

Legal error causes OMB delay Hydro, ICG wait for new date

The Interested Citizens' Group (ICG) gained some time in its battle against Ontario Hydro's proposed high voltage corridor through Halton Hills.

"There's time for everything," ICG spokesman John Minns said after the Ontario Municipal Board (OMB) hearing adjourned Monday, the same day it started, in the town's 7th Line offices.

"If (the adjournment) gives the town and people time," Minns continued.

Ontario Ministry of Energy consultant Andrew Frame refused comment.

No date was set for the resumption of the hearings. Nine days were set aside for some lawyers for the OMB. The hearings are to test the

old Esquesing official plan and bylaw which block the north-south path of Ontario Hydro's 500 kV power corridor. Towers from the Bruce nuclear generating station, on Lake Huron, have been built to the north border of the town.

About 60 people crowded the council chamber. Some stood in the doorway. The OMB hearing was chaired by J. E. Hendy, who had Willis Blair to help.

Ontario Hydro lawyer John Parkinson consented to the halt in the hearings "in view of the serious suggestion that people (who live under the path of the proposed line) did not receive proper notice."

The first step new ICG lawyer Robert Jarvis took

called for the adjournment mainly because people who live in line of the planned route were not notified of the OMB hearing.

If there was a defect, I hope no one says it was deliberate, said the hydro lawyer.

One similar case Jarvis mentioned concerned a Supreme Court of Canada decision which overturned a Winnipeg bylaw because notice for the meeting was only published in newspapers. The persons directly affected by that bylaw did not receive notice of the meeting.

The same thing happened here, according to Jarvis. The residents directly affected by the proposed hydro corridor did not receive notice of Monday's OMB

hearing.

Jarvis presented the OMB with letters from about 20 people who will be affected by the line, but who did not receive notice of the hearing. Ontario Hydro did publish notice of the meeting in local papers.

"The only way there can be a fair hearing is for the person directly affected to be given notice," Jarvis told the OMB. If they have not got notice, and the board knows that they have not received it, then the board should adjourn. There will be a meeting a week Friday at the Toronto office of the OMB to determine the form of notice and who gets it so the hearings can start again.

Hydro knew and had the

names and addresses. There are not that many, less than 100 people, according to Jarvis.

Jarvis was retained by the ICG group in Halton Hills and by the umbrella ICG organization last Thursday. He also said that in such a brief time it is physically impossible to become well versed with the case.

Raymond Steele, who along with Fred Helson is representing Halton Hills, backed the Jarvis motion for adjournment, then unleashed his own argument for adjournment—namely a court injunction against construction of the line.

A supreme court writ was served on Ontario Hydro Saturday to restrain con-

struction in Halton Hills, Steele told the OMB.

Steele said John Schneider, a local ICG official, told that Ontario Hydro is cutting trees within Halton Hills, and Steele added that a Hydro booklet stated culverts and gates would be installed along the Limchouse-Milton section of the line.

Those steps, said Steele, are not the biggest in the world, but they are part of the construction. Steele was saying Ontario Hydro broke the bylaw—we want to make sure the official plan and bylaw are amended before the corridor is built.

"How can we have the public saying, why hold the hearing when the corridor is



BY HELICOPTER former Prime Minister John Diefenbaker left the Arthur Maloney home near Acton for the trip to Cambridge and his installation as Honorary Chieftain of the Clans, on Saturday. He wore the Campbell tartan. Stories and more pictures, page 10.

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Changes in fair planned by board

Changes in format are in store at the Acton Fall Fair next month, according to fair board president Brent Marshall.

The fair is scheduled for Friday, September 15 to Sunday September 17, and for the first time, will be a class B fair.

The horse pull, usually held on Sunday, will be Friday evening this year, on the track as usual.

The musical group, the Newcomers, will be in charge of the Friday night variety show and the Miss Acton Fall Fair contest. The Bavarian Gardens will be opened Friday night and closing Sunday.

Other than these changes, Friday night will be running the same as usual, Mr. Marshall said, with the Happyland midway operating various booths and exhibits set up.

