

Niagara Escarpment Commission

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Commission de l'escarpement du Niagara

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Niagara Escarpment Commission
An agency of the Government of Ontario

July 12, 2016

Boulter Estates Ltd.
c/o Mack Boulter
501365 Grey Rd 1
Warton, ON N0H 2T0

Dear Mack Boulter:

**Re: Development Permit Applications: G/R/2016-2017/9012 - 9033
Part Lot 5, Concession Jones Range
Township of Georgian Bluffs (Keppel), County of Grey**

The decision of the Niagara Escarpment Commission is confirmed, as no appeals were received during the 14 day appeal period.

Therefore, in accordance with the Commission's decision, a Development Permit may be issued when **Condition #'s 16, 17, 18, 20** of the Conditions of Approval are fulfilled (see attached).

These Condition(s) must be fulfilled by **July 12, 2018** or the approval will expire (see Condition # 16).

Please note that no development may begin prior to these Conditions being fulfilled and the Development Permit being issued.

Please contact me at 519-599-3439 or bev.nicolson@ontario.ca if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Bev Nicolson", written over a horizontal line.

Bev Nicolson
Planner

C Township of Georgian Bluffs
GSCA
Ron Davidson

APPENDIX

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CONDITIONS of APPROVAL (Subdivision Lots)

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1. Non-fulfillment or breach of any one of the conditions shall render the Development Permit void.
2. A site inspection(s) to the property may be undertaken by the Niagara Escarpment Commission to ensure that the development complies with the conditions of the Development Permit. Persons may accompany the Commission representatives on the site inspection(s) who possess expert or special knowledge related to the conditions of the Development Permit.
3. No municipal Building Permit or other license, certificate, permit or similar permission relating to development shall be issued or be considered to be in force unless the Development Permit is in effect.
4. The Development Permit shall expire three years from its date of issuance unless a valid municipal Building Permit is issued within the three years and the development has been completed.
5. Development shall take place only in accordance with the Site Plan and Development Permit Application as approved, and in accordance with the following conditions.
6. No grading or filling of the existing contours of the development area is permitted with the exception of that which is absolutely required for the construction of the dwelling, accessory structure, sewage disposal system and driveway and is consistent with the Final Site Plan and Vegetation Preservation Plan.
7. No trees other than dead or diseased trees shall be cut or removed from the lot with the exception of those absolutely necessary for the construction within the established building envelope as per the Final Site Plan and Vegetation Preservation Plan.
8. Screening, landscaping and rehabilitation shall commence by the end of the growing season after the development is completed. All trees, shrubs and nursery stock shall be native to Ontario.
9. The dwelling shall not contain an apartment unit, a second residential unit, or an accessory dwelling unit (e.g. an "in-law suite" or "granny flat").

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10. The accessory building shall not be used as a dwelling unit, for human habitation /accommodation, for commercial / industrial uses or for animal husbandry purposes.
11. **Prior to the commencement of development**, a Building Permit issued by the Township of Georgian Bluffs, which is in accordance with the Development Permit Application and Site Plan as approved by the Commission, shall be obtained and a copy filed with the Niagara Escarpment Commission.
12. **Prior to the commencement of development**, approval for a sewage disposal system, which location is in accordance with the Development Permit Application and Site Plan as approved by the Commission, shall be obtained from the Township of Georgian Bluffs. a copy filed with the Niagara Escarpment Commission.
13. **Prior to the commencement of development**, the requirements of the Township of Georgian Bluffs Operations Department shall be satisfied with regard to the driveway entrance, which is in accordance with the Development Permit Application and Site Plan as approved by the Commission.
14. **Prior to the commencement of development**, the applicant shall obtain a Permit under Ontario Regulation 151/06 from the Grey Sauble Conservation Authority in accordance with the *Conservation Authorities Act*, where deemed necessary by the GSCA. A copy of the Permit shall be filed with the Niagara Escarpment Commission.
15. **Prior to the commencement of development of any subdivision lot**, all permanent markers and fencing on the lots within the plan of subdivision including the 30 m (98.4 ft) setback from the 100 year flood level (Lots 1 – 11); the 15 m (49.2 ft) setback from the central watercourse (Lots 6, 7, 16 & 17); and, the boundary of vegetation community no. 6 (Lots 19 – 22) shall be installed to the satisfaction of the Niagara Escarpment Commission.

