



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
By-law No. 3279-2017**

A BY-LAW TO ADOPT OFFICIAL PLAN AMENDMENT NO. 3

WHEREAS pursuant to the provisions of Section 17 of the Planning Act, R.S.O. 1990, as amended, the Corporation of the Township of Augusta considers it desirable to adopt Official Plan Amendment No. 3.

AND WHEREAS the Council of the Corporation of the Township of Augusta is required to prepare, adopt and submit an Official Plan Amendment to the United Counties of Leeds and Grenville for approval.

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the Township of Augusta that:

1. That the Township of Augusta Official Plan Amendment No.3 consisting of the attached text and map Schedule 'A' is hereby adopted.
2. The Clerk is hereby authorized to make application to the United Counties of Leeds and Grenville for approval of Official Plan Amendment No. 3 to the Township of Augusta Official Plan.
3. This By-law shall come into force and take effect upon final reading thereof.

READ a first time this 9 day of January, 2017.

READ a second time this 9 day of January 2017.

READ a third time and passed this 9 day of January 2017.


MAYOR


CLERK

**AMENDMENT NO. 3
to the
OFFICIAL PLAN
OF THE
TOWNSHIP OF AUGUSTA**

**SOURCE WATER PROTECTION AREA AND POLICIES
TOWNSHIP OF AUGUSTA
UNITED COUNTIES OF LEEDS AND GRENVILLE**

**AMENDMENT NO. 3
to the
OFFICIAL PLAN
of the
TOWNSHIP OF AUGUSTA**

PART A THE PREAMBLE does not constitute part of this Amendment.

PART B THE AMENDMENT, consisting of the explanatory text and attached Schedule, constitutes Amendment No. 3 to the Official Plan of the Township of Augusta

PART C – APPENDICES does not constitute part of this Amendment.

PART A – THE PREAMBLE

BACKGROUND

The Clean Water Act, 2006, requires that all municipalities develop source water protection plans for provincial approval. These plans are to be developed through source protection committees which are based on source water protection areas. In the case of the Township of Augusta the committee was appointed on the basis of the Raisin River watershed and the South Nation River watershed which together make up the source water protection area.

The committee known as the Raisin-South Nation Source Protection Committee was required to develop a Source Protection Plan under the *Clean Water Act, 2006*. As part of the Plan's development, the working group developed an explanatory report which provides the background rational used by the working group to develop source water protection policies. The Explanatory Report was the primary document used to develop this preamble. The following is a direct quote from the Report which provides insight into the Committee's approach to developing the Source Water Protection Plan:

"The Source Protection Policy Working Group and Source Protection Committee defined their guiding principles before developing the Source Protection policies. The following criteria were always considered when evaluating policy options:

- Effectiveness: would the policy effectively protect sources of drinking water;
- Appropriateness: would the policy be practical and avoid regulatory duplication; and
- Fiscal Responsibility: would the policy be cost-effective and reasonable.

The Working Group debated the feasibility of various policy options based on these criteria. The Working Group also weighed each policy option against possible alternatives and the availability of regulatory and non-regulatory instruments. The Committee always decided on the most reasonable option that was able to effectively manage or eliminate the significant drinking water threat."

Augusta Township does not have a municipal water system or communal water systems. However a small area in the south east part of the municipality does fall in an area identified for the protection of the municipal water supply intake, the Intake Protection Zone or IPZ, for the Town of Prescott. Areas in Augusta Township have been identified as having the potential to impact the water supply for the Town of Prescott. Accordingly it is necessary to ensure that appropriate policies and regulations are in place to protect the water supply for the neighbouring municipality.

PURPOSE

The purpose of this Official Plan Amendment is to provide a policy framework which is designed to meet the requirements of the Drinking Water Source Protection Plan,

prepared by South Nation Conservation, and which was subsequently approved by the Ministry of the Environment and Climate Change under the *Clean Water Act, 2006* in April of 2015.

