

CITY -COUNCIL NO. 23-70

August 10, 1970.

To His Worship the Mayor
and Members of City Council.

Gentlemen:

A Regular Meeting of City Council was held this evening with the following members present: His Worship Mayor N. Kaneb, Aldermen L. Gauthier, R. Carrara, R. Brunet, A. Clement, D. Webster, D. Fawthrop, F. Guindon, G. Cameron, K. Bough, A. Lebano, J. Pescod and M. Holden.

DELEGATIONSDr. A.K. Gillmore - Ottawa University

Dr. A.K. Gillmore, Vice-Rector, Ottawa University, presented a letter to Mayor Kaneb stating that the University is pleased with the growth of the extension program in Cornwall. It has therefore been decided to increase to full time the position of their representative. Space for an office and a library has been rented in the YM-YWCA building. University officials are prepared to meet with management of prospective industries to discuss their needs.

Asked if the University anticipates establishing a full university in Cornwall, Dr. Gillmore replied that the facts indicate that the need does not exist in Cornwall. He pointed out that this is the only City where the university has a full time representative and Cornwall has the best available program for its needs. The City's needs do not warrant the costs involved in providing the equipment, facilities and personnel required for the operation of a full university. One must consider whether it is more economical to have a mediocre operation within walking distance or a rich operation within commuting distance.

Alderman Carrara remarked that he was pleased with the interest the University has shown in Cornwall and commended University Officials for outstanding achievements in our City.

Mayor Kaneb thanked Dr. Gillmore for taking time from his busy schedule to address Council.

International Seaway-Bathtub Derby - Filling in Canal

At the outset Mr. J. Gunn, Chamber of Commerce, thanked Alderman Lebano for his co-operation in making the derby a success. He then introduced Mr. Eric Watt who acted as spokesman for the delegation.

Mr. Watt thanked Council for giving him the opportunity to request that the City retain the Cornwall Canal and adjacent lands between Gloucester and Cumberland for the people of Cornwall. He requested that the City immediately approach appropriate government departments to obtain title to these lands. The Derby Committee is prepared to enter into an agreement to lease the property and to develop it and to work with any organization of the City's choice toward this end. Mr. Watt pointed out that this submission is only an interim proposal and that a formal proposal will be made in two weeks.

Mayor Kaneb advised Mr. Watt that a representative of his committee would be invited to attend any meetings dealing with the canal. It is not expected that anything will be done until such time as Council receives a report as a result of the Federal-Provincial task force.

Mr. P. Holtshousen stated that he was speaking more as an interested citizen. In his opinion Cornwall has a unique opportunity because it has waterfront area, and should hold on to it as long as possible. He did not think the cost to develop it would be too high.

Alderman Carrara agreed that the proposal is very worthwhile. However, the only commitment the City has is that the Canal could be filled in at no expense to the City, thereby eliminating stagnant water which has been a source of complaints.

Alderman Lebano felt that with the co-operation of Ontario Hydro and the St. Lawrence Seaway the land could be preserved.

Alderman Holden stated that the St. Lawrence Seaway has elaborate plans for the area and suggested that a committee should be formed to meet with the St. Lawrence Seaway and Ontario Hydro to see if their plans could incorporate those proposed by the Derby Committee.

Alderman Brunet stated that he was under the impression that the City's last request was to have the canal filled in.

However, it was pointed out by Mayor Kaneb that the City's latest request was that the St. Lawrence Seaway use the money allocated for filling in the canal on improvements to our harbour facilities.

Alderman Guindon said the Bathtub Derby has provided Cornwall with much publicity. He suggested that the City meet with the Derby Committee, hear their plans and then approach the Department of Transport.

Alderman Bough extended an invitation to the Derby Committee to discuss its plans with the Redevelopment Committee.

Mayor Kaneb thanked the members of the delegation for their dedication and many long hours of work.

I. Brown - Exchange of Property

Mr. Brown stated that he wished to convey to the City a 66-foot strip of land running down to Rosemont Avenue and joining onto Thirteenth Street. In return, Mr. Brown is requesting that the City re-deed to him the angled road running from Rosemont Avenue to the west end of his property.

