

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

**MAY 30, 2022**  
**8:00 p.m.**

Minutes of the Regular Meeting of the Council of Montreal West held on May 30, 2022 at the Town Hall located at 50 Westminster Avenue South.

Present:	Mayor:	Mr. Beny Masella	
	Councillors:	Ms. Lauren Small-Pennefather	Seat 1
		Ms. Elizabeth Ulin	Seat 2
		Ms. Colleen Feeney	Seat 3
		Ms. Maria Torres	Seat 4

Also present: Me Raffaele Di Stasio, Director General  
Ms. Valentina Maria Todoran, Treasurer  
Me Claude Gilbert, Town Clerk  
Ms. Elisabeth Roy, Communications Officer

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

Five (5) residents and visitors were in attendance.

**1. Opening of the Meeting**

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

That the Meeting be declared open.

Carried unanimously  
#20220530-001

The Mayor called the Meeting to order at 8:03 p.m.

**2. Acknowledgement of Visitors**

There was nothing under this item.

**3. Adoption of the Agenda**

It was moved by Councillor Colleen Feeney, seconded by Councillor Lauren Small-Pennefather and resolved:

To adopt the Agenda of the Regular Meeting of Monday, May 30, 2022 modified as follows:

- by adding item 15 b): **Public consultations report (new Sports and Recreation center)**.

Carried unanimously  
#20220530-002

**4. Approval of the Minutes**

It was moved by Councillor Lauren Small-Pennefather, seconded by Councillor Elizabeth Ulin and resolved:

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

- Regular Meeting of April 25, 2022;
- Special Meeting of May 5, 2022;
- Special Meeting of May 13, 2022.

Carried unanimously  
#20220530-003

5. **Correspondence**

There was nothing under this item.

6. **Report of the Mayor**

Mayor Masella said that, as part of the consultations for the new sports and recreation centre, he made a commitment to meet a group of residents who live on Bedbrook. Because they are in the line of fire during construction, he wanted to ensure they had a direct channel to express their concerns and opinions. So he intended to organize that consultation in the next few weeks. Concerning Bill 96, although there had been some optimism that it would be withdrawn or significantly modified, it has been adopted, and will soon become an extremely ugly law of the land. It has a profound effect on so many aspects that its all-encompassing nature and extremely wide reach make it a real nightmare. As far as the Town is concerned, Montreal West will continue to do what the law allows to do, which is part of the problem. Many of the practical applications are not yet fully defined. Council will continue to monitor the directives from the CAQ government to see how they want to further curtail the right to serve or be served in English.

7. **Councillors' Reports**

a) **Seat Number 1**

Councillor Lauren Small-Pennefather reported on matters pertaining to Public Security and Urban Planning (2).

b) **Seat Number 2**

Councillor Elizabeth Ulin reported on matters pertaining to Public Works, Communications and Environment (1).

c) **Seat Number 3**

Councillor Colleen Feeney reported on matters pertaining to Finance, Recreation and topics related to the status of Age Friendly Municipality.

d) **Seat Number 4**

Councillor Maria Torres reported on matters pertaining to Urban Planning (1) and Environment (2).

8. **First Public Question Period**

The Mayor announced the beginning of the First Public Question Period at 8:23 p.m.

Residents in attendance were invited to ask the Mayor and Councillors questions concerning matters of general interest. Questions submitted in advance were also taken.

1. **Harold Knowles**

Inquired about the follow up on Bill 96 concerning language legislation, and its impact on municipalities, particularly with respect to amendments that were brought to this legislation during the parliamentary process, like the possibility for a municipality to lose a grant if found not in compliance.

2. **Susana Borsoi**

Asked when infrastructure work on Brock North will take place between Fielding and Curzon, as it has been repeatedly requested by residents over the years. She also complained about the bad state of sidewalks on her street.

3. **Ilan Rose**

Discussed the prohibition to wash cars or change tires on public streets according to the traffic by-law, as well as for kids to play street hockey.

4. **Daniel Budd**

Noted that one of the child swings in Davies park appears to be broken and the mechanism that holds the swing up is held together by duct tape. Asked when this will be fixed and added that the swing should be taken down until then.

5. **Ilan Rose and Kathy Faludi**

Both complained that R.D. Paul park at Garden and Brock is often used by non-residents dog owners to let their dogs run free. The offenders are not ticketed unfortunately. They

asked for the installation of a proper sign at the park to remind people of the prohibition, and also for a reminder in the next electronic bulletin.

