

Official Planning & Source Water: An Update

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Conservation Authority

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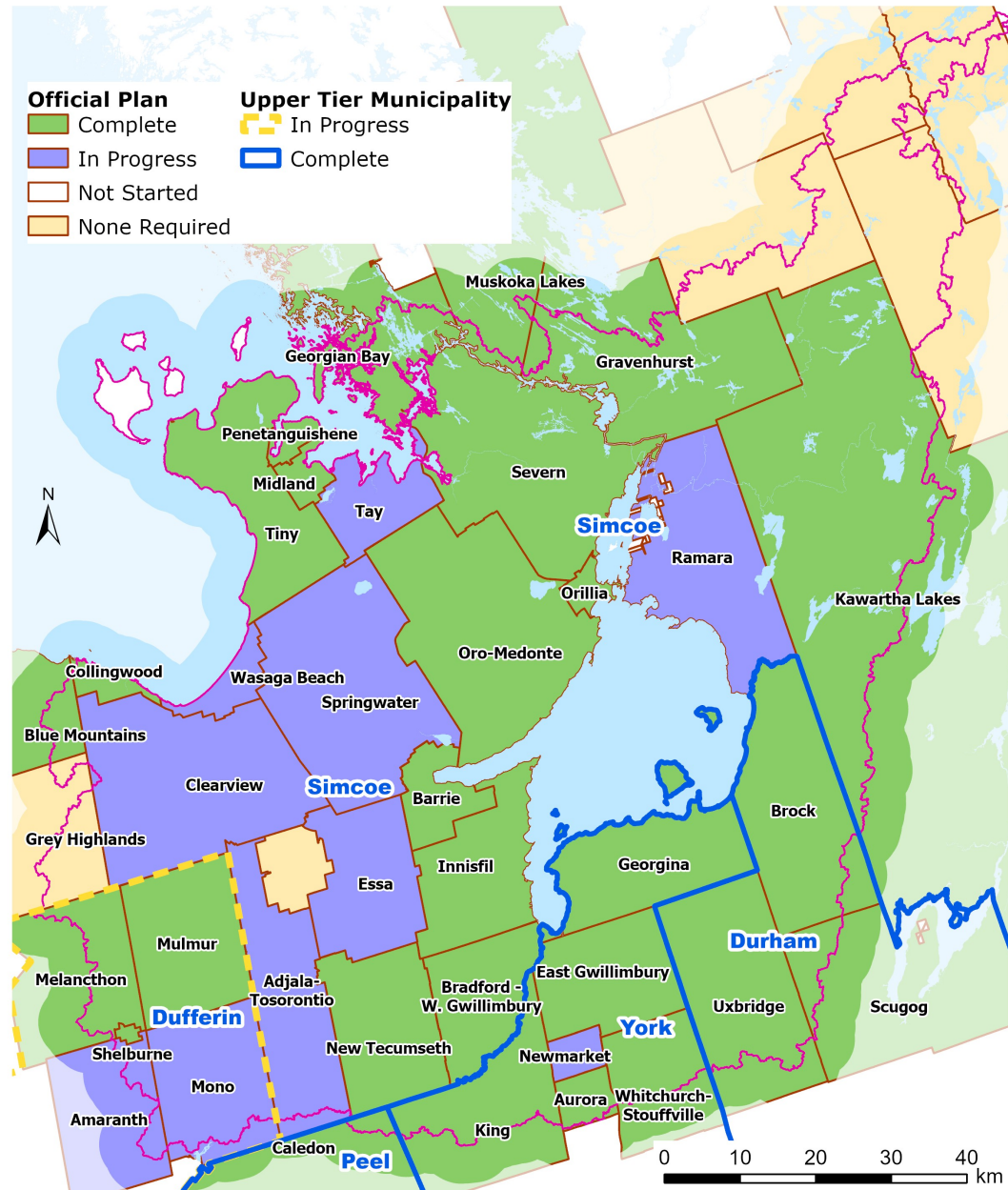
Water
is life.
Protect
Yours.

