

MINUTES
REGULAR COUNCIL MEETING

OCTOBER 24, 2016
8:00 p.m.

Minutes of the Regular Meeting of the Council of Montreal West held on October 24, 2016 at the Town Hall located at 50 Westminster Avenue South.

Present: Mr. Beny Masella, Mayor
Ms. Julie Tasker-Brown, Councillor
Ms. Elizabeth Ulin, Councillor
Ms. Colleen Feeney, Councillor
Ms. Maria Torres, Councillor

Also present: Mr. Stephan F. Dulude, Director General
Mr. Claude Gilbert, Town Clerk

Mayor Beny Masella acted as chairperson of the meeting.
Mr. Claude Gilbert, Town Clerk, acted as secretary of the meeting.

Twenty-one (21) residents and visitors were in attendance.

1. Opening of the Meeting

It was moved by Councillor Maria Torres, seconded by Councillor Elizabeth Ulin and resolved:

That the Meeting be declared open.

Carried unanimously
#20161024-001

The Mayor called the Meeting to order at 8:00 p.m.

2. Acknowledgement of Visitors

Mayor Masella greeted and welcomed Lieutenant Fred Jennings from the Montréal Police Department (Neighbourhood Police Station 9).

3. Adoption of the Agenda

It was moved by Councillor Colleen Feeney, seconded by Councillor Julie Tasker-Brown and resolved:

To adopt the Agenda of the Regular Meeting of Monday, October 24, 2016 as presented.

Carried unanimously
#20161024-002

4. Approval of the Minutes

It was moved by Councillor Maria Torres, seconded by Councillor Elizabeth Ulin and resolved:

To approve the Minutes of the Council Meetings held on the following dates:

- Regular Council Meeting of September 26, 2016;
- Special Council Meeting of October 7, 2016;
- Special Council Meeting of October 18, 2016.

Carried unanimously
#20161024-003

5. Correspondence

There was nothing under this item.

6. **Report of the Mayor**

a) **Mayor's report on the financial position of the Town**

In accordance with section 474.1 of the Cities and Towns Act, Mayor Masella made a report on the financial position of the Town of Montreal West, and tabled a list of all contracts involving expenditures exceeding \$25,000 entered into since the last Council meeting at which a similar report was made, and of all contracts involving expenditures exceeding \$2,000 entered into with a same contracting partner that involved a total expenditure exceeding \$25,000.

b) **Publication of the Mayor's report**

WHEREAS section 474.1 of the Cities and Towns Act requires that the report of the Mayor on the financial position of the Town be distributed free of charge to every civic address in the territory of the municipality, but allows the Council to order that it be published in a newspaper circulated in the territory of the municipality instead;

THEREFORE:

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Colleen Feeney and resolved:

That the report of the Mayor on the financial position of the Town be published in the next edition of The Suburban instead of being distributed to every civic address in Montreal West.

Carried unanimously
#20161024-004

c) **Regular monthly report**

Mayor Masella noted three important anniversaries of parishes in Montreal West and its vicinity: St. Philip's Anglican Church, United Church and Presbyterian Church. Concerning the idea of a new recreation complex, he said it was important to set the record straight after a resident circulated some misleading information. First, during the election campaign of 2013, he had declared and wrote that he was in favor of a new multi-purpose building to replace the arena and that he would consult the residents. Secondly, he reminded the audience that two public consultation meetings have taken place to discuss about it, and that a majority of those who were in attendance was clearly in favor of a new building. Finally, he reiterated there will be a survey and the project will not go forward without funding from the other levels of government. On the same topic, he referred to a critical letter that was distributed in mailboxes around the Town, saying that local MP Marc Garneau had already made a commitment to subsidize the recreation complex. The Mayor added that it is unfortunately not the case at this time. On another subject, he said the urban planning by-laws will be revisited in order to establish what categories of work really need to be controlled by requesting that a permit be issued. The by-law governing the rules of conduct of Council meetings will be revisited too. The Mayor also made reference to up-coming events, Remembrance Day on November 11 and the visit of the CP Holiday Train on November 26. Finally, he said the next Coffee with the Mayor will be in January 2017.

