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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0010-BP3PPN

Issue Date: April 30, 2020

Clyffe House Limited
1050 Muskoka Road 10 RR2
Port Sydney , Ontario
P0B 1L0

Site Location: Clyffe House Cottage Resort
1010 Muskoka Road 10 Port Sydney
Town of Huntsville, District Municipality of Muskoka
P0B 1L0

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:

sewage Works for the treatment and subsurface disposal of domestic sewage, having a total Rated Capacity of 14,000 L/d, servicing the existing seasonally operated Clyffe House Cottage Resort consisting of five (5) buildings (Lodge Building (Main Lodge Unit, Dining Hall Unit, Jenner Cottage Unit and Ice Palace Unit), Annex Building, Dance Hall Building, Boathouse Building and White Cottage Building) comprised of nine (9) cottage rental units accommodating up to sixty two (62) guests based on double occupancy bedrooms and one (1) new four (4)-bedroom manager's apartment with one single kitchen sink, located on the second floor of the Annex Building, consisting of the following:

PROPOSED WORKS

upgrades to the existing sewage Works having a total Rated Capacity of 10,396 L/day, servicing four (4) buildings (Lodge Building (Dining Hall Unit, Jenner Cottage Unit and Ice Palace Unit), Annex Building, Dance Hall Building and White Cottage Building) comprised of seven (7) cottage rental units accommodating up to forty eight (48) guests based on double occupancy bedrooms and one (1) new four (4)-bedroom manager's apartment with one single kitchen sink, located on the second floor of the Annex Building, consisting of the following:

Lodge Building

Sewage System 1B - Dining Hall Unit

the existing sewage Works having a Rated Capacity of 1,260 L/day, serving the existing five (5)-bedroom cottage, consisting of the following:

one (1) two-compartment precast concrete septic tank, collecting raw sewage from the existing five (5)-bedroom cottage, having a minimum working capacity of 3,600 L, complete with one (1) inlet pipe and one (1) new effluent filter (OBC approved) installed on the outlet pipe, discharging the effluent via

gravity to the distribution box of the filter bed system;

one (1) filter bed having a contact area of approximately 26 m^2 , complete with four (4) runs of 5.5 m long 75 mm diameter perforated distribution pipe, for a total length of distribution piping of 22 m;

Sewage System 1C - Jenner Cottage and Ice Palace Units

the existing sewage Works having a Rated Capacity of 2,280 L/day, serving the existing four (4)-bedroom cottage located in the Jenner Cottage Unit and the existing two (2)-bedroom cottage located in the Ice Palace Unit, consisting of the following:

one (1) two-compartment precast concrete septic tank, collecting raw sewage from four (4)-bedroom cottage and two (2)-bedroom cottage, having a minimum working capacity of 6,800 L, complete with one (1) inlet pipe and one (1) new effluent filter (OBC approved) installed on the outlet pipe, discharging the effluent via gravity to the distribution box of the filter bed system;

one (1) filter bed having a contact area of approximately 34 m^2 , complete with five (5) runs of 5.7 m long 100 mm diameter perforated distribution pipe, for a total length of distribution piping of 28.5 m;

Annex Building

Sewage System 2A - Annex Cottage

the existing sewage Works having a Rated Capacity of 4,000 L/day, serving the existing four (4)-bedroom cottage located on the first floor of the building and a new four (4)-bedroom manager's apartment with one single kitchen sink, located on the second floor of the building, consisting of the following:

two (2) new two-compartment precast concrete septic tanks, collecting raw sewage from the existing four (4)-bedroom cottage and a new four (4)-bedroom manager's apartment, each tank having a minimum working capacity of 6,000 L and complete with one (1) inlet pipe and one (1) effluent filter (OBC approved) installed on the outlet pipe, discharging the effluent via gravity to the distribution box of the filter bed system;

one (1) filter bed having a contact area of approximately 92 m^2 , complete with six (6) runs of 12.1 m long 100 mm diameter perforated distribution pipe, for a total length of distribution piping of 72.6 m;

