

Source Protection Plan

Official Plan Conformity Discussion Paper

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1 Introduction

The Clean Water Act, 2006, (CWA) places new obligations on municipalities to protect sources of drinking water through the planning process. A proposed Source Protection Plan (SPP) has been developed for this region that incorporates mapping to identify vulnerable sources of drinking water and establishes policies to protect them. The proposed SPP has been submitted to the Minister of the Environment for approval.

On the date a local SPP comes into effect (the day it is posted on the Environmental Registry or a date specified by the Minister in his approval) all municipal decisions under the Planning Act or Condominium Act must conform with the Significant Drinking Water Threat (SDWT) policies and have regard for the Moderate & Low Drinking Water Threat (M/LDWT) policies of the SPP. Further, in designated areas and for designated land uses, before an application may be made for an approval under the Planning Act the applicant must first obtain a notice from the Risk Management Official which indicates either sections 57 & 58 do not apply or a Risk Management Plan has been agreed to or established. Similarly for a building permit to be issued in areas and for land uses which s59 applies, the applicant must first obtain a notice, from a Risk Management Official. As of January 2014 the notice issued under s59 of the CWA is considered applicable law under the Building Code Act. The CWA also requires that municipalities update their Official Plans (OP) and Zoning By-laws (ZBL) to conform with SDWT policies and have regard for the M/LDWT policies of the SPP.

One very important distinction in regards to municipal implementation of the SPP policies is that there is no such thing as 'legal non-conforming' when it comes to SPP policies. Policies may apply to future and/or existing activities and prohibit, regulate or otherwise restrict those activities.

This discussion paper is intended to provide an overview of the legal basis for the required OP updates including references to the CWA and Provincial Policy Statement 2014 (PPS). It includes an overview of the types of policies which must be or should be considered when updating the OP and provides suggestions as to Source Protection content for municipal Official Plans.

This document was developed following discussions with municipal and Conservation Authority (CA) planners through a series of workshops. It is intended to provide municipalities in the Thames-Sydenham and Region with guidance on how to ensure their Official Plan policies conform with SPP policies.

2 Legal Requirements for OP updates

Depending on the structure and degree of detail in the Official Plan, municipalities may wish to include a background or policy basis section that describes the legal significance of the SPP and its interrelationship with the OP. The following sections describe the requirements for conformity for both OP policies and decisions made under the Planning Act and the Condominium Act. These conformity requirements are established by the CWA and its regulations as well as the policies of the SPP.

2.1 *The Clean Water Act*

The CWA requires the development of a SPP and places obligations on municipalities to conform with the SDWT policies and have regard for other policies. Some references to the CWA are included here with section numbers following quotations:

- *“A municipality, local board or source protection authority shall comply with any obligation that is imposed on it by a significant threat policy...” (s38).*
- *“A decision under the Planning Act or the Condominium Act, 1998 made by a municipal council, municipal planning authority, planning board, other local board, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Municipal Board, ... shall,*
 - a) *conform with significant threat policies ...; and*
 - b) *have regard to other policies set out in the source protection plan.” (s39 (1)).*
- *“Despite any other Act, the source protection plan prevails in the case of conflict between a significant threat policy ... and,*
 - (a) *an official plan;*
 - (b) *a zoning by-law...(s39(2))”...*
- *“...Municipal planning authority ... shall amend its official plan to conform with the significant threat policies ... set out in the source protection plan.” (s40 (1)).*
- *The council or municipal planning authority shall make any amendments required by subsection (1) before the date specified in the source protection plan for the purpose of this section. (s. 40 (2))*
- The date referenced in s40(2) of the CWA is identified in policy1.09(3)
- Ministers may order amendments to resolve non-conformity (s41)
- SPP prevails over OP/ZBL in case of conflict (s39(2))

2.2 The Provincial Policy Statement

The PPS places a number of obligations on municipalities related to designated vulnerable areas, vulnerable surface and groundwater and sensitive features. The SPP and Assessment Reports (AR) designate a number of vulnerable areas including Highly Vulnerable Aquifers (HVA), Significant Groundwater Recharge Areas (SGRA), Wellhead Protection Areas (WHPA) and Intake Protection Zones (IPZ). These designated areas are defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source. Therefore municipalities should review the mapping of the various vulnerable areas included in the AR and ensure their planning documents are updated to be consistent with the PPS policies pertaining to such areas.

