

CITY COUNCIL NO. 30-70

November 9, 1970.

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, A. Clement, R. Brunet, D. A. Fawthrop, D. Webster, F. Guindon, G. Cameron, K. Bough, A. M. Lebano, J. Pescod and M. Holden.

Mayor Kaneb welcomed ladies and gentlemen who were present at this evening's meeting.

DELEGATIONS

Mr. M. Salhany - Mr. Salhany informed members of Council that he must go on record as opposing the application of Mr. Milton Matheson to rezone property, recently purchased by him, at 15 Fourth Street East. He observed that the property owned by his family, immediately west of the Matheson property, is zoned Commercial 70 but is used as a residence; also properties on the north and east are used for residential purposes. The property on the south is zoned as residential with a laundry being non-conforming. The land in question runs back 78 feet to Monroe Avenue which is a dead-end at that point. The rezoning of the 78 feet, requested by Mr. Matheson, is the larger part of the 118 feet fronting on Fourth Street owned by him. Mr. Salhany reminded Council that Mr. Matheson has indicated that he intends to use the building for office space. Once the property is rezoned commercial, Council has no further control as to what type of commercial usage will be made of the property; also Council has no control over who owns the property.

Mr. Salhany complained that parking on Fourth Street is already a problem and that, if the land in question is commercialized, then parking problems could be created on Monroe which is abutting to this land. In Mr. Salhany's opinion, the designating of Mr. Matheson's property as commercial would only defeat the Zoning By-law as the south side of Fourth Street from Pitt to Sydney Streets is designated as institutional. He reminded Council that there is more than adequate land zoned for commercial purposes and certainly sufficient for office space within the City. He asked that Council not be guided entirely by the recommendation of the Planning Board and, in his opinion, there were many irregularities at the meeting at which this recommendation was made. He further observed that the request of Mr. Matheson is not completely denied if Council turns it down as application may be made direct to the Ontario Municipal Board.

Rule '48' - Moved by Alderman Clement, seconded by Alderman Cameron that Rule '48' be suspended in order to hear Mr. R. Adams. Unanimously adopted.

Mr. Adams addressed Council on behalf of his client, Mr. Milton Matheson. He notified Council that Mr. Matheson and Mr. Gerald Lalonde are private shareholders and are interested in using the building at 15 Fourth Street East for offices. He noted that Mr. Matheson, at the Planning Board meeting, had indicated that he was satisfied with having the property designated as SPU, however, Professor K. Barker, recommended a rezoning to commercial. His clients were not interested in

having the whole 118 feet rezoned but were interested, at this time, in only the rezoning of the 78 feet along Fourth Street. He agreed with the Planning Board that there was possibly too much commercial property within the City but they were not requesting this type of change but were only interested in a zoning that would allow the building to be used for offices. With regards to parking, Mr. Adams stated that there is over 100 feet of vacant land with adequate driveways leading into it. He recalled that Mr. Salhany, at the Planning Board meeting, had no objection to the building being used for offices and his clients had no intention to use it for any purpose but this and they certainly did not intend to operate a service station or commercialize the land in any similar manner.

Rule '48' - Moved by Alderman Lebano, seconded by Alderman Guindon that Rule '48' be suspended in order to consider Planning Board Report No. 10-70 at this time. Unanimously adopted.

Planning Board Report No. 10-70 - Moved by Alderman Pescod, seconded by Alderman Clement that the report be received. Unanimous.

Moved by Alderman Fawthrop, seconded by Alderman Clement that the recommendations of the Planning Board be adopted as presented. The motion was defeated.

Moved by Alderman Bough, seconded by Alderman Cameron that the Planning Board Report be returned to the Planning Board in total for further study. The motion carried.

In reply to Alderman Lebano, Mr. Fennell stated that one small amendment to the Zoning By-law might not hold up O.M.B. approval to By-law No. 751, 1969 but a proliferation of amendments might delay

approval.

Adoption of Minutes - Moved by Alderman Gauthier, seconded by Alderman Cameron that the Council minutes of meetings held October 19th and 28th be adopted as received. Unanimously adopted.

COMMUNICATIONS

1. Ontario Housing Corporation - Naming Family Unit Project - Mayor Kaneb suggested that Council consider naming the family housing unit after Father Corbett who was one of the founders and workers in this City.

Alderman Lebano suggested that the students be asked to participate in the naming of the development and it was moved by him, seconded by Alderman Fawthrop that a committee, composed of His Worship Mayor N. Kaneb, Messrs. M. A. Boyer and C. F. Adams, be appointed to select a committee of citizens to act as Judges in choosing the best names with the first prize of \$50.00 and a second and third prize of \$25.00 each. The motion carried.

