

Section I – Items for the Toronto and Region Source Protection Authority Action

TO: Chair and Members of the Toronto and Region Source Protection Authority Meeting #2/18, Friday, November 30, 2018

FROM: Chandra Sharma, Director, Watershed Strategies

RE: **SUBMISSION OF SECTION 34 AMENDMENTS TO CTC SOURCE PROTECTION PLAN**

KEY ISSUE

To obtain endorsement from the Toronto & Region Source Protection Authority (TRSPA) to submit amendments to the CTC Source Protection Plan (CTC SPP) to the Ministry of the Environment, Conservation, and Parks (MECP).

RECOMMENDATION

THAT the TRSPA endorses the recommendation of the CTC SPR Amendments Working Group to submit amendments, as appended, to the CTC Source Protection Plan under Section 34 of the *Clean Water Act, 2006* to the Ministry of the Environment, Conservation, and Parks;

AND FURTHER THAT staff be directed to take the necessary actions to prepare and transmit the required documents and information.

BACKGROUND

The *Clean Water Act, 2006* (CWA) and Ontario Regulation (O. Reg.) 287/07 allow for amendments to be made to a source protection plan (SPP). Section 34, in particular, allows the source protection authority to make amendments that cannot wait until the section 36 update (mandated review of the CTC SPP due in December 2018) and do not qualify as minor administrative amendments under section 51. At Toronto and Region Source Protection Authority (TRSPA) Meeting #1/17, held on September 27, 2017, by Resolution #2/17, the Authority endorsed the recommendation of the CTC Source Protection Committee (CTC SPC) to proceed with amendments to the Toronto and Region and Credit Valley Assessment Reports, as well as the CTC SPP. Over the past year, conservation authority and municipal staff have been working collaboratively to revise policies which have been identified as being a challenge to implement, as well as to update technical work through an Amendments Working Group with membership from the CTC SPC and municipalities in the CTC Source Protection Region (CTC SPR).

On July 1, 2018 a new regulation under the *Safe Drinking Water Act, 2002* (O. Reg. 205/18) and amendments to the General Regulation under the *Clean Water Act, 2006* (O. Reg. 287/07) came into effect. The new regulation under the *Safe Drinking Water Act, 2002* requires that municipalities work with source protection authorities to ensure new and changing municipal residential drinking water systems are included in source protection plans. The Region of Peel has had new technical work completed at the Caledon East and Inglewood Drinking Water Systems which needs to be incorporated into the Toronto and Region and Credit Valley Assessment Reports, respectively, as well as the CTC SPP. The Region of Peel is unable to address requests to provide drinking water to residents from the Inglewood Drinking Water System until the new technical work has been approved by the Province in a revised source protection plan. Staff, in consultation with stakeholders, have determined that a section 34 amendment is the most expeditious approach to secure Provincial approval. A summary of the amendments made to the CTC Source Protection Plan are outlined in Attachment 1.

Item 7.1

As with the preparation of the Assessment Reports and the CTC Source Protection Plan, there are regulatory requirements under the *Clean Water Act, 2006* and O. Reg. 287/07 to consult with municipalities, various ministries, and landowners affected by the policies in the source protection plan prior to proposed amendments being submitted to the Ministry for approval. An additional requirement under Section 34 of the *Clean Water Act, 2006*, is that source protection authorities must obtain a municipal Council Resolution from each municipality affected by the proposed amendments.

Between May and October 2018, with the assistance of municipal staff, these Council Resolutions were obtained with two exceptions. The Region of Peel and the Town of Caledon will be required to obtain Council Resolutions endorsing the technical amendments associated with the Caledon East and Inglewood Drinking Water Systems. These Council Resolutions are planned for consideration by both Peel and Caledon Council's in February 2019.

Between October 12 and November 15, 2018, a period of public consultation (35 days) was carried out to allow members of the general public, municipalities, and provincial ministries to provide formal comments on the proposed amendments. Notices advising of this public consultation were published on the CTC Source Protection Region website (www.ctcswp.ca) and in local newspapers, where appropriate (i.e., the Caledon Citizen). The proposed amendments were also published on the CTC SPR website (www.ctcswp.ca) and hard copies made available at various locations. Minor and supportive formal comments were received from the MECP and one municipality. These comments were reviewed by the Amendments Working Group on November 20, 2018 and the amendments finalized for endorsement by the TRSPA.

DETAILS OF WORK TO BE DONE

Once endorsement by the Toronto and Region Source Protection Authority of proposed amendments, along with endorsements in the form of formal Council resolutions from Peel and Caledon has been obtained, staff will prepare the materials for submission to the Province. When the amendments are submitted and reviewed by the Ministry, and following any further consultation that the Ministry considers advisable, the Ministry will advise that they have been approved. Ministry approved amendments to the CTC Source Protection Plan will be posted on the Environmental Bill of Rights Registry with an effective date.

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Attachments: 1