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| Meeting Date: | June 16, 2021   |
| Contact:      | Ivan Burton, Planner/EDO<br>iburton@whitewaterregion.ca<br>613-646-2282, Ext. 124 |

**Title:**

Provincially Licensed Hauled Sewage Spreading

**Recommendation:**

That Council of the Township of Whitewater Region receive this report for information purposes.

**Background:**

Dating back to November 2020, staff and Council have been receiving inquiries relating to hauled sewage spreading sites located in the Township and more particularly west of Beachburg in Westmeath. Since the first inquiry, a group has formed called *Whitewater Raw Sewage* to advocate against the spreading of hauled sewage. In the fall, an anonymous letter was distributed to landowners and more recently, a letter was provided to Council in February 2021, an article was published in the Eganville Leader (May 19), and an email was sent to the Honorable Jeff Yurek, Minister of Environment, Conservation and Park (MECP) on May 28.

Since the first inquiry, staff have had continued dialogue with the Greg Davis, Environmental Officer with the MECP, Ottawa District Office and have generally directed residents to this representative for any questions. Staff have also met with the former Property Standards Committee (Nov. 2020), including Melvin Langton and Andrew Coulas, to discuss the concerns that were raised directly to them.

There is a total of four (4) Provincially licensed hauled sewage spreading sites located at 1444/1446 Zion Line, 168 Davidson Road, 31 Watchorn Drive and 1108 Zion Line. Based on information obtained from MECP, each site has been issued an Environmental Compliance Approval (ECA) which permits them to spread hauled sewage in strict accordance with their approvals, incl. maximum application rates. It is the responsibility of the MECP to regulate, license/approve and inspect these sites to ensure continued compliance. Hauled sewage spreading is permitted to occur

between April 1 to November 30 subject to certain requirements (i.e., snow cover).

**Analysis:**

**Provincial Regulations**

Licensed hauled sewage spreading sites are approved by the issuance of Environmental Compliance Approval (ECA) pursuant to Section 27 of the Environmental Protection Act (EPA). ECA's are issued by the Ministry of the Environment, Conservation and Parks and the EPA, among others, established the authority and responsibility of the Ministry, the legal requirements for proponents of various proposals, obligations of the owners of existing facilities and equipment with respect to their impact on public health and the environment, and the rights of residents of Ontario with respect to those proposals, facilities and equipment.

These requirements and rights include the need to obtain approvals or permits prior to implementation of proposals with a potential for impact on public health and /or the environment, and the right of the residents of Ontario to be made aware of proposals, in order that the public has opportunity to comment on those proposals.

If the proposal is subject to the Environmental Bill of Rights (EBR) requirements, any comments that are received from the public as a result of the notification on the Environmental Registry (ER) will be considered in the review.

**Provincial Policy Statement**

The Provincial Policy Statement (PPS) outlines that appropriate development should be promoted while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. Hauled sewage spreading sites are generally included within the definition of the term "infrastructure" which is summarized as physical structures (facilities and corridors) that form the foundation for development including septage treatment systems.

The PPS specifies that healthy, integrated and viable (rural) communities should be supported by ensuring that necessary infrastructure are or will be available to meet current and projected needs to avoid the need for the unjustified and/or uneconomical expansion of this infrastructure. Further, development and land use patterns which may cause environmental or public health and safety concerns should be avoided and the conservation of biodiversity and ecological benefits should be considered.

The Provincial Policy Statement further outlines that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower and upper-tier municipal boundaries, and with other orders of government, agencies and boards.

### **Official Plan of the County of Renfrew**

The County of Renfrew Official Plan provides general development policies relating to Hauled Septage Disposal which is summarized as follows:

- Defines hauled septage as waste removed from a septic tank and permits the use in Rural or Agricultural designations.
- Requires a local zoning by-law amendment for new sites.
- Permits a local municipality to establish minimum separation distances in the zoning by-law for new hauled septage disposal sites and existing or proposed residential, commercial, institutional and recreational uses and associated wells as well as public roads and surface waters.
- Specifies that sites shall be located so that pollution of any watercourse or ground water does not occur.
- Requires that sites be adequately screened, fenced and posted including all open storage areas and disposal site operation.
- Specifies that the operation, maintenance and closing of a hauled septage disposal site shall be in accordance with the standards and regulations of the Ministry of the Environment and Climate Change.

There are also general development policies relating to Nutrient Management and the land application of septage which is regulated by the Province in accordance with the Nutrient Management Act and the Environmental Protection Act.

### **Whitewater Region Zoning By-laws**

Westmeath Zoning By-law No. 98-13 and Ross Zoning By-law No. 23-92 both establish land-use policies to regulate the use of hauled sewage spreading sites. The use is generally defined as *untreated sanitary waste from a septic tank, privy or holding tank*. Both zoning by-laws establish the following similar separation distances:

- i. Two hundred (200) metres of any dwelling on another lot;
- ii. Seven hundred fifty (750) metres of any subdivision or land zoned for residential development;
- iii. One hundred fifty (150) metres of any uncased well;
- iv. Seventy-five (75) metres of any well with a casing depth of six (6.0) metres or less;

- v. One hundred eighty (180) metres of any surface water;
- vi. Thirty (30)/ Sixty (60)/ Ninety (90) metres of the right-of-way of any road;
- vii. Sixty (60) metres of any land used for livestock pasturing.

**Strategic Plan Departmental Workplan:**

N/A

**Engagement Consultation:**

The Township has had continued dialogue with a representative of the Ministry of the Environmental, Conservation and Parks. We have also communicated with staff from the County of Renfrew and neighboring municipalities.

**Financial Implications:**

There are no financial implications.

**Next Steps:**

Take the necessary steps as directed by Council.

**Attachments:**

None

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| Approved by: Robert Tremblay, Chief Administrative Officer |
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