



Economic Development and Planning Committee

Tuesday, November 7, 2017, 6:00 pm
City Hall, Council Chambers

Committee Members

Councillor D. LeSueur,
Chair
Councillor J. Baker
Councillor J. Earle
Councillor M. Kalivas
Mayor D. Henderson,
Ex-Officio

Areas of Responsibility

Economic Development
Planning
Chamber of Commerce
DBIA
Heritage Brockville

Economic Development
Advisory Team
Museum Board
Library Board
Arts Centre
Tourism

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PUBLIC MEETING AGENDA

Report

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1. 2017-108-11
Source Water Protection Plan
Proposed Amendment to the Official Plan
and Amendment to the Zoning By-law 050-2014
City of Brockville

THAT Report 2017-108-11 be received as information and that a report on this matter be prepared by staff for consideration of the Economic Development Planning Committee at a future meeting.

**30 OCTOBER 2017
REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC
MEETING – 07 NOVEMBER 2017**

2017-108-11

**SOURCE WATER PROTECTION PLAN:
PROPOSED AMENDMENT TO THE
OFFICIAL PLAN AND AMENDMENT TO
ZONING BY-LAW 050-2014
CITY OF BROCKVILLE
FILES D09-09 and D14-025**

**D. DICK
DIRECTOR OF PLANNING (ACTING)
J. FAURSCHOU
PLANNER I**

RECOMMENDATION

THAT Report 2017-108-11 be received as information and that a report on this matter be prepared by staff for consideration of the Economic Development Planning Committee at a future meeting.

PURPOSE

To provide information for purposes of conducting a Public Meeting under the Planning Act respecting the following:

- Application for Amendment to the Official Plan for the City of Brockville; and
- Application for Amendment to City of Brockville Zoning By-law 050-2014.

as they pertain to the requirements under the Clean Water Act, 2006.

BACKGROUND

On 26 November 2014, approval was granted by the Ministry of the Environment and Climate Change (MOECC) for Cataraqui Source Protection Plan, dated November 2014, which document was prepared as based on the requirements of the Ontario *Clean Water Act, 2006* and in accordance with Ontario Regulation 287/07. The Plan took effect on 01 April 2015 with integration into applicable legislation "*no later than at the time of the next five year review required under section 26 of the Planning Act*".

Section 26 of the Planning Act reads as follows:

"26. Updating official plans - (1) If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, in accordance with subsection (1.1), revise the official plan as required to ensure that it,

(a) conforms with provincial plans or does not conflict with them, as the case may be;

(b) has regard to the matters of provincial interest listed in section 2; and

(c) is consistent with policy statements issued under subsection 3 (1). 2015, c. 26, s. 24 (1).

(1.1) *The council shall revise the plan no less frequently than,*

(a) 10 years after it comes into effect as a new official plan; and

(b) every five years thereafter, unless the plan has been replaced by another new official plan. 2015, c. 26, s. 24 (1)."

The Official Plan for the City of Brockville was approved 09 February 2012.

The Source Protection Plan identifies municipalities, provincial ministries and the Cataraqui Source Protection Authority as the main implementing bodies of the Plan.

Municipalities are generally responsible for:

- Enforcing Part IV of the *Clean Water Act* related to prohibition, risk management plan and restricted land use policies identified in the Plan.
- Making decisions under the *Planning Act* and *Condominium Act* that conform with significant threat policies, and that have regard to other policies in the Plan.
- Ensuring that their Official Plans conform with the Source Protection Plan policies that address significant threats no later than at the time of the next five year review required under section 26 of the *Planning Act*.
- Updating existing municipal operations and programs.
- Collaborating on research studies, education and outreach programs, and incentive programs.
- Reporting on the implementation of source protection policies to the Cataraqui Source Protection Authority. Municipalities have responsibilities under the *Clean Water Act* and Ontario Regulation 287/07 (General) that are independent of the Source Protection Plan, including the requirement to notify the Source Protection Authority and Source Protection Committee of proposals that could change the delineation and vulnerability score of a wellhead protection area or intake protection zone

The Ontario Building Code also requires municipalities to establish mandatory on-site sewage system maintenance inspection programs for those areas where septic systems are or would be significant drinking water threats, as identified in the Assessment Report. As there are no significant drinking water threats for septic systems in the City of Brockville, the Plan recommends that septic system inspection programs under the Ontario Building Code Act be established in areas that are subject to risk of contamination from on-site sewage systems.

Drinking Water Source Protection

Drinking water is protected under the Clean Water Act, 2006, c. 22, s. 1, which states as its purpose *“to protect existing and future sources of drinking water.”* Furthermore, Section 38 states the following:

“38. A municipality, local board or source protection authority shall comply with any obligation that is imposed on it by a significant threat policy ... that is set out in the source protection plan.

In addition, Subsection 22(1) of Ontario Regulation 287/07, identifies the objectives of the Source Protection Plan as follows:

“22. (1) Every source protection plan shall set out the following as objectives of the plan:

- 1. To protect existing and future drinking water sources in the source protection area.*
- 2. Ensure that, for every area identified in the Assessment Report (June 2011) as an area where an activity is or would be a significant drinking water threat,*
 - i. the activity never becomes a significant drinking water threat, or*
 - ii. if the activity is occurring when the source protection plan takes effect, the activity ceases to be a significant drinking water threat.”*

The Cataraqui Source Protection Plan includes policies to protect vulnerable areas around municipal residential drinking water supplies and other sensitive groundwater areas within the Cataraqui Source Protection Area.

