

**Amendment No. 21
to the Township of Southgate
Official Plan**

(Planning Application – Township of Southgate
OPA2-18)

SEPT 2018

The Corporation of the Township of Southgate

By-law 2018-XXX

Being a by-law to adopt Amendment No. 21 to the Township of Southgate Official Plan affecting the entire Township of Southgate.

The Council of the Township of Southgate, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended, hereby enacts as follows:

1. Amendment No. 21 to the Township of Southgate Official Plan is hereby adopted.
2. This by-law shall come into force and take effect on the day of approval by the County of Grey.

Enacted and passed this 19th day of September, 2018.

Anna Marie Fosbrooke, Mayor

Joanne Hyde, Clerk

**Amendment No. 21
to the
Township of Southgate Official Plan**

Index

Part A – The Preamble

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

Part B – The Amendment

The Amendment describes the changes and/or modifications to the Township of Southgate Official Plan which constitutes Official Plan Amendment Number 21.

Part C – The Appendices

The appendices attached hereto do not constitute part of this amendment. These appendices contain background data, planning considerations and public involvement associated with this amendment.

Part A – The Preamble

Purpose

The purpose of this amendment is to incorporate the Source Water Protection Policies of the Grand River Source Water Protection Plan within the Township of Southgate Official Plan.

Location

The lands affected by this Amendment include the entire Township as the policies are general in nature and intended to affect multiple properties

Basis

Following the events of the Walkerton Tragedy the Province of Ontario passed the Clean Water Act 2006 to ensure the quality and quantity of municipal drinking water supplies are protected from contamination and other adverse effects from incompatible land uses. Following the Clean Water Act, a Source Water Protection Plan was developed for the Grand River Watershed. This Plan outlines policies to ensure a safe and reliable drinking water system. Following approval of the Grand River Source Protection Plan by the Province each Municipality is required to update their planning documents to implement the policies of the source protection plan.

The following amendment is designed to implement the policies of the source protection plan within the Township of Southgate Official Plan.

A public meeting, under the Planning Act, was held on September 5, 2018. Comments were received from the various agencies and suggested changes included. (Insert public comments if any).

The minutes of the public meeting are attached as Appendix B to this amendment. Agency comments are summarized in the Planning report by the Township and can be found in Appendix C.

On the basis of the supporting material, agency and public comments (or lack of comments), the Township Official Plan Amendment is recommended for approval by the Township of Southgate Council.

Other Approvals

The Source Water Protection Plan is approved by the Province of Ontario and this Local Official Plan Amendment once adopted by the Township must be approved by the County of Grey,

Supporting Information

Reports prepared in support of the application include: A Planning Report prepared by Township staff, A report prepared by the Township Public works department and the Grand River Source Water Protection Plan.

DRAFT

Part B – The Amendment

All of this part of the document entitled **Part B – The Amendment**, consisting of the following text and schedule map constitutes Amendment No.21 to the Township of Southgate Official Plan.

Details of the Amendment

The Township of Southgate Official Plan is hereby amended as follows:

1. **That** a new Schedule “E” to the Township of Southgate Official Plan is hereby added which denotes the Well Head Protection Zones for the Dundalk Municipal drinking water system.
2. **That** Section 7.1 of the Township of Southgate Official Plan is hereby amended by adding a new subsection as follows:

“7.1. vii – All existing and future development and land uses shall comply with section 7.11 of this plan.”

3. **That** Section 7.0 of the Township of Southgate Official Plan is hereby amended by adding the new subsections as follows:

“7.11 Source Water Protection Policies

The following, Township of Southgate Source Protection Plan policies apply to the areas identified in Appendix E of the Southgate Official Plan.

The Dundalk water supply system within the Grand River Watershed is the primary system that these polices are designed to protect. Neighbouring Source Protection Plans should be consulted for applicable policies outside of the Grand River Watershed that have Well Head Protection Areas that extend into the Township of Southgate boundaries.

7.11.1 Definitions

General definitions are provided in Volume I of the Source Protection Plan or in the Clean Water Act, 2006. Defined terms are intended to capture both the singular and plural forms of these terms.

The following definitions shall apply to the Township of Southgate Source Protection Policies.

Existing – means:

- a. Undertaken or established as of the date the Source Protection Plan takes effect; or

- b. A use, activity, building or structure at a location in a vulnerable area that is in compliance with all applicable regulations on the effective date of this Source Protection Plan, or at some point prior to the effective date of the Source Protection Plan with a demonstrated intent to continue; or
- c. An expansion of an existing use or activity, which may include a new building or structure to service the existing use or activity; or
- d. The expansion, replacement or alteration of an existing building or structure associated with a significant drinking water threat; or
- e. The conversion of an existing use to a similar use.

New or Future – means not existing, as defined herein.

Township – means the Corporation of the Township of Southgate

7.11.2 Policies affecting existing new and future uses and activities.

1. The Township, with the help of consultants has identified Well Head Protection Areas (WHPAs) and calculated vulnerability scoring which is identified on Appendix E to the Township of Southgate Official Plan. (Source Water Protection Areas). The areas identified contribute water, or are in close proximity to, municipal drinking water supply wells that are vulnerable to contamination and or depletion from incompatible land uses.
2. New water taking, other than that by the Township for use by the Township, will not be permitted for any new or expanding uses within the Urban Boundary of Dundalk.
3. The Township will update its Comprehensive Zoning By-law with respect to Compatible land uses in Source Water Protection Areas to ensure conformity with the Source Water Protection Plan, The County of Grey Official Plan and The Township of Southgate Official Plan.
4. The Township Official Plan will be amended as required to conform to the Source Water Protection Plan as amended.
5. The Township's Source Water Protection Official shall be responsible for commenting on and the review of all new development applications with the Source Water Protection Areas identified on Appendix E. The review of

applications will be in accordance with the source water protection policies of the Township and County Official Plan and those of the Source Water Protection Plan. The risk management official will be responsible for determining when an existing or future use or activity is a significant drinking water threat.

6. During any required pre submission consultation with Township Staff, The Risk Management Official will inform the proponent if their application falls within a source water protection area and if any restrictions may apply

7. All land uses identified within the Township of Southgate Official Plan and Comprehensive Zoning By-law that are located within a wellhead protection area (WHPA) and any intake protection zones are hereby designated as Restricted land uses. Within these designated lands uses categories and areas, written notice of approval from the Source Water Protection Risk Management Official will be required prior to approval of any Planning Act application.

8. All Planning Act. applications shall conform with the significant threat policies that fall within the Grand River Source Protection Plan.

9. Legally existing uses within the Source Water Protection Area that may be incompatible with the provisions of the source water protection plan, may be permitted to expand subject to the policies of the risk management Official and the Source Water Protection Plan. Uses may be required to undertake measures that will protect municipal drinking water sources.

10, Notwithstanding the uses permitted by underlying land use types of this official plan, uses and activities that have been identified by the Source protection plan as being prohibited within designated areas will not be permitted. The prohibited uses and activities will only be considered if the applicant can demonstrate to the satisfaction of the Township that the proposed use or activity is in conformity with the policies of the source water protection plan. "

Implementation and Interpretation

The implementation and interpretation of this Amendment shall be in accordance with respective policies of the Official Plan.

Part C – The Appendices

The following Appendices do not constitute part of Amendment No. 21 but are included as information supporting the Amendment.

Appendix A Supporting documents and reports including: GRCA Source Water Protection Plan, Staff report PW2018-049

Appendix B Minutes of the Public Meeting September 5, 2018 6:30pm

Appendix C Township of Southgate Planning Staff Report PL 2018-XX

