

APPENDIX 1

Conditions of Approval

N/R/2022-2023/359

1. Development shall occur in accordance with the Terms and Conditions of the Development Permit.
2. The Development Permit shall expire three (3) years from the date it has been issued or once the development has been completed in accordance with the Development Permit.
3. No site alteration of the existing contours of the property including the placement or stockpiling of fill (i.e., excess or imported soil) on the property is permitted with the exception of that identified within the development envelope in accordance with the Final Site Plan.
4. No vegetation shall be cut or removed from the development envelope except for that identified within the development envelope in accordance with the Final Site Plan.
5. If development has commenced under this Development Permit, any/all disturbed areas of land or soil shall be re-vegetated and stabilized to the satisfaction of the Niagara Escarpment Commission on or before the date of expiry of the Development Permit.
6. **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 following stipulations shall be included directly on the Plan:
 - a) Location of all existing and proposed structures, sewage disposal system, well/cistern, driveway, construction access / haul routes, exterior lighting, etc. showing setbacks from the property lines, any watercourses or water features, top / bottom of slope, wooded areas, etc.;
 - b) The location of equipment and material storage on-site.
 - c) The location and design of erosion and sediment control measures (e.g., fencing, blankets, rip-rap, temporary mulch / seeding), and limit-of-work construction or eco-protection fencing;

Development shall proceed in accordance with the details of the approved Final Site Plan.

7. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the landowner shall submit for the approval of the Niagara Escarpment Commission, **Final Construction Details** for the proposed development, including exterior elevations, total floor area, floor plans, height to roof peak from lowest grade, and any exterior lighting. Development shall proceed in accordance with the details of the approved Final Construction Details.
8. **Prior to the commencement of any development**, erosion and sediment control measures (e.g., fencing, blankets, rip-rap), and/or vegetation protection fencing shall be implemented and maintained as shown on the **Final Site Plan** until all disturbed areas are stabilized. It is the responsibility of the landowner to implement, monitor and maintain all erosion and sedimentation control measures and vegetation protection fencing in good condition until vegetative cover has been successfully established and the development is completed.
9. All waste materials generated from the demolition shall be completely removed from the property and taken to an authorized receiving site (e.g., municipal landfill site, salvage / reclamation facility, re-used / recycled elsewhere) and not stored or buried on-site. All disturbed areas shall be immediately stabilized / rehabilitated as per the **Final Site Plan**.
10. All exterior lighting shall be designed to be minimal, subdued, of low height and downward facing. Soffit lighting on the second storey is not permitted.
11. Both the original single dwelling and newly constructed second dwelling shall contain only one dwelling unit each. Neither dwelling shall be used for short-term rental accommodation, commercial, industrial, institutional or livestock use.
12. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the Landowner shall enter into an Agreement under Section 24(2.1) of the *Niagara Escarpment Planning and Development Act*, in a form acceptable to the Niagara Escarpment Commission. The Agreement shall be registered on title of 1724 Pelham Street, Part Lot 1, Concession 6, Town of Pelham, Region of Niagara, at the Landowner's expense. The Agreement is to acknowledge that neither the original single dwelling nor second dwelling shall not be severed from the lot. The Landowner shall provide proof satisfactory to the Niagara Escarpment Commission that the agreement has been registered against the lands (i.e., copy of the parcel registry extract and a letter from the Landowner's solicitor that the registration is complete), and that the Landowner under this Development Permit is the Landowner of the lands at the time of registration.
13. Conditions 6, 7, and 12 must be fulfilled within eighteen (18) months (1.5 years) from the date of confirmation of the Commission's decision or this conditional approval shall lapse, and a Development Permit will not be issued.

