August 6, 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/2020-2021/42

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: August 20, 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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,

John Stuart, MCIP, RPP
Senior Strategic Advisor (a)
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/2020-2021/42

LOCATION: Part Lot 2, Concession 5
Municipality of Grey Highlands (Euphrasia), County of Grey
ARN 420839000406300

PROPOSED DEVELOPMENT:

To construct a 2-storey, ± 226.0 m² (± 2,435.0 ft²) accessory structure (garage & storage) with a maximum height to peak of ± 8.5 m (± 28.0 ft), a ± 53.5 m² (± 576.0 ft²) second storey deck, driveway alterations, tree removal, and site alteration on a 18.6 ha (46.0 ac) lot containing a 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: August 6, 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 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. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, an accurate and detailed Final Site Plan shall be submitted to the Niagara Escarpment Commission for 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, and be dated
   b) An accurate delineation of the approved development envelope with temporary fencing including sediment and erosion control fencing;
   c) Extent of all disturbed areas.
   d) Extent and amount of fill removal or placement; 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;
   e) Tree removals of individual trees with DBH (diameter at breast height) of ≥150mm.
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 applicant shall submit for the approval of the Niagara Escarpment Commission, **final construction details** for the accessory structure, including exterior elevations, floor area, exterior height above existing and proposed grades and the number of stories. Upon approval, these plans will be stamped “NEC Approved” and shall form part of the Development Permit referred to in Condition #1.

9. **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.

10. The recommendations outlined on page 3 of the Tree Assessment Report submitted by of Arboreal Tree Care Professionals as it relates to this development shall be carried out by the owner or agent thereof. Any tree removal must avoid the active woodland bird nesting/rearing season in accordance with the Federal Migratory Birds Act. No tree removal shall occur between May 1st and August 15th, inclusive, of any year the Development Permit is valid.

11. The accessory building shall be used for the purposes of a detached garage and general storage 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.

12. This conditional approval expires one (1) year from the date of confirmation of the decision to approve the Development Permit application. Conditions # 7, & 8 of this conditional approval shall be fulfilled before the expiry date.

**ADVISORY NOTES:**

a) This Development Permit 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
Escarpmelon 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 remains/resources be found on the property during construction activities, the Heritage Operations Unit of the Ontario Ministry of Tourism, Culture and Sport shall be notified immediately. In the event that human remains are encountered during construction, the owner shall immediately notify the police or coroner, the Registrar of Cemeteries of the Ministry of Small Business and Consumer Services, and the Ministry of Heritage, Sport, Tourism, and Culture Industries.
Lot: Frontage 301m / Depth 666m - 18.6 hectares
Setback 75m from edge of roadway / 60m from fence line
75m from north property line
5m wide driveway to be extended additional 33m, cut through short embankment off edge of grass
Tree clearing 10m wide leading to site / 10m around building envelope
Existing gradual slope to be maintained beyond footprint

Proposed 3-car Garage
8.5m x 14.6m - 123m²
28' x 48' - 1344 ft²

natural stone retaining walls
5m 35% grade north side
5m 17% grade south side

Existing Sonic

existing shed

spacious yard

Well

5m 20% grade to driveway

Scale 1: 36,978,595

DO NOT SCALE DRAWINGS. CHECK & VERIFY ALL DIMENSIONS.