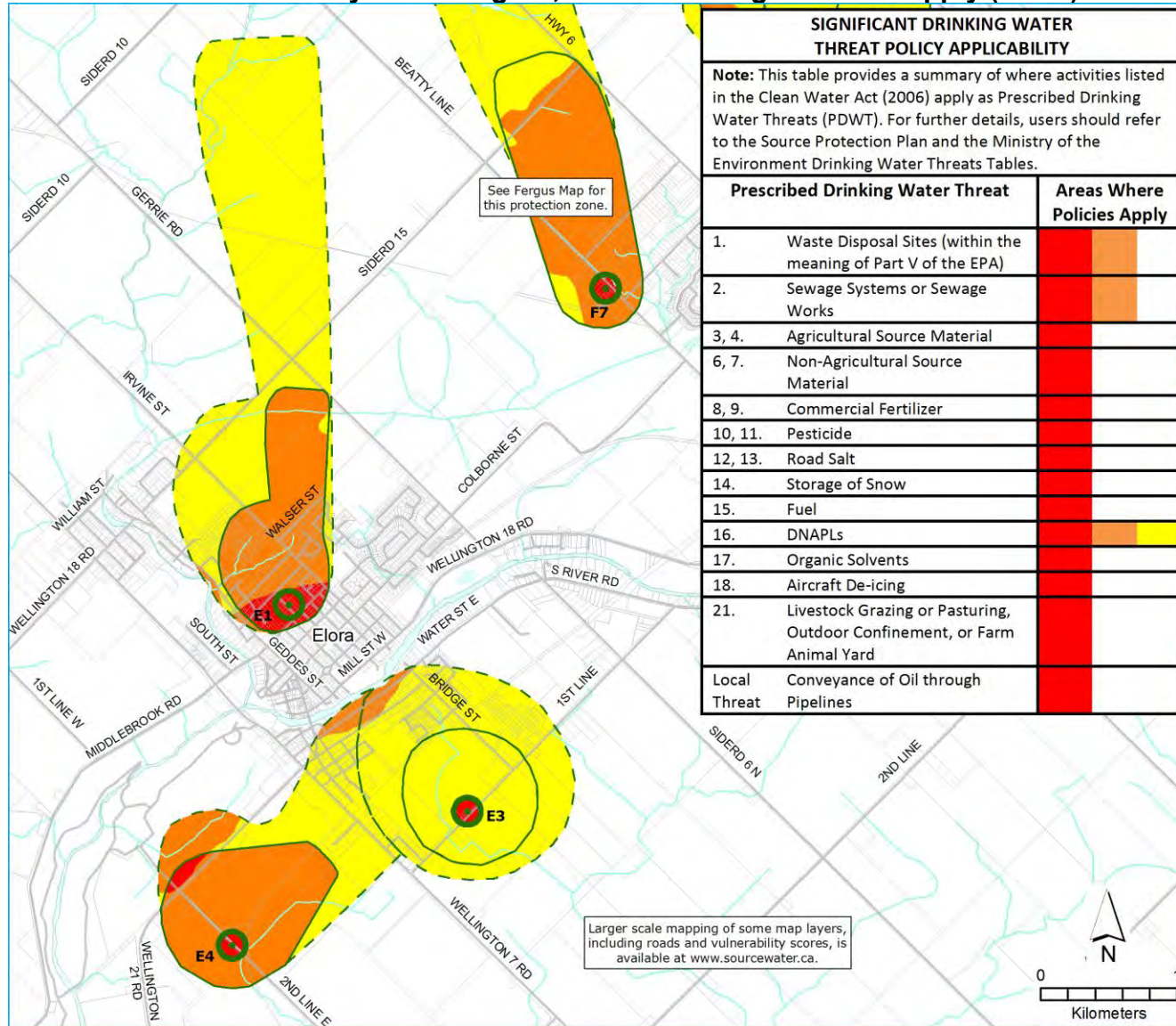
Grand River  
Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, March 27, 2012



6.9 Schedule D: County of Wellington, Centre Wellington Well Supply (Elora)



Significant Drinking Water Threat Policy Applicability Map

Wellington County: Centre Wellington Well Supply (Elora)

- Well
- Roads
- Property Boundaries
- Minor Rivers
- Lakes / Main Rivers

**Wellhead Protection Zones:**

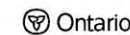
- WHPA-A
- WHPA-B
- WHPA-C

**Vulnerability Score:**

- 10
- 8
- 2, 4, 6

Lake Erie Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

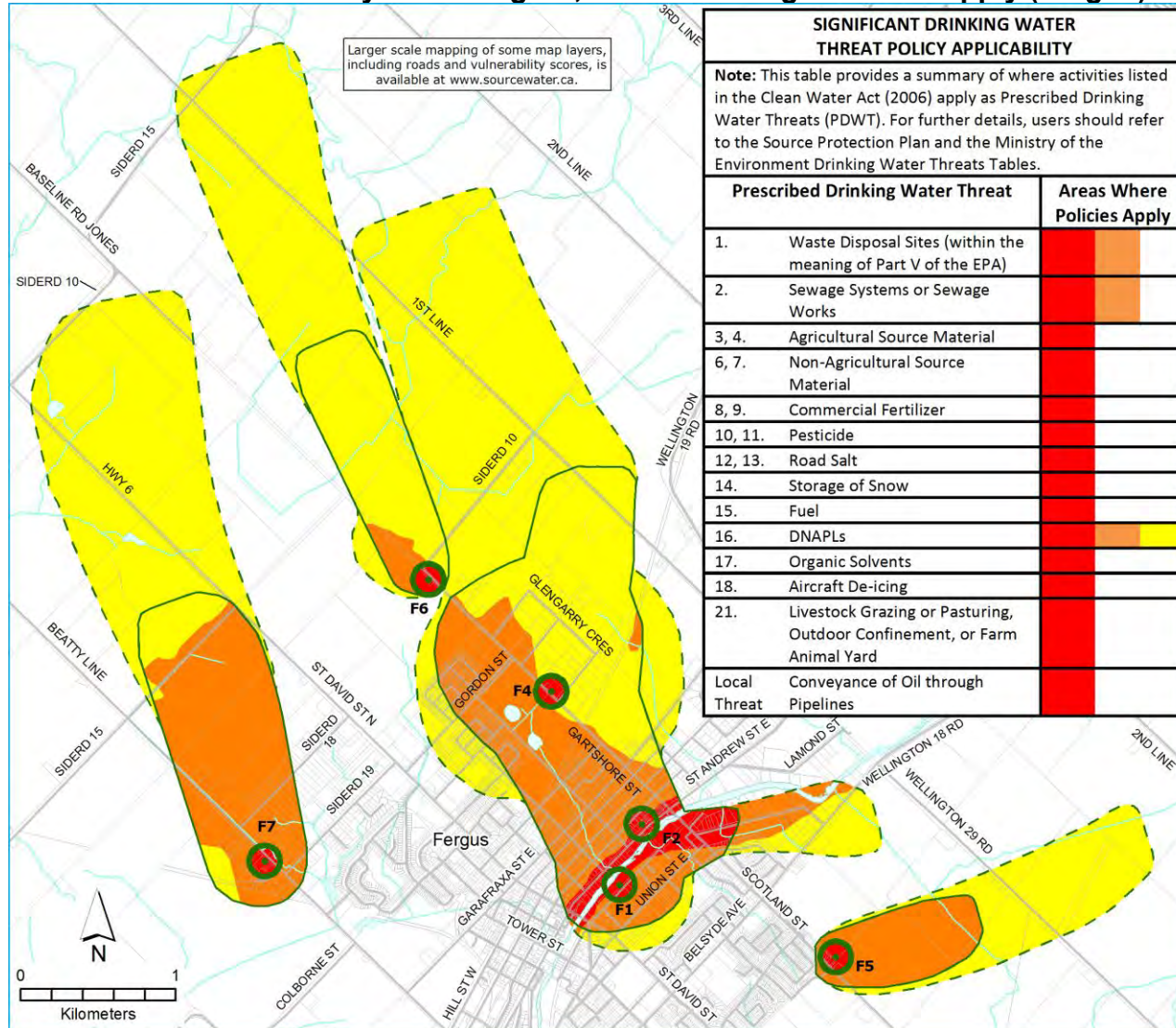
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, March 27, 2012



6.10 Schedule E: County of Wellington, Centre Wellington Well Supply (Fergus)



SIGNIFICANT DRINKING WATER THREAT POLICY APPLICABILITY	
<b>Note:</b> This table provides a summary of where activities listed in the Clean Water Act (2006) apply as Prescribed Drinking Water Threats (PDWT). For further details, users should refer to the Source Protection Plan and the Ministry of the Environment Drinking Water Threats Tables.	
Prescribed Drinking Water Threat	Areas Where Policies Apply
1. Waste Disposal Sites (within the meaning of Part V of the EPA)	Red, Orange
2. Sewage Systems or Sewage Works	Red, Orange
3, 4. Agricultural Source Material	Red
6, 7. Non-Agricultural Source Material	Red
8, 9. Commercial Fertilizer	Red
10, 11. Pesticide	Red
12, 13. Road Salt	Red
14. Storage of Snow	Red
15. Fuel	Red
16. DNAPLs	Red, Orange, Yellow
17. Organic Solvents	Red
18. Aircraft De-icing	Red
21. Livestock Grazing or Pasturing, Outdoor Confinement, or Farm Animal Yard	Red
Local Conveyance of Oil through Threat Pipelines	Red



Significant Drinking Water Threat Policy Applicability Map

Wellington County: Centre Wellington Well Supply (Fergus)

- Well
- Roads
- Property Boundaries
- ~ Minor Rivers
- ~ Lakes / Main Rivers

**Wellhead Protection Zones:**

- WHPA-A
- WHPA-B
- WHPA-C

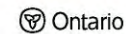
**Vulnerability Score:**

- Red: 10
- Orange: 8
- Yellow: 2, 4, 6

Lake Erie Source Protection Region

[www.sourcewater.ca](http://www.sourcewater.ca)

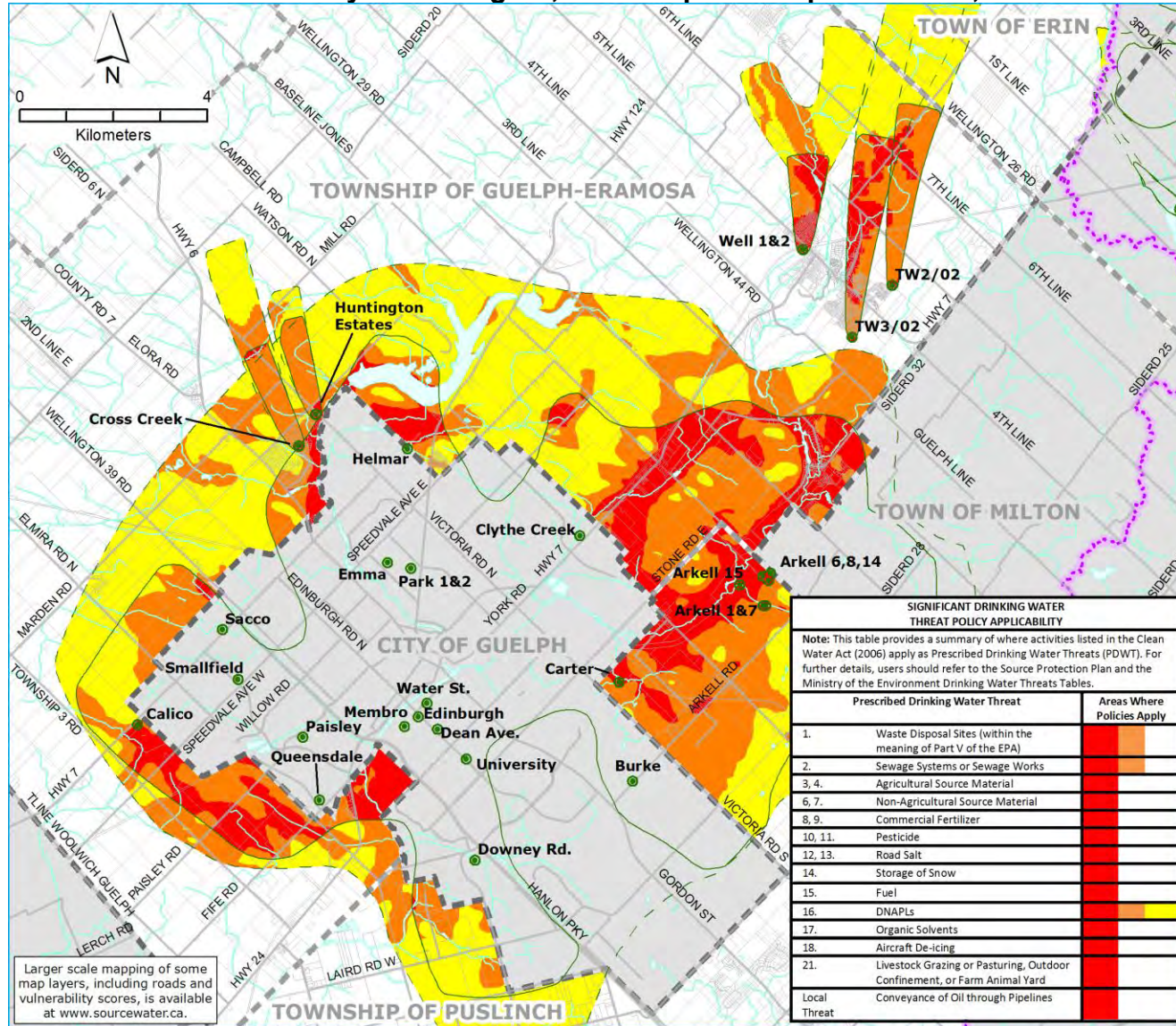
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, March 27, 2012



6.11 Schedule F: County of Wellington, Township of Guelph-Eramosa, Groundwater Vulnerability Areas



Larger scale mapping of some map layers, including roads and vulnerability scores, is available at [www.sourcewater.ca](http://www.sourcewater.ca).



