

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 6704-BR9Q3S

Issue Date: July 31, 2020

Maple Leaf Marinas Holdings GP Inc.  
3282 Ogdens Beach Road  
Midland, Ontario  
L4R 4K6

Site Location: Wye Heritage Marina  
3282 Ogdens Beach Road  
Part of Lots 18 and 19, Concession III  
Township of Tay, County of Simcoe  
L4R 4K6

*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:*

upgrades to the existing sewage Works for the treatment and subsurface disposal of domestic sewage, rated at a total maximum design capacity of 43,520 L/day, serving the existing Wye Heritage Marina consisting of seven hundred eighty eight (788) existing boat slips and existing amenities, including a store, a fifty (50) seat restaurant, a gas stop, a service building, tennis courts, a public pool and public washrooms, located in the Township of Tay, County of Simcoe, consisting of the following:

**PROPOSED SEWAGE WORKS**

**Sewage Works No. 1 (Main Sewage System)**

upgrades to the existing sewage Works No.1 (Main Sewage System) located at the south east corner of the site, serving the existing fifty (50) seat restaurant, the existing office and the existing public pool, having a Rated Capacity of 28,850 L/d, consisting of the following:

- one (1) two-compartment precast concrete septic tank located adjacent to the office building, having a minimum working capacity of 50,000 L, equipped with an approved effluent filter installed on the outlet pipe, discharging by gravity to an existing pump chamber;

**Sewage Works No. 2 (Gas Dock System)**

upgrades to the existing sewage Works No. 2 (Gas Dock System) located at the south west corner of the site, serving seven hundred eighty eight (788) existing boat slips and the existing public washrooms, having a Rated Capacity of 14,670 L/d, consisting of the following:

- one (1) two-compartment precast concrete septic tank located adjacent to the existing gas stop, having a minimum working capacity of 7,000 L, equipped with an approved effluent filter installed on the outlet pipe, discharging by gravity to an existing pump chamber;

## EXISTING SEWAGE WORKS

### Sewage Works No. 1 (Main Sewage System)

the existing sewage Works located at the south east corner of the site, serving the existing fifty (50) seat restaurant, the existing office and the existing public pool, having a Rated Capacity of 28,850 L/d, consisting of the following:

- one (1) three-compartment grease trap having a total minimum working capacity of 3,000 L, collecting wastewater from the restaurant's kitchen facilities, discharging by gravity to an existing septic tank;
- one (1) two-compartment septic tank having a minimum working capacity of 31,780 L, equipped with an approved effluent filter installed on the outlet pipe, discharging by gravity to an existing pump chamber;
- one (1) pump chamber housing two (2) submersible alternating effluent pumps and complete with liquid level float switches, including a high liquid level audible and visual alarm system, discharging to an existing absorption trench leaching bed;
- one (1) absorption trench leaching bed located at the south east corner of the site, having a Rated Capacity of 28,850 L/day and a plan area of approximately 4,600 m<sup>2</sup>, consisting of two (2) cells, each cell consisting of thirty six (36) runs of 30 m long absorption trenches, the leaching bed having a total length of 2,160 m of perforated distribution pipe installed in clear stone trenches;

### Sewage Works No. 2 (Gas Dock System)

the existing sewage located at the south west corner of the site, serving seven hundred eighty eight (788) existing boat slips and the existing public washrooms, having a Rated Capacity of 14,670 L/d, consisting of the following:

- one (1) two-compartment septic tank having a minimum working capacity of 22,500 L, equipped with an approved effluent filter installed on the outlet pipe, discharging by gravity to an existing pump chamber;
- one (1) pump chamber housing two (2) submersible alternating effluent pumps and complete with liquid level float switches, including a high liquid level audible and visual alarm system, discharging to an existing absorption trench leaching bed;
- one (1) absorption trench leaching bed located at the south west corner of the site, having a Rated Capacity of 14,670 L/day and a plan area of approximately 2,100 m<sup>2</sup>, consisting of two (2) cells, each cell consisting of twenty two (22) runs of 30 m long absorption trenches, the leaching bed having a total length of 1,320 m of perforated distribution pipe installed in clear stone trenches;

all in accordance with the 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 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 Maple Leaf Marinas Holdings GP Inc. and its successors and assignees;
10. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
11. "Professional Engineer" means a person entitled to practice as a Professional Engineer in the Province of Ontario under a licence issued under the *Professional Engineers Act*;
12. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
13. "Rated Capacity" means design daily sanitary sewage flow for which the Works are approved to handle;
14. "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. The approval issued by 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 Works is supervised by a Licensed Installer, as defined in the *Ontario Building Code* 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. Upon construction of the Works, the Owner shall prepare a set of as-built drawings showing the Works "as constructed". "As-built" drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the site for the operational life of the Works 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 the grease trap is inspected and maintained on regular basis as required, and grease is disposed off site by a licensed hauler (e.g. at approved recycling sites).
4. 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 is protected from vehicle traffic.
5. The Owner shall visually inspect on a weekly basis (once every week) during the operating season the surface of each subsurface disposal bed for break-outs, odours and excess grass growth and record the results of the inspections in a logbook.
6. In the event a break-out is observed from a subsurface disposal bed, the Owner shall ensure that the sewage discharge to the bed is discontinued and the incident immediately reported verbally 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 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 off through a licensed waste hauler to an approved waste disposal site.

7. 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.
8. The Owner shall employ measurement devices to accurately measure quantity of effluent being discharged to each individual subsurface disposal system, including but not limited to water/wastewater flow meters, event counters, running time clocks, or electronically controlled dosing, and shall record the daily volume of effluent being discharged to each subsurface disposal system.
9. 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 Suzanne Troxler, P.Eng., Director, Manager of Water and Wastewater Engineering, Tatham Engineering Limited, dated July 24, 2019 and received on August 12, 2019.
2. The design report titled "Wye Heritage Marina, Township of Tay, ECA Application" dated August 8, 2019, specifications and engineering drawings, all prepared by Tatham Engineering Limited.
3. All additional documentation provided by Tatham Engineering Limited.



*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](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 31st day of July, 2020



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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  
Suzanne Troxler, P.Eng., Director, Manager of Water and Wastewater Engineering, Tatham Engineering  
Limited  
Terry Tompkins, Chief Building Official, Township of Tay