



**CITY OF GUELPH
GUIDELINES FOR DEVELOPMENT OF CONTAMINATED
OR POTENTIALLY CONTAMINATED SITES
2016**

City of Guelph Engineering and Capital Infrastructure Services

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1.0

INTRODUCTION

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1.0 INTRODUCTION

Due to previous and current land uses, certain properties within the City of Guelph (the City) may be contaminated, potentially posing a risk to human health and/or the environment. Contamination may preclude or delay development of a property for a particular use.

This document establishes policies and procedural framework for the integration of contaminated or potentially contaminated (suspected) lands into the planning and development processes within the City. This document applies to all land within the City, as shown in Figure (Map of the City of Guelph) 1 Figure 2 (Map of the City of Guelph with Source Water Protection Vulnerability Scores and WHPA).

1.1 Purpose

This document is intended to provide a procedure for dealing with contaminated or potentially contaminated sites within the City and address contamination issues in accordance with applicable Provincial and/or Municipal Acts, Statutes and Regulations; and current industry standards and best management practices to support development or redevelopment within the City.

1.2 Objectives

The key objectives of this document are to:

- Provide guidance and framework for stakeholders submitting Environmental Site Assessments (ESA) and other relevant environmental engineering related reports in support of development applications;
- Provide guidance to the City staff when reviewing and commenting on development applications where contaminated or potentially contaminated (suspected) lands are subject to planning and development processes within the City;
- Ensure that the condition of the land subject to a development application is appropriate for the proposed land use (i.e., proposing to more sensitive or less sensitive land use);
- Provide information to support decision making by ensuring the need for site remediation/risk assessment (RA) and a record of site condition (RSC) are identified as early as possible in the development review process;
- Avoid inappropriate restrictions on land use;
- Ensure that the lands being conveyed to the City meet the applicable environmental or risk-based standards (including RSC requirements) and that the changes in land use will not pose or increase risk to the human health or the environment, and do not represent a financial liability to the City (i.e. to avoid the City being transferred a property that has an RSC with onerous certificate of property use conditions or risk management measures);

- Protect the City's water resources pursuant to the Provincial Policy Statement under the Planning Act (Section 2.2: Water) and the City's responsibilities under the Safe Drinking Water Act (access to safe, high quality, reliable drinking water) and Clean Water Act (identify, reduce or eliminate significant drinking water threats to municipal drinking water sources through implementation of a Source Water Protection Plan).



2.0

ACTS, LEGISLATIVE FRAMEWORK, POLICIES AND PROGRAMS

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2.0 ACTS, LEGISLATIVE FRAMEWORK, POLICIES AND PROGRAMS

The applicable provincial and municipal policies, plans and legislation which have guided the development of the City's policy on dealing with brownfields and contaminated or potentially contaminated sites (or properties) are summarized in the following subsections.

Note: The list below is not intended to be a comprehensive list of all potentially applicable Acts, Plans or Policies. The City reserves the right to apply any other applicable policy that may be relevant to contaminated or potentially contaminated sites during the processing of a development application. Additional relevant regulatory policies will be incorporated into this document as required.

Provincial Acts, Official Plans and Policies

2.1.1 Planning Act and the Role of Municipalities

The Planning Act establishes the principle for land use planning in Ontario and describes how land uses may be controlled and who may control them. Part I (Provincial Administration), Section 2 (Provincial Interest) of the Planning Act specifies, among other matters, that municipalities have regard to:

- (a) the protection of ecological systems, including natural areas, features and functions
- (h) the orderly development of safe and healthy communities
- (o) the protection of public health and safety
- (p) the appropriate location of growth and safety

The role of municipalities is primarily to:

- Make planning decisions to determine the future of local communities
- Prepare planning documents such as:
 - An Official Plan (Part II; Section 14.7), which establishes the general planning goals and policies that will guide future land use of the municipality.
 - Zoning By-Laws (Part V; Section 34), which establishes the rules and regulations that control development as it occurs in the municipality.
 - Section 34. (1) Zoning by-laws may be passed by the councils of local municipalities. 3.1 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land:
 - that is contaminated,

- that contains a sensitive groundwater feature or a sensitive surface water feature, or
 - that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the Clean Water Act, 2006
- Ensure planning decisions and documents are consistent with the Provincial Policy Statement (PPS) and conform or do not conflict with provincial plans.

2.1.2 Provincial Policy Statement (2014)

The Provincial Policy Statement, 2014 (PPS) applies province-wide on matters of provincial interest related to land use planning and development. The PPS issued under the Planning Act (Section 3) is in effect since April 30, 2014 and applies to planning decisions made on or after that date. The PPS, 2014 replaces the PPS, 2005.

The following are headings from the PPS that relate to brownfield and contaminated sites:

- Long-Term Economic Prosperity (Policy 1.7)
 - *Long-term economic prosperity should be supported by Promoting the redevelopment of brownfield sites (1.7.1)*
- Human-Made Hazards (Policy 3.2)
 - *Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed (3.2.1).*
 - *Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects (3.2.2).*

2.1.3 The City of Guelph- Official Plan (2001)

The City's Official Plan, 2001 (December 2012 Consolidation) references that to reduce potential risks associated with the contaminated or potentially contaminates sites, it is important to identify these properties and ensure that they are suitable or have been made suitable for the proposed land use(s) in accordance with provincial legislation, regulations and standards.

The objectives of these Official Plan policies are to help ensure that development takes place only on properties where the environmental conditions are suitable for the proposed end use of the property. The objectives are as follows:

Objectives

- To encourage and facilitate safe redevelopment of contaminated sites.
- To establish requirements for the assessment of known and potentially contaminated properties.
- To establish requirements for the remediation of known contaminated properties.
- To ensure that contaminated properties are remediated to the applicable Provincial generic standards for use under Part XV.1 (Record of Site Condition) of the Environmental Protection Act (EPA) or to appropriately generated site specific risk- based standards allowing development only to take place on properties where the environmental conditions are suitable for the proposed use.
- To promote the redevelopment, restoration and revitalization of land and buildings located on contaminated or potentially contaminated sites.
- To identify known and potentially contaminated properties that are eligible for financial assistance for environmental site assessment(s) and remediation through the City's Brownfields Redevelopment Community Improvement Plan (BRCIP).
- To protect, improve or restore the quantity and quality of the City's groundwater resources.

2.1.4 City of Guelph: Brownfields Redevelopment Community Improvement Plan

Guelph's Brownfield Redevelopment Community Improvement Plan (BRCIP) consists of a number of financial incentive programs that are intended to stimulate private sector investment in the reuse and redevelopment of brownfield sites and partially offset the costs associated with the site assessment and remediation.

Any work to be funded by the CIP must be prepared in accordance with O. Reg. 153/04 as amended. Approval of incentives is required prior to undertaking any eligible work under the BRCIP. Studies or environmental work already undertaken cannot be awarded incentives. The incentive programs contained in the Community Improvement Plan (CIP) can be used individually or together by an applicant, but in no case can two or more programs be used to pay for the same eligible cost (i.e., double dipping is not permitted). Also, the total of all grants, loans and tax assistance provided in respect of the particular property for which an applicant is making application under the programs contained in the CIP, shall not exceed the eligible costs of the improvements to that property under all applicable CIPs.

Environmental Study Grant

- Grant equivalent to 50 per cent of the cost of a Phase Two ESA, designated substances and hazardous materials survey, remedial work plan or risk assessment
- Maximum grant of \$15,000 per environmental study
- Maximum of two studies per property/project
- Maximum total grant of \$30,000 per property/project

Tax Assistance

- Offset site investigation and remediation by cancelling municipal property taxes and education property taxes for up to three years
- Cancellation of education property taxes is subject to approval by the Minister of Finance

Tax Increment Based Grant

- Offset site investigation and remediation costs, and LEED® costs using a grant equivalent to 80% of the municipal property tax increase created by the project for up to 10 years after the project completion

For complete program details and requirements, please visit <http://guelph.ca/plans-and-strategies/brownfield-redevelopment/> and consult with Planning Services staff to determine current CIP funding levels prior to completing and submitting an application. Incentive Program applications can be found under the Applications tab.