Designated Vulnerable Areas

There are four (4) types of vulnerable areas:

- Wellhead protection areas
- Intake protection zones
- Highly vulnerable aquifers
- Significant groundwater recharge areas

Lands within the wellhead protection areas and intake protection zones are identified in the Vulnerable Area overlay and the limits of the IPZ-1 and IPZ-2 as per the Source Water Protection Plan as it applies to the City lands and adjoining Township of Elizabethtown-Kitley land and the screening area within the City are identified on the schedules attached to the proposed amendments to the Official Plan and the proposed amendments to Zoning By-law 050-2014, as amended. There are no wellhead protection areas within the City of Brockville.

Land uses in the underlying designations may be subject to requirements of Cataraqui Source Protection Plan policies as follows:

1. Policies that are made under Part IV of the *Clean Water Act* that prohibit or require risk management plans for particular activities. Development applications in these areas must be screened and directed to the risk management official as appropriate to ensure source protection requirements are met prior to processing *Planning Act*, *Condominium Act* or Ontario Building Code applications.
2. Policies that recommend risk management measures for activities associated with particular land uses where large volumes of chemicals or pollutants are stored and/or handled.
3. Policies that prohibit the establishment of uses which would be a significant drinking water threat.

Accordingly, in order to meet requirements under the Clean Water Act, the results of the Cataraqui Source Protection Plan must be incorporated into various municipal documentation including, but not limited to, the Official Plan for the City of Brockville and City of Brockville Zoning By-law 050-2014.

The following report addresses the required amendments to the Official Plan for the City of Brockville and City of Brockville Zoning By-law 050-2014 and addresses the need for future amendments to said documents.

Schedule “A” to this Report identifies the proposed amendments to the Official Plan for the City of Brockville.

Schedule “B” to this Report identifies the proposed amendments to City of Brockville Zoning By-Law 050-2014.

Comments Received To-Date (30 October 2017) are summarized below (See **Schedule “C”** to this Report):

1. Hydro One, Brockville Area, Gary Klein-Swormink, Supervising Distribution Technician.
 E-mail 18 October 2017:
 - “Hydro One has no concerns with the proposed amendments.”
2. Cataraqui Region Conservation Authority (CRCA), Michael Dakin, Resource Planner:
 - See attached letter dated 26 October 2017.

2017-108-11
Source Water Protection Plan –
Proposed Amendment to the Official Plan and
Proposed Amendment to Zoning By-Law 050-2014
City of Brockville
Files D09-09 and D14-025

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Potential Issues for Discussion:

1. Appropriateness of the requested Official Plan Amendment.
2. Appropriateness of the requested Zoning By-law Amendment.
3. Incorporation of proposed changes as provided by CRCA.

POLICY IMPLICATIONS

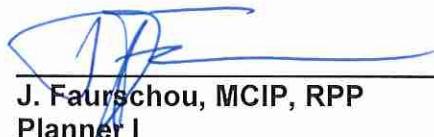
The contents of this report are provided for information purposes for the Public Meeting. Following the Public Meeting, Planning Department Staff will prepare a report for consideration of the Economic Development Planning Committee which will include review and consideration of policies that are relevant to the proposed amendment.

CONCLUSION

The Staff Report on these matters, including a detailed analysis of the proposed amendments, review and consideration of the issues raised and at the Public Meeting and to address those in comments received and a recommendation from Planning Staff, will be prepared for consideration of the Economic Development Planning Committee at a future meeting



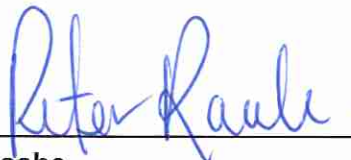
D. Dick, CPA, CA
Director of Corporate Services
Director of Planning (Acting)



J. Faurschou, MCIP, RPP
Planner I



B. Casselman
City Manager



P. Raabe
Director of Environmental Services

SCHEDULE “A” TO REPORT 2017-108-11

PROPOSED AMENDMENTS TO THE OFFICIAL PLAN FOR THE CORPORATION OF THE CITY OF BROCKVILLE

The following amendments to the Official Plan for the City of Brockville are being proposed:

SECTION 1: OUR CITY OUR PLAN

Delete the definition of “Source Water Protection Plan” under Section 1.5.1-Terms Used In Our Plan, and replace with the following updated text:

*“**Source Protection Plan** means a document that is prepared by a Source Protection Committee under Section 22 of the Ontario Clean Waters Act, 2006, to direct source protection activities in a source protection area. Each plan is approved by the Ontario Ministry of the Environment.”*

(Source: Cataraqui Source Protection Plan, May 2014)

Note: *Unless otherwise defined or interpreted to be defined by the definitions in this Section of the Official Plan for the City of Brockville (Plan) or through the policies of this Plan, terms and words used in the “Source Protection Plan” shall be interpreted as defined in the “Glossary” section of the Source Protection Plan, where such terms are defined by said document. In the case of a discrepancy between the Clean Water Act, 2006, and this Plan, the Clean Water Act, 2006, shall prevail.*

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “*Drinking Water Threat*” to read as follows:

*“**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.*

- *A **significant** drinking water threat is a drinking water threat that, according to the risk assessment, poses or has potential to pose a significant risk.*
- *A **moderate** drinking water threat that, according to a risk assessment, poses or has the potential to pose a moderate risk.*
- *A **low** drinking water threat that, according to a risk assessment, poses or has the potential to pose a low risk.”*

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Intake Protection Zone” to read as follows:

“Intake Protection Zone” means the area of land and water that contributes source water to a drinking water system intake within a specified distance, period of flow time and/or watershed area.”

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Restricted Land Use” to read as follows:

“Restricted Land Use” means a type of land use (e.g. industrial) within a wellhead protection area or intake protection zone that has been designated under Part IV of the Clean Water Act and that is normally associated with one or more activities that are significant drinking water threats (e.g. the handling and storage of and organic solvent). When reviewing planning and building applications in a restricted land use area, municipalities are required to consider whether or not a given development would lead to the establishment of activities that are:

1. prohibited by this source protection plan, or
2. subject to a site-specific risk management plan.

