

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

**APRIL 24, 2023**  
**8:00 p.m.**

Minutes of the Regular Meeting of the Council of Montreal West held on April 24, 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.

Thirty (30) residents and visitors were in attendance.

**1. Opening of the Meeting**

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

That the Meeting be declared open.

Carried unanimously  
#20230424-001

The Mayor called the Meeting to order at 8:00 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, April 24, 2023 as presented.

Carried unanimously  
#20230424-002

**4. Approval of the Minutes**

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

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

- Regular Meeting of May 27, 2023;
- Special Meeting of April 6, 2023.

Carried unanimously  
#20230424-003

**5. Correspondence**

There was nothing under this item.

## **6. Report of the Mayor**

Mayor Masella reported that the Town opened the bids for the Sports and Recreation Centre and the bids came in above last estimates. Because of that, it is necessary to adopt a modified loan by-law. Exactly as was the case with the loan by-law adopted in February, this is subject to a register. The register will be opened for signature on May 5. If there are 391 signatures on the register, it forces a referendum. Though the referendum will officially be about the loan by-law, it would be about voting on the project as a whole. If there are less than 391 signatures, there will be a vote anyways. In either case, the vote will be on June 18. The whole Town will vote upon it and Council will respect the majority of votes cast. To be perfectly clear, there is no Plan B as some people may have implied. If the project is not approved by the residents, there is no other plan ready to go. The Town has received written confirmation that removing the rink from the project is a major modification and would need re-approval. Such a prospect is not guaranteed. It would mean to restart designing a different project and get in line looking for grants. The last provincial budget spoke of \$300 million for recreational facilities for the whole province, spread over 10 years. That translates to \$30 million per year. Parallel can be drawn with the situation in 1964 when the Town was deciding whether or not to build the Legion Rink. The same pros and cons were discussed then and the concerns were eerily similar. The Town did not implode and go bankrupt. And that facility survived 59 years so far and has served a few generations of residents. The Mayor asked for the same courage those residents had in 1964 to build a facility that will serve for the next 60 years.

## **7. Councillors' Reports**

### **a) Seat Number 4**

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

### **b) Seat Number 1**

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

### **c) Seat Number 2**

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

### **d) Seat Number 3**

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

## **8. First Public Question Period**

The Mayor announced the beginning of the First Public Question Period at 8:30 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**

Asked if the arena project could still go forward in the event that the amendment to the loan by-law was not enacted. Also asked if there would be a second vote in that case.

### **2. Joanna Duy**

Wondered if Montreal West could have partners in the arena project, like the Town of Hampstead. Also asked for precisions about who could sign the register and vote in a referendum.

### **3. Kurt Johnson**

Said that the recreation center was on the platform of many elections. Wanted to know if there will be more than one occasion to vote.

### **4. Paul Kenton**

Asked a question concerning the cost of the architect hired for the arena project in the planned budget according to the loan by-law. Also wondered about cost overruns.

### **5. André Lavoie**

Asked if the Town could scale down the arena project without losing the grant. Also wanted to know what happens next if the project does not go forward, in particular with the demolition work.

**6. Sébastien Faria**

Said that according to his insurance company, his house has a 95% risk of getting sewer backups because of the state of the underground municipal infrastructure. Also, said that the fiscal impact of a new arena would be reflected on rental costs for tenants.

**7. Robert Soden**

Asked how is called the event to be held on May 5 concerning the loan by-law. Complained that people are not informed enough about it.

**8. Daniel Boulerice**

Asked if the Town may consider keeping the old arena in the event that the amendment to the loan by-law is rejected and the project for a new one does not go forward.

**9. Andrzej Manitius**

Asked a question about the interest rate estimated for the loan by-law project costs.

**10. Michael Schindler**

Asked if the appendices to the amending loan by-law are accessible.

**11. Cynthia Nichols**

Complained about water network problems, among others.

**12. Ivona Manitius**

Asked if the Town printed and distributed door to door a notice about the loan by-law register on May 5.

**13. Pascal Bricault**

Asked if there are any updates on government subsidies to finalize the road work on Brock North.

**14. Sylvia Gervais**

Since gas leaf blowers will be banned in the Town soon, asked when will gas lawn mowers be banned.

**15. Neil Price**

Asked if residents will be allowed to sign the by-law vote register even if they are unable to do so on Friday, May 5.

**16. Frank Opolko**

Wanted to know who on Council is in favor of building a new arena and why. Also asked that all costs for future maintenance and security will be covered by users of this facility, regardless of outside subsidies for the building.

**17. Stan Carny**

Suggested that the Town install banners/posters on Westminster, at Town Hall, in places of worship, so that the maximum amount of people be informed of the loan by-law register. Also wondered if the construction project costs include any for demolition.

**18. Daniel Gideon**

In regards to the new arena project and its cost being over budget, asked if the tenders were analyzed for the contents, if the architect and other professionals on the team looked at value engineering the project to save money, and if the lowest bidder has been asked if it has cost saving proposals.