Provincial Legislative Framework

2.2.1 Environmental Protection Act, R.S.O. 1990, c. E.19

Although there are several statutes in Ontario to deal with the protection of the environment, the EPA is the key legislation for environmental protection in Ontario. The EPA grants the Ontario Ministry of the Environment and Climate Change (MOECC) broad powers to deal with the protection and preservation of human health and the natural environment. Relevant sections of the EPA may include but is not limited to:

- Part II: General Provisions, Section 14 of the EPA prohibits the discharge of a contaminant that causes or may cause an adverse effect;
- Part X: Spills;
- Part XV.1: Record of Site Conditions; and
- Part XV.2: Special Provisions Applicable to Municipalities, Secured Creditors, Receivers, Trustees in Bankruptcy, Fiduciaries and Property Investigators

Note: Part XV.1 Section 168.3.1 of the EPA prohibits the change of certain uses of a property unless a Record of Site Condition (RSC) has been filed on the Brownfields Environmental Site Registry (BESR) (also known as the Registry). In order to file an RSC on the BESR or the Registry, the requirements detailed on Ontario Regulation (O. Reg.) 153/04 (as amended) must be met.

2.2.2 Brownfields Statute Law Amendment Act (2001) and O. Reg. 153/04

In 2001, the Ontario government enacted the Brownfield Statute Law Amendment Act, which amended seven provincial statutes including the EPA, with the objective of encouraging the redevelopment of brownfield sites in Ontario. To address ongoing concerns related to RSCs and liability, O. Reg. 153/04 was amended again in 2007 and in December 2009, to improve the integrity of RSCs, streamline risk assessments and set quality standards for soil brought to brownfield sites where an RSC is intended to be filed.

The MOECC also published updated soil and ground water quality standards for approximately 120 chemicals in their technical document entitled Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the EPA. Most of these amendments and the updated quality standards came into force on July 1, 2011.

2.2.3 Building Code Act

Buildings in Ontario are covered by the Building Code Act, 1992 and enacted by O. Reg. 350/06. The linkage between the Building Code Act and EPA is via a RSC filing requirement before construction when a building is to be used in connection with property use changes from less sensitive to more sensitive uses (e.g. industrial/commercial to residential). Further, certificate of property uses (CPUs) are also Applicable Law under the Building Code Act and if there are any building restrictions or prohibitions then they must be taken into account in the issuance of a building permit.

Exemptions to the requirement for a RSC prior to issuance of a building permit can be made in cases where excavation and shoring are required; recognizing that site remediation often takes place in conjunction with building excavation and excavation for the purpose of filing etc.

2.2.4 Clean Water Act

The Clean Water Act (CWA) was created in 2006 to protect Ontario's existing and future municipal drinking water sources as a part of an overall commitment to safeguard human health and the environment. The CWA required communities, through Source Protection Committees, to develop collaborative, locally-driven, science-based protection plans for existing and future municipal drinking water supplies. The CWA provides municipalities with new powers to protect drinking water sources from significant drinking water threats.

All new development will be subject to the various policies contained within the Source Protection Plan for the Grand River Source Protection Area (anticipated effective 2016). Proponents submitting development plans and applications submitted in advance of the effective date will be provided with relevant guidance, as required.



3.0

PROCEDURES & PROTOCOLS FOR DEVELOPMENT APPLICATIONS

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3.0 PROCEDURES & PROTOCOLS FOR DEVELOPMENT APPLICATIONS

This section establishes procedures and protocols for environmental site impact (contamination) issues, reports/ documentation, and submission and review requirements for development applications within the City. An overview of the procedure is provided on the **Environmental Site Impact Review Process Flow Chart**, provided in **Appendix A**.

This document applies to following development applications, unless otherwise stated herein:

- Official Plan Amendments;
- Zoning By-Law Amendments;
- Temporary Use By-Laws (where grading and drainage works are proposed);
- Draft Plan of Subdivisions;
- Site Plan Applications (subject to specific exemptions); and
- Lands being conveyed to the City as part development process

A **Phase One ESA** is required to be submitted for all development applications, with the exception of the applications/scenarios noted below. In case of the application types or situations noted below, a **Site Screening Questionnaire (SSQ)** set out in **Appendix B** will be required, at a minimum, and a Phase One ESA or other environmental studies may or may not be required depending on the information in the SSQ.

- Any development application where environmental concerns have already been addressed by a recently approved development application on the site, which includes scenarios when an RSC has been acknowledged by the MOECC (possibly after 2004 regulatory changes), and where no new potentially contaminating activities have been identified.
- Site Plan application where site contamination issues have been addressed or will be addressed via a prior pertinent Planning Act approval and for minor site plan applications such as;
 - Parking lot expansion/reconfiguration within the same property;
 - Stripping of topsoil only
 - Others (such as vertical additions, minor building expansions etc.)
- Part lot control where site contamination issues have been addressed or will be addressed via a prior pertinent Planning Act approval;

- Site Alteration permits;
- Minor rezoning applications, such as for applications that are **not** introducing a more sensitive land use within an existing building/development or applications that broaden the range of permitted uses that **are not more sensitive** within the existing building/development, etc.;
- Minor Variances and Severances (consents) completed through the Committee of Adjustments, only if changes to more sensitive land uses are not proposed;
- Land division applications for lease, mortgage, title correction, re-establishment of lot lines (where title inadvertently merged) or minor lot line adjustments

Note: An applicant is required to submit a completed SSQ signed by the applicant/Owner or Qualified Person (QP- Professional Engineer or Professional Geoscientist) to the satisfaction of the City (Development and Environmental Engineering Services).

Departmental Roles and Responsibilities

Development Planning Services (Planning, Urban Design and Building Services) is responsible for ensuring that required information is received to facilitate development application approval.

Infrastructure, Development and Environmental Engineering Services (Engineering and Capital Infrastructure Services) is responsible for reviewing environmental engineering information for development applications; identifying specific requirements to address contamination and providing acceptance of environmental reports and other pertinent documents. The department also ensures that development applications and building permits conform to Part IV of the CWA and all relevant polices under the Source Protection Plan.

Building Services (Planning, Urban Design and Building Services) is responsible for ensuring that a record of RSC has been filed prior to issuing a building permit to allow for a change in land use to a more sensitive use as outlined the Provincial Legislation. Also, CPUs are Applicable Law under the Building Code Act and if there are any building restrictions or prohibitions they must be taken into account prior to issuing a building permit.

Review / Evaluation Process

To ensure a development is suitable for the proposed use and safe for the public, as a minimum, the City requires applicants to submit a Phase One ESA report (see **Section 3.4** for details) as part of a complete site-specific development application, unless the type of application is exempted (see **Section 3.0** above for exceptions). Depending on the findings of the Phase One ESA, the applicant may be required to complete additional environmental investigation/study (see **Section 3.4** for details).

Further study may take the form of a detailed site investigation and/or remediation/RA activities. The appropriate level of investigation/evaluation and remediation/RA will depend

upon the circumstances of each site. Further study may include the following steps, which are to be undertaken by the applicant to the satisfaction of the City:

- Phase Two ESA (detailed site assessment) and subsequent/supplemental ESAs (for further delineation) as required;
- Remediation (clean-up) and/or RA;
- File/obtain RSC with/from the MOECC, as appropriate; and
- Comply with the CPU requirements by implementing Risk Management Measures (RMMs) of the MOECC approved RA; as applicable.

Note: If it is a peer-reviewed RA or RA completed outside the O. Reg. 153/04 (as amended) process (i.e. for scenarios where RA is required but a RSC is not required (e.g., when a property is not going to a more sensitive property/land use) there would be no CPU; however, the RMMs (or recommendations) as deemed necessary by the RA and agreed to by the City must be implemented and may need to be registered in the title.