Dance Hall Building

Sewage System 3 - Lower Dance Hall Cottage and Upper Dance Hall Cottage

the existing sewage Works having a Rated Capacity of 2,100 L/day, serving two (2) existing three (3)-bedroom cottages, consisting of the following:

one (1) two-compartment precast concrete septic tank, collecting raw sewage from two (2) existing three (3)-bedroom cottages, having a minimum working capacity of 6,800 L, complete with one (1) inlet pipe and one (1) new effluent filter (OBC approved) installed on the outlet pipe, discharging the effluent via gravity to the distribution box of the leaching bed system;

one (1) absorption trench leaching bed consisting of six (6) runs of 17.5 m long absorption trenches for a total of 105 m of 100 mm diameter perforated distribution pipe;

White Cottage Building

Sewage System 5 - White Cottage

the existing sewage Works having a Rated Capacity of 756 L/day, serving the existing three (3)-bedroom cottage, consisting of the following:

one (1) two-compartment precast concrete septic tank, collecting raw sewage from the existing three (3)-bedroom cottage, having a minimum working capacity of 5,670 L, complete with one (1) inlet pipe and one (1) new effluent filter (OBC approved) installed on the outlet pipe, discharging the effluent via gravity to the distribution box of the leaching bed system;

one (1) absorption trench leaching bed consisting of two (2) runs of 9.1 m long and two (2) runs of 9.7 m long absorption trenches for a total of 37.6 m of 75 mm diameter perforated distribution pipe;

EXISTING WORKS

the existing sewage Works having a total Rated Capacity of 3,604 L/day, servicing two (2) buildings (Lodge Building (Main Lodge Unit) and Boathouse Building) comprised of two (2) cottages accommodating up to fourteen (14) guests based on double occupancy bedrooms, consisting of the following:

Lodge Building

Sewage System 1A - Main Lodge Unit

the existing sewage Works having a Rated Capacity of 3,100 L/day, serving the existing five (5)-bedroom cottage, consisting of the following:

one (1) two-compartment precast concrete septic tank, collecting raw sewage from the five (5)-bedroom cottage, having a minimum working capacity of 9,000 L, complete with one (1) inlet pipe and one (1) effluent filter (OBC approved) installed on the outlet pipe, discharging the effluent via gravity to the distribution box of the leaching bed system;

one (1) absorption trench leaching bed consisting of eight (8) runs of 15.5 m long absorption trenches for a total of 124 m of 100 mm diameter perforated distribution pipe;

Boathouse Building

Sewage System 4 - Boathouse Cottage

the existing sewage Works having a Rated Capacity of 504 L/day, serving the existing (2)-bedroom cottage, consisting of the following:

one (1) holding tank having a working capacity of 9,080 L, collecting sanitary sewage from the existing two (2) bedroom cottage, to be vented in compliance with the requirements of the OBC, complete with an audible and visual high level alarm system; all in accordance with Supporting Documentation 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, 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 Barrie District Office
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
6. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
7. "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;
8. "OBC" means the Ontario Building Code;
9. "Owner" means Clyffe House Limited and its successors and assignees;
10. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
11. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
12. "Rated Capacity" means design daily sanitary sewage flow for which the Works are approved to handle; and
13. "Works" means the sewage works described in the Owner's application, this

Approval and in the supporting documentation referred to herein, to the extent approved by this Approval, and includes Proposed Works and Existing Works.

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, the application for approval of the Works and the submitted supporting documents and plans and specifications as listed in this Approval.

(3) Where there is a conflict between a provision of any submitted document 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 listed submitted documents, the document bearing the most recent date shall prevail.

(4) Where there is a conflict between the listed 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 requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement 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.

3. CHANGE OF OWNER

(1) The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within 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. 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.

4. CONSTRUCTION

(1) The Owner shall ensure that the construction of the Proposed Works is supervised by a Licensed Installer, as defined in the OBC or a Professional Engineer, as defined in the Professional Engineers Act .

(2) The Owner shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.

(3) Upon construction of the Works, the Owner shall prepare a statement, certified by 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.

