

S.59 Restricted Land Use Summary (Revised January 9, 2012)

Threat	Sub-threat	Policy Example #	Draft Policy #	Vulnerable Area	Implementing Body	Threat Status	Policy Idea	Implementation Schedule (RL.1.1)	Monitoring (RL3.0)	Prohibition (RL1.0)	RMP (RL1.0)
ASM	Application and storage of ASM	4-8	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	(Existing) (Expanding) Future	Within the area where the application or storage of ASM is a significant threat, the municipality shall amend its zoning by-laws and official plans to identify all land uses which could be associated with the application and/or storage of ASM as restricted.	Shall be initiated in all Official Plans within 6 months of Source Protection Plan approval with the goal to be completed within 2 years of the Source Protection Plan approval date. Zoning bylaws shall be updated within 3 years of the Source Protection Plan approval date.	Municipalities shall report to SPA on new policies incorporated in Official Plans and any new by-laws relevant to source water protection. All municipalities must report even if it is to indicate that no changes were required. Where no changes were required, the report is to describe how the existing OP and bylaws meet the requirements of this policy	X (temp. storage)	X (application where PI doesn't apply)
NASM	Application	7-5 (6-5)	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	(Existing) (Expanding) Future	Within the area where the handling and storage of NASMs is a significant threat, the municipality shall amend its official plan and zoning by-laws to identify, as restricted, all land uses which could be associated with the application	Shall be initiated in all Official Plans within 6 months of the approval of the Source Protection Plan with the goal to be completed within 2 years of the Source Protection Plan approval date. Zoning by-laws shall be updated within 3 years of the Source Protection Plan approval date.	Municipalities shall report to SPA on new policies incorporated into Official Plans and any new by-laws relevant to source water protection. All municipalities must report even if it is to indicate that no changes were required. Where no changes were required, the report is to	X (application)	X (application where PI doesn't apply)

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							or storage of NASMs.		describe how the existing OP and by-laws meet the requirements of this policy.		
NASM	Handling and storage of NASM	7-5	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	(Existing) (Expanding) Future	Within the area where the handling and storage of NASMs is a significant threat, the municipality shall amend its official plan and zoning by-laws to identify, as restricted, all land uses which could be associated with the application or storage of NASMs.	Shall be initiated in all Official Plans within 6 months of the approval of the Source Protection Plan with the goal to be completed within 2 years of the Source Protection Plan approval date. Zoning by-laws shall be updated within 3 years of the Source Protection Plan approval date.	Municipalities shall report to SPA on new policies incorporated into Official Plans and any new by-laws relevant to source water protection. All municipalities must report even if it is to indicate that no changes were required. Where no changes were required, the report is to describe how the existing OP and by-laws meet the requirements of this policy.	X (temp and new. storage)	
Fertilizers	Application, handling and storage of fertilizers	8-8	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	(Existing) (Expanding) Future	Within the area where the application or storage or handling of commercial fertilizers is a significant threat, the municipality shall amend its zoning by-laws and official plans to identify, as restricted, all land uses where	Shall be initiated in all Official Plans within 6 months of Source Protection Plan approval with the goal to be completed within 2 years of the Source Protection Plan approval date. Zoning bylaws shall be updated within 3 years of the Source Protection Plan approval date.	Municipalities shall report to SPA on new policies incorporated in Official Plans and any new by-laws relevant to source water protection. All municipalities must report even if it is to indicate that no changes were required. Where no changes were required, the	X (temp. storage)	X (application and storage where PI doesn't apply)

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							application, storage or handling of commercial fertilizers can occur.		report is to describe how the existing OP and bylaws meet the requirements of this policy		
Pesticide	Application, handling and storage	10-8	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	(Existing) (Expanding) Future	Within the area where the application, storage or handling of pesticides is a significant threat, the municipality shall amend its zoning by-laws and official plans to identify, as restricted, all land uses where application, storage or handling of pesticides could occur.	Shall be initiated in all Official Plans within 6 months of Source Protection Plan approval with the goal to be completed within 2 years of the Source Protection Plan approval date. Zoning bylaws shall be updated within 3 years of the Source Protection Plan approval date.	Municipalities shall report to SPA on new policies incorporated in Official Plans and any new by-laws relevant to source water protection. All municipalities must report even if it is to indicate that no changes were required. Where no changes were required, the report is to describe how the existing OP and bylaws meet the requirements of this policy.	X (temp. storage)	X (application)
Road Salt	Storage of road salt	12-7	RL2.0	WHPA-A and B with a vulnerability score of 10 IPZ-1 with a vulnerability score of 10 IPZ and WHPA-E with vulnerability score of 9	Municipality	Future	Land uses identified in the Municipal OPs and Zoning By-laws in this source protection area are designated for the purpose of s.59 of CWA in the areas of the storage of road salt is subject to s.57 prohibition	This policy will take effect immediately after SPP becomes effective. Implementation creates a "red flag" when a municipality receives a building permit application or planning act application in the geographic areas this policy applies	Monitoring is not applicable because it does not require municipal amendments or changes to Official Plans or Zoning By-Laws.	X	