Saturday sees the cattle show as well as some horse shows. Both these shows will be held Sunday as well.

The parade will follow the same route, and leave at the same time. This year, hopefully, the former prime minister of Canada, John Diefenbaker will be grand parade marshal. It is also hoped he can open the Old Time Fiddlers' Contest, which will be held in the arena Saturday evening instead of the usual Sunday.

The annual fair dance has been moved to the Acton Curling Club ice surface. This, Mr. Marshall explained is to give a more comfortable feeling with better surroundings. Some 400 people or 200 couples will be able to attend. B.J. Wright and Co., a popular group in the area, will be playing.

Although still in the planning stages, water activities are being considered for Saturday with the lake being taken advantage of for the first time. The president said he hopes there might be a wind surfing demonstration, and a boat parade.

The track will be lit from the blockhouse east to the parking lot, which will extend the hours of many of the events. The tennis club is looking into having their season-end tourney this day also.

The biggest change on Sunday will be the addition of the firemen's water ball contest. This could take all day

as there will be many categories with firefighters from various area departments, and their wives, taking part.

A horseshoe pitch tourney is in the making which is also a new feature of the fair.

The cattle and horse shows will continue, as will the displays and booths, and midway.

Mr. Marshall said that other than these changes, the fair will be basically the same. The Baby Show, Miss Acton Fall Fair contest, exhibits and competitions will go on as usual. More detailed schedules will be published in this newspaper closer to the fair date, and as times and places are decided.



NARROW DRIVEWAY at the Leece home, R.R. 1, Acton, was the scene of a tragic double fatality Friday. Donald Leece, 44, was spreading gravel on the driveway in a swampy area when the top of the dump truck came in contact with a 4,800 volt hydro line and he was electrocuted. His son Douglas, who approached on his bicycle, was also killed.

Funerals Monday

Father, son electrocuted in tragic accident at home

In a tragic accident at their R.R. 1, Acton home Friday, Donald Leece, 44, and his son Douglas, 16, were both electrocuted when they touched a dump truck which was in contact with a 4,800 volt hydro line.

Mr. Leece was working on the roadway on his property on 22 Sideroad at the town line, Esquesing, and his son approached on his bicycle, when both died instantly, within minutes of each other.

Funeral service for the two was held Monday afternoon at the Shoemaker funeral home, Acton, conducted by the Rev. Walter Fosbury. Interment was in Fairview cemetery, Acton.

Pallbearers for Donald Leece were Grant Bonner, Ron McCausland, Ernie Dare, Herb Fisher, Roy McDowell and Ray Webster. Pallbearers for Douglas

were Bill Frank, Jim Cohen, Dave Piel, Mark Kri, Richard Ruck and Todd Kri.

Douglas was a student of auto mechanics at General Brock secondary school in Burlington. He had attended Brookville school previously.

They are survived by wife and mother Dorothy (Cowan) Leece; sons and daughters, brothers and sisters Darrell, Donald, Debra and Denise; mother and grandmother Mrs. Emma Leece of Brampton.

Mr. Leece, a driver for Ridley Transport, for about 10 years, was using a company truck to spread gravel on the driveway through a swampy area. Police think that he realized the top of his truck had come in contact with the wire, and got out to lower the raised box. The controls for the box were housed behind the cab.

Investigating police think Douglas came up on his bicycle and touched the truck while trying to go around it. The swamp is very close to the road.

Mrs. Dorothy Leece came home from Acton, about three miles away, and could not get past the dump truck in the driveway. Seeing sparks, she

Grass fire on Sunday

A grass fire at the corner of Runson St. and Main St. S. Sunday afternoon sent Acton Volunteer Firefighters rushing to the scene.

The grass was long and dead, fire chief Mlek Holmes said. His men put out the fire before any damage was done to the surrounding area.

went into the farm by another lane and phoned for help.

Milton firefighters who were first on the scene, arrived a few minutes before the Milton ambulance and the regional police. They moved the boy away from the truck with a dry stick and began mouth to mouth resuscitation. In vain.

The ambulance crew took over when they arrived.

The firefighters then stood by to assist if necessary.

