

MINUTES
REGULAR COUNCIL MEETING
FEBRUARY 27, 2023
8:00 p.m.

Minutes of the Regular Meeting of the Council of Montreal West held on February 27, 2023 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: Ms. Valentina Maria Todoran, Interim Director General
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.

Twenty-one (21) 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
#20230227-001

The Mayor called the Meeting to order at 8:04 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 Elizabeth Ulin and resolved:

To adopt the Agenda of the Regular Meeting of Monday, February 27, 2023 as presented.

Carried unanimously
#20230227-002

4. Approval of the Minutes

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

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

- Regular Meeting of January 30, 2023;
- Special Meeting of February 2, 2023.

Carried unanimously
#20230227-003

5. Correspondence

There was nothing under this item.

6. Report of the Mayor

Mayor Masella mentioned that Council will be formally undertaking at this meeting, as promised, to hold a vote on the sports and recreation centre after the bids have been opened and the effects on the tax bill are known in more detail. The timing of that vote is yet to be determined but it may be assumed to be in April. He noted that, although the holding of a register was announced at the regular Council meeting of January and special meeting of February 2, and also published via e-bulletin, posted on the website and reported in The Suburban, there were still some people who said this was not enough to inform the population. While the Mayor disagreed, he said the Town will do better. To be clear, the register was strictly to force a referendum on a loan by-law, nothing else. The vote that will be held will be a vote on the project as a whole, when the cost of the project and the impact upon tax bills are known. Then residents can make an informed decision. The decision will be based on the majority of votes cast.

7. Councillors' Reports

a) Seat Number 2

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

b) Seat Number 3

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

c) Seat Number 4

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

d) Seat Number 1

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

8. First Public Question Period

The Mayor announced the beginning of the First Public Question Period at 8:26 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. Brian Benedetti

Asked what the exact percentage of Montreal West residents are using the arena, since there seems to be different figures from different sources. Also pointed out the plan to have the new sports centre used all year around. Questioned the operational extra costs entailed by the new centre, in addition to the startup investment.

2. Paul Kenton

Compared Montreal West's plan to Town of Mount Royal building a sports centre but without an arena. Asked if the Town could put forward various borrowing scenarios before the bids are opened. Also wondered about having two committees, one to consider the current proposal and the other for an alternate proposal, in case the tender results called for lowering the project scope.

3. Frank Csik

Asked why the Town needed to contemplate the holding of a referendum on this project, instead of simply holding a public meeting well publicized and attended. Also doubted that the incidental costs for the project have been taken into consideration.

4. Pascal Blais

Was concerned about higher taxes from the arena project for young families. Also understood from the loan amount in the by-law that it means more money will be borrowed than what has been said.

5. Timothy O'Neill

Concerned about the communication and information relating to the upcoming vote. Also had a question about the reason for the discrepancy between the average tax increase and his own.

6. Ian Robinson

Asked if Councillor Feeney would undertake to share the formula used to calculate taxation when the costs are known after the bids are opened. Also had a question about snow removal costs.

7. Catherine Beaubien

Wondered about the state of infrastructure projects for future road or water works, considering the burden of the sports centre on the Town's debt.

8. Abby Shyavitz

Had a question about infrastructure work planned in 2022 in the amount of \$2.5 million while no road or water work was done. Also wanted to know if she could have a copy of the resolution regarding the vote.

9. Santino Testani

Asked if the Town plans on installing more electric charging stations for vehicles.

10. Shamron Spence

Asked if an additional rink was planned for the new sport center was considered. Also asked if privacy concerns were considered when designing the locker room bathrooms, bearing in mind the younger children and women.

11. Linda Hammerschmid

Said that the February Communique in the Informer was confusing. Wondered how Council could schedule a vote on February 27 when the opening of tenders is supposed to take place on March 17.

12. Maria Macheras

Asked if the Town could provide a list of prioritized streets with regard to road excavation and re-paving, so that residents know the order.

13. Evelyne Pytko

Said that a fair and democratic treatment of elders who want their voice heard with respect to the new arena project should include a concern for better communicating the information to them, taking into account that not all of them have access to internet.

14. Andre Chenier

Knowing that \$1,716,000 has been spent for the planning of the recreation centre, asked if residents can be assured that no more funds will be spent until the vote is held.

15. Andrew Chapman

Proposed to remove the rink from the arena project, to reduce costs and to increase space available for a more diverse range of residents and activities. Also asked the Town to share any documents that could show how this negotiation could be approached with the government regarding financial assistance to this end.

16. Jane Stanbury

Wondered about the Town's policy on "Garage Bands" that practice loudly during weekends. In recent months a band has been playing so loud that she can hear it with windows and curtains closed on Saturday and Sunday afternoons.

17. Susan Elgie

Asked about progress on banning wood-burning fireplaces, stoves, and furnaces. A ban would help everyone breathe better. Also asked the Town to replace the sidewalks on Brock North of Curzon.

