

APPENDIX B: APPLICABLE LEGAL PROVISIONS OF POLICIES

| LIST A | | | | |
|---------------------------|--|--------|--------|--------|
| Title: | Significant threat policies that affect decisions under the Planning Act and Condominium Act, 1998 | | | |
| Preamble: | <ul style="list-style-type: none"> • By including a significant threat policy in this list, decisions under the Planning Act and Condominium Act, 1998 will be required to conform with the listed policy (Clause 39 (1) (a) of the CWA). • Official plans and zoning by-laws will be required to be amended and brought into conformity with the listed significant threat policy by the dates specified in the source protection plan (Section 40 and 42 of the CWA). • In cases of conflict between a listed significant threat policy and an official plan or zoning by-law, the significant threat policy prevails (subsection 39 (2) of the CWA). • By including a significant threat policy in List A, if there is a conflict between this significant threat policy and a policy in another provincial plan (e.g. the Green belt Plan), the policy that provides the greatest protection to drinking water prevails (subsection 39 (4) of the CWA). • A municipality or municipal planning authority must not undertake any public work, improvement of a structural nature or other undertaking or pass a by-law for any purpose that conflicts with a significant threat policy in List A (subsection 39 (6) of the CWA). | | | |
| Opening Statement: | "Clause 39 (1)(a), subsections 39 (2), (4) and (6), and sections 40 and 42 of the Clean Water Act, 2006 apply to the following policies:" | | | |
| Policy ID #: | Transition Provision | T-8 | T-9 | GEN-1 |
| | WST-5 | SWG-3 | SWG-4 | SWG-9 |
| | SWG-12 | SWG-14 | SWG-16 | SWG-18 |
| | SAL-3 | DEM-2 | REC-1 | |

| LIST B | | | | |
|---------------------------|--|--|--|--|
| Title: | Moderate and low threat policies that affect decisions under the Planning Act and Condominium Act, 1998 | | | |
| Preamble: | <ul style="list-style-type: none"> • By including a moderate or low threat policy in this list, decisions under the Planning Act and Condominium Act, 1998 will be required have regard to the policy (Clause 39 (1) (b) of the CWA). | | | |
| Opening Statement: | "Subsection 39 (1)(b) of the Clean Water Act, 2006 applies to the following policies:" | | | |
| Policy ID #: | SAL-10 | | | |

| LIST C | | | | |
|---------------------------|--|----------|----------|--------|
| Title: | Significant threat policies that affect prescribed instrument decisions | | | |
| Preamble: | <ul style="list-style-type: none"> • By including a significant threat policy in this list, a decision to issue, otherwise create or amend a prescribed instrument must conform to the listed policy (clause 39 (7) (a) of the CWA). • A person or body that has issued or otherwise created a prescribed instrument before the source protection plan took effect will be required to amend the instrument to conform with the listed significant threat policies before the date specified in the source protection plan (section 43 of the CWA). • A municipality or municipal planning authority must not undertake any public work, improvement of a structural nature or other undertaking or pass a by-law for any purpose that conflicts with a significant threat policy in List C (subsection 39 (6) of the CWA). | | | |
| Opening Statement: | “Subsection 39 (6), clause 39 (7) (a), section 43 and subsection 44 (1) of the Clean Water Act, 2006 apply to the following policies:” | | | |
| Policy ID #: | Transition Provision | T-1 | T-2 | T-3 |
| | WST-3 | WST-4 | WST-7 | SWG-8 |
| | SWG-11 | SWG-13 | SWG-15 | SWG-17 |
| | ASM-1 | ASM-3 | ASM-5 | NASM-3 |
| | NASM-4 | LIV-2 | FER-1 | FUEL-1 |
| | FUEL-2 | LO-SEW-1 | LO-SEW-2 | DEM-1 |

