



Ministry
of the
Environment

Ministère
de
l'Environnement

Ontario

CERTIFICATE OF APPROVAL
MUNICIPAL AND PRIVATE SEWAGE WORKS
NUMBER 1638-5MTK7X

City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
L8P 4Y5

Site Location: City of Hamilton

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

Repairs and/or replacements of the existing combined sewers at the following locations in the City of Hamilton:

STREET FROM TO

Bettina Avenue Lawrence Road Hixon Road
Grenadier Drive Toby Crescent Broker Drive
Wise Court Grenadier Drive Approx. 62 m E.
of Grenadier Drive
Barnett Court Grenadier Drive Approx. 60 m E.
of Grenadier Drive
Marvin Court Grenadier Drive Approx. 103 m E.
of Grenadier Drive
Camille Court Grenadier Drive Approx. 98 m E.
of Grenadier Drive
Halam Avenue Shadyside Avenue East 24th Street
East 25th Street Fennell Avenue Franklin Road
Franklin Road East 25th Street East 24th Street
MacLennan Avenue Shadyside Avenue East 23th Street
Nelligan Place East End Erin Avenue
Erin Avenue Nelligan Place Montrose Avenue
Dundonald Avenue Parklands Charlotte
Nelligan Place Erin Avenue End of court
Parklands Drive Connor Court Dundonald Avenue
Terrace Drive South Bend Road East Approx. 175 m S. of
South Bend Road East

Including the construction of combined sewer overflows to relief sewers as follows:

STREET DESCRIPTION AND LOCATIONS

Bettina Avenue Lawrence Road to Hixon Road (3 overflows)

- 1) At approx. 80 m North of Hixon Road
- 2) At approx. 155 m North of Hixon Road
- 3) At the North End of Bettina Avenue

Grenadier Drive Toby Crescent to Broker Drive (5 overflows)

- 1) At intersection of Grenadier Drive and Wise Court
- 2) At intersection of Grenadier Drive and Barnett Court
- 3) At intersection of Grenadier Drive and Marvin Court
- 4) At intersection of Grenadier Drive and Wise Crescent

5) At intersection of Grenadier Drive and Camille Court

Halam Avenue Shadyside Avenue to East 24th Street (4 overflows)

- 1) At intersection of East 25th Street
- 2) At approx. 35 m West of East 25th Street
- 3) At approx. 77 m West of East 25th Street
- 4) At intersection of East 24th Street

Nelligan Place East End to Erin Avenue (3 overflows)

- 1) At the East End of Nelligan Place
- 2) At approx. 35 m East of Erin Avenue
- 3) At intersection of Erin Avenue

Terrace Drive South Bend Road East to approx. 175 m S. of South Bend Road East (3 overflows)

- 1) At approx. 60 m South of South Bend Road East
- 2) At approx. 115 m South of South Bend Road East
- 3) At approx. 175 m South of South Bend Road East

all in accordance with the application dated March 31, 2003, including the "Sewer Information Sheet" dated February, 2003, describing the sewer project locations and limits and supporting information submitted by the City of Hamilton, Transportation, Operations and Environment Department.

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) "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the *Ontario Water Resources Act*;
- (3) "Ministry" means the Ontario Ministry of the Environment;
- (4) "Regional Director" means the Regional Director of the West-Central Region of the Ministry;
- (5) "District Manager" means the District Manager of the Hamilton District Office of the Ministry's West-Central Region;
- (6) "Owner" means the City of Hamilton;
- (7) "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. The approval granted by this Certificate is based upon a review of the proposed works in the context of its effect on the environment, its process performance and principles of sanitary engineering.

The review did not include a consideration of the architectural, mechanical or structural components of the works except to the extent necessary to review the works as set out in the above paragraph.

CONTENT COPY OF ORIGINAL

2. The Owner shall ensure that, at all times, the works and related equipment and appurtenances which are installed or used to achieve compliance with this Certificate are properly operated and maintained and meet with the operation and maintenance requirements of the Municipality.
3. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the sewage works do not constitute a safety or health hazard to the general public.
4. The Owner shall ensure that any new proposed storm sewers and/or sanitary sewers within the project locations and limits, described in this certificate of approval will be submitted separately for approval under the "Transfer of Approval" program.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is included to make the owner, subsequent owners, successors, assignees, and any third parties relying upon the Certificate, aware that the review conducted by this Ministry and the approval granted as a result is limited in scope and should not be relied upon as an approval of the stipulated design aspects of the works.
2. Condition 2 included to ensure that the works will be operated, maintained, funded, staffed and equipped in a manner enabling compliance with the terms and conditions of this Certificate, such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
3. Condition 3 is imposed because it is not in the public interest for the Director to approve facilities which, by reason of potential health and safety hazards do not generally comply with legal standards or approval requirements falling outside the purview of the Ministry.
4. Condition 4 is included to clarify that this approval only approves the proposed combined sewer overflows to the proposed relief sewers and does not include the proposed storm and sanitary sewers to be approved under the "Transfer of Approval" program.

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:

CONTENT COPY OF ORIGINAL

The Secretary*
Environmental Review Tribunal
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

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.

DATED AT TORONTO this 26th day of May, 2003

Mohamed Dhalla, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

KC/
c: District Manager, MOE Hamilton District Office
Hin Junk Thomas Ho, P.Eng., City of Hamilton