

3240

COUNCIL ACTION *Aug 15/83*

COMMUNICATIONS (REG)
 COMMUNICATIONS (CONSENT)
 COMMUNICATIONS (CLOSED)
 APPROVED
 RECEIVED
 FILED
 DEFER
 COMMENTS _____

CITY COUNCIL #21-83

July 11, 1983.
7:30 p.m.

[Signature]

CLERK ~~The Regular~~ Meeting of City Council was held this evening when the following were present - His Worship Mayor G. Parisien, Aldermen R. Aubry, F. Guindon, R. Lalonde, T. Lalonde, A. Lebrano, A. LeBlanc, G. Leger, B. Lynch, E. Myers, J. Samis, G. Samson and W. Wise.

ADOPTION OF MINUTES

Moved by Aldermen R. Lalonde and Samson that the minutes of the June 27th meeting of Council be adopted. Carried

Moved by Aldermen Lynch and LeBlanc that the minutes of the July 6th meeting of Council be adopted. Carried

Moved by Aldermen Lebrano and Samson that the minutes of the June 27th meeting of Committee of Council be adopted. Carried

Moved by Aldermen Leger and LeBlanc that the minutes of the July 6th meeting of Committee of Council be adopted. Carried

COMMITTEE OF THE WHOLE

Moved by Aldermen Lebrano and Lynch that Council go into Committee of the Whole and that all delegations, resolutions, communications and by-laws be referred to that Committee and that by-laws 70 to 75 be given first reading -

- By-law 70 - To repeal the existing Official Plan and adopt a new Official Plan
 - 71 - To amend By-law No. 29/82 (Procedural by-law)
 - 72 - To licence, regulate and govern persons selling newspapers and magazines upon any highway and to restrict the operations of such persons to a particular location upon a highway
 - 73 - To authorize the Mayor and Clerk to enter into an agreement with Le Bicentenaire de Cornwall Bicentennial Corporation
 - 74 - To accept roadway and other municipal services in the Rayward Holdings Ltd. subdivision (Lots 5 to 44, R.P. 340)
 - 75 - To authorize the Mayor and Clerk to sign a subdivision agreement with Rayward Holdings Ltd. (Meadowvale, Phase III)
- Carried

DELEGATIONS

Block A, Plan 240 - Mr. Kevin Brown, resident in R.P. 240, advised that he was representing the majority of residents in R.P. 240. The purpose of their appearance before Council was to request support for the Planning Board recommendation to rezone Block A from RES 20 to RES 15. In listing his arguments in favour of rezoning, he requested an extension of time in order to complete his presentation.

Moved by Aldermen Lynch and R. Lalonde that

Mr. Bown be allowed an additional 5 minutes. Carried

Mr. Brown stated that the property in question would be serviced by Oran Avenue which would have to be widened and questioned the storm sewer's capacity as to its ability to handle medium or high density housing. While he agreed that site plan control was appealing, he suggested that such control would be too late to alleviate the fears of the residents in that subdivision.

Block A, Plan 240 - Mr. Bernard Shields requested 10 minutes to allow for a full presentation.

Moved by Aldermen Lynch and R. Lalonde that Mr. Shields be allowed 10 minutes to make his presentation. Carried

Mr. Shields advised that he is solicitor for Maurice and Luc Emard, owners of Block A, R.P. 240. He indicated that his clients are well satisfied with RES 20 zoning and intended to construct town houses which are permitted under that zoning. He reminded Council that a year ago the residents of that subdivision appeared before Council asking that the whole subdivision be rezoned to RES 15 and at that time Council saw fit to grant their wish with the exception of Block A. He further reminded Council that his clients purchased this property in 1973 had been made in good faith and in respect of the zoning existing at that time, namely, RES 20. He stated that one year ago the Planning Department had recommended that Block A remain RES 20. The Planning Board voted for the change and City Council supported the Planning Department's recommendation. One year has now passed and the Council is facing the same situation; the Planning Department is recommending that Block A remain the same and the Planning Board is recommending a change in zoning. Mr. Shields stated that people who bought homes in that subdivision knew or should have known the zoning of Block A and that knowledge did not discourage them from establishing a home in that subdivision. He added that a year ago there was no valid planning reason to change the zoning to RES 15 and that he and the Planning Department did not see where at this time any change should be made.