7. **First Public Question Period**

The Mayor announced the beginning of the First Public Question Period at 8:15 p.m.

Residents were invited to ask their questions to the Mayor and Councillors concerning matters of general interest.

June Grey said she had problems with her compost bin. Councillor Ulin gave her some practical advice.

Barbara Baily questioned the content of a sign at the dog exercise area in Hodgson Field. That sign stated the hours during which dogs will be allowed in. The Mayor said that a resolution would be adopted tonight in order to make the schedule match the hours at Davies Park. The resident also asked a question about Council intentions regarding the permit by-law. The Mayor explained that the idea is to simplify things. Councillor Ulin said the Town does not want to discourage people to repair and renovate their properties by putting obstacles on the way. The resident asked if all work on a roof are currently subject to the permit requirement. Councillor Tasker-Brown noted that the current definitions make it so that all kinds of work fall into a category needing a permit, and that will be revisited. On the other hand, she said one must be careful to understand it is not a matter of extent or amount but of exterior versus interior work which makes a project fall

under the process of SPAIP and consequently need to be authorized by a permit, although there are exceptions. So it is safer to check with the Building Inspector first. Finally the resident asked what kind of survey would take place about the arena. The Mayor said it would be a poll conducted from door to door.

Veena Sangwan thanked Council for the dog exercise area at Hodgson Field, but said it is a little small and wondered if it could be enlarged. Mayor Masella answered it was enlarged as much as possible, but there are limits considering the other uses in the park. Councillor Ulin also noted that there is always the dog run at Davies Park. The resident asked if tests have been performed on pea gravel at Davies Park. The Mayor noted the question was asked at the last meeting. After verification, there are no standards for the amount of urine in sand and gravel, and there are no tests either. The resident also asked how much it would cost to install a new sign at the dog exercise area. The Mayor said he did not know but probably not much.

David Superstein said he attended the two consultation meetings about the arena and could not understand how the Mayor could say the majority of people were in favor of a new one. The Mayor answered that most of the interventions were in favor.

Ian Robinson said that the Mayor talked of a multi-purpose building in his letter to The Suburban, and wanted to know if it is to include the arena. Mayor Masella confirmed it is. Regarding the survey, the resident asked how it would be done. The Mayor said it would involve a sending to every address but the answers would be given anonymously. If residents were to answer on line, the system will not allow to vote multiple times. The resident also asked what kind of majority he was looking for. The Mayor answered that a simple majority would carry it but he expected the result would not be ambiguous. Councillor Ulin said that the reason for a survey is to guide Council's decision. She also said the Town is following the Westmount model in this case by seeking to provide a complete information to the residents. Councillor Tasker-Brown added that the main reason is to see if Council has a popular mandate.

Scott MacKenzie introduced himself as president of the Civic Recreation Association. He said he thought of the arena more as a recreation complex, and presented his views in this matter. Comparing the arena with Côte Saint-Luc's facilities, he said Montreal West lacks such an infrastructure. He wondered how many questions the survey would ask. Mayor Masella did not want to elaborate at this point but said he wanted it to be as straightforward as possible, so that the results will not be contested.

David Superstein reiterated his concerns about how the construction of a new arena would be financed, and that fundraising should be the way instead of taxing. The Mayor said that before going either way, he wanted to have a well-defined project and government funding.

Sue Meyer asked when that survey will be done. Mayor Masella said it should be within one month and a half from now.

Barbara Baily suggested to ask a question in the survey about whether people would be interested if government contributions of a certain amount were assured. The Mayor said it was a good idea but even better if the scenario was that of how much it would cost on the tax bill, no matter how the Town could get there, through subsidies or fundraising.

The First Question Period ended at 8:50 p.m.