Furthermore, this Official Plan Amendment, will implement source water protection policies of the United Counties of Leeds and Grenville Official Plan.

BASIS

The Drinking Water Source Protection Plan, prepared by South Nation Conservation includes a map which demonstrates the area which has the potential to impact the Town of Prescott water intake (see exhibit 1 on the following page).

As can be seen on the map schedule, there are 2 separate designations which apply to properties located within the vulnerability area. These are Intake Protection Zone 1 (IPZ-1) and Intake Protection Zone 2 (IPZ-2).

The Source Protection Plan identifies a number of policies which apply in these areas. The Source Protection Plan policies form the primary basis for the policy framework proposed in this OPA. The following Table provides a summary of the Source Protection Plan policies which apply. In essence Source Water Protection policies apply in all of the areas that are marked with an X. The Table also provides direction on the implementation authority. It is important to note that the municipality always has a role to play, though in most cases the role is limited to the authority provided in the Township's Official Plan and Zoning By-law.

There are 3 areas where policies will be required in order to implement source water protection. These are General IPZ Policies, Sewage Works and Agricultural Activities.

General IPZ Policies

The Source Water Protection Plan includes a few policies which are general in nature but which nevertheless be recognized. The first is to recognize Intake Protection Zones with a vulnerability scale of 8 or higher in municipal emergency response plans. This would require

- Maps of the Wellhead Protection Areas and Intake Protection Zones
- Emergency contact numbers and protocols for the respective water treatment plant operating authority
- Measures to prevent contamination of the drinking water source from spills and/or chemicals used to deal with an emergency (including fire suppressants)

The Source Protection Plan also provides that signage be placed within IPZ's located along a municipal arterial road. This is the case in Augusta as County Road 2 is immediately adjacent to the IPZ -1. The Plan provides that municipalities will be