Excerpts from Section 2.2.1 of the PPS are provided below (please see PPS for full text as well as definitions):

Planning authorities shall protect, improve or restore the quality and quantity of water by:

- b) *minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
- c) *identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*
- d) *maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;*
- e) *implementing necessary restrictions on development and site alteration to:*
 1. **protect all municipal drinking water supplies and designated vulnerable areas; and**

2. protect, improve or restore **vulnerable surface and ground water**, sensitive surface water features and **sensitive ground water features**, and their **hydrologic functions**;
- f) *planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;*

The PPS specifically refers to vulnerable areas and does not make reference to the activities which are or would be 'significant drinking water threats'. It also does not make reference to any particular type or class of vulnerable area. As a result consideration needs to be given to the protection of all designated vulnerable areas. However, the level of protection, improvement or restoration may vary, particularly for those vulnerable areas (i.e. HVAs, SGRAs) that are not subject to significant drinking water threat policies in the SPP. Therefore, each municipality will need to consider how they intend to ensure their OP policies are consistent with the PPS in relation to the protection of all 'designated vulnerable areas'.

2.3 Source Protection Plan Policies

The SPP has a number of general policies which municipalities should refer to in updating their OP to conform with the SPP. These include:

- 1.06 General Land Use Planning Policy
- 1.07 (1.08) General Restricted Land Use
- 1.10 Transitional Provisions
- 1.11 Definition of Existing and Future

Policy 1.06 indicates the minimum that needs to be included in the OP and ZBL.

In addition to these general policies, Land Use Planning (LUP) is used as the primary tool for prohibition of development on new septic systems and septic holding tanks (regulated under the Ontario Building Code Act) where it would be a SDWT. Therefore, municipalities will need to incorporate this prohibition in their Zoning By-laws (2.15) and should also consider the need for accompanying OP policies. Policies which affect decisions under the planning act are identified in:

- List A in appendix A of the SPP identifies the SDWT policies which affect decisions under the planning act. As these policies must be conformed with, they should be referenced in the OP
- List B in appendix A identifies the M/LDWT policies which affect decisions under the planning act. As there must be regard for these policies, they should be referenced in the OP

Policy 1.09 (3) identifies the timing within which the updates shall occur as allowed for by s40(2) of the CWA. This policy requires updates to occur during a Comprehensive Review or *as soon as possible with a goal to be completed within 3 yrs of effective date of SPP*. The policy wording is included here for easy reference:

3. Policies written pursuant to Section 40(2) of the Clean Water Act (deadlines for Official Plan and Zoning by-law conformity through policy 1.06), shall establish the following implementation timing:

- a) *Updates to Official Plans shall be initiated as soon as possible after the effective date of the Source Protection Plan with the goal of being adopted within three (3) years of the effective date of the Source Protection Plan; and*
- b) *Updates to zoning By-laws shall be initiated as soon as possible after the effective date of the Source Protection Plan and be adopted within three (3) years of the effective date of the Source Protection Plan or, where amendments to the Official Plan are required to*

implement the SPP policies, within three (3) years of the effective date of those Official Plan amendments

Although the SPP does not require immediate incorporation of these changes, it is advisable to do so as soon as possible. This will ensure that proponents are aware of the requirements of the SPP as these requirements may restrict the proposed activities even if not yet reflected in the OP or zoning By-laws. Municipalities should consider incorporating these changes as part of planned comprehensive reviews and updates.

3 OP Update Content

The minimum content that must be included in official Plans is described by policy 1.06 which states:

All planning decisions shall be in conformity with those policies that address significant drinking water threats as per Section 39 (1) (a) of the Clean Water Act. All planning decisions shall have regard for those policies that address low and moderate drinking water threats as per Section 39 (1) (b) of the Clean Water Act.