2. Participation House Building Fund - Permission to sell tickets in Cornwall - Moved by Alderman Cameron, seconded by Alderman Clement that permission be granted to the Cerebral Palsy Parent Council of Toronto to sell tickets within the City. The motion carried.

3. CMHA Pee-Wee "A" Travelling Team - Request for financial assistance - Moved by Alderman Guindon, seconded by Alderman Holden that the request be referred to the Parks and Recreation Committee with power to act. Unanimously adopted.

4. CPR and CNR - Switching assets of Cornwall Street Railway - Moved by Alderman Pescod, seconded by Alderman Gauthier that the letter be filed. Unanimously adopted.

5. Mrs. Laura Grady - Permission to sell raffle tickets - Moved by Alderman Carrara, seconded by Alderman Cameron that Mrs. Laura Grady be granted permission to sell raffle tickets for the Finch C.W.L. Unanimously adopted.
6. Department of Indian Affairs and Northern Development - Inverardine Committee - Moved by Alderman Lebano, seconded by Alderman Bough that the letter be referred to the Inverardine Committee. Unanimously adopted.
7. St. Lawrence and Ottawa Valleys Health Unit - Letter of Appreciation - Moved by Alderman Carrara, seconded by Alderman Guindon that the letter be filed. Unanimously adopted.
8. Northern Ontario Municipal Association - Proposed increase in Natural Gas Rates - Moved by Alderman Cameron, seconded by Alderman Lebano that the letter be referred to the Finance Committee. Unanimously adopted.

PETITIONS

PE #36-70 - Vernon Miller - Sanitary Sewer on Pitt Street from Wellington Street to Lot 16

Moved by Alderman Gauthier, seconded by Alderman Cameron that the petition be referred to the City Engineer for consideration and report. Unanimously adopted.

REPORTS

Public Works Committee No. 13-70 - Moved by Alderman Gauthier, seconded by Alderman Guindon that the report be adopted as received. Unanimously adopted.

Parks and Recreation Committee No. 12-70 - Moved by Alderman Lebano, seconded by Alderman Webster that the report be adopted as received. Unanimously adopted.

Tourist and Convention Bureau No. 7-70; 8-70 - Moved

by Alderman Webster, seconded by Alderman Bough that the reports be received. Unanimous.

Alderman Guindon suggested to Alderman Webster that the Committee consider having the Nonsuch launched here as a permanent tourist attraction along the waterfront. He also asked that consideration be given to the new type of fluorescent lighting to be installed at the various entrances to the City.

Mayor Kaneb brought to Alderman Webster's attention that, in Brockville, they were able to show the four seasons in film and thus were able to sell their latest industry. Alderman Clement stated that they were still deciding as to whether films or slides would be the more useful and that, possibly, the need would exist for using both mediums.

Alderman Clement suggested approaching Hydro asking that they illuminate the Robert Saunders Power Dam.

Inverarden House Committee No. 1-70 - Moved by Alderman Webster, seconded by Alderman Guindon that the report be adopted as received. Unanimously adopted.

Alderman Holden suggested that someone from Chemcell sit in at meetings of this Committee.

Engineer's Summary of Watermain completed in 1970 No. 19-70 - Moved by Alderman Gauthier, seconded by Alderman Pescod that the report be adopted as received. Unanimously adopted.

Report re O.W.R.C. Program Misc. #2-70 - Moved by Alderman Pescod, seconded by Alderman Gauthier that the report be adopted as received. Unanimously adopted.

Report re Cleaning 2000 Catch Basins, Tender No. 42-70 -

Moved by Alderman Gauthier, seconded by Alderman Guindon that we accept the tender of Sanitank Inc. of Montreal for cleaning 2000 Catch Basins at \$1.40 per Catch Basin at a net total price of \$2,800.00. Unanimously adopted.

Report re Winter Highway Coarse Salt, Tender No. 43-70 -

Moved by Alderman Gauthier, seconded by Alderman Bough that we accept the tender of The Canadian Salt Company Limited for 1500 tons Winter Highway Coarse Salt at a total price of \$19,475.00. The motion carried.

Aldermen Lebano, Holden, Clement suggested that the tender be awarded to Domtar Chemicals Limited because of its affiliation with our local industry.

RESOLUTIONS

RE #64-70 - City of Sault Ste. Marie - Studded Tires

Moved by Alderman Bough, seconded by Alderman Guindon that the resolution from the City of Sault Ste. Marie be filed. Unanimously adopted.

