

Pursuant to Section 34 of the Ontario Water Resources Act, R.S.O. 1990 this Permit To Take Water is hereby issued to:

Findlay Creek Properties Ltd.
237 Somerset Street West
Ottawa, Ontario
K2P 0J3
Canada

1374537 Ontario Limited
237 Somerset Street West
Ottawa, Ontario
K2P 0J3
Canada

For the water taking from: Trench Sump
Findlay Creek Extension
North-South Swale and connecting ditches
Miscellaneous Poned Areas

| *Located at:* Lot 17, 18, 19 & 20, Concession IV, Geo. Twp. of Gloucester
Ottawa

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

DEFINITIONS

- (a) "Director" means any person appointed in writing as a Director pursuant to section 5 of the OWRA for the purposes of section 34, 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 Ontario Ministry of the Environment.
- (d) "District Office" means the Ottawa District Office.
- (e) "Permit" means this Permit to Take Water No. 8130-7HNPVW including its Schedules, if any, issued in accordance with Section 34 of the OWRA.

- (f) "Permit Holder" means Findlay Creek Properties Ltd.
[and 1374537 Ontario Limited.](#)
- (g) "OWRA " means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40, as amended.
- (h) "Month" means a calendar month.
- (i) ["Miscellaneous Poned Areas" means localized surface water located in any geographic area marked as a Future Stage in Figure MP-1 Revision 1 that has ponded in depressions, ditches that have been isolated and excavations other than trench excavations for servicing.](#)

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

TERMS AND CONDITIONS

1. Compliance with Permit

- 1.1 Except where modified by the Permit, the water taking shall be in accordance with the application for this Permit to Take Water, dated June 23, 2008 and signed by Pierre Dufresne, 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 Schedules, and the conditions of this Permit, the conditions in this Permit shall take precedence.

3. Water Takings Authorized by This Permit

3.1 Expiry

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

	Source Name / Description:	Source: Type:	Taking Specific Purpose:	Taking Major Category:	Max. Taken per Minute (litres):	Max. Num. of Hrs Taken per Day:	Max. Taken per Day (litres):	Max. Num. of Days Taken per Year:	Zone/ Easting/ Northing:
1	Trench Sump	Pond Dugout	Construction	Dewatering Construction	11,820	24	17,020,800	365	18 452680 5018400
2	Findlay Creek Diversion	Stream	Construction	Dewatering Construction	138,000	24	198,720,000	153	18 452680 5018400
3	North-South Swale	Stream	Construction	Dewatering Construction	5,556	24	8,000,000	153	18 452680 5018400
4	miscellaneous ponded areas	Pond Dugout	Construction	Dewatering Construction	5,556	24	8,000,000	365	18 452680 5018400
							Total Taking:	231,740,800	

3.3 Notwithstanding Table A above, the diversion and taking of water identified under Source 2 and Source 3 in Table A for the purpose of installing fish habitat compensation measures shall be conducted between July 01, 2009 and December 31th, 2010, or until such other date as set out by the Fisheries Act Authorization (File #5250-100) issued to the City of Ottawa by the Federal Department of Fisheries and Oceans pursuant to Section 35(2) of the Fisheries Act.

4. Monitoring

4.1 The Permit Holder shall maintain a record of all water takings. 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 including estimates of excess water diverted to the stormwater system from Findlay Creek or the North South swale. 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 his or her request.

- 4.2 The Permit Holder shall carry out the monitoring and reporting requirements as stipulated in the following conditions of the permit. Where the conditions of the Permit are not specific, the Permit Holder shall carry out the monitoring and reporting requirements of the document entitled Permit to Take Water Monitoring Program, [Revision 1](#); Future Stages of Findlay Creek Subdivision, Ottawa, Ontario; dated ~~April 7, 2009~~ [November 19, 2009](#) provided as Item #1 in Schedule "A" of this permit.