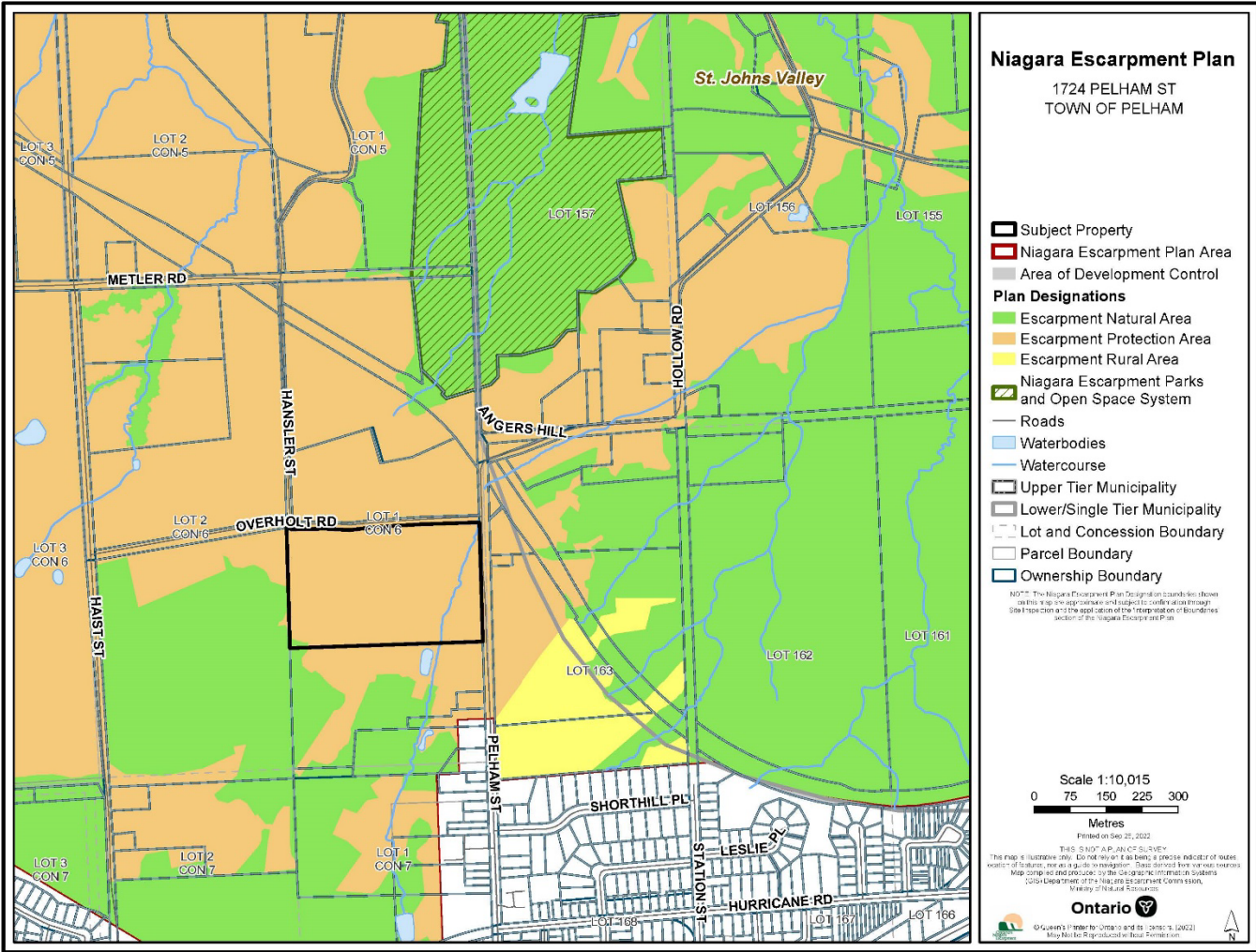
Advisory Notes

- a) A Development Permit does not relieve the permit holder of any other permission (e.g., Ontario Building Code, *Conservation Authorities Act*, *Endangered Species Act*, etc.). A Niagara Escarpment Commission Development Permit is required prior to the issuance of any other permission.
- b) The Niagara Escarpment Commission supports the protection of the night sky from excessive lighting and recommends the applicant obtain information on the use and operation of appropriate lighting fixtures in keeping with dark sky approaches.
- c) If previously undocumented archaeological resources are discovered, this may be an archaeological site, subject to Section 48(1) of the Ontario Heritage Act (OHA). Work altering the site must cease immediately and a licensed consultant archaeologist engaged to carry out an archaeological assessment to comply with Section 48(1) of the OHA. You may contact the Ministry of Citizenship and Multiculturalism (MCM) for guidance (at archaeology@ontario.ca).

