

CITY COUNCIL NO. 7-71

April 5, 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, A. Clement, R. Brunet, D. A. Fawthrop, D. Webster, F. Guindon, G. Cameron K. Bough, A. M. Lebano, J. Pescod and M. Holden.

Safe Driving Award - Mr. Murray Rowe, Driving Safety Consultant from the Ontario Department of Transport, was present this evening to award a certificate to the City, on behalf of the Canadian Safety Council which is administered in Ontario by the Ontario Safety League. Mr. Rowe congratulated the City for having been one of 43 Ontario municipalities with a population of over 45,000 who had completed the first week of December without a fatality. Mayor Kaneb, together with Sergeant H. Levere of the Traffic Department, accepted the certificate, on behalf of the citizens of Cornwall and thanked Mr. Rowe for being present at this evening's meeting.

Mayor Kaneb commended especially the efforts of the Public Works and Police Departments and the citizens in general who co-operated during Safe Driving Week.

DELEGATIONS

Mr. D. D. Diplock - Ontario Petroleum Association -

Mr. Diplock addressed Council on behalf of the Eastern Ontario Chapter of the Petroleum Association of Ontario. The members, he pointed out, are the prime distributors for petroleum products

throughout the country.

Referring to the City's Zoning By-law No. 751, 1969, Mr. Diplock indicated that the Association feels that the by-law is unduly restrictive and are asking for certain changes. Mr. Diplock referred to a brief submitted by him to both members of City Council and the Cornwall Planning Board asking that changes be made in the by-law. Mr. Diplock stated that objections had been filed with the City prior to when the Ontario Municipal Board sat here and he was now asking Council to consider amending the by-law in accordance with the request of the Association.

Mr. Diplock agreed with Alderman Cameron that larger side and rear yards would be required if major repairs were being carried out at the locations but the Zoning By-law does not include repair work of this nature. Asking for a decision from Council this evening, Mayor Kaneb stated that Council must uphold the by-law.

Referring to the City's Service Station By-law No. 956, 1970, Mr. Diplock questioned the legality of a licensing by-law containing a land usage clause. In his opinion, the control of land should be contained in the Zoning By-law which by-law has to be submitted to the O.M.B. for approval. The matter was referred to Mr. S. E. Fennell.

Mr. C. T. Page, C.W.R.C. - Mr. Page submitted to Council, a letter of April 1st, asking that consideration be given to the formation of a commission with respect to the waterfront development. Alderman Carrara stated that, in his opinion, the City should not have two representatives on a commission made up of four members of

the Civic Waterfront Redevelopment Committee but rather the C.W.R.C. should have representatives on the City's Committee.

Alderman Gauthier asked for information concerning the map prepared by the Seaway Authority and presented to the City. Mayor Kaneb stated that, in July, 1969, Mr. Rossi presented for the first time, the map of the canal area which map has not been changed since that time and is now in the possession of the Administrator. The other map, which at times had been referred to, was not the official Seaway map but one prepared in the Engineering Department. Mr. Page asked that he be given a copy of the letter, signed by Mr. M. A. Boyer and submitted to Dr. Pierre Camu, dated February 22, 1971.

Replying to Alderman Holden, Mr. Page stated that funds are available for the canal redevelopment from the Department of Energy and Resources and the Department of Agriculture and, in his opinion, the acquisition of funds for this work would be no problem. Mr. Page pointed out that \$250,000 out of a required million dollar outlay is available. Alderman Holden noted that, while some money is available, it is a once in a lifetime grant and the City has figures from the Seaway Authority and suggested that we sit down with the Waterfront Redevelopment Committee to discuss the costs involved.

Alderman Lebano noted that the Seaway Authority appears to want to meet with Council only and that the three levels of government must work together. Reminding the C.W.R.C. that Council has been active in park development, he referred to the 7.5 acres of parkland at the western extremity of the City; also for four and a

half years, the City has been working on the development of the waterfront in the eastern section of the City, to include a marina, community boathouse and a 500 car parking lot and that a further meeting is to be held shortly with Charlottenburgh Township.

He pointed out to the large park development now being undertaken by the Optimist Club in the northeastern section of the City.

Alderman Bough referred to the large turnout at the recent meeting sponsored by the C.W.R.C. and the interest displayed by the citizens. He pointed out, however, that if there has to be a choice between jobs or parks, jobs will come first. He suggested that members of the C.W.R.C. and interested citizens sit in with the Committee of Council. Further, he noted that Council has many problems to contend with and made special reference to the requests from the people on Churchill Street for a pavement which is a very costly item. He stated that Council must have a practical outlook and, possibly, we should be content with accepting less than 80 acres of land.

