

The Corporation of the Township of Southgate
By-law Number 2024-051

Being a By-law to amend Zoning By-law No. 19-2002, of the Township of Southgate

Whereas the Council of the Corporation of the Township of Southgate deems it necessary to pass a by-law to amend Zoning By-law No. 19-2002; and

Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, by-laws may be amended by Councils of municipalities.

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate enacts as follows:

1. Schedule "49" is added to Zoning By-law No. 19-2002 as amended in the form as shown on Schedule "A", affixed hereto to Establish Source Water Protection Zones and Wellhead Protection Areas.
2. That By-law No. 19-2002 is hereby further amended by adding the following to the end of Section 33:

a) That the following definitions be added to Section 3 of the Zoning Bylaw:

"Dense Non-Aqueous Phase Liquid" shall mean chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and cleanup. Commonly used DNAPLS include, but are not limited to paint strippers, varnishes, aerosols, and pharmaceuticals.

"Significant Drinking Water Threat" means an activity that poses or has the potential to pose a significant risk to any source of a municipal drinking water system.

"Source Protection Plan" means a drinking water source protection plan prepared under the Clean Water Act (Clean Water Act).

"Vulnerable Area" shall mean Wellhead Protection Areas and Intake Protection Zones around municipal drinking water sources where activities may be a significant drinking water threat now or in the future.

"Wellhead Protection Areas" means a vulnerable area delineated around groundwater wells which helps to identify the length of time it would take for most contaminants to travel from the location of a spill or leak to the associated well. The WHPA identified on Schedule 49 to the zoning bylaw are identified as follows:

- a) WHPA-A: The area within a 100m radius from a wellhead, considered the most vulnerable area for groundwater intakes.
- b) WHPA-B: The area within which the time to travel to the well (within the aquifer) is up to and including 2 years.
- c) WHPA-C: The area within which the time to travel to the well (within the aquifer) is up to and including 5 years.
- d) WHPA-D: The area within which the time to travel to the well (within the aquifer) is up to and including 25 years.
- e) WHPA-E: A well that is influenced by surface water and is referred to as groundwater under direct influence of surface water.

- b) That the following general provisions be added to the end of **Section 5** to restrict certain land uses in wellhead protection areas A, B, C, and D as follows:

5.28 Grand River Wellhead Protection Area Overlay

- (a) No development within the Grand River Protection Area Overlay shown on Schedule 49 shall be permitted that is, or would be, a significant drinking water threat unless the use conforms with all applicable Grand River Source Protection Plan policies.
- (b) Without limiting the generality of Part a) the following land use activities shall be prohibited in the vulnerable areas identified on Schedule 49 where they would constitute a future significant drinking water threat under the Clean Water Act:
- (i) Waste disposal sites, transfer station or separation station
 - (ii) On-site sewage systems in excess of 10,000 Litres
 - (iii) The application, handling or storage of non-agricultural source material, commercial fertilizer, or pesticides
 - (iv) The handling or storage of road salt, fuel, dense non aqueous phase liquid or an organic solvent
 - (v) Land disposal of Petroleum refining waste, Hazardous waste, liquid industrial waste or processed liquid industrial waste, Liquid industrial waste, Industrial waste or commercial waste or Municipal waste.
- (c) Notwithstanding prohibited uses listed in 5.28 (a) and (b) a Risk Management Official may issue a written decision enabling the Township to determine a site-specific land use activity is permitted in accordance with Section 59 of the Clean Water Act.
3. Schedule "A" and all other notations thereon are hereby declared to form part of this by-law; and
4. This by-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act R.S.O. 1990, as amended.

Read a first, second, and third time and finally passed this 15th day of May 2024.

Brian Milne – Mayor

Lindsey Green – Clerk

Explanatory Note

To add a new Schedule to the zoning bylaw mapping wellhead protection areas around water sources for the Dundalk Water System and define terms such as Significant Drinking Water Threat, Source Protection Plan, Vulnerable Area, and Wellhead Protection Areas. The proposed amendment would also regulate land use within wellhead protection areas for the Dundalk water system with the highest vulnerability score (A) to the lowest vulnerability score (E). Some of the wellhead protection area associated with well D4 is across Highway 10 in Melancthon Township.

The effect of the rezoning is to restrict certain land use activities to minimize threats to the water system.