If relevant activities are proposed as part of the development, then related planning and building approvals by the municipality must exclude prohibited activities and confirm with any risk management plan(s) for the site, as applicable.”

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Risk Management Official” to read as follows:

“Risk Management Official” means a person appointed by the council of a municipality that is responsible for the enforcement of Part IV of the Clean Water Act, and who has the qualifications prescribed in Ontario Regulation 287/87, as amended.”

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Risk Management Plan” to read as follows:

“Risk Management Plan” means a site-specific plan negotiated under section 58 of the Clean Water Act to address significant drinking water threat activities, where the threat cannot be addressed through a different means, such as a prescribed instrument. Note that this tool cannot be used for most waste disposal and all sewage-related activities that require a certificate of approval under the Environmental Protection Act or the Ontario Resources Act, or a permit under the Ontario Building Code.”

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Source Water” to read as follows:

“Source Water means Untreated water that is found in groundwater aquifers and surface water lakes and rivers that is used to supply a drinking water system.”

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Nutrient Management Plan” to read as follows:

“Nutrient Management Plan means a plan that details how nutrients are to be applied to a given land base. A nutrient management plan is based on both the components of the nutrients used and the characteristics of the field. The plan optimizes the utilization of the nutrients by crops in the field and minimizes the environmental impacts. A person who owns or controls an agricultural operation, which is phased in under Ontario Regulation 267/03, and generates, greater than or equal to 300 nutrient units or is located within 100 metres of a municipal well must ensure that nutrients are managed in accordance with a plan if they apply nutrients on their farm unit..”

(Source: Cataraqui Source Protection Plan, May 2014)

Add a new definition under Section 1.5.1-Terms Used In Our Plan, for “Salt Management Plan” to read as follows:

“Salt Management Plan means a plan wherein road authorities prepare salt management plans that identify actions they will take to improve their practices in salt storage, general use on roads and snow disposal.”

(Source: Code of Practice, The Environmental Management of Road Salts, Ministry of Environment and Climate Change, Modified 2013-07-02)

SECTION 2: CHARTING NEW PLANNING DIRECTIONS FOR OUR CITY

No Change.

SECTION 3: BUILDING OUR HEALTHY & SUSTAINABLE CITY

Remove Policy 3.6.1 (8) in its entirety and replace it with the following:

3.6.1 Water Resources

“8. In accordance with the Clean Water Act, 2006, and in accordance with Ontario Regulation 287/07, the City of Brockville, the Cataraqui Region Conservation Authority, and Cataraqui Source Protection Committee prepared the Cataraqui Source Protection Plan.

On 26 November 2014, approval was granted by the Ministry of the Environment and Climate Change (MOECC) for the “Cataraqui Source Protection Plan (CSPP), dated November 2014”. The Plan took effect on 01 April 2015.”

Upon periodic review of the CSPP, the City of Brockville may, through an amendment to the Official Plan, incorporate the recommended amendment(s) of the CSPP, as necessary and appropriate.”

Add a new sub-section, Sub-section 3.6.10 Source Water Protection, to address policies concerning Source Water Protection as follows:

“3.6 Minimizing Our Impact on the Environment

3.6.10 SOURCE WATER PROTECTION

1.0 Drinking Water Protection

Uncontaminated and plentiful surface and groundwater resources are essential to the safe and adequate provision of drinking water. In order to meet the present and future needs of residents, businesses and the natural environment, it is the policy of this Plan to ensure sustainable surface and groundwater resources through the protection, conservation and careful management of the quality and quantity of drinking water sources.

As water contamination is extremely difficult, costly and sometimes impossible to rectify, prevention of contamination is the most appropriate strategy. Surface and groundwater sources shall be protected from a full range of drinking water threats.

Source water protection policies in this Official Plan are consistent with the intent of policies included in the Cataraqui Source Protection Plan. For clarification and policy detail, the Cataraqui Source Protection Plan must be referenced.

In the event of conflict between long-term protection of drinking water sources and other considerations; drinking water shall take priority. The Cataraqui Source Protection Plan made under the Clean Water Act, 2006, applies to the Cataraqui Source Protection Area. It is intended to protect vulnerable areas including intake protection zones and wellhead protection areas around municipal residential drinking water supplies, as well as highly vulnerable aquifers and significant groundwater recharge areas from activities identified as drinking water threats, per the Clean Water Act, 2006.

The terms used in this section carry the same meaning as those in the Cataraqui Source Protection Plan and the Clean Water Act, 2006.

As an implementation body identified in the Cataraqui Source Protection Plan, the municipality will:

- comply with significant drinking water threat policies;*
- have regard for all other land use planning; and*
- provide due consideration for other non-binding recommendations in the Cataraqui Source Protection Plan to realize source water protection.*

Monitoring and reporting consistent with requirements and / or recommendations in the Cataraqui Source Protection Plan and in a format specified by the Cataraqui Source Protection Authority and the Province of Ontario will be completed by the municipality.

1.1 Vulnerable Areas

Under the Clean Water Act, a vulnerable area is defined as a wellhead protection area, an intake protection zone, a significant groundwater recharge area or a highly vulnerable aquifer. The Provincial Policy statement (2014) also accounts for municipal drinking water supplies and designated vulnerable areas.

- i) The municipality will adapt municipal operations, consider program development, and work in partnership with the Cataraqui Source Protection Authority and others to comply with or support source water protection within vulnerable areas, as per the details and timeframes included in the Cataraqui Source Protection Plan.*

"Schedule 7A-Source Water Protection Screening Areas" identifies vulnerable areas as Intake Protection Zones (IPZ's) where the following policies shall apply:

1.1.1 Drinking Water System Vulnerable Areas

For source protection, particular activities that have the potential to pollute drinking water are called "drinking water threats" since they pose a risk of pollution. The policies of this Plan take into account drinking water threats that must or should be considered if they were to become established. Depending on their scale, the type of activity and their proximity to the source of drinking water, drinking water threats are ranked significant, moderate and low.