Alderman Guindon pointed out that while he has great respect for the members of the C.W.R.C., members of Council are capable of negotiating with the Seaway and that reports of any meetings are public knowledge once they have been accepted by Council.

Mayor Kaneb asked the C.W.R.C. and all citizens to support Council so that we may have a united front in dealing with the Authority. He referred to the many undertakings of the City and pointed out that we are six years behind in road development, storm and sanitary sewers and sidewalks and that we must curtail our spending. The Mayor went on to state that, if the City accepts the Seaway land for \$1.00, there would be a great expense placed on the taxpayer for development of the land and suggested rather that

the Dominion Government should spend some money here rather than the total expenditure to be carried by the local taxpayer. As stated earlier this evening, he stated that there are no unconditional grants available except for the building of a swimming pool. He went on to state that Council is not against development of the canal area but realizes it is an expense and a matter which must be resolved by Council. He asked that the C.W.R.C. continue to work for the betterment of Cornwall.

Boy Scouts and Cubs - Alderman Lebano introduced Mr. Fred Kitchener, District Commissioner of Scouting and Mr. Robert Sheets who is in charge of local scouts and cubs. Alderman Lebano stated that these youngsters are willing to help in fighting pollution and assist the City in any way during clean-up month. He pointed out that this program carried on by the boys is nation-wide.

It was suggested that the Public Works, Industrial and Pollution Committees study the offer made by the local scouts and contact them as to in what manner they may assist in helping to clean up and beautify the City. Reference was made to the 5,000 trees planted last year with the Mayor advising that, once the snow has gone, we will again be planting additional trees.

Adoption of Minutes - Moved by Alderman Gauthier, seconded by Alderman Cameron that the Council minutes of meeting held March 22nd be adopted as received. Unanimously adopted.

#### COMMUNICATIONS

1. Department of Transport - Urban and Inter-urban Transportation - Moved by Alderman Pescod, seconded by Alderman Lebano that the letter be filed. Unanimously adopted.

2. Savemart Limited - Permission to have rides on parking lot - Moved by Alderman Lebano, seconded by Alderman Holden that Savemart Limited be granted permission to have Koptie Amusements install kiddie rides on their parking lot during the week of May 17, 1971. Unanimously adopted.

Alderman Brunet inquired from Mr. Adams as to whether he was inspecting the safety of equipment being used by this company.

3. Minister of Financial & Commercial Affairs - Licensing of Lottery Schemes - Moved by Alderman Gauthier, seconded by Alderman Guindon that the letter be filed. Unanimously adopted.

4. Mall Merchants Association - Licence for carnival on Parking Lot - Moved by Alderman Cameron, seconded by Alderman Pescod that permission for a licence to have a carnival operated in the Eastcourt Mall be deferred. Unanimously adopted.

5. Minister of Municipal Affairs - Employment Incentive Program 1971 - Moved by Alderman Lebano, seconded by Alderman Guindon that the Clerk-Administrator, Mayor, City Engineer and Welfare Administratrix meet and discuss this matter within the next few days and make application to the Department of Municipal Affairs. Unanimously adopted.

6. Department of Consumer & Corporate Affairs - Identical Tenders - Moved by Alderman Pescod, seconded by Alderman Gauthier that the Administrator forward to the Department of Consumer and Corporate Affairs, the information that is requested in this letter. Unanimously adopted.

7. Stobek International - Relocation on Tollgate Road - Moved by Alderman Pescod, seconded by Alderman Bough that

the letter be referred to the Cornwall Planning Board. Unanimously adopted.

8. East Cornwall Businessmen's Association - Changing name of Boundary Road and Copeland Drive to Cornwall Drive - Moved by Alderman Clement, seconded by Alderman Carrara that the Clerk write to the property owners along the streets to see if there are any objections to the renaming of these streets to Cornwall Drive. Unanimously adopted.

Alderman Lebano suggested that this might be an appropriate time to ask for a meeting with Charlottenburgh Township to discuss a number of mutual problems.

#### REPORTS

Sewer System - Alderman Lebano referred to the six house sewer connections on Fifth and Sixth Streets which have been sheared off because of the settlement of the trench of the main trunk sewer which trouble, in his opinion, was due to poor inspections, also, he charged, inferior cement was used. He felt that O.W.R.C. and Gore and Storrie should be advised of these problems. Alderman Pescod stated that quite possibly, some of the work is not up to standard but we are still within the one year's maintenance period. He stated that he had contacted the O.W.R.C. and made them aware of our problems and that he expects that a meeting will be set up late in April.