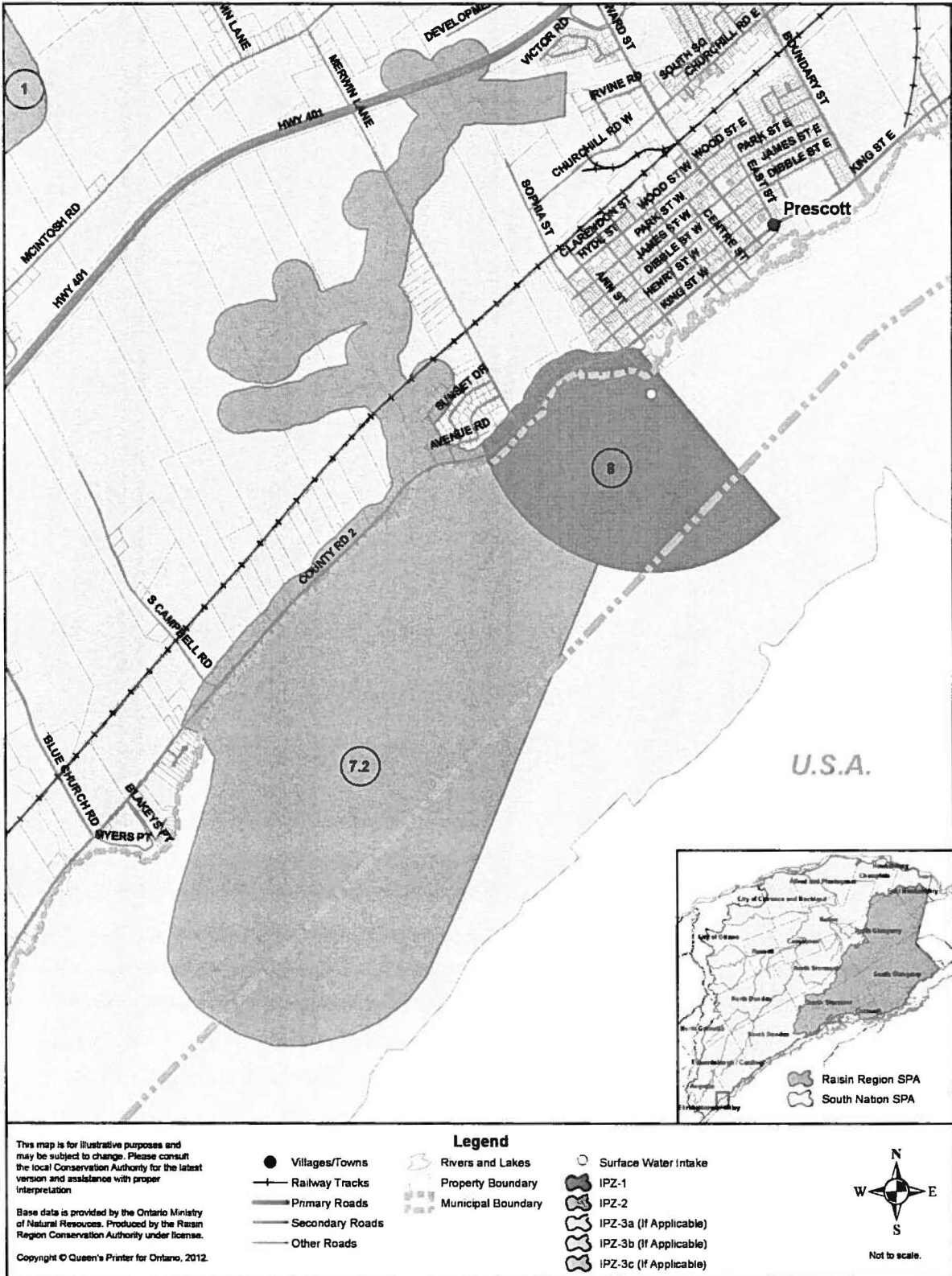


Table 24: Prescott – Activities, Vulnerable Areas, Threats and Policies

Prescribed Activity	IPZ			Policy Code and Implementer					
	1	2	3	Municipality			MOE		
Waste Disposal Sites				Municipality			MOE		
1.1	Application of Septage	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.2	Mine Tailings	-	-	#	WASTE-2	WASTE-3	WASTE-4	WASTE-1	WASTE-2
1.3	Land-farming Petroleum Waste	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.4	Landfill - Hazardous Waste	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.5	Landfill - Municipal Waste	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.6	Landfill - Industrial/Commercial	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.7	Liquid Waste Injection	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.8	PCB Waste Storage	-	-	#	WASTE-2	WASTE-3	WASTE-4		
1.9	Storage of Hazardous Waste	-	-	#	WASTE-2			WASTE-1	WASTE-2
1.10	Storage of Other Waste	-	-	#	WASTE-2			WASTE-1	WASTE-2
Sewage Works				Municipality			MOE		
2.1	Combined Sewer Discharge	X	-	#	SEWG-3			SEWG-2	
2.2	Stormwater Pond Effluent	X	-	#	SEWG-7			SEWG-7	
2.3	Industrial Effluent Discharges	X	-	#	SEWG-3			SEWG-2	
2.4	Sanitary Sewers and Pipes	-	-	#	SEWG-1			SEWG-1	
2.5	Septic Systems	-	-	#	SEWG-4	SEWG-5		SEWG-5	SEWG-8
2.6	Septic Holding Tanks	-	-	#	SEWG-4	SEWG-5		SEWG-5	SEWG-6
2.7	Sewage Treatment Bypass	X	-	#	SEWG-3			SEWG-2	SEWG-3
2.8	Sewage Treatment Effluent	X	-	#	SEWG-3			SEWG-2	SEWG-3
2.9	Storage of Sewage	-	-	#	SEWG-3			SEWG-2	SEWG-3
Agricultural Activities				Municipality			OMAFRA		
3	Application of ASM	X	-	#	AG-2			AG-1	
4	Storage of ASM	X	-	#	AG-2			AG-1	
5	Management of ASM [^]	-	-	#					
6	Application of NASM	X	-	#	AG-2			AG-1	
7	Storage of NASM	X	-	#	AG-2			AG-1	
8	Application of Fertilizer	-	-	#	AG-2			AG-1	
9	Storage of Commercial Fertilizer	-	-	#	AG-2				
21.1	Grazing - ASM Generation	X	-	#	AG-2			AG-1	
21.2	Pasturing - Farm Animals	X	-	#	AG-2			AG-1	
Pesticides				Municipality			MOE		
10	Application of Pesticides	-	-	#	PEST-2			PEST-1	
11	Storage of Pesticides	-	-	#	PEST-2	PEST-3			
Salt and Snow				Municipality			MTO		S.I.
12	Application of Road Salt	-	-	#	SALT-1			SALT-4	SALT-5
13	Storage of Road Salt	-	-	#	SALT-2	SALT-3			
14	Storage of Snow	-	-	#	SALT-2	SALT-3			
Fuel				Municipality			MOE		
15	Storage of Fuel	-	-	#	FUEL-1	FUEL-2	FUEL-4	FUEL-3	
Chemicals				Municipality					
16	Storage of DNAPLs	-	-	#	CHEM-1	CHEM-2			
17	Storage of Organic Solvents	-	-	#	CHEM-1	CHEM-2			
18	Aircraft De-icing	-	-	#	CHEM-1	CHEM-2			
Water Quantity									
19	Consumptive Activity [^]	-	-	#					
20	Aquifer Depletion [^]	-	-	#					