Additional information regarding RSCs and CPUs/RMMs are provided in **Section 3.4.4** and **3.4.5**, respectively.

Note: An applicant is required to submit all pertinent documents completed by a QP to demonstrate that there is sufficient information indicating that a proposed development poses no unacceptable risk to human health or environment and is suitable for proposed land use.

Source Water Protection

The City relies on groundwater as a source for the City's municipal drinking water supply. All land located within the City limits is within the 5-year time of travel wellhead protection area and most, if not all, residences located outside of the City limits rely on private wells for their water supply. As such, to ensure protection of the existing and future groundwater, the City deems its groundwater resources to be potable water.

Environmental reports/documents prepared in support of or to fulfill development approval should address the following, at minimum:

Phase One ESA reports should clearly state the location of the site/ property in relation to the municipal supply/wells Wellhead Protection Areas (WHPAs), Intake Protection Zones (IPZs), Vulnerability Scores in WHPAs or IPZs, and other pertinent information as appropriate.

For the purpose of environmental investigations (e.g. Phase Two ESAs, hydrogeological studies etc.) and remediation, generic Site Condition Standards (SCS) must apply to the potable groundwater conditions (refer to **Subsection 3.4.3- Remediation/Risk Assessment**).

Risk based standards derived from RA must consider groundwater to be potable and include all pertinent exposure pathways for potable water conditions.

A detailed discussion/assessment needs to be provided in the RA with regards to the potential for off-site migration of contaminants of concern (COCs) in groundwater above the applicable drinking water component value and the potential for impacts to the municipal drinking water supply.

Environmental Site Assessments

3.4.1 Phase One Environmental Site Assessment

The purpose of a Phase One ESA is to identify actual and potential site contamination. Such identification involves the evaluation and reporting of available information collected through records review, site visits, interviews, etc.

- A Phase One ESA can be prepared in accordance with Ontario Regulation (O. Reg. 153/04 (as amended) or Canadian Standards Association (CSA) Z768- 01 (as amended), to the satisfaction of the City, based on the following criteria (Note: see Table 1 in Section 3.4.4 for information on “sensitive use”):
 - If the proposed land use is going from less sensitive to more sensitive use: a Phase One ESA shall be prepared in accordance with O. Reg. 153/04, as amended; and a RSC filing with the MOECC and acknowledgement from the MOECC will be required.
 - If development is going to a more sensitive land use and the Phase One ESA (completed per O. Reg. 153/04, as amended) indicates that potentially contaminating activities (PCA) and areas of potential environmental concern (APEC) are non-existent a RSC filing with the MOECC and acknowledgement from the MOECC will be required and will be based on Phase One ESA alone. However, if the PCA/APEC are identified but appear not to pose risk to human health and environment, regardless of the relative risk, a Phase Two ESA would be required to support a RSC filing.
 - If the proposed land use is going from more sensitive to less sensitive use: a Phase One ESA may be prepared in accordance with CSA Z768-01(as amended) or O. Reg. 153/04 (as amended).
 - If the proposed development includes lands to be dedicated to the City: depending on the proposed use (less to more sensitive or vice-versa) of the land deeded or conveyed to the City, Phase One ESA can be completed per O. Reg. 153/04 (as amended) or CSA Z768-01 (as amended), as appropriate.
 - If a development is proposed to be undertaken utilizing financial incentives within the City’s BRCIP: Phase One ESA has to be completed

per the requirements of O. Reg. 153/04 (as amended), irrespective of the land use change to less sensitive or otherwise, as RSC filing is mandatory for grant application approval under the existing BRCIP requirements.

- A Phase One ESA, regardless of the format under which it was prepared [O. Reg. 153/04 (as amended) or CSA Z768-01 (as amended)], must be completed by or under the direct supervision of a QP (Professional Engineer or Professional Geoscientist) and reflect the current conditions of the subject property.
- The information contained on Phase One ESA, regardless of the regulations under which it was prepared [O. Reg. 153/04 (as amended) or CSA Z768-01 (as amended)], cannot be more than 18 months old from the date of Phase One ESA report. If the information is older than 18 months, an update to the Phase One ESA will be required prepared by a QP indicating accurate environmental assessment of the current site conditions.

Note: Where the Phase One property is an enhanced investigation property; a property that is used, or has been used, in whole or in part for an industrial use or any of the following commercial uses (Part VIII Section 32 (1) of O. Reg. 153/04 (as amended)); or if during a Phase One ESA of the property, a PCA is identified on, in or under the property, additional investigation(s) (Phase Two ESA/Supplemental ESA) of the Phase One property must be undertaken:

- A garage; or
- A bulk liquid dispensing facility, including a gasoline outlet; or
- For the operation of dry cleaning equipment.

3.4.2 Phase Two Environmental Site Assessment

The purpose of a Phase Two ESA is to determine the nature and extent of the COCs at a site, which may range from simple identification to a full delineation of the contamination on and/or off the site.

- A Phase Two ESA can be prepared in accordance with O. Reg. 153/04 (as amended) or CSA Z769-00 (as amended), to the satisfaction of the City, based on the following criteria:
 - If a development is not going to a more sensitive land use or land use remains the same: a Phase Two ESA can be completed in accordance with O. Reg. 153/04 or CSA Z769-00. If the City is satisfied that the Phase Two ESA indicates no exceedances of applicable MOECC SCS, no further environmental investigations or other actions are required.
 - If a development is not going to a more sensitive land use and a Phase Two ESA (completed per O. Reg. 153/04 or CSA Z768-00) indicates exceedances of applicable MOECC SCS: further environmental

investigations and/ or site remediation/ RA must be completed to the City's satisfaction; but RSC filing is not mandatory for development application approval.

- If a development is going to a more sensitive land use: a Phase Two ESA must be completed per O. Reg. 153/04. If the Phase Two ESA indicates no exceedances of applicable MOECC SCS, RSC filing is mandatory before the development application can be approved.
- If a development is going to a more sensitive land use and a Phase Two ESA (completed per O. Reg. 153/04) indicates exceedances of applicable MOECC SCS: site remediation (clean-up to the applicable MOECC generic SCS for potable groundwater) and/or risk assessment (with the generation of site specific risk based standards, i.e. Property Specific Standards) (refer to Section 3.4.3) must be completed to the MOECC's and City's satisfaction; and RSC filing is mandatory

Note: All land located in the City limits is within the 5-year time of travel wellhead protection area and most, if not all, residences located outside of the City limits rely on private wells for their water supply. As such, the City **does not allow the use of generic non-potable groundwater SCS under any circumstances.**

3.4.3 Remediation / Risk Assessment

Depending on the scenarios listed in the Phase Two ESA requirements in **Section 3.4.2**, the following approaches can be undertaken to remediate (remove or reduce contaminant concentrations) and/or risk assess (risk assessment) contaminated sites in the City:

- Remediation of the site to one of the following MOECC Tables, as applicable (**Note:** The City does not allow the use of generic non-potable groundwater SCS under any circumstances):
 - Table 1 SCS (Full Depth Background SCS)
 - Table 2 SCS (Full Depth Generic SCS in a Potable Ground Water Condition)
 - Table 4 SCS (Stratified SCS in a Potable Ground Water Condition) (refer to note below)
 - Table 6 SCS (Generic SCS for Shallow Soils in a Potable Ground Water Condition)
 - Table 8 SCS (Generic SCS for Use within 30 m of a Water Body in a Potable Ground Water Condition)

- Complete a RA to develop site specific risk-based standards per MOECC RA process or peer-reviewed process, prepared by or under the supervision of **QP_{RA}** (QP- Risk Assessment) and must include the following:
 - Risk based standards derived from RA must consider groundwater to be potable and include all pertinent exposure pathways for potable water conditions.
 - A detailed discussion/assessment needs to be provided in the RA with regards to the potential for off-site migration of COCs in groundwater above the applicable drinking water component value and the potential for impacts to the municipal drinking water supply.

