

SCHEDULE A
SEWAGE WORKS ALLOWED UNDER THE TRANSFER OF REVIEW PROGRAM

Works allowed to be submitted under the TOR program by the Municipality are described in Sections 1 and 2 below. The works must also meet any requirements in the applicable section. Works that are not described in Section 1 or 2, do not meet any applicable requirements or to which Section 3 applies are not allowed to be submitted under the TOR program.

1. Standard Works Allowed

i) Allowed Sanitary Sewage Works

Unless specified in Section 3 of this Schedule, only ECA applications for the following sanitary sewage works are allowed to be submitted by the Municipality under the TOR Program:

- a. New or modified, municipal or private sanitary sewers, forcemains or siphons that:
 - i. are designed in accordance with the Ministry document *Design Guidelines for Sewage Works, 2008* (PIBS 6879) as amended from time to time;
 - ii. are not combined sewers; and
 - iii. do not discharge directly to a sewage treatment plant.
- b. New or modified, municipal or private sanitary sewage pumping stations that:
 - i. are designed in accordance with the Ministry document *Design Guidelines for Sewage Works, 2008* (PIBS 6879) as amended from time to time; and
 - ii. do not discharge directly to a sewage treatment plant.

For greater clarity, any sanitary sewage works that provide any treatment of sanitary sewage are not allowed to be submitted under the TOR program.

ii) Allowed Stormwater Works

Unless specified in Section 3 of this Schedule, only ECA applications for the following stormwater works are allowed to be submitted by the Municipality under the TOR Program:

- a. New or modified municipal or private storm sewers, ditches, culverts and grassed swales that:
 - i. are designed in accordance with the Ministry document *Stormwater Management Planning and Design Manual, 2003* (PIBS 4329e) as amended from time to time;
 - ii. are designed primarily for the collection and transmission of stormwater;
 - iii. discharge to existing storm sewers, other existing stormwater conveyance works, an approved stormwater management facility, or a Municipal Drain;
 - iv. for drainage works under the *Drainage Act*, approval of a petition for the modifications must be obtained under the *Drainage Act* prior to submitting an application for an ECA;
 - v. are not combined sewers or superpipes and does not connect to a combined sewer;
 - vi. are not located on industrial land or designed to service industrial land;
 - vii. do not propose to collect, store or discharge stormwater containing substances or pollutants (other than Total Suspended Solids, or oil and grease) detrimental to the environment or human health; and
 - viii. do not require the establishment and monitoring of effluent quality criteria.

SCHEDULE A
SEWAGE WORKS ALLOWED UNDER THE TRANSFER OF REVIEW PROGRAM

- b. New or modified, municipal or private oil/grit separators that:
- i. are designed in accordance with the Ministry document *Stormwater Management Planning and Design Manual, 2003* (PIBS 4329e) as amended from time to time;
 - ii. discharge to existing storm sewers, other existing stormwater conveyance, an approved stormwater management facility, or a Municipal Drain;
 - iii. for drainage works under the *Drainage Act*, approval of a petition for the modifications must be obtained under the *Drainage Act* prior to submitting an application for an ECA;
 - iv. are not located on industrial land or designed to service industrial land;
 - v. do not propose to collect, store or discharge stormwater containing substances or pollutants (other than Total Suspended Solids, or oil and grease) detrimental to the environment or human health; and
 - vi. do not require the establishment and monitoring of effluent quality criteria.

2. Additional Works Allowed

The Municipality may submit ECA applications for sanitary and/or stormwater works other than those allowed in Section 1 as described below and in accordance with any listed requirements.

