



## CORPORATION OF THE MUNICIPALITY OF TWEED

### BY-LAW NO. 2015 - 42

**BEING** a By-Law under the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, to amend Comprehensive Zoning By-Law No. 2012-30, as otherwise amended, of the Municipality of Tweed to establish a Source Water Protection Overlay Zone for those lands identified in the Quinte Region Source Protection Plan as being within a Wellhead Protection Area (WHPA) associated with the former Village of Tweed's municipal water wells;

**WHEREAS** the Council of the Corporation of the Municipality of Tweed conducted a public meeting in regard to this application in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended;

**AND WHEREAS** the Council of the Corporation of the Municipality of Tweed has deemed advisable to amend Zoning By-Law No. 2012-30, as otherwise amended, with respect to the above described lands, and under the provisions of the Planning Act R.S.O., 1990, as amended, has the authority to do so.

#### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF TWEED ENACTS AS FOLLOWS:**

1. **THAT** By-Law No. 2012-30, as amended, is hereby amended by inserting the following row in the bottom of the table found in Section 5.3.2:

"SOURCE WATER PROTECTION OVERLAY ZONE SWP 144 29"

2. **THAT** By-Law No. 2012-30, as amended, is hereby amended by deleting Section 5.48 "WELL HEAD PROTECTION AREA (WHPA)" in its entirety.
3. **THAT** By-Law No. 2012-30, as amended, is hereby amended by inserting Section 29 immediately after Section 28 as follows:

#### **"SECTION 29 - SWP - SOURCE WATER PROTECTION OVERLAY ZONE**

No person shall within the Source Water Protection (SWP) Overlay Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

##### **29.1 PURPOSE AND EFFECT**

The purpose of the SWP Overlay Zone is to prevent the inadvertent approval of Planning Act applications and/or issuance of building permits that may result in the establishment of uses that are significant drinking water threats.

The effect of the SWP Overlay Zone is to ensure that the Municipality of Tweed's Risk Management Official (RMO) and/or Quinte Conservation Authority staff are consulted with, and any necessary approvals pursuant to the Clean Water Act and requirements in the Quinte Region Source Protection Plan are obtained by the landowner/applicant as part of the consideration by the Municipality of a complete Planning Act application and/or prior to the issuance of a building permit.

##### **29.2 APPLICABILITY**

The Source Water Protection (SWP) Overlay Zone applies to all lands identified within the Quinte Region Assessment Report and Source Protection Plan as being within a Wellhead Protection Area (WHPAs A-D) for the two municipal water wells that service the former Village of Tweed.

The Source Water Protection (SWP) Overlay Zone applies to all lands and all underlying zones (Sections 6-28) and special exception zones partly or wholly contained within it.

### 29.3 DRINKING WATER THREATS

Notwithstanding the permitted uses and zone provisions of any underlying zones, the following drinking water threats shall be prohibited except in accordance with Section 29.4:

- a) The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act;
- b) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
- c) The storage and management of agricultural source material;
- d) The handling and storage of non-agricultural source material;
- e) The handling and storage of commercial fertilizer;
- f) The handling and storage of pesticide;
- g) The handling and storage of road salt;
- h) The storage of snow;
- i) The handling and storage of fuel;
- j) The handling and storage of a dense non-aqueous phase liquid;
- k) The handling and storage of an organic solvent;
- l) An airport and specifically the management of runoff that contains chemicals used in the de-icing of aircraft; and,
- m) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.


### 29.4 REQUIRED APPROVALS

Upon the Province issuing any related Provincial Instrument and/or the Risk Management Official (RMO) issuing a letter of compliance or issuing a Notice pursuant to Section 59 of the Clean Water Act, a land use prohibited in Section 29.3 is permitted in accordance with the provisions of the underlying zone(s) and all other applicable provisions of Zoning By-Law No. 2012-30, as amended."

4. **THAT Schedules 'A' and 'D'** to By-Law No. 2012-30, as amended, are hereby amended by deleting the existing Well Head Protection Area One (WHPA-1), Well Head Protection Area 2 (WHPA-2), Well Head Protection Area 3 (WHPA-3) and Well Head Protection Area Four (WHPA-4) Zones and zoning lands the Source Water Protection (SWP) Overlay Zone in accordance with **Schedule '1'** attached hereto;
5. **THAT Schedule '1'** attached hereto forms part of this By-Law;
6. **AND THAT** this By-Law shall come into force and take effect in accordance with the provisions of the Planning Act.

Read a first and second time this 24th day of November, 2015.

Read a third and final time, passed, signed and sealed in open Council this 24th day of November, 2015.