"Schedule 7-Source Water Protection Screening Areas" identifies areas of vulnerability for drinking water sources including wellhead protection areas and intake protection zones. Schedule "7" is to be used as an overlay to "Schedule 1-City Structure": Primary Land Use Designations, where the following policies shall apply:

1.1.1.2 Intake Protection Zones

- i. New development and / or expansions to existing development that involve waste disposal sites within intake protection 1 and waste water treatment facilities, including related infrastructures within intake protection zones 1 and 2, are prohibited where they would constitute a significant drinking water threat.*
- ii. New development and/ or expansions to existing development within intake protection zones 1 and 2 that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizers, liquid fuel, pesticides, sewage and road salt) where they would be moderate or low drinking water*

threats may be subject to the implementation of risk management measures to protect the drinking water supply.

- iii. New development and/or expansions, alterations or redevelopment of existing development for all non-residential uses within intake protection zones 1 and 2 where significant drinking water threats can occur may be permitted, if the Risk Management Official (RMO) is satisfied that the threat to drinking water ceases to exist. Submission of correspondence from the RMO under section 59 of the Clean Water Act is required for all non-residential planning applications or land use changes, as per the Restricted Land Use Referral Process.*
- iv. The Zoning By-Law shall prohibit or restrict land uses that involve significant drinking water threats and require risk management measures, as applicable in intake protection zones.*

1.2 Regionally Vulnerable Groundwater Areas

As with many areas in eastern Ontario, thin soils and fractured bedrock dominate the majority of the landscape within the City of Brockville. These conditions result in widespread recharge and high groundwater vulnerability.

“Schedule 7B-Highly Vulnerable Aquifers & Significant Groundwater Recharge Areas” identifies significant groundwater recharge areas (SGRAs) and highly vulnerable aquifers (HVAs) where the following policies shall apply:

1.2.1 Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas

- i) New development and / or expansions to existing development within significant groundwater recharge areas and/or highly vulnerable aquifers that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where they would be drinking water threats may be subject to the implementation of risk management measures to protect the groundwater.*
- ii) The Zoning By-Law shall prohibit or restrict land uses that involve significant drinking water threats and require risk management measures, as applicable in highly vulnerable aquifers and significant recharge areas.*

1.3 Application and Development Process

- i. New development and/or expansions to existing development associated with non-residential planning applications located within vulnerable areas identified on Schedule 7 may be subject to Site Plan Control. Requirements may include a “Risk Reduction Plan” to identify measures to be incorporated into the development for land uses that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer,*

pesticides, sewage, liquid fuel, road salt, snow storage, mine tailings and PCBs) where it would constitute a drinking water threat. The Risk Reduction Plan must be completed to the satisfaction of the municipality.

- ii. The above-noted "Risk Reduction Plan" requirement may be waived at the discretion of the Risk Management Official or the City of Brockville. .*

1.4 New Drinking Water Systems

- i. New municipal drinking water systems could result in existing land uses becoming significant drinking water threats. Care shall be taken to avoid this outcome wherever feasible.*
- ii. The establishment of new municipal drinking water systems, as defined under the Safe Drinking Water Act, 2002, as amended, will require an amendment to the Cataraqui Source Protection Plan and this Official Plan.*

SECTION 4: DEVELOPING OUR THRIVING CITY STRUCTURE

No Change.

SECTION 5: SERVICING OUR CITY

Amend Section 5 Servicing Our City, Sub-section 5.3 Water & Services, sub-sub-section 5.3.1 8. to add reference to the new policy sub-section 3.6. 10 Source Water Protection to read as follows:

- "8. The City may, as necessary and appropriate through an amendment to the Official Plan, incorporate the policies and recommendations of the Cataraqui Source Protection Committee's Drinking Water Source Protection Plan to ensure that the drinking water for the City and surrounding region is protected for the long term, in accordance with the policies of Section 3.6.1. 8. and 3.6.1 10 Source Water Protection.*

SECTION 6: IMPLEMENTING OUR CITY'S PLAN

Amend Section 6.4.13-Supporting Studies, Information and Materials for Development Applications, by adding a new Sub-section 9 to identify technical studies and reports which may be required for new development and for change of use to read as follows:

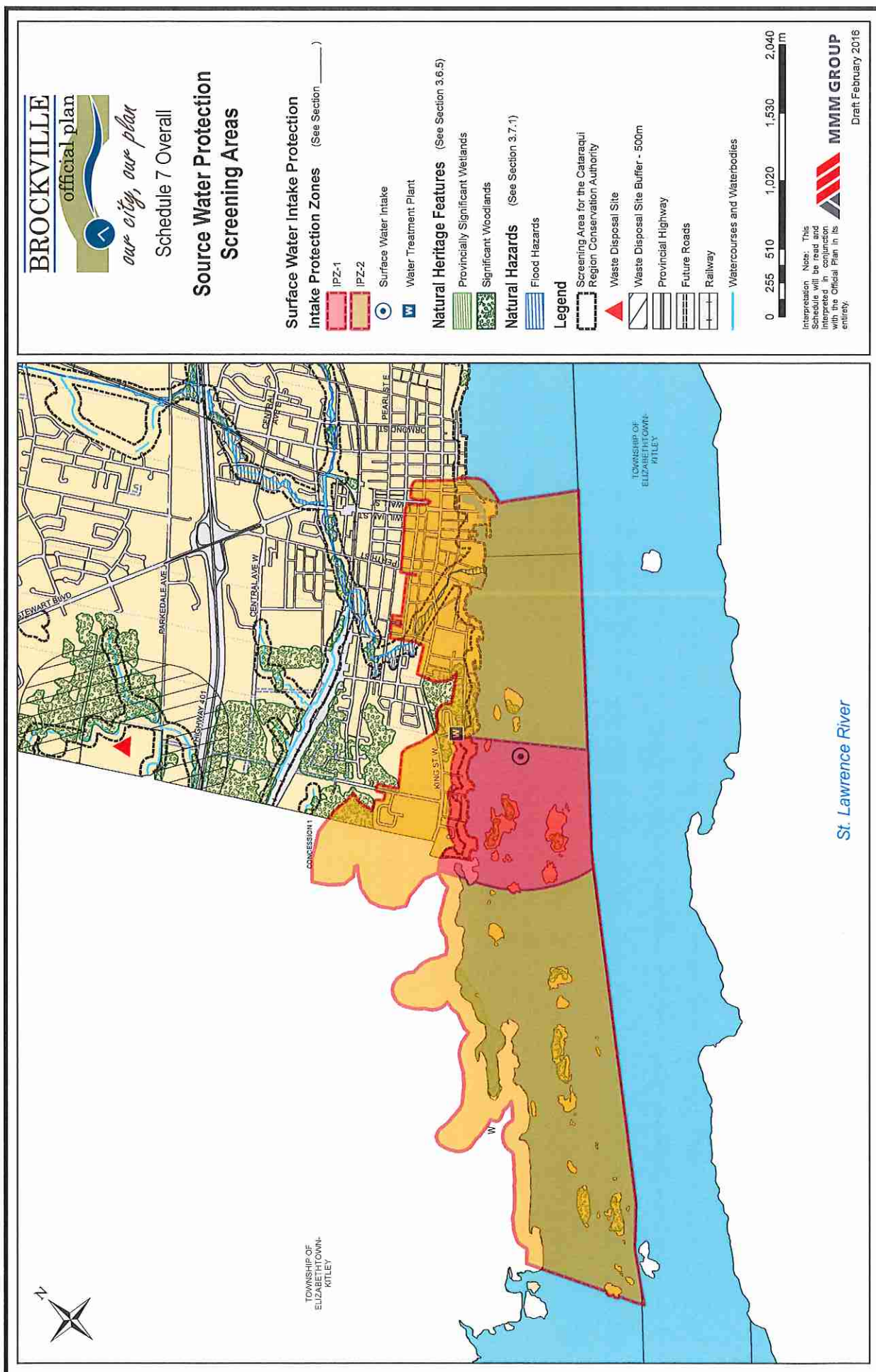
- "9. In addition information required under Section 6.4.13, Subsection 4 and Subsection 5, all development within Intake Protection Zone 1 and Intake Protection Zone 2, as identified on Schedule 7: Intake Protection Zones to this Plan, shall require pre-consultation with the Planning Department. Where deemed necessary, further pre-consultation and review by the designated "Risk Management Officer" shall be undertaken. Said pre-consultation may require preparation and submission of the following Plans;*
- i. Nutrient Management Plan;*

- ii. *Risk Management Plan;*
- iii. *Salt Management Plan;*
- iv. *Restricted Land Use Declaration Form.*

SCHEDULES

Add new Schedules to the Official Plan to identify Intake Protection Zones as follows:

- i. "Schedule 7 Overall, Source Water Protection Screening Areas, Surface Water Intake Protection" as per **Schedule "B"** to this Report.
- ii "Schedule 7B Source Water Protection Screening Areas, Highly Vulnerable Aquifers & Significant Groundwater Recharge Areas" as per Schedule "B" to this Report.



Schedule 7B

Source Water Protection Screening Areas

- Highly Vulnerable Aquifer**
- High
- Significant Groundwater Recharge Areas**
- High
 - Moderate

Legend

- Screening Area for the Cataraqui Region Conservation Authority
- Waste Disposal Site
- Waste Disposal Site Buffer - 500m
- Provincial Highway
- Future Roads
- Railway
- Watercourses and Waterbodies

