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: G/R/2018-2019/9212

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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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 (289) 924-0272.

Yours truly,

Brandon Henderson
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/2018-2019/9212

LOCATION: Part Lot 25 & 26, Concession A
Municipality of Grey Highlands (Osprey), County of Grey
ARN 420814000708807

PROPOSED DEVELOPMENT:

To construct a two-storey single dwelling and an attached garage having a total floor area of ± 464.5 m² (± 5,000 ft²) with a maximum height-to-peak of ± 11 m (± 36.1 ft), a private sewage disposal system, a ± 90m (± 295.3 ft) driveway, and to implement a forest management plan on an existing 1.1 ha (2.74 ac) vacant 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: 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. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, an accurate and detailed Final 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 erosion and sediment control, tree protection, and limit of work fencing;
   c) The accurate location of all structures, sewage disposal system and driveway within the development envelope showing setbacks from the property lines, watercourse, top/bottom of slope, wooded areas, etc.;
   d) Extent of all disturbed areas;
   e) Extent and amount of fill removal or placement.
f) Grading and drainage design including the areas of excavation and temporary or permanent fill placement. The type, quantity, quality and source location of any imported fill material must be accurately identified. Any fill material approved for importation under this Permit shall conform to the definition of “inert fill” per Ontario Regulation 347 and Table 1 of the Soil, Groundwater and Sediment Standards for use per Part XV.1 of the Environmental Protection Act, dated March 9, 2004;

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.

8. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, the Final Construction Details for the single dwelling, 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.

9. The dwelling shall not contain more than one dwelling unit.

10. Prior to the commencement of any development, appropriate erosion and sediment control measures and tree protection fencing 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 fencing 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.

11. No removal of vegetation shall occur between April 1 and October 31, of any given year, unless a qualified ecologist undertakes a detailed nest searches within three days of site alteration to confirm the absence of nests/roosts. If active nests/roosts are confirmed, removal of trees/vegetation will need to be delayed until the nest/roost is no longer actively used. If development will occur between April 1 and October 31, of any given year, written confirmation shall be submitted to the Niagara Escarpment Commission by the qualified professional to confirm the absence of nests/roosts and the start date of site alteration.

12. This conditional approval expires one (1) year from the date of confirmation of the decision to approve the Development Permit application. Conditions #7 and 8 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.

c) Should deeply buried archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416-314-7143). In the event that human remains are encountered during construction, the proponent should immediately contact both the MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416-326-8392).

d) The County of Grey Official Plan identifies the property as within a Special Policy Area (karst features).