The Municipality's TOR Program is expanded to include:

- a. Combined Sewers
- the rehabilitation of existing combined sewers where there is no increase in combined sewage overflow (CSO).
- b. Stormwater Management Facilities (wet ponds, wetlands, hybrid ponds, dry ponds)
- altering, modifying, adding, optimizing or expanding the retention capacity for existing approved stormwater management facilities, including stormwater outfalls, provided that:
 - if the proposed works are required to provide quality control, the works are designed to achieve Enhanced Level water quality control and erosion protection (i.e. 80% TSS removal); and
 - any attenuation design requirements are satisfied;
 - installing new stormwater management facilities, including stormwater outfalls, provided that:
 - if the proposed works are required to provide quality control, the works are designed to achieve Enhanced Level water quality control and erosion protection (i.e. 80% TSS removal); and
 - any attenuation design requirements are satisfied;
 - stormwater pumping stations.
- c. Lot Level and Conveyance Control (Low Impact Development) Measures
- altering, modifying, adding, optimizing or expanding the retention capacity for existing approved low impact development (LID) measures, including stormwater outfalls, provided that:

SCHEDULE A
SEWAGE WORKS ALLOWED UNDER THE TRANSFER OF REVIEW PROGRAM

- if the proposed works are required to provide quality control, the LID measures are designed to achieve Enhanced Level water quality control and erosion protection (i.e. 80% TSS removal); and
- any attenuation design requirements are satisfied;
- installing new LID measures, including stormwater outfalls, provided that:
 - if the proposed works are required to provide quality control, the LID measures are designed to achieve Enhanced Level water quality control and erosion protection (i.e. 80% TSS removal);
 - any attenuation design requirements are satisfied;
 - the design considers corrective and remediation measures in the event of lack of performance of the LID measures; and
 - the design is for a retrofit and/or Green Street projects on an existing right-of-way, as a best efforts installation, to improve water quality and/or quantity;
- rooftop, surface and underground storage with inlet control devices or orifices.

For Works listed in 2a through 2c the following requirements must be met:

- the Works must be designed in accordance with the Ministry documents *Design Guidelines for Sewage Works, 2008* (PIBS 6879) and *Stormwater Management Planning and Design Manual, 2003* (PIBS 4329e), as amended from time to time;
- the Works must receive drainage only from non-industrial lands, where industrial lands are defined by *Ontario Regulation 525/98*;
- any stormwater management pond listed in 2b above shall not be used as a snowmelt facility;
- for Works that are designed to partially infiltrate or exfiltrate into the surrounding soils during high flow conditions:
 - based on the type of works, the vertical separation distance between the highest groundwater table (i.e. spring runoff) and the lowest elevation of the works shall adhere to Table 4.1 of the Ministry document *Stormwater Management Planning and Design Manual, 2003* (PIBS 4329e); and
 - groundwater must not be utilized as a potable water resource anywhere drainage is captured by the stormwater management works;
- infiltration or exfiltration stormwater works include:
 - pervious pipes and catch-basins;
 - filtering systems, and infiltration trenches, such as, soak away pits attached to pervious catch-basins and sand filter beds;
 - infiltration basins;
 - pervious pipes and catch-basins with infiltration trench systems, rainwater and snow melt into the surrounding soils during high flow conditions; and
 - open channels, ditches, swale drainage systems, bio-swales, tree pits, and infiltration trenches on public roads, or right-of-ways, designed to exfiltrate part or all of the stormwater runoff from the adjacent road into the surrounding soils. These types of works are to include vegetative surfaces;

