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NEWS NORFOLK & REGION

Homeowner wins lakeshore skirmish

By Monte Sonnenberg, Simcoe Reformer
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Norfolk council cleared the way Tuesday for the demolition of this home at 130 Brown St. in Port Dover and the construction of a larger, two-storey replacement.

PORT DOVER - A Port Dover homeowner won a skirmish this week in the ongoing battle for control of the Norfolk County shoreline.

Jacob Kolomaya, owner of a single-storey home at 130 Brown Street, wants to demolish the 45-year-old structure and replace it with a larger, two-storey residence.

Norfolk planning staff recommended against it, as did the Long Point Region Conservation Authority, because of the home's location on the Lake Erie shoreline and its subsequent rezoning in recent years as hazard land.

Kolomaya was represented at Tuesday's council meeting by his brother Nathan, a lawyer with the Simcoe firm Brimage Law Group.

Nathan Kolomaya told Norfolk council that the hazard land designation is overkill. He pointed out that the existing home is located on a bank 15 metres above the Lake Erie water line and has a shoreline fortified against erosion. If Lake Erie claims this house, Kolomaya said, that means all of Port Dover is in serious trouble.

"The question is, is the area really 'hazardous'?" Kolomaya asked. "We say it is not. A wave that high is a borderline tsunami. All of Port Dover then should be declared hazard land."

Kolomaya added that the LPRCA has sent conflicting signals regarding the property.

On the one hand, the authority is against the proposed redevelopment. On the other, the LPRCA said in a report that it could support a redevelopment along the same lines of what is there plus an extra 500 square feet.

Strong support in the neighbourhood coupled with no opposition also helped Kolomaya's cause.

"We are very glad to see action toward the continued development of the street," Alfred and Sherry Thodt of 122 Brown St. said in an email to county planners.

"Over a period of about 10 years there was a significant amount of development on Brown Street. In the last five years, that has been stalled. As a result, the street looks patchy and unfinished. It still remains peppered with undeveloped lots."

The Thodts attributed this loss of momentum to increasingly liberal applications of the hazard land designation to the Norfolk County shoreline.

"Allowing the street to remain only partially developed is a disservice to the area and neighbouring property owners," the Thodts said. "Once a property has adequate shoreline protection in place, the hazard land designation should be removed and development allowed."

As well, Brown Street homeowner Ed Hunter explained to council that pile-driving techniques are available that would make any home in the neighbourhood impervious to shoreline erosion. Several houses in the area rest on tall steel piles that are anchored several feet into the bedrock.

Norfolk council rezoned the section of Kolomaya's property fronting onto Brown Street with little discussion.

Leigh-Anne Bower, the LPRCA's planning technician and regulations officer, defended the hazard land designation at Tuesday's meeting. Bower declined to comment when asked if the LPRCA would appeal Tuesday's decision to the Ontario Municipal Board.

"These things are decided on a case-by-case basis," Bower said.

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