Threat Applicability

X	The policy applies in this area.
-	No policies apply in this area as the activity is not considered a significant threat.
^	This activity is not a significant threat within the Source Protection Area.
#	The vulnerable area, IPZ-3 is not applicable for this intake.

Policy Implementer

	Municipality
	MOE
	OMAFRA
	MTO
	Salt Institute

for the purchase, installation and maintenance of appropriate signs designed by the Province in collaboration with the Source Protection Agency. As County Road 2 is an upper tier responsibility the policy should direct the United Counties to proceed with implementation of this requirement.

Sewage Works

Table 24 of the Source Water Protection Plan shows those components of sewage works for which the Plan includes some policy restriction. These are:

- Combined Sewer Discharge
- Storm Water Pond Effluent
- Industrial Effluent Discharges
- Sewage Treatment Bypass
- Sewage Treatment Effluent

Of these restrictions only one, Storm Water Pond Effluent, has any relevance to the Township as all of the others are piped services outside of Augusta's control. In essence new storm water management facilities are prohibited within IPZ 1 zones where the vulnerability factor is 8 or higher. The Source Protection Plan policy reads as follows:

"The future establishment, operation, and maintenance of a stormwater management facility is prohibited within the WHPA-A or IPZ-1 where stormwater discharges would be a significant drinking water threat. Accordingly, decisions relating to Prescribed Instruments (Environmental Compliance Approvals) must conform with these policies. In addition, decisions made by planning authorities under the *Planning Act, 1990* must conform with these policies."

Agricultural Activities

Table 24 of the Source Water Protection Plan shows those components of agricultural activities for which the Plan includes some policy restriction. These are:

- Application of Agricultural Source Material
- Storage of Agricultural Source Material
- Application of Non Agricultural Source Material
- Storage of Non Agricultural Source Material
- Grazing - Agricultural Source Material Generation
- Pasturing - Farm Animals

All of the above agricultural activities have the potential to impact drinking water but only when the activity takes place in an area identified by the Source Water Protection Plan as Intake Protection Zone 1. Areas identified as Intake Protection Zone 2 are not subject to restrictions related to agricultural activity. The IPZ 1 zone is very limited in

Augusta Township, being located across the waterfront to a depth equivalent to a typical residential lot.

Conclusion

In order to meet the provincial requirements related to source water protection the Township of Augusta Official Plan will require the introduction of some policy direction to reflect and implement the intent of the approved Source Water Protection Plan.

