



**CERTIFICATE OF APPROVAL**  
**MUNICIPAL AND PRIVATE SEWAGE WORKS**  
 NUMBER 2227-7P6KVP  
 Issue Date: March 12, 2009

Alton (Central) Management Limited  
 151 Yonge St Suite 1500  
 Toronto, Ontario  
 M5C 2W7

Site Location: Palladium Way through ORC North  
 Lot Part of Lot 8, Concession 1, North of Dundas Street  
 Burlington City, Regional Municipality of Halton  
 Ontario

*You have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:*

An **Interim Stormwater Conveyance Channel** consisting of a temporary drainage channel running from Palladium Way to Hopkins Drive, collecting storm runoff from approximately 8.6 hectares of road and undeveloped land, as designated on Drawing No. 10-07028-ST1, which are located to East and West of Palladium Way, outletting via a rip rap lined entry channel to the existing storm sewer on Hopkins Drive;

all in accordance with the application, dated June 5, 2008 and received on July 10, 2008, signed by Barry Lipson, QC, Alton (Central) Management Limited, supporting documentation and information associated with the application including final plans and specifications prepared by MMM Group Limited, and including additional information provided by Lily Ka-Man Lo, P.Eng., dated February 23, 2009 and March 6, 2009, and by Jeffrey Swartz, dated March 9, 2009.

*For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:*

- (1) "*Certificate*" means this entire Certificate of Approval document, issued in accordance with Section 53 of the *Ontario Water Resources Act*, and includes any schedules;
- (2) "*Owner*" means Alton (Central) Management Limited, and includes its successors and assignees;
- (3) "*Works*" means the sewage works described in the *Owner's* application, this *Certificate* and in the supporting documentation referred to herein, to the extent approved by this *Certificate*;
- (4) "*Interim Works*" means the temporary drainage channel, which is to be used for short-term purposes only, i.e., for no more than five (5) years from the date of issuance of this *Certificate*; and
- (5) "*District Manager*" means the District Manager of the Ottawa District Office of the *Ministry*.

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

## **TERMS AND CONDITIONS**

### **1. GENERAL CONDITIONS**

1.1 The *Owner* shall ensure that any person authorized to carry out work on or operate any aspect of the *Works* is notified of this *Certificate* and the conditions herein and shall take all reasonable measures to ensure any such person complies with

the same.

1.2 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 *Certificate*, the application for approval of the works and the submitted supporting documents and plans and specifications as listed in this *Certificate*.

1.3 Where there is a conflict between a provision of any submitted document referred to in this *Certificate* and the Conditions of this *Certificate*, the Conditions in this *Certificate* shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

1.4 Where there is a conflict between the listed submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.

1.5 The requirements of this *Certificate* are severable. If any requirement of this *Certificate*, or the application of any requirement of this *Certificate* to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this *Certificate* shall not be affected thereby.

## **2. EXPIRY OF APPROVAL**

2.1 The approval issued by this *Certificate* will cease to apply to those parts of the *Works* which have not been constructed within five (5) years of the date of this *Certificate*.

2.2 This Certificate of Approval will cease to apply to the *Interim Works*, as of December 31, 2014. The *Owner* shall submit a written report to the *District Manager* by July 31, 2014 outlining the procedures or plans on how the *Interim Works* will be decommissioned/replaced by the expiry date.

## **3. OPERATION AND MAINTENANCE**

The *Owner* shall inspect the *Works* at least once a year and, if necessary, clean and maintain the *Works* to prevent the excessive buildup of sediments and/or vegetation.

*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 *Certificate* 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 *Certificate* the existence of this *Certificate*.

2. Condition 2.1 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 and that the temporary works, or a part thereof, approved in this *Certificate* do not become permanent

3. Condition 2.2 is included to require that the approved *Interim Works* (i.e., the construction of a temporary ditch) is properly operated and maintained such that the environment is protected .

4 Condition 3 is imposed to ensure that the *Owner* has implemented measures to mitigate any adverse impacts to the environment.

*In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended, you may by written notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, provides that the Notice requiring the hearing shall state:*

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;

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

*The Notice should also include:*

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

*And the Notice should be signed and dated by the appellant.*

*This Notice must be served upon:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto, Ontario  
M5G 1E5

AND

The Director  
Section 53, *Ontario Water Resources Act*  
Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, Ontario  
M4V 1L5

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

*The above noted sewage works are approved under Section 53 of the Ontario Water Resources Act.*

DATED AT TORONTO this 12th day of March, 2009

Zafar Bhatti, P.Eng.  
Director  
Section 53, *Ontario Water Resources Act*

UI/  
c: District Manager, MOE Halton-Peel District Office, and  
Lily Ka-Man Lo, MMM Group Limited