

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: PLANNING & DEVELOPMENT SERVICES

CHAIRPERSON: COUNCILLOR L. MICK

DEPT. HEAD: FRANCINE DESORMEAU, INTERIM CLERK

TITLE: ZONING BY-LAW AMENDMENT

X Draft By-Law ___ Item ___ Policy Recommendation

Mayor D. Backer and Members of Council:

The North Bay-Mattawa Source Protection Plan was approved by the Ministry of Environment and Climate Change March 5, 2015 with an effective date of July 1, 2015. Eight municipalities within our district are required to implement prohibitions of certain land uses in areas where they would pose a threat to drinking water sources. As part of the implementation process, the municipality's Zoning By-law 85-23 must be amended to reflect the Land Use Policies.

A public meeting was held Monday June 22, 2015, in accordance with the Planning Act, and no comments were received verbally nor were there any written comments received.

Recommendation:

That Council approve By-law 15-31 which will amend the Town of Mattawa's Zoning By-law 85-23, as amended for the purpose of implementing the North Bay-Mattawa Conservation Authority Source Protection Plan as required under the provincial Clean Water Act, 2006.

Respectfully recommended

Councillor L. Mick

THE CORPORATION OF THE TOWN OF MATTAWA

BY-LAW 15-31

BEING A BY-LAW TO AMEND ZONING BY-LAW 85-23, AS AMENDED

WHEREAS the Council of the Corporation of the Town of Mattawa deems it advisable to amend By-law No. 85-23, as amended (the Comprehensive Zoning By-law of the Town of Mattawa);

NOW THEREFORE the Council of the Corporation of the Town of Mattawa ENACTS in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended, the following:

1. That a new sub-section be added in Section 5 – General Provisions immediately following sub-section 5.27 as follows:

“5.28

On the lands shown hatched on Schedule “D” identified as Source Water Well Head Protection Areas “A” and “B” (SW WHPA-A and -B) the following activities shall be prohibited specifically including;

- the use of land for a new gas bar, marina, automobile service station, cardlock/keylock facility, private outlet, farm, refinery, bulk plant and any commercial or industrial land use involving the handling and storage of fuel other than for heating;
- pesticide storage, that involves the storage of pesticides including the retail sale, manufacturing, processing, and wholesaling thereof;
- a road salt storage facility greater than 5,000 tonnes;
- the storage of agricultural source material;
- the handling and storage of non-agricultural source material;
- the handling and storage of commercial fertilizer;
- the use of land as livestock grazing or pasturing land;
- an outdoor confinement area or farm- animal yard;
- the storage of road salt and as a snow storage facility or snow dump (areas where snow is likely to be transported from offsite)
- the storage of tailings from mines or a mine tailings pond;
- an area designated to be injected with liquid industrial waste;
- an area for land farming of petroleum refining waste;
- the land filling of hazardous or municipal waste;
- the land filling of solid non-hazardous industrial or commercial waste”

“5.29

On the lands shown cross-hatched on Schedule “D” identified as Source Water Well Head Protection Area “C” (SW WHPA-C) the following activities shall be prohibited specifically including:

- an area designated to be injected with liquid industrial waste;

- the land filling of municipal waste;
 - the land filling of solid non-hazardous industrial or commercial waste”
2. That a new definition be added in Section 3 – Definitions immediately following Section 3.3 Aerodrome as follows:

“**3.3.1 Agricultural Source Material:** material used for land application of nutrients that originate from agricultural activities such as livestock operations. May include manure, livestock bedding, runoff water from animal yards or manure storage and compost (see *Nutrient Management Act*, 2002 for legal description).”

 3. That a new definition be added in Section 3 – Definitions immediately following Section 3.32 Institutional Use as follows:

“**3.32.1 Landfarming:** means the biodegradation of petroleum refining wastes by naturally occurring soil bacteria by means of controlled application of the wastes to land followed by periodic tilling.”

 4. That a new definition be added in Section 3 – Definitions immediately following Section 3.37 Mobile Home as follows:

“**3.37.1 Non-Agricultural Source Material:** used to apply to land as nutrients that do not originate from agricultural activities. Includes pulp and paper biosolids, sewage biosolids, non-agricultural compost and any other material capable of being applied to land as a nutrient that is not from an agricultural source (see *Nutrient Management Act*, 2002 for legal description).”

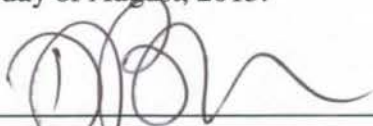
 5. That Schedule “D” is inserted in zoning by-law number 85-23, as amended immediately following Schedule “C”.