At minimum, the Municipalities shall amend the Official Plan and Zoning By-laws to:

- a. Identify the vulnerable areas in which a significant drinking water threat could occur;*
- b. 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 the policies contained in the Source Protection Plan;*
- c. Identify the significant drinking water threats that are prohibited through Prescribed Instruments, or Section 57 of the Clean Water Act, in accordance with the significant drinking water threat-specific policies contained in this Source Protection Plan;*
- d. Incorporate any other amendments required to conform with the significant drinking water threat-specific land use policies or to have regard for the low and/or moderate threat-specific land use policies identified in this Source Protection Plan; and,*
- e. Incorporate a cross-reference indicating an applicant cannot make a planning application unless it includes a notice issued by the risk management official, as set out in Section 59(1) of the CWA and Section 62 of O.Reg. 287.07.*

Incorporating this minimum content into the Official Plans will require both mapping and related policy amendments. It is important that the reader of the OP understand that these policies and mapping are subject to change through updates to the AR and SPP. Therefore, regardless of the policies and mapping contained in the Official Plan, it is the most recent approved SPP to which municipal decisions must conform. In the event of a conflict between an approved SPP and an OP or ZBL s39(2) of the CWA indicates that the SPP will prevail. For this reason it is important that this be adequately described in the OP and that appropriate links or references be made to the approved AR and SPP.

This content should include:

- Background
- Goals and Objectives consistent with SPP and CWA

- Policies
- Related Definitions
- Required Supporting Documents for Application Review
- Mapping (schedules and appendices)

3.1 *Background*

Municipalities should consider providing some background on the SPP in their Official Plan policies, or in a background paper or report accompanying the amendments, in order to provide the context and rationale for the policies. Some background and context matters which should be considered include:

- Legislative requirements (many of which are described earlier in this document) which include the requirement that all Planning Act decisions shall conform with SDWT policies and have regard for M/LDWT policies.
- Text which reflects the CWA provision that in the event of a conflict between an approved SPP and OP or Bylaw, the SPP prevails (CWA s39(2))
- In the event of conflict between the SPP and a provision in a plan or policy that is mentioned in (CWA s39(5)) the provision that provides the greatest protection to the quality and quantity of any water that is or may be used as a source of drinking water prevails (CWA s39(4))
- Clarification that the SPP applies to specific activities which under specific circumstances may be considered drinking water threats. In many cases this is far more specific than general Land Use or even zoning established in zoning bylaws.
- Goals and guiding principles of the OP may need to be expanded to include SP principles
- It may be appropriate to include a brief vulnerable areas description as identified in ARs with appropriate references.
- PPS and how it relates to the vulnerable areas identified in the SPP
- Reference to the approved SPP as amended from time to time including:
 - the approved SPP(s)
 - the approved Assessment Report(s)
 - the interactive mapping site (available for Thames-Sydenham and Region)

In addition to establishing the policy framework for local land use decisions, OPs are a key tool for communicating other legislative restrictions and requirements that may affect the use of land to potential developers and other land use decision makers. Therefore, including Source Protection related policies and mapping in local Official Plans will serve as a means of communicating potential restrictions on the use of land arising from Source Protection Plan requirements and can reduce the importance of other mechanisms for disclosure. Municipalities should keep this in mind when planning updates to their OPs.

3.2 *Goals and Objectives*

Many OPs contain goals and/or objectives. Due to the importance of protecting drinking water sources and the requirement to be consistent with the PPS and conform with policies in the SPP it is recommended that the municipality update their goals and objectives to reflect Source Protection Planning. Some items to consider include:

- Goals and/or objectives which reflect section 2.2.1 of the PPS (2014)

- protect all municipal drinking water supplies and designated vulnerable areas
- protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions
- Goals and/or objectives which reflect the requirement that the OP conform with SDWT policies of the SPP
- Goals and/or objectives which reflect the requirement that the OP have regard for M/LDWT policies of the SPP

3.3 Glossary

Source Protection Planning has introduced many new terms, with very specific meanings. It will be important that any Source Protection related terminology and references included in the Official Plan are consistent with the CWA and the SPP and that this terminology is consistently used throughout the OP and ZBL. If related definitions are included in the Official Plan, they should be copied verbatim from the SPP Glossary. It is important to include reference to CWA definitions where appropriate as certain words used within the OP may have different definitions depending on the context it is used in.

A PDF version of the Glossary can be found on the Thames-Sydenham and Region Source Protection Website. A word version of that glossary can be provided, on request, for ease of adding those definitions to the OP.