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16. **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 and vegetation preservation zones in accordance with the Master Vegetation Preservation Plan for G/T/2016-2017/9011;
 - c) The accurate location of the work zone and all structures, servicing, sewage disposal system and driveway within the development envelope showing setbacks from the property lines and watercourse if applicable , and vegetation protection fencing;
 - d) Surveyed location and inventory of vegetation to be preserved and protection /management measures;
 - e) Extent of all disturbed areas;
 - f) The accurate location of permanent fencing and the individual lot vegetation preservation zone permanent markers installed by the developer under G/T/2016-2017/9011;
 - g) Extent and amount of fill removal, relocation or placement. 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.
 - h) Erosion and sediment control measures.

The approved Final Site Plan shall form part of the Development Permit as per Condition #5 and development shall proceed in accordance with the details of the approved Final Site Plan.

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17. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, a Vegetation Preservation Plan** shall be prepared by a qualified expert, for the approval of the Niagara Escarpment Commission. The Plan shall address vegetation preservation requirements and shall include but not be limited to a detailed inventory, assessment, protection, mitigation and management measures in accordance with the final Master Vegetation Preservation Plan for G/T/2016-2017/9011 and standard practices of the Niagara Escarpment Commission. Stipulations:
- a) Identify that prior to the commencement of any development vegetation protection fencing shall be installed and inspected by the consulting expert and a letter and photographs confirming the same provided to the Niagara Escarpment Commission;
 - b) Identify that any vegetation noted for preservation and damaged from the construction process shall be reported and replaced, trees 150 mm DBH (diameter Breast Height) shall be replaced on a per caliper basis. Replacement shall be to the satisfaction of the Niagara Escarpment Commission;
 - c) Identify that 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 Niagara Escarpment Commission by the consulting expert.

The approved Vegetation Preservation Plan shall form part of the Development Permit as per Condition #5 and development shall proceed in accordance with the details of the Vegetation Preservation Plan.

18. **Prior to the issuance of a Development Permit from the Niagara Escarpment Commission**, all permanent fencing and individual lot vegetation preservation zone permanent markers shall be installed by the developer prior to the issuance of Development Permits G/R/2016-2017/9012 through 9033 (as per Condition #12 of G/T/2016-2017/9011).
19. **Prior to the commencement of any development**, all Erosion and Sediment Controls (ESC) and vegetation protection fencing shall be installed as per the Final Site Plan and Vegetation Preservation Plan. The installation of all protective measures shall be inspected by a qualified professional, and a letter including photographs confirming the same be filed with the Niagara Escarpment Commission. It is the responsibility of the permit holder to implement and maintain all protection measures. Any deficiencies shall be reported to the Niagara Escarpment Commission and addressed immediately.

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20. **Prior to the issuance of a Development Permit from the Niagara Escarpment Commission**, a copy of the draft subdivision agreement to be entered into with the Township of Georgian Bluffs shall be submitted for the approval of the Niagara Escarpment Commission to ensure all provisions of the Development Permit are incorporated into the agreement. A copy of the final subdivision agreement shall be filed with the Niagara Escarpment Commission.
21. **Prior to the commencement of development**, the subdivision shall be registered under the *Land Titles Act/Registry Act*. A copy of the registration shall be filed with the Niagara Escarpment Commission.
22. This conditional approval shall be void if a Development Permit is not issued within two (2) years of the date of the confirmation of the Development Permit Application decision.

Note:

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