

CITY COUNCIL NO. 33-70

December 14, 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, R. Brunet, D. A. Fawthrop, D. Webster, F. Guindon, G. Cameron, K. Bough, A. M. Lebano, J. Pescod and M. Holden.

DELEGATIONS

Mr. Ken Bergeron - Mr. Bergeron addressed Council on behalf of his client, Mr. Leo Lefebvre, who is the owner of a building at 326 Marlborough Street. A restaurant and confectionery business, Mr. Bergeron noted, was carried on from the ground floor of this building with an apartment above. Some time ago, Mr. Lefebvre sold the building to a Mr. Asselin who proceeded to convert the ground floor into two small apartments. The reconstruction of the building was never completed and was unknown to Mr. Lefebvre. Further, the apartments were never rented to anyone. Mr. Lefebvre has now repossessed the building and is anxious to obtain a restaurant licence to again operate the business from this location. The operation of the restaurant at this location was originally permitted as a non-conforming use and now, due to the short period of time that no business was carried on, Mr. Lefebvre finds that he is unable to obtain a licence. Mr. Bergeron asked Council to approve, because of the circumstances, the granting of a licence for the operation of a restaurant, otherwise, he pointed out that Mr. Lefebvre would find himself in a very serious financial situation.

Moved by Alderman Lebano, seconded by Alderman Gauthier that the request be referred to Mr. M. A. Boyer and the City Solicitor. Unanimously adopted.

Len Hart and Bill Sutherland - Mr. Hart read from a brief, signed by a number Pitt Street residents. He was advised by the Mayor that the brief would be taken under advisement by Council. He further pointed out to the delegation that the City by-law has nothing to do with the breakdown of costs but covers the gross cost of the main sewer. Mr. B. Grant explained in some detail how the costs were arrived at in accordance with the Local Improvement Act. As this is an older subdivision, the sewer had to be placed on one side of the road rather than in the middle and thus, the apportionment of cost was not equal to residents living on both sides of the street.

Moved by Alderman Pescod, seconded by Alderman Lebano that the brief be referred to the Public Works Committee. Unanimously adopted.

Alderman Guindon asked that the citizens in the area be invited to attend the Committee meeting when this matter is discussed.

D. Gauthier, G. Bond and L. McLaren - Messrs. D. Gauthier, Solicitor and Real Estate Manager and G. Bond, Plant Manager of Domtar and Mr. L. McLaren, Realtor addressed Council requesting the rezoning of land owned by Domtar on Brookdale Avenue.

Mr. Gauthier related that, last January, the Company signed an Offer of Sale for property owned by the Company along Brookdale Avenue and one of the conditions was that the purchaser would try to have the zoning amended for commercial purposes.

He noted that, from January to August, various requests have been submitted asking for a rezoning. At that time, the proposed purchaser gave notice that he would go no further in the dealings with the Company until the zoning was changed. The Company then asked Mr. McLaren to continue requesting a rezoning of the land. Mr. Gauthier pointed out that it will be difficult to sell the land unless it is rezoned for commercial usage. Mayor Kaneb inquired as to whether the Company would be prepared to ask for a commercial rezoning which would exclude shopping centres. Mr. McLaren replied that there is none.

Mayor Kaneb noted that Council has asked that the Company indicate, by producing a set of plans, the purpose for which the land will be used. Mr. McLaren pointed out that the initial request for rezoning had been made two years ago and, at that time, the City was involved in the new Official Plan and he understood that the zoning plan, when revised, would change this land to commercial. He further contended that, at the O.M.B. Hearing in February of this year, the Board established that Domtar was not connected with any of the contiguous points in the by-law and Mr. McLaren stated that he was advised to take the necessary steps to have the Official Plan and Zoning By-law amended on the merits of this property alone. He felt that the City was placing a restriction on free enterprize. It was the general opinion of members of Council that they were not against the rezoning of the land but did not want this property to be sold for a shopping centre.

The Mayor reminded Mr. Gauthier that he may appeal direct to the Ontario Municipal Board for a rezoning of the Company's land.

After a short recess, Mr. Gauthier inquired as to what would happen if they find a purchaser for the land. The Mayor replied that Council will not support any rezoning at the present time and may not at any time consider rezoning for a shopping centre. The Mayor suggested that, possibly, the Zoning By-law could be amended to remove shopping centres from the C-11 category and form a new section for shopping centres only. Mr. Gauthier was further advised that, if the Company would give an undertaking to the City, the land will not be used for a shopping centre then Council would likely agree to the rezoning. Alderman Bough questioned whether Council has a moral right for what purpose they intend to use the land. This policy, he felt, might indicate that we do not want people to invest in the community.

Mr. Gauthier, on behalf of Domtar, thanked Council for the opportunity of speaking this evening and stated that he will discuss the question with the Company.