3.4 Official Plan Policies

OP policies relating to source water protection should indicate where they apply, geographically, which is defined by the vulnerable areas in the AR.

- If there are multiple SPAs within a municipality, the municipality will be required to ensure the correct policies from each SPP are applied to the corresponding SPA.
- Municipalities may wish to delineate the boundaries of each SPA on a schedule and provide OP policies that reflect the SPP policies for each area.
- A description of where these policies apply should be included with reference to official mapping (SPP and AR including online link) noting this mapping will be amended from time to time

Policies should make general reference to SDWT unless it is the intention of the municipality to apply the OP policy more broadly than the SPP (such as to a land use rather than to a particular threat activity occurring under the specific circumstances, which result in it being a SDWT).

- It would be extremely difficult to accurately capture the detail of the prescribed threats circumstances in Official Plan policies
- Activities are identified in s1.1(1) of O.Reg. 287
- Circumstances are provided in MOECC Tables of Drinking Water Threats as well as in On-line tools. References could be provided to where this information is located.

Although the SPP policies affect both existing and future activities, it is acknowledged that the OP and planning decisions would be directed primarily at changes in land use that might be associated with future threat activities. It is however important to understand that the SPP also affects existing activities. Therefore for SPP policies there are no legal non-conforming uses or activities. It may be

advisable to make the reader of the Official Plan policies aware that although the use may be considered existing under the OP policies, the activity may still be subject to the policies of the SPP.

Beyond the requirement to be consistent with the SPP policies, municipalities are not limited in addressing the activities that are considered drinking water threats under the CWA (listed in Ontario Regulation 287/07), and can make their own decisions about which land uses are incompatible with the protection of vulnerable areas for drinking water sources. Municipalities may also elect to protect other drinking water sources, including non-municipal drinking water systems that are not included in the current AR. Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA) should be considered in this context as well as being designated vulnerable areas which require protection pursuant to the PPS.

3.4.1 Sample Policy Content

Conservation Ontario has developed a paper on incorporating SPPs into Land Use Planning documents. That paper lists OP and ZBLs that provide examples you may wish to review of how water protection has been considered by other municipalities. Please contact Conservation Ontario or the UTRCA Source Protection Coordinator if you would like an electronic copy of this paper. Providing sample policies that are transferable to another municipality is difficult due to specific language and practices, which differ across the region and Province. It is also important to keep in mind that some of these examples pre-date more contemporary guidance.

As OPs are updated and adopted, more standardized wording will evolve. Our intent with this discussion paper is to identify the matters for which the municipality may need to develop specific wording which fits their OP. As more examples are developed locally it is intended that local examples can be added to this discussion paper.

3.4.1.1 General Policy

As noted earlier policy 1.06 in the SPP indicates the minimum content for an OP. This can be satisfied by including language similar to the following in a policy of the OP:

Within the vulnerable areas identified in the approved SPP and AR, any use or activity that is, or would be, a significant drinking water threat is required to conform with all applicable SPP policies and, as such, may be prohibited, restricted or otherwise regulated by those policies.

Policy 1.06 also identifies the need to identify areas in which a SDWT could occur. This should be done by both including text references to the SDWT mapping in an approved SPP as well as the AR which provides the more detailed vulnerability mapping. It is important that any reference acknowledge that this mapping may be amended from time to time and that the most recently approved SPP and AR is applicable. It is also expected that municipalities would include this mapping in an OP schedule with appropriate disclaimers that refer to the official source of the mapping which may be updated from time to time. The following is an example of text that could be included with references to maps:

For the benefit of the reader, these vulnerable areas have been generally identified on Schedule/Appendix __ of this Official Plan. This mapping is intended to reflect the mapping in the approved SPP and AR which may be revised or updated from time to time without the need

for an amendment to this Plan. In the case of a discrepancy, the mapping in the most recently approved SPP and AR shall take precedence.

The mapping is discussed in more detail in the mapping section below.

In municipalities where Part IV is used to regulate threats to drinking water, the Risk Management Official (RMO) will need to be involved in the approval process for Planning Act, Condo Act and Building Permit applications. Where Section 59 of the CWA is used, a formal review process and official notice is required, but even when this tool is not used it will be important to involve the RMO in the approval process. Section 57 may prohibit an activity and all planning act decisions are required to conform with these policies. The RMO will be faced with enforcing this prohibition if the municipality allows the development to proceed. It will also be important that proponents consider risk management in planning their proposed development. Municipalities are strongly encouraged to include an Official Plan policy which addresses the involvement of the RMO in the development review and approval process in areas where a significant drinking water threat can occur.