Significant Drinking Water Threat Policy Applicability Map

Wellington County: Township of Guelph-Eramosa Groundwater Vulnerability Areas

- Well
- Main Roads
- Property Boundaries
- Minor Rivers
- Lakes / Main Rivers
- Municipal Boundary
- Wellington County Boundary
- SPA Boundary

**Wellhead Protection Zones:**

- WHPA-A
- WHPA-B
- WHPA-C

**Vulnerability Score:**

- 10
- 8
- 2, 4, 6

SIGNIFICANT DRINKING WATER THREAT POLICY APPLICABILITY		Areas Where Policies Apply	
Note: This table provides a summary of where activities listed in the Clean Water Act (2006) apply as Prescribed Drinking Water Threats (PDWT). For further details, users should refer to the Source Protection Plan and the Ministry of the Environment Drinking Water Threats Tables.			
Prescribed Drinking Water Threat			
1.	Waste Disposal Sites (within the meaning of Part V of the EPA)		
2.	Sewage Systems or Sewage Works		
3, 4.	Agricultural Source Material		
6, 7.	Non-Agricultural Source Material		
8, 9.	Commercial Fertilizer		
10, 11.	Pesticide		
12, 13.	Road Salt		
14.	Storage of Snow		
15.	Fuel		
16.	DNAPLs		
17.	Organic Solvents		
18.	Aircraft De-icing		
21.	Livestock Grazing or Pasturing, Outdoor Confinement, or Farm Animal Yard		
Local Threat	Conveyance of Oil through Pipelines		

Lake Erie Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

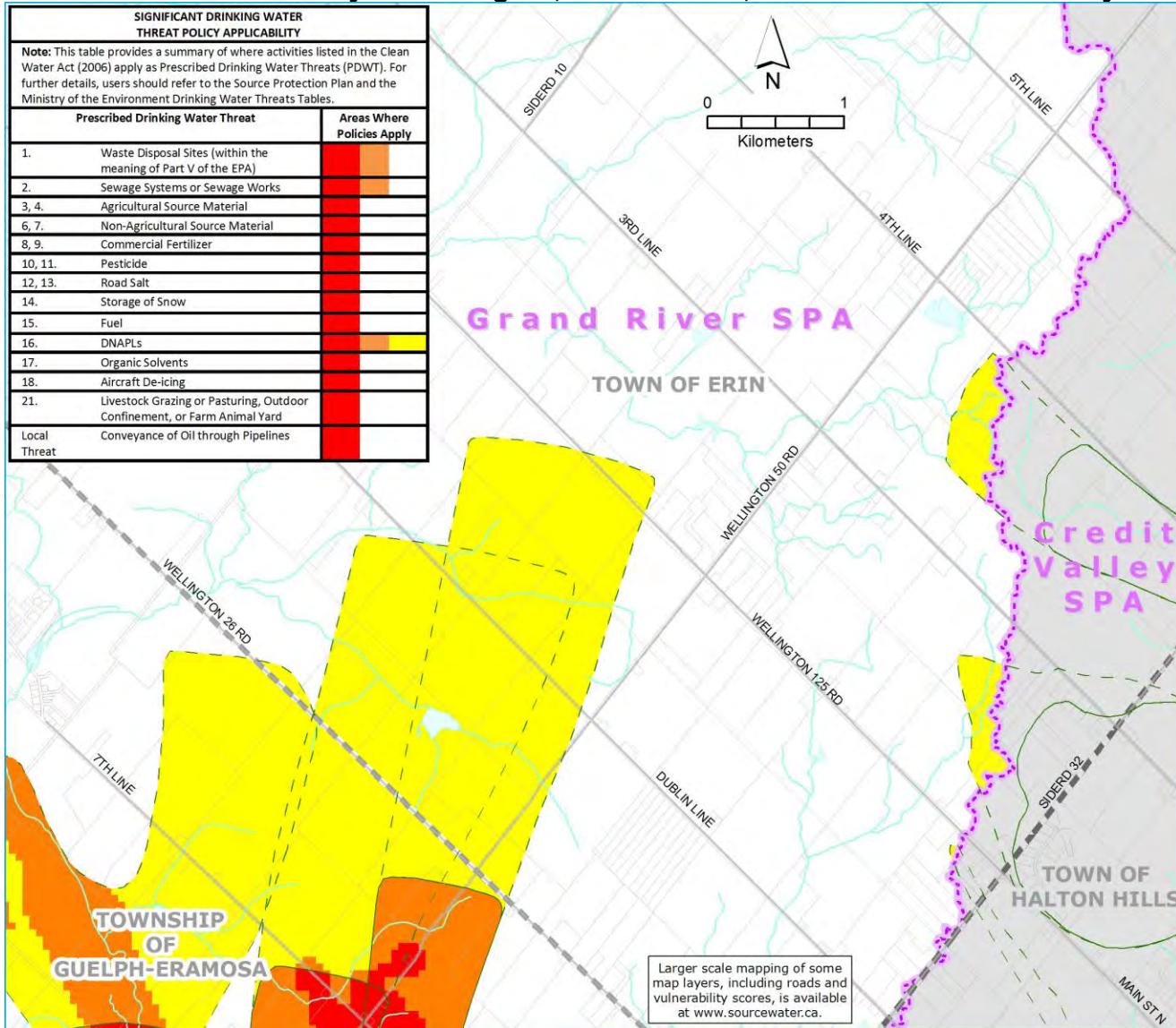
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, June 5, 2012



6.12 Schedule G: County of Wellington, Town of Erin, Groundwater Vulnerability Areas



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Town of Erin  
Groundwater Vulnerability Areas

**Map Legend:**

- Main Roads
- Property Boundaries
- Minor Rivers
- Lakes / Main Rivers
- Municipal Boundary
- Wellington County Boundary
- SPA Boundary
- Wellhead Protection Zones:**
  - WHPA-A
  - WHPA-B
  - WHPA-C
- Vulnerability Score:**
  - 10 (Red)
  - 8 (Orange)
  - 2, 4, 6 (Yellow)

Lake Erie  
Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

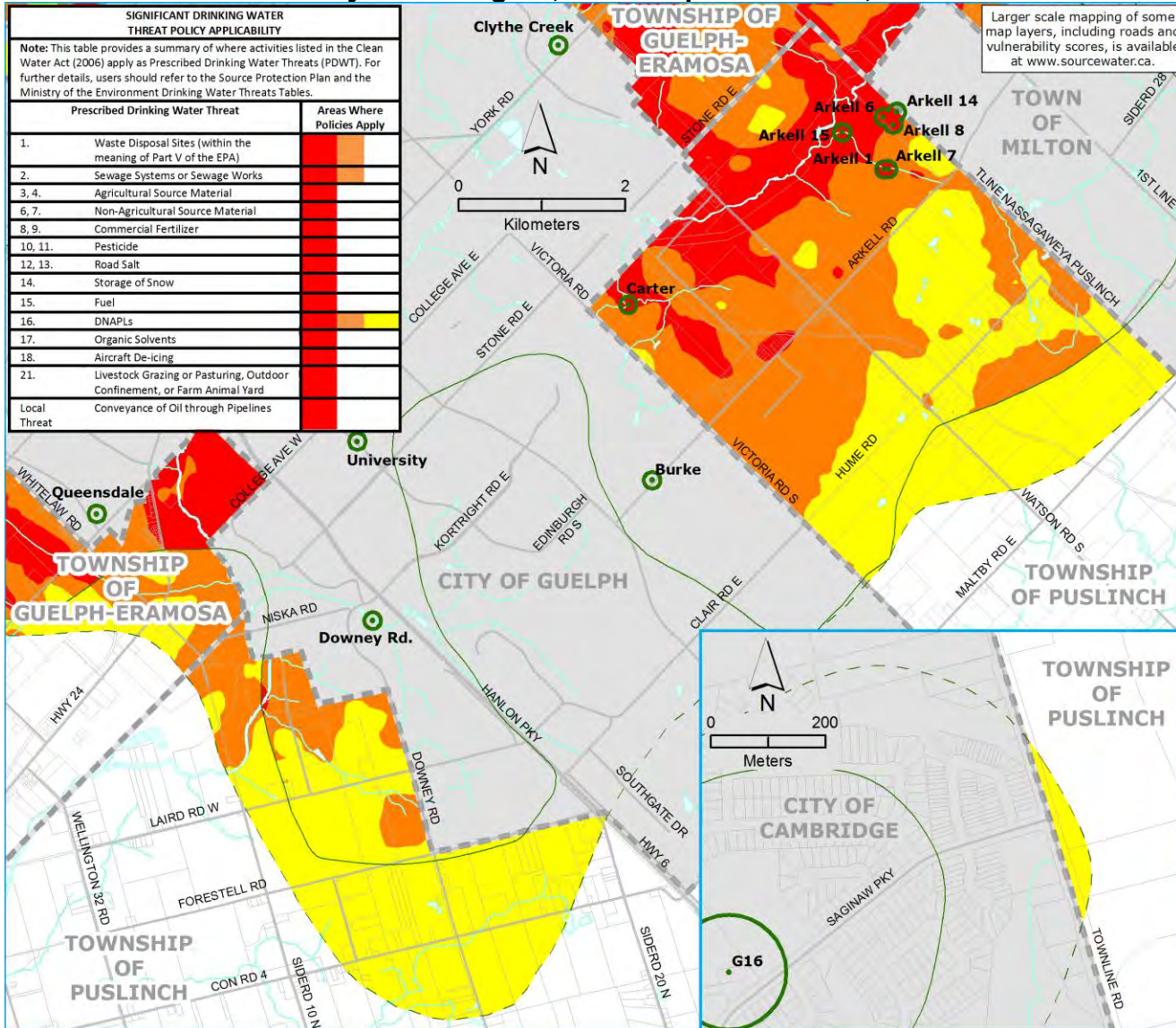
Grand River  
Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, March 30, 2012



6.13 Schedule H: County of Wellington, Township of Puslinch, Groundwater Vulnerability Areas



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Township of Puslinch  
Groundwater Vulnerability Areas

- Well
- Main Roads
- Property Boundaries
- Minor Rivers
- Lakes / Main Rivers
- Municipal Boundary

**Wellhead Protection Zones:**

- WHPA-A
- WHPA-B
- WHPA-C

**Vulnerability Score:**

- 10
- 8
- 2, 4, 6

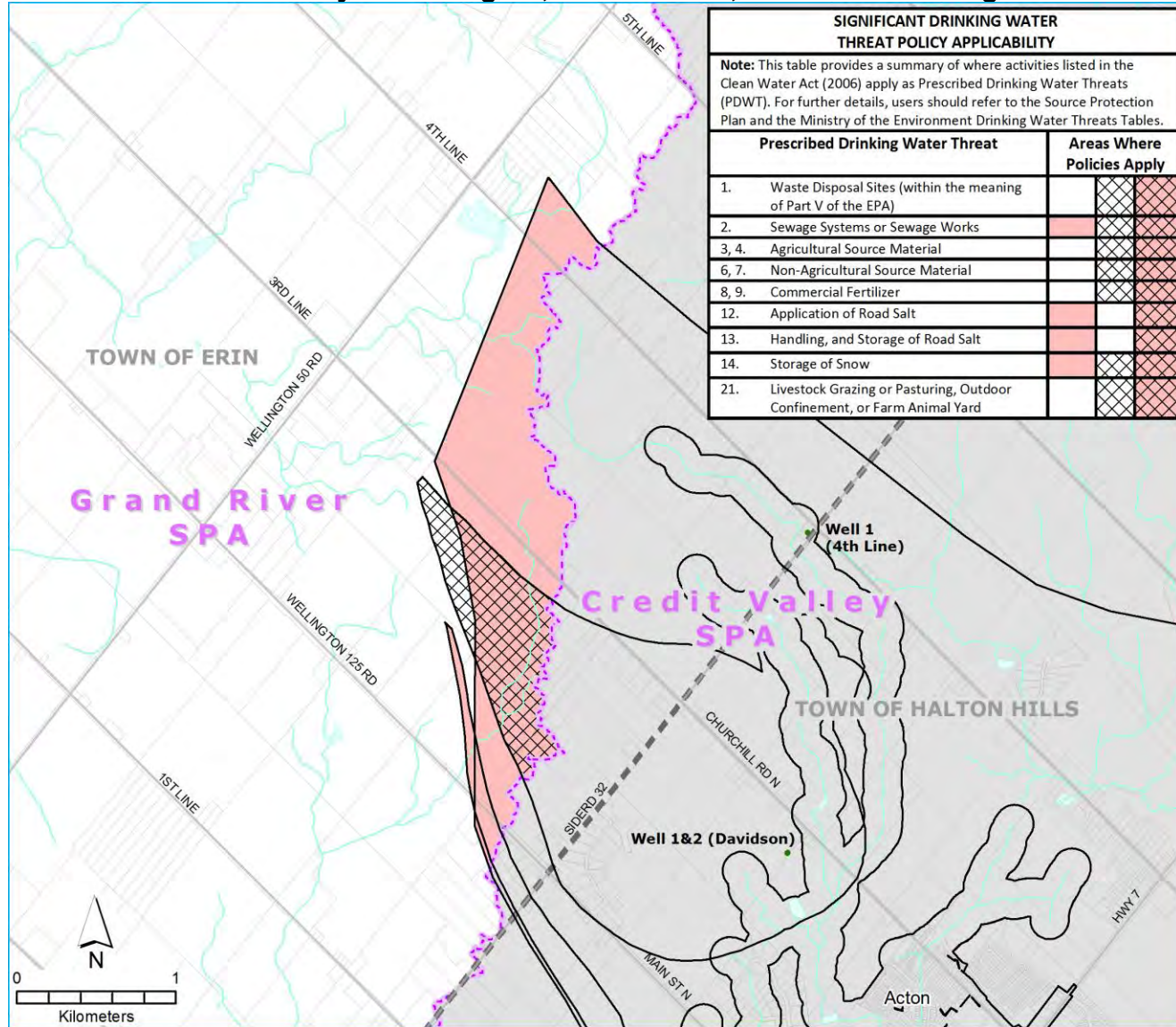
Lake Erie Source Protection Region  
www.sourcewater.ca  
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, April 25, 2012



6.14 Schedule I: County of Wellington, Town of Erin, Issue Contributing Areas



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Town of Erin  
Issue Contributing Areas

**Lake Erie Source Protection Region**  
[www.sourcewater.ca](http://www.sourcewater.ca)

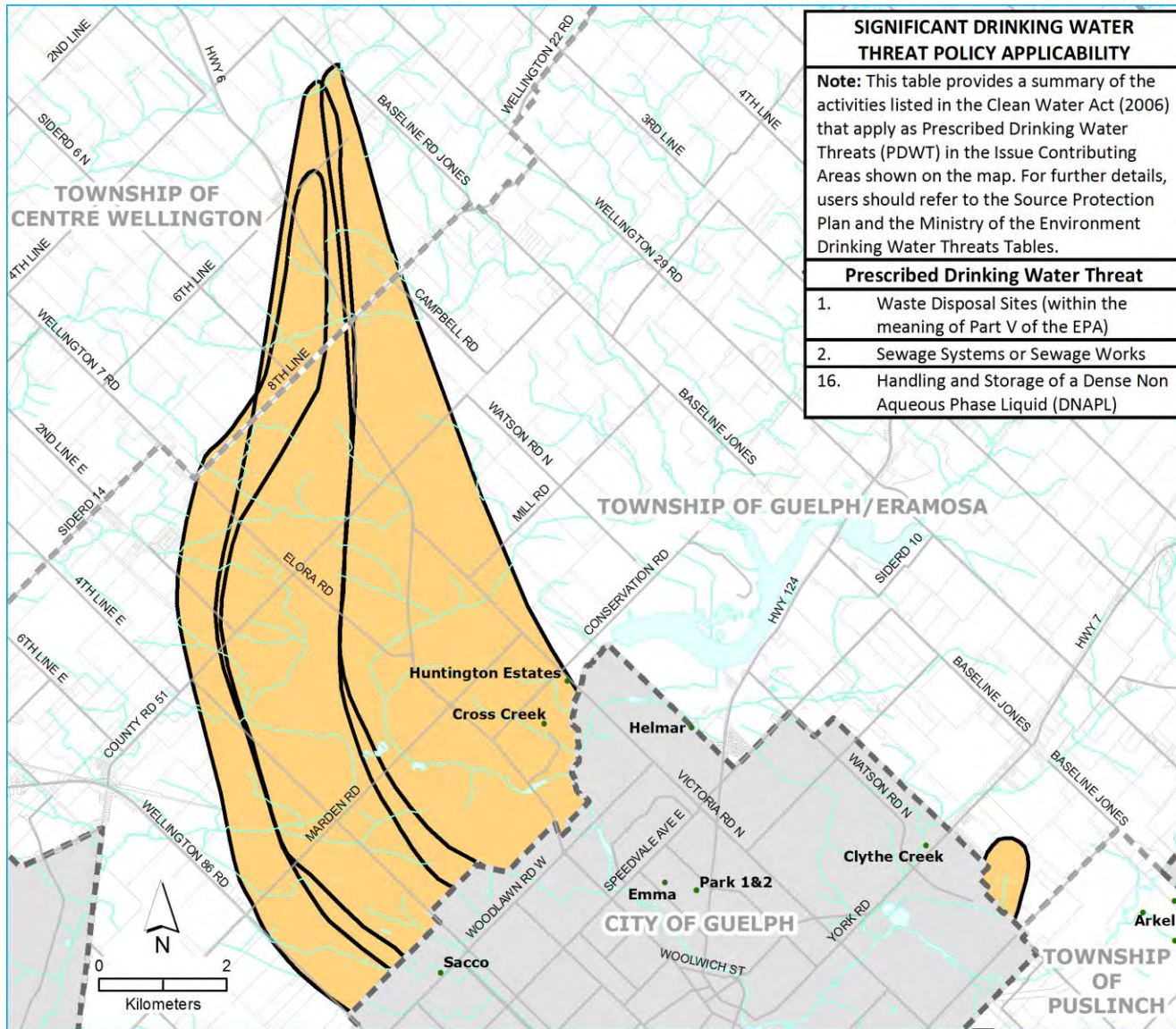
**Grand River Source Protection Area**

Ontario  
Grand River Conservation Authority

Produced by GRCA on behalf of the Lake Erie Source Protection Committee, July 27, 2012



