



A view from Grey Road 7 over part of the former Talisman properties, with ski hills in the background. FILES

Grey Highlands and Westway Capital to close Talisman land deal this month

GREG COWAN

Grey Highlands and Westway Capital are set to close their hotly contested \$2.5 million deal for the municipally owned former Talisman Resort lands near Kimberley later this month.

A motion to advance the closing date for the sale of the municipal lands at the former resort property to May 25 was carried at Tuesday's council meeting.

The two parties entered the closing period of the deal on Feb. 2, 2022, when a bylaw finalizing the agreement of purchase and sale was passed. Originally, the closing date was set 180 days following the

waiving of all conditions and the passing of the bylaw.

"Westway Capital is anxious to close this sale as soon as possible to start public engagement with the community," said Grey Highlands CAO Karen Govan in a media release. "We are excited to see the positive economic and community impacts Westway Capital will bring to Grey Highlands."

In the agreement of purchase and sale, Westway Capital agreed to pay \$1 million for a 59-acre parcel of land overlooking the former ski hill called "Upper Talisman" and \$1.5 million for the resort's former golf course referred to as Lower Talisman.

The third parcel of land at the resort property known as the Talisman Springs Inn includes the former resort buildings and is owned by Brian Ellis and partners of the numbered company 2420124 Ontario Limited. The municipality and Ellis entered a joint-venture agreement in 2020 to market the lands to prospective buyers.

Westway Capital waived a condition in the agreement of purchase and sale with the municipality stating a deal between Westway and the numbered company needed to be reached before closing on the parcels owned by the municipality.

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Groups oppose development plans for property

TALISMAN FROM A1

Attempts to reach Ellis Wednesday were unsuccessful.

The GTA-based group of investors have said they intend to create a "world-class development and recreational area" at the property. In a media release distributed following the confirmation of the sale in February, Westway said it had assembled a team of "best in class" award-winning consultants, technical experts, accredited financial partners and builders with decades of experience in "complex land development projects including recreation and resort projects".

Paul Mondell, who has worked as a vice-president with Skyline Investments, the resort company with Blue Mountain Village in its portfolio, has worked as a consultant with the group.

A community group called The Protecting Talisman Lands Association filed a notice of application in the Ontario Superior Court of Justice in Owen Sound on Nov. 1, 2021, seeking to "quash" the municipality's decisions regarding the sale of the land. According to court documents, the Protecting Talisman association alleged Grey Highlands ignored its own policies in respect of the sale and disposition of the land, attempted to retroactively correct significant procedural defects in its process at the expense of public accountability and transparency, failed to obtain an appraisal of the land, and had better offers on the table than the one accepted from Westway Capital.

This March, a Superior Court of Justice in Owen Sound ruled in

favour of Grey Highlands and dismissed the motion brought forward by the Protecting Talisman group stating that given the layers of supervision on the property it was confident that the public interest and concern relating to the property can be dealt with in other forums.

At that time, Westway Capital had until July 10, 2022, to close the sale and take possession of the land.

"The municipality has not done what we elected them to do, which is to preserve the escarpment and the environment," said Kate Lazier, speaking on behalf of the Protecting Talisman group Wednesday. "The municipality has not acted on behalf of its citizens who clearly have lots of opposing views and challenges to what they've been doing for at least a year now. At every step of the way they've had an opportunity the change course or compromise."

Lazier said the group was considering its options in pursuing additional legal challenges.

The sale of the municipally owned former Talisman Resort lands to Westway has also been opposed by the Escarpment Biosphere Conservancy - who made its own formal offer on the municipally-owned parcels - another community group called the Friends of the Beaver Valley, and the Niagara Escarpment Foundation (NEF).

Rob Leverty, the president of the NEF, released a statement Tuesday titled "Grey Highlands council betrays public trust in closing deal to sell Talisman lands: Beaver Valley's Niagara Escarpment is under grave development risk."

"The sale of the public lands at Talisman to maximize development and profits constitutes an unprecedented rupture of the historic tradition of private-public partnerships faithfully supporting the Niagara Escarpment Plan in the Beaver Valley. There has been a half-century legacy of environmental protection for the Escarpment in the Beaver Valley," Laverly said.

The NEF called the Grey Highlands council's decision an "outrage" and pledged to continue to work with community groups to protect the Beaver Valley's natural environment.

The Talisman lands are subject to the control of the Niagara Escarpment Commission pursuant to the Niagara Escarpment Planning and Development Act.

Grey Highlands said in its release the Westway Capital group will need to ensure that future activities at the property adhere to legislation and receive approvals from the Grey Sauble Conservation Authority, the Niagara Escarpment Commission, and comply with county and municipal official plans and zoning bylaws.

Westway Capital has teamed with The Planning Partnership to assist with upcoming land-use planning and public consultation for the project.

Grey Highlands previously hired The Planning Partnership to undertake a Beaver Valley Corridor Visioning exercise soliciting public feedback on a community vision for the Beaver Valley Corridor - a 40-kilometre stretch in Grey Highlands extending from Hogg's Falls in the

south to north of Epping including the former Talisman Resort lands.

The Talisman Resort opened in 1963 and operated as a ski hill, golf course and vacation spot until ceasing operations in 2009. The municipality took over the property in 2013 after it developed over \$2 million in tax arrears and sat abandoned and deteriorating.

At that point, the municipality severed the Upper Talisman portion and sold the rest to Brian Ellis and partners' numbered compa-

ny. The municipality once again took possession of the former golf course lands when the numbered company ran into financial trouble.

High taxes and expensive water bills stalled the numbered company's efforts to redevelop the resort property.

"We are excited about the prospects of this land and have continued to work in the best interests of all residents in Grey Highlands," said Grey Highlands Mayor Paul McQueen in a release.

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