Public Works Committee Report No. 5-71 - Moved by Alderman Gauthier, seconded by Alderman Pescod that the report be adopted as received. Unanimously adopted.

Alderman Brunet referred to the last paragraph of Report No. 5 regarding the deeding of land by the City to abutting property owners. Messrs. M. A. Boyer and S. E. Fennell are asked to report on

this question.

Public Works Committee Report No. 6-71 - Moved by Alderman Gauthier, seconded by Alderman Pescod that the report be adopted as received. Voting against the motion were Aldermen Fawthrop and Webster. The motion carried.

Referring to Report No. 6, Alderman Fawthrop stated that he was against the hiring of a Design Construction Engineer.

Urban Renewal Committee Report No. 1-71 - Moved by Alderman Carrara, seconded by Alderman Gauthier that the report be adopted as received. Unanimously adopted.

Summary of Engineer's Report to Council No. 4-71 -

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

#### RESOLUTIONS

RE #37-71 - Township of Saltfleet - Composition of Police Commissions and Police Budgets

Moved by Alderman Carrara, seconded by Alderman Brunet that the resolution from the Township of Saltfleet be endorsed.

The motion was defeated.

RE #38-71 - City of Kitchener - Residential Property Tax Reduction Act

Moved by Alderman Webster, seconded by Alderman Carrara that the resolution from the City of Kitchener be endorsed.

Unanimously adopted.

#### BY-LAWS

By-law No. 1027 - To amend By-law No. 123/66 known as the Building By-law

1028 - To dedicate lands for highway purposes (one foot reserve on south side of Lemay)

1029 - To authorize the Mayor and Clerk to sign an agreement between the City and the Cornwall Family Service Bureau

1030 - To authorize the acceptance of one foot reserve and parklands in Garcol Subdivision

Moved by Alderman Gauthier, seconded by Alderman Pescod

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

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Moved by Alderman Carrara, seconded by Alderman Bough

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

Unanimously adopted.

The agreement referred to in By-law No. 1029 was read by the Clerk with terms of the agreement explained by the Assistant Welfare Administratrix.

#### NEW BUSINESS

Financial Statement - Mayor Kaneb advised members of Council that Mr. William Brace will present the City's financial statement to Council at its next meeting to be held on April 26th.

Opportunities for Youth Program - The Mayor produced a copy of an application form submitted by the Students Council of the three local high schools to the Secretary of State Department applying for approval to a pollution probe and clean-up campaign to be undertaken this summer. The program has been endorsed by His Worship Mayor N. Kaneb and indicates support of the Anti-Pollution

Committee and Public Works and Engineering Departments.

O.M.B. Hearing - Mr. Boyer reported that the Ontario Municipal Board will sit here on April 20th at 10:00 a.m., to consider approval of By-law No. 751, 1969, as amended by By-law No. 948, 1970. Objections were received, Mr. Boyer noted, to By-law No. 1015, 1971 and letters of objection and support were received to By-law No. 1016, 1971, which letters were read by the Clerk.

RE #39-71 - By-law No. 1015, 1971 (Mrs. M. Jean Cameron)

Moved by Alderman Guindon, seconded by Alderman Gauthier that City Council has examined the four letters of objection to the rezoning, from Residential 20 to Commercial 51, of property owned by Mrs. M. Jean Cameron at the northwest corner of Second Street and Westmoreland Avenue and,

In spite of objections received, Council still supports By-law No. 1015, 1971. Voting against the motion was Alderman Pescod. The motion carried.

RE #40-71 - By-law No. 1016, 1971 (Mr. Milton M. Matheson)

Moved by Alderman Bough, seconded by Alderman Cameron that City Council has examined the one petition and three letters of objection, together with eight letters of support to the rezoning from Residential 20 to Commercial 70, of property owned by Mr. Milton M. Matheson at 15 Fourth Street East and still upholds By-law No. 1016, 1971. Unanimously adopted.

Fifteenth and Cumberland Streets - Alderman Lebano complained of the water lying on Fifteenth Street in the area of Cumberland Street and noted the number of children who have to use the road in attending the schools in this location.

St. Lawrence College Addition - Alderman Lebano read from a memo submitted by the City Engineer to himself, dated March 29th re St. Lawrence College addition - Adult Training Centre. He stated that he is satisfied to find out that some of the remarks made with reference to the poor work carried out in the Adult Training Centre addition were unfounded.

