August 4, 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: H/R/2019-2020/80
2158 Kilbride Street

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 completed 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 mailed or faxed to this office (address and fax # above) or sent by email to necgeorgetown@ontario.ca.

Please note that the last day that appeals may be received is: August 18, 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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 905-877-8538 or email at michael.baran@ontario.ca.

Yours truly,

Michael Baran
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: H/R/2019-2020/80
LOCATION: Part Lot 9, Concession 2
2158 Kilbride Street
City of Burlington, Region of Halton

PROPOSED DEVELOPMENT:
To construct a 1 storey (with partial walkout basement), ± 62 sq m (± 667 sq ft) addition
and a 13 sq m (± 140 sq ft) 2nd storey addition to an existing 2 storey single dwelling,
with a maximum height of ± 10.2 m (± 33.6 ft), a ± 29.8 sq m (± 321 sq ft) covered porch
addition, a ± 47.4 sq m (± 510 sq ft) screened-in porch addition, with renovations to the
interior of the existing dwelling, and a new private sewage disposal system, on an existing
0.14 ha (0.36 ac) lot.

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: August 4, 2020
SIGNED: ________________________
Kim Peters, RPP, MCIP
(A) Manager

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 except for 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 except those where approved under the Development Permit. Native plant material should be sourced from local plant nurseries when available; bush dug plant material is not acceptable.

7. Appropriate erosion/sediment controls and tree protection measures (e.g. heavy-duty silt fencing and tree hoarding) shall be installed around the development site, prior to commencing development. Photographs verifying the installation of the silt fencing shall be submitted to the Niagara Escarpment Commission prior to commencing construction. The controls shall be maintained until the works are completed and the site is stabilized.

8. **Prior to the issuance of a Development Permit**, final floor plans and elevations of the dwelling additions shall be submitted to the Niagara Escarpment Commission for approval. The plans shall include a schedule signed by the architect/designer confirming the gross floor area of each applicable building level and the maximum height of the building/structure, as defined by the Niagara Escarpment Commission.
9. **Prior to the issuance of a Development Permit**, a detailed Lighting Plan shall be submitted for the approval of the Niagara Escarpment Commission to demonstrate that all exterior lighting (modified/expanded dwelling, porches and amenity areas) shall be designed to be minimal, subdued, of low height and downward facing (soffit lighting on the upper level of the residence will not be accepted).

10. All waste materials generated from any demolitions shall be completely removed from the property (e.g., taken to an approved landfill site, salvage/reclamation facility, re-used/recycled elsewhere) and not otherwise stored or buried on-site.

11. Any tree removal or pruning of trees located adjacent to the dwelling and proposed dwelling expansions, and top of bank (subject to consultation with and permission from Conservation Halton), shall be undertaken by a qualified Arborist.

12. This conditional approval expires **one (1) year** from the date of confirmation of the decision to approve the Development Permit Application. Condition Nos. 8 and 9 of this conditional approval shall be fulfilled before the expiry date.

**Notes/Advisories:**

1. This Development Permit does not limit the need for or the requirements of any other approval, license or certificate under any statute (e.g., Conservation Authorities Act – permit per Ontario Regulation 162/06, Ontario Building Code – municipal building permit, grading and drainage clearance and Tree Permit, etc.). The Niagara Escarpment Development Permit is required prior to the issuance of any other applicable approval, licence or certificate.

2. The Regional Municipality of Halton advises that the lands exhibit the potential for discovery of archaeological resources and should deeply buried archaeological remains/resources be found on the property during construction activities, the Ministry of Heritage, Sport, Tourism & Culture Industries should be notified immediately. In the event that human remains are encountered during construction, the proponent should immediately notify the police or coroner, the Registrar of Cemeteries and the Ministry of Heritage, Sport, Tourism & Culture Industries.

3. The Regional Municipality of Halton requires the landowner to ensure that the well is protected during all phases on construction.

4. The Regional Municipality of Halton requires the landowner to contact the City of Burlington Building Department to ensure that the proposed septic system meets the current requirements of the Ontario Building Code.
Notes/Advisories, continued:

5. The Niagara Escarpment Commission supports the protection of the night sky from excessive residential lighting and recommends, in conjunction with Condition 9, that the applicant obtains information on shielding the night sky through the use and operation of appropriate lighting fixtures. This information is available at www.darksky.org
Map 2
Lot Configuration

File: H/R/2019-2020/080

Subject Property
- Roads
- Waterbodies
- Watercourse

Upper Tier Municipality

Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary

Scale 1:10,000

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This map is illustrative only. Do not rely on it as being a precise indicator of routes, location of features, nor as a guide to navigation. Base derived from various sources. Map compiled and produced by the Geographic Information Systems (GIS) Department of the Niagara Escarpment Commission, Ministry of Natural Resources.