

CITY COUNCIL NO. 20-73

September 10, 1973.
7:00 p.m.

A Regular Meeting of City Council was held this evening with the following members present: His Worship Mayor E. C. Lumley, Aldermen G. Leger, A. LeBlanc, G. Samson, A. Clement, D. Webster, D. Fawthrop, F. Guindon, G. Cameron, K. Bough, A. Lebano, J. Pescod and M. Holden.

Rule '48' - Moved by Alderman Guindon, seconded by Alderman LeBlanc that Rule '48' be suspended in order to permit Mr. William Pecore and Mr. J. E. Hay to address Council. Carried.

In support of his application for better drainage on Adolphus Street, Mr. Pecore submitted a petition signed by residents in the area of Roy, Tenth, Adolphus and Cooper Streets.

Moved by Alderman Guindon, seconded by Alderman Lebano that the petition be referred to the City Engineer for study and report. Carried.

Mr. Hay spoke with respect to Petition No. 35-73 asking that the ditch on Roy Street be filled in. He complained that there are no culverts across the road and water is coming into the basement windows and the storm sewer is backing up. He stated that the City blames the contractor for the problem. Mr. Adams stated that a meeting is being set up with the contractor for tomorrow with respect to the drainage and at the same time, the City will study the sewer problem in that area.

Rule '48' - Moved by Alderman Samson, seconded by Alderman LeBlanc that Rule '48' be suspended in order to hear Mr. R. Charbonneau. Carried.

Mr. Charbonneau complained that the 9 inch sewer on Marlborough Street is inadequate to take the runoff from the 10 inch sewer on Fifth Street. He suggested that the Fifth Street sewer be connected to drain into a 24 inch sewer just some 300 feet away from Fifth Street.

Moved by Alderman Clement, seconded by Alderman Samson that the matter be referred to the Public Works Committee for study and report at the next Council meeting. Carried.

It was also suggested that the whole sewer problem in the immediate area be studied. Alderman Bough invited residents in that location to attend a Public Works Committee meeting to be held on September 18th when the problem could be discussed more extensively.

Deeming By-law No. 1451, 1973 - Mr. Jean Forget, acting as solicitor for Kirkhill Developments Limited, Messrs. R. I. Kirk and A. J. May, objected to the passing of By-law No. 1451, 1973 which would have the effect of deeming part of Registered Plan 239 not to be registered. This particular plan, Mr. Forget noted, was registered in 1956 with some four acres being sold in 1964 for the building of a church on Tollgate Road and Mr. Kirk also owns a home on this road. One of the basic reasons why this plan was never developed, according to the solicitor, was mainly because of the fact that services were not available in that area. Services have been

brought up only to Pitt Street and Tollgate Road. In August, 1972, he went on to state, a petition was lodged with the City to have services extended along Tollgate Road to McConnell Avenue. and in October, 1972, the plan of subdivision was given a multiple listing with the local real estate agents. Mr. Forget questioned as to why Kirkhill subdivision was singled out when the Planning Board, after receiving a report from the City Engineer, had indicated four areas that should be considered.

Mr. Forget suggested that something acceptable to both the City and the owners of the subdivision might be worked out such as the City extending its services to the subdivision with the costs of servicing the subdivision to be then borne by the owners. Mayor Lumley replied that Council's consideration in passing this deeming by-law is because a long term debt would be incurred by the City in servicing this subdivision and the money could be used for many other important things. Further, the Mayor advised that Kirkhill was the largest subdivision so was deemed first by Council and that the by-laws covering the deeming of the three other subdivisions are on this evening's agenda.

Mr. Forget was advised that Council will further consider the possible deeming of this subdivision in Committee of the Whole this evening.

Adoption of Minutes - Moved by Alderman Pescod, seconded by Alderman Leger that the Council minutes of the meeting held August 16th be adopted as received. Carried.