In areas where Part IV is used:

- Pre-consultation should be strongly encouraged or preferably required through a policy in the OP.
- Policy 1.06 of the SPP indicates that the OP must indicate that for areas and land uses identified in the SPP, policy 1.07 of the SPP and s59 of the CWA require notice by the RMO before planning applications can be submitted or building permits can be issued.
- In the TSR SPP, this applies to all land uses except residential (in event modelled IPZ it applies only to industrial, commercial and agricultural land use)
- It should be noted that residential uses may still have restrictions on certain activities (such as fuel storage or the use of certain chemicals in home based business) even though a s59 notice is not required.
- The RMO may provide the planning authority and building inspector with more detail on specific land uses or types of Planning Act or Building Permit applications which are not designated for the purposes on s59. Although this guidance is likely to be made publicly available, it should not be referenced in OP or Zoning Bylaws at this time, as it is up to individual RMOs as to whether guidance of this nature is advisable.
- The guidance in this subsection is based on the current wording of policy 1.07 which may be revised through the approval process.

3.4.1.2 Policies relating to specific SDWT

In most cases Official Plan policies should only refer to activities that can be a SDWT, rather than trying to reference specific threat activities and the multitude of circumstances which affect whether or not the activity is a SDWT. Where threat specific policies are necessary or desired, municipalities should consider the appropriate planning document for threat (activity) specific policies. It may be more appropriate to deal with activity specific policies in the ZBL rather than the OP. It may also be more appropriate to deal with these threats through site plan control. Both ZBL and Site Plan Control will be discussed in a subsequent discussion paper. In determining conformity of the OP with the SPP, municipalities should consider whether the general policies discussed above offer them the ability to draft threat specific bylaws or use site plan control.

Some threats for which specific bylaw provisions (and policies) might be necessary or appropriate include, but are not limited to:

- Land use involving handling and storage of Dense Non-Aqueous Phase Liquids (DNAPL)

- Any land use serviced by individual septic system (or holding tank) is prohibited by policy 2.15. This policy specifically requires OP/ZBL to be updated to prohibit this threat in areas where it would be a SDWT.
- List A in appendix A of volumes II & III of the SPP provide a list of all policies which affect decisions under the Planning and Condominium Acts. Each of these should be considered for specific policies, although it is suggested that this would likely be more appropriately dealt with in ZBL.
- Some SDWT are managed or prohibited through the use of Prescribed Instruments (such as NASM, waste and sewage). The Province has recommended that the municipalities reflect this in the OP or ZBL.

If the OP or ZBL include specific policies/bylaw provisions, more detailed mapping would be needed. These policies would not apply broadly to the SDWT or M/LDWT policy applicability areas which are identified in the mapping products discussed elsewhere in this discussion paper. As a result detailed mapping identifying the areas to which each policy would apply is likely needed.

3.5 Supporting Documents

The municipality may wish to identify in their OP that additional information or documentation would need to be submitted with Planning Act applications to support their review and approval. At a minimum, Planning Act application forms will likely need to be modified to include information related to Source Protection. This information would include the vulnerability and circumstances pertaining to activities which may be Significant Drinking Water Threats. The Ministry of Environment has modified their Environmental Compliance Approval applications (previously referred to as Certificate of Authorization) to include some of this type of information. In addition to the information they are collecting in section 4.5 of the application form, additional details on the threats and circumstances would be necessary for reviewing Planning Act and building permit applications. This level of detail will be necessary to determine whether the application is subject to the SDWT policies in the SPP. In some situations, additional details beyond what would otherwise be included in an application form may be necessary to review the application. Without this information it would not be possible to determine if a notice, required by section 59 policies, could be issued. Requirements to submit additional documents to support an application should be included in the Official Plan so that proponents are aware of the complete application requirements.