6.15 Schedule J: County of Wellington, Township of Guelph-Eramosa & Centre Wellington, Issue Contributing Areas



SIGNIFICANT DRINKING WATER THREAT POLICY APPLICABILITY	
<p><b>Note:</b> This table provides a summary of the activities listed in the Clean Water Act (2006) that apply as Prescribed Drinking Water Threats (PDWT) in the Issue Contributing Areas shown on the map. For further details, users should refer to the Source Protection Plan and the Ministry of the Environment Drinking Water Threats Tables.</p>	
Prescribed Drinking Water Threat	
1.	Waste Disposal Sites (within the meaning of Part V of the EPA)
2.	Sewage Systems or Sewage Works
16.	Handling and Storage of a Dense Non Aqueous Phase Liquid (DNAPL)



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Townships of Guelph-Eramosa & Centre Wellington:  
Issue Contributing Areas



Lake Erie Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

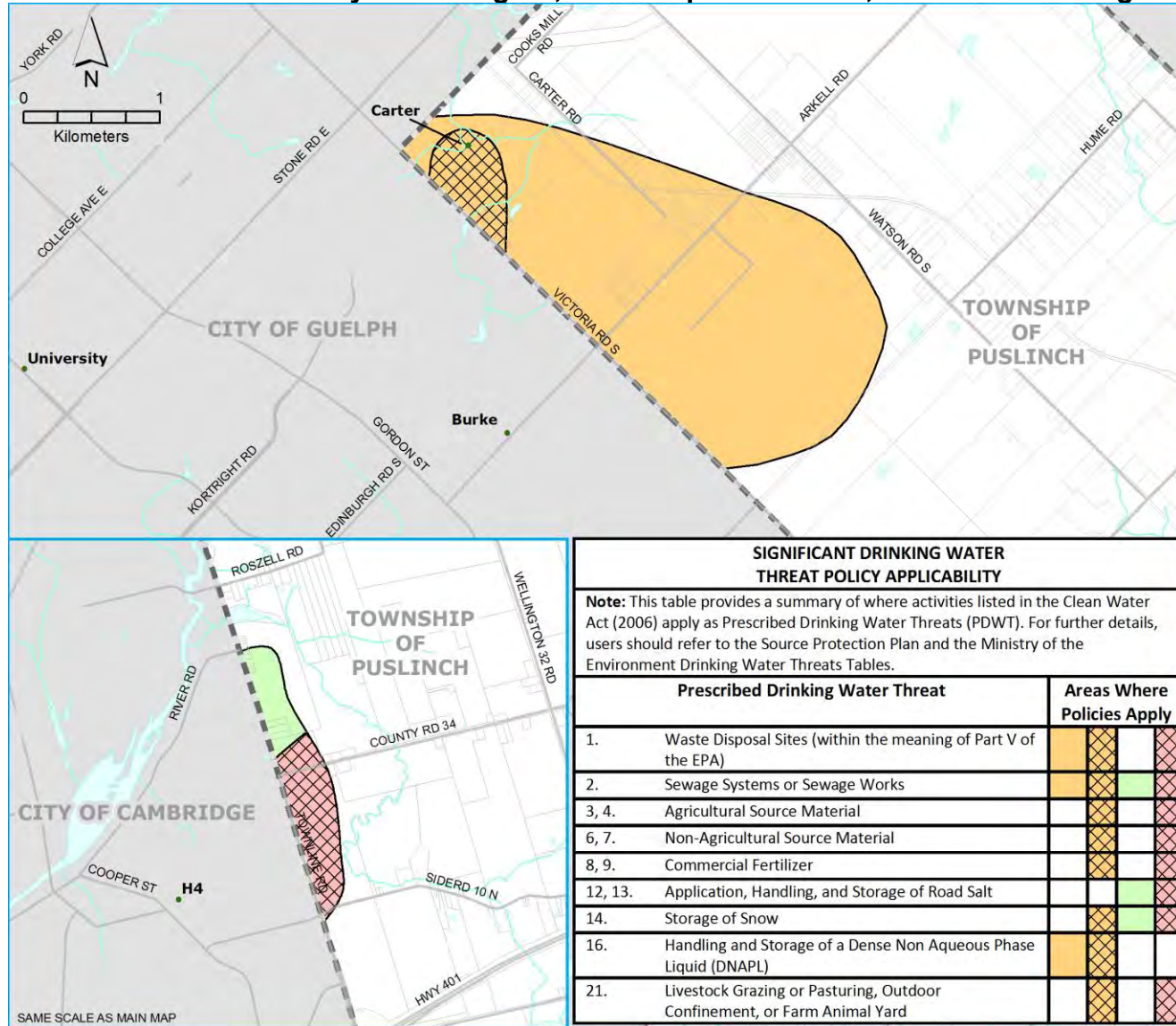
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, July 27, 2012



6.16 Schedule K: County of Wellington, Township of Puslinch, Issue Contributing Areas



Significant Drinking Water Threat Policy Applicability Map

Wellington County:  
Township of Puslinch  
Issue Contributing Areas

- Well
- Main Roads
- Property Boundaries
- ~ Minor Rivers
- ~ Lakes / Main Rivers
- - - Wellington County Boundary

**Issue Contributing Areas:**

- TCE
- ▨ TCE & Nitrate
- Chloride
- ▨ Chloride, Sodium, Nitrate

SIGNIFICANT DRINKING WATER THREAT POLICY APPLICABILITY				
<p><b>Note:</b> This table provides a summary of where activities listed in the Clean Water Act (2006) apply as Prescribed Drinking Water Threats (PDWT). For further details, users should refer to the Source Protection Plan and the Ministry of the Environment Drinking Water Threats Tables.</p>				
Prescribed Drinking Water Threat		Areas Where Policies Apply		
1.	Waste Disposal Sites (within the meaning of Part V of the EPA)	▨	○	▨
2.	Sewage Systems or Sewage Works	○	○	▨
3, 4.	Agricultural Source Material	▨	○	▨
6, 7.	Non-Agricultural Source Material	▨	○	▨
8, 9.	Commercial Fertilizer	○	○	▨
12, 13.	Application, Handling, and Storage of Road Salt	○	○	▨
14.	Storage of Snow	○	○	▨
16.	Handling and Storage of a Dense Non Aqueous Phase Liquid (DNAPL)	▨	○	▨
21.	Livestock Grazing or Pasturing, Outdoor Confinement, or Farm Animal Yard	▨	○	▨

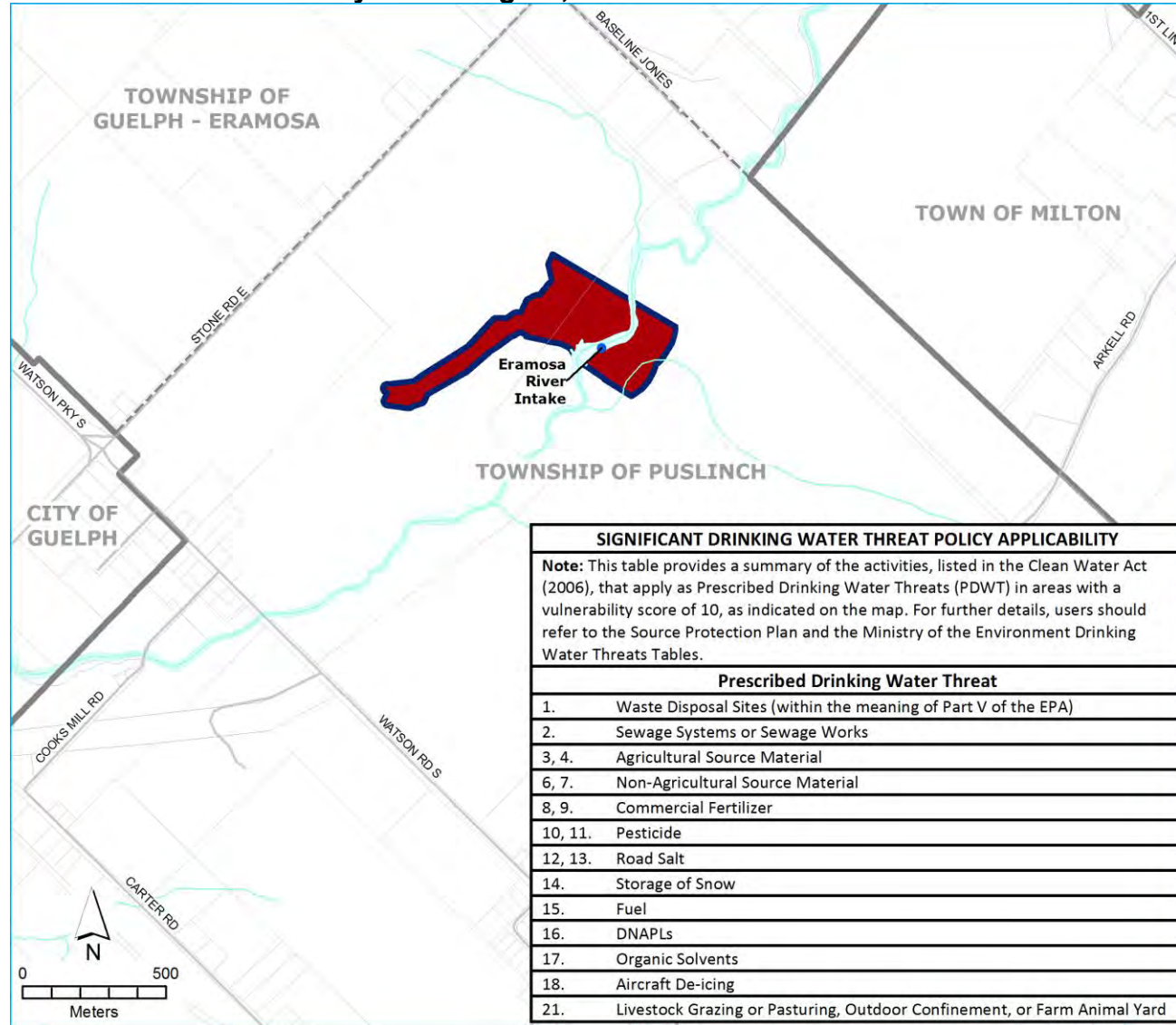
Lake Erie  
Source Protection Region  
[www.sourcewater.ca](http://www.sourcewater.ca)

Grand River  
Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, July 27, 2012

6.17 Schedule L: County of Wellington, Intake Protection Zones



Significant Drinking Water Threat Policy Applicability Map

County of Wellington: Intake Protection Zones

- Surface Water Intake
- Roads
- Property Boundaries
- ▭ Upper/Single Tier Municipal Boundary
- ▭ Lower Tier Municipal Boundary
- ~ Minor Rivers
- ~ Lakes / Main Rivers

**Intake Protection Zones**

Zone Type:

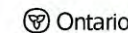
- ▭ IPZ1

Vulnerability Score:

- 10

Lake Erie Source Protection Region

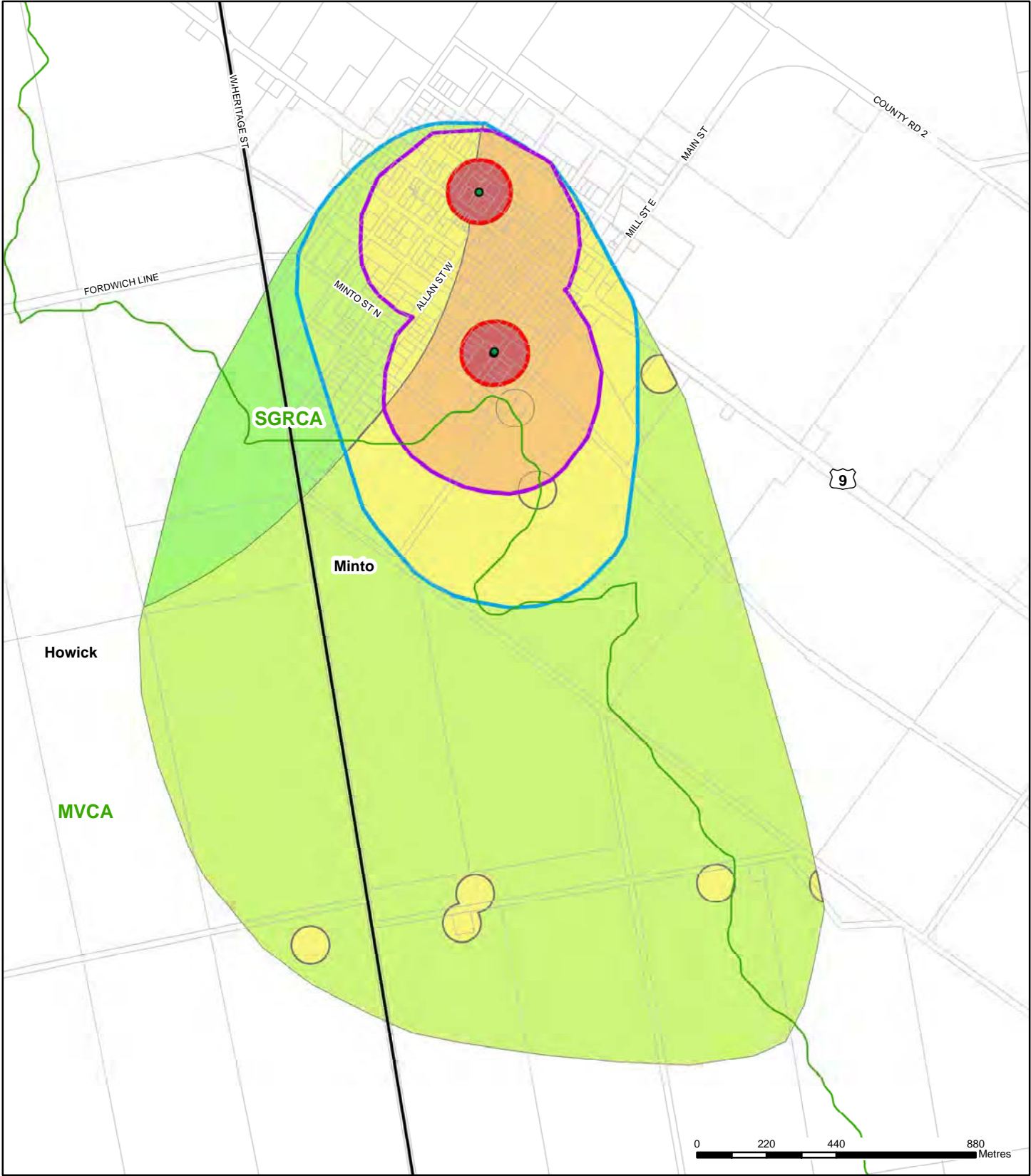
Grand River Source Protection Area



Produced by GRCA on behalf of the Lake Erie Source Protection Committee, March 27, 2012