8. Contracts and Town Clerk's Office

a) Regular Council meetings in 2017 – calendar

It was moved by Councillor Maria Torres, seconded by Councillor Elizabeth Ulin and resolved:

1) That the regular meetings of Council in 2017 be held in the Music Room of the Town Hall on the last Monday of the following months at 8:00 p.m., except in September (third Monday), October (first Monday), November (second Tuesday) and in December (third Monday), on these dates:

- January 30;
- February 27;
- March 27;
- April 24;
- May 29;
- June 26;
- August 28;
- September 18;
- October 2;

- November 14;
- December 18.

2) That this calendar be posted in The Suburban.

Carried unanimously
#20161024-005

b) Amendment to resolution #20160329-004 (dog exercise areas)

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Julie Tasker-Brown and resolved:

That the third paragraph of resolution #20160329-004 be replaced with the following:

“That dogs be permitted off leash daily from 6:00 a.m. to 10:00 p.m. from October 22th to April 15th in a fenced area of Hodgson Field, except when there are activities organized by the Town or the Civic Recreation Association.”.

Carried unanimously
#20161024-006

9. Administration and finances

a) Approval of disbursements – September 22 to October 18, 2016

It was moved by Councillor Colleen Feeney, seconded by Councillor Maria Torres and resolved:

That the list of accounts payable from September 22 to October 18, 2016 totaling \$391,749.36 be approved and paid as listed.

Carried unanimously
#20161024-007

b) Cost certification statement – gas excise tax

WHEREAS the Town has taken cognizance of the Guide concerning the Payment Terms of the Government’s Contribution within the scope of the Program regarding Gasoline Tax and the Contribution of Quebec (TECQ) for the years 2014 to 2018;

WHEREAS the Town must follow the applicable terms of this Guide in order to receive the contribution confirmed in a letter from the Minister of Municipal Affairs and Land Occupation;

THEREFORE:

It was moved by Councillor Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

- 1) That the Town of Montreal West undertake to comply with the applicable content of the Guide mentioned in the preamble.
- 2) That the Town accept and agree to be fully and solely liable and to exonerate the Canadian and Quebec Governments as well as their ministers, officers, employees and agents in the event of any claims, requests, losses, damages and costs of whatever nature arising from bodily injuries to third parties (including death) and material losses or damages to property that may be attributed to a deliberate or negligent behavior directly or indirectly linked to capital expenditures realized with the proceeds from the funding received under the TECQ 2014-2018 program.
- 3) That the Town approve and authorize the sending of the work program and of all the required documentation to the Ministry of Municipal Affairs and Land Occupation, in order to receive the contribution of which it was notified by the Minister, as mentioned in the preamble.
- 4) That the Town renew its undertaking to invest a minimum of \$28.00 per resident/year in terms of municipal infrastructure, that is, a total of \$140.00 per resident during the five years of the program.
- 5) That the Town undertake to inform the Ministry of Municipal Affairs and Land Occupation of any modification that may be brought to the said work program approved by the present resolution.

6) That the Town certify by this resolution that the attached work program include true incurred costs and reflect the spending estimates of eligible works until March 31, 2017.

Carried unanimously
#20161024-008

10. Urban Department

a) Site Planning Projects and Architectural Integration Programs (SPAIP)

It was moved by Councillor Julie Tasker-Brown, seconded by Councillor Colleen Feeney and resolved:

1) To acknowledge receipt of the minutes of a meeting held by the Planning Advisory Committee (PAC) on October 19, 2016.

2) To approve under the SPAIP the following plans submitted to this meeting, subject to the conditions stated by the PAC as outlined in the minutes, as the case may be (except for the plans of 240 Percival where a part of the work is approved instead of deferred):

