Pursuant to Section 34.1 of the Ontario Water Resources Act, Revised Statutes of Ontario (R.S.O.) 1990 this Permit To Take Water is hereby issued to:

CITY OF HAMILTON

71 MAIN Street West
HAMILTON
ONTARIO
Canada
L8P4Y5

For the water taking from

Grindstone Creek

Located at:

Municipality: HAMILTON CITY

DEFINITIONS

For the purposes of this Permit, and the terms and conditions specified below, the following definitions apply:

a. "Director" means any person appointed in writing as a director pursuant to section 5 of the OWRA for the purposes of section 34.1 of the OWRA.

b. "Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the OWRA.

c. "Ministry" means the ministry of the government of Ontario responsible for the administration of the OWRA, currently named the Ministry of the Environment, Conservation and Parks.

d. "District Office" means the Hamilton District Office of the Ministry.

e. "Permit" or "PTTW" means this Permit to Take Water No. P-300-1716143259 including its Schedules, if any, issued in accordance with Section 34.1 of the OWRA, as may amended.

f. "Permit Holder" means CITY OF HAMILTON.

g. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O. 40.

TERMS AND CONDITIONS

You are hereby notified that this Permit is issued subject to the terms and conditions outlined below:
1. Compliance with Permit

1.1. Except where modified by this Permit, the water taking shall be in accordance with the application for this Permit To Take Water, attested to by Susan Girt, on January 28, 2022, and all Schedules included in this Permit.

1.2. The Permit Holder shall ensure that any person authorized by the Permit Holder to take water under this Permit is provided with a copy of this Permit and shall take all reasonable measures to ensure that any such person complies with the conditions of this Permit.

1.3. Any person authorized by the Permit Holder to take water under this Permit shall comply with the conditions of this Permit.

1.4. This Permit is not transferable to another person.

1.5. This Permit provides the Permit Holder with permission to take water in accordance with the conditions of this Permit, up to the date of the expiry of this Permit. This Permit does not constitute a legal right, vested or otherwise, to a water allocation, and the issuance of this Permit does not guarantee that, upon its expiry, it will be renewed.

1.6. The Permit Holder shall keep this Permit available at all times at or near the site of the taking, and shall produce this Permit immediately for inspection by a Provincial Officer upon his or her request.

1.7. The Permit Holder shall report any changes of address to the Director within thirty days of any such change. The Permit Holder shall report any change of ownership of the property for which this Permit is issued within thirty days of any such change. A change in ownership in the property shall cause this Permit to be cancelled.

2. General Conditions and Interpretation

2.1. Inspections
The Permit Holder must forthwith, upon presentation of credentials, permit a Provincial Officer to carry out any and all inspections authorized by the OWRA, the Environmental Protection Act, R.S.O. 1990, the Pesticides Act, R.S.O. 1990, or the Safe Drinking Water Act, S.O. 2002.

2.2. Other Approvals
The issuance of, and compliance with this Permit, does not:
(a) relieve the Permit Holder or any other person from any obligation to comply with any other applicable legal requirements, including the provisions of the Ontario Water Resources Act, and the Environmental Protection Act, and any regulations made thereunder; or
(b) limit in any way any authority of the Ministry, a Director, or a Provincial Officer, including the authority to require certain steps be taken or to require the Permit Holder to furnish any further information related to this Permit.

2.3. Information
The receipt of any information by the Ministry, the failure of the Ministry to take any action or require any person to take any action in relation to the information, or the failure of a Provincial Officer to prosecute any person in relation to the information, shall not be construed as:
(a) an approval, waiver or justification by the Ministry of any act or omission of any person that contravenes this Permit or other legal requirement; or
(b) acceptance by the Ministry of the information's completeness or accuracy.

2.4. Rights of Action
The issuance of, and compliance with this Permit shall not be construed as precluding or limiting any legal claims or rights of action that any person, including the Crown in right of Ontario or any agency thereof, has or may have against the Permit Holder, its officers, employees, agents, and contractors.

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

2.6. Conflicts
Where there is a conflict between a provision of any submitted document referred to in this Permit, including its
3. Water Takings Authorized by This Permit

3.1. Expiry
   This Permit expires on December 31, 2022. No water shall be taken under authority of this Permit after the expiry date.

3.2. Amounts of Taking Permitted
   The Permit Holder shall only take water from the source, during the periods and at the rates and amounts of taking specified in Table A. Water takings are authorized only for the purposes specified in Table A.

Table A (litres)

<table>
<thead>
<tr>
<th>Source Name / Description</th>
<th>Source Type</th>
<th>Purpose Category</th>
<th>Specific Purpose</th>
<th>Activity</th>
<th>Maximum Taken per minute</th>
<th>Maximum Number of Hours Taken per day</th>
<th>Maximum Volume per Day</th>
<th>Maximum Days in a Year</th>
<th>Zone / Easting / Northing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grindstone Creek (Chedoke Creek)</td>
<td>WaterCourse</td>
<td>Construction</td>
<td>Remediation</td>
<td>Dredging</td>
<td>1906</td>
<td>8</td>
<td>914750</td>
<td>80</td>
<td>17 / 589810 / 4791237</td>
</tr>
<tr>
<td>Total Taking</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

3.3. This Permit only allows for the taking of the water and does not approve directly or indirectly the discharge of any contaminant or contaminated discharge water into the natural environment, storm and/or sanitary sewer system. It is the Permit Holder’s responsibility to obtain approval from the owner of the sewer system they intend to discharge prior to the commencement of any water taking activities under this Permit.