RE #65-70 - Moved by Alderman Fawthrop, seconded by Alderman Cameron that the City of Cornwall petition the Department of Highways for interim payment of subsidy under the Highway Improvement Act on expenditures made in the year 1970. Unanimously adopted.

BY-LAWS

By-law No. 972 - To transfer the interest of the City to Howard Smith Paper Mills Ltd. of that portion of the Fly Creek Sewer running through the lands of the said Howard Smith Paper Mills Limited

973 - To dedicate part of Lot 13, 2nd Conc. for highway purposes (13th Street)

974 - Temporary Loan re By-law No. 937/70 - \$24,938.87

1st & 2nd Reading Cont'd.

By-law No. 975 - To amend the Zoning By-law (Domtar)

Moved by Alderman Gauthier, seconded by Alderman Guindon that the by-laws be read a First and Second Time. Voting against the motion was Alderman Bough. The motion carried.

By-law No. 937 - To auth. the const. of a Sanitary Sewer on Poirier Ave. from Mercier to 110' south of Cornwall Centre Road - \$24,938.87

972 - To transfer the interest of the City to Howard Smith Paper Mills Limited of that portion of the Fly Creek Sewer running through the lands of the said Howard Smith Paper Mills Limited

973 - To dedicate part of Lot 13, 2nd Conc. for highway purposes (13th Street)

974 - Temporary Loan re By-law No. 937/70 - \$24,938.87

975 - To amend the Zoning By-law (Domtar)

Moved by Alderman Bough, seconded by Alderman Lebano that By-law Numbers 937 - 974 be given a Third Reading, Passed, Signed and Sealed and that By-law No. 975 be given a separate reading. Unanimously adopted.

By-law No. 975 - To amend the Zoning By-law (Domtar)

Moved by Alderman Carrara, seconded by Alderman Guindon that the by-law be read a Third Time, Passed, Signed and Sealed. The motion was defeated.

Alderman Pescod declared his interest and refrained from discussing or voting on the by-law.

NEW BUSINESS

Speckled Trout Quarry - Moved by Alderman Lebano, seconded by Alderman Bough that His Worship Mayor N. Kaneb forward a letter to Honourable R. Brunelle thanking him for the work carried out to improve the quarry and asking for continued assistance from the Department. Unanimously adopted.

Service Stations - Alderman Lebano inquired as to whether Council can take any action against service stations which have been closed and still retain their permit. Mr. Boyer reminded Alderman Lebano that, when the company re-applies for a permit, it is then up to Council to approve or reject the application.

Alderman Guindon inquired if a service station was to burn down, which is operating under a non-conforming use, can the business be re-established at that location.

Redevelopment of the Canal Area - Replying to Alderman Lebano, Mayor Kaneb stated that the last official communication he has had was when a meeting was arranged with the Seaway Authority and Mr. Quigg asked for a postponement. He has approached the Authority since and asked when the meeting is going to be reconvened. Our Committee, the Mayor stated is willing and ready to meet with the Federal Government on this matter at any time we are told they are ready to meet. Alderman Clement and Mr. W. L. Courville are presently trying to expedite this meeting.

Industrial Development - Alderman Lebano noted that the local economy has suffered another blow with the proposed layoff of additional men at Courtaulds Canada Limited. He believed that large industrial interests are asking Federal approval and suggested that the Mayor approach Honourable J. Marchand when he meets with him at the Industrial Show. Mayor Kaneb reminded Alderman Lebano that Honourable J. L. Peppin is the Minister of Industry, Trade and Industry not Honourable J. Marchand. Alderman Clement notified Council that he will be giving a report in Committee of the Whole, following the Council meeting.

Park Avenue - Alderman Carrara asked that consideration be given to the extension of Park Avenue, 100 feet east of the existing concrete pavement.

Blocked Sewer - Alderman Carrara complained that a Mr. Pilon on Second Street East suffered damages to his home as a result of a blocked sewer. Alderman Carrara stated that Mr. Pilon was advised that the City had accepted responsibility but he is still awaiting payment from the Insurance Company.

Connecting Sewers - Mr. Adams explained that, if a ratepayer asked the City to provide service from the watermain on the street to his property line, then the City supplies the pipe at municipal cost. If the ratepayer wishes to do the work himself, then he must purchase the pipe from normal retail outlets.