**19. Judy Kennedy**

Asked how does the Town justify a cost per resident of \$423 each year for a new arena, and if any alternatives were considered.

**20. Andre Chenier**

As the Town will receive from the Federal and Provincial governments a grant of \$12.5 million, asked if the Town will have to obtain a bridge loan until the recreation center is built before receiving the subsidies.

**21. Linda Hammerschmid**

Noted that Westmount built a \$40 million sports complex ten years ago, but it has three times the fiscal base of Montreal West, not including the commercial tax revenues it can count on. Asked for a smaller project.

**22. Jake Barralet**

Asked what would be required to put the power lines underground, and what would be the cost and process to initiate it. Also wondered about sinkholes and asked for a list of the extent of the infrastructure degradation relevant to sinkholes.

**23. Michael Elie**

Asked the Town ticket or force the owner of two vacant lots on Brock South to clean up and properly secure these spaces.

**24. Catherine Beaubien**

Regarding the June 3 Town wide garage sale, asked if this will be advertised outside of Montreal West.

**25. Christine Grandjean**

Said that last fall, residents of Crestwood and Sheraton were given a survey to voice their preference on different proposed projects for Sheraton Park. Asked when the results of this survey will be shared.

**26. Gerry Ahronheim**

Wondered if the possibility of Montreal West residents using some of the facilities in Côte Saint-Luc has been considered, as an alternative for a new recreation center.

**27. Howard Barza**

Asked when Council will admit that the recreation center is not financially viable, knowing that the original projections for the cost have increased by at least 17 million dollars since 2019, that the estimated increased cost of municipal taxes to be borne annually by residents has increased more than four times (not including any cost over-runs) and that the Town is now obliged to seek further authorization to increase its loan by-law.

**28. Tony Ciamberlano**

Asked if there are any estimates of the operating costs for the new recreation center compared to current operating costs.

**29. Jennifer Melnick**

Asked if the revised cost estimate for the arena at \$38 million includes any portion for a second phase of the project (such as a soccer field, basketball, track, and so on) and if yes, what is the amount allocate, and if no, what is the current estimate for that part of the project, and when phase 2 is supposed to happen.

**30. Norbert Bedoucha**

Considering that the Town has not been and is not financially viable, asked how Council can envisage an expenditure of \$40 million, over and above the \$17.2 million of bank debt it currently has, on a Sports Complex that will add at least \$456/yr/taxpayer for a duration of 40 years.

**31. Richard Gianfelice**

Asked for a vote on the new sports and recreation center as such, instead of voting on the amendment of the loan by-law instead.

**32. Cynthia Koomas**

Asked if the register on May 5 is solely open to property owners or if renters are included. Also wondered if it only one person per household who is allowed to sign, or if it included all persons residing at a given address.

The First Question Period ended at 9:35 p.m.

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

**a) Common legal challenge of certain provisions of the Chapter 14 of the Statutes of Quebec of 2022 (Bill 96)**

WHEREAS the Town of Montreal West has been invited to join the City of Côte Saint-Luc as a co-plaintiff, along with other municipalities, to contest some of the new rules and regulations that were introduced by the law quoted in title of the present resolution;

WHEREAS it is understood that the costs of this court challenge will be shared among participating municipalities on a pro-rata basis following the relative size of each municipality's population;

THEREFORE:

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

1) That the Town of Montreal West join with the City of Côte Saint-Luc as a co-plaintiff in contesting articles of Bill 96, including the filing of a stay of proceedings, where appropriate, and in the eventual contestation on the merits, in order to avoid the detrimental and financial effects that Bill 96 will have on bilingual municipalities.

2) That the Town agree to share the legal fees and costs with the City and other co-plaintiffs, on a pro rata basis following the relative size of the population of each of the co-plaintiffs, said fees to be invoiced and paid in a timely fashion.

3) That the Town recognise, for the purpose of efficiency and cohesion in this matter, that the City of Côte Saint-Luc will be the representative of all co-plaintiffs in communications and instructions with Grey Casgrain s.e.n.c.

4) That Mayor Beny Masella be authorized to sign a mandate with the Law Firm of Grey Casgrain s.e.n.c. to allow them to represent Montreal West in these proceedings.

Carried unanimously  
#20230424-004

**10. Administration and finances**

**a) Approval of disbursements – March 22 to April 21, 2023**

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

That the list of accounts payable from March 22 to April 21, 2023 totaling \$623,242.48 be approved and paid as listed.

Carried unanimously  
#20230424-005

**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 April 19, 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:

<b>Address</b>	<b>Project</b>
209 Strathearn N.	Replacement of the front stairs, landing, and installation of railings;
10 Fairfield	Replacement of metal cladding on the main façade and fascia.

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:

<b>Address</b>	<b>Project</b>
146 Easton	Replacement of the decking on the front and rear porches as well as the stairs and skirting;
25 Ballantyne S.	Demolition and reconstruction of a backyard one-storey extension.

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>
95 Easton	Construction of a two-storey extension in the back.

