

Amendment 36 to the Pickering Official Plan

- Purpose:** The purpose of Amendment 36 is to amend the City of Pickering Official Plan to bring it into conformity with the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, March 25, 2019 (CTC SPP) in accordance with the *Clean Water Act, 2006*.
- Location:** The Amendment contains policies that apply city-wide including rural and urban areas and establishes protection zones around municipal wells located in The Town of Whitchurch-Stouffville; protection zones for the Ajax Water Treatment Plant; and identifies areas where aquifers are sensitive.
- Basis:** The *Clean Water Act, 2006* enabled the establishment of Source Protection Regions and Areas throughout the province to address threats to municipal groundwater supplies (drinking water wells) and municipal surface water supplies (drinking water intakes). Each Source Protection Committee is responsible for the development of: Assessment Reports that, based on technical studies, identify and assess threats to municipal drinking water systems; and Source Protection Plans that have detailed policies on how to address those threats. The City of Pickering is within the Credit Valley, Toronto and Region, and Central Lake Ontario (CTC) Source Protection Region. The CTC Source Protection Plan came into effect December 31, 2015, and was subsequently amended in March of 2019.

The policies in each Source Protection Plan have been written to ensure that for every area identified in an Assessment Report as an area where an activity is, or would be, a significant drinking water threat, the activity never becomes a significant drinking water threat or ceases to be a significant drinking water threat.

Municipalities are required to amend their Official Plans to conform to the applicable Source Protection Plan. The City's Official Plan must therefore be amended to conform to the *Clean Water Act, 2006* and the policies of the CTC Source Protection Plan.

Actual Amendment: The City of Pickering Official Plan is hereby amended by:

(New text is shown as underlined text, deleted text is shown as strikethrough text, and retained text is shown as unchanged text.)

1. Revising Schedule III D – Resource Management: High Aquifer Vulnerability, Groundwater Recharge Areas to reflect additional Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers identified in the Toronto and Region Assessment Report, March 25, 2019 as illustrated on Schedule “A” attached to this Amendment, and rename Schedule III D – Resource Management: High Aquifer Vulnerability, Groundwater Recharge Areas to Schedule III D: Highly Vulnerable Aquifers, Significant Groundwater Recharge Areas.

2. Adding new Schedule III F – Resource Management: Vulnerable Areas to illustrate: Wellhead Protection Areas B, C and D (WHPA-B, WHPA-C and WHPA-D) associated with municipal drinking water wells in Whitchurch-Stouffville; York-Durham Wellhead Protection Areas – Water Quantity (WHPA-Q1/Q2); York-Durham Wellhead Protection Areas Q1/Q2 Downgradient Line; Intake Protection Zones 2 and 3 (IPZ-2, IPZ-3); and Event Based Areas (EBAs) as illustrated on Schedule “B” attached to this Amendment.
3. Revising City Policy 10.2, Resource Management Objectives, in Chapter 10 – Resource Management, by deleting “and” at the end of subsection (f); deleting the period “.” and adding “; and” at the end of subsection (g); and adding new subsection (h) as follows:
 - “(f) coordinate with other levels of government, public and private agencies, and other groups to identify, research, protect, and manage the City’s natural resources, and institute regular environmental monitoring and reporting; and**
 - (g) involve the public, business-people, landowners, relevant public agencies, and other interested groups and individuals in resource management decisions affecting the City; and**
 - (h) protect water quality and water quantity for municipal drinking water systems.”**
4. Revising City Policy 10.8, Stormwater Management, in Chapter 10 – Resource Management, to add a new subsection (a) (iii) as follows:
 - “(iii) require that designated areas for snow storage are located where melting snow cannot carry contaminants and salt loads directly into Significant Groundwater Recharge Areas and/or Highly Vulnerable Aquifers; and”**
5. Revising City Policy 10.13, Areas of Groundwater Protection, in Chapter 10 – Resource Management, by adding “/balance” following “water budget” in subsection (e), adding “and” at the end of subsection (f); deleting subsections (g) and (h), and adding a new subsection (g) as follows:
 - “(e) require, where appropriate, the recommendations of a Hhydrogeology and Wwater Bbudget/balance Sstudy, Ggroundwater Iimpact Sstudy, Eenvironmental Rreport (see Sections 16.8 and 16.10), and any evaluation reports referenced in Section 16.14, as applicable, to be implemented;**
 - (f) despite Sections 10.13(b), (c) and (e), not require further studies addressing groundwater recharge or ~~areas of high aquifer vulnerability~~ Highly Vulnerable Aquifers, for proposed development that was addressed through the Master Environmental Servicing Plan for the Seaton Community; and**
 - ~~(g) participate with other area municipalities as members of the Lake Ontario Collaborative Group to undertake actions or tasks to protect Lake Ontario as an important source of drinking water.; and~~**