Air Monitoring Station - Answering Alderman Bough, Alderman Carrara explained that the Department had decided that Memorial Park was the best location for the erection of the Air Monitoring Station and, while the building has been constructed, there is a lot of machinery that has to be put in yet. It is hoped that it will be in operation by the end of the month.

Term of Office of Council - Moved by Alderman Bough, seconded by Alderman Gauthier that Council forward a letter to the Minister of Municipal Affairs objecting to the Department's proposal to limit the term of office for members of Council to two years and advising the Minister of the plebiscite that was passed here. Unanimously adopted.

Warden's Banquet - Alderman Bough asked that a letter of congratulations be sent to Mr. A. McNaughton, Warden of the United Counties who was recognized recently at the Warden's Banquet. He suggested that the City might consider a similar

venture in the spring and that a dinner for members of Council might be held.

Demolition of Building - Mr. Adams advised Alderman Bough that there has been a fire at the building on Eleventh Street, formerly occupied by Mr. P. Gignac and that the new owner has been given until November 12th to demolish the building otherwise the City will take the necessary steps to have it demolished.

Snowmobiles - Alderman Bough asked the Public Works Committee to consider the regulating of snowmobiles on City streets.

Transit System - Alderman Pescod advised Alderman Bough that he expects to hold a meeting of the Technical Co-ordinating Committee this coming Thursday to further study the transit situation.

Zoning Amendments - Moved by Alderman Clement, seconded by Alderman Webster that the request of Mr. Maurice Blanchard for rezoning of his property be re-considered. The motion carried.

Moved by Alderman Fawthrop, seconded by Alderman Guindon that a by-law be prepared to amend the Zoning By-law to allow a change from C-41 to C-42 of property owned by Mr. Blanchard at the corner of McConnell Avenue and Tollgate Road. The motion carried.

Construction of Sewer System - Alderman Guindon inquired as to whether it is possible to have the ditch at the corner of McKenzie Avenue and Pitt Street opened as it was closed due to construction of the sewer system in that area. He complained that, after a rain, there was a heavy runoff onto McKenzie Avenue.

E. M. O. - Replying to Alderman Guindon, Alderman Bough advised that the Counties will only be meeting next week and he should have something to report on E.M.O. after that meeting.

Sam Pond Property - Alderman Guindon asked what action has been taken on the removal of the Sam Pond residence on Tollgate Road as a neighbour to this property has carried out extensive renovations to his home and is unable to rent it due to the existence of this old building next door.

Snowmobiles - Alderman Guindon asked that the City consider passing a by-law to regulate snowmobiles and that he would not like to see them banned entirely within the City.

Demolition of Buildings after Fires - Alderman Brunet inquired as to what action had been taken by the City in forcing the demolition of the remaining structures after a fire. Mr. Adams reported that his Department is working on this problem and is attempting to obtain information from other municipalities.

Property on Vincent Massey Drive - Alderman Brunet compared property, west of Graveley's on the north side of Vincent Massey Drive, which is zoned agricultural, to property owned by Mr. Rosenhek on the eastern end of the City which is zoned residential and is serviced land. Alderman Brunet pointed out that Mr. Rosenhek pays less in taxes than the owner of the property on Vincent Massey Drive. It was brought out to Alderman Brunet that this problem should be discussed with the Provincial Assessment Department.

Attendance at Committee meetings - Alderman Brunet

pointed out that the Municipal Act does not mention whether an elected person may attend any Committee meeting and he would like to obtain a ruling on this question. Mayor Kaneb stated that the Chairman is responsible as to who may attend the meeting.

Snowmobiles - Alderman Clement referred to an article in the press which states that snowmobile operators must have a licence if they wish to use parks and highways, otherwise they may use their snowmobiles only on private property.

Property at Fifth Street and Baldwin Avenue - Alderman Carrara made Council aware of a problem of Mr. McGlynn who lives on Baldwin Avenue. It would seem that property, formerly used for a park, has been purchased by Whittaker Bros. and there is a five foot strip of land leading into the park which Mr. McGlynn would like to purchase. Whittaker Bros., on the other hand, feel that half of this land should belong to them. Mr. Adams stated that he was aware of the problem and was presently having a plan made of the property .

Adjournment - Moved by Alderman Fawthrop, seconded by Alderman Bough that Council adjourn into Committee of the Whole.

Following a meeting of Committee of the Whole, Council reconvened.

Committee of the Whole Report No. 26-70 - Moved by Alderman Cameron, seconded by Alderman Brunet that the report be adopted as received. Unanimously adopted.

Adjournment - Moved by Alderman Clement, seconded by Alderman Guindon that Council adjourn.


Clerk


Mayor