

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2030-CHERZQ
Issue Date: January 27, 2023

2713492 Ontario Inc.
5283 Main Street, Town of Orono,
Municipality of Clarington,
Ontario, L0B 1M0

Site Location: Orono Beauty/Wellness Spa
5283 Main Street, Town of Orono
Municipality of Clarington
Regional Municipality of Durham, Ontario, L0B 1M0

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:

upgrading of existing sewage Works for the collection, holding and disposal of domestic sewage, rated at a maximum design flow of 1200 litres per day from a one (1) bedroom two story dwelling and a beauty spa located on an approximately 200 square metre site at 5283 Main Street, Town of Orono, with the holding tanks located on adjacent lot at 5291 Main Street, Town of Orono, consisting of the following:

Proposed Works

Replacement of the existing holding tank with one (1) concrete holding tank to provide additional holding capacity and to reduce frequent pump-out, having a total capacity 9,100 litres to accept sewage from the dwelling and beauty spa via a 100 millimetre diameter PVC pipe, equipped with a 75 millimetre diameter vent pipe, waterproof lockable access opening and an audible/visual warning alarm, and emptied on a regular basis by a licensed sewage hauler.

Existing Works

One (1) concrete holding tank with a total capacity 5,000 litres receiving sewage from the dwelling and beauty spa via a 100 mm diameter PVC pipe, also equipped with a 75 millimetre diameter vent pipe, waterproof lockable access opening and an audible/visual warning alarm, and emptied on a regular basis by a licensed sewage hauler,

all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage works,

all in accordance with Supporting Documentation submitted to the Ministry as listed in the Schedule A.

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

1. "Approval" means this entire Approval document and any Schedules to it, including the application and Supporting Documentation;
2. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.I of the EPA;
3. "District Manager" means the District Manager of the **York Durham** 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, Ontario Regulation 332/12 (Building Code) as amended to January 1, 2015, made under the *Building Code Act*, 1992, S.O. 1992, c. 23;
8. "Owner" means **2713492 Ontario Inc.** and its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "Works" means those portions of the Works included in the Approval that are existing, under construction or to be constructed.

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 terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
3. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.

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 address of Owner;
 - b. change of Owner, including address of new 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.
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 Licensed Installer, 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 exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained.
2. The Owner shall have a valid agreement with a hauler who is in possession of a valid Waste Management Systems Approval at all times during the operation of this Works and who will haul sewage to a regional wastewater treatment plant.
3. The Owner shall ensure that all holding tanks are equipped with a device that shall produce an audible and visual warning alarm so located to warn when the sewage level in the holding tank reaches 3/4 of its capacity.
4. The Owner shall maintain a logbook to record the date, name of hauler and volume of sewage being hauled-off from the site and 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.
5. The Owner shall retain all records for the period of five (5) years and make them available for inspection by the Ministry personnel upon request.
6. The Owner shall maintain and service the Works in such a manner that leaks and spills are prevented.

7. The Owner shall prepare an operations manual within six (6) months of the introduction of sewage to the Works, that includes, but not necessarily limited to, the following information:
 - a. operating procedures for routine operation of all the Works;
 - b. inspection programs, including frequency of inspection, for all the Works and the methods or tests employed to detect when maintenance is necessary;
 - c. a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the District Manager; and
 - d. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
8. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

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 EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges), the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and Ontario Regulation 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.

7. CERTIFICATE OF REQUIREMENT

1. Pursuant to Section 197 of the EPA, no person having an interest in the Property, shall deal with the Property in any way without first giving a copy of this Approval to each person acquiring an interest in the Property as a result of the dealing.
2. The Owner shall:
 - a. within sixty (60) days of the date of the issuance of this Approval, submit to the Director for their review, two copies of a completed Certificate of Requirement and a registerable description of the Property; and
 - b. within ten (10) calendar days of receiving the Certificate of Requirement authorized by the Director, register the Certificate of Requirement in the appropriate Land Registry

Office on title to the Property and submit to the Director the duplicate registered copy immediately following registration.

3. For the purposes of this condition, Property shall mean the property located at 5283 Main Street (PIN 266840118), Town of Orono and sewage works located at 5291 Main Street (PIN 266840116), Town of Orono.

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 in order to require the Owner to give notice of this Approval to potential future owners of the property before the property is dealt with.

Schedule A

1. Application for Environmental Compliance Approval submitted by Stew Dolstra, BCIN, of Cambium Inc, dated June 14, 2022 and received on June 15, 2022, for the proposed Works, including Design Brief, plans and supporting information/documents.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("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:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

and

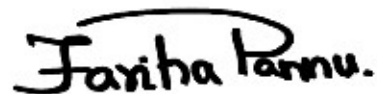
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.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 27th day of January, 2023



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

HV/
c: District Manager, MECP York-Durham
Stew Dolstra, Cambium Inc.