

CITY COUNCIL No. 4-71

February 22, 1971.

A Special 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. Fawthrop, G. Cameron, K. Bough, A. Lebano, J. Pescod and M. Holden.

Adoption of Minutes

Moved by Alderman Gauthier, seconded by Alderman Cameron, that the Council minutes of the meeting held February 8th be adopted as received. Unanimously adopted.

Zoning By-law

Mayor Kaneb stated that as a result of the Ontario Municipal Board hearing last week, it was agreed by the Chairman that along with the master Zoning By-law, the Board would deal with other amendments at the hearing scheduled during the week of April 19th. The Chairman also suggested that Council could expedite matter by processing any applications for amendments prior to the hearing. Mayor Kaneb therefore asked if Council wished to hear delegations in this regard.

Moved by Alderman Fawthrop, seconded by Alderman Cameron, that Rule 48 be suspended in order to hear delegations.
Jean Cameron - N.W. Corner of Westmoreland and Second

Mr. H.A.V. Dancaus e addressed Council on behalf of Mrs. Cameron. He stated that Mrs. Cameron owns the lot to the east of her residence. She would like to utilize this lot for the construction of a new residence providing for offices in the basement from where she would operate her real estate business. The Zoning By-law proposes that the property be zoned as Residential 20 which would not permit her to have offices in the basement. He asked that Council now prepare and pass the necessary amending by-law to zone the lot in question as Commercial 51. He pointed out that a few years ago when the property was zoned commercial, Mrs. Cameron had requested an amendment to allow her to erect an apartment building and the neighbouring owners had objected to this use. He could not foresee any objections to the present application.

Alderman Lebao spoke in support of the application pointing out that there are other commercial establishments in the immediate area.

In answer to a question from Alderman Bough, Mr. Adams replied that he could not issue a building permit knowing that Mrs. Cameron wishes to operate her business from that location.

Moved by Alderman Fawthrop, seconded by Alderman Lebao, that Council supports the application of Mrs. Cameron and that the necessary amending by-law be prepared and referred to the Planning Board for recommendation to Council.
Unanimously adopted.

The Clerk suggested that if the Council is going to support any applications for rezoning, it should do so tonight. The necessary by-laws could then be prepared and referred to the Planning Board for recommendation to Council which meets on March 8th. This would then allow sufficient time for sending out required notices prior to the Ontario Municipal Board hearing.
Milton M. Matheson - 15 Fourth St. E.

Mr. Ron Adams addressed Council on behalf of Mr. Matheson requesting that the Zoning By-law be amended to extend the commercial zone easterly to include Mr. Matheson's property. He pointed out that he had appeared before the Planning Board which had recommended the change to Council. He had also appeared before Council at that time but action was deferred pending approval of the Zoning By-law.

Moved by Alderman Lebao, seconded by Alderman Cameron, that Council supports Mr. Matheson's application and that the necessary amending by-law be prepared and referred to the Planning Board for recommendation to Council.
Unanimously adopted.

Lands North of Dover Rd. & East of Joyce

A letter which appears under communications as item #5 was next considered by Council. Mr. Palmer requested that Council further study the proposed zoning of the above lands to permit the erection of multiple family dwellings and to advise the Ontario Municipal Board of the results.

Moved by Alderman Gauthier, seconded by Alderman Holden, that Council supports this request and that the necessary letter of intent be forwarded to the Ontario Municipal Board. Unanimously adopted.

COMMUNICATIONS

1. County Board of Education - Extension of Sanitary Sewage Facilities Easterly along Tollgate Road from Pitt Street

Moved by Alderman Gauthier, seconded by Alderman Pescod, that the letter be referred to the Public Works committee for consideration. Unanimously adopted.

2. Chamber of Commerce - Civic Holidays

Moved by Alderman Bough, seconded by Alderman Pescod, that the letter be filed. Unanimously adopted.

3. Minister of Indian Affairs & Northern Development - Inverarden House

Moved by Alderman Gauthier, seconded by Alderman Cameron, that the letter be filed and that a copy be sent to each member of the Ad Hoc Committee. Unanimously adopted.

