

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 3862-BMU45Z

Issue Date: May 4, 2020

OBD Developments Inc.  
145 Haist Ave Woodbridge  
Vaughan, Ontario  
L4L 5V1

Site Location: Oak Bay Development (Phase 1 South)  
Lot 32 & 33, Concession 2  
Township of Georgian Bay, District Municipality of Muskoka  
L0K 1S0

*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 of sewage infrastructure Works , located at the above site location, consisting of the following:

**PROPOSED WORKS**

- one (1) oil/grit interceptor OGS 34 (Stormceptor STC 750 or Equivalent Equipment) located south of the site of Marina between CBMH32C and STMH3, having a sediment capacity of 3000 litres, an oil capacity of 915 litres, a total holding capacity of 4070 litres and a maximum treatment flow rate of 18 litres per second, discharging to the Marina via a 450 mm diameter storm outlet;

**PREVIOUS WORKS**

- ***storm sewers*** and ***stormwater management facilities*** , including enhanced swales, naturally

vegetated buffer strips, goss traps and oil/grit separators to be constructed to service Oak Bay development Phase 1 (South) , in the Village of Port Severn, Township of Georgian Bay, District Municipality of Muskoka. The details of the oil/grit separators are as follows:

- one (1) oil/grit interceptor (Stormceptor STC 9000) located downstream of CBMH 4, on the north side of the Marina, with a sediment capacity of 32,980, an oil capacity of 10,555 litres, a total holding capacity of 44,355 litres and a maximum treatment flow rate of 100 litres per second,

discharging to the Marina via a 675 mm diameter storm outlet.

all in accordance with the submitted supporting documents listed in **Schedule A**.

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
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 appropriate local District Office of the Ministry, where the Works are geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of the approved named equipment;
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. "Owner" means OBD Developments Inc., and includes its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Previous Works" means those portions of the sewage Works previously approved under an Approval;
10. "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 CONDITIONS**

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 Schedule A 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.

## **2. EXPIRY OF APPROVAL**

1. This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of this Approval.
2. In the event that completion and commissioning of any portion of the Works is anticipated to be delayed beyond the specified expiry period, the Owner shall submit an application of extension to the expiry period to the Director, at least twelve (12) months prior to the end of the period. The application for extension shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

## **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; or
  - 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. C39 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.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this Approval.

#### **4. OPERATION AND MAINTENANCE**

1. If applicable, any proposed storm sewers or other stormwater conveyance in this Approval can be constructed but not operated until the proposed stormwater management facilities in this Approval or any other Approval that are designed to service the storm sewers or other stormwater conveyance are in operation.
2. The *Owner* shall design, construct and operate the oil/grit interceptor with the objective that no visible oil sheens occur in the effluent discharged from the oil/grit interceptor.
3. The *Owner* shall carry out and maintain an annual inspection and maintenance program on the operation of the oil/grit interceptor in accordance with the manufacturer's recommendation.
4. After a two (2) year period, the District Manager of the Ministry District Office may alter the frequency of inspection of the oil/grit interceptor if he/she is requested to do so by the *Owner* and considers it acceptable upon review of information submitted in support of the request.

#### **5. RECORD KEEPING**

1. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the operation, maintenance and monitoring activities required by this Approval and submit them to the Ministry up on request.

## Schedule A

1. Application for Environmental Compliance Approval, dated October 1, 2019, received on November 12, 2019, submitted by Tatham Engineering on behalf of OBD Developments Inc.;
2. Design Brief, dated October 18, 2019, prepared by Tatham Engineering;
3. Pipe Data Form, prepared by Tatham Engineering;
4. Engineering Drawings, a set of 3 engineering drawings, stamped and dated on May 30, 2019, prepared by Tatham Engineering.

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

1. Condition 1 is imposed to ensure that the Works are constructed and operated in the manner in which they were described 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.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply 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 4.1 is included to prevent the operation of stormwater pipes and other conveyance until such time that their required associated stormwater management Works are also constructed. Conditions 4.2 to 4.4 are imposed to ensure that the oil/grit interceptor is operated and maintained without any adverse impact on the environment.
5. Condition 5 is included to require that all records are retained for a sufficient time period to adequately evaluate the long-term operation and maintenance of the Works.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 4690-79JRP2 issued on February 22, 2008**

*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.

*Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.*

*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](http://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 4th day of May, 2020



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Aziz Ahmed, P.Eng.

Director

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

YK/

c: District Manager, MECP Barrie  
Lucas Shelton, Tatham Engineering Limited