June 1, 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: S/R/2019-2020/9179

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 15, 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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: S/R/2019-2020/9179
LOCATION: Part Lot 18, Concession 11
Clearview (formerly Nottawasaga), County of Simcoe
ARN 432901000904901

PROPOSED DEVELOPMENT:
To construct a one-storey ± 58.1 m2 (± 625 ft2) accessory building (garage) with a maximum height to peak of ± 6.71m (± 22 ft), a minor driveway extension, and the removal of 4 (four) trees, on an existing 3.91 ha (9.67 ac) lot supporting a one-storey ± 92.9 m2 (± 1,000 ft2) single-dwelling with an attached garage with private servicing.

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 29, 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. The accessory building shall be used for the purposes of a detached garage only and shall not be used for human habitation (i.e., living space), as a dwelling or apartment unit, or for commercial, institutional, home business, industrial or livestock purposes.

8. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, an accurate and detailed **Final Site Plan** shall be submitted Niagara Escarpment Commission approval. The approved Final Site Plan shall show the means to protect the retained vegetation and accurately show the setback from lot lines and from the top of slope. This plan shall form the Site Plan referred to in Condition # 1 and development shall proceed in accordance with the approved Final Site Plan.

9. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the **Final Construction Details** for the accessory building, including exterior elevations, 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.

10. This conditional approval expires one (1) year from the date of confirmation of the decision to approve the Development Permit application. Conditions # 8 and 9 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.
Site Plan of Highlighted Area of Map (D)

North

Existing bungalow with attached garage

Existing septic

Trails to be removed

Proposed detached garage

Proposed additional driveway

Existing driveway and turnaround

Existing Hydro pole

Existing well

Wooded area

17/18 Sideroad Northwasaga