COMMUNICATIONS

1. C.I. L. - Unloading of Salt - Moved by Alderman Holden, seconded by Alderman Guindon that the letter be filed. Carried.
2. Chamber of Commerce - Best decorated homes contest - Moved by Alderman Guindon, seconded by Alderman Cameron that the letter be referred to the Finance Committee for report at the next meeting of City Council. Carried.

PETITIONS

PE #35-73 - Roland Patenaude & Others - Filling in of ditch on Roy Street

PE #36-73 - William Pecore & Others - Inadequate drainage on Adolphus Street

Moved by Alderman Pescod, seconded by Alderman Samson that the petitions be referred to the City Engineer. Carried.

REPORTS

Committee of the Whole #18-73 - Moved by Alderman Leger, seconded by Alderman LeBlanc that the report be adopted as received. Carried.

Public Works Committee #8-73 - Moved by Alderman Bough, seconded by Alderman Cameron that the report be adopted as received. Carried.

Alderman Guindon indicated his interest in attending the waste treatment display in Ottawa and suggested other members of Council might be interested in going.

Community Transportation & Power Committee #7-73 -

Moved by Alderman Cameron, seconded by Alderman Samson that the report be adopted as received.

After various aldermen expressed their opinion on the traffic report and especially with respect to the intersection design, an amendment to the motion was made by Alderman Guindon that the report be returned to the committee for further study. There was no seconder to the motion.

An amendment to the motion was made by Alderman Samson, seconded by Alderman LeBlanc that the report be adopted with the deletion of item #5 and 11 of the traffic report. The amendment was defeated.

An amendment to the motion was made by Alderman Samson, seconded by Alderman Bough that the report be adopted with the deletion of item #5 of the traffic report. The amendment carried.

Cornwall Planning Board #8-73 - Moved by Alderman Pescod, seconded by Alderman Bough that the report be adopted as received. Carried.

Report on truck, cab & chassis, Tender #25-73 - Moved by Alderman Lebano, seconded by Alderman Leger that the tender for truck, cab and chassis, complete with box and under chassis plow be awarded to Cornwall Truck Centre at a net total cost of \$15,800.00. Carried.

Report on Demolition of Buildings, Tender #26-73 - Moved by Alderman Leger, seconded by Alderman Guindon that the tender for the demolition of buildings be awarded to Cornwall Gravel Co. Ltd. at a total lot price of \$5,245.00. Carried.

Report on purchase of six (6) bus shelters, August 6/73 - Moved by Alderman Cameron, seconded by Alderman Lebano that the report be adopted as presented by Messrs. W. F. Ainslie and W. Knight. Carried.

Report re Waterfront Survey #7-73 - Moved by Alderman Guindon, seconded by Alderman Lebano that the report be received. Carried.

Report re Air Harbour Committee meeting, September 5/73 - Moved by Alderman Holden, seconded by Alderman Lebano that the report be received. Carried.

RESOLUTIONS

RE #65-73 - City of Windsor - Increasing cost of foodstuffs

Moved by Alderman Bough, seconded by Alderman Samson that the resolution be filed. Carried.

RE #66-73 - City of Windsor - Scheduling of assessment appeal courts

Moved by Alderman Fawthrop, seconded by Alderman Holden that the resolution be endorsed. Carried.

RE #67-73 - City of Kingston - Deletion of school taxes from municipal tax bills for old age pensioners

Moved by Alderman Lebano, seconded by Alderman Leger that the resolution be endorsed. Carried.

RE #68-73 - City of Cornwall

Moved by Alderman Webster, seconded by Alderman Leger that Council still supports By-law No. 1473, 1973 in spite of the objection received. Carried.

RE #69-73 - City of Cornwall

Moved by Alderman Webster, seconded by Alderman Leger that By-law No. 1473, 1973 is in accordance with the Official Plan of the City of Cornwall;

The amendment to the Official Plan, covering the lands in question, has been approved by Council and is waiting the approval of the Minister. Carried.