Note: Depending on the above noted scenarios, remediation or RA can be completed in accordance with O. Reg. 153/04 (as amended), CSA Z768-01 (as amended) or relevant standard industry practices to the satisfaction of the City and/or the MOECC. However, the **use of RA or stratified remediation (clean-up) approach will be assessed on a case-by-case basis** for properties that include lands to be acquired by or conveyed to the City as part of site development process.

Applicants should ensure that all applicable documentation associated with the remediation and/or RA is submitted to the City for its record, reference and/or review. The City recommends the applicant discusses its plans with the City and keeps an ongoing, open dialogue throughout the process. Examples of documentation include, but are not limited to, the following:

Remediation/Clean-up (for both RSC and non-RSC work)

- Feasibility Study and/or Remedial Action Plan (where available)
- Remedial Action report(s);
- Site monitoring reports (including soil and/or groundwater); and
- Reliance Letter (as applicable)

Risk Assessment (for both RSC and non-RSC work, as applicable)

- Pre-Submission Form (submitted to MOECC)
- Risk Evaluation/Assessment Reports;
- Risk Management Plan;
- Certificate of Property Use (both draft and final);
- RSC acknowledged by MOECC;
- Relevant MOECC correspondences; and
- Reliance Letter (as applicable)

3.4.4 *Record of Site Condition*

An RSC is a document that provides a summary of the environmental condition of a property at a point in time as certified by a QP. Under XV.1 of the EPA, a RSC must be completed and filed in the Brownfields Environmental Site Registry (BESR). A filed RSC provides limited protection from environmental clean-up/ remediation Orders from the MOECC.

The EPA contains provisions that prohibit certain changes in property use unless an RSC is filed (refer to O. Reg. 153/04 (as amended), Part IV Change of Property Use, Changes of Use, s. 168.3.1 (1)(a) of the Act). This prohibition makes it mandatory for a property owner to file an RSC before changing the use of a property to a more sensitive use. This prohibition is commonly referred to as the "Mandatory Filing" provision. The mandatory filing provisions are applicable law under the Building Code Act, 1992 as defined by the EPA and requires that a RSC be filed prior to the issuance of a building permit by the municipality.

An applicant/ QP should use the following criteria per O. Reg. 153/04 (as amended), at minimum, while determining property/land use sensitivity for a site:

- The existing actual (physical) use of the property and the proposed or intended actual (physical) property use/ land use need to be considered, not the land use zones per zoning by-laws.
- If the land has mixed use, the most sensitive property/land use dictates the overall sensitivity of land use (see Table 1):
 - An agricultural or other use is the most sensitive of any type of property use.
 - Residential, parkland or institutional use is more sensitive than an industrial, commercial or community use.
- In determining the property use of a vacant and/or unused property, the most recent or last known actual (physical) use needs be considered; for instance, an abandoned gas station will be considered as a commercial property.

Table 1: Property/Land use triggering RSC

Standard Land-use Categories		RSC Requirement
Less Sensitive Use (change from)	More Sensitive Use (change to)	
Industrial / Commercial / Community (ICC)	Residential / Parkland / Institutional (RPI)	Yes
ICC	Agricultural or Other	Yes
Community [except section 14(10)] of O. Reg. 153/04, as amended	Community Section 14 (10) [community section with youth focus e.g. indoor pools, arenas, enclosed stadium, indoor sports field, gymnasium etc.]	Yes
RPI	Agricultural or Other	Yes

Note: Amendments to O. Reg. 153/04 came into effect in July 1, 2011 (filed as part of O. Reg. 511/09); however, all RSCs filed before July 1, 2011 are still deemed valid by the MOECC. In situations where development is proposed on a site with an RSC filed prior to July 1, 2011, the City will assess the need for further environmental investigations, remediation/RA and/or RSC filing on a case-by-case basis.

Property/Land use not requiring mandatory RSC filing:

- SCS for RPI property are the same for each property use hence mandatory filing is not required within the RPI property use.
- SCS for ICC property are the same for each property use; hence mandatory filing is not required within the ICC property use, except for specific uses defined in Section 14(10) [e.g. community uses such as indoor pools, arenas, enclosed stadium, indoor sports field, gymnasium etc.].
- If the current use is a mixed use building (e.g. commercial and residential use) expanding a sensitive use (e.g. residential use) of that building is permissible without an RSC. Note: this exemption is for the existing building footprint only. No new, standalone or expanded residential use would be allowed for the remainder of the property without a RSC being filed or, in other words, a new building would need to be restricted to the existing footprint and would not include additions onto the existing building that go beyond the existing footprint. .
- Change in property use from railway line to a trail for recreational purposes.
- Property use from a landfilling site approved under Part V of the EPA to any property use; however, development in this circumstance will be assessed on a case-by-case basis by the City.

RSC Exemptions for Building Permits:

- Building permits can be issued without a RSC, if the construction is limited to:
- The erection of a retaining or other structure:
 - To support the sides of excavation
 - To assist an investigation in relation to the property
 - Other activities necessary for purpose of filing an RSC
 - Removal of soil or fill for the purpose of excavation.

Note: For RSC filing, the MOECC requires that the information contained on Phase One and/or Phase Two ESA cannot be more than 18 months old from the date of the last work on all of the components of the Phase one ESA or Phase Two ESA, other than review and evaluation, and the report. If the information is older than 18 months, the QP will need to carry out a new ESA depending on how much time has elapsed.

Please note that irrespective of the above mentioned RSC exemptions for mandatory filing and building permits, the City reserves the rights to request for RSC filing to protect City’s environmental interests from future environmental orders under the EPA and the Ontario Water Resources Act with respect to the contamination that exist at the subject site.

3.4.5 Certificate of Property Use and Risk Management Measures

A CPU is issued by the MOECC for sites that require RMMs to be implemented in support of the RA. It is the legal document that is issued to enforce the RMMs and is issued by the Director of the MOECC’s local District Office. When a CPU is issued, altered or revoked, the Director gives notice to the municipality in which the property is located.

- The purpose of the CPU is to ensure that future property owners, municipal officials and property occupants are aware of any property use restrictions, building restrictions or equipment installation that is required and must function in order to ensure that contaminants remaining on site do not pose a threat to human health and the environment for the intended property/land use.
- A Certificate of Requirement (COR) (formerly known as Certificate of Prohibitions or COP), usually registered on a title of the property, is to provide anyone dealing with the property notification of the CPU. The CPU is binding on all future property owners and must be made available to all property occupants.
- Building officials must ensure that they check for restrictions on the use of property found in a CPU that is registered on property title.
- A RSC cannot be filed on the BESR until the CPU has been issued by the MOECC’s Director of the local District Office. The CPU is Applicable Law under the Ontario Building Code Act and must be considered prior to issuing building permits.

- A RSC cannot be filed until the property meets the property specific standards developed in the RA; however, the RMMs provided in the issued CPU do not have to be in place prior to filing the RSC. Timing of implementation of the RMM may be specified in the CPU.
- Draft CPUs (other than Tier 2 - Modified Generic RA) are posted on the BESR for public consultation. Draft CPUs are also provided to the local and upper tier municipalities (e.g. City's Chief Building Officer and other relevant staff as required by the Regulation) for comments.

