

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9797-BV8LAJ
Issue Date: November 25, 2020

Ferndale Park Cottagers' Cooperative Limited
44 Red Clay Road
Caledon, Ontario
L7C 3J9

Site Location: Mr. Quentin Spencer's Cottage
44 Red Clay Road
Town of Caledon, Regional Municipality of Peel
L7C 3J9

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 new sewage works for the transmission and collection of domestic sewage with a daily sanitary flow of 1,100 litres per day to service a two (2) bedroom cottage, located at the above mentioned Site Location, consisting of the following:

Sewage Holding Tank

one (1) sewage holding tank with 16,000 litres capacity, with a minimum 75 millimetre diameter vent, vent cap and charcoal filter that terminates a minimum of 600 millimetre above grade, equipped with access riser 100 millimetre above finished grade and a high level float and alarm system, and hold-down anchors, for the collection of sanitary sewage;

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 submitted supporting documents 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 Halton-Peel 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 is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
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 Ferndale Park Cottagers Co-operative Limited and its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
10. "Professional Engineer" means a person entitled to practise as a Professional Engineer in the Province of Ontario under a licence issued under the *Professional Engineers Act* ; and
11. "Works" means the sewage works described in the 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, 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.
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

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.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this environmental compliance approval.

4. CONSTRUCTION

1. The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer, or a Professional Engineer.
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 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 sewage Works do not constitute a safety or health hazard to the general public.
3. 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.

4. The Owner shall ensure that during the operating season, the holding tank is inspected on a weekly (once every week) basis.
5. 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 the site at all times during the operation of the Works.
6. In the event a leak or a spill is observed from any component of the holding tank, the Owner shall do the following:
 - a. immediately discontinue the discharge of sewage to the holding tank;
 - b. verbally report the incident forthwith to the Spills Action Centre (SAC) at (416) 325-3000 or 1-800-268-6060;
 - c. immediately verbally report the incident to the District Manager, followed by within seven (7) days of the leak, the spill or break-out, submit a written report to the District Manager;
 - d. 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
 - e. ensure sewage generated at the site is safely collected and disposed off through a licensed waste hauler to an approved waste disposal site.
7. The Owner shall maintain a logbook and keep the logbook at the site and make it available for inspection by the Ministry staff. The logbook shall include the following:
 - a. the results of Operation and Maintenance activities specified in the above sub-clauses;
 - b. the date, time and volume of the sewage pump out from the holding tank;
 - c. 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. 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 (1) 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. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

7. DECOMMISSIONING OF UN-USED SEWAGE WORKS

1. The Owner shall properly abandon any portion of unused existing sewage Works, as directed below, and upon completion of decommissioning report in writing to the District Manager.
 - a. any sewage pipes leading from building structures to unused sewage Works components shall be disconnected and capped;
 - b. any unused septic tanks, holding tanks and pump chambers shall be completely emptied of its content by a licensed hauler and either be removed, crushed and backfilled, or be filled with granular material;
 - c. if the area of the existing leaching bed is going to be used for the purposes of construction of a replacement bed or other structure, all distribution pipes and surrounding material must be removed by a licensed hauler and disposed off site at an approved waste disposal site; otherwise the existing leaching bed may be abandoned in place after disconnecting, if there are no other plans to use the area for other purposes.

8. SITE PARCEL RELATED REPORTING

1. Owner shall within **twenty four (24) months** of the issuance of this Approval, provide to the District Manager a copy of the following:
 - a. a survey of the Parcel that outlines all of the lots thereon that are used by the individual works owners;
 - b. the names and addresses of the individual works owners;
 - c. a description of the individual works located at all the lots on the Parcel;
 - d. a description of the plans made or to be made with all of the individual works owners to submit a Environment Compliance Application for the sewage works to be added to this Approval.

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.
7. Condition 7 is included to ensure that any components of un-used Works are properly decommissioned.
8. Condition 8 is included to ensure that information is available regarding all of the lots on the Parcel and the persons who have the rights to use the lots and the sewage systems in connection therewith and plans to have them approved by the Ministry and added to this Approval.

Schedule A

1. Environmental Compliance Approval Application for Private Sewage Works submitted by Eric Gunnell, P.Eng., of Gunnell Engineering Ltd., and signed by Kathy Wilson, President, of Ferndale Park Cottagers' Cooperative Limited, dated May 7, 2020; and all supporting documentation and information.

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

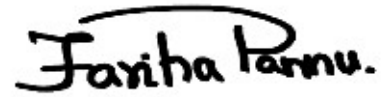
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 25th day of November, 2020



Fariha Pannu, P.Eng.

Director

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

EG/

c: District Manager, MECP Halton-Peel
Eric Gunnell, Gunnell Engineering Ltd.