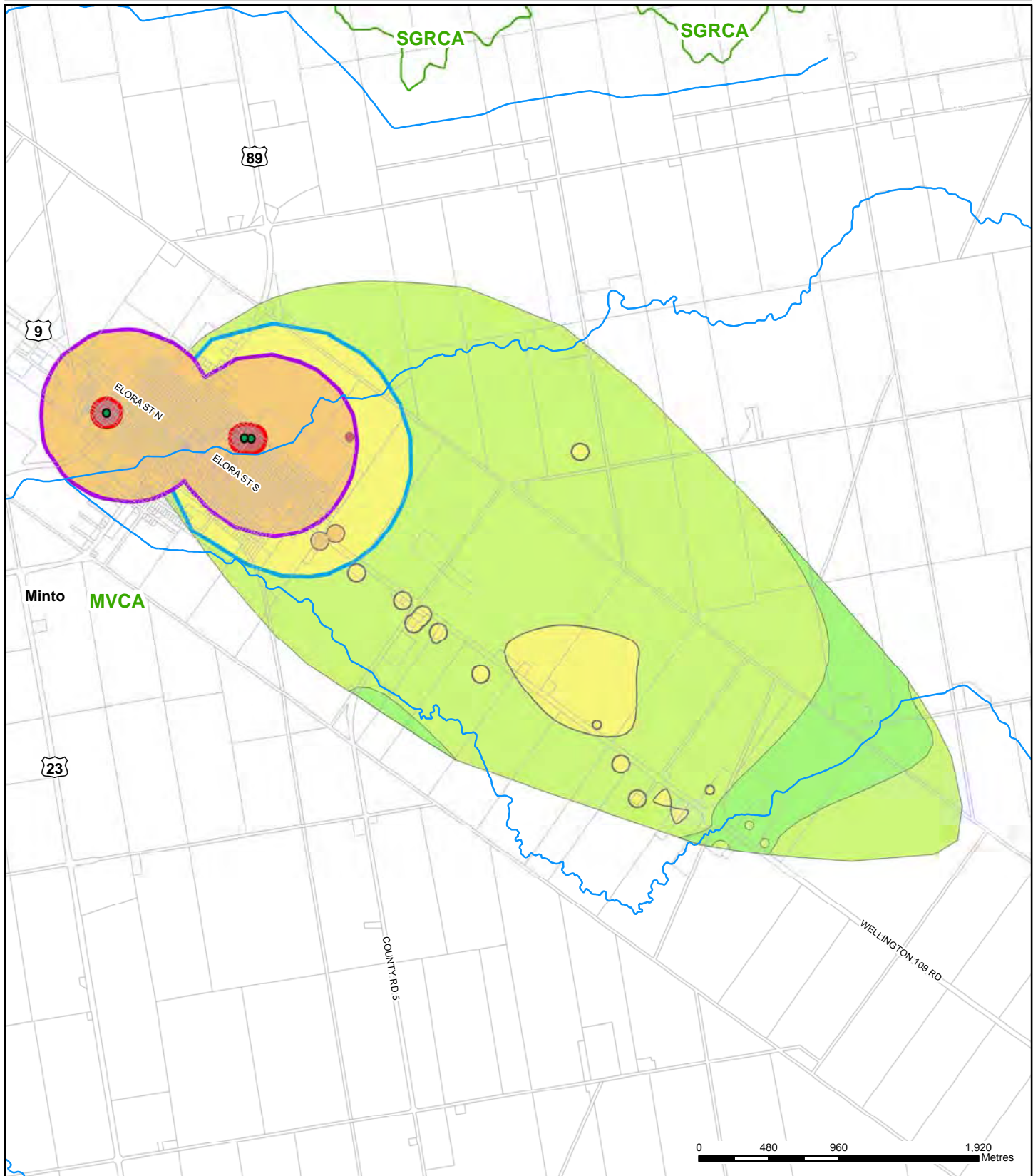


# Schedule MV-MI-1 (Clifford)



<b>Groundwater Vulnerability</b>			<b>Wellhead Protection Area</b>			Major Watercourse Municipal Boundary CA Boundary Parcels	
10	8	6	WHPA - A	WHPA - B	WHPA - C	Well Head	
4	2						

# Schedule MV-MI-2 (Harriston)



<b>Groundwater Vulnerability</b>			<b>Wellhead Protection Area</b>		Major Watercourse
10	8	6	WHPA - A	WHPA - B	Municipal Boundary
4	2		WHPA - C	Well Head	CA Boundary
					Parcels

# Schedule MV-MI-3 (Palmerston)



<b>Groundwater Vulnerability</b>			<b>Wellhead Protection Area</b>			Major Watercourse Municipal Boundary CA Boundary Parcels	
10	8	6	WHPA - A	WHPA - B	Well Head		
4	2		WHPA - C				



# **APPENDIX 2:**

**SECTION 57 AND 58  
POLICY COMPARISON CHART  
SOURCE PROTECTION PLANS OF  
WELLINGTON COUNTY**

PROHIBITIONS & RMP BY VULNERABLE AREA					
File Y322 ' H' / April 2015					
<b>WHPA - A</b>					
Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA	PI Prohibit		LU Prohibit/RMP <sup>1</sup>	PI Prohibit <sup>1</sup>	Prohibit <sup>1</sup> /RMP <sup>2</sup> /PI Prohibit <sup>3,4</sup>
Waste Disposal Site not subject to ECA	Prohibit			Prohibit <sup>2</sup>	LU Prohibit <sup>4</sup>
Sewage/Septic Systems - Septics	-		-	PI Prohibit	LU Prohibit/Prohibit (subsurface disposal only)
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit		PI Prohibit	PI Prohibit/Prohibit (certain circumstances)	PI Prohibit/LU Prohibit
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-		-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-		PI Prohibit	-	PI Prohibit
Discharge of Stormwater from a Stormwater Management Facility	-		-	PI Prohibit <sup>3</sup>	PI Prohibit/LU Prohibit
Application of ASM	Prohibit		Prohibit	Prohibit	PI Prohibit/Prohibit
Storage/Handling of ASM	Prohibit		Prohibit	Prohibit	PI Prohibit/Prohibit
Application of NASM	PI Prohibit		Prohibit	Prohibit	Prohibit <sup>5</sup> / PI Prohibit <sup>6</sup>
Storage/Handling of NASM	Prohibit		Prohibit	Prohibit	Prohibit <sup>5</sup> / PI Prohibit <sup>6</sup>
Application of Commercial Fertilizer	Prohibit		Prohibit	RMP	Prohibit/PI Prohibit
Storage/Handling of Commercial Fertilizer	Prohibit		RMP	Prohibit	Prohibit
Application of Pesticide	RMP <sup>1</sup>		-	RMP	RMP
Storage/Handling of Pesticide	Prohibit		Prohibit	Prohibit	Prohibit
Application of Road Salt	-		RMP	RMP	RMP <sup>7</sup>
Storage/Handling of Road Salt	Prohibit		Prohibit	RMP	Prohibit
Storage/Handling of Snow	Prohibit		Prohibit	Prohibit	Prohibit
Storage/Handling of Fuel	Prohibit <sup>2</sup>		Prohibit <sup>2</sup> /RMP <sup>3</sup>	Prohibit <sup>4</sup>	Prohibit <sup>8</sup>
Storage/Handling of DNAPLs	Prohibit		Prohibit	Prohibit	Prohibit
Storage/Handling of Organic Solvents	Prohibit		Prohibit	Prohibit <sup>5</sup>	Prohibit
Management of Runoff – Aircraft De-Icing Chemicals	RMP		Prohibit	-	RMP
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	RMP		Prohibit	Prohibit <sup>6</sup>	Prohibit <sup>9</sup> /RMP <sup>10</sup> /PI Prohibit <sup>11</sup>
	<sup>1</sup> lands > 1 ha		<sup>1</sup> for certain waste types	<sup>1</sup> hauled sewage. Mine tailings, petrol landfarming, hazard waste landfilling, liquid waste injection	<sup>1</sup> Storage of PCB Waste
	<sup>2</sup> 2,500L		<sup>2</sup> 2,500L and 250-2500L @ bulk facility	<sup>2</sup> includes PCB waste, hazard and liquid waste, 'alphabet' waste	<sup>2</sup> Storage of hazardous/liquid industrial waste
			<sup>3</sup> 250L-2,500L and under certain storage conditions	<sup>3</sup> SWM facilities serving +10ha	<sup>3</sup> All other waste disposal & untreated septage to land
				<sup>4</sup> Below/partial below grd: >250 L above grd: >2500L	<sup>4</sup> waste disposal sites
				<sup>5</sup> >25L	<sup>5</sup> Category 1 only
				<sup>6</sup> OCA and grz/past >1 NU	<sup>6</sup> Category 2 and 3
					<sup>7</sup> unassumed roads, and private parking lots, public roads
					<sup>8</sup> Non-res or multi-unit properties
					<sup>9</sup> OCA/FAY no NMA & grz/past > 1NU in ICA-NIT
					<sup>10</sup> Not in ICA and other circumstances
					<sup>11</sup> OCA or FAY in ICA-NIT

**NOTE:**  
Rows highlighted in Yellow represent the instances where the Section 57 or 58 policies is applied consistently across all SPPs, however the conditions or circumstances under which they are applied vary between individual Plans.

Rows highlighted in Green represent the instances where the application of Section 57 or 58 policies vary between individual SPPs.



<b>WHPA - B v.10</b>					
Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA	PI Prohibit		LU Prohibit <sup>1</sup>	PI Prohibit <sup>1</sup>	Prohibit <sup>1</sup> /RMP <sup>2</sup> /PI Prohibit <sup>3,4</sup>
Waste Disposal Site not subject to ECA	RMP			Prohibit <sup>2</sup>	LU Prohibit <sup>4</sup>
Sewage/Septic Systems - Septics	-		-	PI Prohibit	LU Prohibit/Prohibit (subsurface disposal only)
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit		PI Prohibit	PI Prohibit/Prohibit (certain circumstances)	PI Prohibit/Prohibit (certain circumstances)
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-		-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-		PI Prohibit	-	PI Prohibit
Discharge of Stormwater from a Stormwater Management Facility	-		-	PI Prohibit <sup>3</sup>	-
Application of ASM	RMP		RMP	RMP	RMP
Storage/Handling of ASM	RMP		RMP	Prohibit	RMP
Application of NASM	-		-	RMP	RMP <sup>5</sup>
Storage/Handling of NASM	-		-	Prohibit	PI Prohibit <sup>6</sup>
Application of Commercial Fertilizer	RMP		RMP	RMP	RMP
Storage/Handling of Commercial Fertilizer	RMP		-	Prohibit	RMP
Application of Pesticide	RMP <sup>1</sup>		-	RMP	RMP
Storage/Handling of Pesticide	RMP		RMP	Prohibit	RMP
Application of Road Salt	-		RMP	RMP	RMP <sup>7</sup>
Storage/Handling of Road Salt	RMP		Prohibit	RMP	Prohibit
Storage/Handling of Snow	Prohibit		Prohibit <sup>2</sup> /RMP <sup>3</sup>	Prohibit	Prohibit
Storage/Handling of Fuel	RMP		Prohibit	Prohibit <sup>4</sup>	Prohibit <sup>8</sup>
Storage/Handling of DNAPLs	RMP		Prohibit	Prohibit	Prohibit
Storage/Handling of Organic Solvents	RMP		Prohibit	Prohibit <sup>5</sup>	Prohibit
Management of Runoff – Aircraft De-Icing Chemicals	RMP		Prohibit	-	RMP
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	RMP		RMP	Prohibit (OCA)/RMP <sup>6</sup>	Prohibit <sup>9</sup> /RMP <sup>10</sup> /PI Prohibit <sup>11</sup>
	<sup>1</sup> land > 1ha		<sup>1</sup> for certain waste types	<sup>1</sup> hauled sewage. Mine tailings, petrol landfarming, hazard waste landfilling, liquid waste injection	<sup>1</sup> Storage of PCB Waste
			<sup>2</sup> 2,500L and 250-2500L @ bulk facility	<sup>2</sup> includes PCB waste, hazard and liquid waste, 'alphabet' waste	<sup>2</sup> Storage of hazardous/liquid industrial waste
			<sup>3</sup> 250L-2,500L and under certain storage conditions	<sup>3</sup> SWM facilities serving +10ha	<sup>3</sup> All other waste disposal & untreated septage to land
				<sup>4</sup> Below/partial below grd: >250 L above grd: >2500L	<sup>4</sup> waste disposal sites
				<sup>5</sup> >25L	<sup>5</sup> Category 1 only
				<sup>6</sup> grz/past	<sup>6</sup> Category 2 and 3
					<sup>7</sup> unassumed roads, and private parking lots, public roads
					<sup>8</sup> Non-res or multi-unit properties
					<sup>9</sup> OCA/FAY no NMA & grz/past > 1NU
					<sup>10</sup> Not in ICA and other circumstances
					<sup>11</sup> OCA or FAY in ICA-NIT

**NOTE:**  
Rows highlighted in Yellow represent the instances where the Section 57 or 58 policies is applied consistently across all SPPs, however the conditions or circumstances under which they are applied vary between individual Plans.

Rows highlighted in Green represent the instances where the application of Section 57 or 58 policies vary between individual SPPs.

<b>WHPA - B v.8</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	PI Prohibit	-	LU Prohibit	Prohibit <sup>1</sup>	-
Waste Disposal Site not subject to ECA	RMP	-		-	-
Sewage/Septic Systems - Septics	-	-	-	-	-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit	-	-	Prohibit <sup>2</sup>	-
Sewage/Septic Systems -Sanitary Sewers & Related Pipes	-	-	-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-	-	-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-	-	-	-	-
Application of ASM	-	-	-	-	-
Storage/Handling of ASM	-	-	-	-	-
Application of NASM	-	-	-	-	-
Storage/Handling of NASM	-	-	-	-	-
Application of Commercial Fertilizer	-	-	-	-	-
Storage/Handling of Commercial Fertilizer	-	-	-	-	-
Application of Pesticide	-	-	-	-	-
Storage/Handling of Pesticide	-	-	-	-	-
Application of Road Salt	-	-	-	-	-
Storage/Handling of Road Salt	-	-	-	-	-
Storage/Handling of Snow	-	-	-	-	-
Storage/Handling of Fuel	-	-	-	-	-
Storage/Handling of DNAPLs	RMP	-	Prohibit	Prohibit	Prohibit
Storage/Handling of Organic Solvents	-	-	-	-	-
Management of Runoff – Aircraft De-Icing Chemicals	-	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	-	-	-	-	-
				<sup>1</sup> includes PCB waste, hazardous waste, alphabet waste	
				<sup>2</sup> certain circumstances	

**NOTE:**  
 Rows highlighted in Yellow represent the instances where the Section 57 or 58 policies is applied consistently across all SPPs, however the conditions or circumstances under which they are applied vary between individual Plans.

