August 6th, 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/T/2020-2021/58
Chisholm, Fleming and Associates

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 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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 905-877-6425.

Yours truly,

Kim Peters, RPP, MCIP
(A) Manager

Ontario’s Niagara Escarpment - A UNESCO World Biosphere Reserve
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/T/2020-2021/58
APPLICANT: Winnie Wong Chisholm, Fleming and Associates
AGENT: Same as applicant
OWNER: Region of Halton
LOCATION: Guelph Line ROW between Dundas St and No. 2 Sideroad
Part Lot 15-16, Concession 1-2 NDS
City of Burlington, Region of Halton

PROPOSED DEVELOPMENT:
To pave 1.5-metre wide granular shoulder with asphalt, install two new culverts, replace 12 existing culverts with upgraded diameter sizes, replace three existing culverts with downgraded diameter sizes, replace one culvert, regrade ditches, replace guiderail, curb and gutter along an existing section of Guelph Line (Dundas St. to No. 2 Side Road, in Burlington).
Note: Seven culverts will be replaced on existing driveway entrances and are exempt from requiring a Development Permit under section 5.4.4 of Ontario Regulation 828/90. Ditch clean-out will also occur, which is also exempt.

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 6th, 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 Region of Halton or its contractor shall advise the Niagara Escarpment Commission (NEC) in writing of the start and the completion date of the development. This notice shall be provided to the NEC forty-eight (48) hours prior to the commencement of development, and within fourteen (14) days upon completion.

4. No site alteration of the existing contours within the Guelph Line road allowance, including the placement or stockpiling of fill, is permitted with the exception of that identified on the approved Site Plan.

5. No vegetation shall be cut or removed from the road allowance except for that identified on 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 construction. All trees, seed mix, shrubs and nursery stock shall be native to Ontario. Native plant material should be sourced from local plant nurseries when available; bush dug plant material is not acceptable.

7. **Prior to the commencement of any development**, appropriate erosion/sediment control measures shall be implemented and maintained as shown on the approved Site Plan until all disturbed areas are stabilized. It is the responsibility of the Region of Halton and its contractor to implement, monitor and maintain all erosion/sedimentation control structures until vegetative cover has been successfully established. Any deficiencies shall be addressed immediately.

8. **Prior to commencing construction, a Tree Protection Plan** shall be prepared by a qualified person (e.g., arborist) and submitted to the Niagara Escarpment Commission. The Plan shall address the following:
   a) Protective fencing to be installed prior to commencing construction in locations recommended by the qualified person (e.g., arborist). A report and/or letter shall be provided to the Niagara Escarpment Commission confirming these protection measures are in place. Photographs verifying the installation of the fencing/hoarding shall be submitted to the Niagara Escarpment Commission prior to commencing construction.
b) Any vegetation noted for preservation and damaged from the construction process shall be reported and replaced; trees 150mm and over DBH (diameter breast height) shall be replaced on a per caliper basis. Replacement shall be to the satisfaction of the Niagara Escarpment Commission.

c) Subsequent to the completion of the works, including mitigation and management, a letter certifying the work has been completed in accordance with the approved plan shall be provided to the implementing authority by a qualified person.

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

9. In-water works shall not occur between November 1 and June 30, inclusive, of any given year.

10. In accordance with the Migratory Birds Act, any tree removal should not occur between March 31st and July 31st of any given year. Any trees to be removed during this period must be inspected by a qualified biologist to ensure that no active nests are present.

Notes/Advisories:

a) This Development Permit does not limit the need for or the requirements of any other approval, licence or certificate under any statute (e.g., *Conservation Authorities Act (permit), Endangered Species Act, Environmental Protection Act*, etc.).

b) The Regional Municipality of Halton advises: 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.
Chisholm, Fleming and Associates
consulting engineers

COFFERDAM DETAIL
SILTSOXX DETAIL
DEWATERING SCHEMATIC
CB SEDIMENT TRAP DETAIL
EXTENT OF DISTURBANCE
AREAS OF EROSION CONTROL
SEE DRAWING NOTES FOR CULVERT REMOVAL AND REPLACEMENT
OPTIONAL IF SUMPED WATER PRESENT
BACKFILL AREA
OPTIONAL IF SUMPED WATER PRESENT
FILTERBAG ALTERNATIVE DISCHARGE LOCATION
MINIMUM 30M FROM CHANNEL A
CUT AREA CULVERT PUMP DISCHARGE AREA
FLOW WITH ROCK SPLASH PAD
CUT AREA
EXTENT OF DISTURBANCE AREAS OF EROSION CONTROL
SEE DRAWING NOTES FOR CULVERT REMOVAL AND REPLACEMENT
RIGHT OF WAY TEMPORARY COFFER DAM
IN ACCORDANCE WITH ATTACHED PEA GRAVEL FILLED BAG BARRIERS STANDARD.
CONSTRUCTION GOVERNED BY OPS 577.
ALL WORK TO BE WITHIN THE REGION RIGHT OF WAY
DEWATERING PUMPING DIVERSION PUMPING PUMP (SEE OPSD 221.020) WITH 25mm FISH SCREEN AND ROCK SPLASH PAD
FLOW CULVERT REPLACEMENT DETAIL SIDE INLET CB SEDIMENT TRAP DETAIL