Supporting documents, such as a disclosure report, hydrological/hydrogeological study, or a spill prevention and contingency plan, may be required to address drinking water threats and the protection of vulnerable areas. It is important that if identifying additional documents to be included with Planning Act approvals, the purpose and description of the documents needs to be included in the OP or referenced elsewhere. It will be important that any documents submitted in support of applications, that will be reviewed by the RMO, must be complete to the satisfaction of the RMO.

It may also be advisable to include a requirement of the proponent to pre-consult with the municipality and the RMO as early as possible. This pre-consultation would allow the proponent to explore the site specific limitations as well as the informational requirement of submission to support the application. It is important that this pre-consultation occur in advance of work being undertaken and should involve those professionals engaged by the proponent who will be undertaking the work.

Similarly a complete application for a Building Permit should also include the information described above. Information on the vulnerability of the subject land and the circumstances associated with potential SDWT activities will need to be used by the building official, along with the guidance allowed for under policy 1.07 of the SPP, to determine if a notice is required before a building permit may be issued. The notice required under s59 became applicable law under the Building Code in January 2014. This information should be included as part of a complete application.

3.6 Mapping

It is critical that the OP include both references to the official mapping contained in the SPP and the AR, and include mapping for reference in appropriate schedules or appendices. This will ensure that it is easy for the reader to understand where the SPP may prohibit, regulate or otherwise restrict drinking water threats, without the need to refer to the SPP and AR, but also establish that the official mapping contained in the most current SPP and AR takes precedence. Including appropriate mapping schedules in the Official Plan may also be necessary to identify the areas within which OP policies, that go beyond the minimum requirements of the SPPs, may apply.

The following mapping should be considered for reference and/or inclusion in the OP:

- To satisfy SPP policy 1.06, OPs must include mapping to identify areas where activities may be prohibited, restricted or otherwise regulated in the SPP. These areas are referred to in the SPP as Significant Threat Policy Applicability Areas and are shown in Map 3-1-1 to 3-1-11 in the SPP.
- Municipalities may also wish to include mapping which identifies areas where activities may be affected by M/LDWT policies in the SPP. These areas are referred to in the SPP as Moderate and Low Threat Policy Applicability Areas and are illustrated in Map 3-2-1 to 3-2-5 in the SPP.
- Municipalities may also wish to include mapping of vulnerable areas from the AR into the OP to satisfy the municipality's obligations under section 2.2.1 of PPS. These areas would include:
 - HVA
 - SGRA
 - WHPA
 - IPZ
 - ICA
- Some municipalities will be within multiple Source Protection Regions (SPR)/ Source Protection Areas (SPA). When this is the case, policies may differ from one SPR/SPA to another. Therefore it may be important to include mapping and text which clearly indicates the appropriate:
 - SPR/SPA;
 - SPP; and
 - AR
- Municipalities that have existing source protection related mapping in their Official Plans will need to determine the new source protection mapping for vulnerable areas should replace or be incorporated with the existing mapping in their OP. For example the SGRA included in the AR may replace recharge areas delineated in some OPs.

As the vulnerability mapping within an OP may not be updated as often as the official SPP documents and mapping, all relevant sections of the OP should make reference to SPP and ARs as

the official mapping source, which would prevail over the information and mapping included in the OP. It may be useful for any mapping schedules in the OP identifying vulnerable areas to reference the date of the approved SPP (September 17, 2015) and ARs (September 16, 2015) that the mapping reflects. That will make it easier for the reader to determine the currency of the mapping and whether a more recently approved SPP or AR may need to be consulted. Links are included in section 5 of this discussion paper for the following mapping:

- Web link to approved AR
- Web link to approved SPP
- Web mapping

3.7 OP updates - Other Considerations

This discussion paper is a working document that will continue to be updated as more detailed information becomes available and various approaches to integrating SP Planning into OPs and ZBLs are developed. As such it is important that those responsible for updating OPs and ZBLs consider the following:

- Work is currently being finalised on local Issue Contributing Areas and the extent of IPZ3 boundaries. It is not anticipated that this will result in any additional SDWT policies, however if new policies are added it will be important that the OP reflect them.
- Incorporation of any other Official Plan policies required to be consistent with the PPS policies pertaining to ‘designated vulnerable areas’ now that they have been identified by the SPP and AR mapping.
- Many OPs contain Transportation policy sections. Where appropriate, municipalities may wish to consider:
 - Emergency Detour Routes (EDR), highways and arterial roads being routed around more vulnerable areas (IPZ) where opportunities arise
 - Reflecting vulnerable areas on transportation schedules
- Emergency Planning and Spills Response considerations
- Strategic Action Policies