Replying to Alderman Webster, Mr. Adams stated that it would make for good planning in that it would allow the City to eventually extend Thirteenth Street west of Brookdale.

In reply to a question from Alderman Bough, Mr. Adams replied that the land is zoned Manufacturing so that there is no rezoning involved. Also the lots are serviced and there is an asphalt pavement.

Alderman Brunet felt strongly that Mr. Brown should reimburse the City for the land which is approximately one acre more than what he is willing to give to the City.

It was moved by Alderman Lebano, seconded by Alderman Webster, that the exchange of land as proposed by Mr. Brown be approved.

Alderman Brunet moved that the City sell the land to Mr. Brown at a fair market value. There was no seconder and the motion carried with Aldermen Brunet and Gauthier voting against the motion.

Adoption of Minutes

Moved by Alderman Gauthier, seconded by Alderman Pescod, that the Council minutes of meeting held July 27th be adopted as received. The motion carried, it being noted that the name of the park mentioned in paragraph 3 on page 705 should be changed from St. Joseph's to Kinsmen.

Alderman Webster asked that in future before resolutions are endorsed by Council, more information should be obtained as to how amended legislation would affect local industries or businesses.

COMMUNICATIONS

1. Minister of Lands and Forests - Restriction on sport or commercial fishing - Moved by Alderman Clement, seconded by Alderman Bough that the letter be filed. Unanimously adopted.

2. Cascade Leasing Limited - Application for Service Station License - Moved by Alderman Guindon, seconded by Alderman Gauthier, that the license be granted. Unanimously adopted.

Alderman Lebano asked if anything was being done to eliminate derelict stations and was advised that Mr. Fennell is preparing an amendment to the by-law which should be ready this month.

Alderman Guindon pointed out that although the stations are vacant, the City still receives taxes on the properties but not business taxes.

Alderman Clement suggested that the applicants be made aware of the fact that eventually Sydney Street will become a one-way street northbound, to avoid any complaints in the future.

3. Larry Boyer - Meetings re Site of Nuclear Plant

Moved by Alderman Clement, seconded by Alderman Bough, that the letter be acknowledged advising that the City will be represented and that a copy of the letter be forwarded to Hon. L. Lamoureux and Hon. F. Guindon for their information. Unanimously adopted.

4. McDougall, Dancause & Shields - I. Brown & Pt. Lot 13, Con. 2 - Moved by Alderman Holden, seconded by Alderman Lebano, that the letter be filed since it has been dealt with under Delegations. Unanimously adopted.
5. Department of Consumer & Corporate Affairs - Report of the Restrictive Trade Practices Commission - Moved by Alderman Carrara, seconded by Alderman Gauthier, that the letter be filed. Unanimously adopted.
6. Ladies Auxiliary Minor Lacrosse - Request for Tag Day, May 1, 1971 - Moved by Alderman Lebano, seconded by Alderman Pescod, that the Ladies Auxiliary Minor Lacrosse be authorized to hold a tag day on May 1, 1971, and that in future any similar requests be dealt with by the Clerk-Administrator provided they comply with the City's by-law. Unanimously adopted.
7. Lamoureux, Rouleau & Forget - Extension of Services to E $\frac{1}{2}$ Lot 3, north of Tenth St. - Moved by Alderman Pescod, seconded by Alderman Gauthier, that the request be referred to the Public Works Committee. Unanimously adopted.

PETITIONS

- PE #24-70 - Mrs. M. Varin & others - Storm Sewer on Anne from Daly to Churchill
- PE #25-70 - Mrs. M. Varin & others - Pavement on Anne from Daly to Churchill

Moved by Alderman Carrara, seconded by Alderman Gauthier, that Petitions Nos. 24 and 25 be referred to the City Engineer for study and report. Unanimously adopted.

- PE #26-70 - Arthur Cuerrier & others - Requesting Elections at Large

Moved by Alderman Bough, seconded by Alderman Holden, that the Clerk-Administrator check the names on the petition to ensure that they are on the Electors' Roll and that we obtain our solicitor's opinion as to whether or not an election for school board trustees is in fact a municipal election as defined in The Municipal Act.