Rows highlighted in Green represent the instances where the application of Section 57 or 58 policies vary between individual SPPs.

<b>WHPA - C</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	PI Prohibit	-	-	-	-
Waste Disposal Site not subject to ECA	RMP	-	-	-	-
Sewage/Septic Systems - Septics	-	-	-	-	-
Sewage/Septic Systems -Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit	-	-	Prohibit	-
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-	-	-	-	-
Sewage/Septic Systems -Industrial Effluent Discharge & Combined Sewer Discharge	-	-	-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-	-	-	-	-
Application of ASM	-	-	-	-	-
Storage/Handling of ASM	-	-	-	-	-
Application of NASM	-	-	-	-	-
Storage/Handling of NASM	-	-	-	-	-
Application of Commercial Fertilizer	-	-	-	-	-
Storage/Handling of Commercial Fertilizer	-	-	-	-	-
Application of Pesticide	-	-	-	-	-
Storage/Handling of Pesticide	-	-	-	-	-
Application of Road Salt	-	-	-	-	-
Storage/Handling of Road Salt	-	-	-	-	-
Storage/Handling of Snow	-	-	-	-	-
Storage/Handling of Fuel	-	-	-	-	-
Storage/Handling of DNAPLs	RMP	RMP	Prohibit	Prohibit	Prohibit
Storage/Handling of Organic Solvents	-	-	-	-	-
Management of Runoff – Aircraft De-Icing Chemicals	-	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	-	-	-	-	-



<b>IPZ-1 v.10</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	PI Prohibit		-	-	-
Waste Disposal Site not subject to ECA	RMP		-	-	-
Sewage/Septic Systems - Septics	-		-	-	-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit		-	-	-
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-		-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	PI Prohibit		-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-		-	-	-
Application of ASM	Prohibit			-	-
Storage/Handling of ASM	Prohibit	-	-	-	-
Application of NASM	PI Prohibit	-	-	-	-
Storage/Handling of NASM	Prohibit	-	-	-	-
Application of Commercial Fertilizer	Prohibit	-	-	-	-
Storage/Handling of Commercial Fertilizer	Prohibit	-	-	-	-
Application of Pesticide	RMP <sup>1</sup>	-	-	-	-
Storage/Handling of Pesticide	Prohibit	-	-	-	-
Application of Road Salt	-	-	-	-	-
Storage/Handling of Road Salt	Prohibit	-	-	-	-
Storage/Handling of Snow	Prohibit	-	-	-	-
Storage/Handling of Fuel	Prohibit <sup>2</sup>	-	-	-	-
Storage/Handling of DNAPLs	Prohibit	-	-	-	-
Storage/Handling of Organic Solvents	Prohibit	-	-	-	-
Management of Runoff – Aircraft De-icing Chemicals	RMP	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	RMP	-	-	-	-
	<sup>1</sup> lands > 1 ha				
	<sup>2</sup> 2,500L				

<b>ICA-TCE</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	-	-	-	-	-
Waste Disposal Site not subject to ECA	RMP <sup>1</sup>	-	-	-	-
Sewage/Septic Systems - Septics	-	-	-	-	-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit	-	-	-	-
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-	-	-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-	-	-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-	-	-	-	-
Application of ASM	-	-	-	-	-
Storage/Handling of ASM	-	-	-	-	-
Application of NASM	-	-	-	-	-
Storage/Handling of NASM	-	-	-	-	-
Application of Commercial Fertilizer	-	-	-	-	-
Storage/Handling of Commercial Fertilizer	-	-	-	-	-
Application of Pesticide	-	-	-	-	-
Storage/Handling of Pesticide	-	-	-	-	-
Application of Road Salt	-	-	-	-	-
Storage/Handling of Road Salt	-	-	-	-	-
Storage/Handling of Snow	-	-	-	-	-
Storage/Handling of Fuel	-	-	-	-	-
Storage/Handling of DNAPLs	RMP	-	-	-	-
Storage/Handling of Organic Solvents	-	-	-	-	-
Management of Runoff – Aircraft De-Icing Chemicals	-	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	-	-	-	-	-
	<sup>1</sup> outside WHPA-A				

<b>ICA-NIT</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	-	-	-	-	PI Prohibit <sup>1</sup>
Waste Disposal Site not subject to ECA	RMP <sup>1</sup>	-	-	-	-
Sewage/Septic Systems - Septics	-	-	-	-	-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	PI Prohibit	-	-	-	-
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-	-	-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-	-	-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-	-	-	-	-
Application of ASM	-	-	-	-	RMP
Storage/Handling of ASM	-	-	-	-	RMP
Application of NASM	-	-	-	-	RMP <sup>3</sup> /Prohibit <sup>2</sup>
Storage/Handling of NASM	-	-	-	-	RMP <sup>3</sup> /Prohibit <sup>2</sup>
Application of Commercial Fertilizer	-	-	-	-	RMP
Storage/Handling of Commercial Fertilizer	-	-	-	-	RMP
Application of Pesticide	-	-	-	-	-
Storage/Handling of Pesticide	-	-	-	-	-
Application of Road Salt	-	-	-	-	-
Storage/Handling of Road Salt	-	-	-	-	-
Storage/Handling of Snow	Prohibit	-	-	-	-
Storage/Handling of Fuel	-	-	-	-	-
Storage/Handling of DNAPLs	-	-	-	-	-
Storage/Handling of Organic Solvents	-	-	-	-	-
Management of Runoff – Aircraft De-Icing Chemicals	-	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	-	-	-	-	RMP
	<sup>1</sup> outside WHPA-A				<sup>1</sup> untreated septage to land
					<sup>2</sup> Category 2 and 3 only
					<sup>3</sup> Category 1 only



<b>ICA-CHL</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	-	-	-	-	-
Waste Disposal Site not subject to ECA	-	-	-	-	-
Sewage/Septic Systems - Septics	-	-	-	-	-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	-	-	-	-	-
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-	-	-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-	-	-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-	-	-	-	-
Application of ASM	-	-	-	-	-
Storage/Handling of ASM	-	-	-	-	-
Application of NASM	-	-	-	-	-
Storage/Handling of NASM	-	-	-	-	-
Application of Commercial Fertilizer	-	-	-	-	-
Storage/Handling of Commercial Fertilizer	-	-	-	-	-
Application of Pesticide	-	-	-	-	-
Storage/Handling of Pesticide	-	-	-	-	-
Application of Road Salt	-	-	-	-	RMP <sup>1</sup>
Storage/Handling of Road Salt	-	-	-	-	Prohibit
Storage/Handling of Snow	Prohibit	-	-	-	Prohibit
Storage/Handling of Fuel	-	-	-	-	-
Storage/Handling of DNAPLs	-	-	-	-	-
Storage/Handling of Organic Solvents	-	-	-	-	-
Management of Runoff – Aircraft De-Icing Chemicals	-	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	-	-	-	-	-
					<sup>1</sup> unassumed roads, public roads, and private parking lots > 200 m

<b>ICA-SOD</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA	-	-	-	-	-
Waste Disposal Site not subject to ECA	-	-	-	-	-
Sewage/Septic Systems - Septics	-	-	-	-	-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water	-	-	-	-	-
Sewage/Septic Systems - Sanitary Sewers & Related Pipes	-	-	-	-	-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge	-	-	-	-	-
Discharge of Stormwater from a Stormwater Management Facility	-	-	-	-	-
Application of ASM	-	-	-	-	-
Storage/Handling of ASM	-	-	-	-	-
Application of NASM	-	-	-	-	-
Storage/Handling of NASM	-	-	-	-	-
Application of Commercial Fertilizer	-	-	-	-	-
Storage/Handling of Commercial Fertilizer	-	-	-	-	-
Application of Pesticide	-	-	-	-	-
Storage/Handling of Pesticide	-	-	-	-	-
Application of Road Salt	-	-	-	-	RMP <sup>1</sup>
Storage/Handling of Road Salt	-	-	-	-	Prohibit
Storage/Handling of Snow	-	-	-	-	Prohibit
Storage/Handling of Fuel	-	-	-	-	-
Storage/Handling of DNAPLs	-	-	-	-	-
Storage/Handling of Organic Solvents	-	-	-	-	-
Management of Runoff – Aircraft De-Icing Chemicals	-	-	-	-	-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard	-	-	-	-	-
					<sup>1</sup> unassumed roads, public roads, and private parking lots > 200 m

<b>WHPA - E v.9</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA					RMP <sup>1</sup> /PI Prohibit <sup>2,3</sup> /LU
Waste Disposal Site not subject to ECA					Prohibit <sup>3</sup>
Sewage/Septic Systems - Septics					-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					PI Prohibit
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					-
Discharge of Stormwater from a Stormwater Management Facility					-
Application of ASM					PI Prohibit <sup>4</sup> /RMP <sup>5</sup>
Storage/Handling of ASM					Prohibit <sup>4</sup> /RMP <sup>5</sup>
Application of NASM					PI Prohibit <sup>4,6,7</sup> /RMP <sup>5,6</sup>
Storage/Handling of NASM					PI Prohibit <sup>4,6,7</sup> /RMP <sup>5,6</sup>
Application of Commercial Fertilizer					Prohibit <sup>4</sup> /PI Prohibit <sup>4</sup> /RMP <sup>5</sup>
Storage/Handling of Commercial Fertilizer					-
Application of Pesticide					RMP
Storage/Handling of Pesticide					RMP
Application of Road Salt					RMP <sup>8</sup>
Storage/Handling of Road Salt					Prohibit
Storage/Handling of Snow					Prohibit
Storage/Handling of Fuel					-
Storage/Handling of DNAPLs					-
Storage/Handling of Organic Solvents					-
Management of Runoff – Aircraft De-Icing Chemicals					RMP
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					Prohibit <sup>4</sup> /PI Prohibit <sup>4</sup> /RMP <sup>5</sup>
					<sup>1</sup> Storage of hazardous/liquid industrial waste
					<sup>2</sup> Untreated septage to land
					<sup>3</sup> Certain waste types
					<sup>4</sup> in ICA-NIT only
					<sup>5</sup> Not in ICA-NIT
					<sup>6</sup> Category 1 only
					<sup>7</sup> Category 2 and 3
					<sup>8</sup> unassumed roads, and private parking lots, public roads



<b>WHPA - E v.8.1</b>					
<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA					PI Prohibit <sup>1,2</sup> /LU Prohibit <sup>2</sup>
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					-
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					PI Prohibit
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					-
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					-
Discharge of Stormwater from a Stormwater Management Facility					-
Application of ASM					PI Prohibit <sup>3</sup> /RMP <sup>4</sup>
Storage/Handling of ASM					PI Prohibit <sup>3</sup> /RMP <sup>4</sup>
Application of NASM					PI Prohibit <sup>4,6,7</sup> /RMP <sup>4,5</sup>
Storage/Handling of NASM					PI Prohibit <sup>4,6,7</sup> /RMP <sup>4,5</sup>
Application of Commercial Fertilizer					-
Storage/Handling of Commercial Fertilizer					-
Application of Pesticide					RMP
Storage/Handling of Pesticide					-
Application of Road Salt					-
Storage/Handling of Road Salt					-
Storage/Handling of Snow					-
Storage/Handling of Fuel					-
Storage/Handling of DNAPLs					-
Storage/Handling of Organic Solvents					-
Management of Runoff – Aircraft De-icing Chemicals					-
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					Prohibit <sup>3</sup> /PI Prohibit <sup>3</sup> /RMP <sup>4</sup>
					<sup>1</sup> Untreated septage to land
					<sup>2</sup> Certain waste types
					<sup>3</sup> in ICA-NIT only
					<sup>4</sup> Not in ICA-NIT
					<sup>5</sup> Category 1 only
					<sup>6</sup> Category 2 and 3
					<sup>9</sup> OCA/FAY no NMA & grz/past > 1NU

# APPENDIX 3:

LAND USE POLICY COMPARISON CHART  
SOURCE PROTECTION PLANS OF  
WELLINGTON COUNTY

LAND USE POLICIES BY VULNERABLE AREA					
File Y322 ' H' / April 2015					
<b>WHPA - A</b>					
Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA			Prohibit waste disposal sites as a land use under the circumstances listed in the Tables of DWT through OPA/ZBA <sup>1</sup> .		Prohibit waste disposal sites where the storage/generation of waste would be a significant drinking water threat <sup>1</sup>
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics			New lots created through severance/subdivision shall only be permitted where serviced by municipal sewage system.	Where a significant DWT, new lots will only be permitted where they are serviced by municipal sanitary sewers, or where an on-site septic system could be located outside of a vulnerable area with a score of 10.  Where no municipal sanitary sewer exists and where systems already exist, or where developable lots have been previously approved, all new or replacement private septic systems on lots where they would be a DWT shall be located as far as possible from the wellhead.	No new lots requiring septic systems shall be created where the activity would be a SDWT.  New development dependent on septic systems with subsurface disposal of effluent, as regulated by the OWRA, shall be prohibited where the activity would be a SDWT.
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					The use of land for the storage of sewage shall be prohibited where the activity would be a SDWT.  Development dependent on the establishment of sewage works shall be prohibited where the sewage works discharge is to surface water from sewage treatment plant effluent discharges (including lagoons).
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					New development dependent on sanitary sewers and related pipes shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the located of the sanitary sewer/related pipe is the preferred alternative.
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility			Municipality shall establish design standards for SWM facilities that would minimize infiltration to groundwater from stormwater detention ponds, constructed wetlands, vegetated swales, and other similar SWM components; and prohibit the use of infiltration trenches, galleries and other similar sub-surface components of the system that allow for the direct infiltration of the collected stormwater.		The use of land for the establishment of a new SWM retention pond shall be prohibited.
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					Prohibit the establishment of new parking lots greater than 2,000 sq.m in size <sup>2</sup>  Prohibit the establishment of new parking lots greater than 200 sq.m in size. <sup>3</sup>
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-Icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					
			<sup>1</sup> disposal of petroleum refining waste, hazardous waste, liquid industrial waste, industrial or commercial waste, municipal waste		<sup>1</sup> storage/treatment/discharge of mine tailings, land farming petroleum waste, landfilling of hazardous, municipal, and solid non-hazardous industrial/commercial waste, liquid industrial waste injection to well, storage of hazardous/liquid industrial waste @ large facilities, storage of 'alphabet' waste.
			<b>NOTE</b> SWM facility design policy conflicts with CTC Q2 policies		<sup>2</sup> Not in an ICA-SOD or CHL <sup>3</sup> in an ICA-SOD or CHL

NOTE: Policies highlighted in Pink conflict between Source Protection Plans. Policies highlighted in Yellow could be considered for applicable across all Source Protection Plan Areas.



