

Companion Document to the Official Plan Model Wording

To conform with the Cataraqui Source Protection Plan (2014)

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Land Use Planning Working Group

Contents

Purpose	2
Policy Relationships	2
Potential Contaminants	4
Definitions	5
Other Considerations	7

Purpose

This supplementary document is to assist lower tier municipalities in the amendment of official plans to conform to / support the Cataraqui Source Protection Plan via model wording developed for this purpose.

Policy Relationships

Table 1 identifies the relationship between sections of the Draft Model Wording and policies in the Cataraqui Source Protection Plan. Please note that while every effort was made to ensure that each section of the Draft Model Wording would be adequate for all municipalities, it is possible that minor revisions will be necessary.

Table 1 – Linking Draft Model OP Wording to Cataraqui Source Protection Plan Policies

Draft Model OP Wording Section	Applicable SPP Policy Number	Applicable Zone(s) / Systems	Intent / Applicable Land Use(s)
1.1.1.2 Wellhead Protection Areas			
1.1.1.2.i	6.2.5-CW	WHPA-A and WHPA-B (where vulnerability score is 10) / all WHPAs	Prohibit / waste disposal sites, wastewater treatment facilities (excluding the replacement, expansion or upgrade of existing facilities)
	6.2.6-CW	WHPA-B and WHPA-C (where vulnerability score is 8) / all WHPAs	Prohibit / waste disposal sites, wastewater treatment facilities (excluding the replacement, expansion or upgrade of existing facilities)
1.1.1.2.ii	6.2.7-HR	WHPA-B (where the vulnerability score is 8), WHPA-C, WHPA-D or in Cana WHPA-E where it does not overlap with WHPA-A) / all WHPAs	Risk management measures for activities involving potential contaminants
1.1.1.2.iii	6.2.8-HR	All WHPAs	Incorporate low impact development techniques for new or expanding development (excluding single lot residential)
1.1.1.2.iv	One policy for each system with significant drinking water threats: Cana: 6.3.8-CW; Lansdowne: 6.4.9-CW; Miller Manor: 6.5.8-CW.	WHPA-A, WHPA-B, WHPA-C (applies to specific land use designations / activities with particular zones)	Restricted Land Use to support Part IV policy implementation

Table 1 continued

1.1.1.3 Intake Protection Zones			
1.1.1.3. i	7.2.2-CW	IPZ-1 for systems where significant drinking water threats can exist / Brockville, James W King, Sydenham	Prohibit / Waste disposal sites, waste water treatment facilities
	7.2.3-CW	IPZ-2 for systems where significant drinking water threats can exist /Brockville, James W King, Sydenham	Prohibit / Wastewater treatment facilities
1.1.1.3.ii	7.2.4-HR	IPZ-1 and IPZ-2 / IPZ 3a with significant drinking water threats / Brockville, James W King, Sydenham	Risk management measures for activities involving potential contaminants
	7.2.5-HR	IPZ-1 without significant drinking water threats (i.e. Point Pleasant ¹ , Kingston Central, Fairfield, Bath, A.L. Dafoe or Sandhurst Shores) IPZ-2 without significant drinking water threats (i.e. Kingston Central, Fairfield, Bath, A.L. Dafoe or Sandhurst Shores)	Risk management measures for activities involving potential contaminants
1.1.13.iii	7.3.5-HR	Sydenham IPZ-1 and IPZ-2 with moderate or low drinking water threats.	Incorporate stormwater management features into buildings and site plans
1.1.1.3iv	7.7.1-HR	Bath IPZ-1 and IPZ-2	Incorporate stormwater management features into buildings and site plans
1.1.1.3.v	One policy for each system with significant drinking water threats: Sydenham: 7.3.4-CW; Brockville: 7.4.5-CW; James W King: 7.5.4-CW.	IPZ-1, IPZ-2 (applies to specific land use designations / activities with particular zones)	Restricted Land Use to support Part IV policy implementation
1.2 Regionally Vulnerable Groundwater Areas			
1.2.1.i	5.5.1-HR	HVAs and SGRAs	Risk management measures for activities involving potential contaminants

¹ Cataraqui Source Protection Plan policy 7.2.5-HR does not apply to IPZ-2 for the Point Pleasant Intake Protection Zone.

Potential Contaminants

The term “potential contaminant” is used in the Draft Model OP Wording to mean the storage and / or handling of specific substances to which risk management measures apply. The potential contaminants considered by each Cataraqui Source Protection Plan policy varies; therefore, so do the sections of the Draft Model OP Wording. Table 2 displays applicable Cataraqui Source Protection Plan policies, the related Model OP Wording sections and identifies what is considered a potential contaminant for each specific policy and vulnerable area(s).

