June 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: W/R/2019-2020/373
Ben van Hoeve

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](http://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: **June 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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 jim.avram@ontario.ca.

Yours truly,

Jim Avram, Senior Planner, RPP, MCIP

**ORIGINAL SIGNED BY**

Jim Avram, Senior Planner, RPP, MCIP
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: W/R/2019-2020/373
LOCATION: 50 George Street
(Form) City of Hamilton, City of Hamilton

PROPOSED DEVELOPMENT:
To recognize alterations undertaken to the exterior of a building increasing the height of
an existing 246 sq. m dwelling from 8.7 m to 10.5 m on a ± 0.3 ha residential lot.

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: June 15, 2020
SIGNED: ___ ORIGINAL SIGNED BY ___
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 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, the applicant shall submit for the approval of the Niagara Escarpment Commission, final construction details for the accessory building including exterior elevations, floor area, 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.

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

ADVISORY 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) The Halton Region Conservation Authority should be contacted to determine if any approvals/permissions are required from that agency.
Map2-Development Control
Lot Configuration
50 George Street
File: W/R/2019-2020/373

Subject Property
Niagara Escarpment Plan Area
Area of Development Control
Roads
Railway - Operational
Watercourse
Contour (5 metre intervals)
Upper Tier Municipality
Lower/Single Tier Municipality
Lot and Concession Boundary
Parcel Boundary
Ownership Boundary

Area of Development Control Drawn for Convienance Only. Refer to the appropriate Ontario Regulation for an accurate interpretaion of the Development Control Area.

THIS IS NOT A PLAN OF SURVEY.
This map is illustrative only. Do not rely on it as being an accurate indicator of routes, location of features, nor as a guide to navigation. Base derived from various sources.
Map compiled and produced by the Geographic Information Systems (GIS) Department of the Niagara Escarpment Commission, Ministry of Natural Resources

Ontario

Scale 1:10,000

Printed on Feb 18, 2020
Plan of part of Lot 23
Village of Waterdown Survey
Reg'd Plan N 42 M 10 in the
Township of Flamborough
Info from Survey by
A.T. McLaren Dated

Jan. 25, 1880

Existing Garbage

Existing 1 1/2 Storey Dwelling

2nd Floor Renovation

Exist. Drive Way

Plan 62 A 32 33 62 4 62 32

49.53'

45.06

49.11'

45.44

150.92'

139.83'

75

WNSHIP OF FLAMBOURGH
8. CONSTRUCTION DETAILS

PLEASE NOTE

Ground Floor Area: The total exterior measurements of any building, including attached garages and enclosed decks (as applicable).

Total Floor Area: Is based on the exterior measurements of the building and includes the total of the ground floor area (including attached garages, etc), plus walkout basements, plus full or half second storeys, etc.

Maximum Height: Is measured from the lowest grade (e.g. walkout side), to the peak of the roof.

Please provide a description of all existing and proposed development in the following fields:

<table>
<thead>
<tr>
<th>Use of Structure</th>
<th>Existing, Proposed, or to be Demolished</th>
<th>Ground Floor Area (footprint)</th>
<th>Total Floor Area (all storeys and walkouts)</th>
<th># of Storeys</th>
<th>Maximum Height (lowest grade to peak)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Residence + Garage</td>
<td>1720 s.f.</td>
<td>165.3 m² includes garage</td>
<td>2160 s.f. 200.7 m² not including garage</td>
<td>2</td>
<td>28 - 4</td>
</tr>
<tr>
<td>Proposed Reno</td>
<td>1500 s.f. 44.8 m² inclusive garage</td>
<td>2415 s.f. 226.4 m² inclusive garage</td>
<td>2</td>
<td>34 - 6</td>
<td></td>
</tr>
</tbody>
</table>

Renovation does not increase existing size

Amount of fill to be imported to facilitate the proposed development (if required):

9. ACCESSORY FACILITIES, STRUCTURES, FILLING, GRADING, UTILITIES, INFRASTRUCTURE etc.

(e.g: Driveways, Decks, Gazebos, Swimming Pools, Tennis Courts, Lighting, Signs, Wind Turbines, Solar Panels, Hydro Poles/Lines, Retaining Walls, Placement of Fill, Cutting and Filling, Grading, Berms, Parking Areas, Tree/Site Clearing, etc.) (See next page for Ponds)

Describe and provide information such as: dimensions, size, height, amount of fill etc.

N/A

10. HOME BUSINESS, CHANGE OF USE, NEW USE

(e.g): Establishing a Home Business, Home Occupation, Home Industry or Bed and Breakfast business.

Converting or changing use or establishing a new use on a property or within any dwelling building or structure on a property.

Describe the proposed business or new use and provide information such as:

Type of business or use, size or area of building &/or land to be occupied or altered by the use, construction or alteration details, number of employees, access, parking, storage details, sales, hours of operation, signage, etc.

N/A

Note: A separate, detailed, business overview or plan should be provided.