

Ashley Taylor

From: Miles Weekes <miles.weekes@ajclarke.com>
Sent: Thursday, May 20, 2021 10:25 AM
To: Ashley Taylor
Cc: Shannon VanDalen; Alisha Cull; Steve Fraser; Miranda Curley; Ryan Ferrari
Subject: RE: [EXTERNAL] RE: Wind turbines on Hoto Line - Mohawk Point wind farm

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Good morning Ashley,

Thanks for your e-mail below. I apologize for the delay in my response, as I was away from the office yesterday.

I do acknowledge that we did not specifically address item 3 (below). I felt it might require more clarification from the County to better understand the issue. Is this a typical rationale required for any zoning by-law amendment? If not, why is it being applied to this application?

Truthfully, I've never been asked to prove that someone may or may not illegally convert a property in the future as appropriate rationale for a legal amendment to an Official Plan or Zoning By-law.

Regardless, I've included some responses to item 3, below:

- The size of the property is irrelevant. The fact that most seasonal dwellings (assuming this is correct) are on small lots does not mean that you cannot have larger lots with seasonal dwellings. There is no policy to this effect that I'm aware of, and I don't think it is reasonable or accurate to suggest that somehow property size encourages seasonal versus year-round use. I would kindly request that you provide greater clarity on your rationale for this argument, as I do not see the relationship.
- Location on a lake is not an appropriate criteria to determine if a dwelling can be seasonal or year-round. Again, there is no policy to this effect that I am aware of. There are countless examples of cottages throughout the province without water frontage, and I believe a inland seasonal dwelling was recently approved (April, 2021) on Hummingbird Lane.
- Farming is inherently a seasonal use – so again, I'm not sure how this encourages year-round occupancy.

Ultimately, this application is for a seasonal dwelling and it is not intended for year round use. As with any other land use on any other property, this is an enforcement issue. If the proposed seasonal dwelling (or any other land use in the County) is illegally converted, it's incumbent on the municipality to enforce the approved By-laws.

I would appreciate the opportunity to discuss so I can better understand the relevance of this matter to the planning merits of the application. I'm largely available anytime today or tomorrow to discuss, if you can suggest some availabilities.

Thanks,
Miles

Miles Weekes [M.Pl.](#), MCIP, RPP
Planner
A. J. Clarke and Associates Ltd.

From: Ashley Taylor
Sent: May 19, 2021 2:30 PM
To: Miles Weekes
Cc: Shannon VanDalen ; Alisha Cull ; Steve Fraser ; Miranda Curley
Subject: RE: [EXTERNAL] RE: Wind turbines on Hoto Line - Mohawk Point wind farm

Good afternoon Miles,

Thank you for providing your planning addendum. I have critically reviewed it, and am continuing to process the amended application.

Prior to submission, I identified the following significant items that, in my opinion, needed to be addressed:

1. Agricultural / Resort Residential / Legal Non-Conforming Use policies – Our Official Plan specifically bounds existing resort residential nodes, where further cottage development can be contemplated and permitted. The subject property is not within an existing resort residential node, is designated 'Agriculture' and farmed, and is located on a private road where year round and seasonal living use is not permitted. Our Official Plan specifically prohibits these types of situations – new year round use on a private road and by virtue of the agricultural policies seasonal use on a private road outside of a resort residential node. A planning argument for Provincial and County policy conformity is needed.
2. Further use (whether year round or seasonal use) on the private road. Planning Staff have setup a meeting with Emergency Services next Tuesday. Given the original proposal was for year-round use, we did not examine options for further seasonal use. I will circle back on the outcome of the discussion.
3. The subject property presents as a farm. In Haldimand, most seasonal, cottage properties are relatively small. Due to the size of the subject property, its location (not on the lake), and that it can be farmed, how do you propose this property be used seasonally (in the warmer months May – October) without encouraging eventual, illegal year-round use (whether by current owners or future owners) due to its size and characteristics?

Through review of your planning addendum, it is my opinion that you have addressed items 1 and 2 above. However, in my opinion, no comments on item 3 were provided in the planning addendum. Do you have any comments on this item? If you could provide a response as soon as possible, that would be appreciated to continue the application forward.

Thank you,



Ashley Taylor
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From: Miles Weekes [<mailto:miles.weekes@ajclarke.com>]
Sent: Friday, May 7, 2021 4:09 PM
To: Ashley Taylor <ataylor@haldimandcounty.on.ca>
Cc: Shannon VanDalen <svandalen@haldimandcounty.on.ca>; Alisha Cull <acull@haldimandcounty.on.ca>; Steve Fraser <steve.fraser@ajclarke.com>; Al Gee <agee@haldimandcounty.on.ca>; Miranda Curley [REDACTED]
Subject: RE: [EXTERNAL] RE: Wind turbines on Hoto Line - Mohawk Point wind farm

Good afternoon Ashley,