3.5 Environmental Conditions and Timing Requirements for Approval

3.5.1 RSC Work

When an RSC filing is required to facilitate development, the following standard conditions of approval shall be fulfilled to the satisfaction of the City:

- The applicant acknowledges and agrees that ensuring the suitability of the land for the proposed use(s) is the responsibility of the applicant/landowner.
- Prior to the City approving property development and/or accepting any real property interests, the applicant shall:
 - Submit all environmental assessment reports prepared in accordance with the RSC (O. Reg. 153/04) describing the current conditions of the land to be developed and/or conveyed to the City to the satisfaction of the City;
 - If Contamination is found complete any necessary remediation/RA work and submit certification from a QP that the lands to be developed and/or conveyed to the City meet the applicable standard(s) of the intended land use, and submit the reports to the City; and
 - File a RSC with the MOECC for lands to be developed and/or conveyed to the City in support of the pertinent development application, and submit the MOECC acknowledged RSC to the City, as indicated in Table 2 on the following page:

Table 2: Timing Requirement for RSC

Development Application	Description / Purpose of Development Application	When is RSC required ¹ ?	Remark
Official Plan Amendments (OPA)	To seek a change in City's official plan due to new circumstances on the community or based on the requests by property owner	At the discretion of the City Prior to approval of subsequent Development Application (for the site), or When an OPA is accompanied by a zoning by-law amendment, file an RSC prior to approval of zoning bylaw amendment with possible use of Holding (H) Zone provisions/symbol ² .	RSC will be required prior to Site plan approval, at the latest. Please note that one of the objectives of Bill 124 (Building Code Statute Law Amendment Act, 2002) from Ministry of Municipal Affairs and Housing (MMAH); which came into effect July 1, 2015, is to avoid delay and uncertainty; so, to have all environmental conditions at
Zoning By-Law Amendments (Rezoning)	To seek a zone change for a property in a way that is not allowed by the zoning by-law	At the discretion of the City Prior to approval of subsequent Development Application (for the site), or Prior to approval of zoning bylaw amendment with possible use of H Zone provisions/symbol ² .	or just prior to building permit phase could cause timing issues; hence, RSC is required prior to site plan approval, where applicable. Where long term remediation of the site is required (i.e., greater than 3 years) and on-going remediation does not present health and safety risks to the proposed use, the approval of the development application may be considered where agreements and securities, as appropriate, are provided to the City and/or the MOECC to ensure the final remediation/RA of the site and the future completion of the RSC.
Temporary Use By-Laws	To seek a by-law to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited in the zoning by-law	Completion of RSC prior to site plan approval.	
Plan of Subdivisions	To seek approval to sever and divide land into lots, blocks, parks, roads, etc.	At the discretion of the City Completion of RSC prior to registration, as a condition of draft plan approval, or Where applicable, prior to approval of zoning bylaw amendment with possible use of Holding (H) Zone provisions/symbol ² .	
Site Plan Applications	To seek approval to develop property that is currently in compliance with the existing zoning by-law	Completion of RSC prior to site plan approval.	
Consents (Severances)	To divide land into new lots and to add land to abutting lots	Completion of RSC prior to endorsement of deeds.	

3.5.2 Non-RSC Work

When an RSC filing is not required to facilitate development, the following standard conditions of approval shall be fulfilled to the satisfaction of the City:

- The applicant acknowledges and agrees that ensuring the suitability of the land for the proposed use(s) is the responsibility of the applicant/ landowner.
- Prior to the site plan approval (where applicable), the consultant shall certify that all properties to be developed and/or conveyed to the City pose no unacceptable risks to public health and safety and to the environment and can be developed for proposed uses.
- Prior to the City approving property development and/or accepting any real property interests the applicant shall:
 - Submit all environmental assessment reports prepared in accordance with O. Reg. 153/04 or CSA Z768-00 format, describing the current conditions of the land to be developed and/or conveyed to the City to the satisfaction of the City;
 - If Contamination is found complete any necessary remediation/RA work and submit certification from a QP that the lands to be developed and/or conveyed to the City meet the applicable standard(s) of the intended land use and submit the reports to the City;
 - Fulfill all environmental conditions and submit environmental documentations prepared for lands to be developed and/or conveyed to the City in support of the pertinent development application, as indicated in Table 3 on the following page:

Note: The City reserves the right to request for additional information or a peer review of the investigation, remediation and/or risk-assessment reports submitted to fulfill the environmental conditions of the development application (for detail refer to **Section 4-Peer Review** below).

Table 3: Timing Requirements to Fulfill Environmental Conditions for non-RSC Sites

Development Application	Description / Purpose of Development Application	When do Environmental Conditions need to be fulfilled?	Remark
Official Plan Amendments (OPA)	To seek a change in City's official plan due to new circumstances on the community or based on the requests by property owner	<p>At the discretion of the City</p> <p>Prior to approval of subsequent Development Application (for the site), or</p> <p>When an OPA is accompanied by a zoning by-law amendment, submit all environmental documentation prior to approval of zoning bylaw amendment with possible use of H Zone provisions/symbol.</p>	<p>Where applicable, all environmental conditions shall be fulfilled prior to Site plan approval, at the latest.</p> <p>Please note that one of the objectives of Bill 124 (Building Code Statute Law Amendment Act, 2002) from MMAH; which came into effect July 1, 2015, is to avoid delay and uncertainty; so, to have all environmental conditions at or just prior to building permit phase could cause timing issues; hence, all environmental conditions shall be fulfilled prior to site plan approval, where applicable.</p>
Zoning By-Law Amendments (Rezoning)	To seek a zone change for a property in a way that is not allowed by the zoning by-law	<p>At the discretion of the City</p> <p>Prior to approval of subsequent Development Application (for the site), or</p> <p>Prior to approval of zoning bylaw amendment with possible use of H Zone provisions/symbol.</p>	<p>Where long term remediation of the site is required (i.e., greater than 3 years) and on-going remediation does not present health and safety risks to the proposed use, the approval of the development application may be considered where agreements and securities, as appropriate, are provided to the City to ensure the final remediation/RA of the site.</p>
Temporary Use By-Laws	To seek a by-law to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited in the zoning by-law	Prior to site plan approval.	

Development Application	Description / Purpose of Development Application	When do Environmental Conditions need to be fulfilled?	Remark
Plan of Subdivisions	To seek approval to sever and divide land into lots, blocks, parks, roads, etc.	At the discretion of the City Prior to registration, as a condition of draft plan approval, or Where applicable, prior to approval of zoning bylaw amendment with possible use of H Zone provisions/symbol.	
Site Plan Applications	To seek approval to develop property that is currently in compliance with the existing zoning by-law	Prior to site plan approval.	
Consents (Severances)	To divide land into new lots and to add land to abutting lots	Prior to endorsonation of deeds.	

Reliance Letter

All applicable reports and/or documents should include a reliance letter from a QP to indicate that, despite any limitations or qualifications included in the reports/documents, the City is authorized to rely on all information and opinion provided in the reports submitted for the proposed development in agreement with a condition of development approval.

Reliance letters can be issued separately or within the body of the reports/documents.



4.0

PEER REVIEW

Chapter 4.0 at a glance

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4.0 PEER REVIEW

To ensure that the City is not accepting the transfer of contaminated lands and the potential future liabilities associated with complex remediation (clean-up) and/or risk assessment; it may be necessary to have ESA, remediation and RA reports peer reviewed by an independent consultant from time to time.

A peer review will not be a mandatory step; however, it will be up to the City's discretion to decide, based on the complexity of the remediation and/or RA required or undertaken. A peer review may only be undertaken for site developments that do not require mandatory RSC filing (e.g., when a property is not going to a more sensitive property/land use).

- The objective of the peer review will be to provide the City:
 - The necessary expertise to assess the completeness, accuracy and compliance of the reports with the City and the MOECC guidelines on complex projects, and
 - Aid the City's Development/Environmental staff.
- All costs of the peer review will be paid to the City by the applicant/owner (i.e., the applicant/owner pays City a set amount based on the quote from the selected peer review consultant prior to undertaking the peer review work). If the cost for the peer review expands beyond the initial estimate, additional funds will be secured from the applicant/owner prior to the continuation of the peer review. **Note:** The City will have no financial obligation to the Peer Review Consultant in this matter.
- The Peer Review Consultant will complete the review of the pertinent reports and submit a draft report to the City (Development Planning Services and Development and Environmental Engineering Services). If applicant's QP and the Peer Review Consultant do not agree on the findings or content of the peer review then the consultants (applicant's QP and the Peer Review Consultant) will meet and determine the acceptable course of action at the applicant's/owner's cost.