4. Canadian Federation of Mayors & Municipalities - Withdrawal of Membership

Moved by Alderman Fawthrop, seconded by Alderman Cameron, that the letter be filed. Aldermen Holden and Lebano voted against the motion and the motion carried.

5. Adams, Bergeron and Palmer - Amendment to the Zoning By-law

6. Adams, Bergeron and Palmer - Amendment to the Zoning By-law

7. McDougall, Dancause & Shields - Amendment to the Zoning By-law

Letters 5, 6 & 7 were dealt with earlier in the meeting.

8. Chamber of Commerce - Increased water supply to industrial area Boundary Rd.

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

Mayor Kaneb advised that he had already acknowledged the letter and asked the Clerk to read same.

9. Canadian Martyrs' Parish - Permission to sell raffle tickets

Moved by Alderman Carrara, seconded by Alderman Cameron, that permission be granted to Canadian Martyrs' Parish to sell raffle tickets for a lottery to be held on April 23, 1971. Unanimously adopted.

10. Ontario Heart Foundation - Blitz on March 2, 1971

Moved by Alderman Carrara, seconded by Alderman Cameron, that permission be granted to the Ontario Heart Foundation to hold a Blitz on March 2nd. Unanimously adopted.

11. Ontario Heart Foundation - Free bus transportation for canvassers

Alderman Pescod advised that he had canvased the members of the Transit Committee and it was felt that to grant this request would open the door to other demands of a similar nature.

Moved by Alderman Pescod, seconded by Alderman Cameron, that the request be denied. Unanimously adopted.

REPORTS

Anti-Pollution Committee #2-71

Moved by Alderman Carrara, seconded by Alderman Gauthier, that the report be adopted. Unanimously adopted.

Parks and Recreation Committee #2-71

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

Alderman Bough inquired as to the condition of the Community Arena and was advised that operations had been curtailed for two days while the necessary repairs were made.

Mr. Adams advised that he is satisfied that the arena can function as normal and that he will have a report from M.S. Thompson on the work carried out.

Insurance Committee #6-70 and #7-70

Moved by Alderman Fawthrop, seconded by Alderman Cameron, that the reports be adopted as received. Unanimously adopted.

Cornwall Tourist and Convention Bureau #1-71

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

Aldermen Lebano, Carrara and Brunet took exception to the fact that a firm from Montreal had been contacted about the production of a new tourist brochure. They felt that there are qualified people in Cornwall who could handle the job.

Mr. Gerald Parisien, who is a member of the Bureau, informed Council that tenders will be called when the time comes.

Report re Fire Department Uniform Shirts, Tender #5-71

Moved by Alderman Gauthier, seconded by Alderman Cameron, that permission be granted to place an order with the Empire Shirt Company for the correct type of fireman's shirt at an approximate cost of \$4 each. Unanimously adopted.

Amended Engineer's Summary of Construction of 24" watermain - #1-71

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

Summary of Engineer's Report to Council #2-71

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

Summary of Engineer's Report to Council #3-71

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

Report re Survey of Business from Central Core - Misc. #1-71

Moved by Alderman Lebano, seconded by Alderman Cameron, that the report be received. Unanimously adopted.

Mayor Kaneb advised that in the near future the Redevelopment Committee would be meeting with representatives of the Downtown Merchants, the Parking Authority and the Planning Board and that hopefully the Committee could use some of the background from this report.

Alderman Lebano asked that a copy of the survey be forwarded to Mr. George Pommier and Mr. Richard B. Rodger. Cornwall Planning Board #1-71

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

Alderman Brunet inquired on the progress of the establishment of trailer areas and he was advised that trailer parks will be in effect this spring and permanent trailer sites will be coming up very shortly.

Alderman Brunet also inquired about sites for circuses and carnivals. Mr. Adams replied that since they are for a short duration and of a temporary nature, they cannot be covered under the Zoning By-law and will have to be covered in a separate licensing by-law.

Alderman Lebano stated that he would have to vote against adoption of the report because of the recommendation pertaining to Cornwall Bottling Works. He could see no reason for refusing their request since it is a prestige industry that has been operating from that location for many years.

Alderman Pescod explained that the company is requesting a change in zoning of residential properties surrounding their property.

