

Ministry withholding report on Mono water-skiing dispute

By Jasen Obermeyer

Mono Council is still waiting on a decision on its legal dispute with Caledon orthodontist Cliff Singer and his family over proposed not-for profit weekend water-skiing competitions, a dispute that to date has cost Mono taxpayers over \$250,000.

'It's just unfortunate that it's just taken so long because the hearing should have been a short time frame, it was long and drawn out, it was very complicated,' says Mono Mayor Laura Ryan.

Originally containing only two grounds of objection (possible noise and a need for a special event permit) Mono's list has grown to 43, including use of a porta-potty, electricity, a shipping container for storage and a tent.

Dealing with the Niagara Escarpment Hearing Office (NEHO) has led to legal costs accumulating to \$251,871, including consulting fees for noise, engineering and agricultural witnesses costing \$57,366.

And that may not be the total cost.

In a memo to Town Council Tuesday (July 25), Treasurer Les Halucha advised, 'Under the practices and procedures of the NEHO, costs against parties cannot be pursued until after a decision has been rendered.'

The case was heard by the NEHO in September 2016, over a three-week period, in addition to 10 pre-hearing conferences. The NEHO forwarded the report to the Ministry of Natural Resources and Forests (MNRF) at the end of May, with no decision having been made yet.

Back in 2009, the Singers purchased the 200-acre decommissioned gravel pit on Airport Road, just north of Highway 9, in Mono. The property includes a 34-acre lake, which Mr. Singer has told the Citizen was initially for the use of his daughter Chantal, a water-skiing medalist, to practice.

Mayor Ryan says when the dispute originally started, the 'proposal wasn't complete' and the Town didn't approve because 'we couldn't see any clear path that was being set out with conditions.'

Having already hosted several competitions in previous years, Mr. Singer initially wanted to have the lake used as a site for the Pan-Am Games, and sought approval from the Niagara Escarpment Commission (NEC) in June 2014. After a process that lasted 18 months and included nine environmental impact studies and an \$18,000 noise study, the NEC issued Mr. Singer a development permit allowing up to four water skiing events (still not-for profit competitions) on their property, but only for a three-year period. The MNRF and Toronto Region Conservation Authority (TRCA) also approved the permit.

Although the Singer family had been hosting the competitions on the lake before, it wasn't until the application was approved that some residents expressed concern to Mono council, who then appealed the permit to the NEHO last January.

'Why would one neighbor take precedent over another?' wonders Mr. Singer.

He explained he only uses one boat, for one person at a time to ski. The boat has one ultra-low-emission, four-star-rated, inboard engine that is a self-contained system.

Despite attempts by Mr. Singer to achieve a compromise by lowering the number of events to two a year, as well as the number of people, no agreement was reached. In a previous interview with the Citizen, Mr. Singer described it as a 'temporary gathering of approximately 20 people.' He invited Council out to his property to see it, observe the water-skiing and witness the sound, but all but one of the five members declined.

Mr. Singer says he has wanted to give back to the community with the lake, and share it with others, as his daughter has worked with disabled people. 'Give some disabled, and some disadvantaged kids in town a chance to try a sport they never have.'

He says the money wasted in this case could have gone to better use, adding he feels he's been treated 'very badly' and has 'lost another summer' for the lake 'or any public good.'

- With files from Tom Claridge