Conditions relating to takings from the Trench Sump

- 4.3 The Permit Holder shall maintain the existing ~~46~~[17 groundwater monitoring wells and 2 new](#) groundwater monitoring wells and associated data loggers in good operating condition for the duration of the permit. ~~These~~[The existing](#) monitoring wells are identified in Figure [MP-1, Revision 1](#) as: 97-2A, 97-2B, 03-1, 03-~~1R~~, [03-2](#), 03-3, 03-4, 03-5, 03-6, 03-7A, 03-7B, 03-8A, 03-8B, 03-9A, 03-9B, 03-10A, and 03-10B; [and the new wells as 09-11A and 09-11B.](#)
- 4.4 Should any of the above ~~46~~[19](#) groundwater monitoring wells and/or data loggers become inoperable and cannot be repaired, they shall be replaced in a manner that is approved by the Director.
- 4.5 Data from the ~~46~~ groundwater monitoring wells shall be collected and reviewed at the frequency specified below. The trigger elevations for each groundwater monitoring well are listed in Item 1 of Schedule A of the Permit. Monitors 03-1, [03-10A](#) and 03-10B shall be used for monitoring purposes only, and will have no corresponding trigger elevation.
- [Monitoring of new groundwater monitoring wells 09-11A and 09-11B shall initially be for purposes of obtaining baseline information, which will be used to establish their trigger elevations. The baseline monitoring will commence at least one year prior to water takings in the Southeastern Future Stage as shown on Figure MP-1, Revision 1. The Instrument Holder will submit, sufficiently in advance of the need to commence water takings in the Southeastern Future Stage, an assessment of the baseline data and proposed trigger elevations to the Director for approval. Conditions 4.5 \(b\), \(c\) and \(d\) do not include monitors 09-11A and 09-11B until the Director provides written notice to the Instrument Holder of the approved trigger elevations, at which time these conditions will apply.](#)
- a) During any month when no groundwater takings for construction occur from the trench sump, the Permit Holder shall collect and review the logged results of groundwater elevation monitoring from all ~~46~~ groundwater monitoring wells once a month.

- b) If the permit holder intends to take water from the trench sump for the first time during a month when no water was taken during the prior month, the Permit Holder shall collect and review the logged results of groundwater elevation monitoring from all ~~+6~~ groundwater monitoring wells prior to the taking of any water. If groundwater elevations are greater than 0.1 metres above the respective trigger elevations at the respective monitoring wells, the Permit Holder may commence taking water and shall continue to collect and review the logged results of groundwater elevations from all ~~+6~~ groundwater monitoring wells at a biweekly (every two weeks) frequency until either the Permit Holder does not take any water during a month, in which case the frequency shall return to that stipulated by a) above, or monitoring shall continue at a biweekly frequency only for those wells to which c) below does not apply, or until d) below applies.
- c) If monitoring data obtained under b) above indicates that the groundwater elevations are equal to or less than 0.1 metres above the respective trigger elevations at any one or more of the monitoring well(s), the Permit Holder shall collect and review the logged results of the groundwater elevation monitoring at a weekly frequency at those affected monitoring wells until either the groundwater elevations return to greater than 0.1 metres above the respective trigger elevations or until a) or d) apply.

The groundwater elevation data review shall include an assessment of the rate of groundwater level decline; if the rate of decline indicates that a trigger elevation may be reached in less than one week, the frequency of data collection and review in those monitors will be increased accordingly in order to minimize the potential length of time where the groundwater elevation in any monitor may be below its trigger elevation and may go undetected.

- d) If the monitoring data reviewed under either b) or c) above indicates that the groundwater levels have fallen below the trigger elevations at any monitoring well, groundwater takings as per Source 1 in Table A of Condition 3.2 shall cease, and the Director shall be notified in writing or by electronic mail within seven (7) days. Groundwater taking shall not resume until groundwater elevations at all monitoring wells are equal to or above the respective trigger elevations. Groundwater levels at all ~~+6~~ monitoring wells shall be collected two (2) days after any resumption of water taking to ensure the water levels have not fallen below their respective trigger elevations. If after two (2) days the water levels remain above the respective trigger elevations at all the respective monitoring wells, monitoring as per a), b) or c) above may resume.
- 4.6 Compiled results of the monitoring data from Condition 4.5 for the period January 1 to June 30, and for the period July 1 to December 31 respectively, shall be submitted to the Director in graphical format within one month following each of these periods for each year the permit is in effect.
- 4.7 Notwithstanding Condition 4.5 d), groundwater taking from an overburden trench excavation as per Source 1 in Table A of Condition 3.2, or surface water takings as per Sources 2, 3 and 4 in Table A of Condition 3.2 at the site may resume if it can be demonstrated to the satisfaction of the Director that groundwater level lowering is not as

a result of takings authorized by this permit and that continued taking will not interfere with groundwater level recovery. Methodology and considerations for investigating causes of groundwater level lowering are provided in the Permit to Take Water Monitoring Program, [Revision 1](#); Future Stages of Findlay Creek Subdivision, Ottawa, Ontario, dated ~~April 7, 2009~~ [Insert New Date](#) ~~November 19, 2009~~, provided as Item #1 in Schedule "A" of this permit.

