

Hearing starts into appeal of Badlands parking lot

By Bill Rea

Two hearing officers are currently listening to evidence regarding the appeal of the Niagara Escarpment Commission (NEC) approval of a parking lot near the Cheltenham Badlands.

NEC approved the development permit, and that was appealed by local resident Bonnie Ledson, although other parties have since been added.

The hearing opened at the Caledon Council Chambers Monday with numerous procedural issues. They included discussion as to whether the hearing premature. Work is being done on creating a master plan for the Badlands, and there were arguments parking arrangements should be part of that.

Lawyer Sunny Zhai, representing NEC, said her only witness would be Planner Michael Baran, who wrote the staff report that recommended the development permit be issued.

Lawyer Ron Webb, representing Ledson, said he would be calling two witnesses, adding the contention will be it would be better to permit parking through an approved master plan, and it would be appropriate to issue such a permit through such a master plan process.

Webb observed the Badlands attract many visitors, including those who use them to access the Bruce Trail. There are worries that putting a 33-car lot off Olde Base Line Road will create traffic concerns.

Webb observed the property was bought by the Province in 1999, and is now owned by the Ontario Heritage Trust (OHT), and managed by the Bruce Trail Conservancy (BTC).

He added they will contend the parking lot is not permitted by the Niagara Escarpment Plan unless the Plan is amended and the management plan is developed and approved. He also said they will argue it's not permitted under Caledon's Official Plan either.

William MacLarkey, representing OHT and BTC, said the appellants have come up with a list of 23 issues. "It was a full-frontal attack on everything about the NEC approval," he said.

He added the Niagara Escarpment Plan provides for a permit process that was applied in this case. He added the plan contemplates that a proponent can apply for a development permit.

"That's what happened in this case," he said.

MacLarkey also contended there will be no evidence that undermines the technical investigations that NEC relied on.

Robert Maciver, representing Peel Region, said the Region is a party to the hearing because Olde Base Line is a Regional road, and traffic safety is an issue.

Local resident Theresa Nadeau told the hearing she had a problem with the process being used, commenting the residents should have been involved in it.

"We are willing to work with all of the proper officials," she said.

Local resident Irene Reimanis-Aziz read an eight-page statement which opened with a quote from the NEC staff report that said it was "noteworthy" that the Commission received no public inquiries during the review of the application.

"It is 'noteworthy' because the general public was not aware of the application, and was never involved in consultation, planning or discussion related to the Cheltenham Badlands since the property passed from private ownership in a sale to the Province of Ontario, for the people of Ontario," she responded.

The hearing is scheduled to continue for the rest of this week.