

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9127-CTFNLE
Issue Date: February 2, 2024

Hidden Trail Resort Inc.
162 Hidden Trail Rd
Kenora, Ontario
P9N 4P2

Site Location: Hidden Trail Resort
162 Hidden Trail Rd
City of Kenora, District of Kenora, Ontario
P9N 4P2

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, usage and operation of subsurface sewage disposal Works for the treatment of domestic sewage and subsurface disposal of treated sewage effluent, to service existing facilities at the above site location, including one (1) 2-bedroom main lodge, one (1) 2-bedroom mobile trailer residence, five (5) guest cabins (4 seasonal and 1 year-round), a washroom building and thirty-eight (38) seasonal trailer sites (complete with 1 shower building), rated at a maximum design capacity of **23,850 litres per day**, consisting of the following:

PROPOSED WORKS

Subsurface Sewage Disposal System

Q = 23,850 litres per day

one (1) proposed subsurface sewage disposal system designed and operated at a Maximum Daily Flow of 23,850 litres per day to service the on-site facilities as described above, consisting of the following:

- one (1) in-ground 4,545 litre capacity two-compartment Septic Tank No. 1 located to the northeast of Cabin #1, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Cabins #1 and #2, and discharging via a forcemain to the pump chamber of the proposed Septic Tank No. 2 as described below;
- one (1) in-ground Septic Tank No. 2 located to the east of Cabin #5, comprised of a 7,275 litre tank and a 2,401 litre tank for a combined capacity of 9,676 litres, equipped with an OBC approved effluent filter and an internal pump chamber within the second tank, receiving raw sewage from Cabins #3, #4, #5, a washroom building, the main lodge and Trailer Site #35, and discharging via a forcemain to a proposed

Pump Chamber No. 2 as described below;

- one (1) in-ground 9,090 litre capacity two-compartment Septic Tank No. 3 located to the northeast of Trailer Site #16, equipped with an OBC approved effluent filter and a minimum 364 litre pump chamber, receiving raw sewage from Trailer Sites #16, #17, #18, #19, #20 and a shower building, and discharging via a forcemain to a proposed Pump Chamber No. 1 as described below;
- one (1) in-ground 6,135 litre capacity two-compartment Septic Tank No. 4 located to the north of Trailer Site #9, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #6, #7, #8, #9, #10, #11 and #12, and discharging via a forcemain to the proposed Pump Chamber No. 1 as described below;
- one (1) in-ground 3,636 litre capacity two-compartment Septic Tank No. 5 located to the north of Trailer Site #15, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #13, #14 and #15, and discharging via a forcemain to the proposed Pump Chamber No. 1 as described below;
- one (1) in-ground 4,545 litre capacity two-compartment Septic Tank No. 6 located to the southwest of Trailer Site #3, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #1, #2, #3, #4 and #5, and discharging via a forcemain to the proposed Pump Chamber No. 1 as described below;
- one (1) in-ground 6,364 litre capacity two-compartment Septic Tank No. 7 located to the northeast of the 2-bedroom mobile trailer residence, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #21, #22, #23, #24 and the mobile trailer residence, and discharging via a forcemain to the proposed Pump Chamber No. 2 as described below;
- one (1) in-ground 5,455 litre capacity two-compartment Septic Tank No. 8 located to the southwest of Trailer Site #25, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #25, #26, #27, #28, #29 and #30, and discharging via a forcemain to the proposed Pump Chamber No. 1 as described below;
- one (1) in-ground 4,545 litre capacity two-compartment Septic Tank No. 9 located to the west of Trailer Site #A, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #A, #B and #C, and discharging via a forcemain to the proposed Pump Chamber No. 2 as described below;
- one (1) in-ground 3,636 litre capacity two-compartment Septic Tank No. 10 located to the west of Trailer Site #34, equipped with an OBC approved effluent filter and a 364 litre pump chamber, receiving raw sewage from Trailer Sites #31, #32, #33 and #34, and discharging via a forcemain to the pump chamber of the proposed Septic Tank No. 9 as described above;
- one (1) in-ground 11,365 litre capacity Pump Chamber No. 2 located immediately southwest of Trailer Site #23, equipped with one (1) submersible sewage pump, floats and a high level alarm, discharging septic tank effluent from Septic Tanks No. 1, 2, 7, 9 and 10 via a forcemain to the proposed Pump

