

Attachment-E: MOE's Certificate of Approval (CoA)



Ontario

Ministry
of the
Environment

Ministère
de
l'Environnement

AMENDED CERTIFICATE OF APPROVAL
MUNICIPAL AND PRIVATE SEWAGE WORKS
NUMBER 8244-67JM9M

The York Downs Golf and Country Club, Limited
4134 16th Avenue
Markham, Ontario
L3R 0P1

Site Location: York Downs Golf & Country Club
4134 16th Avenue
Lots 16, 17 and 18, Concession 5
Markham Town, Regional Municipality of York
L3R 0P1

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

storm sewers and expansion of existing stormwater management facilities in the Town of Markham, Regional Municipality of York, at the York Downs Golf & Country Club as follows:

STORMSEWERS

670 metres of storm sewers are to be constructed between the existing stormwater management pond and the irrigation pond for the golf club.

STORMWATER MANAGEMENT FACILITIES

Existing stormwater management pond is to be expanded to provide irrigation water to the golf club during the dry summer season. Storm sewers will be constructed to draw water from the stormwater management pond to the irrigation pond when needed. The current capacity of the stormwater management pond is as follows:

Storage	Elevation m	Volume m ³	Q _{out Peak} m ³ /s
Permanent Pool	185.50	16,113	-
Extended Detention	186.77	17,700	0.168
100-year Storage	188.60	40,000	4.70

The expanded capacity of the stormwater management pond will be as follows:

Storage	Elevation m	Volume m ³	Q _{out Peak} m ³ /s
Permanent Pool	186.27	25,911	-
Extended Detention	187.52	19,629	0.122
100-year Storage	188.93	46,246	7.49

The following modifications are to be incorporated in the stormwater management pond:

- A new outlet will be constructed to drain water by gravity to the irrigation pond in the York Downs Golf Club when needed. A gate valve will be installed to control the flow.
- A pinch valve will be installed at the existing pond outlet to restrict the flow and raise the water level.
- Approximately 100 m³ of fill will be placed to raise the extended detention berm to 187.52m.

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All in accordance with the application from The York Downs Golf & Country Club, Limited, dated November 24, 2004, including final plans and specifications prepared by Stantec Consulting Ltd.

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 The York Downs Golf and Country Club, Limited 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 CONDITION

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. OPERATION AND MAINTENANCE

2.1 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 stormwater works do not constitute a safety or health hazard to the general public.

2.2 The Owner shall ensure that sediment, debris and excessive decaying vegetation are removed from the above noted stormwater management system at least once a year to prevent the excessive build-up of sediment, debris and/or decaying vegetation to avoid any reduction of capacity of the pond. The Owner shall also regularly inspect and clean out the inlet to and outlet from the works to ensure that these are not obstructed.

2.3 The Owner shall prepare operational manual which should include, but not limited to, frequency and method of clean-out of stormwater management works within six (6) months from the date of issuance of this Certificate of Approval or the commissioning of the works and keep it up to date. Upon request, the Owner shall make the manual available for inspection by Ministry personnel and furnish a copy to the Ministry.

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2.4 The Owner shall maintain a logbook to record the results of all inspections and any cleaning and maintenance operations undertaken and shall make the logbook available for inspection by the Ministry upon request.

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 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 this Ministry.
3. Condition 2.2 is included as regular removal of sediment and excessive decaying vegetation from this approved stormwater management system are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the works. It is also required to ensure that adequate storage is maintained in the stormwater management facilities at all times as required by the design, and to prevent stormwater impounded in the works from becoming stagnant.
4. Conditions 2.3 and 2.4 are included to ensure that the stormwater management facility is operated and maintained to function as designed.

This Certificate of Approval revokes and replaces Certificate(s) of Approval No. 3-0061-98-006 issued on January 30, 1998

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
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

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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 16th day of December, 2004

Aziz Ahmed, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

PD/

c: District Manager, MOE York-Durham

Ayad El-Sharif, P. Eng., Stantec Consulting

Sheila Birrell, Clerk, The Corporation of the Town of Markham

Simon Hung, P. Eng., Capital Works Engineer, The Corporation of the Town of Markham

Eva Pulnicki, M. Eng., P. Eng., The Regional Municipality of York