Mr. Fennell stated that when the matter came up earlier, he had been asked to give his opinion on whether or not the City could submit a question to a vote of the electors at the election to be held this year. Mr. Fennell had advised that it was

Council's privilege to do so, however, the City would have to share the costs of the election. Under Section 27, subsection 6 of The Municipal Act, Council has no discretion in the matter at all but must submit the question to the voters as requested in the petition. However, in Mr. Fennell's opinion, the next election to be held this year does not constitute a municipal election.

It was pointed out that if less than 400 of the petitioners were eligible to vote, the petition would be invalid.

Aldermen Brunet and Gauthier voted against the motion and the motion carried.

REPORTS

Finance Committee No. 11-70

Moved by Alderman Fawthrop, seconded by Alderman Webster, that the report be adopted as received.

Alderman Cameron asked if anything has been done about excessive overtime incurred by some departments and was advised that the Finance Committee will be meeting with the Department Heads concerned.

Alderman Holden asked if any action had been taken on the Finance Committee's recommendation with respect to the Children's Aid Society budget. He was advised that no action could be taken until the Finance Committee report was adopted.

Alderman Lebano stated that he was under the impression that the City had no alternative but to appeal to the Review Board. He was of the opinion that the City should request amendments to the Child Welfare Act.

Mayor Kaneb suggested that a resolution to the Association of Ontario Mayors and Reeves would be in order.

Alderman Fawthrop stated that his Committee agrees that the City has to pay for child care but feels that the method of assessment is unfair. He felt that a meeting with a senior representative might solve the problem without incurring the costs of a Review Board.

Alderman Holden stated that he had been led to believe that Toronto had been contacted in this respect. He was advised that the Treasurer had been directed by the Finance Committee to do so for the sole purpose of asking for precedence with review boards.

Technical Co-ordinating Committee No. 5-70

Moved by Alderman Pescod, seconded by Alderman Holden that the report be adopted as received. Unanimously adopted.

For the benefit of those aldermen who are not members of the Committee, Alderman Pescod reviewed each activity up to a point in the study in order to make them aware of the work which is to be completed by the middle of September. Possibly when proposals are evaluated, if any are received, it will not be necessary to continue with the study. In any case whatever the City's decision may be, any expenditure toward the study will have been well spent.

Alderman Lebano commended Alderman Pescod and the members of the committee for being very thorough and very progressive.

Alderman Pescod stated that the Department of Highways requires a resolution from Council to proceed with the study and urged Council to pass the resolution which appears later on the agenda.

Public Works Committee No. 10-70

Moved by Alderman Gauthier, seconded by Alderman Pescod, that the report be adopted, it being noted that any CNR proposals under Item 6 of the report would have to meet all requirements of the Department of Highways so that in future the City could not possibly lose any road subsidies. Unanimously adopted.

Alderman Fawthrop did not think the City should proceed with the re-allocation of office space as the Public Property budget is not in very good condition. Alderman Gauthier and Carrara both stated that they had been assured to the contrary. Aldermen Bough and Fawthrop both suggested that the matter be deferred until the next Finance Committee meeting when the matter can be discussed with the City Engineer and the Chairman of Public Works.

Replying to Alderman Clement, Alderman Pescod stated that the request for two-way traffic on Third Street between Pitt and Sydney Streets had been turned down largely on the recommendation of Inspector Landry. In his opinion this step would cause more congestion at Pitt and Third Streets, would also require another set of traffic lights and signs. Also it

would not conform with plans for one-way pair on Sydney Street and Pitt Street.

Fire Committee no. 2-70

Moved by Alderman Webster, seconded by Alderman Brunet, that the report be adopted as received. Unanimously adopted.

Report re building at 43 Albert Street, Misc. #6-70

Moved by Alderman Gauthier, seconded by Alderman Guindon that the report be adopted as received. Unanimously adopted.

Alderman Clement suggested that even if the City does not have the authority to condemn the building, the owners should be made to clean it up. Mr. Adams advised that a rat infestation program is being conducted now.

Report re Building at 1222 Cumberland St., Misc. #7-70

Moved by Alderman Gauthier, seconded by Alderman Pescod, that the report be adopted as received. Unanimously adopted.