18. Alan Gowdey

Wanted to know the anticipated timing, cost, and source of funding for the arena project.

19. Daniel Markuze

Wanted to know the tax burden for each Montreal West household as a result of the construction of the new recreation centre, based on current cost estimates. Also wondered why the Town would spend all its unallocated surplus on the construction of a new recreation centre and leave nothing for emergencies.

20. Scott Miller

Concerning the vote on the new arena, asked what percentage will be required to approve the project and if it will be based on the number of actual voters or the number of eligible voters. Also asked if Council would undertake now to submit an amended plan without an arena if the vote result was not to approve the existing project.

21. Jessica Lawson

Asked if the government grant for the sports center is conditional that an arena be included in the plans.

22. Kevin Alladin

Concerned about safety with the level crossing at evening rush hour when there are tons of trains. The traffic flow wavers need to pay much more attention to when the gates are down. Asked if public security officers could be stationed there to help.

23. Jessica Mccutcheon

Said that one of the reasons she bought a house in this Town was related to the value of having a pool and an arena nearby. Added that she was concerned if they are not replaced, the value of her home will decrease.

24. Domenica Pulcini

Requested a clear Bicycle Path Signage on Brock South for safety purposes.

25. Judee Ganten

Asked for the cost of producing and distributing the brochure that was delivered along with the Informer this past week concerning the merits of the arena project.

26. Danielle Shashoua

Asked if it would be possible to redo the holding of a register of February 14, concerning the loan by-law for the construction of a new arena, this time with more fairness and transparency, so that more residents are aware of the option. Also asked what recourses residents affected by noise pollution from the construction would have.

The First Question Period ended at 9:26 p.m.

9. Contracts and Town Clerk's Office

a) Undertaking to hold a vote on the construction of a new sports and recreation centre

WHEREAS By-Law No. 2023-001 Ordering the Construction of a new Sports and Recreation Centre and Authorizing a Loan of 27,318,686 for this purpose was adopted on February 2, 2023;

WHEREAS a register was opened on February 14, 2023 allowing qualified voters of the whole municipality to request a referendum on this by-law, in accordance with the law;

WHEREAS the minimum number of signatures to compel a referendum was 391, while 329 were received;

WHEREAS the by-law is therefore deemed approved by the qualified voters;

WHEREAS the Town, despite this outcome, deems it appropriate to have residents vote on the new Sports and Recreation Centre, considering the amplitude of this project;

WHEREAS this vote shall be held once the information is available regarding construction costs and the impact on taxes, which will be ascertained after the bids are opened within the scope of the public call for tenders that was launched in January;

WHEREAS the deadline for this is March 17, subject to extension if necessary;

WHEREAS the Council is committed to this project but will not go ahead without making sure the costs are within budget and that it has the support of Montreal West residents;

THEREFORE:

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

- 1) That the Town of Montreal West undertake to hold a vote on the construction project of a new Sports and Recreation centre, after the bids are opened and evaluated.
- 2) That this poll be decided by a simple majority of the votes cast.

Carried unanimously
#20230227-004

b) Amendment to Resolution # 20200929-006 (The Easton development L.P.)

WHEREAS the Town of Montreal West accepted a purchase offer from Guerrera-Tedeschi Investments Inc. for lot 1 292 196 by virtue of resolution # 20200929-006;

WHEREAS the Town agreed thereafter to conclude a sales contract with The Easton Development L.P., related corporation acting as developer, by virtue of resolution # 20201026-005;

WHEREAS the Director General, Me Raffaella Di Stasio, who is on maternity leave, was designated as the authorized signatory of all necessary documents on behalf of the Town by virtue of the former resolution, except for the sales contract where the signature of the Mayor was also required by virtue of the second resolution;

WHEREAS the purchaser and developer were bound to provide a number of guarantees and financial instruments in accordance with both the purchase offer and sales contract;

WHEREAS these documents have been submitted to the Town for validation;

THEREFORE:

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

1) That Ms. Valentina Maria Todoran, Interim Director General, be authorized to sign on behalf of the Town a corporate guarantee and an endorsement to the performance bond related to The Easton Development.

2) That resolution # 20200929-006 be amended accordingly.

Carried unanimously
#20230227-005

c) Earth Hour 2023

WHEREAS the “Earth Hour” is a yearly international event sponsored by the World Wildlife Fund;

WHEREAS this event is intended to increase public awareness of the importance of saving energy to fight climate change;

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

1) That the Town of Montreal West agree to turn off all nonessential lighting for one (1) hour on Saturday, March 25, 2023 starting at 8:30 p.m.

2) That all residents of Montreal West be encouraged to join this event in the same way.

3) That the Town of Montreal West invite all Montreal Island municipalities to take part in the Earth Hour 2023.

Carried unanimously
#20230227-006

10. Administration and finances

a) Approval of disbursements – January 28 to February 22, 2023

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

That the list of accounts payable from January 28 to February 22, 2023 totaling \$758,123.22 be approved and paid as listed.