Presentation Outline

- Review of 2024 Annual Reporting data
- Official Planning Process
- Delays and Complications
- What Happens in the Meantime
- Actions to Date
- Opportunities

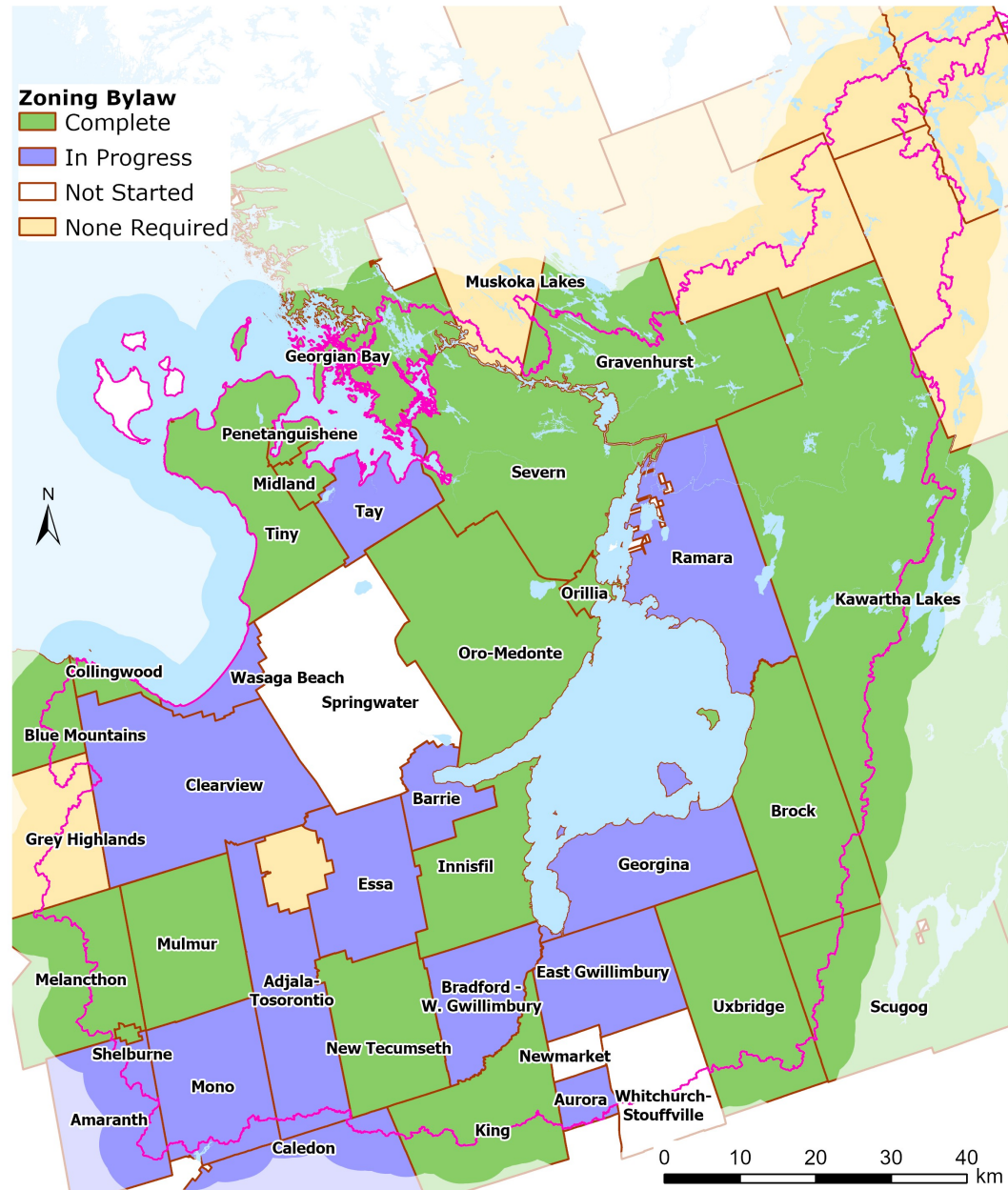