Paul Rouleau - Mr. Rouleau inquired as to the status of his request on the zoning of property owned by Courtaulds at the intersection of Montreal Road and Danis Avenue.

Rule '48' - As the question presented by Mr. Rouleau froms part of the Planning Board minutes, it was moved by Alderman Pescod, seconded by Alderman Guindon that Rule '48 be suspended and that Planning Board Report No. 11-70 be considered at this time. Unanimously adopted.

Planning Board Report No. 11-70 - Moved by Alderman Pescod, seconded by Alderman Guindon that the report be adopted as received. Unanimously adopted.

Adoption of Minutes - Moved by Alderman Gauthier, seconded by Alderman Guindon that the Council minutes of meetings held November 23rd and December 1st be adopted as received. Unanimously adopted.

COMMUNICATIONS

1. Canadian National Railways - Trackage between York Street & McConnell Ave. - Moved by Alderman Bough, seconded by Alderman Carrara that the letter be filed. Unanimously adopted.
2. Minister of Municipal Affairs - Term of Office for Members of Council - Moved by Alderman Guindon, seconded by Alderman Gauthier that the letter be filed. Unanimously adopted.
3. Royal Canadian Legion, Branch 297 - Lottery - Moved by Alderman Webster, seconded by Alderman Lebano that Branch 297 of the Royal Canadian Legion be granted permission to apply to the Department of Financial and Commercial Affairs for a licence to operate lotteries during the year 1971. Unanimously adopted.
4. Canadian Federation of Mayors & Municipalities - Increase in Membership Fees - Moved by Alderman Guindon, seconded by Alderman Gauthier that the letter be referred to the Finance Committee.
5. Petroleum Association of Ontario - By-law No. 956/70 - Moved by Alderman Cameron, seconded by Alderman Lebano that the letter be referred to Messrs. M. A. Boyer, C. F. Adams and the City Solicitor. Unanimously adopted.
6. Knights of Columbus - Law Enforcement Appreciation Week - Moved by Alderman Gauthier, seconded by Alderman Bough that the letter be referred to the Police Commission. Unanimously adopted.

7. Allan J. McDonald - Performance Bond re Transit System -
 Moved by Alderman Pescod, seconded by Alderman
 Cameron that clause 9(a) of the proposed agreement between the
 City and Allan J. McDonald Limited be amended to permit the
 Company to submit a performance bond renewable from year to year
 during the term of the contract. Unanimously adopted.

REPORTS

Redevelopment Committee Report No. 5-70 - Messrs.

M. Thompson and J. L. Laframboise presented for Council's
 perusal, plans of the proposed justice administration building.
 Mr. Thompson briefly explained the use to which the various
 floors will be put. The plans have been studied and approved
 by Dr. Peters and the Department of Health for the second floor
 area which will be used by them. Also the areas to be used by
 the Courts have been approved by the Attorney General and his
 Department. The total estimated cost, as expected by Mr. Thompson,
 is to be \$1,350,000.00.

Moved by Alderman Cameron, seconded by Alderman
 Guindon that Redevelopment Committee Report No.5-70 be adopted
 as received. Unanimously adopted.

Mr. Thompson explained the studies made by his firm
 prior to recommending that the building be heated by gas.

Mayor Kaneb thanked Alderman Cameron and his Committee
 for the excellent job they have done as members of this Committee.
 He also thanked Mr. Thompson and his firm. He trusted that tenders
 may be called shortly in order that construction might begin in
 March to help the unemployment situation.

Finance Committee Report No. 16-70 - Moved by

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

Mayor Kaneb stated that he will be calling a special meeting to study the budget and, at the same time, he may take into account, a recent report prepared by the Department of Municipal Affairs.

Public Works Committee Report No. 15-70 - Moved by

Alderman Gauthier, seconded by Alderman Guindon that the report be adopted as received. The motion carried.

Report on Fall Conference of E.O.D.C. No. 3-70 -

Moved by Alderman Lebano, seconded by Alderman Bough that the report be adopted as received. The motion carried.

Summary of Watermains completed in 1970 - #21-70 -

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

Summary of Engineer's Reports to Council #22-70 -

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

RESOLUTIONSRE #69-70 - City of Belleville - Daylight Saving Time

Moved by Alderman Bough, seconded by Alderman Webster that the resolution received from the City of Belleville be filed. The motion carried.