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- ~~(h) ensure that planning decisions conform with or are not in conflict with the policies of the approved Credit Valley, Toronto and Region and Central Lake Ontario Source Protection Plan.”~~
- (g) where development is proposed within a Significant Groundwater Recharge Area and/or a Highly Vulnerable Aquifer where the application of road salt would be a moderate or low drinking water threat, require the submission of a salt management plan as part of a complete development application to address the:
- (i) design of roads, sidewalks and parking lots in order to minimize the need for repeat applications of road salt, while maintaining public safety; and
- (ii) location of snow storage so that contaminants and salt loads from snow melt are not carried into Significant Groundwater Recharge Areas and/or Highly Vulnerable Aquifers.
6. Revising City Policy 10.17, Lake Ontario Waterfront and Frenchman’s Bay, in Chapter 10 – Resource Management, by deleting “and” at the end of subsection (f); deleting the period “.” and adding “; and” at the end of subsection (g); adding new subsection (h) as follows:
- “(f) encourage and support actions by public agencies and others to improve and restore the quality of Lake Ontario, including programs to address concerns regarding nutrient loads and the proliferation of invasive species, chemical contaminants and algae growth; and**
- (g) require, where appropriate, that the recommendations of an Environmental Report to be implemented (see Sections 16.8 and 16.10); and.**
- (h) require that designated areas for snow storage are located where melting snow cannot carry contaminants and salt loads directly into a Significant Groundwater Recharge Area and/or Highly Vulnerable Aquifers.**
7. Adding new policies 10.27, 10.28, 10.29, 10.30, 10.31 and 10.32 to the end of Chapter 10 – Resource Management as follows:
- “10.27 City Council recognizes that, in Vulnerable Areas around municipal drinking water wells, certain land use activities may pose a threat to water quality; accordingly, Council shall:**
- (a) identify Wellhead Protection Areas (WHPA) on Schedule III F – Resource Management: Vulnerable Areas, which are intended to function as an overlay to the primary land use designations;**

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- (b) prohibit or restrict land uses within a WHPA-A, B and/or C which pose significant drinking water quality threat activities as identified in the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan;
- (c) where the application of road salt would be a moderate or low drinking water threat within a WHPA-B, C, D, require that the proponent submit a salt management plan as part of a complete application to address the:
- (i) design of roads, sidewalks and parking lots in order to minimize the need for repeat applications of road salt, while maintaining public safety; and
 - (ii) location of snow storage so that contaminants and salt loads from snow melt are not carried into Significant Groundwater Recharge Areas and/or Highly Vulnerable Aquifers.
- 10.28** City Council recognizes that the Region of York, through an agreement with the Region of Durham, has assumed enforcement related to activities that may be a threat to water quality within any WHPA, associated with a municipal drinking water well in the Region of York; accordingly, Council shall:
- (a) require all applications made under the *Planning Act*, *Condominium Act* and *Building Code Act* within a WHPA-A, B and C in the City of Pickering to be circulated to the Region of Durham for submission to and review by the Region of York's Risk Management Official.
- 10.29** City Council recognizes that, in Vulnerable Areas around municipal drinking water wells, certain land use activities that take water without returning it to the same source, or which reduce recharge to an aquifer in the York-Durham Wellhead Protection Area – Water Quantity (York-Durham WHPA-Q1/Q2) may be a threat to water quantity; accordingly, Council shall:
- (a) identify the York-Durham WHPA-Q1/Q2 on Schedule III F – Resource Management: Vulnerable Areas, which are intended to function as an overlay to the primary land use designations;
 - (b) for lands within the York-Durham WHPA-Q1/Q2, deem the policies in this section to prevail in the event of a conflict with any other policy of this Plan;

