

# Appendix C. Applicable Legal Provision of Policies

Under section 34 of Ontario Regulation 287/07, certain types of policy do not have legal effect under the *Clean Water Act* unless the Plan specifies which provision of Part III of the Act applies to those policies. This appendix satisfies this regulatory requirement, by listing the types of policy and the applicable type of legal effect.

## List A. Significant Threat Policies that Affect Decisions under the Planning Act and Condominium Act, 1998

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:

|          |          |          |          |
|----------|----------|----------|----------|
| 6.2.5-CW | 7.2.3-CW | 6.5.8-CW | 7.5.4-CW |
| 6.2.6-CW | 6.3.8-CW | 7.3.4-CW |          |
| 7.2.2-CW | 6.4.9-CW | 7.4.5-CW |          |

## List B. Moderate and Low Threat Policies that Affect Decisions under the Planning Act and Condominium Act, 1998

Subsection 39 (1) (b) of the *Clean Water Act, 2006* applies to the following policies:

|          |          |          |
|----------|----------|----------|
| 5.5.1-HR | 7.2.4-HR | 7.7.1-HR |
| 6.2.7-HR | 7.2.5-HR |          |
| 6.2.8-HR | 7.3.5-HR |          |

## List C. Significant Threat Policies that Affect Prescribed Instrument Decisions

Subsection 39 (6), clause 39 (7) (a), section 43 and subsection 44 (1) of the *Clean Water Act, 2006* apply to the following policies. Table C-1 specifies which prescribed instruments are affected by these policies.

|           |           |           |
|-----------|-----------|-----------|
| 6.2.11-CW | 6.2.17-CW | 7.2.11-CW |
| 6.2.13-CW | 6.2.21-CW | 7.2.17-CW |
| 6.2.14-CW | 6.2.22-CW | 7.2.19-CW |
| 6.2.15-CW | 7.2.9-CW  |           |

List D. Moderate and Low Threat Policies that Affect Prescribed Instrument Decisions

Clause 39 (7) (b) of the *Clean Water Act, 2006* applies to the following policies. Table C-1 specifies which prescribed instruments are affected by these policies.

|          |           |           |           |
|----------|-----------|-----------|-----------|
| 5.5.3-HR | 6.2.12-HR | 6.2.23-HR | 7.2.12-HR |
| 5.5.5-HR | 6.2.16-HR | 7.2.10-HR | 7.2.18-HR |
| 5.5.7-HR |           |           | 7.2.20-HR |

List E. Significant Threat Policies that Impose Obligations on Municipalities, Source Protection Authorities and Local Boards

Section 38 and subsection 39 (6) of the *Clean Water Act, 2006* applies to the following policies:

|          |           |           |           |
|----------|-----------|-----------|-----------|
| 4.3.2-CW | 6.3.9-CW  | 6.4.1-CW  | 6.4.14-CW |
| 4.4.2-CW | 6.2.1-CW  | 6.4.10-CW | 7.3.7-CW  |
| 6.3.1-CW | 6.2.12-CW |           | 7.4.6-CW  |

List F. Monitoring Policies referred to in Subsection 22(2) of the *Clean Water Act, 2006*

Section 45 of the *Clean Water Act, 2006* applies to the following policies:

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| 6.2.3-CW  | 6.3.1-CW  | 6.4.10-CW | 7.2.21-CW |
| 6.2.9-CW  | 6.3.9-CW  | 6.4.14-CW | 7.3.7-CW  |
| 6.2.19-CW | 6.3.11-CW | 7.2.6-CW  |           |
| 6.2.24-CW | 6.4.1-CW  | 7.2.13-CW |           |

List G. Policies related to section 57 of the *Clean Water Act, 2006*

The following policies relate to section 57 (prohibition) of the *Clean Water Act*:

|          |          |          |          |
|----------|----------|----------|----------|
| 6.3.5-CW | 6.4.7-CW | 6.5.7-CW | 7.5.2-CW |
| 6.3.6-CW | 6.4.8-CW | 7.3.3-CW | 7.5.3-CW |
| 6.3.7-CW | 6.5.5-CW | 7.4.3-CW |          |
| 6.4.6-CW | 6.5.6-CW | 7.4.4-CW |          |

