

**MINUTES**  
**REGULAR COUNCIL MEETING**

**NOVEMBER 28, 2016**  
**8:00 p.m.**

Minutes of the Regular Meeting of the Council of Montreal West held on November 28, 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.

Forty-five (45) residents and visitors were in attendance.

**1. Opening of the Meeting**

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

That the Meeting be declared open.

Carried unanimously  
#20161128-001

The Mayor called the Meeting to order at 8:05 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 Maria Torres, seconded by Councillor Elizabeth Ulin and resolved:

To adopt the Agenda of the Regular Meeting of Monday, November 28, 2016 as presented.

Carried unanimously  
#20161128-002

**4. Approval of the Minutes**

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

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

- Regular Council Meeting of October 24, 2016;
- Special Council Meeting of November 10, 2016.

Carried unanimously  
#20161128-003

**5. Correspondence**

There was nothing under this item.

## 6. Report of the Mayor

Mayor Masella said that the residents will soon receive an information package regarding the new Community and Recreation project, and detailed the concept as including a new arena, community spaces, the library, other spaces for recreation activities, and a exterior reconstructed pool, soccer field and basketball park. Residents will also receive a survey with very clear questions. This survey will be anonymous and will ask respondents if they are in agreement with the project if it is going to cost such amount on the average tax bill. He reiterated that this is not a fait accompli, as the final decision to go forward will depend on the subsidies that the Town will obtain. This is the same path that was followed for all the infrastructure work that have been done since 2010, while keeping taxes and debt under control. He thanked all the volunteers and Town employees who worked on Remembrance Day celebrations, which were well attended. He also thanked all those whose involvement helped make a success of the CP Holiday Train this year, which is becoming a nice tradition. Finally, he said that there will be no Coffee with Mayor in December and that the next one will be in January.

## 7. First Public Question Period

The Mayor announced the beginning of the First Public Question Period at 8:10 p.m.

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

Lisa Mintz wanted to know what is happening with the snow dump, which is expanding. She noted that she had the opportunity to speak with the Director of Public Works about it before tonight's meeting started. Mayor Masella thanked her.

Evelyn Rivaz said there are people who put plastic garbage bags outside. She also saw people blowing leaves in the street. Councillor Ulin said it is illegal to do both things and asked the resident to notify Public Security Officers (PSO).

Robert Piccioni asked if the Mayor saw the legal letter he sent to Council about a zoning amendment which would have an effect on Brock South and is on the agenda tonight. Mayor Masella said all Council members read it. The resident asked why the Town did proceed the way it did so that nearby residents could not ask for a referendum. The Mayor said there was a zoning amendment before, and this one is to adjust the urban plan. Having been invited to comment, the Director General said it is hard to give a detailed answer because the resident has hired a lawyer who sent the letter. The resident said he disagreed with a high-density residential project that would cause further problems in a neighborhood where there are already serious traffic and safety issues. He asked if Council would be ready to meet with the residents to discuss these problems. Mayor Masella invited the resident to tell his legal advisor to contact Town officers. He noted that the public notices related to the zoning amendment adopted earlier this year were published in The Suburban as is always the case.

Ian Robinson said a blue collar made a very big hole in his front lawn while driving a tractor. Having seen some Public Works employees talk on the phone or texting when they drive, he wondered if this could not be the only reason why such a damage could be done, noting that there was no snow. Councillor Torres said she would find out. On another point, the resident asked if the Town will know if it has a grant before making the survey. The Mayor answered that the Town will have a cost estimate by then. The resident opined that it would be better to wait until the amount of the subsidy is confirmed. The Mayor replied that in the end, the question will be if residents are ready to accept such or such dollar amount of tax increase in order to get a new complex, or not.

Paul Kenton, on the same topic, said he was in favor of a project that may or may not include an arena. However, he thought it was a bit late to start a consultation, and that the public should have been involved from the beginning. Mayor Masella said that in the last year, the Town has been working on a concept and obtained some estimates to do some of the work. It is not at the point of making final decisions, and will get the public input before it makes one. The resident asked why not lay down all the cards on the table at this time. The Mayor said the proposal will be put out and if it is not getting enough support, there will have to be another one. The resident contended that transparency is lacking. Councillor Ulin noted that when the survey results are known, there will of course be discussions. Councillor Tasker-Brown observed that there was a consultation meeting with 200 people in attendance. Council believes that recreation facilities and services are important for the community's young families and senior citizens. Councillor Ulin noted that there is an open question at the end of the survey that asks for other comments. This gives residents another opportunity to weigh in.

