July 15, 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/2018-2019/9227

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: July 29, 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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/2018-2019/9227

LOCATION: Part Lot 24, Concession 13
174456 Lower Valley Rd
Municipality of Grey Highlands (Artemesia), County of Grey
ARN 420818000608713

PROPOSED DEVELOPMENT:

To construct a 2.5-storey, ± 233 m² (2,500 ft²) single dwelling with a maximum height-to-peak of ± 9.1 m (30 ft), a ± 56 m² (600 ft²) detached accessory building (garage) with a maximum height-to-peak of ± 6.1 m (20 ft), to install a private sewage treatment system, improve an existing driveway, and import ± 2,000 m³ (70,629 ft³) of fill, on a 3.3 ha (8.2 ac) existing vacant lot.

Note: The fill will be imported to support the sewage treatment system, and to raise the proposed single dwelling.

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: July 13, 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 prepared by a qualified professional shall be submitted to the Niagara Escarpment Commission for approval.

   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 (erosion and sediment control) and the extent of disturbed areas;

   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. Existing and proposed grades, drainage design, and the limit of fill importation.
The approved Final Site Plan shall form the Site Plan referred to in Condition # 1 and development shall proceed in accordance with 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 accessory building, including exterior elevations, floor area, height above existing and proposed grades, exterior cladding materials and colour, and the number of storeys 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. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, a **Final Landscape Plan** shall be prepared by a qualified person, for Niagara Escarpment Commission approval. The Plan shall address all planting, screening requirements associated with screening and mitigation as well as amenity areas and details. **Stipulations:**

   a) All new tree and shrub species shall be native to Ontario except where otherwise approved by the Niagara Escarpment Commission. Plant material shall be sourced from local plant nurseries; bush dug plant material is not acceptable.

   b) Planting and the rehabilitation of all disturbed areas shall be completed, by the end of the first growing season following the completion of site grading, servicing and building construction to the satisfaction of the Niagara Escarpment Commission.

   c) All plant material shall be guaranteed for 24 months following installation. All plant material found during this time to be dead or dying must be replaced with a size and species to the satisfaction of the Niagara Escarpment Commission.

   d) Subsequent to the completion of the works a letter certifying the work has been completed in accordance with the approved plan shall be provided to the Niagara Escarpment Commission by a qualified person.

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

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

11. 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 Heritage, Sport, Tourism, and Cultural Industries (MHTSCI) 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)