Milton fire chief Jim Coulson said the call was received at 8:02 p.m.

The coroner Dr. Alistair MacIntosh of Georgetown said Tuesday he has not made a decision yet on whether to hold an inquest, but he does not think one will be necessary. The decision will be finalized in a few days, he said. Autopsies were performed.

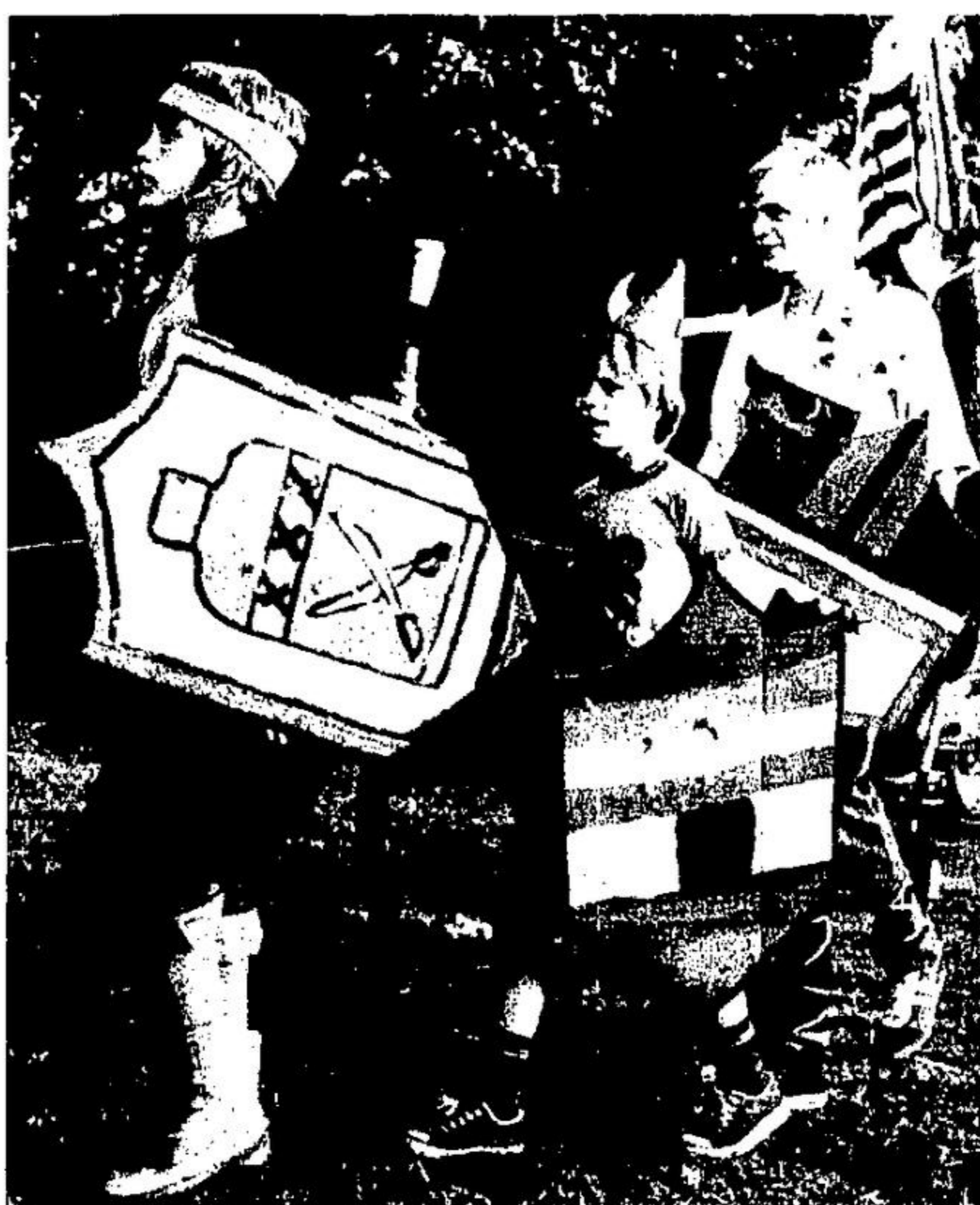
Remand for two weeks

The two people charged with armed robbery at the Royal Variety store appeared in court Monday and were remanded for two weeks. On August 14, a date for trial will be set.