Official Plan Updates Progress to Date

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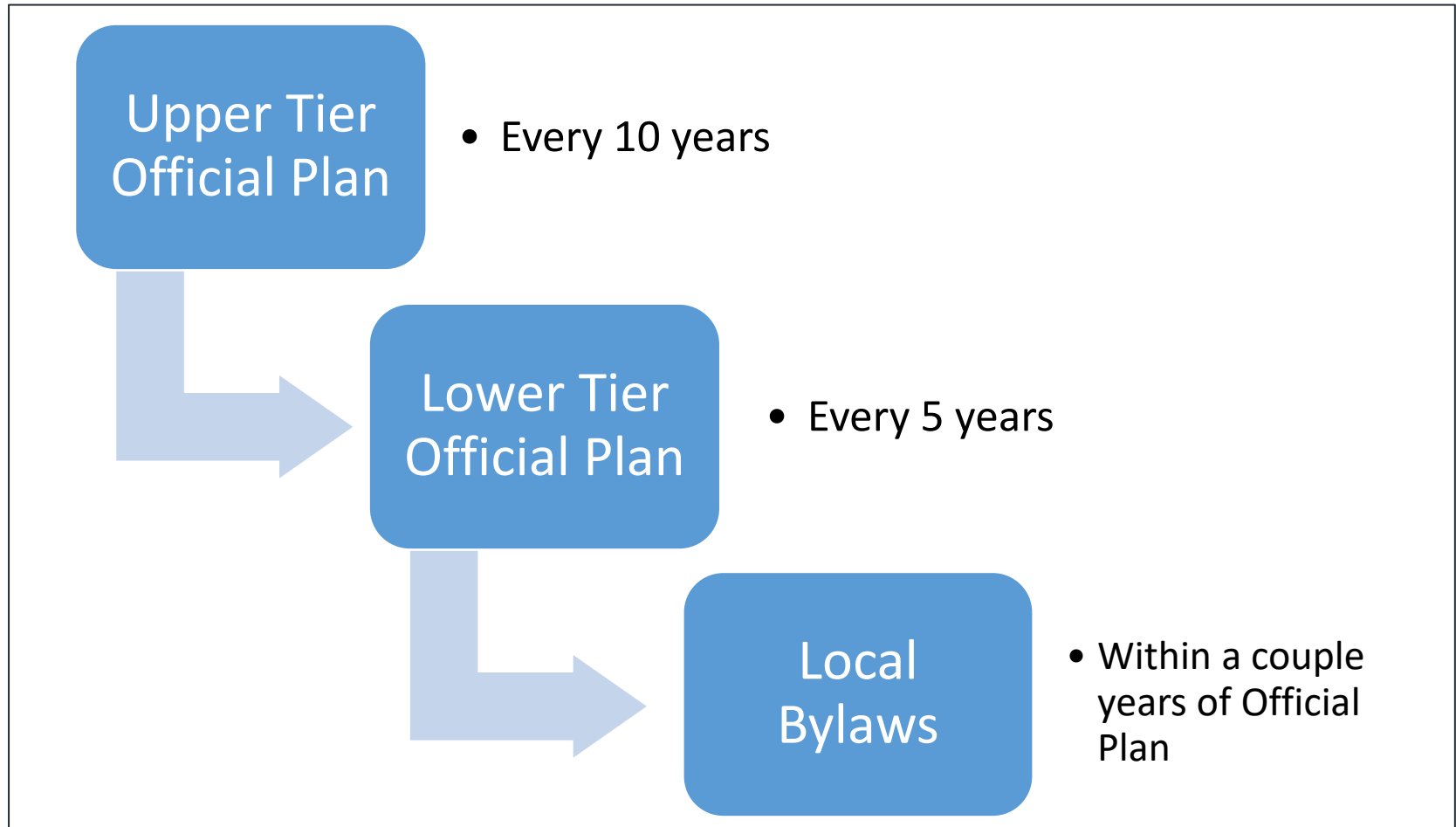
Zoning Bylaw Amendments Progress to Date

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Official Planning in Ontario*

