May 27, 2020

To: Applicant/Agent/Owner; Assessed owners of land within 120 m of the subject property; Consulted Agencies; Parties who requested Notice or are considered to have an interest in the Decision.

Re: NOTICE OF DECISION
Development Permit Application: G/R/2019-2020/9149

Attached is a Notice of Decision from the Niagara Escarpment Commission regarding an application for a Niagara Escarpment Development Permit.

You have the right to appeal this decision. If you have reason to appeal, you must submit a copy of an Appeal Form or a written letter, specifying your reasons for appeal, within 14 days of the date of this letter.

An Appeal Form can be downloaded from www.escarpment.org. If you submit a written letter of appeal, please include your name, address, daytime phone number, e-mail address and your fax number. The completed Appeal Form or the letter of appeal must be submitted via fax, email, courier or in person to this office (address and fax # above) or sent by email to necowensound@ontario.ca

Please note that the last day that appeals may be received is: June 10, 2020 (midnight).

The Commission’s decision is confirmed if no appeal is received within the 14 days.

If the Commission's decision is appealed, a Hearing Officer will be appointed by the Minister of Natural Resources and Forestry to conduct a Hearing. The Hearing Office may contact you for additional information regarding your appeal, and all parties will be notified by mail of the time and location of the Hearing. If you appealed, you are expected to attend the Hearing to present your reasons for appeal. If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.

If you have questions about this process or about the details of the Development Permit application, please contact me at 519-371-1014.

Yours truly,

Judy Rhodes-Munk
Senior Planner
NOTICE OF DECISION
OF THE NIAGARA ESCARPMENT COMMISSION
REGARDING
AN APPLICATION FOR A DEVELOPMENT PERMIT UNDER SECTION 25
OF THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT,
R.S.O. 1990, Chapter N.2

FILE NUMBER: G/R/2019-2020/9149

LOCATION: Part Lot GVLCP 94, Unit 9
Town of the Blue Mountains, County of Grey
ARN 424200000608311

PROPOSED DEVELOPMENT:
To demolish a two storey, ± 140 sq m (1,500 sq ft) single dwelling; to construct a
two storey plus walk-out, ± 468 sq m (5,040 sq ft) single dwelling, including covered
porch and covered portion of deck on north façade and potential 13.9 sq m (150 sq
ft) covered area on south deck, having a maximum height of ± 12 m (39.5 ft) and
construct a ± 11.7 sq m (126 sq ft) deck on the proposed dwelling; and construct
retaining walls to install a driveway on Unit 9 of Grey Vacant Land Condominium
Plan 94.

DECISION of the NIAGARA ESCARPMENT COMMISSION:
The application for a Development Permit, as described above, has been:
CONDITIONALLY APPROVED.
The Conditions of Approval are listed on the attached APPENDIX.

DATE: May 27, 2020 SIGNED: Kim Peters, MCIP/RPP, Manager (A)

THIS IS NOT A DEVELOPMENT PERMIT
DEVELOPMENT IS NOT TO COMMENCE UNTIL THE DEVELOPMENT PERMIT
HAS BEEN ISSUED
1. Development shall occur in accordance with the Site Plan, Development Permit Application and Conditions as approved.

2. The Development Permit shall expire three years from its date of issuance unless the development has been completed in accordance with the Development Permit.

3. The landowner shall advise the Niagara Escarpment Commission in writing of the start and the completion date of the development. This notice shall be provided to the NEC 48 hours prior to the commencement of development, and within 14 days upon completion.

4. No site alteration of the existing contours of the property including the placement or stockpiling of fill on the property is permitted with the exception of that identified within the development envelope in accordance with the approved Site Plan.

5. No vegetation shall be cut or removed from the development envelope except for that identified within the development envelope in accordance with the approved Site Plan.

6. All disturbed areas shall be re-vegetated and stabilized, in accordance with the approved Site Plan, by the end of the first growing season following the completion of site grading and building construction. All trees, shrubs and nursery stock shall be native to Ontario. Only in extenuating circumstances will non-native species be considered. Native plant material should be sourced from local plant nurseries when available; bush dug plant material is not acceptable.

7. All waste materials generated from the demolition shall be completely removed from the property (e.g., taken to an approved landfill site, savage/reclamation facility, re-used/recycled elsewhere) and not otherwise stored or buried on-site. All disturbed areas shall be immediately stabilized / rehabilitated as per the approved Site Plan (Condition # 1).

8. Prior to the commencement of any development, appropriate erosion/sediment control measures shall be implemented and maintained as shown on the approved Site Plan (Condition #1) until all disturbed areas are stabilized. The landowner shall confirm the installation of the erosion/sediment control measures through the submission of photographs to the Niagara Escarpment Commission. It is the responsibility of the landowner to implement, monitor and maintain all erosion/sedimentation control structures until vegetative cover has been successfully established. Any deficiencies shall be addressed immediately.
9. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, an accurate and detailed Final Grading/Drainage/Site Plan shall be submitted for Niagara Escarpment Commission approval. The Plan shall include but not be limited to the following:

   a) All drawings submitted must be drawn to scale (bar scale shown), reference the application number and address of the proposal, be dated (revisions as well) and denote the relevant consultant;
   
   b) An accurate delineation of the approved development envelope with temporary fencing;
   
   c) The accurate location and construction details of retaining walls and driveway;
   
   d) Extent of all disturbed areas;
   
   e) Erosion and sediment control measures;
   
   f) Measures to protect vegetation to be preserved;
   
   g) Areas of supplemental tree planting including quantities, species and size in accordance with Condition #10;
   
   h) Final building design to be consistent with the information and drawings provided with the application and any modifications required by the Niagara Escarpment Commission. This would include, but not be limited to height to the peak of roof, area/square meters, architectural treatment, lighting and fenestration.

The approved Final Site Plan shall form the Site Plan referred to in Condition #1 and development shall proceed in accordance with the details of the approved Final Site Plan.

10. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, a Final Landscape Plan shall be submitted for Niagara Escarpment Commission approval. This Plan shall include the final location of all buildings and facilities, shall identify the areas of vegetation/tree retention and the areas of new tree planting designed to buffer the visual impact of all new development, and shall indicate locations and types of exterior landscape lighting. The lighting design goal is minimal use of exterior lighting and use of lighting fixtures that are consistent with dark sky principles. The approved Final Landscape Plan shall form part of the Development Permit Application referred to in Condition #1 and development shall proceed in accordance with the details of the approved Final Site Plan.

11. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the Final Construction Details for the dwelling, including exterior elevations, exterior finishes, floor area, height above existing and proposed grades, and the number of stories shall be submitted for Niagara Escarpment Commission approval. The approved Details shall form part of the Development Permit referred to in Condition #1 and development shall proceed in accordance with the approved Final Construction Details.
12. This conditional approval expires one (1) year from the date of confirmation of the decision to approve the Development Permit application. Conditions # 9, 10, and 11 of this conditional approval shall be fulfilled before the expiry date.

Notes:

a) This Conditional Approval does not limit the need for or the requirements of any other applicable approval, licence or certificate under any statute (e.g., Ontario Building Code, Conservation Authorities Act, Endangered Species Act, etc.). The Niagara Escarpment Commission Development Permit is required prior to the issuance of any other applicable approval, licence or certificate.

b) The Niagara Escarpment Commission supports the protection of the night sky from excessive residential lighting and recommends that the applicant obtain information on shielding the night sky through the use and operation of appropriate lighting fixtures. This information is available at www.darksky.org.