Note: For scenarios where remediation or RA is required but a RSC is not required (e.g., when a property is not going to a more sensitive property/land use), the City may require a peer review of the remediation or RA, which certifies that the property has been cleaned up to generic SCS or risk assessed to the appropriate levels for the proposed use in accordance with the remediation/RA instead of an RSC. The peer review would be conducted by a QP (or QP_{RA}); and at the costs to be paid for by the applicant/owner.

For a peer-reviewed RA (i.e. outside the O. Reg. 153/04, as amended, process) there would be no CPU; hence, the RMMs as deemed necessary by the RA and agreed to by the City must be implemented.

In cases where peer review is deemed necessary by the City, the proposed development application will not be approved until the peer review consultant and the City are satisfied that the environmental conditions have been met.



5.0

GLOSSARY

Chapter 5.0 at a glance

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5.0 GLOSSARY

Applicable Law under Building Code Act (Section 1.4.1.3):

- Section 168.3.1 of the Environmental Protection Act with respect to the construction of a building to be used in connection with a change of use of a property, and,
- Paragraph 2 of subsection 168.6 (1) of the Environmental Protection Act if a certificate of property use has been issued in respect of the property under subsection 168.6 (1) of that Act.

Brownfields or Brownfield Site: A brownfield is a property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. Brownfields are usually former industrial or industrial/commercial lands that may be derelict, underutilized or vacant; such as former gas stations, closed factories or processing plants, etc.

Brownfields Environmental Site Registry (BESR): Is an online registry that gives the public access to information about brownfield redevelopment, and can be used to search for RSCs and transition notices filed in the Environmental Site Registry since October 1, 2004.

Bulk Liquid Dispensing Facility: Premises at which solvents, gasoline or diesel or associated products are stored in one or more storage tanks and dispensed for sale.

Contaminated Site or Property or Land: A contaminated site is as an area of land with soil or underlying groundwater or sediment that contains a hazardous waste or substance in an amount that's greater than environmental quality standards set by the Ontario Ministry of the Environment and Climate Change (MOECC). A site is contaminated if it is unsuitable for specific uses of land, water and sediment.

Committee of Adjustment: The Committee of Adjustment hears applications under Section 45 of the Planning Act and Section 50/52 & 57 of the Planning Act R.S.O. 1990 c.P13, as amended. It is an independent body appointed by Guelph City Council. There are two major types of applications to the Committee of Adjustment: applications for consent to create new lots or adjust boundaries and applications for minor variances to the municipal Zoning By-law requirements or for permission to extend land uses that have existed prior to the passing of the current By-law.

Contaminants of Concern: One or more contaminants found on, in or under a property at a concentration that is greater than the applicable site condition standards for the property or one or more contaminants found on, in or under a property for which no applicable site condition standard is prescribed under Part IX (Site Condition Standards and Risk Assessment) of the Environmental Protection Act, and which are associated with potentially contaminating activity.

Conditional Building Permit: Conditional building permits are authorized pursuant to s. 8(3) of the Building Code Act, and allow an applicant to proceed with construction even though all "applicable law" requirements necessary to obtain a building permit have not yet

been met. Instead, there is only a much shorter and less onerous list of “applicable law” requirements that must be met under the Building Code Act.

The conditional building permit agreement that is required typically sets out the timelines within which the applicant must comply with the remainder of the “applicable law” requirements for a building permit, and deals with how and if the site must be restored should those requirements not be fulfilled.

In the City of Guelph this Permit may be issued by the City’s Chief Building Official in accordance with Subsection 8(3) of the Building Code Act to authorize any stage of Construction, even though all of the requirements under Subsection 8(2) of the Building Code Act have not been met.

Development Application: means an application submitted for City review and approval for a draft plan of subdivision, Official Plan amendment, zoning by-law amendment, site plan, temporary use by-law, site alteration, consent, minor variance or approval of a condominium description.

Land/Property Use; Change of Land/Property Use and Sensitive Land/Property Use: Refer to Part IV of O. Reg. 153/04: RECORDS OF SITE CONDITION - PART XV.1 OF THE ACT under Environmental Protection Act, R.S.O. 1990, c. E.19 for the definitions of industrial, commercial, residential, parkland use; change of land/property use; and sensitive land/property use.

Remediation (clean-up): It is a process that deals with the removal of pollution or contaminants from environmental media such as soil, water (groundwater and surface water) and/or sediment.

Risk Assessment (RA): A process based on science that estimates human health and environmental risks associated with chemical(s) in the environment. Adverse effects/risks depend on toxicity of and exposure to chemicals of concern.

Source Water Protection Terminologies

- Intake Protection Zone (IPZ): It is the area around a surface water intake that is defined to protect the source water for a municipal residential drinking water system. It is the vulnerable area where potential contaminants could pose a significant risk or threat to the source water. In most cases, the protection zone includes the water and the land that surrounds the intake and takes into account the influence of land use and water activities.

Depending on the time of travel (how long it takes a contaminant to reach the intake); the following three IPZs have been delineated:

IPZ	Distance
1	It is usually a 1-km radius around the intake. The influence of land use activities is taken into consideration with setback on land of 120-m from the shoreline.
2	The zone is determined in three parts: in-water and along shore; upland; and up-tributary. In addition, consideration is given to a time of travel calculation to the intake. A two-hour time of travel is

	considered appropriate to allow a water plant operator time to shut down the intake to deal with a potential spill or threat to the source water supply.
3	It covers a part of the watershed that may be impacted by an extreme event such as a storm, strong winds or high waves.

- Significant Drinking Water Threat: A drinking water threat refers to an activity or condition that adversely affects or could adversely affect the quality or quantity of any water that is or may be used as a source of drinking water. Significant Drinking Water Threats pose the greatest risk to drinking water and must be minimized or eliminated as directed by the Clean Water Act.
- Wellhead Protection Area (WHPA): It is an area of land contributing water to a municipal well. Depending on the time of travel (how long it takes water to move underground to the well); the City of Guelph has delineated the following five WHPAs:

WHPA	Distance
A	100 m radius around the well
B	Time travel is equal or less than two years
C	Time travel is equal or less than five years, but greater than two years
C1	Time travel is equal or less than ten years, but greater than five years
D	Time travel is equal or less than twenty five years, but greater than ten years

- Vulnerability Score: All of the area within the zones (IPZs and WHAPs) were given a "vulnerability score" depending on easily contaminants (or pollutants) can make their way to the well or intake as indicated below:
 - An area of high vulnerability has a score of 8 or 10.
 - An area of moderate vulnerability has a score of 6.
 - An area of low vulnerability has a score of 2 or 4.

Supplemental Phase Two Environmental Site Assessment: It is typically conducted to further investigate the nature and extent (delineation) of the adverse environmental impact identified by a Phase Two ESA. The work includes conducting additional soil, groundwater and/or soil vapour sampling and analyses. The results of the investigation are typically used in support of remediation/risk assessment.



