

OMB hearing on motorsport park rezoning adjourned to Sept. 22

By NICK GARDINER
Staff Writer

MAYNARD — An Ontario Municipal Board hearing over a proposed zoning bylaw for Augusta Motorsport Park was postponed Wednesday until September.

OMB chairman Jason Chee-Hing granted an adjournment Wednesday morning at the Augusta Township municipal hall based on a request made when the hearing opened Tuesday by lawyer Luc Barrick, representing the park owner, Onne Van Hoek.

Barrick argued more time was needed to respond to expert reports about noise levels, environmental impact and planning issues submitted on behalf of township resident Paul Kerr.

Kerr lives on Dixon Road near the park and is appealing the township's proposed bylaw to bring the twice-annual mud drag races into compliance with zoning regulations. The event has been held more than 10 years on the site without appropriate zoning and Kerr was once a participant and volunteer.

Barrick said the chairman's decision to grant the adjournment was a clear victory for his client, Van Hoek.

"Definitely, on several points," Barrick told The Recorder and Times after the meeting.

He said the delay will allow Van Hoek to have his own reports prepared by experts while the chairman

also ruled against a request from lawyer Neville Johnston to award \$6,500 to his client Kerr for the inconvenience of the delay.

Barrick, speaking for his client, said Kerr wrongly claims the event is a money-making venture. Van Hoek has paid out at least \$100,000 of his own money over the years to hold the event, said Barrick.

What's more, he contends any profit is turned over to different charities.

"This is absolutely not a money-making thing. (Van Hoek) operates a towing business to earn a living. Racing is part-time."

Following Chee-Hing's announcement, he directed legal counsel, planners and other experts on both sides to meet and work out a schedule for reports to be drafted, reviewed and finalized in time to reconvene the hearing, preferably in August.

Following nearly two hours of discussions, however, they told the chairman all the material would be prepared in time for a hearing to start Sept. 22.

There was even some suggestion the parties may be able to work out their own compromise and eliminate the need for the hearing.

Township planner Glenn Tunnock said 25 per cent of OMB appeals don't get to a hearing because a solution is reached beforehand.

Tunnock told the newspaper he was encouraged by the discussions and hoped they could lead to a settle-

ment without going back to a hearing.

"By working co-operatively we can resolve these issues. It would be my preference not to hear an appeal. Hopefully we can work things out and not have to come back in September, but we'll see."

Kerr said that kind of talk is premature.

"We've got a way to go yet," said Kerr.

Kerr said it's frustrating that two mud-drag events have been held since he initially challenged a proposed temporary bylaw last spring and then a permanent bylaw presented last fall.

"It makes you wonder about the local government here. It's a blatant breaking of the law and nothing's getting done about it."

Kerr is likely to face at least one more mud-drag event this June.

The chairman left it up to the township and Van Hoek to determine if a proposed mud-drag weekend will go ahead as planned in two months.

But that appears a foregone conclusion considering Van Hoek's plan to obtain noise-level readings during the June races to challenge Kerr's expert.

Township counsel John Simpson said the municipality is in an awkward spot and will have to carefully consider endorsing the June event. He said a decision is made more difficult by noise testing planned during the races.

Meeting in Cardinal tonight on canal work

CARDINAL (Staff) — A public meeting is scheduled tonight in Cardinal to discuss an engineer's report on the status of the deteriorating rock slopes along the Galop Canal.

The meeting at the Anglican Church Hall begins at 7 p.m. and will discuss several remedial options as well as infilling the historical struc-

ture alongside County Road 2 east of Bridge Street.

The engineer's report evaluated the stability of the canal slopes on both the north and south sides. The report makes a number of recommendations that will be addressed in more detail at the meeting.

Remedial actions suggested for a study area include the following mea-

asures: fence the limestone block fencing; level or removed displaced blocks at the foot of the slope; remove the blocks, regrade the slopes and install a limestone block retaining wall; and restore the slope to the original condition. Edwardsburgh-Cardinal township council was turned down by the province in a recent bid to obtain funding to address the problem.

Minor injuries in collision at city intersection

One man suffered minor injuries in a two-car collision Wednesday about 10:25 a.m. at the corner of Pearl and Wall streets in downtown Brockville.

Police Deputy Chief Adrian

Geraghty said Robert Countryman, 48, was driving west on Pearl when his 1999 Buick and a 1999 Chevrolet driven north on Wall Street by Terry Good, 59, of Arden, collided.

Countryman was taken by ambu-

lance to Brockville General Hospital where he was treated and released, said Geraghty.

Good was charged with failure to stop at a stop sign under the Highway Traffic Act.