Desiree McGraw said the current opportunity for getting a recreation complex is of the once-in-a-generation kind. She noted that, last year, the vast majority of the 200 people

who showed up at the information meeting were in favor. However, she said the survey would be a good thing. She made suggestions concerning the questions to be asked. For instance, it should seek to know preferred uses in correlation to the age of respondents. She also said that it would be good to ask people if they would agree to make private donations or pay user fees. She warned that the local MP and MNA are considering many other projects to subsidize in this riding. Mayor Masella said that the survey is almost finalized and should be conducted in early January.

Louise Chenevert wanted to know if her tree walking tours are advertised in the Town's information booklet for next year. Councillor Ulin said she would ask the Recreation Department, but added she would rather see them announced on the website. The resident said she had sent an email this summer about some trees in the Town. Councillor Torres said six oak trees were planted and all died. The supplier will replace them next year. On another point, the resident noted there are parking issues on Roxton. Councillor Ulin suggested that she ask the PSO to look at that.

Bryan Guinness asked the Town to provide snow clearing services on a lane behind his house and a petition that was filed to this end. He said he was not satisfied with the answer he received from the Public Works Department, and that the Town should reconsider its position since there are fourteen people who are concerned. His suggestion was that a small contractor be hired to do it. The Mayor explained that the logistics with Town equipment and operations makes it difficult to see how it could be done. On the other hand, there would be issues with the collective agreement regarding the use of a contractor. Finally, the Mayor did not see anything new or different in the resident's intervention from what was already known. There are other lanes in that same situation.

Peter Cooney said that the traffic situation at the corner of Avon and Brock is horrendous, dangerous and chaotic. The big problem is with trucks. The Mayor said the Town is trying to address those safety issues with the Ministère des Transports du Québec (MTQ) and hopefully, there will be some progress on Avon's side. However, the complexities are different from a local street when there are buses and bigger trucks.

Abby Shyavitz reiterated a suggestion she made here in April and last month by email, that Council meetings should be webcast and a video archive be created, and asked if some progress was made. The Mayor answered it was discussed at caucus. An outside firm could be hired next spring, because the Town does not have the internal expertise. One question is whether the current website could sustain it.

Paul Kenton asked if the draft version of the survey could be made available before it is sent. He made the suggestion that the question concerning the acceptable tax increase should be put in terms of percentage rather than average amount. The Mayor noted that Council has discussed a great number of different versions of the survey.

Michael Shinder wanted to know what uses there would be in a prospective recreation complex. The Mayor mentioned there could be an arena, the adult library, rooms for exercise classes, a little gymnasium. The resident asked if this was the first time he alluded to this multi-purpose vocation. The Mayor said it was mentioned publicly many times before. Councillor Torres also said all the residents will get all the relevant information before getting surveyed. The resident contended that this survey is coming late, and that a simpler one should have been done a long time before to ask people what they wanted. Councillor Tasker-Brown noted that just keeping the arena as it is now would cost \$7.5 million while it is not within norms anymore. The multi-purpose idea emerged from hearing people at the consultation meetings. Also, it is a fact that the library and the community center are not easily accessible to persons with reduced mobility. The resident disagreed with the fact that expenses are incurred for architect and survey purposes when the end result might be to reject the proposal. Councillor Ulin said the survey is intended to let Council know clearly what people want in Montreal West.

Linda Hammerschmid opined that no new arena should be built until the aqueduct and sewer network is completely fixed, except if enough money can be raised through residential and commercial developments, plus grants and donations. She said she was concerned the results of a survey could be deemed decisive although a majority of people would not have cared to answer it. Councillor Ulin noted that this is not a vote and a 100% participation is not expected. Councillor Tasker-Brown added that participation will be made easy, as everybody will get a code and will be able to fill the survey on line. On another point, the resident asked if there are surveillance cameras over the dog park. Mayor Masella said yes: at the dog park, at the cenotaph, at the town hall. The resident asked why cats do not have to be vaccinated against rabies, unlike dogs. Councillor Ulin explained that it is only required for dogs which go to the dog park. It is possible to get a dog license without a vaccination certificate if it does not go there.

Andy Michelin congratulated Council for the way it is dealing with the arena question. He reminded the audience that several years ago, he was one of the members of a group who managed to collect pledges in the amount of \$1 million for a new arena. It did not

materialize, but he said this could be done again. People from Hampstead may contribute as well, so it is understandable that they can attend meetings on this subject.

Pierre Brideau asked if the state of the pool is known and if it has been incorporated in the arena's concept. The Mayor said it is not in big shape and would be part of the concept. Councillor Ulin added that it is 50-year old and will need soon very important repair work. Councillor Torres noted that once you decide to replace that arena, you have to deal with the pool too.

