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Halton Place hearing adjourned after news of three-party deal

By Lisa Tallyn, staff writer

A planned lengthy hearing in Milton, focusing on Halton Place's appeal of the Niagara Escarpment Commission's (NEC) refusal to grant a development permit, was adjourned on its first day (yesterday)— to be rescheduled likely early next year.

Seven days had been set aside for the hearing dealing with an appeal by Timur Leckebusch, owner of Halton Place, of the NEC decision not to grant a permit that would allow an unlimited number of horse shows with charity fundraisers and social gatherings, and permit horse owners, riders and trainers to stay in their own trailers overnight at Halton Place.

The adjournment came after news of a settlement between three parties to the hearing— Halton Region, Town of Halton Hills and Halton Place. The Niagara Escarpment Commission and neighbour Michael Shantz are the other parties to the hearing, other neighbours are named as participants, including Jack Pemberton. Jeff Wilker, lawyer representing the Town and Halton Region, outlined some details of the settlement to the hearing officer.

He said instead of the unlimited number of horse shows sought by Halton Place, it has now agreed to six regular events and two minor events during the equestrian season May 1-Oct. 31.

Wilker said a regular equestrian event is defined to have a maximum of 600 horses over the entirety of the event. He said there's an agreement between the Town, Region and Halton Place that if there's a specific signature event with a potential for more horses Halton Place could apply to the Town and Region to permit that.

Minor events are described as 300 horses maximum.

Under the agreement, overnight accommodation is prohibited on the property, social gatherings and charity events can only be held there if they're specifically related to the horseshow, and all those accessory uses must occur under the time of the show. The agreement also addresses noise, site plan and building permits and servicing issues.

"There was a great deal of back and forth with respect to the restrictions, and the restrictions represent a compromise," said Wilker. He said it narrows the scope of the hearing.

“The settlement was filed for the purpose of disclosure to the parties and in order to assist everybody in organizing the hearing,” said Wilker after the hearing adjourned.

“There’s still a requirement for a hearing.”

“The Town and Region have agreed the limited proposal is acceptable to the Town and Region subject to stringent conditions. This is a package deal. All those building code matters have to be dealt with, all the site plan matters have to be dealt with, all the controls have to be adhered to,” said Wilker.

Jane Thompson, lawyer for the NEC, said the NEC wasn’t consulted on the settlement and that it will be reviewed by NEC staff, who will then report to the NEC with a recommendation as to how to treat the settlement.

She said the NEC could reject it, support it or propose modifications.

“The game has changed a bit,” said Thompson.

Thompson said they would attempt to report to the NEC on the issue at its November meeting, any follow-up with the NEC wouldn’t be until it’s next meeting in January, so they would look for future hearing dates after that meeting.

“It caught me off guard,” said Halton Place neighbour and participant in the hearing Pemberton. “I didn’t know there was a settlement. I knew there were discussions.”

Pemberton said Halton Place is appealing the NEC decision and, “we the neighbours are supporting the Niagara Escarpment Commission.”

“We don’t agree with everything. We need better definition of some of the phrases (in the agreement),” said Pemberton.

The parties to the hearing are to take part in a conference call Dec. 5 to nail down the issues for the hearing and set hearing dates.