

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-1234488812

Version: 1.0

Issue Date: March 25, 2024

Pursuant to section 20.3 of the Environmental Protection Act, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

SUMMERSET ACRES (CHARLOTTENBURGH) LTD.

Survey Address Lot: 6

Concession: CONCESSION 1, FRONT

Geographic Township: CHARLOTTENBURGH

Province: Ontario

Postal Code: K0C 2E0

Country: Canada

For the following site:

19564 COUNTY ROAD 2 Road , Unit 6, SUMMERSTOWN, SOUTH GLENGARRY, ONTARIO,
CANADA, K0C 2E0

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 the Proposed Works for the treatment and subsurface disposal of domestic sewage, with a Maximum Daily Flow of **1,100 litres per day** (L/d) to service an existing 2-bedroom dwelling, located at the above noted site location, within the Parcel leased by the Works Owner from the Parcel Owner, as follows:

PROPOSED WORKS

- one (1) in-ground 2-compartment septic tank with a working capacity of 3,630 litres and to be equipped with access risers and an effluent filter meeting the OBC requirements, located minimum 1.5 metres north of the existing dwelling, receiving raw sanitary sewage from the dwelling and discharging effluent to a proposed Eljen GSF system as described below via a proposed pump chamber located east of the septic tank;
- one (1) fully raised Eljen GSF system having a minimum treatment capacity of 1,100 litres per day, consisting of two (2) rows of six (6) Eljen GSF A42 modules (each module is 1200 millimetre long by 600 millimetre wide by 175 millimetre high), for a total of 12 modules, equipped with perforated distribution pipe centred over each row of modules and two (2) Eljen pan samplers centred lengthwise with modules (one placed under the first module and the other located near the end of the same row), evenly spaced at 2.25 metres apart, constructed in specified system sand meeting the requirements of BMEC Authorization #20-03-395, as amended, with a minimum thickness of 150 millimetres below the modules and covering an area of approximately 127.32 square metres (16.02 metres by 7.95 metres), with the bottom of the specified system sand being 600 millimetres or more above the high ground water table, overlying a 450 millimetre thick imported sand layer with a percolation time (T) of 5 to 10 minutes per centimetre and then native soil;

EXISTING WORKS (to be Decommissioned)

- decommissioning of the existing underground holding tank 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 supporting documentation submitted to the Ministry as listed in the **Schedule 1** in this Approval.

DEFINITIONS

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "CBOD5" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
3. "Commissioned" means the construction is complete and the system has been tested, inspected, and is ready for operation consistent with the design intent;
4. "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;
5. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Works is geographically located;
6. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
7. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
8. "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;
9. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
10. "Maximum Daily Flow" means the largest volume of flow to be received during a one-day period for which the Works are designed to handle;
11. "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;
12. "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;
13. "Owners" means the Parcel Owner and the Works Owner;
14. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40;
15. "Parcel" means the parcel of land legally described as E 1/2 LT 6 CON 1 FRONT CHARLOTTENBURGH LYING S OF AR109824 EXCEPT PT 1, 2, 3 & 4 14R707; S/T & T/W AR36828; SOUTH GLENGARRY;
16. "Parcel Owner" means Summerset Acres (Charlottenburgh) Ltd. and its successors and assignees;
17. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
18. "Works" means the approved sewage works, and includes Proposed Works, and Existing Works.
19. "Works Owner" means Andrew Fobert and his successors and assignees;

TERMS AND CONDITIONS

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

1. GENERAL PROVISIONS

1. The Owners 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. The Owners 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. 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 OWNERS

1. The Owners 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 the Parcel Owner;
 - b. change of the Works Owner;
 - c. change of address of the Parcel Owner;
 - d. change of address of the Works Owner;
 - e. change of partners where the Parcel 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. B.17 shall be included in the notification;
 - f. change of partners where the Works 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. B.17 shall be included in the notification;
 - g. change of name of the corporation where the Parcel Owner is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Informations Act, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager; or
 - h. change of name of the corporation where the Works Owner is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Informations 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 Parcel, other than a change to a successor municipality, the Parcel 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. In the event of any change in ownership of the Works, other than a change to a successor municipality, the Works 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. The Owners shall ensure that all communications made pursuant to this condition refer to the number of this Approval.

4. CONSTRUCTION

1. The Owners shall ensure that the construction of the Works is supervised by a Licensed Installer or a Licensed Engineering Practitioner.
2. The Owners shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.

3. The Owners 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 or Licensed Installer 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 Owners 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.
5. Within **six (6) months** of the Works being Commissioned, the Owners 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, MONITORING AND RECORDING

1. The Owners 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 Owners shall sign a service and maintenance agreement with the manufacturer or approved agent of the Eljen GSF system. The maintenance agreement must be retained at the site for as long as the Works are in operation, kept current and made available for inspection by the Ministry staff.
3. The Owners shall receive from the manufacturer or distributor of the Eljen GSF system printed literature that describes the unit in detail and provides complete instructions regarding the operation, servicing, and maintenance requirements of the unit and its related components necessary to ensure the continued proper operation in accordance with the original design and specifications.
4. The Owners shall ensure that the treatment system is at minimum inspected annually by the the Eljen GSF system authorized personnel, and maintained according to the manufacturer's recommendations including minimal yearly effluent sampling for CBOD₅ and Total Suspended Solids to ensure that it meets design objectives of 10 mg/l for both CBOD₅ and Total Suspended Solids in a grab effluent sample before discharge to the subsurface disposal bed;
5. The Owners shall ensure that the septic tank(s) is pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filter(s) is cleaned out at minimum once a year (or more often if required).
6. The Owners 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.
7. The Owners shall visually inspect the general area where sewage works are located for breakout once every month during the operating season.
8. In the event a breakout is observed from a subsurface disposal bed, the Owners 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 Spill 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 waste disposal site.
9. The Owners shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above subclauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.

10. The Owners 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 monitoring activities required by this Approval.

6. REPORTING

1. **One (1) week** prior to the start up of the operation of the Works, the Owners shall notify the District Manager (in writing) of the pending start up date of the Works.
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 Owners 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. DECOMMISSIONING OF UN-USED WORKS

1. The Owners 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 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. CONSOLIDATION OF INDIVIDUAL ON-SITE SEWAGE WORKS

1. Within **two (2) years** of the issuance of this Approval, the Parcel Owner shall apply for an environmental compliance approval to consolidate all existing and proposed individual on-site sewage works located within the Parcel.

REASONS

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.

8. Condition 8 is included to ensure that all existing and proposed individual on-site sewage works are to be approved and covered by one sitewide environmental compliance approval in the future.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who 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 Notice") shall state:

I. 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;

II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

I. The name of the appellant;

II. The address of the appellant;

III. The environmental compliance approval number;

IV. The date of the environmental compliance approval;

V. The name of the Director, and;

VI. 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 <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** 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 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 March, 2024

Fariha Pannu.

Fariha Pannu

Director

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

c: Andrew Fobert, SUMMERSET ACRES (CHARLOTTENBURGH) LTD.

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

Application for Environmental Compliance Approval submitted by Andrew Fobert, dated and received on June 27, 2023 for the proposed Eljen GSF system, including all supporting information.