5) To refuse the following plans, in accordance with the recommendations of the PAC as outlined in the minutes:

<b>Address</b>	<b>Project</b>
340 Brock N.	Painting of the windows and doors.

Carried unanimously  
#20230424-006

**b) 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 Maria Torres, seconded by Councillor Lauren Small-Pennefather and resolved:

That the plans and request submitted to the March 22, 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, regarding the immovable located at 71 Strathearn North in zone RA-6 to:

- Authorize a combined lateral setback of the main building of 3.2 metres instead of the minimum 4 metres required in that zone, the consequence being to reduce the requirement by 0.8 metre, conditional upon complying with resolution 20230227-011 that allows an extension in the back yard with a setback of zero (0) metre from the shared property line with the attached building.

Carried unanimously  
#20230424-007

**c) Approval of a Draft By-Law and fixing of the date of a public consultation meeting – By-Law Concerning an Amendment to Zoning By-Law No. 2020-002 in order to replace section 4.6.4 and to add sections 4.6.7 and 4.6.8 in Division 4.6 (Fences, hedges and retaining walls)**

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

- 1) To approve the Draft By-Law for a By-Law Concerning an Amendment to Zoning By-Law No. 2020-002 in order to replace section 4.6.4 and to add sections 4.6.7 and 4.6.8 in Division 4.6 (Fences, hedges and retaining walls).
- 2) To convene a public consultation meeting on this Draft By-Law at the Town Hall, on May 11, 2023 at 6:00 p.m.

Carried unanimously  
#20230424-008

**12. Public Works**

**a) Mandate to the City of Montreal to carry out a group call for tenders for the supply of road salt in bulk**

WHEREAS the City of Montreal has offered to coordinate a group call for tenders, on behalf of participating municipalities, for the supply of road salt in bulk from September 15, 2023 to April 30, 2024;

WHEREAS the Director of Public Works will act as representative of the Town of Montreal West in this regard;

THEREFORE:

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

- 1) That the Council authorize the participation of the Town of Montreal West in a group call for tenders for the purpose of awarding contracts for the supply of road salt in bulk.
- 2) That the Town of Montreal West delegate to the City of Montreal the power to prepare the specifications and other tender documents, to proceed with the calls for tenders, to receive and to analyze the offers, and to report the results to the participating municipalities.
- 3) That the Director of Public Works and the Assistant Director of Public Works be each authorized to sign any necessary documents to implement this resolution.

Carried unanimously  
#20230424-009

**13. Human Resources**

There was nothing under this item.

14. **Appointments**

There was nothing under this item.

15. **Deposit of Documents**

a) **Auditor's report – filing**

The financial statements for the fiscal year 2022 were tabled. Councillor Colleen Feeney summed up the main points of this report.

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

a) **Adoption of By-Law No. 456-10 – By-Law Amending By-Law No. 456 Concerning Nuisance, Noise and Public Security**

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 Lauren Small-Pennefather and resolved:

That By-Law No. 456-10 entitled "By-Law Amending By-Law No. 456 Concerning Nuisance, Noise and Public Security" be adopted.

Carried unanimously  
#20230424-010

b) **Notice of Motion and Deposit of Draft By-Law Concerning an Amendment to Zoning By-Law No. 2020-002 in order to replace section 4.6.4 and to add sections 4.6.7 and 4.6.8 in Division 4.6 (Fences, hedges and retaining walls)**

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law Concerning an Amendment to Zoning By-Law No. 2020-002 in order to replace section 4.6.4 and to add sections 4.6.7 and 4.6.8 in Division 4.6 (Fences, hedges and retaining walls)".

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

c) **Notice of Motion and Deposit of Draft By-Law for a By-Law Amending By-Law No. 2023-001 Ordering the Construction of a new Sports and Recreation Centre to Increase the Expenditure and Authorized Loan by an Additional Amount of \$6,686,024**

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. 2023-001 Ordering the Construction of a new Sports and Recreation Centre to Increase the Expenditure and Authorized Loan by an Additional Amount of \$6,686,024".

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

17. **Second Public Question Period**

The Mayor announced the beginning of the Second Public Question Period at 9:50 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.

Paul Kenton inquired about the Town's debt according to the financial statements filed tonight, and asked other questions relating to the situation compared with last year's report.

Scott Mackenzie asked if the Town's has estimates for rebuilding the pool as part of the recreation center project. He also expressed support for that project.

Joanna Duy wondered if such an increase to the loan for the recreation center can be achieved through a simple by-law amendment.

Cyrille Vittecoq asked if all the tenders for the construction contract were conform and what is the difference of price between them.

Robert Deslauriers asked if the Town has a policy on graffiti removal.

Stéphane Garcies asked if the Town has considered whether it will have the financial capacity to undertake other infrastructure work if it has invested too much on the arena.

Katherine Lund asked if the Town has taken into account the effect on inflation on its estimates for the new recreation center.

**18. Termination of the Meeting**

At 10:05 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  
#20230424-011

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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-20230424*