- 4.8 Notwithstanding Conditions 4.5 and 4.7, in the event that the Monitoring Program required by this PTTW indicates that [ana potential](#) adverse impact is occurring or has occurred within the Leitrim Provincially Significant Wetland (PSW) or within Findlay Creek, as determined in comparison to the baseline conditions as established in the supporting information to the application for this permit, the Permit Holder shall submit a technical analysis of the cause(s) of such impact to the Director for review within seven (7) days of the discovery of the impact. The Director will review the submission and may consult with the Permit Holder -during the Director's review, which may involve other agencies or persons as decided by the Director. If the Director determines that water-taking by the Permit Holder is the cause of the adverse impact, the Permit Holder will identify appropriate mitigation measures to the satisfaction of the Director to be implemented in order to mitigate the adverse impact, which may include reducing or ceasing the taking of water.

For the purpose of this condition 4.8, "potential adverse impact" is defined as follows:

- a) Reductions in groundwater elevations below the trigger levels in any monitors located within the PSW that are sustained for a period of one month after Source 1 pumping ceases;
- b) Reductions in dissolved oxygen measurements pursuant to Condition 5.9 greater than 20%, sustained over a period of three sequential sampling events;
- c) Increases in TSS at SW-3 of greater than 20% over that at SW-2, measured pursuant to Condition 5.10, sustained over a period of three sequential sampling events, and greater than 20 mg/L.

Conditions Relating to the takings from the Findlay Creek Diversion

- 4.9 In order to complete the Findlay Creek Extension Phase 2 (FCE-P2) construction the Permit Holder shall ensure that all water in Findlay Creek at Location A (as shown on Map MP-1, [Revision 1](#), in Schedule A) up to 60 Litres/second (L/s) is diverted using a conveyance pipe and discharged downstream of the fish habitat compensation construction area at Location C on Findlay Creek (as shown on Map MP-1, [Revision 1](#), in Schedule A).
- 4.10 The Permit Holder shall estimate and keep daily records of the taking and diversion of water at Location A -in excess of 60 L/s to the stormwater sewer system.

- 4.11 The Permit Holder shall monitor water quality during the FCE-P2 construction period as detailed in Condition 5.6 to 5.14.

Conditions Relating to the takings from the North-South Swale

- 4.12 During construction of the North-South Swale and modifications to connecting drainage ditch systems the Permit Holder shall divert water from the swale and/or ponded areas in the swale and/or modified ditches to the stormwater sewer system.

Conditions Relating to the takings from the Miscellaneous Ponded Areas

- 4.13 The Permit Holder shall divert all water that is required to be dewatered in miscellaneous ponded areas resulting from construction activities to the stormwater sewer system.

Reporting

- 4.14 The Permit Holder shall prepare an annual report and submit copies to the MOE Ottawa District Office, Ministry of Natural Resources Kemptville District Office, South Nation Conservation Authority and the Department of Fisheries and Oceans Prescott Office within 60 days of the end of each calendar year. The report will, as a minimum, provide a summary of the water taking activities for each calendar year, report on all data obtained including a summary of water quality data, a summary of well monitoring ~~dated~~ data, a summary of vegetation data ~~and~~, an interpretation of the aforementioned information including comparison to historical data ~~and~~, any suggested modifications to the monitoring programs, and an assessment of the need for any mitigation measures for adverse impacts related to the water takings and a description of any such measures.

- 4.15 In addition to the annual report in Condition 4.14 the Permit Holder will produce a comprehensive and interpretative report, the first of which shall be submitted by May 1, 2010 (baseline report) with subsequent reports submitted by May 1, 2012 (3 year report) and May 1, 2015 (6 year report). Based on the results of the 6 year report ~~that, the~~ Director may ~~provide~~ by written notice to the ~~applicant requiring~~ Permit hHolder require the preparation of subsequent report(s). The ~~reports~~ Permit nstrument hHolder will make full use of all available data to determine whether any changes may be occurring to the Leitrim Wetland and/or Findlay Creek, and if so, whether any of the changes are as a result of the water taking activities associated with the Findlay Creek Village Development.

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 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 The Permit Holder shall ensure that the taking of water shall be carried out in such a manner as to prevent the disruption or removal of any fish, invertebrates, or bottom sediment from Findlay Creek, Findlay Creek Extension or the North-South Swale.