6.0

REFERENCES/BIBLIOGRAPHY

Chapter 6.0 at a glance

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6.0 REFERENCES/ BIBLIOGRAPHY

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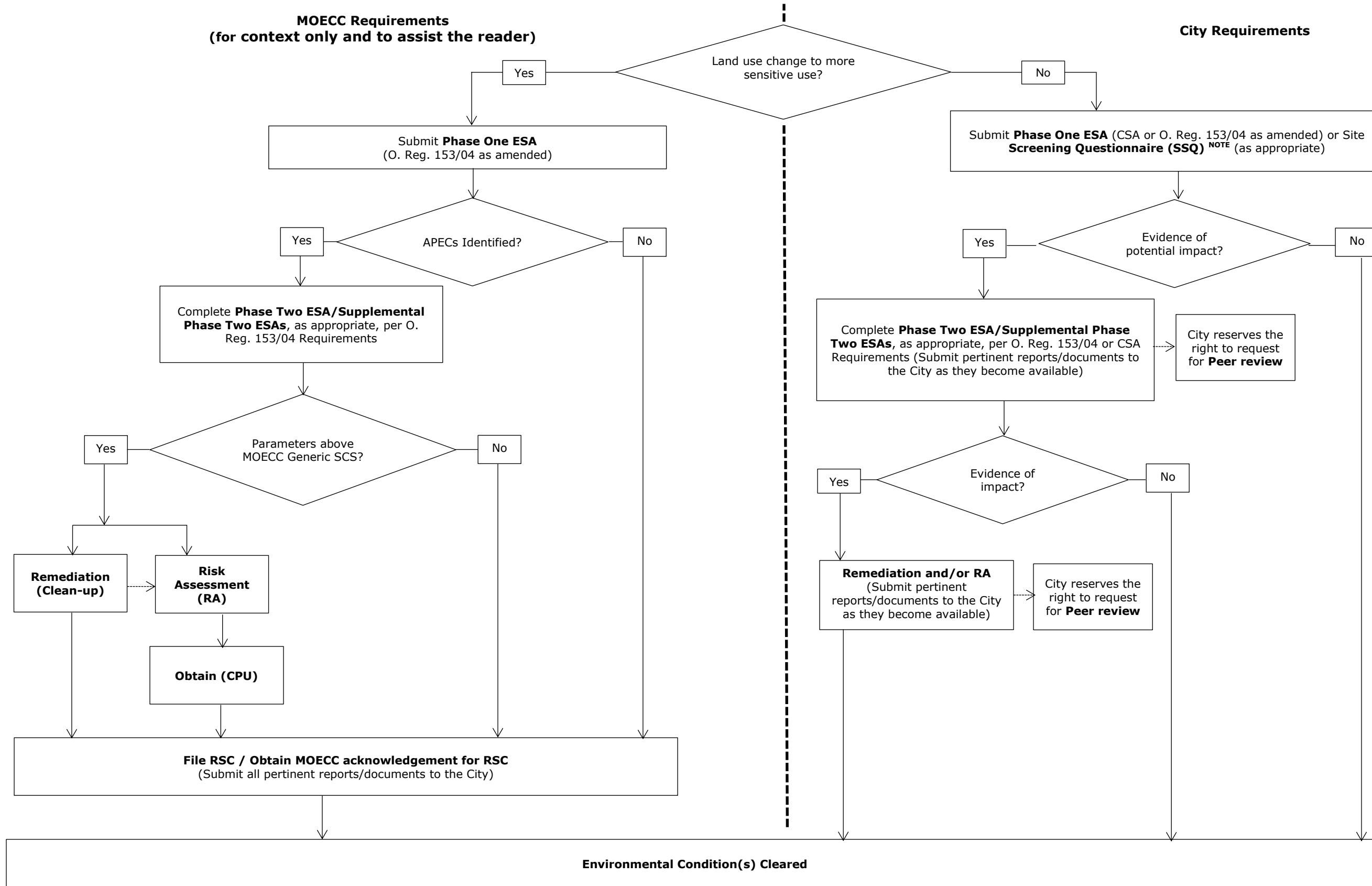
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APPENDICES A & B FIGURES 1 & 2

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Appendix A- City of Guelph's Environmental Site Impact Review Process Flow Chart
(Phase One Environmental Site Assessment (ESA) is required for all Development Applications with the exceptions listed in the **NOTE below)**



NOTE: The following application types will require a **SSQ**, at minimum, and a Phase One ESA or other studies may or may not be required depending on the information in the SSQ:

- Minor Site Plan Applications such as;
 - Parking lot expansion/reconfiguration within the same property;
 - Stripping of topsoil only
 - Others (such as, vertical additions, minor building expansions)
- Part Lot Control;
- Site Alteration Permits;
- Minor Rezoning Applications, such as for applications that are not introducing a more sensitive land use within an existing building/development or applications that broaden the range of permitted uses within the existing building/development, etc.;
- Minor Variances and Severances (Consents) completed through the Committee of Adjustments, **only if** changes to more sensitive land uses are **not** proposed;
- Land division applications for lease, mortgage, title correction, re-establishment of lot lines (where title inadvertently merged) or minor lot line adjustments

Appendix B - City of Guelph Site Screening Questionnaire for Identifying Potential Contamination At A Site

Instruction guide

- To be completed by applicant/landowner or, if applicable, by a Qualified Person (QP; Professional Engineer or Professional Geoscientist) representing the applicant/landowner of the subject property.
- Try to answer all applicable questions. If a question is not pertinent to the application, write "Not Applicable" or "N/A" in the space provided.
- Where requested, provide details of the circumstances.
- If the answer to a question will not fit in the space on the printed questionnaire, write the full answer on a separate sheet of paper.

General Information

Landowner / Applicant / QPs Name(s)				
Municipal Address (Including Postal Code)				
Legal Property Description	Lots	Concession	Registered Plan Number	Township/ Municipality
Related Planning Application(s) and File Number(s)				
Land Use Planning/ Zoning Category				
Size of Property				
Present Land Use				
Proposed Land Use				

Detailed Property Information

- 1. Does the historical use of the property or the properties immediately adjacent to the subject property include industrial or commercial usage (e.g. gas station, dry cleaner, automotive repair shop etc.); on-site storage of hazardous materials/chemicals; completion of environmental study, remediation or risk assessment on-site; filing of record of site conditions and/or issuance of certificate of property use by the MOECC for the property etc.:**

Yes No Uncertain

If yes, describe:

- 2. Has landfilling or waste dumping or fill of unknown quality ever been placed on or immediately adjacent to the property?**

Yes No Uncertain

If yes, describe:

- 3. Is or was the property ever used for agricultural operation where herbicide/fungicides/pesticides and/or sewage sludge have been applied?**

Yes No Uncertain

If yes, describe:

- 4. Are there drinking water wells, monitoring wells, standpipes or other open pipes leading underground on or adjacent to the site?**

Yes No Uncertain

If yes, describe:

- 5. Indicate the presence and/or known historical presence of aboveground or underground fuel or chemical storage tanks on-site. Where applicable, describe type, of tank(s) (i.e. steel, fiberglass or plastic), approximate size, contents, general conditions of tank(s), evidence of spills and/or leaks, proximity to drains, sumps, sewers, presence/absence of secondary containment etc.:**

Yes No Uncertain

If yes, describe:

- 6. Indicate the presence of designated substances (asbestos containing materials, lead-based paint, PCB-based paints, urea formaldehyde foam insulation etc.) stored and/or utilized either within the property (including structures). Where applicable, indicate the types, locations, conditions, and approximate quantities of designated substances:**

Yes No Uncertain

If yes, describe:

- 7. Is the property on or adjacent to a wellhead protection zone or area of natural significance (e.g. surface water bodies, wetland etc.? Describe size, location, and distance from the site (refer to attached Figure 2- City of Guelph Wellhead Protection Areas):**

Yes No Uncertain

If yes, describe:

- 8. Does the property have, or has the property ever used, a septic system?**

Yes No Uncertain

If yes, describe:

9. Additional Comments, if any:

Declaration

I, _____ [Name],
_____ [Relationship to the Applicant] do solemnly
declare that, to the best of my knowledge and belief, and having reviewed all relevant
documents, maps, and information within my power or control, the all information contained
in the foregoing **Site Screening Questionnaire for Identifying Potential
Contamination at a Site** is true, and I make this solemn declaration conscientiously
believing it to be true and knowing it is of the same force and effect as if made under oath
and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE ME at the City)

of _____ in the Province of Ontario)

this ____ day of _____, 20__)

)