Summary of Engineer's Report to Council Nos. 10-70; 11-70; 12-70

Moved by Alderman Gauthier, seconded by Alderman Holden, that the reports be adopted as received. Unanimously adopted.

Alderman Lebano asked that in future Mr. Adams indicate on reports pertaining to sewers, the size of pipe being used.

Report of Treasurer re Financial Position as at June 30, 1970

Moved by Alderman Fawthrop, seconded by Alderman Bough, that the report be adopted as received. Unanimously adopted.

Report on Sand, Tender #29-70

Moved by Alderman Gauthier, seconded by Alderman Bough, that the tender of Jack's Haulage be accepted at \$2.15/cu. yd. for the supply of sand. Unanimously adopted.

Report on Supply & Erection of Chain Link Fence & DHO Farm Fence Tender #30-70

Moved by Alderman Pescod, seconded by Alderman Guindon, that the tender of A. MacLean of Bainsville be accepted at a total price of \$9,168.50 for the supply and erection of chain link fence and DHO Farm Fence. Unanimously adopted.

Report on Culvert and Ditches at New Dump, Tender #31-70

Moved by Alderman Gauthier, seconded by Alderman Guindon that the tender of Van Leishout Construction Lt/d. be accepted at a total net price of \$8,947.50 for culvert and ditches at the New Dump. Unanimously adopted.

Replying to Alderman Webster, Mr. Adams stated that in the past the City has had no problems with Van Leishout Construction from a contract point of view.

Cornwall Planning Board Report #6-70

Moved by Alderman Pescod, seconded by Alderman Gauthier, that the report be adopted as received. Unanimously adopted.

Cornwall Planning Board Report No. 7-70

Moved by Alderman Pescod, seconded by Alderman Gauthier, that the report be adopted as received. Unanimously adopted.

Alderman Bough asked if any action had been taken on Item No. 1 of the report. Mr. Adams replied that Mr. Stiles was going to appear again before the Board.

Also replying to Alderman Bough, Alderman Pescod stated that it is the Board's understanding that Domtar is being represented by Mr. Stiles and therefore the Board had spoken to Mr. Stiles and not Mr. McLaren.

Replying to Alderman Lebano, Mr. Adams stated that one of the items on the list mentioned in paragraph one of the report was access roads and also a schematic plot plan.

Cornwall Planning Board Report No. 8-70

Alderman Bough spoke up in support of Mr. Richard Abraham's request and stated that Council should give it consideration. He cited Cornwall's poor economic situation as one reason for supporting the proposed project, which should bring in fresh capital. The briefs presented to the Planning Board by various merchants' associations say that Cornwall cannot afford another shopping centre. Referring to the Urban Renewal Study, he read a section which indicated that the downtown merchants have never been seriously challenged and therefore have done next to nothing to help themselves. Alderman Bough further stated that the residents in the vicinity would prefer to have a shopping centre on this land than have the land remain in its present condition. Also if the school board had intentions of building a fourth high school in the area, it must have had facts to prove that it was warranted. In his opinion, it would be difficult to justify our requests for help from the Federal and Provincial Governments if we turn down a project of this size.

We have to look at Cornwall as a whole and if we feel the project can contribute anything to our economy, we should accept it.

Alderman Cameron stated that he could not properly vote on the Planning Board's recommendation because the wording of the reasons given left too many questions unanswered.

It was therefore moved by Alderman Cameron, seconded by Alderman Clement, that Planning Board Report #8-70 be deferred until the next meeting of Council. Motion carried.

Alderman Guindon asked if a request for rezoning of the property in question had been brought before the Ontario Municipal Board at the time of the hearing on the Zoning By-law. Mr. Adam replied that the Ontario Municipal Board had advised the developers to make application to the City for amendments to the Official Plan and Zoning By-law.

Replying to Alderman Bough, the Clerk-Administrator advised that even if Council approved the request, the Ontario Municipal Board could still turn down the request.

Alderman Brunet was of the opinion that no matter what decision Council made, it was impossible to satisfy everyone. He stated that the residents in the vicinity of the proposed shopping centre had built or bought their homes under the assumption that the surrounding lands would remain residential. There are so many pros and cons to be considered, he felt that the City should allow the Ontario Municipal Board to make the decision since the Board has the final word in any case. He reminded Council that a similar request had been rejected some years ago.

