

# Odds back on off-track betting

**Racing commission will revisit thorny issue**

BY KATHLEEN GRIFFIN  
Staff Writer

Off-track betting on Markham Main Street is getting another kick at the can.

The Ontario Racing Commission has agreed to revisit the issue through a second application hearing next Wednesday.

Brian Brett, director of the Ontario Jockey Club, said the manner in which council denied the approval in July prompted the re-application.

"The way the motion was worded, they voted not to oppose it — that means we should be able to open," Brett said. "We're not letting this die a slow death because we believe more people are for it than against it."

The July 11 motion read "council does not support a teletheatre on Main Street" and it was lost after a six-six tie, meaning council does support it. But town solicitor Rob Robinson said at the time, in the absence of a follow-up motion, the original motion to deny support, passed in January, stands.

Brett hopes the confusion will strengthen his case before the commission.

"We hope the commission may look at it a little differently because of what happened," he said. "The commission doesn't need the town's endorsement, just no opposition. And there was no opposition at the public meeting."

Mayor Don Cousens, who has

led opposition to the plan, said he's also concerned about a recent change to the rules governing municipal approval of off-track betting locations.

Before, the applicant needed a letter of non-objection from the municipality to a Champions operation. This requirement led to the snafu here, when owner Leslie Patterson requested and received two such letters, one from Ward 4 Councillor George McKelvey and Ward 5 Councillor Jack Heath.

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But after council as a whole objected to the proposal the week before Heritage Champions' grand opening, and despite the fact the zoning allows such a use, the racing commission denied its operating licence as municipal approval had not been obtained.

That rule, revised July 27, now requires any municipal official to register objections in writing. If no objections are received, municipal approval is assumed.

"If this is their way of getting around community input and council input, of forcing something on us we don't want then that's a gross injustice," Cousens said. "I'll be concerned if this leads to a reversal of their decision."

But commission spokesperson Wendy Hoogeveen said the

change wasn't prompted by the thorny issue here.

"I don't believe the change was initiated by the situation in Markham," she said. "Other municipalities are changing their process and we are accommodating them," she said.

Brett said his organization and the City of Toronto have been lobbying the commission for the change.

"Councils sometimes like to sit on the fence, especially in an election year," he said. "They say, 'Why are you coming to us? You have a legal right to go there, we have no problem, but we're not putting it in writing.' I don't think it had anything to do with Markham."

"I don't know what it really means," Cousens said. "If it means they can reverse their earlier decision that creates quite a question."

Owners of the site at 144 Main St., Leslie Patterson and Marty Toombs, have sunk \$400,000 into the business and are now facing financial ruin. Patterson's bank has filed suit against her for non-payment of a \$100,000 loan and the landlord and other creditors have not been paid.

While neither could be reached for comment yesterday, Patterson's husband Daniel Sarafian said they are considering suing the town.

"We're working on putting things together," he said. "This caught us off guard. We'll see what happens Wednesday."

The hearing is slated for 10 a.m., at the Ontario Racing Commission's head office on Dundas Street West.

## CORRECTION

### Jazz festival will not include acid or fusion

In a story in the Thursday, Aug. 10 edition of the Markham Economist & Sun/Stouffville Tribune, it was reported there would be acid and fusion performers at the Markham Jazz Festival Aug. 18 to 20 at locations throughout Markham.

It was also reported there would be many non-Canadian acts. In fact, there is only one international act included in the festival's line up. The Economist & Sun/Stouffville Tribune regret the errors.

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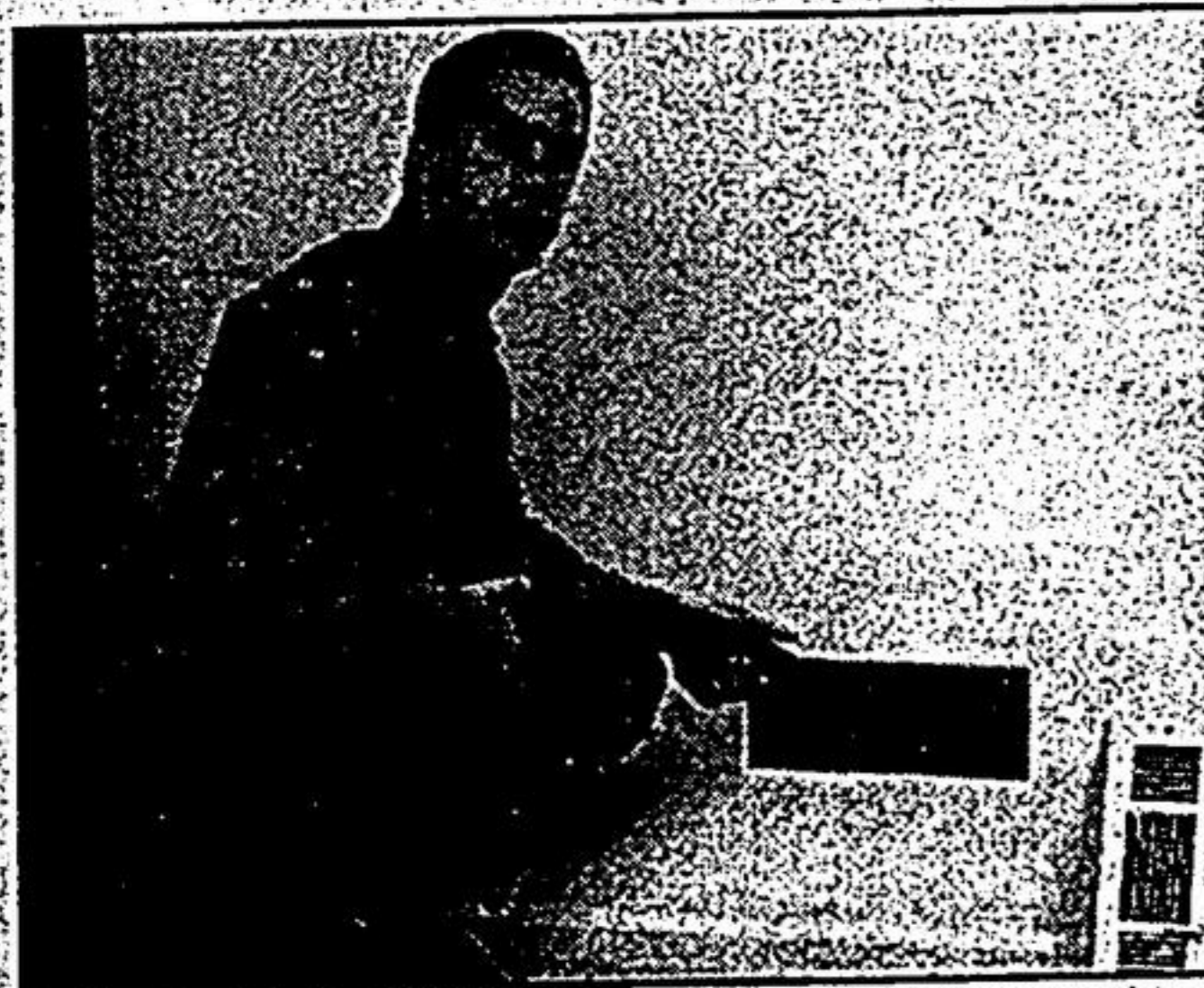
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