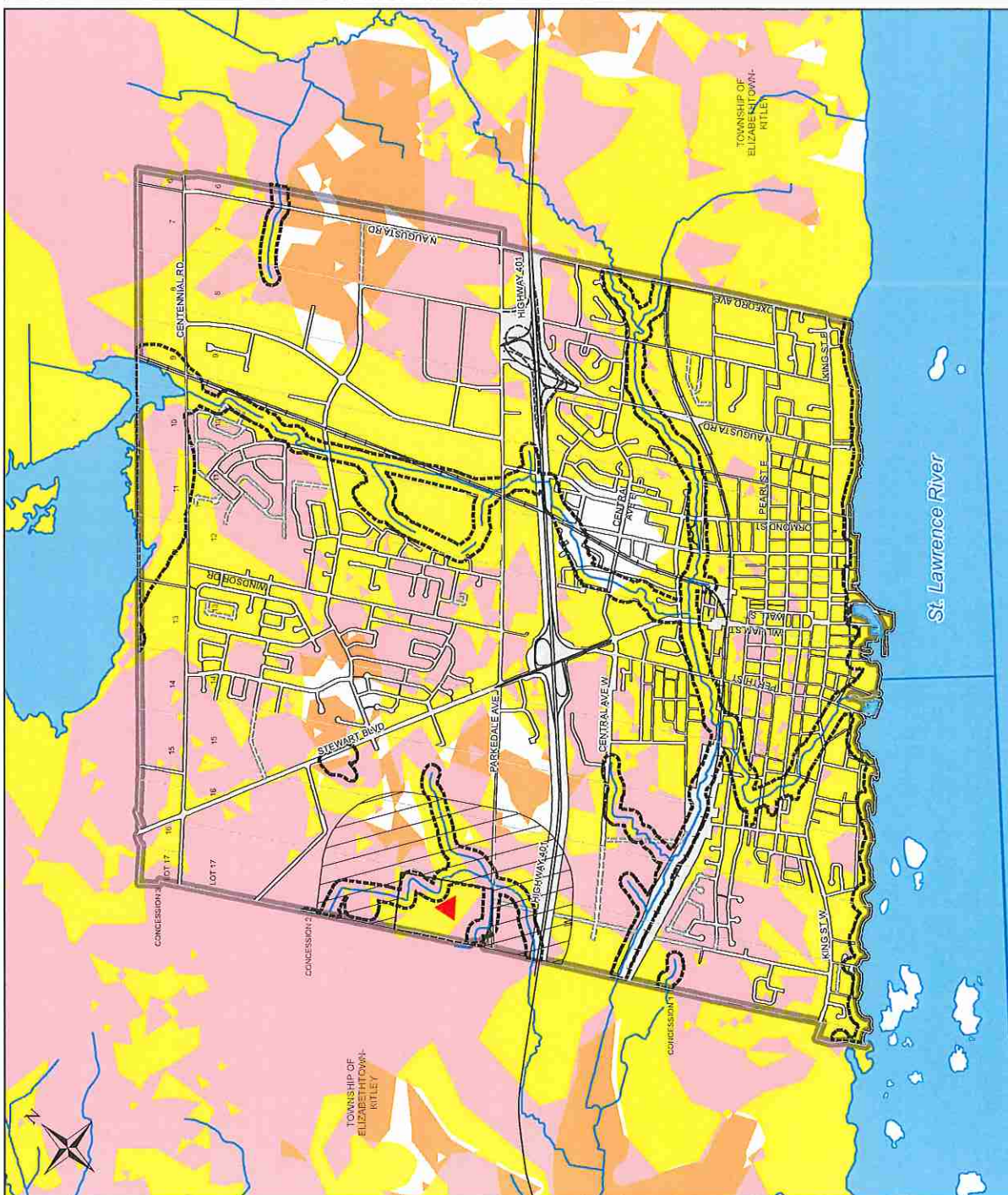


Interpretation Note: This Schedule will be read and interpreted in conjunction with the Official Plan in its entirety.



MMM GROUP

Draft March 2016



SCHEDULE “B” TO REPORT 2017-108-11

Proposed Amendments to the City of Brockville Zoning By-law 050-2014

The following amendments to City of Brockville Zoning By-law 050-2014 are being proposed:

Intake Protection Zone (IPZ) – Zone Provisions:

New - Part 2 Definitions:

Add the following definition and re-number the remaining definitions

*“227. **Source Protection Plan**, means the Cataraqui Source Protection Plan, created in accordance with the Clean Water Act, 2006, and in accordance with Ontario Regulation 287/07, which came into effect on 01 April 2015.*

For the purposes of this By-law, and notwithstanding definitions located elsewhere in this By-law, where definitions related to the Cataraqui Source Protection Plan, as amended, are not included in the City of Brockville Zoning By-law 050-2014, as amended, those definitions used in the Cataraqui Source Protection Plan shall be applicable.”

New - Part 3 General Provisions:

Add the following text and renumber the following sub-sections.

“3.45 Source Protection

3.45.1 Intake Protection Zones

a) IPZ-1:

IPZ-1 is composed of those lands as identified as IPZ-1 in “Appendix 3: Screening Area for The Cataraqui Source Protection Plan - Intake Protection Zones”

b) IPZ-2:

IPZ-2 is composed of those lands identified as IPZ-2 in “Appendix 3: Screening Area for The Cataraqui Source Protection Plan - Intake Protection Zones”

3.45.2 Permitted Uses

All uses existing at the date of passing this By-Law shall be permitted uses within the Intake Protection Area. All uses permitted within the underlying zone shall be permitted within the vulnerable area with the exception of those listed in Section 3.45.3 of this By-Law.

3.45.3 Prohibited Uses

Where the following uses are permitted in an underlying zone, they are prohibited in accordance with Section 3.6.10-Source Water Protection of the Official Plan in the areas with a vulnerability score of 10:

- i) Waste disposal sites involving one or more of the following activities:*
 - *application of agricultural source material, non-agricultural source material and untreated septage to land*
 - *Storage of mine tailings*
 - *Land farming of petroleum refining waste*
 - *Landfilling of hazardous waste, municipal waste and solid non-hazardous industrial or commercial waste*
 - *Liquid industrial waste injection into a well*
 - *PCB waste storage*
- ii) Wastewater treatment facilities and related infrastructure including:*
 - *Sanitary sewers and related pipes, except in relation to the expansion or upgrade of existing facilities*
 - *Sewage treatment plant effluent discharges including lagoons and sewage storage, except in relation to the expansion or upgrade of existing facilities*

Where the following uses are permitted in an underlying zone, they are prohibited in accordance with Section 3.6.10 Source Water Protection, of the Official Plan in the areas with a vulnerability score of 8:

- i) Waste disposal sites including:*
 - *Landfilling of hazardous, municipal and solid non-hazardous industrial or commercial waste*
 - *Liquid industrial waste injection into a well*
- ii) Wastewater treatment facilities including:*
 - *The storage of sewage, except in relation to the expansion or upgrade of existing facilities*

3.45.4 Restricted Uses

Where the following uses are permitted in an underlying zone, a Risk Mitigation Report must be prepared in accordance with section #.# of the Official Plan, as amended, prior to the issuance of a building permit in areas with a vulnerability score of 8 or less:

- 1. Handling or storage of more than 250 litres of a dense non-aqueous phase liquid and/or organic solvent associated with metal manufacturing facilities, electroplating and fabrication industry facilities, automotive or equipment repair shops, furniture refinishing shops, dry cleaning establishments other facilities*

2. *Handle and storage of more than 2,500 kilograms or litres of commercial fertilizer and/or the handling and storage of more than 2,500 kilograms or litres of pesticides to sell or use for application at other sites associated with lawn and garden centres, farm supply stores, lawn maintenance contractor yards, golf courses and other facilities except those that manufacture or process commercial fertilizer or pesticides”.*

New: Appendix 3:

Add a new Appendix “**Appendix 3: Screening Area for The Cataraqui Source Protection Plan: Vulnerable Areas and Surface Water Intake Protection**” to the By-law.