Alderman Webster reminded Council that when Glenview Heights was built there was no shopping centre in the vicinity and for many years it was rather difficult to rent the units. Perhaps the same thing would happen in this case. If the shopping centre were erected first it might increase the demand for residences in the immediate area.

Replying to Alderman Lebano, Mr. Fennell stated that the secretary of the Planning Board has received, by registered mail notice of appeal to the Ontario Municipal Board from the decision of the Planning Board. Alderman Lebano stated that this action showed lack of consideration for Council whose members were not given the opportunity to decide one way or another.

Asked for his opinion, Mr. Fennell stated that the notice of appeal is an appeal from the decision of the Planning Board. The Planning Act provides for an appeal from the decision of Council or the failure of Council to make a decision. The applicants could in this case appeal on the grounds of Council's failure to act but the notice appeals against the Planning Board decision.

Alderman Carrara reminded Council of the difficulty in obtaining approval for the Eastcourt development. At that time the Ontario Municipal Board left the impression that the downtown should receive future priority. He felt that the people involved will have to make their views known if and when the Ontario Municipal Board holds a hearing on this application. After speaking to residents of Ward One, he was of the opinion that they did not support the proposed shopping centre.

When Mayor Kaneb called for a vote on the motion, the motion carried, with 7 aldermen voting in favour of the motion and 5 voting against.

Report re Central Western Sanitary Sewer #1-70

Moved by Alderman Gauthier, seconded by Alderman Pescod, that the report be adopted as received. Unanimously adopted.

RESOLUTIONS

RE #55-70 - City of Cornwall - Redevelopment Plan

Moved by Alderman Clement, seconded by Alderman Guindon, that whereas in the opinion of the Council of the Corporation of the City of Cornwall it is deemed desirable to proceed with an urban renewal project;

AND WHEREAS the Council of the Corporation has given two readings to a by-law adopting a redevelopment plan for the redevelopment area;

AND WHEREAS the Municipal Board has been requested to approve of the redevelopment area;

AND WHEREAS subsection 8 of section 20 of The Planning Act, R.S.O. 1960, Chapter 296, requires the approval of the Minister of Municipal Affairs for the municipality to,

- (a) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the redevelopment area in conformity with the redevelopment plan, and sell, lease or otherwise

dispose of any such buildings and the land appurtenant thereto;

- (b) sell, lease or otherwise dispose of any land acquired or held by it in the redevelopment area to any person or governmental authority for use in conformity with the redevelopment plan;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation apply to the Minister of Municipal Affairs for his approval to carry out the redevelopment plan. Unanimously adopted.

RE #56-70 - City of Cornwall - Transit Study

Moved by Alderman Pescod, seconded by Alderman Gauthier, that as recommended by the Technical Co-ordinating Committee for the City of Cornwall Urban Transportation Planning Study and subject to the approval of the Department of Highways, the Appraisal submitted by Damas and Smith Limited be accepted, at a maximum study cost of \$32,385.00 with the City share to be approximately \$8,096.25, and that the necessary steps be taken to enter into a contract with the said Consulting organization for the Study and to enter into an agreement with the Department of Highways for cost sharing on the study. Unanimously adopted.

RE #57-70 - City of Cornwall - Child Welfare Act, 1965

Moved by Alderman Holden, seconded by Alderman Carrara, that the Council of the Corporation of the City of Cornwall endorses the proposal of the Department of Social and Family Services to repeal Section 88 of the Child Welfare Act, 1965 which section deals with charges between municipalities for wards of Children's Aid Societies who were taken into care prior to December 31st, 1965. The Municipality who pays the Children's Aid Society for the maintenance of the child may charge back to the Municipality named in the court order providing the municipalities are not both within the jurisdiction of the same Children's Aid Society. Unanimously adopted.