Brian Hession noted that the MTQ, within the context of the Turcot project, has set up a good neighborhood committee. The meetings of this committee are attended by many representatives of other municipalities, but not of Montreal West, and he wondered why. Mayor Masella said he believes more things can get done by speaking directly to contacts at the MTQ and with the contractor. The committee is more for residents to be heard by the MTQ. On another point, the resident mentioned that people who were driving down Brock and ignored traffic signs and directions said they were told by the Town they were allowed to do so. Councillor Ulin answered that those who said that were lying. The resident also asked for confirmation that when the end of Brock South is reopened, it will not be allowed for access to Montreal West. The Mayor answered it will be only allowed for exit from the Town, as in the past.

Christine Dewolf said that the Town's notices should not be advertised in The Suburban, because it is not delivered to residents' houses. Councillor Tasker-Brown asked her how they should be publicized then. The resident said that putting them on the website is a good thing but when it is important the notice should be delivered to every house. Councillor Ulin said she appreciated that comment and would consider it. The resident asked how the Town chooses to proceed one way or another, to amend the urban plan or the zoning by-law. Having been invited to comment, the Town Clerk explained that when a change is recommended by the Planning Advisory Committee, for instance, it must be verified in the law under which section or article that change would fall. The applicable procedure must then be followed. Councillor Tasker-Brown noted that the zoning by-law amendment involving the possibility of requests for referendum was adopted earlier this year after the required public notices. The resident asked Council to consider reopening this process, since it was not duly publicized in the first place according to her.

Julien Feldman noted that caucus meetings are not public and that there should be minutes of those meetings. He linked this remark to the problem of public consultation raised tonight. Mayor Masella said that the example of the zoning amendment discussed here is not relevant to the resident's question, since the consultation process mandated by the law was followed.

The First Question Period ended at 9:55 p.m. The meeting was suspended.

#### **7.1. Resuming the meeting**

At 10:20 p.m., it was moved by Councillor Elizabeth Ulin, seconded by Councillor Maria Torres and resolved:

To resume the meeting.

Carried unanimously  
#20161128-004

#### **7.2. Amendment to the Agenda**

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

To amend Resolution #20161128-002 as follows:

- by removing item 16 b) **Adoption of By-Law No. 2016-024 – By-Law Amending the Planning Programme enacted by By-Law No. 2009-007;**
- by removing item 16 c) **Adoption of By-Law No. 2016-025 – Concordance By-Law Amending Zoning By-Law No. 2010-002.**

Carried unanimously  
#20161128-005

#### **8. Contracts and Town Clerk's Office**

##### **a) Minutes of correction – zoning map (Ronald Park)**

In accordance with article 92.1 of the Cities and Towns Act, the Town Clerk filed a copy of the map of zone PA-17, in order to amend it by excluding lot 1 292 147 where an industrial building is located which appears to be in a “park use” zone instead of the commercial zone CL-4 to which it rightly belongs, the error being obvious.

**b) Leaf blowers – conditions of use (change of dates)**

WHEREAS the use of leaf blowers is allowed in the spring and in the fall, under certain conditions and between specified dates, although these dates may be modified in accordance with section 8.2 of Nuisance By-Law No. 456;

WHEREAS the weather conditions this year would have justified that the dates be modified and the use of leaf blowers allowed only later in the fall;

THEREFORE:

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

- 1) That the use of leaf blowers be allowed until November 30 in 2016.
- 2) That the effective tolerance of their use since November 15 be ratified.

Carried unanimously  
#20161128-006

**c) Canada Day Grant**

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

That the Town of Montreal West apply for a subsidy for Canada Day celebrations to the Federal Department of Canadian Heritage through the applicable program, and authorize its Director of Recreation and Cultural Services to sign any necessary documents for this purpose.

Carried unanimously  
#20161128-007

**d) National Holiday Grant**

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

That the Town of Montreal West apply for a subsidy to the “Mouvement national des Québécoises et Québécois” through the “Fête nationale du Québec 2017” program of the Provincial Government, and authorize its Director of Recreation and Cultural Services to sign any necessary documents for this purpose.

Carried unanimously  
#20161128-008

**9. Administration and finances**

**a) Approval of disbursements – October 19 to November 23, 2016**

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

That the list of accounts payable from October 19 to November 23, 2016 totaling \$770,585.24 be approved and paid as listed.

Carried unanimously  
#20161128-009

**b) Reimbursement of expenses – PAC meetings**

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

- 1) That expenditures in the maximum amount of \$75.00 be authorized, twice monthly, for the purpose of serving a meal at meetings of the Planning and Advisory Committee.
- 2) That such expenses be reimbursed by the Town upon submission of supporting documents and be charged to budget account 02-610-00-699.