* in theory

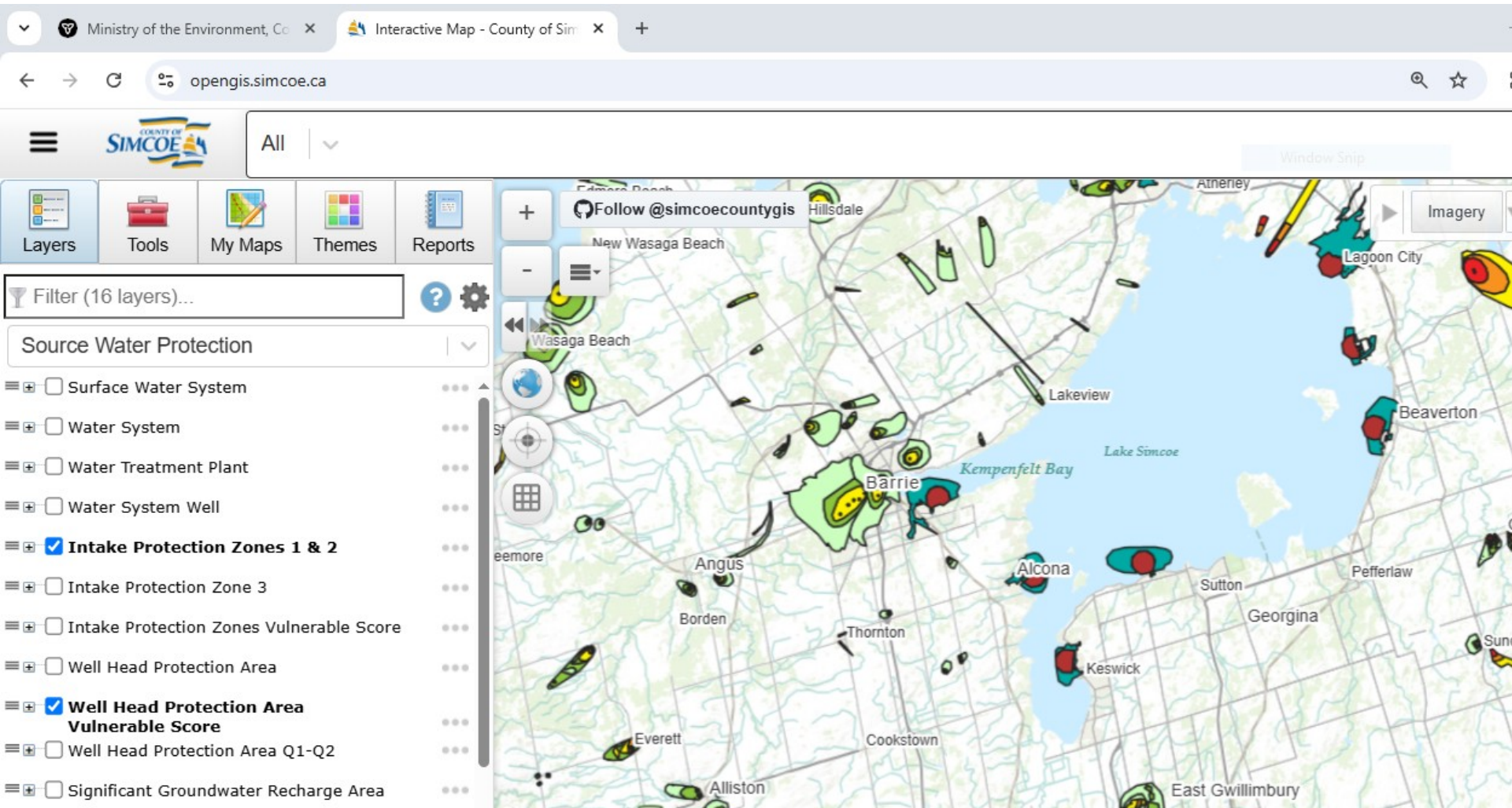


Main Causes of Delays

- Approximately 15 major provincial Bills (and counting) in recent years
- Changing growth targets
- Legal challenges
- No real consequences for not meeting deadlines
- Staff capacity and knowledge in smaller municipalities

Resources Available in the Meantime

If local Official Plan has not been updated to include source water mapping, Simcoe County, regions, and the Ministry of the Environment, Conservation and Parks have map viewers available for staff and the public



Resources Available in Meantime

If local bylaws have not been updated, municipalities should default to the Source Protection Plan itself. List A in the Appendix shows what policies apply to land use planning and can be used as a reference.

List A

Section	Details
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 Reference #:	LUP-1, LUP-2, LUP-3, LUP-4, LUP-5, LUP-6, LUP-7, LUP-8, LUP-9, LUP-10, RLU-1, LUP-12, LUP-13, LUP-14, LUP-15, LUP-11, SEWG(c)-3, TRANS-1, TIME-7

Public Experience

- A google search for “TownX regulated areas mapping” did lead me to mapping (usually Simcoe County maps) that do contain source water layers
- Only one municipality without a compliant Official Plan where this method was not immediately successful
- Planning websites and mapping are dense, the average person is likely to be overwhelmed and may not know to look for source water, but in most cases it is there

'Title' and Source Water



- Source water information is not included on a property's title - Why?
 - Policies and policy outcomes (such as a risk management plan) are tied to the activity and signatory, not the property
 - A property owner could add a note to the title about being in a vulnerable area, but there is no legal mechanism for the Committee, Municipality, Ministry or risk management official to do it
- When a property changes hands an existing risk management plan cannot be transferred without involving the risk management official

Actions Already Taken by SPA Staff

- Presentations to Realty groups
- Recent and upcoming Source Water 101 presentations to councils and planners in the Severn Sound Environmental Agency and Nottawasaga Valley Conservation Authority watershed (Region and City Staff doing similar in Lake Simcoe watershed)



How is Source Water Protection Relevant to REALTORS

- All properties rely on drinking water – either from municipal supply or private wells
- Some properties may be affected by policies and regulations that restrict or in rare cases prohibit what activities can be done on the property
 - This depends on if the property is within a vulnerable area

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Opportunities

- Potential to do 'housekeeping' bylaws updates if Official Plan is completed
- Modernize 'Source Water 101 for Planners' to include materials that can be shared and used after the fact (video, reference guides)
- Point municipalities still in the process to their neighbours with completed bylaws as examples
- Ongoing, periodic outreach to the Real Estate sector, potentially in collaboration with other Source Protection Regions





**A clean glass of water starts
long before you turn on the tap**

Thank you!

Water *is* life. Protect Yours.