He then introduced Mr. Harry Ala-Kantti from Ottawa who is the architect for the proposed townhouses. Mr. Ala-Kantti showed Council proposed plan of development which calls for 36 townhouses estimated to cost approximately \$55,000 per unit. It was suggested that 50% of these units would be sold and the other 50% would be rental units.

Upon completion of this presentation, it was moved by Aldermen T. Lalonde and Myers that Mr. Brown be allowed to rebut Mr. Shields comments. Carried

Mr. Brown indicated that in 1982 the Planning Board did in fact recommend the rezoning of Block A to RES 15 and that one again the Planning Board was recommending that Council do the same. He indicated that if these three-storey buildings are allowed to proceed it would cause severe visual restrictions on established residences. He urged Council to support the request of residents in the area to rezone Block A to RES 15.

Mayor Parisien advised that this matter would be discussed under Communications and that any debate be held at that time.

RESOLUTIONS

- #40 - Moved by Aldermen Lynch and Guindon that the resolution from the County of Northumberland petitioning the Ontario Government to assume all responsibility for the funding of education be filed. Defeated
- An amendment was moved by Aldermen Wise and R. Lalonde that the resolution be supported. Defeated
- An amendment to the amendment was moved by Aldermen Leger and T. Lalonde that this matter be deferred until the Ad Hoc Committee on Separate Tax Bills has an opportunity to investigate this matter and report back to Council. Carried
- The amendment to the amendment carried. The amendment was defeated and the motion was defeated.
- #41 - Moved by Aldermen R. Lalonde and G. Samson that the Council of the City of Cornwall approves the sale of surplus land by the Eastern Ontario Health Unit. Carried

An amendment was moved by Aldermen Guindon and Lebrano that the matter be deferred to Administration for a further report.
The amendment was defeated and the motion carried.

Defeated

CONSENT AGENDA

- A. Big Brothers Association - Grant permission to hold beer garden Aug. 20th & 21st
- B. Gunnco Limited - Receive letter of congratulations
- C. Burger King Restaurants - Grant permission to hold a beer garden Optimist Park

Moved by Aldermen Lynch and LeBlanc that the Consent Agenda be approved, conditional upon the Burger King Tournament of Champions Beer Garden be held at the Optimist Park only.

Carried

COMMUNICATIONS

1. Planning Board - Moved by Aldermen T. Lalonde and Aubry that the minutes of June 22nd be received. Carried
2. Planning Board Report No. 5-1 - Moved by Aldermen LeBlanc and Lynch that the Restricted Area By-law be amended to rezone the property described as Block A, R.P. 240 from RES 20 to RES 15. Defeated

Alderman Wise objected to the Chair, stating that the Mayor had recognized him and that he wanted to move a motion to not adopt the recommendation under Planning Board Report No. 5-1. Mayor Parisien advised Alderman Wise that his intent to introduce a motion of denial was out of order and that if he was not in accordance, to request from Council that his decision be challenged.

Moved by Aldermen Wise and Guindon that the Mayor's ruling against Alderman Wise's intended motion be challenged. The majority of Council voted in favour of the Mayor's ruling.

A recorded vote on the motion to adopt Report No. 5-1 resulted as follows -

For the Motion: Aldermen Lynch, Myers, Samis and LeBlanc. Against the Motion: Aldermen T. Lalonde, Lebrano, R. Lalonde, Guindon, Wise, Leger, Samson and Aubry.
The motion was defeated.

