

Source Protection Plan Implementation for Real Estate Professionals

Background

We need reliable supplies of clean, safe drinking water now and for our future. Yet, some of our activities, when carried out near a drinking water source, can contaminate and deplete that water source. To protect our sources of municipal drinking water, Ontario passed the *Clean Water Act* in 2006. Under the Act, 19 regions in Ontario have created plans to protect sources of municipal drinking water. Plans were developed by local committees, based on science, and included broad public consultation.

The Approved Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region Source Protection Plan requires that existing and/or future activities do not adversely affect our local municipal water sources. The Plan contains policies to address the 21 provincially identified drinking water threats. It comes into effect on July 1, 2016.

Why should real estate professionals care about drinking water source protection?

Many potential home, farm, and business buyers are now aware that certain properties located near our municipal drinking water sources may have some regulated activities. You will receive questions from buyers about whether or not a property is located in a 'vulnerable area' and how this might impact the activities they can undertake if they purchase the property. It is in everyone's best interest for potential buyers to have the most accurate information available. In this Region, this information is available from Drinking Water Source Protection and at home.waterprotection.ca (Property and business owners (sellers) should already be aware of regulated activities.)



Contact Us

Give us a call for more information or to arrange for a staff person to attend an upcoming meeting.

237897 Inglis Falls Road
Owen Sound, ON
N4K 5N6
(519) 470-3000
mail@waterprotection.ca
Visit us on the web at
home.waterprotection.ca

Is the property within the vulnerable area of a drinking water system?

If so, there are policies that may apply that affect activities on this property. You and/or your client can check the Interactive Vulnerable Area Maps at home.waterprotection.ca and/or call the Risk Management Office at Grey Sauble Conservation for more information.

Is there potential for development, construction or related application on this property?

If so, your client will want to check with the local municipality first and fill out a S. 59 Screening Form. Some activities will require risk reduction measures (a risk management plan) or may even be prohibited. For some activities in specific vulnerable areas, applications under the Planning Act, or for the construction or the change of the use of a building may not be made until the risk management official issues a notice to the person who is proposing the regulated activity.

The notice will identify either that:

- the activity is prohibited; or
- that a risk management plan has been agreed to or established for the activity; or
- neither prohibition nor risk management measures apply.

If the activity is prohibited then the application cannot proceed. If the activity requires a risk management plan, then the plan must be established before the application can proceed. If neither prohibition nor risk management measures apply then the application may proceed.

Is the property in an area where septic system inspections are required every five years?

The Ontario Building Code now requires that septic systems in the most vulnerable areas surrounding municipal drinking water sources be inspected every five years.

This fact sheet is not legal advice.

Policies in the Plan apply in relatively small and very specific mapped vulnerable areas surrounding each municipal drinking water source.

What if I sell and list properties in more than one region? Will source protection plans for other areas have the same policies?

No, but they will likely be similar. The source protection program was designed to address local needs and so there will be some variability in approaches taken by each of the local source protection committees in creating their local plans. Each source protection region/area in Ontario has a website with more information and maps. Go to conservation-ontario.ca and click on 'drinking water source protection' for links to information across Ontario.

What can I do to help inform potential buyers and sellers about drinking water source protection and how it applies to them?

Find out if Source Protection Plan policies apply in the communities you serve and become familiar with the maps of the vulnerable areas. Visit and encourage your clients to visit home.waterprotection.ca to view the maps and helpful fact sheets. Information is also available at the Drinking Water Source Protection office, located at the Grey Sauble Conservation Administration Building in Owen Sound to better inform you and your clients about:

- which properties are located in a vulnerable area, and
- how specific activities may be regulated in certain locations, and
- how some activities will require risk management plans or may be prohibited.