 6. Schedule “D”, attached hereto, is hereby made part of this by-law.

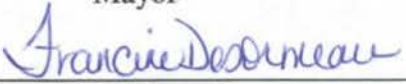
 7. Subject to Subsections 24(2) and 24(2.1)(b) of the Planning Act, this by-law shall come into force on the day of passage and take effect on the day that the Official Plan Amendment necessary to establish the conformity described in Section 24(2) of the Planning Act comes into force and takes effect.

READ A FIRST and SECOND time, this 10th day of August, 2015.

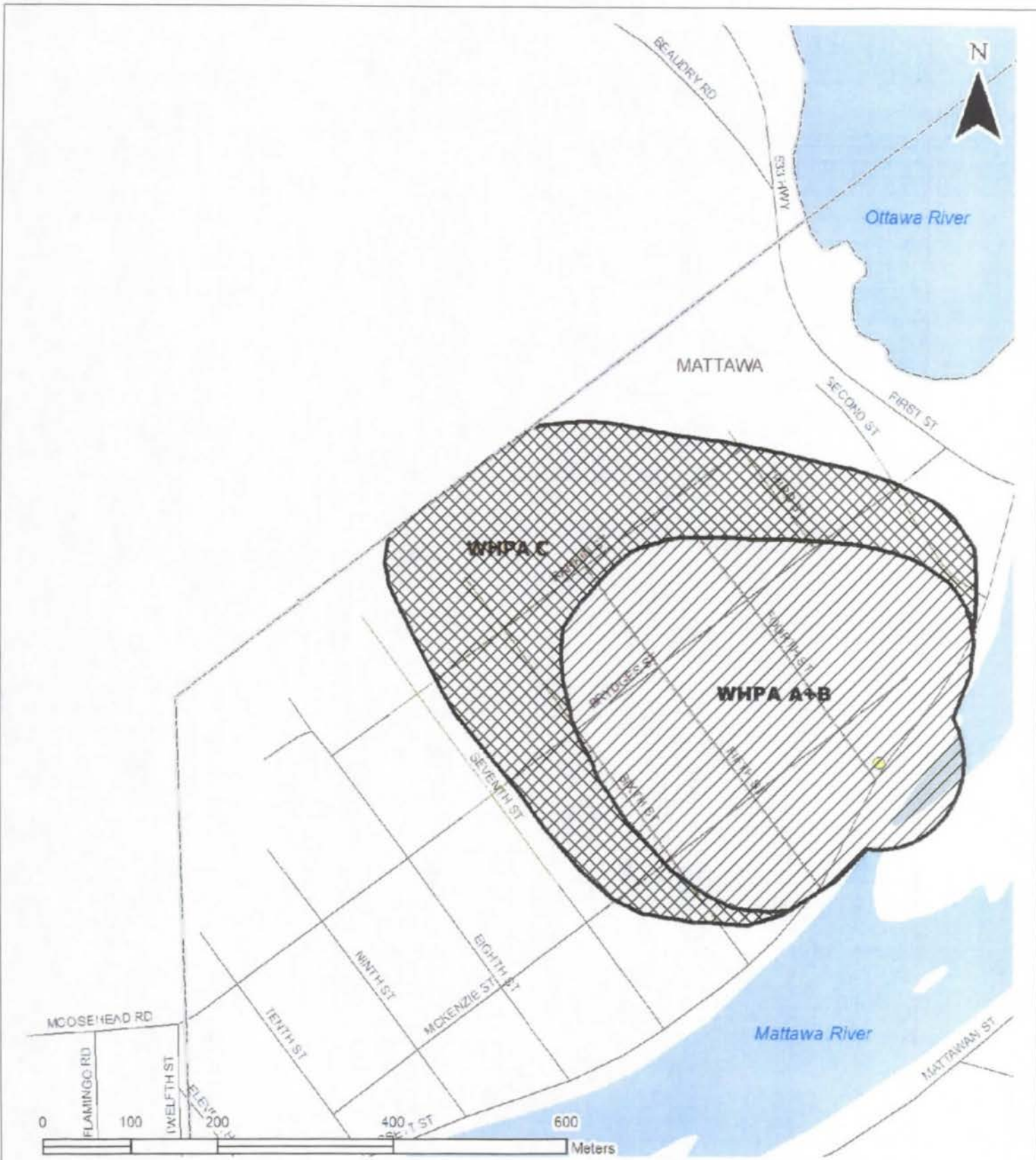
READ A THIRD time and FINALLY PASSED this 10th day of August, 2015.



Mayor



Clerk



SCHEDULE 'D'
Town of Mattawa
Zoning By-law 15-31

Wellhead Protection Area Plan

- Legend**
- Municipal Well
 - Source Water Well Head Protection Area A+B (SW WPA-A+B)
 - Source Water Well Head Protection Area B (SW WPA-C)
 - Municipality
 - Waterbody
 - Road