The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (FBCSA) requires that any person discovering human remains must cease all activities immediately and notify the police, and if the coroner does not suspect foul play, they shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery about the burial site for its administration under the FBSA. If the human remains are associated with archaeological resources, as above the MCM should also be notified (at archaeology@ontario.ca) to ensure compliance with the OHA.

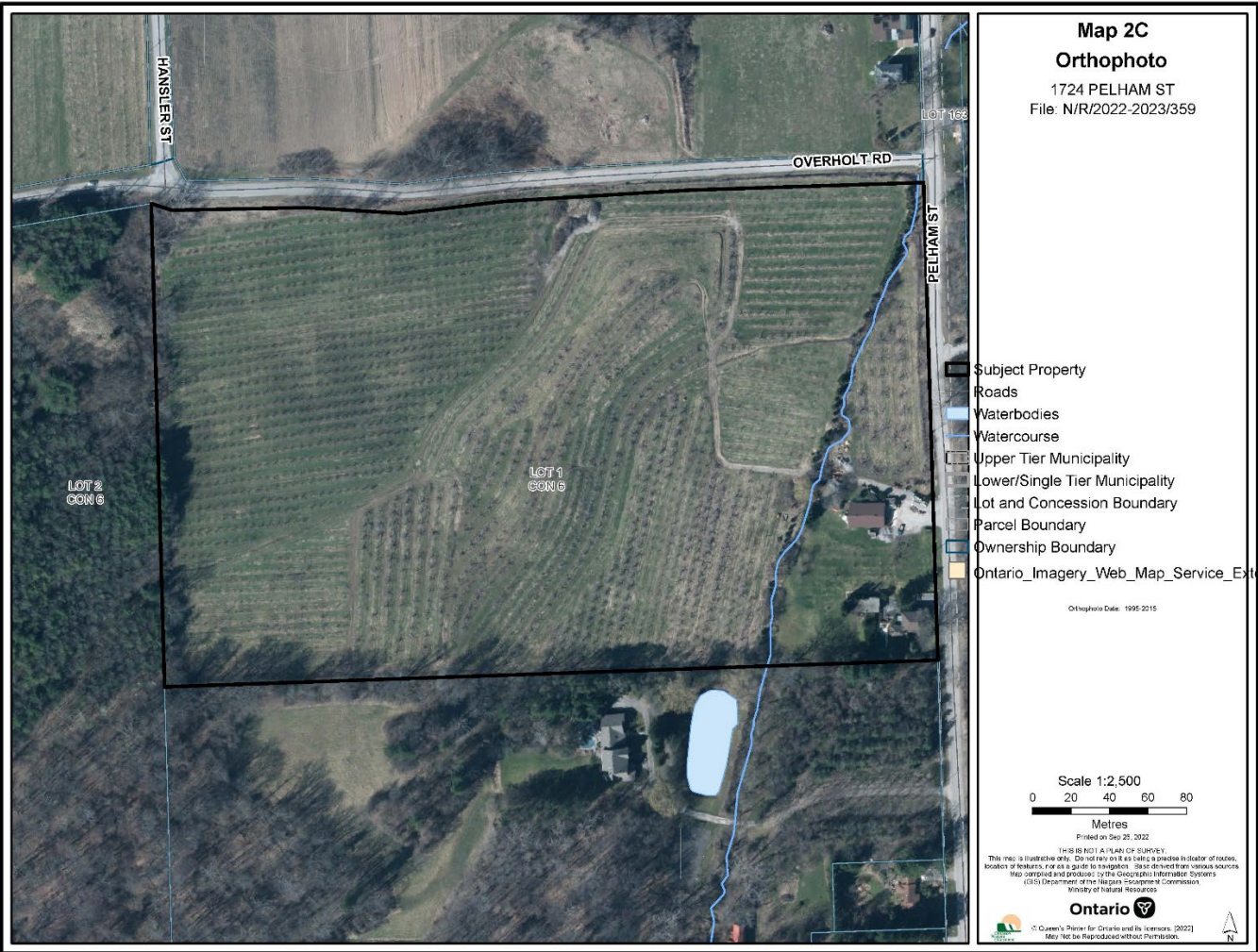
APPENDIX 2

NEP Land Use Designation Map