RE #70-73 - City of Cornwall

Moved by Alderman Lebano, seconded by Alderman Cameron that By-law No. 1486, 1973 is in accordance with the Official Plan of the City of Cornwall;

The amendment to the Official Plan, covering the lands in question, has been approved by Council and is waiting the approval of the Minister. Carried.

RE #71-73 - City of Cornwall

Moved by Alderman Pescod, seconded by Alderman Webster that, because of the numerous objections received, Council decided not to apply to the Ontario Municipal Board for approval of By-law No. 1487, 1973. Carried.

RE #72-73 - City of Cornwall

In view of Council withdrawing its support to Resolution No. 71-73, this resolution was not considered by Council.

RE #73-73 - City of Cornwall

Moved by Alderman Cameron, seconded by Alderman Samson that Council still supports By-law No. 1488, 1973 in spite of the objections received. Carried.

RE #74-73 - City of Cornwall

Moved by Alderman Cameron, seconded by Alderman Samson that By-law No. 1488, 1973 is in accordance with the Official Plan of the City of Cornwall;

The amendment to the Official Plan, covering the lands in question, has been approved by Council and is waiting the approval of the Minister. Carried.

BY-LAWS

- By-law No. 1509 - To authorize the construction of extensions to the Waterworks System on Pitt Street from Tollgate to McKenzie - \$261,551.53
- 1510 - To authorize the construction of a storm sewer on Holy Cross Blvd. from Anthony to Lot 70, R.P. 243 - \$10,517.54
- 1514 - To authorize the Mayor and Clerk to sign an agreement with McNeely, Lecompte & Associates Ltd. (Central Western Sanitary Trunk Sewer)
- 1515 - To appoint members of the Lower St. Lawrence Planning Board
- 1516 - To fix the levy for 1973 taxes, including school taxes and to provide for the payment of taxes by instalments
- 1517 - To authorize the Mayor and Clerk to sign an agreement with Knox, Martin, Kretch Ltd. (canal lands)
- 1518 - To authorize the Mayor and Clerk to sign an agreement with Knox, Martin, Kretch Ltd. (phase 1 - City Gardens of Canal Lands)
- 1519 - To authorize the construction of Phase 1 of Canal Lands Redevelopment - \$181,700.00
- 1520 - To amend Zoning By-law No. 1418, 1973 (Dominion Store Property)

Moved by Alderman Pescod, seconded by Alderman Bough

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

- By-law No. 1514 - To authorize the Mayor and Clerk to sign an agreement with McNeely, Lecompte & Associates Ltd.
- 1515 - To appoint members of the Lower St. Lawrence Planning Board
- 1516 - To fix the levy for 1973 taxes, including school taxes by instalments
- 1517 - To authorize the Mayor and Clerk to sign an agreement with Knox, Martin, Kretch Ltd. (canal lands)

By-law No. 1518 - To authorize the Mayor and Clerk to sign an agreement with Knox, Martin, Kretch Ltd. (Phase 1 - City Gardens of the Canal Lands Development)

1519 - To authorize the construction of Phase 1 of Canal Lands Redevelopment - \$181,700.00

1520 - To amend Zoning By-law No. 1418, 1973 (Dominion Store Property)

Moved by Alderman Pescod, seconded by Alderman Guindon that the by-laws be read a Third Time, Passed, Signed and Sealed. Carried.

NEW BUSINESS

Minimum Standards By-law - Alderman Pescod stated that a notice will be inserted in the local press advising citizens that a public meeting to consider the minimum standards by-law will be held in the Council Chambers September 18th and 19th. He invited members of Council to be present to explain to the citizens and answer any questions on this proposed by-law. A copy of the by-law is to be made available to all members of Council.

City Meetings - Alderman Lebano stated that he was pleased to see the new setup in the local press scheduling all meetings of Council and committees.

Federal Survey - Alderman Lebano stated that he was pleased to see in the local press, the results of the survey which had been undertaken by Honourable Lucien Lamoureux through a questionnaire mailed to all his constituents.