- (c) only permit development within the York-Durham WHPA-Q1/Q2 with a significant risk level, as identified in the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, if it does not require a new or amended Permit To Take Water;**
- (d) notwithstanding Section 10.29 (c), permit new development within the York-Durham WHPA-Q1/Q2 that requires a new or amended Permit To Take Water if the relevant provincial ministry determines that the activity will not have a negative impact on the municipal water wells;**
- (e) require a water balance study for major development which poses a significant threat to drinking water quantity, as identified in the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, on lands north of the Downgradient Line within the York-Durham WHPA-Q1/Q2;**
- (f) require major development which poses a significant threat to drinking water quantity, as identified in the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, on lands north of the Downgradient Line within the York-Durham WHPA-Q1/Q2, to maintain pre-development recharge to the greatest extent feasible, based on a water balance study;**
- (g) require major development which poses a significant threat to drinking water quantity, as identified in the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan, on lands north of the Downgradient Line within the York-Durham WHPA-Q1/Q2, to implement and maximize off-site recharge, within another site within the York-Durham WHPA-Q1/Q2 to compensate for any predicted loss of recharge from the development, based on a water balance study;**
- (h) require major development on lands south of the Downgradient Line within the York-Durham WHPA-Q1/Q2, to implement best management practices with the goal to maintain pre-development recharge rates, based on a water balance study;**
- (i) encourage agricultural uses, agriculture-related uses and on-farm diversified uses with total impervious surfaces that do not exceed 10 percent of the total lot area, to implement best management practices such as low impact development methods with the goal to maintain pre-development recharge rates;**
- (j) require small-scale development and agricultural uses, agriculture-related uses and on-farm diversified uses within the York-Durham WHPA-Q1/Q2, other than those identified in Section 10.29 (i), to implement best management practices with the goal to maintain pre-development recharge rates; and**

(k) require that a water balance study, as referred to in Sections 10.29 (e), 10.29 (f), 10.29 (g), and 10.29 (h), at a minimum, identifies recharge characteristics of the site, and anticipated long-term and short-term impacts of the proposed development; recommends measures to maintain pre-development recharge on site to the greatest extent feasible through best management practices; and, where pre-development recharge cannot be maintained on site, recommends measures to locate compensating recharge on another site within the York-Durham WHPA-Q1/Q2.

10.30 City Council recognizes that, in Vulnerable Areas around municipal surface water intakes, certain land use activities may pose a threat to water quality; accordingly, Council shall:

- (a) identify Intake Protection Zones and Event Based Areas on Schedule III F, Resource Management: Vulnerable Areas, which are intended to function as an overlay to the primary land use designations; and**
- (b) encourage the protection of these areas to support safe and clean drinking water sources.**

10.31 City Council recognizes that within Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas the handling and storage of dense non-aqueous phase liquid and organic solvent are considered a moderate and/or low drinking water threat; accordingly, Council shall encourage industrial, commercial and institutional land uses to follow best management practices to prevent their release into the environment.

10.32 Where there is a conflict between the policies of the Pickering Official Plan, Durham Regional Official Plan and the Source Protection Plan, the more restrictive policy shall apply.”

8. Revising City Policy 13.1, Preparation of Rural Settlement Plans, in Chapter 13 – Rural Settlements, by deleting “and” at the end of subsection (c); deleting the period “.” and adding “; and” at the end of subsection (d); and adding new subsection (e) as follows:

- “(c) indicate the location of new public road connections, where known, and endeavour to ensure the construction of such road connections through development proposals and government initiatives; and**
- (d) indicate the general location of existing and new community facilities, where known, and endeavour to ensure the construction of such facilities through development proposals and government initiatives; and**