Stephen William Jones, 18, and Cindra Elizabeth Kirby,

20, of no fixed address, both appeared in court. She is released on her own recognizance, while he is in the Toronto West Detention Centre.

They were apprehended following surveillance at a trailer camp near town.



FOUR BRAVE Vikings march into the Viking ring at the day camp parents' night. The 51 children in the program dressed in Viking gear and performed a skit for parents. Jamie Taras leads the group with fellow Vikings Richard Fellow and Robert Ayland following. Leader in training Arnold Branch brings up the rear. See inside for more day camp excitement.

Density cut in half in Main-Wallace plan

The density of a proposed residential development at Main and Wallace Streets, Acton has been cut in half, and an 80 unit apartment building cut out of the plan.

The 12.2-acre site bounded by Main, Wallace and the CNR tracks, will now have 32 freehold townhouses, and 50 semi-detached homes, on 25 lots. The number of townhouse units originally proposed was 62, and were planned as condominiums, rather than the present freehold system.

The 1.1-acre park has been relocated to the end near the CNR tracks. One road will run off Wallace Street and another off Main Street, directly opposite Scene Street.

All surface and storm water will be storm sewered and empty into an open watercourse through the park.

A public meeting on the proposal will be held in Acton, Halton Hills Planning Board decided this week, but have not as yet set the time and location.

Brian Kropf, deputy planning director, in a previous report recommended a pedestrian underpass at the CNR crossing.

Councillor Les Duby termed this idea facetious. He contended lots of people cross the tracks every day, in-

cluding school children of every age. He said there are lights at the crossing, and improvements to the sidewalks would be enough.

Councillor Pat McKenzie said it is a small subdivision, and reminded planning board the tracks go all through the town. He said further down the road children from kindergarten to high school cross every day. "If we're going to protect everybody against everything, they'd better not leave the house."

He argued an attempt to get an underpass, or overpass had been made in the past and it was not successful, and wondered why a small developer should be expected to go to that cost.

Councillor Peter Marks claimed the entrance on Main Street was a bigger concern than the tracks, and agreed with the planner's report recommending no extension of the area for residential use.

Planner Kropf said without the access of Main Street, there would be an extremely long cul-de-sac making it difficult for emergency vehicles, and a loop road would have meant taking in as much as another ten acres of industrial land.

Police check \$500 theft

Halton Regional Police are investigating the theft of about \$500 worth of cash and property from the Hornby Box and Pallet company on Main Street north during the weekend.

\$20 damage

About \$20 in damages resulted from the breaking of glass covers in fire hose boxes at 196 Churchill Rd.

"The Chief" may visit Acton Fair

John Diefenbaker will be attending the Acton Fall Fair on September 16 if all goes as planned.

Fair board president Brent Marshall told the Free Press that the former prime minister of Canada's aides have given him verbal confirmation of the visit, but had not specified times or dates. He could arrive Friday night in time for the variety show, or Saturday to kick off the old time fiddlers' contest, Mr. Marshall said. That is entirely up to arrangements made with "the Chief" by local Progressive-Conservative party members.

Mr. Marshall said his board is still awaiting written confirmation of the visit from the P.C.s. He said he is hopeful the plans will not be changed, thus disappointing many area people.

Mr. Marshall also said he had heard about an unofficial visit by leader of the opposition Joe Clark that same weekend but had no more information.

It is hoped Mr. Diefenbaker will be town in time to be grand parade marshal, Mr. Marshall said. He is also expected to be at the fiddlers' contest. That, the president said, depends on what time he arrives and how he is feeling. He explained the P.C.s plan to have a trailer at the park where Mr. Diefenbaker will be able to meet the public. Mr. Marshall pointed out the day may be too long for the gentleman who is in his 80s.

Mr. Marshall hopes to know soon what events the P.C.s have arranged for him to attend.