See attached Appendix 3.



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City of Brockville Comprehensive
Zoning By-law No. 050-2014
Appendix 3

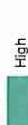
**Screening Area for The Catarqui
Source Protection Plan:
Vulnerable Areas and
Surface Water Intake Protection**

Highly Vulnerable Aquifer

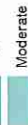


High

Significant Groundwater Recharge Areas



High



Moderate

Intake Protection Zones



IPZ-1



IPZ-2

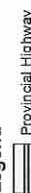


Surface Water Intake



Water Treatment Plant

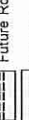
Legend



Provincial Highway



Future Roads



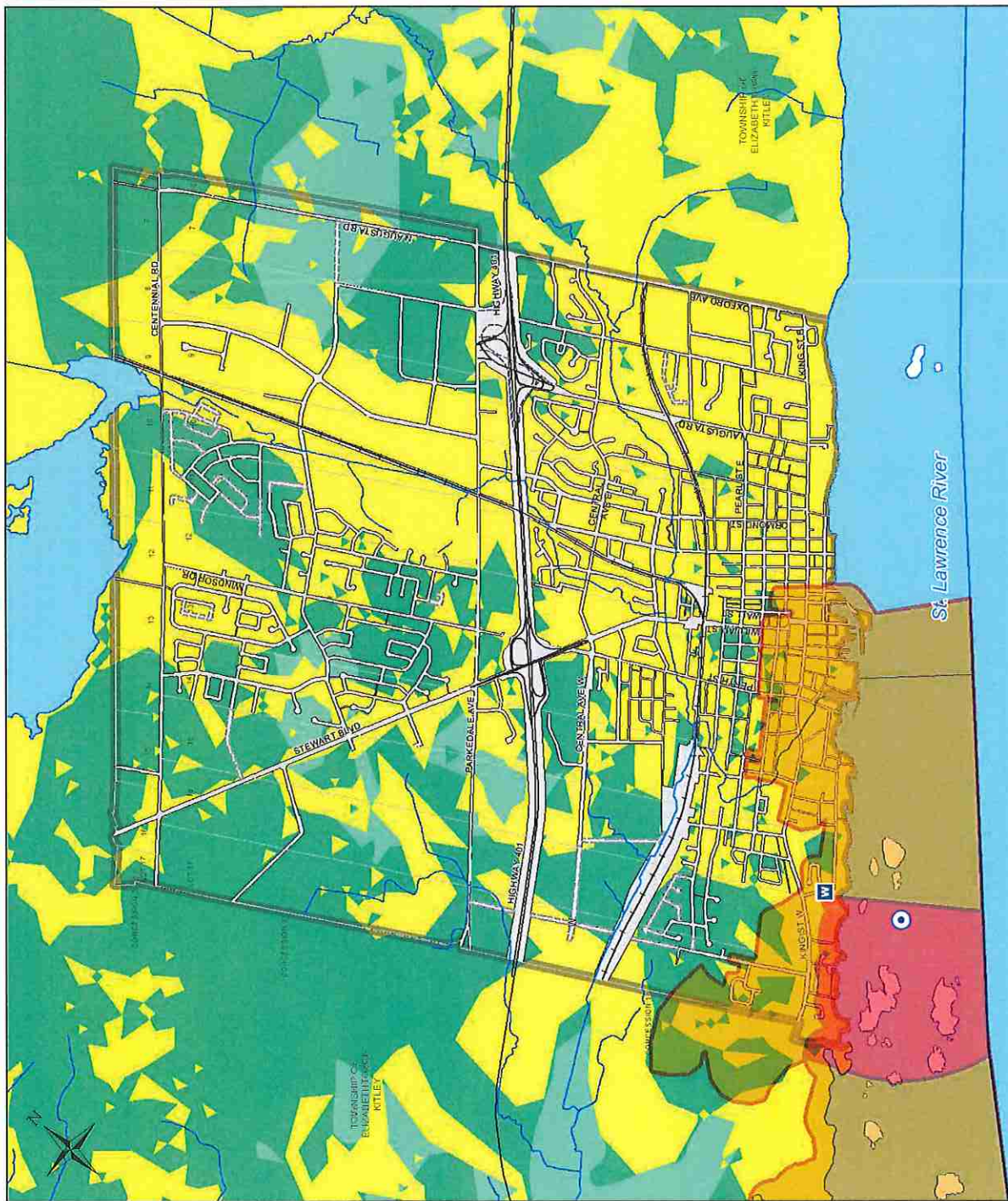
Railway



Watercourses and Waterbodies



Draft Oct 2016



**CATARAQUI REGION CONSERVATION AUTHORITY**

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
 Phone: (613) 546-4228 Toll Free (613 area code): 1-877-956-CRCA
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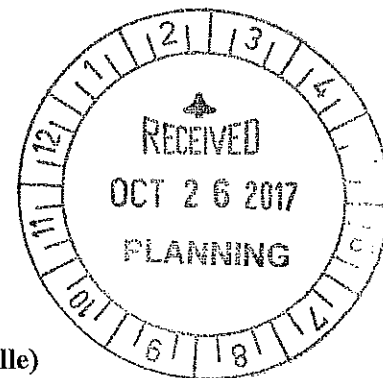


October 26, 2017

File: OP/BR/264/2017
 ZBL/BR/265/2017

Sent by Email

Jonathan Faurshou
 Planner I (Senior)
 City of Brockville
 P.O. Box 5000
 Brockville, ON
 K6V 7A5



Dear Mr. Faurshou:

Re: Application for Official Plan Amendment D09-09 (City of Brockville)
Application for Zoning By-law Amendment D14-025 (City of Brockville)
Source Water Protection Amendments
City of Brockville

CRCA staff have reviewed the above-noted Official Plan Amendment and Zoning By-law Amendment for the Brockville Employment Lands Secondary Plan including Schedule 'A' and 'B' of the planning report, proposed Official Plan Schedules 7 and 7B and proposed Zoning By-law Appendix 3.