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							under CWA.	(needs to match the same geographic areas the RMP and s.59 policies apply).			
Snow	Storage of snow	14-7	RL2.0	<p>Snow storage (below grade) is a significant threat in WHPAs with a vulnerability score of 10.</p> <p>Snow storage (at or above grade in an area &gt; 1ha) is a significant threat in WHPAs with a vulnerability score of 10 or an IPZ with a vulnerability score of 9 or higher.</p>	Municipality	Future	<p>Land uses identified in the Municipal OPs and Zoning By-laws in this source protection area are designated for the purpose of s.59 of CWA in areas of snow storage is subject to RMPs or s.57 prohibition under CWA.</p>	<p>This policy will take effect immediately after the approval of the Source Protection Plan. Implementation creates a "red flag" when a municipality receives a building permit application or planning act application in the geographic areas this policy applies (needs to match the same geographic areas the RMP and s.59 policies apply).</p>	<p>Monitoring is not applicable because it does not require municipal amendments or changes to Official Plans or Zoning By-Laws.</p>	X (storage of snow where it has been transported)	X
Fuels	The handling and storage of fuel	15-7	RL2.0	<p>WHPA-A, B with a vulnerability score of 10</p> <p>IPZ-1 with a vulnerability score of 10</p>	Municipality	Future	<p>All land uses identified in Municipal Official plans and Zoning By-Laws in this SPA are designated for the purposes of s.59 of CWA in the areas of handling and storage of fuel is subject to s.57 prohibition or s.58 risk management</p>	<p>Implementation of this policy will occur immediately following the approval of the SPP. Implementation creates a "red flag" when a municipality receives building permit or planning act applications in the geographic area where the policy applies.</p>	<p>Monitoring is not applicable because it does not require the municipality to amend or change Official Plans or Zoning By-Laws.</p>	X (new and expanding storage at gas stations, bulk plants, refineries, manufacturers, fuel distributors)	X (storage at retail outlets, cardlocks/keylocks, private outlets)

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							plans under CWA.				
DNAPL	The handling and storage of DNAPL	16-7	RL2.0	WHPA-A, B and C	Municipality	Future	All land use which could be associated with the storage and handling of DNAPLs identified in municipal Official Plans and Zoning By-laws in this SPA are designated for the purpose of S. 59 of the CWA in the areas where the storage and handling of DNAPLs is subject to S.57 Prohibition or S. 58 Risk Management Plans under the CWA.	Implementation of the policy immediately following the approval of the SPP. Implementation creates a “red flag” when a municipality receives building permit and planning act applications.	Monitoring is not applicable because it does not require municipal amendments or changes to Official Plans or Zoning By-Laws.	X (new)	X (existing)
Organic solvents	The handling and storage of organic solvents	17-7	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	Future	All land use which could be associated with the storage and handling of DNAPLs identified in municipal Official Plans and Zoning By-laws in this SPA are designated for the purpose of S. 59 of the CWA in the areas where the	Implementation of the policy immediately following the approval of the SPP. Implementation creates a “red flag” when a municipality receives building permit and planning act applications.	Monitoring is not applicable because it does not require municipal amendments or changes to Official Plans or Zoning By-Laws.	X (new)	X (existing)

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							storage and handling of DNAPLs is subject to S.57 Prohibition or S. 58 Risk Management Plans under the CWA.				
Aircraft deicing	N/A	18-3	RL2.0	Regional WHPA-E with a vulnerability score of 10 IPZ with a vulnerability score of 10 National WHPA-A, B with a vulnerability score of 10 WHPA-E with a vulnerability score of 9 or 10 IPZ with a vulnerability score of 9 or 10	Municipality	Future	All areas where the management of runoff that contains chemicals used in the de-icing of aircraft are designated for the purpose of S.58 under the CWA requiring Risk Management Plans in all areas where this threat is or would be significant.	The policy takes effect upon the approval date of the first source protection plan.	N/A		X
Livestock	Outdoor confinement area and grazing	21-8	RL2.0	WHPA-A, B with a vulnerability score of 10	Municipality	(Existing) (Expanding) Future	Within the area where livestock grazing or pasture land, an outdoor confinement area or a farm-animal yard are	Shall be initiated in all Official Plans within 6 months of Source Protection Plan approval with the goal to be completed within 2 years of the Source	Municipalities shall report to SPA on new policies incorporated in Official Plans and any new by-laws relevant to source	X (new OCA)	X (OCA, grazing)

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							significant threats, the municipality shall amend its zoning by-laws and official plans to identify, as restricted, all land uses where livestock grazing and pasturing, outdoor confinement areas or farm-animal yards can occur.	Protection Plan approval date. Zoning bylaws shall be updated within 3 years of the Source Protection Plan approval date.	water protection. All municipalities must report even if it is to indicate that no changes were required. Where no changes were required, the report is to describe how the existing OP and bylaws meet the requirements of this policy		

## Summary

### Vulnerable Area

- WHPA-A, B with a vulnerability score of 10 (ASM, NASM, fertilizer, pesticide, road salt, snow storage, fuels, organic solvents, aircraft, livestock)
- WHPA-A,B and C (DNAPL)
- IPZ-1 with score of 10 (road salt, fuels, aircraft deicing)
- IPZ-1 with score of 9 (aircraft, snow)
- WHPA-E 9 (aircraft, salt)

### Implementing Body

- Municipality

### Threat Status

- Future

### Policy Ideas

- Land uses identified in the Municipal OPs and Zoning By-laws in this source protection area are designated for the purpose of s.59 of CWA in the areas of the activity is subject to s.57 prohibition under CWA.
- All areas where the activities are designated for the purpose of S.58 under the CWA requiring Risk Management Plans in all areas where this threat is or would be significant.

### Implementation

- This policy will take effect immediately after SPP becomes effective.
- Implementation creates a “red flag” when a municipality receives a building permit application or planning act application in the geographic areas this policy applies (needs to match the same geographic areas the RMP and s.59 policies apply).

### Monitoring

- Monitoring is not applicable because it does not require municipal amendments or changes to Official Plans or Zoning By-Laws.

**Comment [k1]:** Monitoring policies monitor the effectiveness of a policy; although this is a flagging tool there is not an opportunity to report on how effective this tool has been