List H. Policies related to section 58 of the *Clean Water Act, 2006*

The following policies relate to section 58 (risk management plans) of the *Clean Water Act*:

|          |          |          |          |
|----------|----------|----------|----------|
| 6.3.2-CW | 6.4.3-CW | 6.5.2-CW | 7.3.2-CW |
| 6.3.3-CW | 6.4.4-CW | 6.5.3-CW | 7.4.1-CW |
| 6.3.4-CW | 6.4.5-CW | 6.5.4-CW | 7.4.2-CW |
| 6.4.2-CW | 6.5.1-CW | 7.3.1-CW | 7.5.1-CW |

List I. Policies related to section 59 of the Clean Water Act, 2006

The following policies relate to section 59 (restricted land use) of the *Clean Water Act*:

|          |          |          |          |
|----------|----------|----------|----------|
| 6.3.8-CW | 6.5.8-CW | 7.3.4-CW | 7.5.4-CW |
| 6.4.9-CW | 7.4.5-CW |          |          |

List J. Strategic Action Policies

For the purposes of section 33 of Ontario Regulation 287/07, the following policies are identified as strategic action policies:

|          |          |           |           |
|----------|----------|-----------|-----------|
| 4.2.1-NB | 4.7.3-NB | 6.2.10-NB | 7.2.8-NB  |
| 4.2.2-NB | 4.7.4-NB | 6.2.18-NB | 7.2.14-NB |
| 4.3.1-NB | 4.7.5-NB | 6.2.20-NB | 7.2.15-NB |
| 4.3.3-NB | 4.7.7-NB | 6.2.25-NB | 7.2.16-NB |
| 4.4.1-NB | 5.2.1-NB | 6.2.26-NB | 7.2.22-NB |
| 4.4.3-NB | 5.2.2-NB | 6.2.27-NB | 7.2.23-NB |
| 4.4.4-NB | 5.2.3-NB | 6.2.28-NB | 7.2.24-NB |
| 4.4.5-NB | 5.3.1-NB | 6.3.10-NB | 7.3.6-NB  |
| 4.5.1-NB | 5.3.2-NB | 6.3.12-NB | 7.6.1-NB  |
| 4.5.2-NB | 5.4.1-NB | 6.4.11-NB | 7.6.2-NB  |
| 4.5.3-NB | 5.5.2-NB | 6.4.12-NB | 7.7.2-NB  |
| 4.6.1-NB | 5.5.4-NB | 6.4.13-NB |           |
| 4.6.2-NB | 5.5.6-NB | 6.5.9-NB  |           |
| 4.7.1-NB | 5.5.8-NB | 7.2.1-NB  |           |
| 4.7.2-NB | 6.2.2-NB | 7.2.7-NB  |           |

List K. Significant threat policies that identify a body other than a municipality, source protection authority or local board as responsible for policy implementation

|          |          |          |
|----------|----------|----------|
| 4.6.2-NB | 4.7.5-NB | 4.7.8-NB |
|----------|----------|----------|

Table C-1: Prescribed instruments which apply to source protection plan policies in Lists C and D above  
*(subsection 34(4) of O. Reg. 287/07)*

| Prescribed Instrument   | Policy Reference Number   |
|---|---|
| <b>Aggregate Resources Act</b><br>( licenses, wayside permits, aggregate permits, and site plans) | 5.5.7-HR  |
| <b>Environmental Protection Act</b><br>(waste sites and systems)                                  | 5.5.3-HR<br>6.2.11-CW<br>6.2.12-HR<br>7.2.9-CW<br>7.2.10-HR   |
| <b>Ontario Water Resources Act</b><br>(sewage works)  | 5.5.5-HR<br>6.2.13-CW<br>6.2.14-CW<br>6.2.15-CW<br>6.2.16-HR<br>6.2.17-CW<br>7.2.11-CW<br>7.2.12-HR |
| <b>Nutrient Management Act</b><br>(nutrient management strategies)                                | 6.2.22-CW<br>6.2.23-HR<br>7.2.19-CW<br>7.2.20-HR  |
| <b>Nutrient Management Act</b><br>(nutrient management plans)                                     | 6.2.22-CW<br>6.2.23-HR<br>7.2.19-CW<br>7.2.20-HR  |
| <b>Nutrient Management Act</b><br>(NASM Plans)  | 6.2.21-CW<br>6.2.23-HR<br>7.2.17-CW<br>7.2.18-HR  |