BY-LAWS

By-law No. 981 - To authorize the widening and reconstruction of certain sections of Second St. from McConnell Ave. to 180' east of St. Felix Street - \$111,667.82

982 - To stop up and close Carleton St. between St. Felix Street and Lasalle Road

- 983 - To authorize the sale of part of Lot 12,
Concession One in the City to Domtar Limited
- 984 - To authorize the pulling down of an unsafe
building (1222 Cumberland Street)
- 985 - To authorize the pulling down of an unsafe
building (Lot 1, R.P. 207)
- 986 - To authorize the Mayor & Clerk to sign an
agreement with St. Lawrence Power re Filtration
Plant
- 987 - To enter into an agreement with Allan J. McDonald
(Transit System)
- 988 - To authorize a petition for a Private Bill to
the Legislative Assembly of Ontario to confirm
By-law No. 987/70

Moved by Alderman Gauthier, seconded by Alderman

Bough that the by-laws be read a First and Second Time.

Unanimously adopted.

- By-law No. 983 - To authorize the sale of part of Lot 12,
Concession One in the City to Domtar Limited
- 984 - To authorize the pulling down of an unsafe
building (1222 Cumberland Street)
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building (Lot 1, R.P. 207)
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Legislative Assembly of Ontario to confirm
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Moved by Alderman Carrara, seconded by Alderman

Guindon that the by-laws be read a Third Time, Passed, Signed
and Sealed. Unanimously adopted.

NEW BUSINESS

Street Plowing - Alderman Gauthier referred to complaints received when the City plows block driveways. He pointed out that the City has no equipment to clean driveways and streets can only be cleaned in the manner in which the Public Works Department is now carrying out this work.

Store Closing By-law - Alderman Brunet referred to the practice of some stores remaining open on certain days for 15 hours. He pointed out that this practice is very unfair to the independent merchant who is trying to compete. He went on to state that, if the small stores are forced to close, more City taxes will be lost. He stated that the City will probably have to consider the Store Closing By-law if the Province does not pass necessary legislation.

Street Cleaning - Answering Alderman Webster, Mr. Grant stated that Pitt Street, Montreal Road and Second Street are the first streets to be cleaned after a snowstorm, with the narrow one-way streets then being cleaned. The Mayor observed that one snowplow was broken down for two nights after the recent heavy storm which delayed clean-up operations.

Accumulation of Snow on Balconies - Alderman Guindon asked that property owners see that the balconies are free of heavy snow which can create a very dangerous situation.

Civic Holiday - Moved by Alderman Guindon that January 2, 1971 be declared a civic holiday. There was no seconder to the motion.

Smoking at Arena - Alderman Bough again brought to Council's attention, the dangerous practice of permitting smoking

in the Water Street Arena when games are going on. He asked that the Parks and Recreation Department and the Fire Inspector take this problem under advisement. Alderman Lebano stated that he will ask the ushers to try and control smoking in the arena.

School Elections - Alderman Lebano referred to the small turnout of 22.8 of the eligible voters at the recent election for School Board members. He estimated that the cost would be approximately \$6.00 a vote. He complained that the press coverage indicating the small turnout at the elections and various other problems within the City were being blamed on Council. He indicated that Council was not responsible for many of the things blamed on it and suggested that fuller coverage might be given to School Board meetings.

Cornwall Harbour - Alderman Lebano referred to the write-up given by the local press with many comments made by Mr. John Campbell, stevedoring agent, who had recently docked at our harbour. Mr. Campbell stated that, in his opinion, the Federal Government should not spend money in developing and enlarging the present harbour, but rather a new harbour should be located a few miles east in Charlottenburgh Township. It was noted that, following Mr. Campbell's comments, there was a further write-up in the paper in which the Harbour Commission, Mr. W. L. Courville and other interested industries disagreed with Mr. Campbell's comments and strongly supported further development of present facilities.

Incentive Program - Alderman Lebano stated that he agreed with Honourable L. Lamoureux that it is now up to members of Council and all citizens to work toward improving employment conditions within the City now that the Federal Government has

seen fit to place Cornwall on the Incentive Program.

Curling Bonspiel - Alderman Lebano referred to the excellent results obtained when the Tourist Bureau and the Bonspiel Committee worked together in sponsoring a bonspiel here which brought in many professional out-of-town curlers.

Parks and Recreation Meeting - Alderman Lebano asked the opinion of members of his Committee as to when the next meeting of the Parks and Recreation Committee should take place due to the proximity of the Christmas holidays. It was decided that the next meeting of the Committee would be held on December 23rd.

Industrial Program - Mr. W. L. Courville notified members of Council that Honourable J. Marchand, Minister of Regional Economic Expansion, has retained the services of Price Waterhouse Associates to carry out and prepare a study of local conditions. He stated that approximately 40 people from Cornwall may expect to be interviewed in relation to economic conditions within the City.

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

Committee of the Whole Report No. 28-70 - Moved by Alderman Cameron, seconded by Alderman Webster that the report be adopted as received. Unanimously adopted.

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


Clerk


Mayor