(4) The Owner shall prepare a complete set of "as constructed" drawings within one (1) year of Substantial Completion of the Works. The drawings must be retained at the site and kept current and shall be made available for inspection by Ministry staff.

5. OPERATIONS, MAINTENANCE, AND RECORDING

(1) The Owner shall ensure that at all times, the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained.

(2) The Owner shall ensure that the septic tanks are pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filters are cleaned out at minimum once a year (or more often if required).

(3) The Owner shall ensure that grass-cutting is maintained regularly over the subsurface disposal beds, and that adequate steps are taken to ensure that the area of the underground works are protected from vehicle traffic.

(4) The Owner shall ensure that in the event a break-out is observed from any subsurface disposal bed, the sewage discharge to the bed is discontinued and the

incident is immediately verbally reported to the District Manager, followed by a written report within seven (7) days. The Owner shall ensure that during the time remedial actions are taking place the sewage generated at the site shall not be allowed to discharge to a surface water body or to the environment, and safely collected and disposed of through a licensed waste hauler to an approved waste disposal site.

(5) The Owner shall maintain and service the Works in such a manner that leaks and spills are prevented, and shall use best efforts to immediately identify and clean up all spills.

(6) The Owner shall enter into a written Agreement with a licensed hauled sewage system operator for the disposal of sanitary sewage from the holding tank, on an as required basis, and shall keep a copy of the valid Agreement at all times during the operation of the Works.

(7) The Owner shall maintain a logbook to record the clean outs of the holding tank, and shall keep the logbook at the site and make it available for inspection by the Ministry staff. The logbook shall include the following:

- (a) the name and signature of the person(s) that conducted the clean out;
- (b) the date and time of the clean out;
- (c) an estimate of the quantity of materials that are removed from the holding tank; and
- (d) observances (including location) of any leaks and/or spills at or around any component of the Works, including recommendations for remedial action and the actions taken to mitigate the situation.

(8) In the event a leak is observed from any component of the holding tank, the Owner shall ensure that the sewage discharge to the tank is discontinued and the incident is immediately verbally reported to the District Manager, followed by a written report within one (1) week. The Owner shall ensure that during the time remedial actions are taking place, sewage shall not be allowed to discharge to a surface water body or to the environment, and safely collected and disposed off through a licensed waste hauler to an approved waste disposal site.

(9) The Owner shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above sub-clauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.

(10) 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 and Maintenance activities required by this Approval.

6. REPORTING

(1) One week prior to the start up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start up date.

(2) In addition to the obligations under Part X of the Environmental Protection Act , the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

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 advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this Approval the existence of this Approval.
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 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

1. Environmental Compliance Approval Application submitted by Jackie Coughlin, B.A.Sc., P.Eng., Partner/Senior Environmental Engineer, Azimuth Environmental Consulting, Inc., dated April 16, 2019 and received May 3, 2019.

2. The design report titled "OWRA Section 53 Environmental Compliance Approval Application, Private Sewage Works, Clyffe House Cottage Resort, Huntsville, ON" dated February 4, 2019 and prepared by Azimuth Environmental Consulting, Inc.

3. All other information and documentation provided by Azimuth Environmental Consulting, Inc. as it relates to this application.

4. Application for Approval of Municipal and Private Sewage Works, Design Report and Drawings showing the location and details of the sewage disposal system, as prepared and submitted for approval by BOS Environmental Consulting on behalf of Cliff House Limited.

5. Application for Approval of Municipal and Private Sewage Works and supporting documentation as prepared and submitted for approval by Dave Scott Resorts.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6781-6ASPMW, 2244-4X6SRK issued on March 29, 2005, July 26, 2001.

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
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*** 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 30th day of April,
2020

Fariha Pannu, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental Protection
Act*

KC/
c: District Manager, MECP Barrie District Office
Jackie Coughlin, B.A.Sc., P.Eng., Partner/Senior Environmental Engineer, Azimuth Environmental Consulting, Inc.
Christopher Nagy, Chief Building Official, Town of Huntsville