Damage to Home of Mr. F. Kerr - Alderman Lebano referred to the accidents occurring to the home of Mr. F. Kerr at 600 Tenth Street East apparently caused by motorists driving

too fast at this intersection. He felt that the City was partially responsible and suggested that stronger barricades be erected in order to protect this residence.

Recent Storm - Alderman Bough thanked the public for taking the time to make telephone calls to the Public Works Department and the utility companies which assisted the repairmen in locating the problem areas.

Tenth Street & McConnell Avenue - Alderman Cameron referred to the damage caused to Mr. Kerr's home recently suggesting that possibly we could strengthen the guard rails at this intersection. He pointed out that this intersection is one of many designed years ago and possibly consideration should be given to a better design of the intersection. He also suggested that the police should strictly enforce the traffic speeds on McConnell Avenue.

Environmental Control Committee Meeting - Alderman Guindon asked if any delegates wished to address the Environmental Control Committee this coming Thursday to contact either he or Mr. Myers as there was not time to list the date of this meeting in the local press.

Public Works Budget - Moved by Alderman Guindon that the \$40,000.00 requested by the City Engineer for various works be transferred from the snow removal account. There was no seconder to the motion.

Curbing on 9th St. West - Alderman Guindon complained of the lack of curbing on the north side of Ninth Street, from the Bowling Lanes to Augustus Street. Mr. Adams replied that no money has been allocated for this work.

Ditch on Fennell Crescent - Alderman Guindon reported that he had spoken to Mr. Adams and the Public Works Committee

with respect to the problems encountered by residents on Fennell Crescent caused by the re-routing of the ditch on that street by a local contractor.

Culvert on Pitt St. north - Alderman Guindon stated that when the sewers on Pitt Street, north of Mercier Avenue, were rebuilt the culvert was not installed properly.

Kensington Street - Alderman Guindon questioned the reasoning in issuing a building permit for a home on Kensington Street when the road stops dead-end at the driveway. He suggested the City acquire at least another ten to fifteen feet.

Sewers on 11th, Miron, etc. - Answering Alderman Clement and Samson, Mr. Adams explained that he and Alderman Bough had considered the sewer problems in the area of 11th and Miron Streets and had determined that the only solution was for the City to carry out phase 1 of the Fly Creek Sewer project - which would provide for the laying of pipes underground from Carleton Street to Pitt and Twelfth Streets - at a cost of \$845,000.00. This expenditure, Mr. Adams related, had been provided for in the budget but had always been deleted prior to adoption of the budget.

Glenview Heights area - Mr. Adams informed Alderman LeBlanc that the equipment is being checked to determine why the pump, in the Glenview Heights area, stopped - which created a major problem during the recent heavy rainstorm.

Hamilton Crescent - Alderman Leger stated that he had spoken to Mr. Adams regarding the recurring problem of sewers backing up, which was especially severe during the recent storm.

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

Following the Committee of the Whole meeting, Council reconvened.

By-law No. 1511 - To deem part of Registered Plan No. 221 not to be registered.

1512 - To deem part of Registered Plan No. 262 not to be registered.

1513 - To deem part of Registered Plan No. 130 not to be registered.

Moved by Alderman Bough, seconded by Alderman Guindon that the by-laws be read a First and Second Time. Carried.

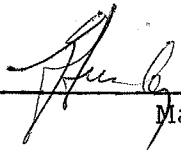
By-law No. 1451 - To deem part of Registered Plan No. 239 not to be registered.

Moved by Alderman Lebano, seconded by Alderman LeBlanc that By-law No. 1451 be read a Third Time, Passed, Signed and Sealed. Carried.

Committee of the Whole #19-73 - Moved by Alderman Leger, seconded by Alderman Guindon that the report be adopted as received. Carried.

Adjournment - Moved by Alderman Guindon, seconded by Alderman LeBland that Council adjourn - 12.15 a.m.


Clerk


Mayor