APPENDIX 3

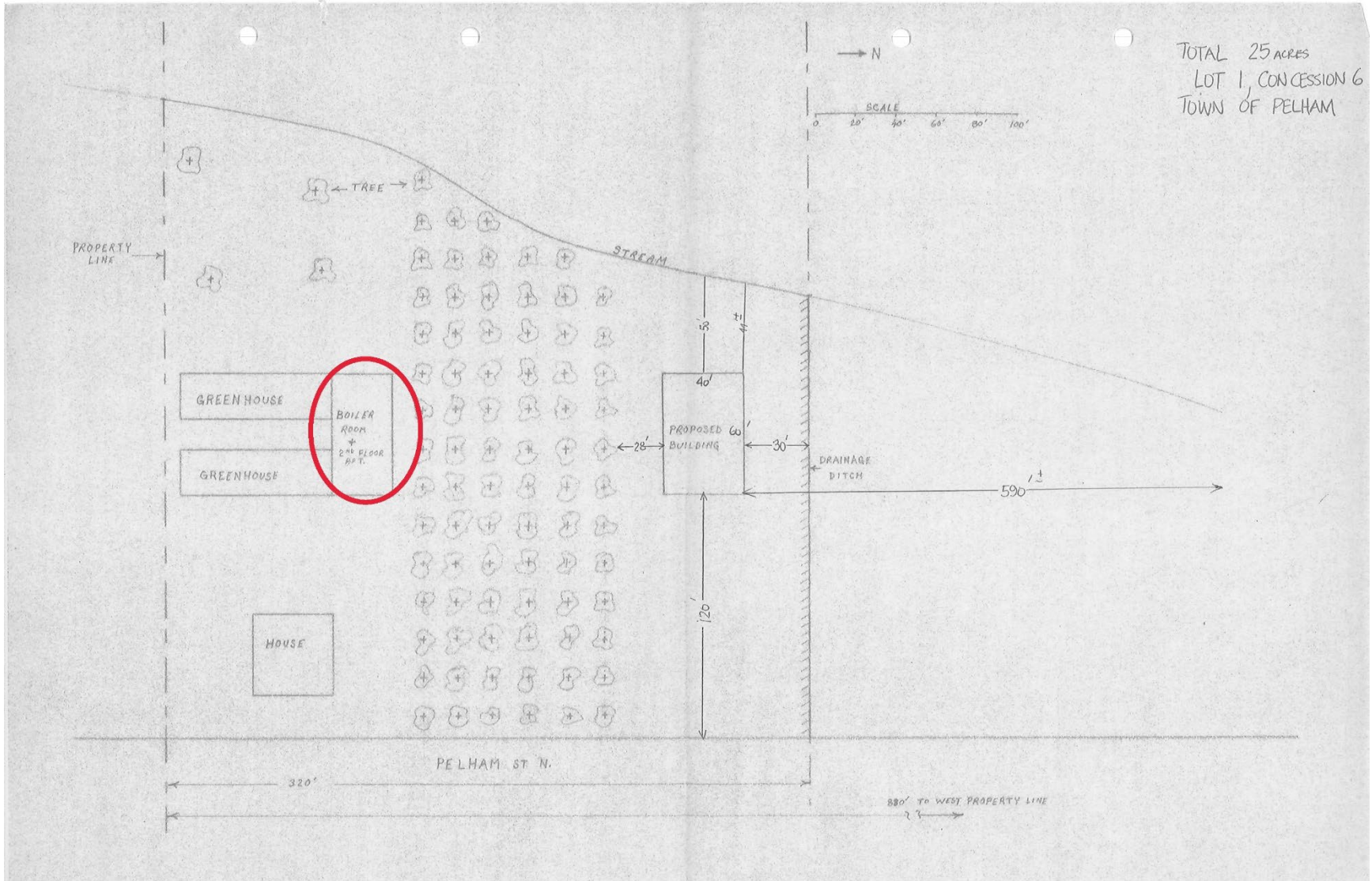
Ortho Map



APPENDIX 4

Site Plan and Building Plans

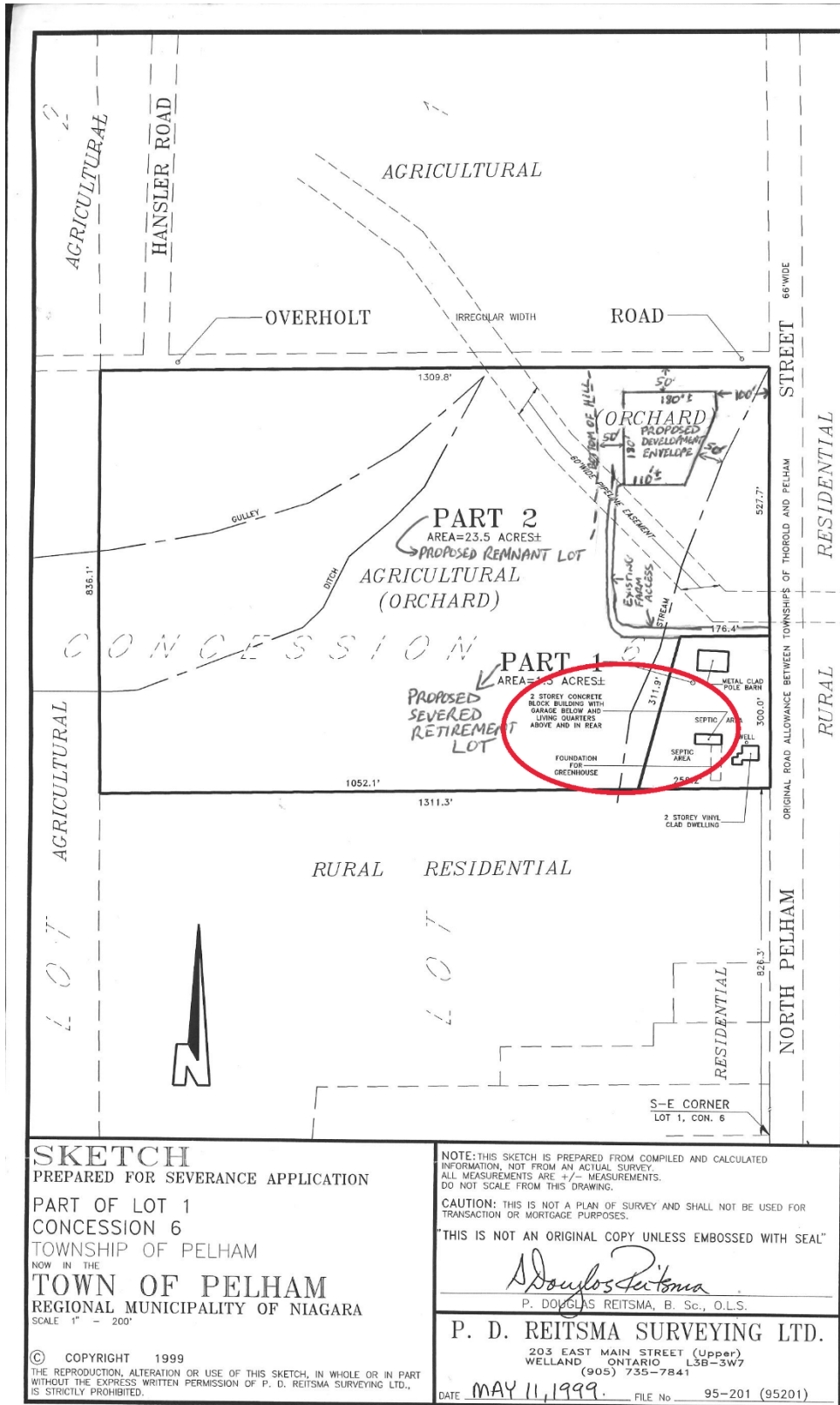
N/R/1981/217 Site Plan



APPENDIX 5

Historical Site Plans

N/R/1999-2000/099 Site Plan



APPENDIX 6

Pictures of Detached Building with Dwelling Units