4. Monitoring

4.1. The Permit Holder shall maintain a record of all water takings. The daily volume of water taken shall be measured by a flow meter or calculated in accordance with the method described in the application for this Permit, or as otherwise accepted by the Director. This record shall include the dates and times of water takings, the rates of pumping, and an estimated calculation of the total amounts of water pumped per day for each day that water is taken under the authorization of this Permit. A separate record shall be maintained for each source. The Permit Holder shall keep all required records up to date and available at or near the site of the taking and shall produce the records immediately for inspection by a Provincial Officer upon request. The Permit Holder, unless otherwise required by the Director, shall submit, on or before March 31st in every year, the records required by this condition to the Ministry’s Regulatory Self Reporting System.

4.2. The Permit Holder shall submit to the District Manager, at least 30 days prior to any water taking under this permit, a detailed plan completed by a qualified person designed to measure and address short-term impacts during dredging and for at least one month after (if weather permits) on downstream surface water. The plan shall include but is not limited to: monitoring locations; acceptable trigger levels above background upstream and downstream of the active dredging area for total suspended solids or turbidity; a contingency plan to address sediment levels above the determined trigger levels; and proposed measures to mitigate the potential for the discharge of effluent to the sanitary sewer during combined sewer overflow events in the system.

5. Impacts of the Water Taking

5.1. Notification
   The Permit Holder shall immediately notify the local District Office of any complaint arising from the taking of water authorized under this Permit and shall report any action which has been taken or is proposed with regard to such complaint. The Permit Holder shall immediately notify the local District Office if the taking of water is observed to have any significant impact on the surrounding waters. After hours, calls shall be directed to the Ministry’s Spills Action Centre at 1-800-268-6060.

5.2. Impacts for Water Situation Type
   For Surface-Water Takings
The taking of water (including the taking of water into storage and the subsequent or simultaneous withdrawal from storage) shall be carried out in such a manner that streamflow is not stopped and is not reduced to a rate that will cause interference with downstream uses of water or with the natural functions of the stream.

For Groundwater Takings
If the taking of water is observed to cause any negative impact to other water supplies obtained from any adequate sources that were in use prior to initial issuance of a Permit for this water taking, the Permit Holder shall take such action necessary to make available to those affected, a supply of water equivalent in quantity and quality to their normal takings, or shall compensate such persons for their reasonable costs of so doing, or shall reduce the rate and amount of taking to prevent or alleviate the observed negative impact. Pending permanent restoration of the affected supplies, the Permit Holder shall provide, to those affected, temporary water supplies adequate to meet their normal requirements, or shall compensate such persons for their reasonable costs of doing so.
If permanent interference is caused by the water taking, the Permit Holder shall restore the water supplies of those permanently affected.

5.3. This Permit only allows for the taking of water and does not approve directly or indirectly the discharge of any contaminant. The Permit Holder maybe required to shut down or modify their operations to stay within acceptable limits.

6. Director May Amend Permit
6.1. The Director may amend this Permit by letter requiring the Permit Holder to suspend or reduce the taking to an amount or threshold specified by the Director in the letter. The suspension or reduction in taking shall be effective immediately and may be revoked at any time upon notification by the Director. This condition does not affect your right to appeal the suspension or reduction in taking to the Environmental Review Tribunal under the Ontario Water Resources Act, Section 100 (4).

REASONS

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

1. Condition 1 is included to ensure that the conditions in this Permit are complied with and can be enforced.

2. Condition 2 is included to clarify the legal interpretation of aspects of this Permit.

3. Conditions 3 through 6 are included to protect the quality of the natural environment so as to safeguard the ecosystem and human health and foster efficient use and conservation of waters. These conditions allow for the beneficial use of waters while ensuring the fair sharing, conservation and sustainable use of the waters of Ontario. The conditions also specify the water takings that are authorized by this Permit and the scope of this Permit.
APPEAL PROVISIONS

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me and the Ontario Land 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, as amended, provides that the notice requiring the hearing ("the Notice") shall state:

1. The portions of the Permit or each term or condition in the Permit 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.

In addition to these legal requirements, the Notice should also include:

a. The name of the appellant;
b. The address of the appellant;
c. The permit to take water number;
d. The date of the permit to take water;
e. The name of the Director;
f. The municipality within which the works are located;

This Notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto ON
M5G 1E5
OLT.Registrar@ontario.ca

The Director, Section 34.1,
Ministry of the Environment, Conservation and Parks
5775 Yonge Street, 8th Floor
Toronto, ON
M2M 4J1
Fax: (416) 325-6347

* Further information on the Ontario Land Tribunal’s requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.gov.on.ca

Dated at Hamilton this 1st day of June, 2022

C: Susan Girt, CITY OF HAMILTON
This Schedule "A" forms part of Permit To Take Water P-300-1716143259 Version Number 1.0, dated $(Decision_Date_will_appear_here).