Chamber No. 1 as described below;

- one (1) in-ground 3,065 litre capacity Pump Chamber No. 1 located immediately southwest of the proposed absorption trench leaching bed as described below, equipped with one (1) submersible sewage pump, floats, controls for individual dosing of leaching bed cells, and a high level alarm, discharging septic tank effluent from Septic Tanks No. #3, #4, #5, #6, #8 and Pump Chamber No. 2 to the leaching bed;
- one (1) partially raised absorption trench leaching bed located to the northwest of the existing facilities mentioned above and approximately 109 metres northwest of Black Sturgeon River, consisting of four (4) cells of identical size, receiving a Maximum Daily Flow of 23,850 litres per day from Pump Chamber No. 1 as described above, with each cell consisting of ten (10) runs of 15.0 metre long 75 millimetre diameter perforated pipe (for a total distribution pipe length of 600 metres for the entire bed), spaced at minimum 1.60 metres from centre to centre, installed within a minimum 375 millimetre deep and 500 millimetre wide OBC approved clear stone layer protected with permeable geo-textile fabric, underlain by a minimum 0.9 metre deep imported sand layer with a design percolation time of 5 minutes per centimetre, complete with a minimum 5,962.5 square metre, 250 millimetre deep mantle in the downgradient direction, and backfilled with minimum 150 millimetre deep imported sand and then 75 millimetre deep topsoil cover and sod;

EXISTING WORKS

- three (3) existing Class 4 subsurface sewage disposal systems to be replaced by the Proposed Works above and decommissioned in accordance with Condition 7;

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 the submitted 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. "Commissioned" means the construction is complete and the system has been tested, inspected, and is ready for operation consistent with the design intent;
3. "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;
4. "District Manager" means the District Manager of the Thunder Bay District Office;
5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
6. "Existing Works" means those portions of the Works included in the Approval that have been

constructed previously;

7. "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;
8. "Maximum Daily Flow" means the largest volume of flow to be received during a one-day period for which the Works is designed to handle;
9. "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;
10. "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;
11. "Owner" means Hidden Trail Resort Inc. and its successors and assignees;
12. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
13. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
14. "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) 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;
 - 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.
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 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. The Owner shall ensure that an imported soil that is required for construction of any subsurface disposal bed as per this Approval is tested and verified by the Licensed Engineering Practitioner for the percolation time (T) prior to delivering to the site location and the written records are kept at the site.
4. Within **six (6) months** of the Works being Commissioned, the Owner shall prepare a statement, certified by 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.
5. Within **six (6) months** of the Works being Commissioned, 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;
 - 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 (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. 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. DECOMMISSIONING OF UN-USED WORKS

1. The Owner shall properly abandon any portion of unused Existing 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 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.

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 ensure the Ministry is given prior notice of the pending start up date of the Works and all reportable spills are properly dealt with, documented and reported.
7. Condition 7 is included to ensure that any components of un-used Works are properly decommissioned.

Schedule A

1. Environmental Compliance Approval Application for Municipal and Private Sewage Works submitted by Hidden Trail Resort Inc., dated February 16, 2023 and received on February 23, 2023, including the design report, final plans, specifications and all other supporting documentation.

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

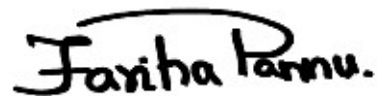
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* 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 2nd day of February, 2024



Fariha Pannu, P.Eng.

Director

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

SW/

c: Area Manager, MECP Kenora Area Office

c: District Manager, MECP Thunder Bay District Office

Dale Wiebe, P.Eng., Pinchin Ltd.