3. Planning Board Report No. 5-2 - Moved by Aldermen Aubry and LeBlanc that the Restricted Area By-law be amended to rezone Part of Lot D, Conc. 2 (Boundary Road) from MFR 30 to MFR 10 and that the application be processed under Ontario Regulation 78/80. Carried
4. New Official Plan - Moved by Aldermen Wise and Lebrano that the CAO's recommendation to exclude recommendation 1(a) from Planning Board Report No. 6-1 not be adopted. Carried
5. Planning Board - Moved by Aldermen Aubry and Lebrano that the minutes of June 29th be received. Carried
6. Planning Board Report No. 6-1 - Moved by Aldermen Leger and Aubry that the report be adopted. Carried
 An amendment was moved by Aldermen Lynch and Wise that sub-section 18 of section 4.6.2, Central Business District Policies, be deleted from the Official Plan. Mayor Parisien advised that any amendments to the Official Plan require two-thirds vote. The amendment carried.
 Another amendment was moved by Aldermen Lynch and LeBlanc that sub-sections 8 and 16 of section 6.3, Parks and Recreational Policies, be deleted from the Official Plan. The amendment was defeated. Defeated
 The original motion was voted on and the motion to adopt was approved as amended.
7. Glen-Stor-Dun Lodge - Moved by Aldermen R. Lalonde and Myers that a report from the Chief Administrator dated July 6th be adopted. Carried
8. Infant Day Care - Moved by Aldermen Wise and LeBlanc that Council concur with the steps taken to date and that it authorize the Commissioner of Finance and the Director of Social Services to finalize the lease agreement and to bring back as quickly as possible the provider of service agreement and the equipment usage agreement for ratification by Council. Carried
 After a short discussion on this matter it was moved by Aldermen Aubry and R. Lalonde that the question be put. Carried
 The motion to adopt carried.

9. 100% Welfare Costs - Moved by Aldermen Wise and Leger that Council adopt the resolution as recommended by the Chief Administrator in a report dated July 5th. Carried
10. Salary Adjustments Elected Officials - Moved by Aldermen Wise and R. Lalonde that Council members be granted a 5% increase in salary. Carried
11. Tender #36-83 - Moved by Aldermen Wise and Samson that the recommendations of the Director of Engineering Services in a report dated July 6th be adopted. Carried
12. Tender #45-83 - Moved by Aldermen Leger and LeBlanc that the tender for the installation of watermain on Cumberland and Gloucester be awarded to Cornwall Gravel Co. at a total price of \$195,065. Carried
13. Tender #49-83 - Moved by Aldermen Lynch and T. Lalonde that the tender for the supply and installation of electric service be awarded to Laurier Electric Ltd. at a total price of \$14,680. Carried
14. Tender #8-83 - Moved by Aldermen Wise and Samis that the recommendations of the Commissioner of Development in a report dated June 23rd be adopted. Carried
15. Bandshell Lamoureux Park - Moved by Aldermen Lynch and T. Lalonde that application for funding assistance through the N.E.E.D. program be submitted immediately. Carried
16. Proposed Aquatic Centre - Moved by Aldermen Guindon and Samson that application for senior government assistance for this project be submitted immediately on the basis outlined in a report from the Commissioner of Development dated July 6th. Carried
17. Burger King Tournament of Champions - After obtaining clarification from the City Clerk, it was moved by Aldermen Guindon and LeBlanc that the condition imposed on Burger King request for a beer garden be removed and that the original request be granted. Carried

C O U N C I L

The Chairman of the Committee of the Whole reported to Council the actions of the Committee including the second reading of the by-laws and recommendations for enactment.

Committee of the Whole - Moved by Aldermen T. Lalonde and Lynch that the Committee of the Whole be adopted. Carried

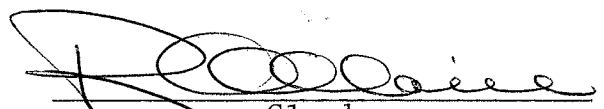
By-laws - Third Reading - Moved by Aldermen Leger and Lynch that by-laws 70 to 75 as listed for third reading be taken as read a third time and finally passed. Carried

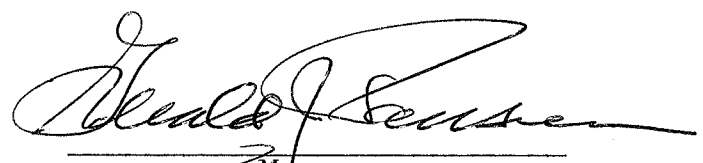
NOTICES OF MOTION

The following Notices of Motion will be placed on the agenda for the next regular meeting of Council under Resolutions -

1. Noon hour parking restriction on Second betwee Brookdale & McConnell
2. Restoring one- or two-way traffic on Pitt between Second & Third
3. Majority of members of Council to constitute a quorum
4. Two-way traffic on Pitt between Ninth and Thirteenth

Mayor Parisien advised that Council had now reached the hour of 11 p.m. and declared Council adjourned.


Clerk


Mayor

Aug 15/83

COUNCIL ACTION

COMMUNICATIONS (REG)

COMMUNICATIONS (CONSENT)

COMMUNICATIONS (CLOSED)

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