Carried unanimously  
#20161128-010

**c) Rental of ice rink – waiver of fees (school project)**

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

That the Town waive the rental fees of the Legion Memorial Rink for three hours on November 8, 2016 in favor of a John Abbott College student, resident of Montreal West, who requested access to the facilities in order to shoot a short film for a school project.

Carried unanimously  
#20161128-011

**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 November 23, 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:

<b>Address</b>	<b>Project</b>	<b>PAC's recommendation</b>
114 Radcliffe	installation of railings on front landing and stairs	as presented;
451 Ballantyne N.	replacement of ten windows and a patio door	as presented;
43 Brock N.	installation of a new garden shed in the back	as presented;
150 Brock S.	rebuilding of front stairs, landings and chimney, and repaving	as presented.

3) To approve under the SPAIP the following plans, in accordance with the minutes of a meeting held by the PAC through electronic mail on November 28, 2016:

<b>Address</b>	<b>Project</b>	
92-94 Roxton	building of a cold room extension and balcony in the back (without the staircase connecting the upper deck with the ground floor)	as presented.

4) 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:

<b>Address</b>	<b>Project</b>
14 Brock N.	replacement of cladding material above the brick on North and South walls and of the cladding on the dormers.

Carried unanimously  
#20161128-012

**b) Minor exemption request – 31 Campbell**

*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 October 5, 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 31 Campbell:

- Allow that the lateral setback of an existing semi-detached building be 1.16 metres instead of the minimum 2 metres required in zone RB-7, the effect being to reduce the requirement by 0.84 metre.

Carried unanimously  
#20161128-013

**c) Minor exemption request – 171 Sheraton**

*NOTE* Councillor Colleen Feeney 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 Colleen Feeney, seconded by Councillor Julie Tasker-Brown and resolved:

That the plans and request submitted to the November 9, 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 paragraph 5.3 of section 5.2.3 of the Zoning By-Law, regarding the immovable located at 171 Sheraton:

- Allow the widening of the sidewalk so that the total paved area will cover 38.5% of the front yard rather than 35% which is the maximum allowed, the effect being to exceed this percentage by 3.5%.

Carried unanimously  
#20161128-014

**11. Public Works**

There was nothing under this item.

**12. Human Resources**

There was nothing under this item.

**13. Appointments**

There was nothing under this item.

**14. Councillors' Reports**

**a) Seat Number 4**

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

**b) Seat Number 1**

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

**c) Seat Number 2**

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

**d) Seat Number 3**

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

**15. Deposit of Documents**

There was nothing under this item.

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

**a) Adoption of By-Law No. 2016-023 – By-Law Concerning Rules of Conduct of Council Meetings and Replacing By-Law No. 2016-017**

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 Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

That By-Law No. 2016-023 entitled "By-Law Concerning Rules of Conduct of Council Meetings and Replacing By-Law No. 2016-017" be adopted.

Carried unanimously  
#20161128-015

**b) Adoption of By-Law No. 2016-024 – By-Law Amending the Planning Programme enacted by By-Law No. 2009-007**

This item was withdrawn from the agenda.

**c) Adoption of By-Law No. 2016-025 – Concordance By-Law Amending Zoning By-Law No. 2010-002**

This item was withdrawn from the agenda.

**d) Notice of Motion and dispensation from reading for a By-Law Amending By-Law No. 2012-005 Concerning Site Planning and Architectural Integration Programs in order to exclude some categories of projects from its application**

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. 2012-005 Concerning Site Planning and Architectural Integration Programs in order to exclude some categories of projects from its application".

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. 2012-005 Concerning Site Planning and Architectural Integration Programs in order to exclude some categories of projects from its application" be dispensed with.

**e) Notice of Motion and dispensation from reading for a By-Law Amending By-Law No. 2009-011 Concerning Permits in order to modify certain definitions and provide that some categories of work do not require a building permit**

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. 2009-011 Concerning Permits in order to modify certain definitions and provide that some categories of work do not require a building permit".

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. 2009-011 Concerning Permits in order to modify certain definitions and provide that some categories of work do not require a building permit" be dispensed with.

**17. Second Public Question Period**

The Mayor announced the beginning of the Second Public Question Period at 10:50 p.m.

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

**18. Termination of the Meeting**

At 10:51 p.m., no questions being asked,

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

That the Meeting be terminated.

Carried unanimously  
#20161128-016



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Beny Masella  
Mayor

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Claude Gilbert  
Town Clerk

*The annexes mentioned above are deposited  
in the municipal archives in File Archives-20161128*