PART B- THE AMENDMENT

All of this part of the document entitled Part B – THE AMENDMENT, consisting of the attached map (Schedule A) and the explanatory text, constitutes Amendment No.3 to the Official Plan of the Township of Augusta.

DETAILS OF THE AMENDMENT

1. Section 8 Making It Work – Planning Our Infrastructure is hereby amended by inserting a new subsection as follows:

8.2 Source Water Protection

8.2.1 Overview

The Clean Water Act requires local municipalities to look at the existing and potential threats to drinking water sources and to set out and implement the actions necessary to reduce or eliminate significant threats. To that end a Source Water Protection Plan was approved by the province in April 2015, which Plan must now be implemented through a number of avenues including land use planning policies and regulations.

8.2.2 Vulnerable Areas

Vulnerable areas are shown on Schedule B of the Augusta Township Official Plan.

8.2.3 Prohibited Uses

The following uses are prohibited in accordance with the *Clean Water Act*, on lands identified as Source Water Protection Area on Schedule A attached hereto and forming part of this amendment:

- a. Storm water pond effluent
- b. The application of agricultural source material to land.
- c. The storage of agricultural source material.
- d. The management of agricultural source material.
- e. The application of non-agricultural source material to land.
- f. The handling and storage of non-agricultural source material.
- g. Livestock grazing and pasturing where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre
- h. Outdoor confinement areas and farm-animal yards

8.2.4 Risk Management Officer Exemption

If the Risk Management Officer or another person duly qualified under the

Clean Water Act determines that there is no significant risk, then a use listed above may be permitted without the need for an amendment to this Plan, where such use would otherwise be permitted.

8.2.5 Residential Exemption

Section 8.2.3 does not apply where the only use of the land is residential.

2. That Schedule 'B' to the Official Plan of the Township of Augusta is amended by designating an are as "Source Water Protection Overlay" as shown on Schedule 'A' to this amendment.

SCHEDULE A to OPA 3



Area to be designated Source Water Protection Intake Protection Zone Overlay on Schedule B of the Augusta Township Official Plan



**APPENDIX 1
LEEDS AND GRENVILLE OFFICIAL PLAN
SOURCE WATER PROTECTION POLICIES**

4.4.2 Source Water Protection

The protection, conservation and careful management of groundwater resources is necessary to meet the present and future needs of residents, businesses, visitors, and the flora and fauna within the natural environment. Surface and groundwater must be protected across the Counties to ensure a clean water baseflow for creeks, streams, ponds and *wetlands*. The protection of groundwater and surface water is also necessary to ensure clean and plentiful drinking water supplies. *Source Protection Plans* prepared pursuant to the *Clean Water Act* have identified vulnerable areas, as well as policies to protect them to ensure the protection of the quality and quantity of drinking water sources.

It is the policy of the United Counties of Leeds and Grenville that:

a) The Counties and local municipalities will support and participate in initiatives that implement the *Clean Water Act*, as required, and ensure coordination amongst local municipalities. All three *Source Protection Plans* applicable to the Counties have been approved and are required to be implemented through appropriate Official Plan policies and mapping.

Appendix 3 illustrates the Source Water Protection Areas applicable to the Counties, and identifies *designated vulnerable areas*, including municipal wellhead protection areas, surface water intake protection zones, highly vulnerable aquifers, and significant groundwater recharge areas, based on the associated Source Protection Assessment Reports and GIS data provided by the Conservation Authorities.

b) Local municipal Official Plans will implement restrictions on *development* and *site alteration* to protect all municipal drinking water supplies and *designated vulnerable areas*, and protect, improve or restore *vulnerable* and sensitive surface and *ground water features* and their *hydrologic functions*, in accordance with the significant threat policies of the applicable *Source Protection Plan*.

c) As approval authorities, the Counties and local municipalities will require *development* to adhere to the *Source Protection Plans*. Pre-consultation with the Counties and/or local municipality, as appropriate, will be required for *development* applications in *designated vulnerable areas*.