

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7533-CQJKGE
Issue Date: July 18, 2023

Durham Freehold Homes Limited
35 Lauralynn Cres
Toronto, Ontario
M1S 2H3

Site Location: 1037 Arthur Street - Residential Trailer Park _Newcastle
Municipality of Clarington,
Regional Municipality of Durham

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 collection, treatment and disposal of domestic sewage, to service an existing year-round residential trailer park consisting of 27 trailers located at the above site location, consisting of the following:

PROPOSED WORKS (425 L per trailer per day for a total sewage design flow of 11,475 L/d)

Temporary Holding Tanks to replace existing Class 4 systems (Tank B, Tank C and Tank L) located nearby the dug well, as follows:

Three (3) 9000 litres capacity single compartment precast concrete tanks equipped with vent, audible/visual alarm float and access riser to surface; each serving two trailers;

Temporary Holding Tanks to replace existing Class 4 systems, if signs of failure are observed, as follows:

Nine (9) 9000 litres capacity single compartment precast concrete tank equipped with vent, audible/visual alarm float and access riser to surface; each serving two trailers.

One (1) 9000 litres capacity single compartment precast concrete tank equipped with vent, audible/visual alarm float and access riser to surface; serving three trailers.

EXISTING WORKS (425 L per trailer per day for a total sewage design flow of 11,475 L/d)

Twelve (12) Class 4 septic sewage systems and one Class 5 (holding tank) receiving sewage from 27 trailers - to be replaced by the temporary holding tanks.

all in accordance with Supporting Documentation submitted to the Ministry as listed in **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, *York-Durham office* of the Ministry;
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 Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c. P.28;
7. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
8. "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;
9. "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;
10. "Owner" means Durham Freehold Homes Limited and its successors and assignees;
11. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
12. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
13. "Works" means the approved sewage works, 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 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) year** 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 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 of this Approval.

4. CONSTRUCTION

1. The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a Licensed Engineering Practitioner.
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 or a Licensed Engineering Practitioner, 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 the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate staffing and training, including training in all procedures and other requirements of this Approval and the OWRA and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.
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 bed(s), and that adequate steps are taken to ensure that the area of the underground Works is protected from vehicle traffic.

4. The Owner shall visually inspect the general area where Works are located for break-out once every month during the operating season.
5. In the event a break-out is observed from a subsurface disposal bed, the Owner shall do the following:
 - a. sewage discharge to that subsurface disposal system shall be discontinued;
 - b. the incident shall be **immediately** reported verbally to the Spills Action Centre (SAC) at (416) 325-3000 or 1-800-268-6060;
 - c. submit a written report to the District Manager within **one (1) week** of the break-out. The report to the District Manager shall contain information regarding the circumstances of the break-out including but not limited to: (i) when the break-out was noticed, (ii) the severity of the break-out, (ii) the reason/cause of the break-out; and, what action(s) have been taken correct the situation, when and by whom the action(s) were taken.
 - d. access to the break-out area shall be restricted until remedial actions are complete;
 - e. during the time remedial actions are taking place the sewage generated at the site shall not be allowed to discharge to the environment; and
 - f. sewage generated at the site shall be safely collected and disposed of through a licensed waste hauler to an approved sewage disposal site.
6. 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.
7. 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 EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges) made under the EPA, the Owner shall, within **fifteen (15) days** of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 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. SITE SPECIFIC CONDITIONS

1. The Owner shall retained a Licensed Installer or a Licensed Engineering Practitioner to inspect the existing works twice annually for sign of break-out;
2. The Owner shall ensure that all replacement Holding Tanks are installed as specified in the design briefs;
3. The Owner shall have a valid agreement with a hauler who is in possession of a Waste Management Systems Approval at all times during operation of the Holding Tanks;
4. The Owner shall ensure that appropriate mitigative measures are taken should any objectionable odour be generated from the Holding Tanks.
5. A visual inspection shall be conducted and recorded by the hauler prior to sewage removal for any valves and hoses used for the conveyance of sewage that may leak.
6. An operator shall be present and available during any transfer of sewage.
7. The Holding Tanks shall be locked and secured at all times except during the transfer of sewage to a Ministry certified waste management system for the purposes of approved disposal.
8. The Owner shall ensure that the Holding Tanks are equipped with audible or other adequate warning device signifying when the Holding Tank is seventy-five percent (75%) full.
9. The Owner shall ensure that the following monitoring program is carried out upon commencement of operation of the Holding Tank:
 - a. record and maintain a record of emptying the Holding Tank;
 - b. record and maintain a record of the date and quantity of sewage being pumped out of the Holding Tank; and
 - c. record and maintain a record of all inspections and maintenance performed;
10. Within five (5) years from the date of the issuance of this Approval, the Owner shall submit an Environmental Compliance Application to the Ministry with the detailed design of a new sewage treatment system to replace the Holding Tanks, if the Owner is unable to connect to the municipal sewer.

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 for Private Sewage Works dated August 11, 2022 and signed by Nav Grewal, Owner of Durham Freehold Homes Limited, including final plans, specifications and report prepared by Stew Dolstra of Cambium Inc.

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 make the Owner aware of the fact that this approval is granted as a temporary solution and to enable the Owner to evaluate and demonstrate the performance of the Holding Tank.

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

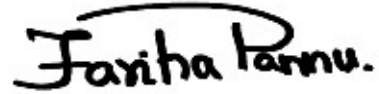
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* 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 18th day of July, 2023

A handwritten signature in black ink that reads "Fariha Pannu." The signature is written in a cursive style with a large, sweeping initial 'F'.

Fariha Pannu, P.Eng.

Director

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

YK/

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