5.4 The Permit Holder shall ensure that the rate of discharge shall not exceed the initial rate of withdrawal. The discharged water shall be discharged to a stabilized area. All necessary measures including but not limited to headers to distribute the flow, and filtration devices, such as staked straw bales, shall be used to reduce velocity and eliminate erosion and turbidity during discharge.

5.5 The Permit Holder shall ensure that siltation control measures installed at the discharge site(s) are sufficient to control the volumes discharged. Reasonable care shall be taken to properly maintain the siltation control devices.

Conditions relating to takings for the Findlay Creek Diversion.

5.6 The Permit Holder shall establish the following four water quality sampling stations along Findlay Creek as designated in Figure MP-1, [Revision 1](#), of Schedule A. SW-1 is to be located upstream of the Albion Road culvert, SW-2 to be located just upstream of the interception point of flows in Findlay Creek (Location A), SW-3 is to be located just

downstream of the discharge location to Findlay Creek (Location C), SW-4 in the outlet channel from the stormwater management pond. An additional station, SW-5, will be established downstream in Findlay Creek from the stormwater pond outlet.

- 5.7 During the construction period of the Findlay Creek Extension Phase 2 (FCE-P2) component of the Findlay Creek Diversion and for a period of 2 weeks following the completion of the diversion and the FCE-P2 being brought on-line, the Permit Holder shall conduct water quality sampling at the five (5) locations referenced in Condition 5.6 and at a frequency as set out in Conditions 5.8 to 5.14.
- 5.8 The Permit Holder shall install a continuous temperature recording device using an in-stream probe at each of the five (5) locations described in Condition 5.6 one week prior to the commencement of the interception and diversion of water at Location A.
- 5.9 The Permit Holder will sample SW-1, SW-2 and SW-3 one week prior to the commencement of the interception and diversion of water at Location A for TSS and dissolved oxygen (DO). SW-1, SW-2 and SW-3 shall be sampled the day following the day that water interception starts, and thereafter every two days during the first week of interception for TSS and DO. During each sampling event the temperature recorders will be downloaded.
- 5.10 The Permit Holder shall compare the concentrations of TSS and DO and temperature taken at SW-3 to SW-2 after each sampling event. If concentrations of TSS at SW-3 are no greater than 20% above those found at SW-2 then the sampling frequency in Condition 5.9 can be reduced to weekly during the period specified in Condition 5.7.
- 5.11 If the TSS concentration at SW-3 exceeds the TSS concentration at SW-2 by more than twenty (20) per cent, then mitigation measures will be implemented and samples/measurements taken every two days by the Permit Holder until the concentrations of TSS at SW-3 are no greater than 20% of those found at SW-2.
- 5.12 Temperature at SW-3 shall not exceed the temperature at SW-2, or eighteen (18) degrees Celsius, whichever is higher. If warming occurs in the pipe such that temperatures at SW-3 exceed those at SW-2 then the Permit Holder will contact the Ministry of Natural Resources, Kemptville District, Water Resources Coordinator within twenty-four (24) hours to discuss potential mitigation measures.
- 5.13 During the time period where water is diverted around the FCE-P2 the Permit Holder shall sample SW-4 every two weeks for TSS and DO and SW-5 for temperature only. Temperature data will be downloaded at the time TSS and DO samples are collected.
- 5.14 Notwithstanding Condition 5.7 temperature and TSS monitoring will be continued at SW-4 and SW-5 during periods of groundwater discharge to the stormwater sewer and stormwater management pond. Temperature shall be monitored continuously during periods of discharge and TSS samples taken weekly during periods of discharge.