- (e) in addition to subsection (b), only consider amendments to rural settlement area boundaries that would result in an expansion into the York-Durham WHPA Q1/Q2 as part of a Regional municipal comprehensive review, where it has been demonstrated that recharge functions will be maintained on lands identified as Significant Groundwater Recharge Areas on Schedule III D – Resource Management: Highly Vulnerable Aquifers, Significant Groundwater Recharge Areas.**
9. Adding a definition for the term “Event Based Area (EBA)” in alphabetic order to Section 15.15, Glossary, in Chapter 15 – Implementation, as follows:
- “Event Based Area means the area delineated by a spill or “event”, such as a chemical or pathogen release, which might impact the drinking water intakes for the Great Lakes.”**
10. Adding a definition for the term “Groundwater Recharge Area” in alphabetic order to Section 15.15, Glossary, in Chapter 15 – Implementation, as follows:
- “Groundwater Recharge Area means an area where an aquifer is preferentially replenished from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands; and from human interventions, such as the use of stormwater management systems. The Director’s rules will specify the acceptable methodology to determine groundwater recharge rates i.e., what qualifies as a significant groundwater recharge area.”**
11. Adding a definition for the term “Groundwater Recharge Area, Significant” in alphabetic order to Section 15.15, Glossary, in Chapter 15 – Implementation, as follows:
- “Groundwater Recharge Area, Significant means an area within which it is desirable to regulate or monitor drinking water threats that may affect the recharge of an aquifer.”**
12. Replace the term “groundwater recharge area” with “Significant Groundwater Recharge Area” as appropriate, throughout the Official Plan.
13. Replacing the terms “High Aquifer Vulnerability or High Vulnerable Aquifer” in Section 15.15, Glossary, in Chapter 15 – Implementation, with “Highly Vulnerable Aquifer and amend the definition as follows:
- “High Aquifer Vulnerability or Highly Vulnerable Aquifer means an aquifer on which external sources have or are likely to have a significant adverse effect, due to the permeability and thickness of overlying layers.**
- Notwithstanding the foregoing, on the Oak Ridges Moraine, Highly Vulnerable Aquifer includes areas that are prescribed as “high aquifer vulnerability” in the Oak Ridges Moraine Conservation Plan.”**

14. Replace the term “high aquifer vulnerability” or “high vulnerable aquifer” with “Highly Vulnerable Aquifer” in the Table of Contents, the Index and subsections 10.13, 15.15, 16.5A, 16.14, and 16.43 of the Official Plan.
15. Adding a definition for the term “Intake Protection Zone” in alphabetic order to Section 15.15, Glossary, in Chapter 15 – Implementation, as follows:

“Intake Protection Zone means the contiguous area of land and water immediately surrounding a surface water intake, which includes:

- **the distance of a 1 kilometer radius from the intake;**
- **the area where a spill of a contaminant might reach the intake before the plant operator can respond;**
- **the area associated with potential impacts from specific modelled scenarios.”**

16. Adding a definition for the term “Vulnerable Area” in alphabetic order to Section 15.15, Glossary, in Chapter 15 – Implementation, as follows:

“Vulnerable Area means an area defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source and includes; a groundwater recharge area, a highly vulnerable aquifer, a surface water intake protection zone, or a wellhead protection area.”

17. Adding a definition for the term “Wellhead Protection Area (WHPA)” in alphabetic order to Section 15.15, Glossary, in Chapter 15 – Implementation, as follows:

“Wellhead Protection Area (WHPA) means the surface and subsurface area surrounding a water well or well field that supplies a municipal residential system or other designated system through which contaminants are reasonably likely to move so as to eventually reach the water well or well field.

18. Revising City Policy 16.5A in Chapter 16 – Development Review by deleting the text in subsection (xxxvi) and replacing it with new text; and adding a new subsection (xxxvii) as follows:

(xxxvi) ~~a water management plan verifying that there is sufficient water supply to support the proposed uses, and on a cumulative sustainable basis, confirm that there is no negative impact on surrounding water users and the natural environment which cannot be appropriately mitigated for development applications (excepting wetland restoration projects and domestic usage and livestock operations) that require a permit to take water under the Ontario Water Resources Act, or that have the potential to impact water quantity.~~

a water balance study, as referred to in Sections 10.29 (e), 10.29 (f), 10.29 (g), 10.29 (h), and 10.29 (k); and

(xxvii) a salt management plan as referred to in Sections 10.13 (g), and 10.27 (c).

19. Revising City Policy 16.5B in Chapter 16 – Development Review, by deleting “and” at the end of subsection (xxv); deleting the period “.” and adding a semicolon “;” at the end of subsection (xxvi); and adding new subsections (xxvii) and (xxviii) as follows:

“(xxv) a construction management plan; and

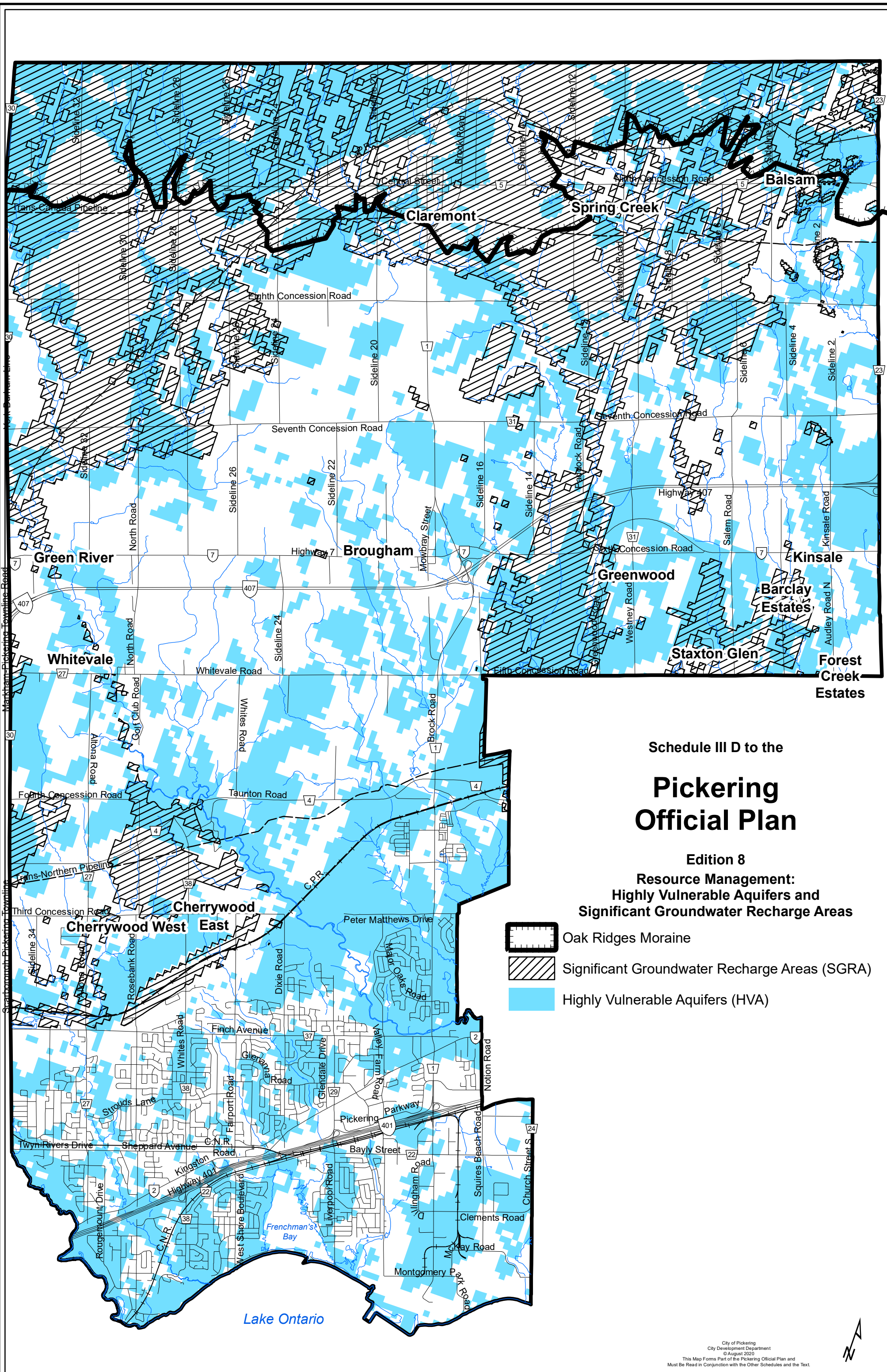
(xxvi) a railway corridor safety study; ;

(xxvii) a water balance study, as referred to in Sections 10.29 (e), 10.29 (f), 10.29 (g), 10.29 (h), and 10.29 (k); and

(xxviii) a salt management plan as referred to in Sections 10.13 (g) and 10.27 (c).”


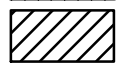

Implementation: The provisions set forth in the City of Pickering Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this Amendment. In light of the numerous components of the Official Plan that are being revised concurrently, the numbering of the policy sections in this amendment is subject to change in accordance with the sequencing of approvals.

Interpretation: The provisions set forth in the City of Pickering Official Plan as amended, regarding the interpretation of the Plan shall apply in regard to this Amendment, except as revised by this amendment.