Address	Project	PAC's recommendation
144 Brock N. 54 Ainslie	removal of chimney replacement of a back door with a window and of a window with a patio door	as presented; with conditions;
340 Brock N. 133 Broughton	replacement of seven windows replacement of the wooden planks of the back deck and installation of French drain	with conditions; as presented;
253 Strathearn N. 171 Sheraton	removal of storm windows and replacement of windows behind reconstruction of front stairs and walkway and installation of new railings	with conditions; as presented;
102 Radcliffe 4 Campbell 8006 Avon	replacement of deck replacement of garage door replacement of fascia and soffits and installation of new siding, fascia, soffits and flashing on three dormers	as presented; as presented; with conditions;
214 Percival 146 Strathearn N.	extension of front porch and stairs replacement of a door with a patio door, of a window and of deck boards	as presented; with conditions;
131 Ballantyne N. 302 Ballantyne N.	converting second-storey and ground-floor verandas into decks replacement of windows and of a door with a patio door, removal of a ramp, installation of a French drain, addition of another patio door, installation of a window, building of a roof in the back over a future wooden patio, and replacement of cladding material over the back extension	with conditions; with conditions;
262 Sheraton 105 Westminster N. 240 Percival	removal of front entrance landing, walkway and patio in order to install French drain demolition and repair of the upper deck floor demolition of the extension at the back and of the deck and foundation for new ones	as presented; as presented; with conditions.

3) To defer the examination of the following plans to a next meeting of this Council, in accordance with the recommendations of the PAC as outlined in the minutes:

Address	Project
57 Ainslie	replacement of a door, of a beam on the back extension and of stucco with fibre-cement cladding;
135 Brock S. 105 Westminster N.	replacement of six basement windows, two side windows and of the front door; replacement of second-storey balcony floor, fascia, soffits, columns and railings;
240 Percival	construction of a new extension at the back and of a new deck.

Carried unanimously
#20161024-009

b) Approval of a Draft By-Law and fixing of the date of a public consultation meeting – By-Law Amending the Planning Programme enacted by By-Law No. 2009-007

It was moved by Councillor Julie Tasker-Brown, seconded by Councillor Maria Torres and resolved:

- 1) To approve the Draft By-Law for a By-Law Amending the Planning Programme enacted by By-Law No. 2009-007.
- 2) To convene a public consultation meeting on this Draft By-Law at the Community Center John A. Simms, on November 17, 2016 at 7:00 p.m.

Carried unanimously
#20161024-010

c) Approval of a Draft By-Law and fixing of the date of a public consultation meeting – Concordance By-Law Amending Zoning By-Law No. 2010-002

It was moved by Councillor Colleen Feeney, seconded by Councillor Julie Tasker-Brown and resolved:

- 1) To approve the Draft By-Law for a Concordance By-Law Amending Zoning By-Law No. 2010-002.
- 2) To convene a public consultation meeting on this Draft By-Law at the Community Center John A. Simms, on November 17, 2016 at 7:10 p.m.

Carried unanimously
#20161024-011

d) Minor exemption request – 26 Brock South

NOTE Councillor Julie Tasker-Brown summarized the issues involved in the following matter. She also noted that it had been advertised in the newspaper. No comments were received since the publication (and none were made after these explanations).

It was moved by Councillor Julie Tasker-Brown, seconded by Councillor Colleen Feeney and resolved:

That the plans and request submitted to the September 7, 2016 meeting of the Planning Advisory Committee be approved, in accordance with By-Laws 2010-002 and G-18-0005, for the following minor exemption from section 3.2.2 of the Zoning By-Law, regarding the immovable located at 26 Brock South:

- Allow that the combined lateral setbacks of an existing building be 3.36 metres instead of the minimum 4 metres in zone RA-8, the consequence being to reduce this requirement by 0.64 metre.

Carried unanimously
#20161024-012

11. Public Works

There was nothing under this item.

12. Human Resources

a) Travelling expenses (mileage)

It was moved by Councillor Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

That non-management employees who are required by the employer to travel outside their regular place of work be reimbursed an amount of \$0.47 per kilometer for mileage.

Carried unanimously
#20161024-013

13. Appointments

a) Designation of the Pro-Mayor

NOTE The last persons who held the office of Pro-Mayor, starting with the most recent incumbent, were Councillors Julie Tasker-Brown, Colleen Feeney, Maria Torres and Elizabeth Ulin.

It was moved by Councillor Maria Torres, seconded by Councillor Julie Tasker-Brown and resolved:

1) That Councillor Elizabeth Ulin be appointed Pro-Mayor for the months of December 2016, and January, February and March 2017.

