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HCA eyes expropriation to restore trail access

Alternate route 'unsuitable'

By Mac Christie
FLAMBOROUGH REVIEW STAFF

The Hamilton Conservation Authority is attempting to expropriate a piece of property from a Greenville homeowner to re-establish a trail connecting Webster's and Tews Falls.

The HCA plans to expropriate a 36-square-metre swath of land owned by Luc Lalonde and his partner Moyez Ladhani. Lalonde said the pair is very disappointed the HCA chose to take the path of expropriation.

"It's a shame that they've decided to take this route," he said of the HCA. "It seems like they want to accommodate the Toronto tourists, instead of the residents.

"Conservation has basically chosen to solve its problems at the expense of taxpayers."

Lalonde noted the two sides have tried to come to alternative solution, which involved ceding the HCA land on a different part of their property to build a trail.

"We offered them land that would basically solve the problem at no cost to the conservation authority," he said. "We of-

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A L L A B O A R D



John Overmeyer • Special

Dr. Stephen Longridge of Clappison Animal Hospital and Vet Clinic moonlights as the ticket master at the spooky train station during Westfield Heritage Village's Haunted Halloween program last weekend. For more photos please see page 26.

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Greenville citizens' group planning peaceful protest at this week's HCA meeting

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ferred them an alternative route through our property that would protect our family and our security and offer more control over the people visiting.

"That was rejected." HCA deputy chief administrative officer Scott Peck said the expropriation route was taken as a "last resort."

"We've been working with the landowners to see if there are ways we could deal with the issue to reopen the trail," he said, noting he wouldn't get into specifics about the negotiations. "At the end of the day, there were no suitable options, so our board of directors directed

us to proceed with the expropriation."

Peck stressed the expropriation process must be approved by the Ministry of Natural Resources and Forestry.

"At this point, our lawyers and the landowners' lawyers are meeting to see if there's a way to find a solution," he said.

Peck said the alternative trail route proposed by the landowners was deemed unsuitable.

The section of property subject to expropriation was previously the location of a long-standing trail between the two waterfalls. However, in September 2016, the landowners closed the trail due to safety concerns.

"We've had break-ins – you name it, we've

had it," Lalonde said, noting the couple, who purchased the property in 2010, has three eight-year-old children. In one instance, he added, someone broke into their home and had to be removed by police.

Lalonde noted the number of visitors crossing the trail, effectively in the home's front yard, has skyrocketed from 40,000 people crossing the trail in 2010 to 200,000 in 2016.

While prior to 2016 the trail had been allowed through a handshake agreement with the Bruce Trail Conservancy, Lalonde said the landowners came to an agreement with the Bruce Trail in May 2016 on a 20-year lease, with the provision that the HCA assure the security of their property and home, as well as provide the homeowners with protection from liability.

Lalonde received official notice of the expropriation on Oct. 20, but noted HCA chief administrative officer Lisa Burnside informed him two months ago that the conservation authority was planning to expropriate their land.

He said the support of the community in light of the expropriation news has been amazing.

"It's really brought the community together," Lalonde said.

Peck acknowledged that while there are people who are upset about the expropriation, the conservation authority has received support for the move.

"We are getting emails and phone calls from people that are quite supportive of the proposal," he said.

Ward 14 councillor Robert Pasuta, who also chairs the HCA board, said he has heard many concerns from residents since the expropriation was announced. Pasuta said he hopes the landowners and the HCA can come to an agreement and avoid the expropriation process.

"Maybe there's an alternative to expropriating the land – that's what I'm hoping," he said, noting the lawyers for both sides are in talks this week. "I'd like for them to figure something out without going through the (expropriation) process."

Pasuta added the board is slated to receive an in camera update on the process and talks this week at Thursday's meeting.

A group of Greenville residents, known as Preserve and Protect Webster's and Tews Falls Greenville, is planning a peaceful protest at the meeting.

According to the expropriation notice, a landowner who desires an inquiry into "whether the taking of such land is fair, sound and reasonably necessary" must notify the Ministry of Natural Resources and Forestry within 30 days of receiving notice.

Lalonde said the couple has retained a lawyer they plan to request the inquiry.

He said if the expropriation goes forward, they're back to square one, with the same safety issues they have experienced in the past.

"It's taken its toll on our family," he said of the process. "I'd hate for anyone else to have to go through this."

"This is a community issue and a big issue."

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