**6. Rick Gianfelice**

Asked for the putting up of a garbage at the northwest corner of Nelson and Westminster, where there is a bench for people waiting for the bus. Also asked for the replacement of the damaged bench at the northwest corner of Parkside and Westminster.

**7. Colin Brodhead**

Wondered what steps can be taken to improve street safety. Small rural towns often have signs with smiley face or frowns when drivers speed through. Asked the Town to invest in those, 3D painted cross walks, and/or speed bumps. Also asked that the crossings be repainted more than once a year, and that a cement block and stop sign be added at intersections, like is done in the middle of Westminster and Milner.

**8. Domenica Pulcini**

Said that the back yard property has not been maintained for over a year and the weeds, trees and plant growths are not only unsightly. She would kindly ask the owner herself but does not know who it is. Asked for the Town inspector to intervene.

**9. Pierre Gagnon**

Said that he has been waiting for a low-rent dwelling unit since 2019 from the City of Montreal housing bureau. Mentioned that his rank on the waiting list is even worse now than three years ago, although he has a physical handicap.

**10. Jim Mullaly**

Criticized the by-law limitations on the use of leaf blowers during limited periods of time of the year, and contended that they were justified in his opinion because the existing ones when this by-law was adopted were much more noisy than most are now, like his own.

**11. Julien Feldman**

Criticized the fact that commercial tree-cutters are also acting as arborists, providing opinions to the Town that a particular tree is diseased or weak and eligible for felling. Contended that this is a conflict of interest when it comes to issuing a Town permit.

**12. Jim Mullaly**

Asked why a clearly indicated crosswalk at Sherbrooke and Westminster has not been done yet, and wondered who is responsible for this crosswalk work, CPR or the Town.

**13. Susan Gottman**

Asked when the potholes on Percival avenue between Nelson and Milner (similar to the one just patched on Milner and Westminster) will be repaired, and also when this section is scheduled for reconstruction work.

**14. Ian Robinson**

Since the Town has been using the inflation rate as a guiding factor for the residents' tax increase over the years, wondered if there will be a change in approach, given the current rate. Also asked what formula the Town intends to use to determine a resident's tax increase for the new Sports and Recreation Center.

**15. Steven Mohn**

Complained about the state of the level crossing on Westminster Avenue, and wondered if there is any way for the Town to prevail upon CPR to effect repairs, however minimal.

The First Question Period ended at 8:52 p.m.

**9. Contracts and Town Clerk's Office**

**a) City of Beaconsfield versus the City of Montreal and the Quebec Government – retaining a lawyer on behalf of the Town of Montreal West and other related municipalities**

WHEREAS on December 16, 2020 and January 15, 2021, the ministère des Affaires municipales et de l'Habitation (MAMH) published an *Order concerning the rules to establish the fiscal potential of the related municipalities of the urban agglomeration of Montreal*, for the purpose of apportioning urban agglomeration expenditures and of providing for the establishment of a working committee made up of representatives of the Ville de Montréal and the Association of Suburban Municipalities;

WHEREAS the purpose of this working committee was to review the terms for apportioning of aliquot shares, and in particular, the calculation of the fiscal potential or any other sustainable solution, and to report on this to the Minister by August 31, 2021;

WHEREAS on December 15, 2021, the MAMH published an *Order concerning the rules to establish the fiscal potential of the related municipalities of the urban agglomeration of*

*Montreal*, for the purpose of apportioning urban agglomeration expenditures by replacing the coefficient of 0.48 with that of 2.68, and taking effect from fiscal year 2022;

WHEREAS the City of Beaconsfield has filed a legal proceeding on January 15, 2021 against the Procureur général du Québec and the Ville de Montréal, and that all related municipalities are listed as impleaded parties;

WHEREAS this legal proceeding raises issues for the interests of Montreal West regarding agglomeration taxation, and the Town intends to ensure a full complete defence;

THEREFORE:

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

1) That Maîtres Kurt Johnson and Olga Redko, of the firm IMK s.e.n.c.r.l./LLP, be mandated for this purpose in replacement of Maître Nicolas X. Cloutier of the firm McCarthy Tétrault S.E.N.C.R.L., s.r.l.

2) That the Town agree to pay its share of any fees and expenses incurred on a pro rata basis equivalent to the contribution of Montreal West in the fiscal potential of all related municipalities (except Beaconsfield and Sainte-Anne-de-Bellevue) that participate to this legal proceeding, that is, 1.98% of any invoiced amount for the purposes hereof.