Schedule A



Township of Southgate Zoning By-law SCHEDULE 49


to By-law number _____

Passed this ___ of _____, 2024

Brian Milne, Mayor

Lindsey Green, Clerk

LEGEND

 Wellhead Protection Area

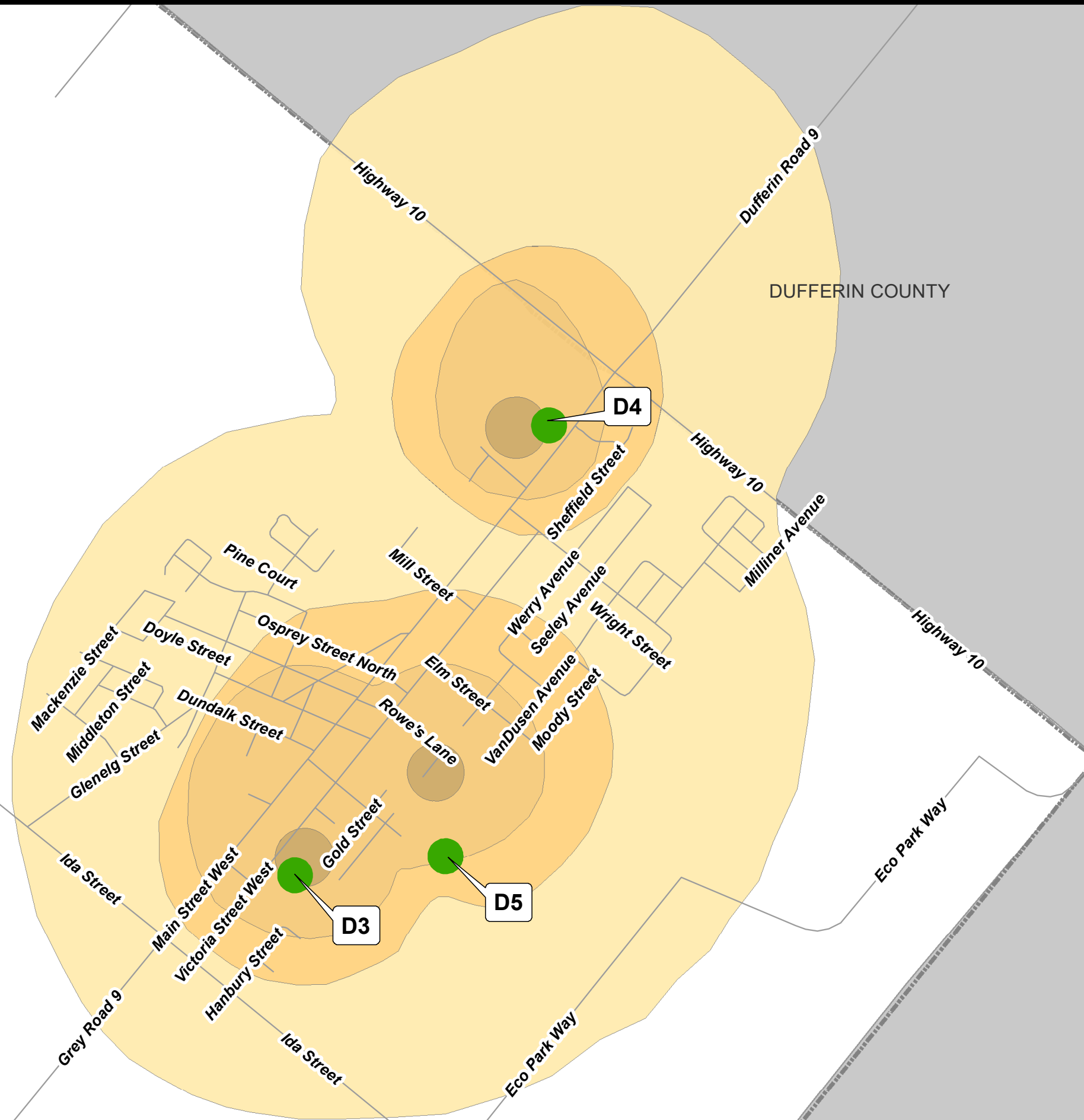
Wellhead Protection Area

 Zone A

 Zone B

 Zone C

 Zone D



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