2) That Councillor Elizabeth Ulin be designated to replace Mayor Beny Masella on the Agglomeration Council as necessary, and that a copy of this resolution be forwarded, if needed, to the Agglomeration Council.

3) That this appointment take effect on December 1, 2016.

Carried unanimously
#20161024-014

14. Councillors' Reports

a) Seat Number 3

Councillor Colleen Feeney reported on matters pertaining to Finance, Administration and Human Resources.

b) Seat Number 4

Councillor Maria Torres reported on matters pertaining to Public Works and Buildings.

c) Seat Number 1

Councillor Julie Tasker-Brown reported on matters pertaining to Urban Planning and Environment.

d) Seat Number 2

Councillor Elizabeth Ulin reported on matters pertaining to Public Security, Recreation and Culture.

15. Deposit of Documents

a) Statement of comparative financial results

A comparative statement of financial results as of September 30, 2016 was tabled with Council.

16. Notice of Motion, Reading and Adoption of By-Laws

a) Adoption of By-Law No. 405-35 – By-Law Amending Traffic By-Law No. 405

WHEREAS dispensation from reading for this By-Law having been previously requested pursuant to the law, a copy of said By-Law was accordingly made available to Council members, who have taken cognizance of it and waive its reading;

THEREFORE:

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Maria Torres and resolved:

That By-Law No. 405-35 entitled "By-Law Amending Traffic By-Law No. 405" be adopted.

Carried unanimously
#20161024-015

b) Notice of Motion and dispensation from reading for a By-Law Amending the Planning Programme enacted by By-Law No. 2009-007

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law Amending the Planning Programme enacted by By-Law No. 2009-007".

The said By-Law, in draft version, was tabled with Council and made available to the public.

Mayor Masella requested that the reading of this "By-Law Amending the Planning Programme enacted by By-Law No. 2009-007" be dispensed with.

c) Notice of Motion and dispensation from reading for a Concordance By-Law Amending Zoning By-Law No. 2010-002

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "Concordance By-Law Amending Zoning By-Law No. 2010-002".

The said By-Law, in draft version, was tabled with Council and made available to the public.

Mayor Masella requested that the reading of this "Concordance By-Law Amending Zoning By-Law No. 2010-002" be dispensed with.

d) Notice of Motion and dispensation from reading for a By-Law Amending By-Law No. 2016-017 Concerning Rules of Conduct of Council Meetings

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law Amending By-Law No. 2016-017 Concerning Rules of Conduct of Council Meetings".

The said By-Law will be made available to the public, in draft version, at least two juridical days before the meeting to be scheduled is held to adopt the By-Law.

Mayor Masella requested that the reading of this "By-Law Amending By-Law No. 2016-017 Concerning Rules of Conduct of Council Meetings" be dispensed with.

e) Notice of Motion and dispensation from reading for a By-Law Concerning Taxes of the Town of Montreal West for the Fiscal Year 2017

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law Concerning Taxes of the Town of Montreal West for the Fiscal Year 2017".

The said By-Law will be made available to the public, in draft version, at least two juridical days before the meeting to be scheduled is held to adopt the By-Law.

Mayor Masella requested that the reading of this "By-Law Concerning Taxes of the Town of Montreal West for the Fiscal Year 2017" be dispensed with.

17. Second Public Question Period

The Mayor announced the beginning of the Second Public Question Period at 9:35 p.m.

Residents were invited to ask their questions to the Mayor and Councillors concerning the matters on the agenda of this meeting.

Barbara Baily asked how by-laws are made available to the public. The Mayor said they are available at the entrance door of the Music Room on Council meeting nights. Having been invited to comment, the Town Clerk noted that at least when there are draft by-laws approved, like tonight, copies are available a long time before their adoption, and public notices are posted in the newspaper to let people know they can have one.

18. Termination of the Meeting

At 9:40 p.m., no other questions being asked,

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Maria Torres and resolved:

That the Meeting be terminated.

Carried unanimously
#20161024-016

Beny Masella
Mayor

Claude Gilbert
Town Clerk