3) That the Director General of Kirkland be appointed sponsor of this group of municipalities.

4) That the City of Dorval be designated to be the drop point for the payment of these fees and expenses.

Carried unanimously  
#20220530-004

**10. Administration and finances**

**a) Approval of disbursements – April 21 to May 27, 2022**

It was moved by Councillor Colleen Feeney, seconded by Councillor Lauren Small-Pennefather and resolved:

That the list of accounts payable from April 21 to May 27, 2022 totaling \$713,839.05 be approved and paid as listed.

Carried unanimously  
#20220530-005

**b) Delegation of powers for the month of May 2022**

It was moved by Councillor Lauren Small-Pennefather, seconded by Councillor Elizabeth Ulin and resolved:

To approve the report of the Director General concerning the exercise of powers delegated under By-Law No. 2005-002 for the month of May 2022.

Carried unanimously  
#20220530-006

**11. Urban Department**

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

It was moved by Councillor Maria Torres, seconded by Councillor Lauren Small-Pennefather and resolved:

1) To acknowledge receipt of the minutes of a meeting held by the Planning Advisory Committee (PAC) on May 25, 2022.

2) To approve as presented under the SPAIP the following plans submitted to this meeting, in accordance with the recommendations of the PAC as outlined in the minutes:

<b>Address</b>	<b>Project</b>
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37 Brock N.	Replacement of one window;
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6 Campbell	Replacement of a patio door and three windows;
235 Wolseley N.	Replacement of twenty-one windows;
53 Ballantyne N.	Painting of the front windows, shutters and canopy above the front door.

3) To approve with conditions under the SPAIP the following plans submitted to this meeting, in accordance with the recommendations of the PAC as outlined in the minutes:

Address	Project
66 Curzon	Replacement of front porch decking, stairs and railings.

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:

Address	Project
36 Courtney	Replacement of ten windows and the front door;
149 Radcliffe	Replacement of the front door;
115 Strathearn N.	Construction of a garden shed in the backyard;
9 Rennie	Replacement of twelve windows, one door, window sills and lintels;
246 Westminster N.	Replacement of the front stairs, landing and railings.

Carried unanimously  
#20220530-007

**b) Minor exemption request – 37 Milner**

*NOTE* Councillor Maria Torres summarized the issues involved in the following matter. She also noted that it had been advertised in the newspaper.

It was moved by Councillor Maria Torres, seconded by Councillor Lauren Small-Pennefather and resolved:

That the plans and request submitted to the April 20, 2022 meeting of the Planning Advisory Committee be approved, in accordance with By-Laws 2020-002 and G-18-0005, for the following minor exemption from subparagraph 1 of the third paragraph of section 4.6.3 of the Zoning By-Law, regarding the immovable located at 37 Milner in zone RB-5 to:

- Allow the construction of a fence up to a height of six feet (6') in the front yard, instead of the allowed maximum of two feet (2'), the consequence being to exceed this requirement by four feet (4').

Carried unanimously  
#20220530-008

**c) Minor exemption request – 61 Brock North**

*NOTE* Councillor Maria Torres summarized the issues involved in the following matter. She also noted that it had been advertised in the newspaper.

It was moved by Councillor Lauren Small-Pennefather, seconded by Councillor Maria Torres and resolved:

That the minor exemption request from paragraph 5.3 of section 5.2.3 of the Zoning By-Law, which was submitted to the April 20, 2022 meeting of the Planning Advisory Committee be refused, in accordance with the Committee's recommendation, regarding an immovable located at 61 Brock North in zone RA-5 to allow paving 48% of the land surface in the front yard, while the maximum is 35% for a lot of this width.

Carried unanimously  
#20220530-009

**d) Payment of a compensation for a parking place – 171 Brock South**

It was moved by Councillor Lauren Small-Pennefather, seconded by Councillor Maria Torres and resolved:

To accept the request presented by the owner of the immovable quoted in title (lot 6 016 730) in order to compensate for two (2) missing parking places for a condo development project, subject to the payment of a total sum of \$10,000.00, in accordance with section 5.1.5 of Zoning By-Law No. 2020-002.

