
NEWS NORFOLK & REGION

Hastings projects approved despite tribunal ruling

By Monte Sonnenberg, Simcoe Reformer
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A severe winter storm in the mid-1980s laid waste to much of Hastings Drive in Long Point. Property along Hastings Drive has been declared hazard land. MONTE SONNENBERG Simcoe Reformer

SIMCOE - Some on Norfolk council wonder if the Long Point Region Conservation Authority is setting some Long Point property owners up for disappointment.

Simcoe Coun. Peter Black blew the whistle Tuesday after reading the minutes of an LPRCA meeting that was held April 4. The minutes contained resolutions approving the construction of change houses on Hastings Drive in Long Point.

The LPRCA approved these minutes at its meeting May 2. This is more than two weeks after the Local Planning Appeal Tribunal – a new agency replacing the Ontario Municipal Board – ruled that all new development on Hastings Drive is forbidden.

Black expressed frustration with the LPRCA's actions. He said the board is putting property owners in a position where Norfolk bylaw officials will have to order them to dismantle any construction they have undertaken. Norfolk Mayor Charlie Luke agreed.

"I think it's fair for the LPRCA to say they approve it," Luke said. "But in the end you'll have to remove it. I think it's only fair that applicant know that."

Delhi Coun. Mike Columbus is chair of the LPRCA. He told council that – despite the LPAT ruling – authority members are free to vote th conscience. Prior to the LPAT ruling, the conservation authority had approved a number of change house applications for Hastings Drive that were entirely within the law.

"Each of the board members has a democratic right to vote how they feel," Columbus said. "There has been a precedent set."

Simcoe Coun. Doug Brunton is also a Norfolk appointee to the LPRCA. He said there was some confusion at the May 2 board meeting to the extent of the LPAT ruling.

Part of that confusion stems from the fact that no one in Ontario needs a building permit for structures with a floor area of less than 108 square feet. Applicants for change houses on Hastings Drive have been careful to keep their proposals below this threshold.

However, the appeals tribunal was clear in its ruling that it considers Hastings Drive a dangerous, hazard land area and that Norfolk should ensure that no one is engaged in activities there that might put lives at risk. LPAT specifically mentioned that all new construction in the hazard land zone is contrary to provincial policy and thus illegal.

Chris Baird, Norfolk's general manager of development and cultural services, said bylaw staff is prepared to issue stop work orders and demand the reversal of any new construction that takes place on Hastings.

"We're confident the decision made is black and white and has solved a grey area that has been there since 1985," Baird said.

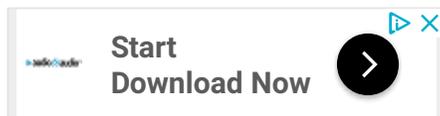
Hastings Drive was once a vibrant part of the Long Point resort community. However, a violent winter storm in 1985 damaged or destroyed dozens of cottages there.

The former Haldimand-Norfolk Region responded by imposing a hazard land designation on the affected area. The only legal properties were the few cottages that withstood the storm.

Some Hastings Drive property owners have argued in recent years that the hazard land designation was an over-reaction and that property owners should have the right to enjoy their land in some capacity. Norfolk council was in favour of allowing tent trailers and RVs in the affected zone but the LPAT ruling put the kibosh on that.

There are 24 cottages on Hastings Drive, 75 private lots and 47 lots owned by Norfolk County. Hastings Drive continues to be a maintained road with hydro service.

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