June 30, 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: B/R/2017-2018/9228

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: **July 14, 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 If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission’s decision is confirmed.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 john.stuart@ontario.ca

Yours truly,

John Stuart, RPP, MCIP
(A) Senior Strategic Advisor
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: B/R/2017-2018/9228
LOCATION: Part Lot 9, Concession 14 EBR
Municipality of Northern Bruce Peninsula (Eastnor), County of Bruce

PROPOSED DEVELOPMENT:
To undertake the following on a 0.26 ha (0.647 ac) existing lot; Part 1 & 2 of 3R728:
- construct a 2 storey, 132.4 m² (1423 sq ft) dwelling, having a maximum height of 7.7 m (26.25 ft);
- install roof-mounted solar collectors
- install a private sewage disposal system
- construct a 55 m² (592 sq ft) cantilevered deck
- construct a 1 storey, 44.6 m² (480 sq ft) accessory building (detached garage) having a maximum height of 6.1 m (20 ft)
- install above ground hydro from Georgian Drive to the northern boundary of Lot 8, Concession 14 EBR and then underground to service the proposed dwelling
- construct a private driveway 6.1 m (20 ft) wide by approximately 450 m (1476.4 ft) long from the terminus of Georgian Drive across a lot owned by Warren Stewart in which the applicant will purchase an interest and following what is described as an existing access road to the subject lot
- install a gated entrance near the frontage on Georgian Drive

DECISION of the NIAGARA ESCARPMENT COMMISSION:
The application for a Development Permit, as described above, has been REFUSED for the following reasons:

1. The proposal conflicts with the Purpose of the Niagara Escarpment Plan (2017).
2. The proposal conflicts with Objectives 1, 5 & 7 of the Niagara Escarpment Plan (2017).
3. The proposal conflicts with Objective 3 of the Escarpment Natural Area designation.
4. Insufficient information has been provided to properly assess Objective 2 of the Niagara Escarpment plan (2017)
5. Insufficient information has been provided to properly assess Objective 2 of the Escarpment natural Area designation.
6. The proposal conflicts with the County of Bruce Official plan.

7. Multiple objecting agencies.

8. The proposal conflicts with Part 2.6.5 of the PPS 2020. The proposal is opposed by the Ontario Heritage Trust and Chippewas of Nawash Unceded First Nation due to the high significance of the subject property and surrounding area in terms of Indigenous cultural heritage.

DATE: June 29, 2020

SIGNED: __________________________
Debbie Ramsay, MCIP/RPP, Director (A)
Map 1A
Niagara Escarpment Plan

File: B/R/2017-2018/9228
Part Lot 9, Concession 14 EBR

Plan Designations
- Escarpment Natural Area
- Escarpment Protection Area
- Escarpment Rural Area
- Escarpment Recreation Area
- Public Land (in Parks and Open Space System)
  - Roads
  - Waterbodies
  - Watercourse
  - Upper Tier Municipality
  - Lower/Single Tier Municipality
  - Lot and Concession Boundary

NOTE: The Niagara Escarpment Plan Regulation boundaries shown on the map do not preclude the subject to conservation through the inclusion and application of the terrestrial and Off-Site terrestrial conservation regulations of the Niagara Escarpment Plan.

Scale 1:50,000

Permit No. 2019
This is a plan of survey.
For legal purposes, please consult a surveyor.
This map is illustrative only and not to be used for legal purposes.
This map is copyright material of the Government of Ontario.
© Ontario 2019
Map: Ontario Planners, 2019
Lot 8 which abuts onto Georgian Drive where the driveway crosses and meets with municipally serviced road.

Subject Property
Parts 1 and 2
Total Lot Size: 0.81 Acres
Trees to be removed only to build and service the lot.
Decks around house

379.40 feet
12 ft. cliff

House

house/deck
20 Feet from boundary minimum on each side

Garage 10 feet from boundary

Garage

Septic

32'

Parking

94.01 Feet Frontage

Driveway for access

Municipal Road
Scenic Caves Road

MAP 3 A
SITE PLAN

Name:
File #: B/R/2017-008/9228
Subject Property

Driveway from Georgian Drive to the subject lot.

The driveway will follow the existing access road to the first property. No new severances are required.

Acreage owned by Warren Stewart

Georgian Drive. Seasonally maintained

Map data ©2015 Google 100 m Terms of Use Report