**WHPA - B v.10**

Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA			Prohibit waste disposal sites as a land use under the circumstances listed in the Tables of DWT through OPA/ZBA <sup>1</sup>		Prohibit waste disposal sites where the storage/generation of waste would be a significant drinking water threat <sup>1</sup>
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics			New lots created through severance/subdivision shall only be permitted where serviced by municipal sewage system	Where a significant DWT, new lots will only be permitted where they are serviced by municipal sanitary sewers, or where an on-site septic system could be located outside of a vulnerable area with a score of 10.  Where no municipal sanitary sewer exists and where systems already exist, or where developable lots have been previously approved, all new or replacement private septic systems on lots where they would be a DWT shall be located as far as possible from the wellhead.	New lots requiring septic systems under the BCA shall only be permitted if the municipality is satisfied that the activity will not become a significant drinking water threat. A hydrogeological assessment shall determine appropriate development density.  New development dependent on septic systems with subsurface disposal of effluent shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment of similar planning process that the location for the septic is the preferred alternative and the safety of the drinking water system has been assured.
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					The use of land for the storage of sewage shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location is the preferred alternative.  Development dependent on the establishment of sewage works shall be prohibited where the sewage works discharge is to surface water from sewage treatment plant effluent discharges (including lagoons).
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					New development dependent on sanitary sewers and related pipes shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location of the sanitary sewer/related pipe is the preferred alternative.
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility			Municipality shall establish design standards for SWM facilities that would minimize infiltration to groundwater from stormwater detention ponds, constructed wetlands, vegetated swales, and other similar SWM components; and prohibit the use of infiltration trenches, galleries and other similar sub-surface components of the system that allow for the direct infiltration of the collected stormwater.		The use of land for the discharge of SWM retention pond shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location of discharge from a SWM pond is the preferred alternative.
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					Require a salt management plan, which includes a reduction in the future use of salt, as part of a complete application for development which includes new roads and parking lots.
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					
			<sup>1</sup> disposal of petroleum refining waste, hazardous waste, liquid industrial waste, industrial or commercial waste, municipal waste		<sup>1</sup> storage/treatment/discharge of mine tailings, landfarming petroleum waste, landfilling of hazardous, municipal, and solid non-hazardous waste, liquid industrial waste injection to well, storage of hazardous/liquid industrial waste @ large facilities, storage of 'alphabet' waste
			<b>NOTE</b> SWM facility design policy conflicts with CTC Q2 policies		

**WHPA - B v.8**

Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA			Prohibit waste disposal sites as a land use under the circumstances listed in the Tables of DWT through OPA/ZBA <sup>1</sup> .		
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					The use of land for the storage of sewage shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location is the preferred alternative.
Sewage/Septic Systems -Sanitary Sewers & Related Pipes					
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					Municipalities are encouraged to require a salt management plan, which includes a reduction in the future use of salt, as part of a complete application for development which includes new roads and parking lots (moderate/low threats).
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-Icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					
			<sup>1</sup> disposal of petroleum refining waste, hazardous waste, liquid industrial waste, industrial or commercial waste, municipal waste		

**WHPA - C**

Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA					
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					
Sewage/Septic Systems -Storage of Sewage, Sewage Treatment Plan Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					The use of land for the storage of sewage shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location is the preferred alternative. <sup>1</sup>
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					
Sewage/Septic Systems -Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					Encouraged to require a salt management plan, which includes a reduction in the future use of salt, as part of a complete application for development which includes new roads and parking lots (moderate/low threats).
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs		Planning Authorities are requested to require a disclosure report as part of a complete application.			
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					



**IPZ-1 v.10**

<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA					
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plan Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					

**ICA-TCE**

<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA					
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plan Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					

**ICA-NIT**

<b>Threat</b>	<b>Grand</b>	<b>Halton / Hamilton</b>	<b>Saugeen</b>	<b>Maitland</b>	<b>CTC</b>
Waste Disposal Site subject to ECA					
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					New lots requiring septic systems under the BCA shall only be permitted if the municipality is satisfied that the activity will not become a significant drinking water threat. A hydrogeological assessment shall determine appropriate development density.  New development dependent on septic systems with subsurface disposal of effluent shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment of similar planning process that the location for the septic is the preferred alternative and the safety of the drinking water system has been assured.
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plan Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					The use of land for the storage of sewage shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location is the preferred alternative.
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					The use of land for the discharge of SWM retention pond shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location of discharge from a SWM pond is the preferred alternative.
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-Icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					



**ICA-CHL**

Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA					
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					<p>New lots requiring septic systems under the BCA shall only be permitted if the municipality is satisfied that the activity will not become a significant drinking water threat. A hydrogeological assessment shall determine appropriate development density.</p> <p>New development dependent on septic systems with subsurface disposal of effluent shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment of similar planning process that the location for the septic is the preferred alternative and the safety of the drinking water system has been assured.</p>
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plan Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					The use of land for the discharge of SWM retention pond shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment or similar planning process that the location of discharge from a SWM pond is the preferred alternative.
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					Require a salt management plan, which includes a reduction in the future use of salt, as part of a complete application for development which includes new roads and parking lots.
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-Icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					

**ICA-SOD**

Threat	Grand	Halton / Hamilton	Saugeen	Maitland	CTC
Waste Disposal Site subject to ECA					
Waste Disposal Site not subject to ECA					
Sewage/Septic Systems - Septics					<p>New lots requiring septic systems under the BCA shall only be permitted if the municipality is satisfied that the activity will not become a significant drinking water threat. A hydrogeological assessment shall determine appropriate development density.</p> <p>New development dependent on septic systems with subsurface disposal of effluent shall only be permitted where it has been demonstrated by the proponent through an approved Environmental Assessment of similar planning process that the location for the septic is the preferred alternative and the safety of the drinking water system has been assured.</p>
Sewage/Septic Systems - Storage of Sewage, Sewage Treatment Plant Effluent Discharges, Sewage Treatment Plant Discharge By-pass to Surface Water					
Sewage/Septic Systems - Sanitary Sewers & Related Pipes					
Sewage/Septic Systems - Industrial Effluent Discharge & Combined Sewer Discharge					
Discharge of Stormwater from a Stormwater Management Facility					
Application of ASM					
Storage/Handling of ASM					
Application of NASM					
Storage/Handling of NASM					
Application of Commercial Fertilizer					
Storage/Handling of Commercial Fertilizer					
Application of Pesticide					
Storage/Handling of Pesticide					
Application of Road Salt					Require a salt management plan, which includes a reduction in the future use of salt, as part of a complete application for development which includes new roads and parking lots.
Storage/Handling of Road Salt					
Storage/Handling of Snow					
Storage/Handling of Fuel					
Storage/Handling of DNAPLs					
Storage/Handling of Organic Solvents					
Management of Runoff – Aircraft De-Icing Chemicals					
Use of Land as Livestock Grazing/Pasturing Land, Outdoor Confinement Area or Farm Animal Yard					

# APPENDIX 4:

CTC SOURCE PROTECTION PLAN WATER  
QUANTITY POLICIES



Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-1	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	MOECC	C	<p><b>Prescribed Instrument</b> (Permit To Take Water Policies in WHPA-Q1 with Significant Water Quantity Threats)</p> <p>Within the Tier 3 Water Budget WHPA-Q1 where a water taking is or would be a significant water quantity threat the Ministry of the Environment and Climate Change shall ensure each water taking threat ceases to be, or does not become significant, through actions the Director considers appropriate on a case by case basis, such as:</p> <ol style="list-style-type: none"> <li>1) Reviewing all existing Permits To Take Water, located within WHPA-Q1 with a significant risk level, in consultation with the other Ministries (as required), the affected municipality, relevant conservation authorities, and permit holders, and amend the permits where necessary to ensure:                             <ol style="list-style-type: none"> <li>a) that municipal water supply requirements for the allocated and planned quantity (per the current approved population and employment projections of the most recent Growth Plan for the Greater Golden Horseshoe) will be met on a sustainable basis; and</li> <li>b) that the hydrological integrity of municipal wells in the vulnerable areas will be maintained.</li> </ol> </li> <li>2) Issuing Permits To Take Water for new or increased takings, located within WHPA-Q1 with moderate or significant risk levels, only if it can be satisfactorily demonstrated, using the findings of the most recently approved Tier 3 Water Budget Model and other available data, where appropriate, that the taking:                             <ol style="list-style-type: none"> <li>a) can be maintained on a sustainable basis;</li> <li>b) will not affect the ability of the aquifer to meet the municipal water supply requirements for the current and planned service capacity; and</li> <li>c) will ensure the hydrological integrity of municipal wells will be maintained.</li> </ol> </li> </ol>	<p>Existing &amp; Future: WHPA-Q1 with a significant risk level</p> <p>See Maps 3.1 3.2</p> <p>Future: WHPA-Q1 with a moderate risk level</p> <p>See Maps 3.3 3.4</p>	<p>Future: Immediately (T-3)</p> <p>Existing: 3 years (T-1)</p>	<p>GEN-3 DEM-2 DEM-8</p>	<p>MON-4</p>

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-2	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	Planning Approval Authority	A	<p><b>Land Use Planning</b> (Planning Policies in WHPA-Q1 with Significant Water Quantity Threats)</p> <p>Within the Tier 3 Water Budget WHPA-Q1 where a water taking is or would be a significant water quantity threat the relevant Planning Approval Authority shall ensure water taking does not become a significant drinking water threat by:</p> <ol style="list-style-type: none"> <li>1) Only permitting new development if the new development does not require a new or amended Permits To Take Water;</li> <li>2) Only providing final approval for new development that requires a new or amended Permit To Take Water once the Ministry of the Environment and Climate Change has determined that the proposed taking will not become a significant water quantity threat;</li> <li>3) Only approving settlement area expansions within WHPA-Q1 as part of a municipal comprehensive review where the applicable provincial planning criteria have been met and the following has been demonstrated:                             <ol style="list-style-type: none"> <li>a) the aquifer has sufficient capacity to sustainably provide municipal water services to the expanded settlement area;</li> <li>b) the expansion will not adversely impact the aquifers ability to meet the municipal water supply requirements for current and planned service capacity, for other permitted takings, or for wastewater receiving bodies; and</li> <li>c) the hydrological integrity of municipal wells will be maintained.</li> </ol> </li> </ol>	<p>Existing &amp; Future: WHPA-Q1 with a significant risk level</p> <p>See Maps 3.1 3.2</p> <p>Future: WHPA-Q1 with a moderate risk level</p> <p>See Maps 3.3 3.4</p>	<p>Future: Immediately (T-9)</p> <p>Amend OPs for conformity within 5 years and ZBLs within 3 years of OP approval (T-8)</p>	DEM-1 DEM-9	MON-1

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-3	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	MMAH MOECC	K	<p><b>Specify Action</b> (Growth Management/Planning Ministries to Review Growth in WHPA-Q1 with Significant Water Quantity Threats)</p> <p>Within a Tier 3 Water Budget vulnerable areas identified as having significant water quantity threats the Provincial Ministries specified below should undertake the following to ensure the provision and distribution of water supply for municipal population and employment growth forecasts does not create a new or increase an existing significant water quantity threat:</p> <p>1) The Ministry of Municipal Affairs and Housing in consultation with the Ministry of the Environment and Climate Change and any affected municipalities should use the Tier 3 Water Budget information and other data available, to ensure that municipal Official Plan growth forecasts and distributions will not result in creating or worsening a significant water quantity threat, given water quantity constraints identified in Tier 3 Water Budget model areas; and</p> <p>2) The Ministry of Municipal Affairs and Housing should take into consideration water quantity constraints identified through Tier 3 water budgets, and other data available, during its review of the population forecasts contained in the Growth Plan for the Greater Golden Horseshoe, in consultation with relevant municipalities.</p>	<p>Existing &amp; Future: WHPA-Q1 with a significant risk level</p> <p>See Maps 3.1 3.2</p> <p>Future: WHPA-Q1 with a moderate risk level</p> <p>See Maps 3.3 3.4</p>	<p>Existing &amp; Future: Consider within 2 years (T-15)</p>	DEM-8	MON-4

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-4	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	Municipality	E	<p><b>Specify Action</b> (Municipal Water Conservation Plans)</p> <p>Municipalities responsible for the production, treatment, and storage of water, who have a municipal well and/or whose residents are served by a municipal water supply within the Tier 3 Water Budget WHPA-Q1 shall develop and/or update Water Conservation Plans to ensure they are an effective tool to support sustainable water quantity by reducing consumption and therefore the demand for water.</p>	<p>Existing &amp; Future: WHPA-Q1 with a significant risk level</p> <p>See Maps 3.1 3.2</p> <p>Future: WHPA-Q1 with a moderate risk level</p> <p>See Maps 3.3 3.4</p>	<p>Existing &amp; Future: Initiate within 2 years (T-16)</p>	N/A	MON-1



Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-5	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	Municipality	E	<p><b>Education and Outreach</b></p> <p>Municipalities responsible for the production, treatment and storage of water and/or jurisdictional lands within a Tier 3 Water Budget WHPA-Q1 identified as having significant water quantity threats shall undertake the following education and outreach initiatives to help ensure water supplies are protected and increase the effectiveness of water conservation efforts in their jurisdictions to reduce consumption and demand by:</p> <ol style="list-style-type: none"> <li>1) Implementing education and outreach programs to ensure that property owners and businesses are aware of:                             <ol style="list-style-type: none"> <li>a) their role in protecting water supplies and conserving water;</li> <li>b) actions that can be taken to protect water supplies and use less water; and</li> <li>c) financial incentive programs and projects that may be eligible for funding under future funding of the Ontario Drinking Water Stewardship Program; or</li> </ol> </li> <li>2) Reviewing any similar programs that may already exist and update them where necessary to ensure their effectiveness.</li> </ol>	Existing & Future: WHPA-Q1 with a significant risk level  See Maps 3.1 3.2	Existing & Future: Implement within 2 years (T-10)	GEN-8	MON-1
		MOECC	K	3) The Ministry of the Environment and Climate Change should provide municipalities with a list of appropriate education and outreach materials that provide information and guide actions that can be taken to reduce the usage of drinking water for delivery by the municipality.				MON-4

APPROVED SOURCE PROTECTION PLAN: CTC Source Protection Region

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-6	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	Municipality	E	<p><b>Specify Action</b> (Joint Municipal Water Management)</p> <p>The Dufferin County municipalities that share a water source within a Tier 3 Water Budget WHPA-Q1 identified as having significant water quantity threats shall develop a Joint Municipal Water Supply Management model, and implement within 3 years of approval of the Source Protection Plan. This management model shall facilitate the planning and management of water supply sources to ensure sustainability of a long term water supply in each municipality and ensure that water quality and quantity is maintained or improved such that activities cease to be, or do not become, significant drinking water threats in the WHPA-Q1. The municipalities shall report to the Ministry of the Environment and Climate Change and the Ministry of Municipal Affairs and Housing, on the options and proposed management model within 1 year of the approval of the Source Protection Plan.</p>	<p>WHPA-Q1 with a significant risk level (Orangeville, Amaranth, East Garafraxa and Mono)</p> <p>See Map 3.1</p>	See Policy	DEM-7	MON-1
DEM-7	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	MOECC MMAH	K	<p><b>Specify Action</b> (Province to Support Joint Municipal Water Management System or Authority)</p> <p>The Ministry of the Environment and Climate Change, in collaboration with the Ministry of Municipal Affairs and Housing and other affected provincial ministries and agencies, as required, should initiate meetings with the Dufferin County municipalities that share a water source within a Tier 3 WHPA-Q1 identified as having significant water quality and quantity threats, to support the municipalities in developing mutually beneficial solutions to address water quantity and quality constraints within 1 year of approval of the Source Protection Plan. And further, the Ministry of the Environment and Climate Change should provide technical support to the municipalities.</p>	<p>WHPA-Q1 with a significant risk level (Orangeville, Amaranth, East Garafraxa and Mono)</p> <p>See Map 3.1</p>	See Policy	DEM-6	MON-4