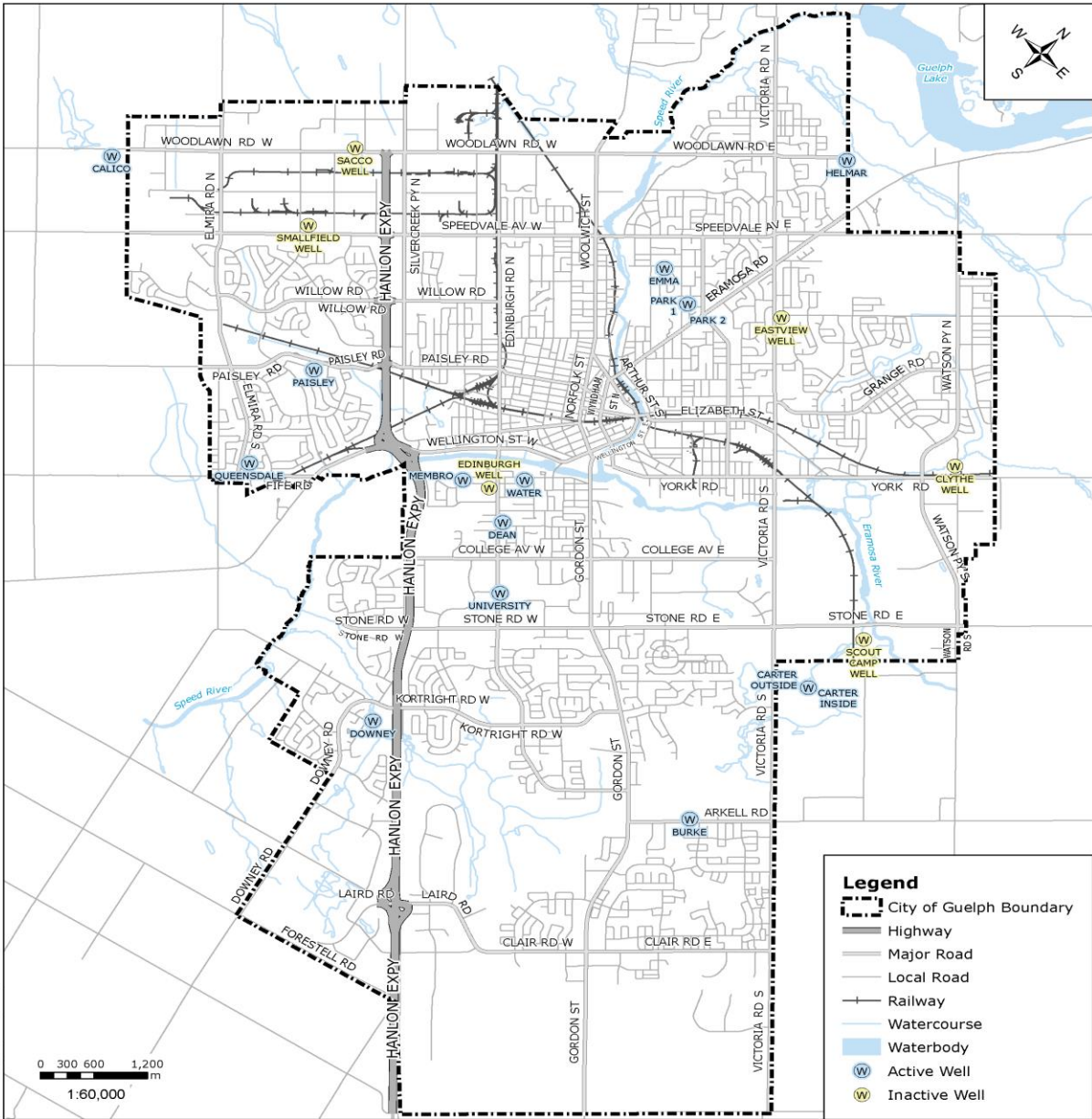
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A Commissioner of Oaths or Notary)
Public for the Province of Ontario

Name:

Figure 1



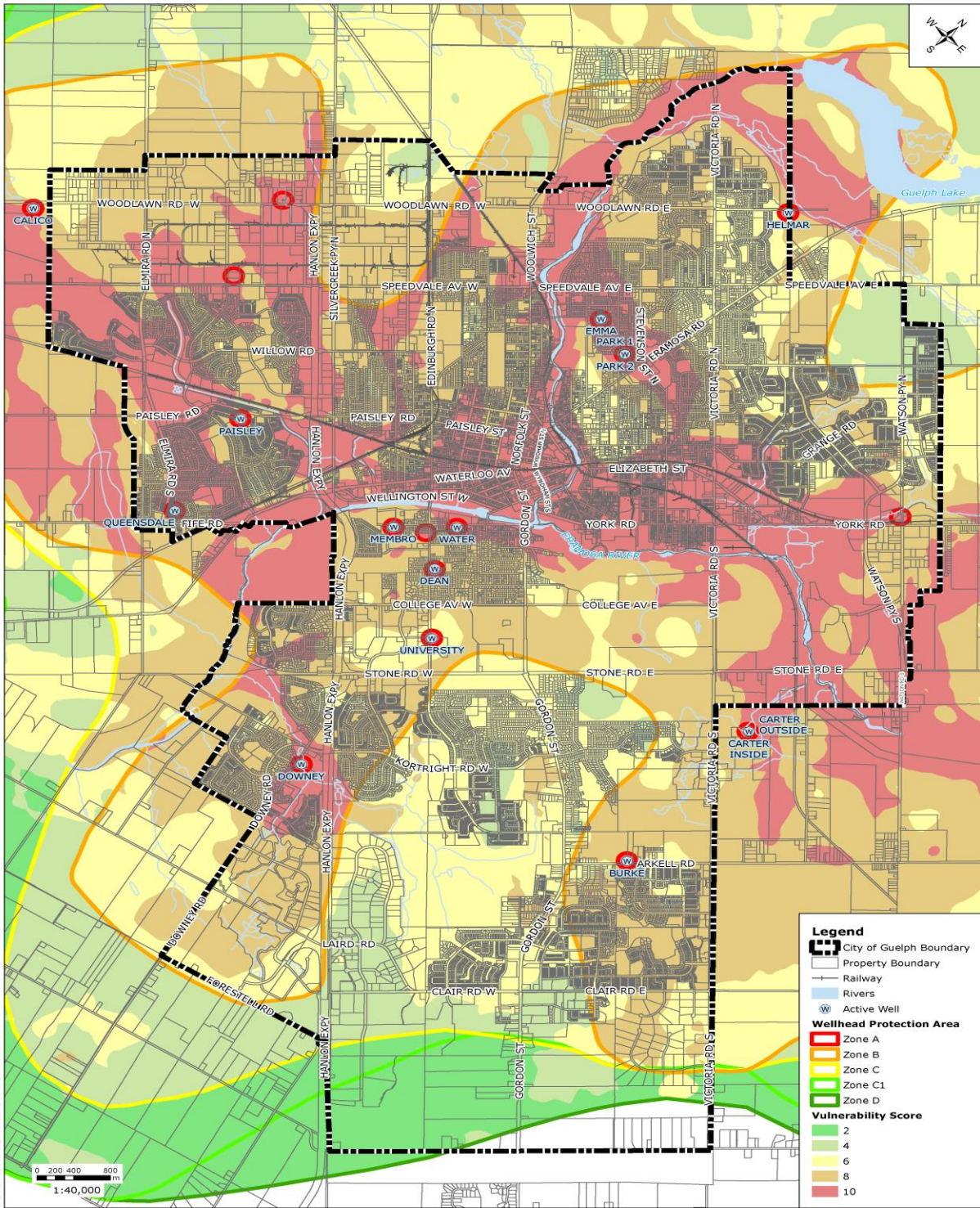
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February 17, 2016

**Figure 1:
City of Guelph**



Figure 2



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Figure 2:
City of Guelph
Wellhead Protection Areas and
Vulnerability Scores