| LIST D | |
|---------------------------|--|
| Title: | Moderate and low threat policies that affect prescribed instrument decisions |
| Preamble: | <ul style="list-style-type: none"> • By including a moderate or low threat policy in List D, a decision to issue, otherwise create or amend a prescribed instrument must have regard to the listed policy (clause 39 (7) (b) of the CWA). |
| Opening Statement: | “Clause 39 (7)(b) of the Clean Water Act, 2006 applies to the following policies:” |
| Policy ID #: | No applicable policies. |

| LIST E | | | | |
|---------------------------|---|---------------|------------|------------|
| Title: | Significant threat policies that impose obligations on municipalities, source protection authorities and local boards ⁵ | | | |
| Preamble: | <ul style="list-style-type: none"> Requires a municipality, a source protection authority or a local board to comply with any obligation that is imposed on it by significant threat policy (section 38 of the CWA). If the policy relates to education, outreach and incentive programs, stewardship programs, the promotion of best management practices, pilot programs, research, and other specified actions to be taken to implement the source protection plan or achieve the plan’s objectives, section 30 of the regulation requires that the policy designate (identify) the person or body responsible for implementing the policy. By including a significant threat policy in List E, the person or body identified for implementing the policy will be required to comply with the obligations specified in the policy. A municipality or municipal planning authority must not undertake any public work, improvement of a structural nature or other undertaking or pass a by-law for any purpose that conflicts with a significant threat policy in List E (subsection 39 (6) of the CWA). | | | |
| Opening Statement: | “Section 38 and subsection 39 (6) of the Clean Water Act, 2006 applies to the following policies:” | | | |
| Policy ID #: | Transition Provision | T-10 | T-11 | T-12 |
| | T-13 | T-14 | T-15 | T-16 |
| | T-17 | T-18 | GEN-2 | GEN-5 |
| | GEN-7 | WST-2 | SWG-1 | SWG-2 |
| | SWG-6 | SWG-7 | SWG-19 | FER-4 |
| | PES-4 | SAL-8 | FUEL-3 (3) | FUEL-4 (1) |
| | DNAP-2 | OS-2 | DI-2 | LO-G-3 |
| | DEM-4 | DEM-5 (1) (2) | DEM-6 | DEM-9 |
| | DEM-10 | REC-3 (1) | | |

⁵ Under the CWA, “Local board” has the same meaning as in the Municipal Affairs Act. Local board means a school board, municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof.

| LIST F | | | | |
|---------------------------|---|-------|-------|-------|
| Title: | Monitoring policies referred to in subsection 22 (2) of the Clean Water Act, 2006 | | | |
| Preamble: | <ul style="list-style-type: none"> By including monitoring policies in List F, the public body⁶ that is designated in the monitoring policy will be required to implement a monitoring program in accordance with the policy. | | | |
| Opening Statement: | "Subsection 45 of the Clean Water Act, 2006 applies to the following policies:" | | | |
| Policy ID #: | T-16 | SAL-9 | MON-1 | MON-2 |
| | MON-3 | MON-4 | | |

| LIST G | | | | |
|---------------------------|---|------------|------------|------------|
| Title: | Policies related to section 57 of the Clean Water Act, 2006 | | | |
| Preamble: | <ul style="list-style-type: none"> By including a policy in List G, no one is permitted to engage in any of the specified activities within the vulnerable areas set out in the policy after the date by which existing activities must be phased out or new activities prohibited in accordance with the policy. The reader should refer to the actual policy text for information pertaining to the designated prohibited activity(ies), their respective designated areas, and other details related to the sec section 57 prohibition – for instance the date by which existing activities must be phased out in accordance with subsection 57(2) of the CWA. | | | |
| Opening Statement: | "The following policies relate to section 57 (prohibition) of the Clean Water Act." | | | |
| Policy ID #: | T-4 | T-5 | WST-6 (1) | ASM-2 (1) |
| | ASM-4 (1) | NASM-1 (1) | NASM-2 (1) | LIV-1 (1) |
| | LIV-3 (1) | FER-2 (1) | FER-3 (1) | PES-2 (1) |
| | SAL-7 (1) | SNO-1 (1) | FUEL-3 (1) | DNAP-1 (1) |
| | OS-1 (1) | | | |