Table 2 – Potential Contaminant Definitions

Vulnerable Area	Source Protection Plan Policy	Model OP Wording Section	List of Potential Contaminants ¹
Wellhead Protection Areas Specifically: WHPA-B (with vulnerability score of 8), WHPA-C, WHA-D, or in Cana WHPA-E where it doesn't overlap with WHPA-A	6.2.7-HR	1.1.1.2.ii	Organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, PCBs. WHPA-D: all of the above substances, as well as DNAPLs
Intake Protection Zones where significant drinking water threats could exist (i.e. Brockville, James W King, Sydenham)	7.2.4-HR	1.1.1.3.ii	IPZ-1: DNAPLs, organic solvents, commercial fertilizer, liquid fuel IPZ-2 or 3a: sewage, DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt
Intake Protection Zones where significant drinking water threats cannot exist (i.e. Point Pleasant ² , Kingston Central, Fairfield, Bath, A.L. Dafoe or Sandhurst Shores)	7.2.5-HR		IPZ-1 and IPZ-2: DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage
Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas	5.5.1-HR	1.2.1.i	DNAPLs, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings, PCBs

¹ Cataraqui Source Protection Plan policy applicability is specific to particular volumes of potential contaminants. See Cataraqui Source Protection Plan for specific information.

² Cataraqui Source Protection Plan policy 7.2.5-HR does not apply to IPZ-2 for the Point Pleasant Intake Protection Zone.

Definitions

The Draft Model OP Wording presents terms that are likely new to official plans. The following table presents definitions that could be used within official plans to address the new terms. Two terms (highlighted below) still require definition since neither the Cataraqui Source Protection Plan nor any related act of regulation provides them. Table 3 provides definitions of terms included in the model wording that are specific to source water protection.

Table 3 – Source Water Protection Definitions for Official Plans

Term	Definition	Source
Ceases to be significant	“ceases to be significant” means a that a significant drinking water threat activity has either been prohibited or managed.	Cataraqui Source Protection Plan
Drinking water system	“drinking water system” means a system of works, excluding plumbing, that is established for the purpose of providing users of the system with drinking water and that includes, (a) any thing used for the collection, production, treatment, storage, supply or distribution of water, (b) any thing related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system, and (c) a well or intake that serves as the source or entry point of raw water supply for the system	<i>Safe Drinking Water Act</i>
Drinking water threat	“drinking water threat” means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat	<i>Clean Water Act</i>
Highly vulnerable aquifer	“highly vulnerable aquifer” means an aquifer on which external sources have or are likely to have a significant adverse effect, and includes the land above the aquifer	Ontario Regulation 287/07
Hydrogeological Sensitivity Study	“hydrogeological sensitivity study” means a site specific study that assesses the presence of a significant groundwater recharge area or a highly vulnerable aquifer.	Cataraqui Source Protection Authority
Implementing body	“implementing body” means the municipality, local board, source protection authority, provincial ministry, or other organization identified as responsible for the implementation of any given policy in the source protection plan	Cataraqui Source Protection Plan
Intake protection zone	“surface water intake protection zone” means an area that is related to a surface water intake and within which it is desirable to regulate or monitor drinking water threats	Ontario Regulation 287/07
Restricted Land Use Referral Process	“restricted land use referral process” means the direction issued by a risk management official having jurisdiction in an applicable municipality to screen applications for planning approvals and building permits as authorized by a regulation made pursuant to section 55 of the <i>Clean Water Act, 2006</i>	Cataraqui Source Protection Authority
Risk management	“risk management” means to the development and implementation of one or more risk management measures which control or mitigate the level of risk to human health and the environment associated with an activity.	Cataraqui Source Protection Plan

Risk Management Official	“risk management official” means the risk management official appointed under Part IV	<i>Clean Water Act</i>
Risk Reduction Plan	“risk reduction plan” means a study prepared by a qualified person(s) and that identifies measures that would reduce the risk of contamination from certain drinking water threats to vulnerable areas.	Cataraqui Source Protection Authority
Significant drinking water threat	“significant drinking water threat” means a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk	<i>Clean Water Act</i>
Significant groundwater recharge area	“significant groundwater recharge area” means an area within which it is desirable to regulate or monitor drinking water threats that may affect the recharge of an aquifer	Ontario Regulation 287/07
Source protection area	“source protection area” means a drinking water source protection area established by subsection 4 (1) or by the regulations	<i>Clean Water Act</i>
Source protection authority	“source protection authority” means a conservation authority or other person or body that, under subsection 4 (2) or section 5, is required to exercise and perform the powers and duties of a drinking water source protection authority under this Act	<i>Clean Water Act</i>
Source water	“source water” means the untreated water that is found in groundwater aquifers and surface water lakes and rivers that is used to supply a drinking water system.	Cataraqui Source Protection Plan
Transport Pathway	“transport pathway” means a condition of land resulting from human activity that increases the vulnerability of a raw water supply of a drinking water system set out in clause 15 (2) (e) of the Act	Ontario Regulation 287/07
Vulnerable area	“vulnerable area” means, (a) a significant groundwater recharge area, (b) a highly vulnerable aquifer, (c) a surface water intake protection zone, or (d) a wellhead protection area	<i>Clean Water Act</i>
Wellhead protection area	“wellhead protection area” means an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats.	Ontario Regulation 287/07

Other Considerations

It will be helpful to revise other sections of official plans in order to fully integrate source water protection considerations.

The vulnerable areas in section 1.3.i should be included as a site plan control area and text included in the appropriate section of the official plan.

The wording in section 1.4.ii should be included in the servicing section of the official plan.

In the “Complete Application” section of the official plan, a statement will be required to identify that one or more studies may be required to support a development application and that such studies must be submitted to the satisfaction of the municipality.

Options to require risk management measures:

1. Holding provisions
2. Business licensing
3. Site plan control