Youth Hostel - Alderman Bough stated that the Youth Hostel looking is/for a suitable building near Highway 401, which will house approximately 20 persons per night, a building to include washroom and kitchen facilities. Alderman Bough brought out that the Youth Hostel has been a credit to the municipality and asked that members of Council lend their support to this undertaking.

Proceedings of Council - Alderman Bough served notice of motion that he would like to bring forth an amendment to By-law No. 794, 1965, as amended, being a by-law to regulate the proceedings of Council. Alderman Bough asked the aldermen to refer to the Administration Study Report, which report includes changes for proceedings of Council.

Bus Shelter - Alderman Cameron asked that the Public Works Committee consider the erection of a bus shelter at Eamers Corners.

Justice Administration Building - Alderman Brunet again asked for the total costs for the erection of the new Justice Administration Building.

Employment Incentive Program - Alderman Guindon asked that the Public Works Committee consider construction of a pavement on Fifteenth Street from Cumberland to Norman Streets, to see if the construction might be carried out under the Employment Incentive Program, 1971, as there are no sidewalks or pavements along the street.

Cleaning up of debris - Alderman Guindon referred to the deplorable situation at the corner of Eleventh and Pitt Streets, where the Texaco Gas Station is located, noting that papers have been scattered there since last fall.

Bridge over the Raisin River - Alderman Guindon referred to the recent damages to the bridge over the Raisin River on Pitt Street, north of Tollgate Road. He suggested that the City should not be held liable for the repairs but that payment should be made by the Insurance Company. He further suggested that the steel work of the bridge should be braced.

Street Sweeper - Alderman Webster inquired as to what policy the City follows when the street sweeper is used. Mr. Adams explained that an accumulation of dust and dirt will just take that much longer to clean up and already Pitt Street and Montreal Road have been cleaned.

Flooding on Miron Avenue - Alderman Clement complained of the extensive flooding on Miron Avenue which he claimed has been a problem for a number of years and that three years ago, the City placed gravel over the sidewalks to enable the people to walk along the street. Mr. Adams noted that there has always been a problem on this street, together with Grand Allee and Guy Streets from Eleventh to Twelfth Streets. The sewers along the streets, he noted, discharge into the Fly Creek Sewer which leads into the St. Lawrence River and, at this time, the river is at a higher level. Alderman Clement asked that corrective action be taken and that, if necessary, the O.W.R.C. be approached to install a pump house if such is required. He asked Mr. Adams to study the problem and report at the next meeting of Council.

Canal Land - Alderman Clement reminded Council that negotiations with the Seaway Authority were commenced. As a result of the need of existing industries for an extension to the wharf. He suggested that a representative of the Ratepayers' Association be invited to form part of the Committee to study the canal lands. Also, that we consider having someone carry out a survey to determine the condition of the walls of the canal. Alderman Clement also reminded Council that a Task Force has been formed to work with the City in trying to attract new industries and we could be defeating our own purpose to say that we do not want this land designated as industrial.

Miron Subdivision - Alderman Brunet brought out the fact that recently a permit was given to building two more homes on Grand Allee Avenue in spite of the fact that this is an area where flooding regularly takes place. We should not permit homes with basements to be built along this street. He asked that a study be made of the area and a by-law prepared indicating the type of construction that is to be permitted in this subdivision.

Oil Spills - Alderman Brunet stated that he had received a complaint regarding Frontenac Street where the ground was saturated with kerosene which could create a fire. It was discovered that 100,000 gallons of fuel oil had escaped into the canal which the company is presently trying to recover. It would appear that the oil will be contained in the canal as the oil in this instance only got into the canal and did not enter the river where it could effect marine life, Alderman Brunet stated.

Referring to recent oil spills, Alderman Carrara noted that, since last year, his committee has been aware of oil leakages and one

recent spill has been traced to the St. Lawrence High School and, as a result, O.W.R.C. has made a recommendation to the school.

Referring to the oil spillage at Universal Terminals, Alderman Carrara brought out that it was number two oil and not bunker type oil.

Freight Rates - Alderman Carrara complained of the higher freight rates in shipping from Cornwall to Montreal and Toronto than from Toronto and Montreal to Cornwall.

Youth Program - Alderman Carrara stated that he had met with Honourable L. Lamoureux and representative students, inquiring as to what our local students can do under the Youth Program. It was suggested that the students carry out a program of cleaning up the river of brush, weeds, oil spills, etc.

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

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

Committee of the Whole Report No. 7-71 - Moved by Alderman Gauthier, seconded by Alderman Carrara that the report be adopted as received. Unanimously adopted.

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

  
Clerk

  
Mayor