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-8	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	MOECC	K	<p><b>Specify Action</b> (MOECC to Adopt and Fund Maintenance of the Tier 3 Water Budget Model)</p> <p>The Ministry of the Environment and Climate Change should adopt and fund a Tier 3 Water Budget Model in a WHPA-Q1 identified as having a moderate or significant risk level and undertake the following to ensure it is maintained as the primary model to review existing and future Permits To Take Water, to allow municipalities and other Provincial Ministries (i.e., Ministry of Municipal Affairs and Housing and Ministry of Infrastructure) to evaluate growth projections and distributions, and to facilitate the review of planning applications by municipalities where necessary to ensure that these activities cease to be, or do not become significant drinking water threats:</p> <ol style="list-style-type: none"> <li>1) Through the Permit To Take Water program, require municipal takers in WHPA-Q1 to monitor water quantity and supply data on a regular basis to assist in the upkeep of the model to determine any increase or reduction in significant water quantity threats;</li> <li>2) Use the model with the most up to date data as an analysis and decision making tool; and</li> <li>3) When necessary, contribute to funding for new continuous flow gauging stations in key surface water features and enhance conservation authorities existing Hydrometric Network in WHPA-Q1 to monitor long term trends in surface water quantity, study impacts of urbanization and climate change on aquifer recharge, and facilitate calibration of the model.</li> </ol>	<p>Existing &amp; Future: WHPA-Q1 with a significant risk level</p> <p>See Maps 3.1 3.2</p> <p>Future: WHPA-Q1 with a moderate risk level</p> <p>See Maps 3.3 3.4</p>	<p>Existing &amp; Future: Consider within 2 years (T-15)</p>	DEM-1 DEM-3	MON-4

APPROVED SOURCE PROTECTION PLAN: CTC Source Protection Region

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
DEM-9	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	Municipality	E	<p><b>Specify Action</b> (Identifying Additional Water Supplies)</p> <p>Municipalities located within a Tier 3 Water Budget WHPA-Q1 with a significant risk level are encouraged to identify additional water sources outside of the WHPA-Q1 to reduce demand from well systems which have been identified with significant water quantity stress and to report to the Source Protection Authority within 3 years on their progress.</p>	<p>WHPA-Q1 with a significant risk level</p> <p>See Maps 3.1 3.2</p>	See Policy	DEM-2	MON-1
DEM-10	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body	Municipality	E	<p><b>Specify Action</b></p> <p>York Region shall develop and implement a drought management plan using the Tier 3 water quantity risk assessment findings and modelling tool to prevent consumptive demand from becoming significant.</p>	<p>Future: WHPA-Q1 with a moderate risk level</p> <p>See Map 3.4</p>	Existing & Future: Immediately (T-18)	N/A	MON-1



Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
REC-1	An activity that reduces recharge to an aquifer	Planning Approval Authority	A	<p><b>Land Use Planning</b> (Planning Policies for Protecting Groundwater Recharge)</p> <p>For applications under the Planning Act within the Tier 3 Water Budget WHPA-Q2 identified as having significant water quantity threats, the relevant Planning Approval Authority shall ensure recharge reduction does not become a significant drinking water threat by:</p> <ol style="list-style-type: none"> <li>1) Requiring new development for lands zoned Low Density Residential (excluding subdivisions) or zoned Agricultural to implement best management practices such as Low Impact Development (LID) with the goal to maintain predevelopment recharge.</li> <li>2) Requiring that that all site plan (excluding an application for one single family dwelling) and subdivision applications for new residential, commercial, industrial and institutional uses provide a water balance assessment for the proposed development to the satisfaction of the Planning Approval Authority which addressed each of the following requirements:                             <ol style="list-style-type: none"> <li>a) maintain pre-development recharge to the greatest extent feasible through best management practices such as LID, minimizing impervious surfaces, and lot level infiltration; and</li> <li>b) where pre-development recharge cannot be maintained on site, implement and maximize off-site recharge enhancement (within the same WHPA-Q2) to compensate for any predicted loss of recharge from the development,</li> <li>c) for new development (excluding a minor variance) within the WHPA-Q2 and within an ICA (for sodium, chloride or nitrates), the water balance assessment shall consider water quality when recommending best management practices and address how recharge will be maintained and water quality will be protected.</li> </ol> </li> <li>3) Only approving settlement area expansions as part of a municipal comprehensive review where it has been demonstrated that recharge functions will be maintained on lands designated significant groundwater recharge areas within WHPA-Q2.</li> <li>4) Amending municipal planning documents to reference most current Assessment Reports in regards to the significant groundwater recharge areas within WHPA-Q2.</li> </ol>	<p>Future: WHPA-Q2 with a significant risk level</p> <p>See Maps 3.1 3.2</p> <p>Future: WHPA-Q2 with a moderate risk level</p> <p>See Maps 3.3 3.4</p>	<p>Future: Immediately (T-9)</p> <p>Amend OPs for conformity within 5 years and ZBLs within 3 years of OP approval (T-8)</p>	N/A	MON-1

Policy ID	Threat Description	Implementing Body	Legal Effect	Policy	Where Policy Applies	When Policy Applies	Related Policies	Monitoring Policy
REC-2	An activity that reduces recharge to an aquifer	RMO	H	<p><b>Part IV, s.58</b></p> <p>When a Building Permit that is not subject to a site specific Planning Application (excluding lands zoned Low Density Residential) located within a Tier 3 Water Budget WHPA-Q2, identified as having a significant risk level, an activity that reduces the recharge to an aquifer is designated for the purpose of s.58 under the <i>Clean Water Act</i> as, requiring a risk management plan where the threat would be significant.</p> <p>Without limiting other requirements, risk management plans shall require implementation of downspout disconnections and other best management practices to increase infiltration of clean water whenever modifications, additions or renovations are undertaken at existing properties or in new development with the goal of restoring or maintaining pre-development recharge.</p>	<p>Future: WHPA-Q2 with a significant risk level</p> <p>See Maps 3.1 3.2</p>	<p>Future: Immediately (T-7)</p>	<p>GEN-1 GEN-2</p>	<p>MON-2</p>
REC-3	An activity that reduces recharge to an aquifer	Municipality	E	<p><b>Specify Action</b></p> <p>Within a Tier 3 Water Budget WHPA-Q2 with a significant risk level, the municipality shall develop and implement actions to be taken and an implementation schedule, to ensure that an activity which reduces aquifer recharge ceases to be a significant water quantity threat.</p> <p>Such actions may include:</p> <ul style="list-style-type: none"> <li>a) reviewing options to maximize aquifer recharge;</li> <li>b) delivering an education and outreach program to inform property owners about actions that can be taken to protect aquifer recharge (e.g., site grading, rain gardens). The program may include incentives (such as rebates) to encourage best management practices;</li> <li>c) requiring the use of Low Impact Development in new development or retrofits; and</li> <li>d) passing a by-law to require downspout disconnection.</li> </ul>	<p>Existing: WHPA-Q2 with a significant risk level</p> <p>See Maps 3.1 3.2</p>	<p>Existing: Implement within 2 years (T-17)</p>	<p>GEN-8</p>	<p>MON-1</p>
		MOECC	K	<p>The Ministry of the Environment and Climate Change should provide municipalities with a list of appropriate education and outreach materials that provide information and guide to actions that can be taken to protect aquifer recharge for delivery by the municipality.</p>				<p>MON-4</p>



# D-5 Planning for Sewage and Water Services

An implementation guide for municipal planning, servicing and infrastructure with a focus on sewage and water services (Provincial Policy Statement under Section 3 of the Planning Act).

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Legislative Authority:

- *Environmental Protection Act*
- *Ontario Water Resources Act*
- *Planning Act*

Responsible Director: Director, Environmental Planning & Analysis Branch

Last Revision Date: August 1996

## Synopsis

This document is intended to guide municipal planning for sewage and water servicing. It describes an approach for municipal planning for sewage and water services to ensure an acceptable quantity and quality of water supply and the proper collection, treatment and disposal of sewage wastewater for development. It is consistent with the Provincial goal to manage growth and change to foster communities that are socially, economically, environmentally, and culturally healthy, and that make efficient use of land, new and existing infrastructure and public service facilities.

## Introduction (1.0)

### Purpose (1.1)

This document is intended to guide municipal land use planning for sewage and water servicing such that planning decisions shall have regard to the Provincial Policy Statement under Section 3 of the *Planning Act*. This guideline describes an implementation approach for municipal planning for servicing and infrastructure with a particular focus on sewage and water services.

### Rationale (1.2)

The provincial interest in planning for services and infrastructure in land use planning is founded in the recognition that servicing and infrastructure provide support for development. In recognizing that servicing is inseparable from development, it follows that well-planned servicing leads to well-planned development and communities. Well-planned services can be built efficiently and used

efficiently and avoid costs for later upgrading or rehabilitation that is common with poorly planned servicing. Planning for sewage and water services is particularly important to ensure that communities have a potable water supply and proper collection, treatment and disposal of sewage wastewater that protects the natural environment and public health. Planning for sewage and water services in land use planning allows the opportunity for servicing facilities to maintain or enhance the natural environment and accommodate expected growth in a manner that is cost effective and promotes efficient use of servicing facilities.

The Ministry of Environment and Energy has an interest in municipal planning for sewage and water services which stems from the Ministry's mandate in administering the *Environmental Protection Act, 1990*, *Ontario Water Resources Act, 1990*, and *Environmental Assessment Act, 1990*. The Ministry's responsibilities under these Acts include the approval and compliance monitoring of sewage treatment and water supply facilities. In order to protect the natural environment and public health it is imperative that land use planning decisions be made in the knowledge that proposed development can be accommodated in the long-term with sufficient and appropriate sewage treatment and a sufficient potable water supply in accordance with standards under environmental legislation.

## **Objectives (1.3)**

The objectives of this implementation guideline are to advise municipalities to plan for sewage and water services which maintain or enhance the quality of the environment while accommodating expected growth by:

- planning for and directing development to areas where municipal water and sewage facilities are available, with sufficient uncommitted reserve capacity to service the proposed development or to areas where there has been a commitment to new services or the expansion of existing services (where services will be available at the time of development), in accordance with long-term planning as established through the principles of the Provincial Policy Statement;
- using communal water and sewage services where multiunit/unit development is considered for areas without full municipal services to ensure the long-term viability of the services through municipal responsibility to protect the environment and public health; and
- determining, in the context of long-term planning and approved growth management objectives, that the consideration of development in areas without full municipal services is appropriate and site specific environmental and public health considerations are addressed.

## **Policy explanation and implementation (2.0)**

### **Policy Explanation (2.1)**

#### **Planning for Servicing and Infrastructure (2.1.1)**

Servicing and infrastructure are fundamental building blocks for development and have the potential to greatly impact the natural environment. "Infrastructure" refers to the physical structures that form the foundation for development including sewage and waterworks, waste management systems, electric power, communications, transit and transportation corridors and facilities, and oil and gas



pipelines and associated facilities. "Servicing" describes the act or result of employing sewage and water facilities to meet the physical needs of development and the community.

It is important to anticipate servicing needs and potential environmental impacts when municipalities are making decisions about growth and how it should be accommodated. It is not only important for municipalities to consider the servicing needs within their own boundaries, but also to be aware and take into consideration the servicing needs of the Province as a whole. In reaching land use planning decisions municipalities should consider existing and planned provincially related infrastructure, such as hydroelectric, hydrocarbon, transit, transportation and communications corridors and facilities (see Policy Statements B5, B6, B16). For an explanation of the terms used in this guideline see the attached Appendix, Glossary.

### **Planning for Sewage and Water Services (2.1.2)**

An effective means of planning for sewage and water services used by many municipalities is the preparation of servicing strategies such as multi-year sewage and water servicing plans. The Ministry of the Environment and Energy recommends that municipalities with the responsibility for sewage and water servicing plan for such services by preparing multi-year sewage and water servicing plans as one component of planning for growth management and preparing official plan policy. It is recommended that servicing plans be done in support of revisions to, or in the creation of, an official plan or can be done in support of planning documents prepared for areas proposed for potential growth (e.g. secondary plan or subwatershed plan).

It is recommended that municipalities communicate with neighbouring municipalities, and their respective public utilities where applicable, to develop cooperative approaches to planning for and providing sewage and water services. In many circumstances the most appropriate planning scale for sewage and water servicing is the watershed and subwatershed. The better understood the interrelationship between sewage and water servicing and natural water features and functions, the greater the efficiency of servicing over the long-term and the more effectively can the natural environment be maintained. In the interest of more comprehensive decision-making, municipalities may wish to take the opportunity to plan for servicing as one component of a broader planning exercise on a watershed/subwatershed scale.

Matters for consideration in the preparation of multi-year sewage and water servicing plans in conjunction with official plan policy include:

- investigate measures to resolve existing sewage or water problems within the municipality such as abatement of combined sewer overflows or addressing limitations to sewage collection/pumping stations and water distribution systems; and
- investigate servicing efficiency measures, such as the adoption of water conservation, toward reducing the demand on water supplies and treatment plant capacity; and
- address how the municipality intends to service anticipated growth and identify what the implications are for the sewage and water services and the need for new services; and
- account for the efficient use of available existing infrastructure by calculating and reporting on uncommitted reserve capacity for sewage and water treatment facilities and establish a monitoring program for future use of that capacity; and
- identify the physical and environmental constraints to development related to servicing; and

- adopt a hierarchy of servicing preferences as a guide for managing growth and settlement (see Section 2.1.3 of this guideline); and
- generally describe the type and level of water supply and sewage disposal services which would support municipal goals for environmental protection or enhancement, sustainability, urban intensification, and growth management in a manner which is efficient and cost effective; and
- draw conclusions regarding the principle of whether to permit development in areas outside existing full municipal services on the basis of:
  - an evaluation of servicing options which includes the potential for full municipal services and communal services; and
  - a determination of appropriate areas to target for growth on the basis of the servicing option available within the context of criteria outlined under the Provincial Policy Statement; and
- investigate and classify areas outside fully municipal serviced areas which may be targeted for growth by generally evaluating the potential growth areas according to their suitability for servicing. These servicing/environmental investigations (along with other planning concerns) should be the basis for municipalities to direct appropriate forms of development to areas least likely to suffer adverse environmental impacts. To confirm that the principle of development is appropriate, the investigations should be an overview based on a evaluation using existing information on environmental constraints which include soils, groundwater and surface water conditions and use, agricultural uses, storm water drainage, existing land uses, and environmental and physiographic features; and
- address the issue of residuals management including hauled sewage (septage) utilization/disposal in the case of septic tank systems and sludge utilization/disposal in the case of digested sludge.

Note 1: If a multi-year sewage and water servicing plan is completed according to the five key features of environmental planning (see Note 2, Procedure D-5 3) and the requirements of the municipal class environmental assessment process, MOEE will recognize and give credit for work done within the plan as part of future class environmental assessments (see Section 2.3, Municipal Engineers Association Class Environmental Assessment for Water and Wastewater Projects, 1993, and Section 16.1, *Planning Act, 1995*).

