



AMENDED CERTIFICATE OF APPROVAL
MUNICIPAL AND PRIVATE SEWAGE WORKS
 NUMBER 8635-8EUQST
 Issue Date: March 15, 2011

2036356 Ontario Inc.
 27 Legend Crt
 Ancaster, Ontario
 L9K 1J3

Site Location: McKenzie Meadows, Phase 1
 Lot 3 Rg W of Plank Road, geographic township of Oneida
 Haldimand County

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

storm and **sanitary sewers** to be constructed on Nico Drive and McKenzie Road, **storm sewers** to be constructed on Stormwater Management Easement (Future Street "B") and **sanitary sewers** to be constructed on Sanitary Easement (Block No. 14) in the Haldimand County;

all in accordance with the application dated January 16, 2006 and received January 27, 2006, including final plans and specifications prepared by Weslake Inc.

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 2036356 Ontario Inc., and includes its successors and assignees; and
- (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*.

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 **two (2) years** of the date of this *Certificate*.

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 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.

This Certificate of Approval revokes and replaces Certificate(s) of Approval No. 2679-6MNJPA issued on March 13, 2006

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;
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**

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

CONTENT COPY OF ORIGINAL

DATED AT TORONTO this 15th day of March, 2011

Sherif Hegazy, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

BH/
c: District Manager, MOE Hamilton - District
Robert S. Melick, P.Eng., Trow Associates Inc.