SCHEDULE A
SEWAGE WORKS ALLOWED UNDER THE TRANSFER OF REVIEW PROGRAM

- for stormwater pumping stations, high level alarm systems, appropriate response time during emergency conditions, and redundancy in pumping arrangement must be provided;
- for the rehabilitation of existing combined sewers, the Works must conform to *Ministry Procedure F-5-5, Determination of Treatment Requirements for Municipal and Private Combined and Partially Separated Sewer Systems*, as amended from time to time;
- for drainage works under the *Drainage Act*, approval of a petition for the modifications must be obtained under the *Drainage Act* prior to submitting an application for an ECA;
- the description of the works for a new or replacement outfall will identify the receiving watercourse if it discharges into any of the provincially recognized critical receivers and/or their tributaries;
- the applicant has consulted with the local Conservation Authority and obtained necessary clearance as required, if the works discharge to a surface water body;
- as part of the Letter of Recommendation, the Municipality has clearly identified all of the works which fall under this Section of Schedule A;
- the Municipality has notified all applicants for works allowed in this Section that the ECA may contain conditions requiring the development of an operation and maintenance program, including a spill contingency plan for the works; the Municipality shall include in their Letter of Recommendation any other conditions related to operation and maintenance of the works if applicable; and
- the Municipality shall maintain a report with detailed records of all the stormwater management works constructed during the year.

The report and records noted above are to include, but not be limited to, the approval number, date of approval, location, description of the stormwater management works, information about what, how, when, why and who operates and maintains the works.

The report must also include a summary of the operation and maintenance program activities, any trouble shooting activities, reports of any flooding conditions and/or any complaints received from the public. The report must also include a statement concerning the potential for these stormwater management systems to impact groundwater quality, which will be based upon the available evidence from inspection and maintenance activities.

The Ministry may require the submission of this report upon request. Further instructions on where and to whom the report is to be submitted will be provided by the Ministry.

In most cases, private works included in this Section will be subject to the requirements under the Environmental Bill of Rights (EBR), which includes mandatory posting of the project proposal on the Environmental Registry for a minimum of forty-five (45) days prior to the issuance of the Environmental Compliance Approval. Ontario Regulation 681/94 under the EBR sets forth the types of ECAs that are classified as Class I or II proposals which require posting on the Environmental Registry. All private wastewater ECAs are subject to posting on the Environmental Registry unless they relate to a discharge point which is already subject to an ECA approval and the proposed ECA would not permit an increase in the discharge of any specific contaminant from the discharge point. In addition, as per section 30 of the

SCHEDULE A

SEWAGE WORKS ALLOWED UNDER THE TRANSFER OF REVIEW PROGRAM

EBR, a proposal may be exempt from EBR requirements if the proposal has been considered in a substantially equivalent process of public participation.

3. Works Not Allowed To Be Submitted

Under no circumstances are the following applications for Works identified in either Section 1 or 2 to be submitted under the TOR program:

- a. applications that are identified by the local Ministry District Office as being proposed within the zone of influence of a landfill area;
- b. applications for sanitary sewage works that provide any treatment of sanitary sewage;
- c. applications for Regional Stormwater Control Facilities or Regional Flood Control Facilities consisting of storm water management ponds that are designed to provide quality control or contain floods **greater than** the 100 year flood event;
- d. applications that are for airports or airparks;
- e. applications that are for pumping stations that service combined sewer systems;
- f. applications for projects that have received a Part II Order request, until the request has been decided;
- g. applications for projects that have undertaken an individual Environmental Assessment; and
- h. applications that are likely to trigger the Duty to Consult.

In addition, if the Municipality determines that the works listed in an application have been constructed or are being constructed before an Environmental Compliance Approval has been issued, the Municipality shall:

- i. immediately notify the local Ministry District Office; and
- ii. confirm with the Manager, Transfer of Review Program (Manager) that the application must be submitted directly to the Ministry for review. Once this confirmation is obtained, the municipality shall return the application and all associated documents and fees to the applicant and advise them that the application will not be reviewed under the TOR program. With written permission from the Manager, the municipality may be allowed to proceed with the review of the application.

4. 2020 Program Update: Proposed Consolidated Linear Infrastructure Approach

In view of the Ministry's plan to move to a consolidated permissions approach to linear infrastructure in the near future and subject to the written permission of the Manager, the municipality may be allowed in the interim to review additional works currently not listed in this schedule (including private works that may not be covered at the time of the application by an agreement pursuant to the Planning Act under section 1 of this Agreement).