  
MAYOR

  
ACTING CLERK

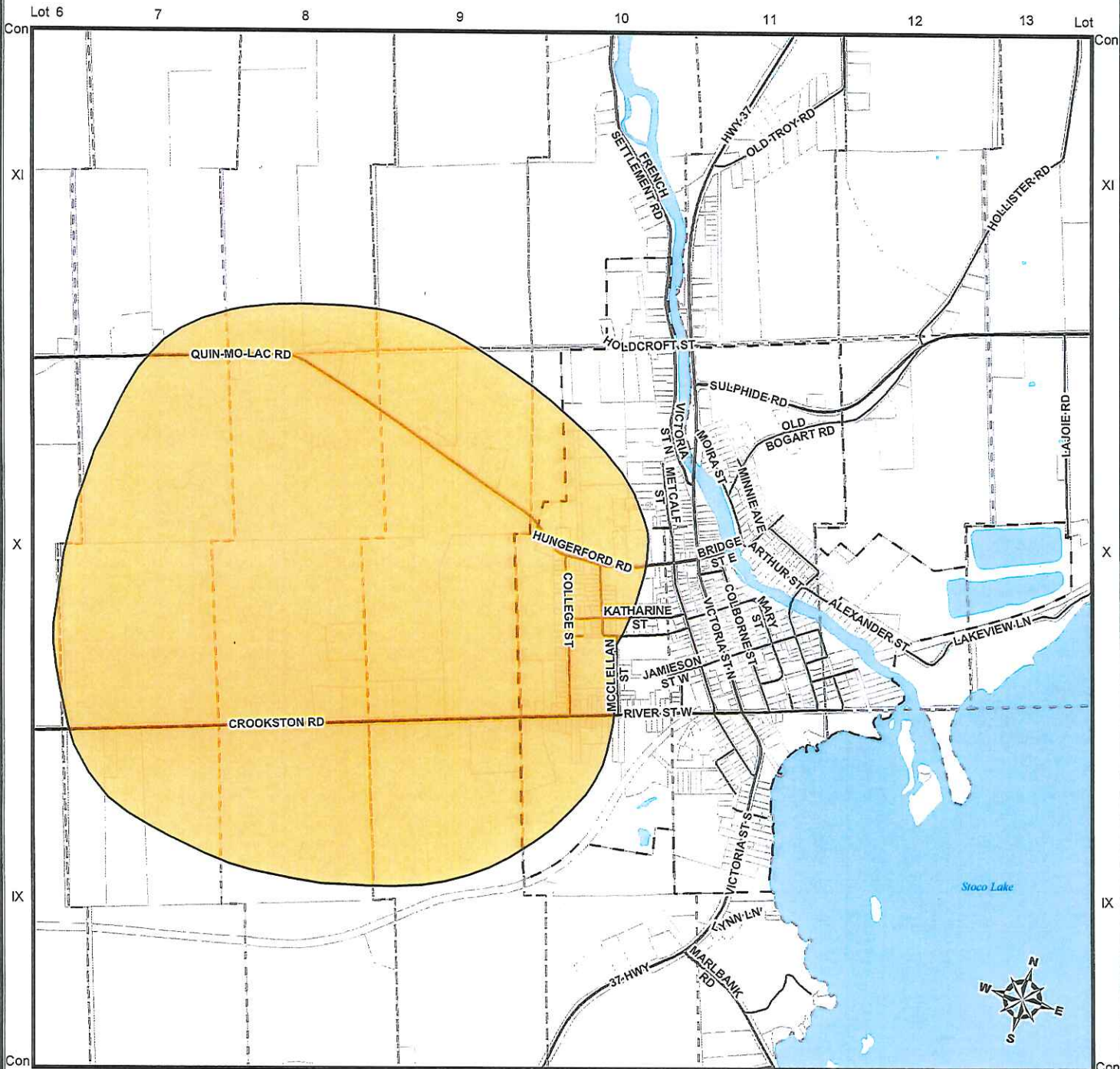
# COROPORATION OF THE MUNICIPALITY OF TWEED SCHEDULE '1'

BY-LAW NO. 2015-42  
THIS IS SCHEDULE '1' TO BY-LAW NO. 2015-42 AMENDING  
COMPREHENSIVE ZONING BY-LAW 2012-30, AS AMENDED, FOR THE  
MUNICIPALITY OF TWEED

PASSED THIS 24th DAY OF November, 2015.

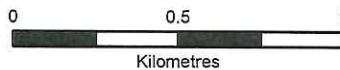
*Jo-Anne Albert*  
**Jo-Anne Albert** Mayor

*Betty Gallagher*  
**Betty Gallagher** Acting CAO



## LEGEND

- Lands to be zoned the Source Water Protection (SWP) Overlay Zone.
- Lot and Concession



Note: Please refer to Zoning By-law No. 2012-30, as amended, for the underlying zone(s) that apply to all land holdings.



Prepared For:  
The Municipality of Tweed  
Prepared By:  
County of Hastings Planning & Dept. GIS Services

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