Leitrim Wetland Monitoring Program

- 5.15 The Permit Holder shall conduct aerial imagery of the Leitrim Wetland and vicinity commencing in September 2009 and thereafter in September or October of the years 2013 and 2018.
- 5.16 The aerial imagery in Condition 5.15 may be obtained from a dedicated photographic mission or from general surveys conducted in the area of the Findlay Creek development. Current and historical imagery will also be obtained to permit the assessment of historical change in the wetland and allow comparison to changes in the wetland area, size and extent of plant communities and principal drainage features throughout the life of the Permit.
- 5.17 The Permit Holder will conduct a fixed-point photographic survey of vegetation at fixed monitoring points along a transect line as depicted in Figure MP-2, [Revision 1](#) (Schedule A) on an annual basis during the height of the growing season using the same photographic protocols as the preliminary assessment of vegetation conditions in the Leitrim Wetland as described in Section 6 of the Updated Environmental Monitoring Report dated December 2005 (Item #4 in Schedule "A" of this permit).
- 5.18 The Permit Holder will ensure that the transect referred to in Condition 5.21 extends for a distance of approximately 450 metres into the wetland from the base of the berm at the northeast corner of the wetland in a south-west direction as shown in Figure MP-2, [Revision 1](#) (Schedule A). The transect will be 2 metres wide and compositional data will be collected from one metre on either side of the transect centre line.
- 5.19 The Permit Holder shall collect vegetation inventory data for each 10 metre segment of the transect.
- 5.20 The Permit Holder shall at approximately 100 metre intervals along the transect described in Conditions 5.17 and 5.18 establish a fixed plot sampling location that is 10 m X 10 m in a relatively homogeneous vegetation stand that represents a single plant community type or a homogeneous mosaic of community types. The corners of the plot will be georeferenced and marked with a permanent stake.
- 5.21 The Permit Holder shall within each plot established in Condition 5.20 conduct a full inventory of vascular plants. Once the composition of each plot is established, the Permit Holder will randomly place five, 1m X 1m plots within the 10m X 10m -plots. Within each 1m X 1m plot the cover representation of each species including mosses will be estimated as well as dead vegetation, water and bare substrate. Within each 1 m X 1m plot, the vegetation structure will also be identified including discernible strata, maximum height of those strata and general density of each stratum.

- 5.22 The Permit Holder shall conduct the first vegetation inventory and assessment in 2009 and every three years following; 2012, 2015 and 2018.
- 5.23 The Permit Holder shall establish a separate plot between fixed plot location V-3 and Monitor 03-9B as shown in Figure MP-2, [Revision 1](#), where moisture measurements will be taken in peat soils. This plot will be marked so that it remains in its natural state and is not compressed by being walked on.
- 5.24 The Permit Holder shall conduct measurements of peat moisture using a TDR (Time Domain Reflectometry) device (calibrated for peat) at depths of 12 and 20 cm below ground surface. The measurements will be taken on a monthly basis to coincide with site visits to download the groundwater monitoring data.
- [5.25 Additional Leitrim Wetland monitoring activities described in the Permit To Take Water Monitoring Program, Revision 1, dated November 19, 2009 shall also be undertaken and the information obtained from these activities shall be included in the assessments required to be conducted by Conditions 4.14 and 4.15.](#)

6. Director May Amend Permit

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).

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.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me, the Environmental Review Tribunal and the Environmental Commissioner, **Environmental Bill of Rights**, R.S.O. 1993, Chapter 28, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, as amended provides that the Notice requiring a hearing 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:

3. The name of the appellant;
4. The address of the appellant;
5. The Permit to Take Water number;
6. The date of the Permit to Take Water;
7. The name of the Director;
8. The municipality within which the works are located;

This notice must be served upon:

The Secretary
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto ON
M5G 1E5

AND

The Environmental Commissioner
1075 Bay Street
6th Floor, Suite 605
Toronto, Ontario M5S 2W5

AND

The Director, Section 34
Ministry of the Environment
1259 Gardiners Rd, PO Box 22032
Kingston, ON
K7P 3J6

Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal:

by telephone at (416) 314-4600
www.ert.gov.on.ca

by fax at (416) 314-4506

by e-mail at

*This instrument is subject to Section 38 of the **Environmental Bill of Rights** that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek to appeal for 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry, you can determine when the leave to appeal period ends.*

Peter Taylor
Director, Section 34
Ontario Water Resources Act, R.S.O. 1990

Schedule A

This Schedule "A" forms part of Permit To Take Water 8130-7HNPVW, dated April 27, 2009.

- | 1. Permit to Take Water Monitoring Program, [Revision 1, November 19, 2009 of the](#) Future Stages of Findlay Creek Subdivision, Ottawa, Ontario; April 7 2009 prepared by Golder Associates
- | 2. Figure MP-1, [Revision 1](#); Groundwater and Surface Water Monitoring Components
- | 3. Figure MP-2, [Revision 1](#); PSW Vegetation Monitoring Component
4. Section 6 of the 2005 Update to Environmental Management Plan, Leitrim External Storm System, prepared for the City of Ottawa by Golder Associates and CCL/IBI.

| ~~TOR LAW 72592961~~
~~TOR LAW 73048361~~

Formatted: zmpTrailerItem

Formatted: Default Paragraph Font