

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9419-BF2R49
Issue Date: September 17, 2019

Mary D'Alton
250 Glenridge Drive, No. 203
Waterloo, Ontario
N2J 4H8

Site Location: Lake Conestoga Cottage
Cottage 505, 5 North Road
Part of Lot 17, Concession 5
Township of Mapleton, County of Wellington

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

establishment, use and operation of the proposed sewage works for collection of domestic sewage, rated at 1,100 Litres per day (L/d) to service existing two (2) bedroom cottage for a recreational use, located at the above noted location, and consisting of the following:

Class 5 Sewage System

-One (1) proposed precast concrete holding tank with a total capacity of 13,500 litres, provided with a 75 millimeters (3 inch) minimum diameter PVC vent pipe complete with a charcoal filter that is a minimum of 600 millimeters (2 feet) above grade, equipped with a waterproof lockable access opening and an audible and visual high level alarm system, all in compliance with OBC. The sewage from the proposed septic holding tank will be hauled to a municipal sewage treatment plant.

including all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for proper operation of the aforementioned sewage works.

all in accordance with the documents submitted to the Ministry as listed in the Schedule A in this Approval.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Approval" means this entire document and any schedules attached to it, including the application and supporting documentation listed herein;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the Guelph District Office;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Licensed Installer" means a person who holds a license under Article 2.12.3.1 of the Ontario Building Code;
6. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
7. "OBC" means the Ontario Building Code;
8. "Owner" means Mary D'Alton, and includes their successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c.O40, as amended;
10. "Professional Engineer" means a person entitled to practice as a Professional Engineer in the Province of Ontario under a license issued under the *Professional Engineers Act* ;
11. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
12. "Works" means the sewage works described in the Owner's application, and this Approval;

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

- (1) The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

- (2) Except as otherwise provided by these conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with the description given in this Approval, and the application for approval of the Works.
- (3) Where there is a conflict between a provision of any document in the schedule referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.
- (4) Where there is a conflict between the documents listed in the Schedule submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
- (5) The conditions of this Approval are severable. If any condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.
- (6) The issuance of, and compliance with the conditions of, this Approval does not:
 - (a) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage works; or
 - (b) limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the issuance date of this Approval.

3. CHANGE OF OWNER

- (1) The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:
 - (a) change of Owner;
 - (b) change of address of the Owner;

- (c) change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c. B17 shall be included in the notification to the District Manager;
 - (d) change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C 39 shall be included in the notification to the District Manager;
- (2) In the event of any change in ownership of the Works, other than a change to a successor municipality, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

4. CONSTRUCTION

- (1) The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a Professional Engineer.
- (2) Upon construction of the Works, the Owner shall prepare a statement, certified by a Licensed Installer or a Professional Engineer that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff and staff of the local municipality.
- (3) The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety or health hazard to the general public.

5. OPERATIONS AND PERFORMANCE

- (1) The Owner shall exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained.
- (2) The Owner shall maintain and service the Works in such a manner that leaks and spills are prevented.
- (3) The Owner shall have a valid agreement with a hauler who is in possession of a valid Waste Management Systems Approval at all times during the operation of this Works and who will haul sewage to a regional wastewater treatment plant.

6. RECORDING

- (1) The Owner shall, upon commencement of operation of the Works, record quantities and time of sewage being disposed and hauled from the holding tanks.
- (2) The Owner shall retain all records for the period of five (5) years and make them available for inspection by the Ministry personnel upon request.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also emphasizes that the issuance of the Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The condition specifically highlights the need to obtain any necessary conservation authority approvals. The condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that the Works are constructed in a timely manner so that standards applicable at the time of approval of the Works are still applicable at the time of construction, to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected.
6. Condition 6 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

Schedule A forms part of this Approval and contains a list of supporting documentation/ information received, reviewed and relied upon in the issuance of this Approval.

Schedule A

Application for Environmental Compliance Approval for Private Sewage Works, submitted by John Duffy, P. Eng. of Van Harten Surveying Inc., received at the Ministry on May 30, 2019 including design report, final plans and specifications, and all supporting documentation and correspondence submitted in support of this application.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

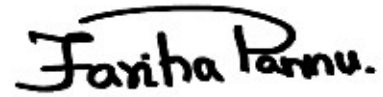
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 17th day of September, 2019



Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

SP/

c: District Manager, MECP Guelph District Office

John Duffy, P. Eng., Van Harten Surveying Inc.

Matt Amy, Superintendent of Property, Grand River Conservation Authority, 400 Clyde Road,
P.O. Box 729, Cambridge, ON, N1R 5W6