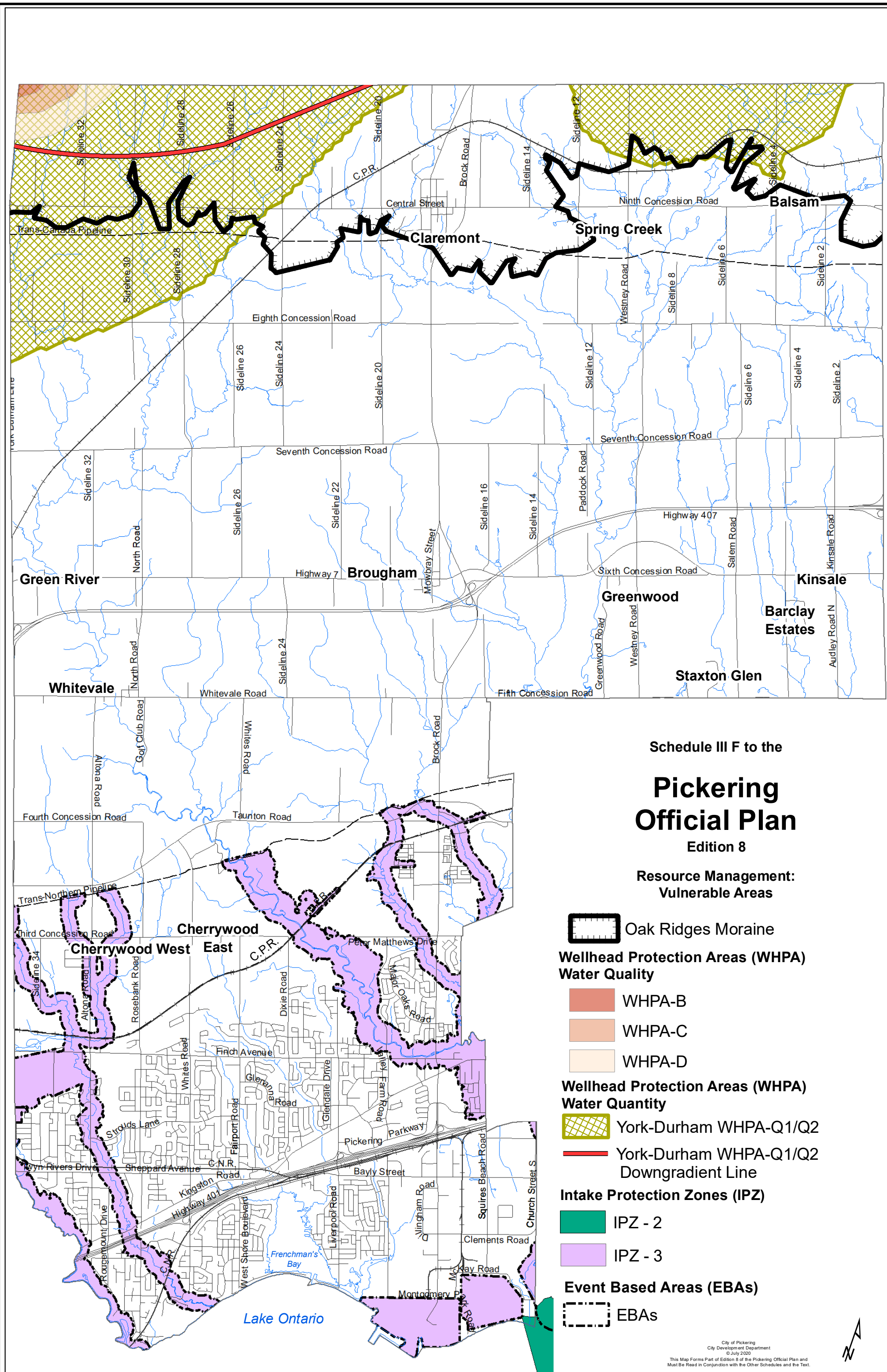


Schedule III D to the
**Pickering
 Official Plan**

Edition 8
 Resource Management:
 Highly Vulnerable Aquifers and
 Significant Groundwater Recharge Areas










-  Oak Ridges Moraine
-  Significant Groundwater Recharge Areas (SGRA)
-  Highly Vulnerable Aquifers (HVA)





Schedule III F to the
Pickering Official Plan
Edition 8

Resource Management:
Vulnerable Areas

-  Oak Ridges Moraine
- Wellhead Protection Areas (WHPA) Water Quality**
-  WHPA-B
-  WHPA-C
-  WHPA-D
- Wellhead Protection Areas (WHPA) Water Quantity**
-  York-Durham WHPA-Q1/Q2
-  York-Durham WHPA-Q1/Q2 Downgradient Line
- Intake Protection Zones (IPZ)**
-  IPZ - 2
-  IPZ - 3
- Event Based Areas (EBAs)**
-  EBAs