BY-LAWS

By-law No. 922 - To authorize the construction of extensions to the waterworks system on Brookdale Ave. from 550 ft. south of Laflin St. to Tollgate Rd. - \$102,002.81

- 923 - To authorize the construction of a Sanitary Sewer on Patrick St. from Grace to Ross - \$6,929.79
- 924 - To amend By-law No. 643/68 (Anti-Noise By-law)
- 925 - Amendment No. 2 to the Official Plan
- 926 - Authorizing the Mayor and Clerk to sign an agreement for sale of easement between the City and Crown Assets Disposal Corporation
- 927 - To authorize the signing of an offer to purchase from L.P. Stidwill

Moved by Alderman Gauthier, seconded by Alderman Holden, that the by-laws be read a First and Second Time. Unanimously adopted.

The Clerk-Administrator asked that By-law No. 925 be deleted from third reading. He explained that Dr. Phillips feels that the Council should have a hearing with respect to amendments to the Official Plan rather than the Planning Board.

- By-law No. 924 - To amend By-law No. 643/68
- 926 - Authorizing the Mayor and Clerk to sign an agreement for sale of easement between the City and Crown Assets Disposal Corporation
- 927 - To authorize the signing of an offer to purchase from L.P. Stidwill

Moved by Alderman Carrara, seconded by Alderman Gauthier, that the By-laws be read a Third Time, Passed, Signed and Sealed. Unanimously Adopted.

Moved by Alderman Bough, seconded by Alderman Guindon, that the Clerk-Administrator be authorized to advertize the amendments to the Official Plan as contained in By-law No. 925 to give the public an opportunity to express their views. Unanimously adopted.

NEW BUSINESS

Phil Gignac - A memo from Mr. Adams advised that Mr. Gignac has no agreement with a contractor to renovate and update his vacant building at the corner of Capt. MacDonald Road and Eleventh Street West. Since it was doubtful that Mr. Gignac would perform the work required on the building prior to the end of the month, it was decided not to take any further action until that time.

Burning Blight - Alderman Carrara suggested that an ad be inserted in the newspaper advising the public of a disease called burning blight which is affecting mountain ash trees. He also suggested that the City should stop buying these trees and replace those that have been planted.

Alderman Guindon felt the City should set an example by salvaging as many trees as possible.

Light at Third & Lefebvre and Mattice Park - Alderman Brunet asked that the Public Works Committee consider providing a light at the corner of Third and Lefebvre and also more light in the vicinity of Mattice Park.

Lyle McLaren - Alderman Cameron took exception to some of the statements made by Mr. McLaren in his submission to Council at a previous meeting. Although he found it very difficult to understand some of the statements made and did not know how sincere the writer was, Alderman Cameron was left with the impression that Mr. McLaren was downgrading the City.

Monitoring Station - Replying to Alderman Lebano, Alderman Carrara advised that the instruments have been ordered and the building should be erected this fall.

O.M.A. Convention - Moved by Alderman Lebano, seconded by Alderman Holden, that Miss F. Flanigan be permitted to attend the Ontario Municipal Association Convention to be held in Ottawa, August 16th to 19th. Unanimously adopted.

Lyle McLaren - Referring to Mr. McLaren's submission, it was moved by Alderman Bough, seconded by Alderman Cameron, that a small ad hoc committee of 2 aldermen be set up to conduct an investigation of the allegations made by Mr. McLaren and report back to Council. The motion was defeated with 7 aldermen voting against the motion and 5 for the motion.

Shift System - Alderman Webster expressed his concern over the problem which might result from the shift system at St. Lawrence High School. Where are the school children going to go and what are they going to do when they are not in school?

It was therefore moved by Alderman Webster, seconded by Alderman Cameron, that the Clerk-Administrator forward a letter to the Board of Education to obtain more information on the shift system, particularly the hours and the number of students involved. Unanimously adopted.

Sam Pond - Moved by Alderman Fawthrop, seconded by Alderman Gauthier that the matter be referred to the Board of Health as suggested by our solicitor in a letter dated July 20th.

Unanimously adopted.

Alderman Cameron advised that Mr. Pond is trying to buy a house in St. Andrews and is trying to sell his lot for which he would accept the sum of \$2,500.

Replacement of Foreman - Moved by Alderman Gauthier, seconded by Alderman Lebano that a replacement be obtained for a sewer foreman who recently resigned. Unanimously adopted.

Adjournment

Moved by Alderman Lebano, seconded by Alderman Brunet that Council adjourn.


Clerk


Mayor