Moved by Alderman Cameron, seconded by Alderman Brunet, that carnivals and circuses be banned from shopping areas.

Alderman Carrara was of the opinion that there are too few locations for this type of amusement and usually the monies derived therefrom are for charitable purposes.

Alderman Brunet felt that they should be allowed to locate on sites where they would not cause traffic hazards.

The Clerk suggested that each application could be dealt with on an individual basis, the applicant outlining the type of operation, the proposed location, etc.

An amendment to the motion was made by Alderman Lebano, seconded by Alderman Gauthier, that any applications for a license to hold a circus or carnival be referred to City Council for consideration. Voting against the amendment were Aldermen Brunet and Cameron. The amendment carried and the motion was defeated.

Emergency Measures Organization - Feb. 4/71

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

Closing of Carleton Street

The Clerk advised that By-law 982 for the closing of a portion of Carleton Street was advertized in the press as required. An objection was received from a Mr. Bougie and was referred to the City Solicitor. Since then another letter has been received from Mr. Bougie advising that he does not object. Therefore, By-law 982 could be given a third reading.

Alderman Brunet felt that the City should have something in writing from the abutting owners so that there could be no comeback on the City because of Council's action.

Mr. Fennell advised that all that was required to protect the City was a release signed on the deed by the abutting owners.

Finance Committee #8-71

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

Alderman Fawthrop advised that the Finance Committee had met with the Treasurer last week and endorsed his recommendations and asked him to revise the Capital Budget accordingly. Mr. Adams had also been asked to indicate projects of priority for this year and Mr. Hamilton prepared his report on this basis.

Mr. Hamilton briefly went over his report explaining certain items as he proceeded.

Mayor Kaneb pointed out that only the 1971 budget would actually be approved. The remainder of the Capital Budget is projection only and each project has to be approved by Council before the work can be carried out. Once the budget is approved by the Ontario Municipal Board it cannot be changed. If a special case arises Council can always ask for special approval.

Alderman Lebano felt that the Finance Committee should reconsider its decision to delete an amount of \$55,000 for recreation purposes in 1971.

Alderman Fawthrop advised that as with all budgets, the Finance Committee went on a priority basis. If the Parks and Recreation Committee can prove that the project for which this money is requested can be self-liquidating, the matter could be reconsidered.

An amendment to the motion was made by Alderman Lebano, seconded by Alderman Gauthier, that an amount of \$55,000 be included in the Capital Budget for recreation purposes.

Alderman Bough felt that the Arena is serving its purpose at the present time. He did not think it would be fair to other groups needing facilities at the Arena during the summer months. He felt that if Council is going to delete items from the budget it should look at the items that have been deleted and establish priorities.

Alderman Fawthrop stated that he was against the amendment because he is not satisfied that the project is self-liquidating. Perhaps if it can be proven that it is self-liquidating special approval could be obtained from the Ontario Municipal Board.

Alderman Lebano again asked that Council include \$55,000 in the Capital Budget until the Parks and Recreation Committee has had a chance to explore the matter further.

Alderman Pescod advised that the Finance Committee felt that if there was a question of adding any other items to the Capital Budget there was an item under land acquisition that had some priority and should be included if Council saw fit to make any additions.

Asked for his comments, the Treasurer advised that in speaking to Mr. Miller it would appear that the project could be self-liquidating.

Alderman Lebano asked for a recorded vote on the amendment and the vote was as follows -

For the Amendment

Aldermen Gauthier
Lebano

Against the Amendment

Aldermen Carrara
Brunet
Fawthrop
Cameron
Bough
Pescod
Holden

The amendment was defeated.

An amendment to the motion was made by Alderman Gauthier, seconded by Alderman Brunet, that an amount of \$58,000 be included in the Capital Budget for land acquisition. A vote was taken on the amendment and the amendment was defeated. The motion carried.

RESOLUTIONS

RE #20-71 - City of Niagara Falls - Residential Property Tax Reduction Act

Moved by Alderman Gauthier, seconded by Alderman Cameron, that the resolution from the City of Niagara Falls be filed. Unanimously adopted.