⁶ Under the CWA, "public body" means, (a) a municipality, local board or conservation authority, (b) a ministry, board, commission, agency or official of the Government of Ontario, or (c) a body prescribed by the regulations or an official of a body prescribed by the regulations.

| LIST H | | | | |
|---------------------------|---|-----------|------------|------------|
| Title: | Policies related to section 58 of the Clean Water Act, 2006 | | | |
| Preamble: | <ul style="list-style-type: none"> • By including a policy in List H, no one is permitted to engage in any of the specified activities within the vulnerable areas set out in the policy after the date specified without conforming to the Risk Management Plan developed in accordance with the policy, the Act and regulations and approved by the Risk Management Official. • The reader should refer to the actual policy text for information pertaining to the designated regulated activity(ies), their respective designated areas, and any other details related to the regulation of the activity under section 58 – for instance – the policies governing the content of risk management plans. | | | |
| Opening Statement: | “The following policies relate to section 58 (risk management plans) of the Clean Water Act.” | | | |
| Policy ID #: | T-6 | T-7 | WST-1 | WST-6 (2) |
| | ASM-2 (2) | ASM-4 (2) | NASM-1 (2) | NASM-2 (2) |
| | LIV-1 (2) | LIV-3 (2) | FER-2 (2) | FER-3 (2) |
| | PES-1 | PES-2 (2) | SAL-1 | SAL-2 |
| | SAL-7 (2) | SNO-1 (2) | FUEL-3 (2) | DNAP-1 (2) |
| | OS-1 (2) | DI-1 | REC-2 | |

| LIST I | | | | |
|---------------------------|--|--|--|--|
| Title: | Policies related to section 59 of the Clean Water Act, 2006 | | | |
| Preamble: | <ul style="list-style-type: none"> • Purpose of which is to ensure that a development proposal complies with section 57 or 58 of the CWA before it is given other municipal approvals. • The reader should refer to the actual policy text for details related to each policy, including the designated land uses and their respective designated areas. | | | |
| Opening Statement: | “The following policies relate to section 59 (restricted land use) of the Clean Water Act.” | | | |
| Policy ID #: | GEN-1 | | | |

| LIST J | | | | |
|---------------------------|--|----------|-----------|--------|
| Title: | Strategic Action policies | | | |
| Opening Statement: | For the purposes of section 33 of Ontario regulation 287/07, the following policies are identified as strategic action policies: | | | |
| Policy ID #: | T-15 | GEN-8 | SAL-11 | SAL-12 |
| | SAL-13 | DNAP-3 | OS-3 | LO-G-2 |
| | LO-G-4 | LO-SEW-3 | LO-FUEL-2 | |

| LIST K | | | | |
|---------------------|---|-----------|-----------|-----------|
| Title: | Significant threat policies that identify a body other than a municipality, source protection authority or local board as responsible for implementing the policy, and which represent a non-legally binding commitment | | | |
| Policy ID #: | T-10 | T-15 | T-16 | T-17 |
| | T-18 | GEN-3 | GEN-4 | GEN-6 |
| | OTHER-1 | WST-2 | SWG-2 | SWG-5 |
| | SWG-10 | NASM-5 | FER-4 | PES-3 |
| | SAL-4 | SAL-5 | SAL-6 | SAL-8 |
| | FUEL-4 | DNAP-2 | OS-2 | LO-G-1 |
| | LO-G-2 | LO-G-4 | LO-NGS-1 | LO-SEW-3 |
| | LO-PIPE-1 | LO-FUEL-1 | LO-FUEL-2 | DEM-3 |
| | DEM-5 (3) | DEM-7 | DEM-8 | REC-3 (2) |