Carried unanimously
#20230227-007

b) Delegation of powers for the month of February 2023

It was moved by Councillor Colleen Feeney, seconded by Councillor Maria Torres 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 February 2023.

Carried unanimously
#20230227-008

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 February 22, 2023.
- 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:

Address	Project
136 Westminster N.	Replacement of a regular door by a patio door and closing a window;
75 Ballantyne N.	Painting of the back 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
340 Brock N.	Replacement of the bricks on the main facade and the windowsills;
407 Westminster N.	Replacement of nine windows.

- 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
9 Ballantyne N. 326 Brock N. 20 Fenwick	Replacement of the front door; Transformation of a veranda into a four-season space; Replacement of thirty-one windows, the front door and a back door, replacement of two windows by a patio door, removal of the chimney, replacement of the cladding material on the rear extension, modification of the ground floor rear extension roof to create a roof terrace, modification of two openings, painting of the cladding in front and on the sides, replacement of the rear extension ground and second floor metal roofs to membrane;
2 Easton	Replacement of twenty-one windows, the front door, the main entrance canopy and front stairs, a regular door, a patio door, the replacement of the roofing material and painting of the fascia and rear extension cladding and roofing;
75 Ballantyne N. 45 Westminster S.	Replacement of the front door; Change in proposed brick for the new construction.

Carried unanimously
#20230227-009

b) Minor exemption request – 202 Ballantyne North

NOTE Councillor Maria Torres 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 Lauren Small-Pennefather, seconded by Councillor Maria Torres and resolved:

That the plans and request submitted to the January 25, 2023 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 paragraph 6 of section 4.1.10 of the Zoning By-Law, regarding the immovable located at 202 Ballantyne North in zone RA-4 to:

- Normalize an encroachment of the front gallery, which is located at 4.0 metres from the property line, while the minimum front setback is of 4.57 metres, the consequence being to reduce this requirement by 0.57 metre.

Carried unanimously
#20230227-010

c) Minor exemption request – 71 Strathearn North

NOTE Councillor Maria Torres 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 Lauren Small-Pennefather, seconded by Councillor Maria Torres and resolved:

That the plans and request submitted to the January 25, 2023 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 the schedule of uses and standards in effect under section 3.2.2 of the Zoning By-Law, regarding the immovable located at 71 Strathearn North in zone RA-8 to:

- Authorize the extension work in the rear of an existing semi-detached house, with a zero (0) metre lateral setback on the Northwest side, instead of the minimum 1.2 metres required for a detached building in that zone, the consequence being to reduce this requirement by 1.2 metres.
- Subject this exemption to the following condition, that is: the other side of the proposed extension not being attached to the neighbour must respect the minimum total lateral setback of four (4) metres.

Carried unanimously
#20230227-011

12. Public Works

a) Payment to CPR for emergency work

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

- 1) That the Town of Montreal West agree to pay the Canadian Pacific Railway company an amount of \$56,678.90 (including taxes), as per its invoice 1000-0011145231, for emergency work done October 6, 2022 on Westminster crossing surface and rail.
- 2) That this expense be charged to budget code GL 02-320-03-599.

Carried unanimously
#20230227-012

13. Human Resources

a) Hiring of Foreman

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

That Mr. Lee Mendelsohn be hired as foreman, with a probation of six months starting February 14, 2023.

Carried unanimously
#20230227-013

14. 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 Colleen Feeney, Lauren Small-Pennefather, Maria Torres, and Elizabeth Ulin.

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

- 1) That Councillor Elizabeth Ulin be appointed Pro-Mayor for the months of April, May, June and July 2023.
- 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 April 1, 2023.

Carried unanimously
#20230227-014

15. Deposit of Documents

a) Certificate pertaining to the holding of register on By-Law No. 2023-001

A certificate on the holding of a register that was opened February 14, 2023 with respect to Loan by-Law No. 2023 Ordering the Construction of a new Sports and Recreation Centre and Authorizing a Loan of 27,318,686 for this purpose was tabled.

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

There was nothing under this item.

17. Second Public Question Period

The Mayor announced the beginning of the Second Public Question Period at 9:41 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.

Ian Robinson asked where the specific amount put in a loan by-law is coming from.

Stanley Reinblatt complained about the impact of increased property values in the real estate assessment rolls on taxes, and advocated the need to review this method of financing municipalities.

Andrzej T. Manitus asked when the cost estimate in the loan by-law for the new sports centre was established. Also complained about the state of the road at the intersection of Avon and Westminster.

Pascal Blais complained about the state of his street. Also wondered if there will be major donors for the arena.

Sergio Giacobbe asked if a traffic report has been commissioned to study the safety concerns with the increased activity around a new sports centre center and the lack of additional parking spots in the area.

18. Termination of the Meeting

At 9:51 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
#20230227-15

Beny Masella
Mayor

Claude Gilbert
Town Clerk

*The annexes mentioned above are deposited
in the municipal archives in File Archives-20230227*