### **Hierarchy of Servicing Preferences (2.1.3)**

Official plans, in concert with sewage and water servicing plans, should adopt a hierarchy of servicing preferences which incorporate the principles in Section 2 of this guideline and are consistent with the Provincial Policy Statement as follows:

- development on full municipal services be the preferred mode of servicing where there is sufficient uncommitted reserve capacity or where there is the capability for full municipal services to be expanded;
- in areas lacking full municipal services, communal sewage and water services be the preferred mode of servicing multiunit/lot development; and



- in areas lacking full municipal or communal services where development can be justified consistent with the Provincial Policy Statement, the use of individual on-site sewage and water services, may be considered subject to meeting environmental and public health requirements.

#### a. Full Municipal Services

- New development should be directed to settlement areas with existing full municipal services or to where there has been a commitment to new full municipal services consistent with the Provincial Policy Statement. Municipalities should anticipate and plan for needed sewage and water treatment capacity to accommodate municipal growth and development objectives through the adoption of conservation measures to extend existing capacity and/or the expansion of capacity.
- Accordingly, an integral part of planning for services is determining the status of uncommitted reserve capacity at water and sewage treatment facilities and monitoring this capacity on an on-going basis. Municipalities responsible for sewage and water servicing should assume responsibility for tracking, reporting and allocating uncommitted reserve capacity, in conjunction with water conservation measures to optimize the use of this capacity.
- Where a municipality has determined that it is appropriate, consistent with the Provincial Policy Statement, to accept the principle of multi-lot/unit development adjacent to settlement area boundaries or portions of hamlets, villages, towns, and cities which have existing full municipal sewage and water services, then full municipal services is the preferred method of servicing such development<sup>1</sup>.(see Note 2)

#### b. Communal Sewage and Water Services

- Where a municipality has determined that it is appropriate, consistent with the Provincial Policy Statement, to accept the principle of planned development in areas without existing full municipal services, the preferred method of servicing multi-lot/unit development is public communal sewage and water servicing (see Note 2).
- In preparing servicing plans or reviewing planning documents proposing development on communal services, municipalities should:
  - consider the potential, appropriateness and, if deemed necessary, the means of accommodating phased, multiple, or clustered development on communal services; and
  - designate areas for development proposed to be served by communal services based on an evaluation of environmental constraints that confirms that the principle of development is appropriate; and
  - plan to accept responsibility for public communal services for development proposing multi-lot/unit residential development (See Procedure D-5-2, Application of Municipal Responsibility for Communal Sewage and Water Services).

#### c. Individual On-site Sewage and Water Services

- In preparing servicing plans or reviewing proposals for development on individual on-site services in areas without full municipal services, municipalities should ensure that:
  - planned development can be justified consistent with the Comprehensive Set of Policy Statements; and
  - municipal official plans do not anticipate or identify the provision of municipal services; and



- areas for development proposed to be served by individual on-site sewage and water services are designated based on an evaluation of environmental constraints that confirms that the principle of development is appropriate.

Note 2: Limited infill development on individual water supply and individual on-site sewage services within a settlement area may be considered only where there is no suitable receiver for effluent discharge from a full municipal or communal sewage facility, there are no existing or potential water quality or quantity problems, and site conditions permit.

## Implementation (2.2)

Within the context of the principles outlined in this guideline, the planning authority should review planning documents circulated under the *Planning Act* as follows:

### Official Plans (2.2.1)

The planning approval authority should not recommend approval of new or revised official plans, without official plans identifying areas for growth through official plan policies and designations based on multi-year sewage and water servicing plans which have evaluated servicing options consistent with Sections 2.1.2 and 2.1.3.

### Site-Specific Official Plan Amendment/Individual Application Review (2.2.2)

For site-specific official plan amendments/individual applications that are submitted within the context of approved municipal planning documents which have incorporated planning for sewage and water services (consistent with the Provincial Policy Statement and as described in Sections 2.1.2 & 2.1.3 of this guideline) the following should be met:

#### a. Full Municipal Services

- for site-specific official plan amendments, the municipality demonstrate (e.g. the proposal is in keeping with a municipal servicing strategy) to the approval authority that there will be sufficient uncommitted reserve sewage and water capacity available to service the proposed development (see Procedure D-5-1, Calculating and Reporting on Uncommitted Reserve Capacity at Sewage and Water Treatment Plants, Sections 4.0 & 5.0). For individual applications, the Province considers capacity to be committed when draft approval is granted to a development in a fully serviced municipality<sup>2</sup>. In circumstances where capacity is tied to the construction of new or expanded treatment facilities, the capacity will be considered available once:
  - *Environmental Assessment Act* approval has been given<sup>3</sup>; and,
  - the municipal council responsible for financial decisions regarding sewage and water services has passed a council resolution approving a specific budget item that dedicates capital for the completion of facilities (such that the facilities are completed prior to the commencement of construction of development).



If a municipality brings forward a specific proposal for alternative approaches for calculating and reporting uncommitted reserve capacity, the MOEE Regional Office will consider entering into alternative arrangements (e.g. a development control agreement) with the municipality based on the merit of the proposal. Alternative approaches may be in regard to, for example, how the MOEE calculation is applied, use of an alternative calculation, or how a municipality allocates capacity.

b. Communal Sewage and Water Services

- o an agreement for municipal ownership/responsibility for public communal services has been entered into between the developer and municipality for development proposing multi-lot/unit residential development (See Procedure D-5-2, Application of Municipal Responsibility for Communal Sewage and Water Services); and
- o a terrain analysis and hydrogeological report or an assimilation capacity study have been completed in accordance with the requirements of the *Environmental Protection Act* and *Ontario Water Resources Act* which demonstrate that the proposal will not have an adverse effect upon the environment or public health<sup>4</sup>.

c. Individual On-site Sewage and Water Services

- o a terrain analysis and hydrogeological report or an assimilation capacity study have been completed in accordance with the requirements of the *Environmental Protection Act* and *Ontario Water Resources Act* which demonstrate that the proposal will not have an adverse effect upon the environment or public health<sup>5</sup>.

Many municipalities have been given responsibilities under contract with the Province under Part VIII, *Environmental Protection Act, RSO 1990*, with respect to septic tanks and certain other sewage systems, including communal sewage systems which discharge to the subsurface. These responsibilities include (1) arranging for adequate inspection to be made of all parcels of land with respect to which an application for consent, plan of subdivision, minor variance, or plan of condominium is made which are not or will not be served by adequate sanitary sewers and (2) commenting to the body or person to whom such application is made on the suitability of such lands for sewage disposal. These responsibilities are often exercised by the Board of Health.

### Site-Specific Official Plan Amendment/Individual Application Review in the Absence of Planning for Sewage and Water Services in Approved Municipal Planning Documents (2.2.3)

In the absence of municipal planning for sewage and water services (as described in this guideline), the planning authority should not recommend approval for site-specific official plan amendments/individual planning applications proposing multi-lot/unit development, unless it is demonstrated that servicing options have been investigated and reported by means of a Servicing Options Statement (see Procedure D-5-3, Servicing Options Statement). Servicing options include the potential for servicing development on full municipal services, communal sewage and water services, and individual on-site sewage and water services consistent with this policy.

For the purposes of this guideline multi-lot/unit development means more than five lots/units of residential, industrial, commercial or institutional development.

"More than Five lots/units" has been chosen because it is consistent with how environmental legislation defines what constitutes communal services under Sections 52 & 53, *Ontario Water*

*Resources Act RSO 1990*, or under Part VIII, *Environmental Protection Act RSO 1990*. It is recognized that individual applications for small multi-lot/unit development in isolation from any other existing or proposed development may not be feasible on communal services or that the density associated with a particular development on communal services may not be desired. In the absence of official plan policy based on planning for sewage and water services, a servicing options statement can address the fundamental planning and servicing options at hand and ensure that informed decisions are made for community development that are consistent with the Comprehensive Set of Policy Statements. The servicing options statement can demonstrate how a particular development proposal(s) (and associated servicing) can fit most effectively into the existing community planning/servicing scenario and into any potential growth scenarios for the community.

A servicing options statement is not necessary for:

- development proposing connection to existing full municipal services within a designated settlement area, when it can be demonstrated that there is sufficient reserve sewage and water capacity as described in Section 2.2.2 of this guideline, or
- development proposing a servicing option that conforms to the existing official plan, where the official plan was prepared and approved in consideration of the principles described in this guideline and is consistent with the Comprehensive Set of Policy Statements.

Where applicable, the requirements of the municipal class environmental assessment process must be met (see Municipal Engineers Association Class Environmental Assessment for Water and Wastewater Projects, 1993).

The attached Appendix and Procedures form a part of this implementation guideline and should be read with the body of the implementation guideline.

## Appendix

### Glossary

#### Default

For the purposes of this document default describes the situation whereby communal services are not being operated or maintained in accordance with prescribed standards and the operator is unable or unwilling to comply with prescribed standards which may include non-compliance with the Terms and Conditions of the Certificate of Approval for the system or works.

#### Freehold Development

For the purposes of this guideline freehold development means development proposals subject to Section 50 of the *Planning Act* and not subject to the *Condominium Act*.

#### Infill

For the purposes of this guideline infill means development on vacant lots or undeveloped lots within a built-up area.

#### Multi-lot/unit Development

For the purposes of this guideline multi-lot/unit development means more than five lots/units of residential, industrial, commercial or institutional development.

#### Multi-Year Sewage and Water Servicing Plan



For the purposes of this guideline multi-year sewage and water servicing plan means a plan prepared by a municipality responsible for sewage and water servicing that recommends a framework for the servicing of future works and developments which are to be distributed geographically throughout a study area and implemented over an extended period of time. The plan should contain long-range servicing strategies and long term growth management goals which can form a basis for the preparation of official plan policy. The plan should address the implications for existing services to serve anticipated growth, efficiency of existing infrastructure including conservation measures, physical and environmental constraints to development related to servicing, and ensure that new services support the goals of environmental protection, sustainability, urban intensification and growth management in an efficient and cost effective manner.

#### Sewage and Water Services

**Full Municipal Sewage and Water Services:** Means piped sewage and water services that are connected to a centralized water or wastewater treatment facility and provided by the municipality or another public body.

#### Communal Sewage and Water Services

Generally mean sewage works and sewage systems and water works that can be described as small-scale satellite wastewater collection, treatment, and disposal facilities and water distribution, and possibly treatment, facilities using ground or possibly surface water as a source. Communal sewage services are separated from and unconnected to full municipal services which are connected to large centralized treatment plants that may serve entire municipalities. Communal sewage facilities can be comprised of gravity, pressure, or vacuum sewer collection systems, septic tank, secondary, tertiary, or stabilization pond treatment technologies, and discharge treated wastewater to either the surface of the ground, surface water, or subsurface environment.

For the purposes of this guideline and in keeping with existing legislation, "communal services" or "communal systems" mean those sewage works, water works and sewage systems to be approved, or approved under Sections 52 & 53, *Ontario Water Resources Act RSO, 1990*, or under Part VIII, *Environmental Protection Act RSO, 1990* for the common use of more than five units [in the total development area] of fulltime or seasonal residential or industrial/commercial occupancy or other occupancy as determined by MOEE staff.

#### Individual On-Site Sewage and Water Services/Systems

Individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

#### Public Communal Services

Means sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage and water but which:

- are not connected to full municipal sewage and water services;
- are for the common use of more than five residential units/lots; and
- are owned, operated, and managed by either:
  - the municipality; or
  - another public body; or
  - where ownership by a municipality or another public body can not be achieved, by a condominium corporation or single owner through a responsibility agreement with the municipality or public body, which requires municipal/public body assumption of the communal services in the event of default.

## Uncommitted Reserve Capacity

See: Procedure D-5-1, Calculating and Reporting on Uncommitted Reserve Capacity at Sewage and Water Treatment Plants

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<sup>1</sup> Note: Development on partial services (e.g. the provision of municipal water services in the absence of municipal sewage services) will generally be discouraged. Local circumstances such as the existing means and quality of servicing and physical constraints to servicing will be considered in determining whether partial services may be appropriate.

<sup>2</sup> In accordance with section 51, *Planning Act, 1995*, the approval authority in giving approval to a draft plan of subdivision may provide that the approval lapse after a specified time period, and thus, the committed capacity be re-allocated. See also section 70.3, *Planning Act, 1995*, regarding municipal authority to pass by-laws to establish a system for allocating sewage and water services to land that is the subject of an application under section 51. It is appropriate that municipalities that wish to use this provision describe in official plan policy the process for lapsing and re-allocation.

<sup>3</sup> Municipalities may wish to combine planning processes. Under Section 16(1) of the *Planning Act* municipalities may prepare an official plan or official plan amendment that may be considered under the *Environmental Assessment Act* with respect to any requirements under the *Environmental Assessment Act*, including the Municipal Engineers Association Class Environmental Assessment for Water and Wastewater Projects, 1993.

<sup>4</sup> See: (1) Manual of Policy, Procedures and Guidelines for Private Sewage Disposal Systems, 1982 (2) An Introduction to Communal Sewage Systems, 1994 (3) MOEE Guideline B-7, Incorporation of The Reasonable Use Concept into MOEE Groundwater Management Activities

<sup>5</sup> See: (1) Appendix E: Technical Guidelines for Septic Systems: Water Quality Impact Risk Assessment, March 1995 (2) Appendix F: Technical Guidelines for Private Wells: Water Supply Assessment, March 1995 (3) Manual of Policy, Procedures and Guidelines for Private Sewage Disposal Systems, 1982 (4) *Ontario Regulation 358* under Part VIII, *Environmental Protection Act, RSO, 1990* (5) *Ontario Regulation 903, Ontario Water Resources Act, RSO, 1990*

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The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.

- g) to implement strategies to make optimum use of water and sewage services where constraints exist.

**11.2.3 Servicing Options Assessment**

Site specific multi-lot or multi-unit development applications relying on private communal or individual on-site servicing may be required to:

- assess site and soil suitability and the viability of all reasonable servicing options;
- recommend the type of sewage disposal system and establish appropriate lot, unit and/or block sizes, acceptable to the local municipality which demonstrate suitability for the on-site services;
- assess the impact of the proposed means of servicing on: ground and surface water and associated ecological functions; potential interference with other wells; potential adverse impacts to natural features.

Where any private communal services are recommended, the Servicing Options Assessment will address to the satisfaction of the municipality:

- that the land is held under one ownership;
- requirements for a responsibility agreement signed with the municipality that will be registered on title to provide for the operation and maintenance of the system and the take over and cost recovery in the case of a failure of the system or of

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the town will take it on

the owner to properly operate the system; and

- that the capacity of the system will be sufficient for the size and density of development proposed, including an appropriate amount of excess capacity.

Construction of new, or expansion of existing municipal or private communal water and wastewater systems should only be considered where the following conditions are met:

- strategies for water conservation and other water demand management initiatives are being implemented in the existing service area; and
- plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density target.

**11.2.4 Urban Centre Policies**

The following water and sewage policies apply in urban centres:

- a) municipal services are the preferred method of servicing in all urban centres and reasonable efforts will be made to provide for municipal services in all urban centres;
- b) most Urban Centres have municipal sewer and water services. Development will normally be required to connect to these services;
- c) individual on-site servicing is not allowed in urban centres which have municipal services except:
  - i) to provide for the continued use of lots developed on individual on-site services;