

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9088-BYAL2R
Issue Date: February 26, 2021

Carson Road Development Inc.
3190 Steeles Ave E, No. 300
Markham, Ontario
L3R 1G9

Site Location: Midhurst Carson Road - Mick's Subdivision
Lot 14, Concession 6
Township of Springwater, County of Simcoe
L0L 1Y3

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:

the establishment of storm sewers to service Phase 1A of Midhurst Carson Road - Mick's subdivision, located in the Township of Springwater, County of Simcoe, consisting of the following:

- **storm sewers** on 'Street A' from southeast of 'Street B' to 'Street E', approximately 282 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street A' and 'Street E';
- **storm sewers** on 'Street A' from north of 'Street E' to north of 'Street B', approximately 179 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street A' and 'Street B' on northern side of the site;
- **storm sewers** on 'Street A' from approximately 92 metres southeast of Snow Valley Road to northwest of Snow Valley Road, approximately 105 metres in length, discharging via headwall (HW2) to the ditch located northwest of Snow Valley Road;
- **storm sewers** on 'Street B' from approximately 41 metres west of 'Street C' to 'Street A', approximately 860 metres in length, discharging to the proposed storm sewer located between the embankment and 'Street B' on the northwest corner of the site;
- **storm sewers** on 'Street B' from 'Street H' to approximately 17 metres in length east of 'Street H', discharging to the proposed storm sewer located at the intersection of 'Street B' and 'Street H';

- **storm sewers** on 'Street C' from 'Street B' to 'Street E', approximately 275 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street C' and 'Street E';
- **storm sewers** on 'Street D' from approximately 42 metres west of 'Street A' to 'Street B', approximately 288 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street D' and 'Street B';
- **storm sewers** on 'Street E' from 'Street H' to 'Street B', approximately 421 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street E' and 'Street B';
- **storm sewers** on 'Street F' from approximately 13 metres northeast of 'Street B' to 'Street E', approximately 219 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street F' and 'Street E';
- **storm sewers** on 'Street G' from 'Street B' to 'Street E', approximately 278 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street G' and 'Street E';
- **storm sewers** on 'Street H' from 'Street B' and 'Street E', approximately 287 metres in length, discharging to the proposed storm sewer located at the intersection of 'Street H' and 'Street E';
- **storm sewers** on Block 295 from 'Street B' to approximately 77 metres in length west of 'Street B', discharging to the proposed stormwater management pond located on the northwest corner of the site;

all in accordance with the submitted application and supporting documents listed in Schedule A forming part of 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 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. "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;
6. "MNRF" means the Ministry of Natural Resources and Forestry of the government of Ontario and includes all officials, employees or other persons acting on its behalf;

7. "Owner" means Carson Road Development 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. "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.
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/MNRF 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. 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, 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.

Schedule A

1. Application for Environmental Compliance Approval, dated April 22, 2020 and received on July 15, 2020, submitted by SCS Consulting Group Ltd. on behalf of Carson Road Development Inc.;
2. Project Description, dated February 8, 2021, prepared by SCS Consulting Group Ltd.;
3. Pipe Data Form, prepared by SCS Consulting Group Ltd.;
4. Storm Sewer Design Sheet, stamped and dated on July 14, 2020, and revised on February 19, 2021, prepared by SCS Consulting Group Ltd.;
5. Engineering Drawings, a set of 31 engineering drawings, stamped and dated on July 14, 2020, prepared by SCS Consulting Group Ltd.; and
6. Emails from SCS Consulting Group Ltd. dated February 17, 2021, February 19, 2021 and February 23, 2021.

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. Condition 1.6 is included to emphasize that the issuance of this 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, 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 prevent the operation of stormwater pipes and other conveyance until such time that their required associated stormwater management Works are also constructed.

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*

The Minister of the Environment,

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

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

AND

Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

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 26th day of February, 2021



Aziz Ahmed, P.Eng.

Director

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

MO/

c: District Manager, MECP Barrie District Office
Cosimo Costa, SCS Consulting Group Ltd.