

## Appeal of Badlands parking lot dismissed

By Bill Rea

It looks like there's going to be a parking lot at the Cheltenham Badlands after all.

Two Niagara Escarpment Commission (NEC) hearing officers released their ruling of an appeal that had been launched to the proposal, dismissing it.

NEC had approved the development of a 1,670 square metre asphalt parking lot for the Olde Base Line Road site in May 2014.

The 26-page report from Hearing Officers Marlene Cashin and Heather Gibbs stated local resident Bonnie Ledson launched the appeal a month later.

The hearing took place in February.

The report identified the issues as being whether the proposed development would be permitted under the Niagara Escarpment Plan, whether it was in accordance with the development criteria of the Plan and whether it's in accordance with the policies for the Niagara Escarpment Parks and Open Space System (NEPOSS).

The report stated the property is regarded as an Escarpment Access park within NEPOSS. The Escarpment Plan requires that plans be prepared for such a park, but that has not yet been done for the Badlands. A Cheltenham Badlands Management Planning Team (CBMPT) was established about 10 years ago.

NEC Planner Michael Baran had testified that he attended some CBMPT meetings, adding the main objective of the team was to prepare a management plan. He also stated that the parking area could have been dealt with as part of the management plan exercise and would not have required a development permit. But there were also urgent road safety concerns, so the parking matter was addressed independently, with a working group set up to deal with it.

It was also clear, according to Baran, that roadside parking alone would not address the concerns, or be able to accommodate the crowds visiting the site.

The report said two issues discussed in the appeal dealt with safety of people parking and walking along Olde Base Line and preserving the Badlands' features from further erosion. The hearing officers agreed the parking lot was only going to address the safety issues, and they noted that Ledson and other participants in the hearing had argued the parking lot would make the erosion situation worse, since it would attract more visitors to the site. They also maintained the 33 cars that the lot would accommodate would not address the demand.

The hearing officers concluded the development permit application dealt just with the parking lot, and not erosion.

?The overall erosion problem is not dependent on whether roadside parking or a parking lot option is employed,? they wrote.

?Indeed, the overall erosion problem has manifested itself already without the presence of a parking lot.?

The report noted the location for the parking lot is in an escarpment protection area in the Escarpment Plan. There are 37 permitted uses in such a designation, including Bruce Trail access, accessory use and transportation facility.

The report concluded the parking lot is permitted as a Bruce Trail access, and that it complied with development criteria in the Escarpment Plan.

Addressing compliance with policies for a NEPOSS, the report noted the arguments that a parking lot will not solve all the problem of erosion. The hearing officers added CBMPT has the job of addressing the larger issue. They cited the fact the area has been fenced off, which was done independent of the parking lot proposal.

?The parking lot proposal is designed to address the safety issues presented by public parking on Olde Base Line Road,? the report stated.

It added the proposal does comply with requirements of NEPOSS, which include providing adequate public access and supporting tourism.

?We are disappointed,? Ledson commented a couple of days after the ruling was released. ?We gave it our best.?

She added she had been fighting to preserve land that NEC said should be preserved.

?There are other options that have not been considered,? she said, commenting the spot being eyed for the parking lot, at the east end of the site, is inappropriate.

?Don't put it there,? she said. ?Put it anywhere else. it's just a very dangerous place.?

The striking landscape of the Badlands, located on the south side of Olde Base Line Road, east of Creditview Road, is one of Ontario's geological treasures and one of the best examples of badland topography in the province. The exposed bedrock at the Badlands is Queenston shale, and this iron-rich material was deposited more than 445 million years ago.

Due to removal of vegetation during land clearing and livestock grazing in the early 1900s, the shale has eroded into a series of

hummocks and gullies, producing the distinctive landscape.

Today, the Badlands is recognized as a provincially significant Area of Natural and Scientific Interest (ANSI).