4 Source Protection Content Checklist

The following is a checklist summarizing critical and optional items to include in OP updates. It is a work in progress and will continue to be refined as municipalities explore how they should update their OP to be consistent with the SPP:

Content	Compulsory	Recommended	Optional
Goals and objectives include conformity to CWA and PPS		X	
Background and context on CWA and SPP			X
Status of approval of the SPP			X
Legal effect of SPP on decisions under the Planning Act and Condo Act		X	
SPP prevails over OP		X	
SPP may be updated and once updates come into effect they will prevail over OP		X	
Requirement of the OP and ZBL to be updated to be consistent with SPP		X	
Prescribed Drinking Water Threats (and when appropriate local		X	

drinking water threats)			
Where the SPP and AR can be located		X	
Whether multiple SPP apply and which parts of the municipality they apply to		X	
Consistent use of SPP terms and language		X	
Policy which satisfies 1.06	X		
Mapping which satisfies 1.06 and references official source as “may be updated from time to time”	X		
Mapping which identifies areas where activities may be moderate or low drinking water threats and references official source as “may be updated from time to time”			X
Designated vulnerable areas identification consistent with PPS s2.2			X
Policy which acknowledges requirements of 1.07 (1.08) for notice from RMO prior to planning act application and building permit issuance			X
Requirement for OP or ZBL to prohibit future development serviced by private individual sewage systems (as required by SPP policy 2.15)	X		
Reference to List A which identifies the policies in the SPP which affect Decisions under the Planning Act and Condo Act			X
Identify land uses associated with prohibited activities			X
Emergency Planning and Spills response considerations			X
Complete Application for Planning Act and Building Permit includes appropriate SP information		X	
Requirements for additional study/documents when appropriate			X
Requirement to pre-consult			X
Definitions and use of terms consistent with CWA and SPP		X	

5 References and links

Thames-Sydenham and Region Source Protection Plan	http://www.sourcewaterprotection.on.ca/sp_planning_protectionplan.html
Significant Threat Policy Applicability Area mapping	http://www.sourcewaterprotection.on.ca/sp_planning_protectionplan.html
Moderate and Low Threat Policy Applicability Area mapping	pg 107 of Vol 3 http://www.sourcewaterprotection.on.ca/downloads/sp_plan/Vol3-TSR%20policy/SPPvIII.pdf
List A- Significant Threat Policies that affect decisions under the Planning Act and Condominium Act	pg 48 of Vol 3 http://www.sourcewaterprotection.on.ca/downloads/sp_plan/Vol3-TSR%20policy/SPPvIII.pdf
Lower Thames Valley Assessment Report	http://www.sourcewaterprotection.on.ca/ar_LTVCA.html
St. Clair Region Assessment Report	http://www.sourcewaterprotection.on.ca/ar_SCRCA_main.html
Upper Thames River Assessment Report	http://www.sourcewaterprotection.on.ca/ar_UTRCA.html
Tables of Drinking Water Threats	http://www.ene.gov.on.ca/stdprodconsume/groups/lr/@ene/@resources/documents/resource/std01_079851.pdf
Clean Water Act	http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_06c22_e.htm
Clean Water Act and Regulations	http://www.ene.gov.on.ca/environment/en/legislation/clean_water_act/STDPROD_081758.html

Implementation Resource Guide Background and Introduction	http://www.sourcewaterprotection.on.ca/downloads/sp_plan/Implementation_Resources/BackgroundandIntroFINAL-May132013_000.pdf
Implementation Resource Guide Module 2: Understanding Where Policies Apply	http://www.sourcewaterprotection.on.ca/downloads/sp_plan/Implementation_Resources/Module2-FINAL-May1313.pdf
Implementation Resource Guide Module 3: Land Use Planning	http://www.sourcewaterprotection.on.ca/downloads/sp_plan/Implementation_Resources/module3cofinal.pdf
Environmental Compliance Approval applications	http://www.ene.gov.on.ca/environment/en/resources/STDPROD_090550.html

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