RE #21-71 - City of Belleville - Snowmobiles

Moved by Alderman Cameron, seconded by Alderman Pescod, that the resolution from the City of Belleville be filed. Unanimously adopted.

RE #22-71 - County of Halton - General Welfare Assistance Act

Moved by Alderman Cameron, seconded by Alderman Holden, that the resolution from the County of Halton be endorsed. Unanimously adopted.

BY - LAWS

By-law No. 1009 - To provide for the borrowing upon debentures to pay for extensions and improvements to the Waterworks System - \$584,387.85

1010 - To provide for the borrowing upon debentures to pay for the construction of certain local improvements - \$215,338.26

1011 - To provide for the borrowing upon debentures to pay for the construction of certain local improvements - \$93,366.37

1012 - To provide for the borrowing upon debentures to pay for the construction of a connecting links road - \$53,950.00

1013 - To consolidate Debenture By-laws 1009, 1010, 1011 and 1012 - \$947,042.48

1014 - To grant an annual retirement allowance payable monthly to Mr. Paul E. Laurin

Moved by Alderman Carrara, seconded by Alderman Gauthier, that the by-laws be given first and second readings. Unanimously adopted.

By-law No. 982 - To stop up and close Carleton Street between St. Felix St. and Lasalle Road as shown on Registered Plan No. 311

1014 - To grant an annual retirement allowance payable monthly to Mr. Paul E. Laurin

Moved by Alderman Carrara, seconded by Alderman Cameron, that the by-laws be given third reading, passed, signed and sealed. Unanimously adopted.

Capital Budget

Alderman Lebano stated that he had voted against the amendment to include an amount of \$58,000 in the Capital Budget for land acquisition and wanted to go on record now as changing his vote.

Mayor Kaneb stated that Alderman Lebano's action might change the vote in favour of the amendment.

Moved by Alderman Carrara, seconded by Alderman Lebano that Council reconsider including an amount of \$58,000 in the Capital Budget for land acquisition on Fourth Street from McConnell to Guy.

Mayor Kaneb called a recess to allow the Clerk to check the Procedural By-law to ascertain if this motion was in order.

Council reconvened and the Clerk advised that it would appear to be in order to have a motion to reconsider the Finance Committee Report as long as a majority of Council vote in favour of reconsideration and as long as there is no debate.

Aldermen Carrara and Lebano withdrew the original motion and moved that Council reconsider Finance Committee Report #8-71. The motion carried.

Alderman Fawthrop was of the opinion that Mayor Kaneb's statement would influence the vote and Mayor Kaneb replied that it is his responsibility to bring to Council's attention matters of such importance.

Moved by Alderman Carrara, seconded by Alderman Gauthier, that the Capital Budget be increased by an amount of \$58,000 for the acquisition of a parcel of land on the north east corner of McConnell and Fourth Streets.

Alderman Fawthrop stated that the Capital Budget was reviewed by the Finance Committee, the members had gone over every item on a priority basis and asked that the Budget be adopted as is.

An amendment to the motion was made by Alderman Cameron, seconded by Alderman Fawthrop, that the City take an option on the property if possible. A vote was taken on the amendment and the amendment was defeated. The motion carried.
O.M.A. and A.O.M.R.

Mayor Kaneb advised that there is material on file in his office or the Clerk's Office pertaining to the Ontario Municipal Association and Association of Ontario Mayors and Reeves, copies of which could be made available to anyone interested in same.

Notice of Motion

Alderman Carrara gave notice of motion that he will be asking Council at its next meeting to consider turning over to the Public Property Committee of the Public Works Committee the responsibility for all public buildings.

Seaway Lands

Alderman Brunet was concerned over the fact that he had to learn of any news about the Seaway lands through the newspapers instead of through correspondence to the City. He stated that he would fight acquisition of the land for \$1 just to absolve the Seaway of all responsibility.

Adjournment

Moved by Alderman Gauthier, seconded by Alderman Carrara, that Council adjourn into Committee of the Whole.

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

Committee of the Whole Report #4-71

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

Adjournment

Moved by Alderman Fawthrop, seconded by Alderman Holden, that Council adjourn.



Clerk



Mayor