We provide the following comments for the consideration of Council, City of Brockville staff, and the City's consultant(s).

Schedule A

1. **Definitions** - Please add "Climate Change" to the Ministry of the Environment reference in the Source Protection Plan definition.
2. **Definitions** - We recommend that definitions for "Highly Vulnerable Aquifer" and "Significant Groundwater Recharge Area" be added to the Official Plan since these are discussed in proposed Section 3.6.10 and are also included on Schedule 7B.
3. **Definitions** - We recommend a definition for "Transport Pathway" be added (see comment 10, below).
4. **Section 3.6.10(1.1)(i) Vulnerable Areas** - There is a reference to Schedule 7A, however, the schedule's title is simply "7".
5. **Section 3.6.10(1.1)(i) Vulnerable Areas** - For simplification and to accurately reflect terminology used in the Cataraqui Source Protection Plan, we recommend revising the proposed Schedule titles. For Schedule 7, we recommend: *Schedule 7: Source Water Protection Intake Protection Zones*. Alternatively, the IPZ information could be added to Schedule 7B to create a single schedule (consistent with the proposed zoning by-law Appendix 3). Should the two schedules be combined, the new schedule could be labeled *Schedule 7: Source Water Protection*

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Vulnerable Areas. In either case, we recommend removing the term “screening area” since this term does not apply.

6. **Section 3.6.10(1.1.1) Drinking Water System Vulnerable Areas** – Further to comment #5, above, we recommend the reference to the title of Schedule 7 be revised.
7. **Section 3.6.10(1.2) Regionally Vulnerable Groundwater Areas** – Further to comment #5, we recommend changes to the title of Schedule 7B. Should Schedule 7B be retained as a separate schedule from Schedule 7, we recommend revising the title to: *Schedule 7B: Source Water Protection Regionally Vulnerable Groundwater Areas*. If the two schedules are combined, we recommend: *Schedule 7: Source Water Protection Vulnerable Areas*. In either case, we recommend removing the term “screening area” since this term does not apply.
8. **Section 3.6.10(1.2)(ii) Highly Vulnerable Aquifers & Significant Groundwater Recharge Areas** – Significant drinking water threats are not applicable in HVAs and SGRAs. We recommend the term “significant drinking water threats” be removed from this policy.
9. **Section 3.6.10(1.3)(i) Application and Development Process** – “Risk Reduction Plan” is not defined in the proposed Official Plan amendment. We recommend adding a definition if this term is meant to be different from “Risk Management Plan”. If the term is intended to mean the same thing, please revise.
10. **Section 3.6** – We recommend adding a policy for transport pathway reporting.
11. **Section 5.3.1(8) Municipal Water and Sewage Services** – Please revise the reference to “Catarqui Source Protection Committee’s Drinking Water Source Protection Plan” to “Catarqui Source Protection Plan”.
12. **Schedule 7** – see comment #5.
13. **Schedule 7B** – See comment #7.
14. **Schedule 7B** – The legend item for Highly Vulnerable Aquifer does not need to identify the “high” category since this is the only category (i.e. there is no “moderate” or “low”).
15. **Schedule 7B** – It is not necessary to distinguish “high” and “moderate” categories for Significant Groundwater Recharge Areas on the Official Plan schedule since the proposed Official Plan policies do not differentiate the two.

Schedule B

16. **Section 3.45.1 (a and b) Intake Protection Zones** – We recommend changes to the title of Appendix 3 for clarity and consistency with terminology used in the CSPP. We recommend the title: *Appendix 3: Source Water Protection Vulnerable Areas*. We recommend removing the term “screening area”.
17. **Section 3.45.3 Prohibited Uses** – The proposed prohibited use text applies erroneously to Wellhead Protection Areas (which have vulnerability scores of 10 and 8 and do not exist in the City of Brockville). Please ensure that the correct prohibited uses for Brockville’s IPZ-1 (score of 9) and IPZ-2 (score of 8.1) are included in the proposed zoning by-law amendment.
18. **Section 3.45.4 Restricted Uses** – It appears this section is intended as a “flagging” policy for uses in areas with a low vulnerability score, in accordance with Section 5.5.1 of the CSPP. Since only HVAs and SGRAs have vulnerability scores of less than 8, this policy would only apply to uses in these areas. For simplification, we recommend that the wording “...in areas with vulnerability score of 8 or less” be revised to: “...in Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas.”
19. **Appendix 3** – see comment #16.

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20. **Appendix 3** – Similar to comment #14 and #15, the Appendix does not need to show the individual HVA and SGRA categories since the proposed zoning text does not speak to the different categories.

Recommendation

Thank you for the opportunity to review the proposed Official Plan and Zoning By-law Amendments. We recommend that the above items be addressed prior to adoption of these amendments.

Please inform this office in writing of any decisions made by the City of Brockville regarding these applications. If you have any questions, please contact the undersigned at (613) 546-4228 extension 228, or via e-mail at mdakin@crea.ca

Yours truly,



Michael Dakin
Resource Planner