Carried unanimously  
#20220530-010

12. **Public Works**

**a) Appointment of a municipal representative to lead the drafting of a joint request for funding from several cities to the Government of Canada's 2 Billion Trees program**

WHEREAS in the 2020 Fall Economic Statement, the Federal Government announced a financial contribution of up to \$3.2 billion over 10 years, starting in 2021-2022, to meet its commitment to plant 2 billion trees (2BT);

WHEREAS this pledge is part of a comprehensive approach to natural climate solutions led by the Minister of Natural Resources, with support from the Minister of Environment and Climate Change Canada and the Minister of Agriculture and Agri-Food Canada;

WHEREAS the 2BT program provides funding to support tree planting projects, but does not provide trees or seedlings directly to applicants, this being the applicant's responsibility;

WHEREAS the 2BT program will establish a rolling application, intake process with multiple review processes per year starting in 2022;

WHEREAS there is no fixed timeline yet for calls for proposals;

WHEREAS the 2BT program supports tree planting activities beyond those legally required activities, focusing on new tree planting projects and additions to existing projects that would not otherwise have occurred;

WHEREAS the application may include tree planting in rural or urban areas, on public lands, with Indigenous partners or private landowners, or any combination thereof;

WHEREAS joint applications from multiple applicants may be submitted;

WHEREAS funding agreements will only be signed with one entity as principal recipient, which is why joint applications must specify the person who will be the main partner;

WHEREAS tree-planting projects will support three project streams: the mass planting stream, the urban/suburban stream and a limited small projects stream;

WHEREAS proposed projects must meet the minimum planting requirements of their respective stream:

- Funding for mass planting – over 500,000 trees per year
- Funding for small-scale planting – over 50,000 trees per year
- Funding for urban/suburban planting – over 20,000 trees per year

THEREFORE:

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

1) That the Town of Montreal West appoint Mr. Andrew Duffield, Director of Sustainable Development for the City of Beaconsfield, as main partner and trusted person to lead the drafting of a joint funding application from eleven municipalities on the island of Montreal (including Montreal West) to the 2 billion-tree program.

2) That the Town undertake to give Mr. Andrew Duffield access to all the necessary information and to offer him the support required to complete the application.

3) That the final version of the application drafted by the main partner be subject to approval by the Town Council.

Carried unanimously  
#20220530-011

**b) Elizabeth Ballantyne School Centennial – request to the Town**

WHEREAS Elizabeth Ballantyne School is celebrating its centennial in 2022;

WHEREAS a time capsule was buried 25 years ago on the grounds of the school;

WHEREAS the school is planning to unearth the time capsule as part of its celebrations;

WHEREAS the school authorities have requested the Town to assist in this matter by providing the necessary equipment and manpower for the excavation work;

THEREFORE:

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

That the Town of Montreal West accept this request from Elizabeth Ballantyne School, subject to the following conditions:

- the school authorities must agree to release the Town from any liability in the event of the time capsule being damaged as a result of the excavation;
- the Town's participation shall be recognized in every communications from the school relating to this event;
- any communiqué, press release or social media intervention shall be forwarded to the Town in order to share them on the municipal platforms.

Carried unanimously  
#20220530-012

**13. Human Resources**

There was nothing under this item.

**14. Appointments**

There was nothing under this item.

**15. Deposit of Documents**

**a) Confirmation of training – ethics and good conduct**

In accordance with section 15 of the Municipal Ethics and Good Conduct Act (R.L.R.Q., chapter E-15.1.0.1), all Council members have participated in a professional development program on municipal ethics and good conduct within six months after the beginning of their current term, since the last election.

**b) Public consultations report (new Sports and Recreation Center)**

Tabled was a report highlighting the outcome of two virtual public consultations, a virtual local round table with community organizations and of an online survey, and addressing the questions that were raised during this consultation phase.

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

**a) Adoption of By-Law No. 2022-004 – By-Law amending By-Law No. 2018-002 concerning the applicable rate for duties on transfers where the basis of imposition is in excess of \$500,000**

WHEREAS a copy of this By-Law in draft version was previously tabled at a Council meeting when the notice of motion was given, and made available in accordance with the law;

WHEREAS the purpose and scope of this by-law were summed up at the present meeting;

THEREFORE:

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

That By-Law No. 2022-004 entitled "By-Law amending By-Law No. 2018-002 concerning the applicable rate for duties on transfers where the basis of imposition is in excess of \$500,000" be adopted.

Carried unanimously  
#20220530-013

**17. Second Public Question Period**

The Mayor announced the beginning of the Second Public Question Period at 9:11 p.m.

People in the room were invited to ask the Mayor and Councillors questions concerning the matters on the agenda of this meeting. Questions submitted on line were also taken.

**18. Termination of the Meeting**

At 9:12 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  
#20220530-014

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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-20220530*