MINUTES OF PROCEEDINGS OF THE MEETING OF THE GENERAL COMMITTEE OF COUNCIL OF THE CITY OF WESTMOUNT HELD AT CITY HALL ON OCTOBER 17, 2016 AT 4:12 P.M. AT WHICH WERE PRESENT:

**Chair**
Rosalind Davis

**Mayor**
Peter F. Trent

**Councillors**
Philip A. Cutler
Victor M. Drury
Nicole Forbes
Cynthia Lulham
Patrick Martin
Theodora Samiotis
Christina Smith

**Administration**
Sean Michael Deegan, Director General
Martin St-Jean, Director of Legal Services and City Clerk

**Recording Secretary**
Andrew Brownstein

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**GENERAL COMMITTEE AGENDA**

**Adoption of the General Committee Agenda of October 17, 2016**

**It was agreed** that the Agenda of the October 17, 2016 meeting of the General Committee of Council be adopted, with the addition of the following item under New Business:

- Parking in Front of KIDS Daycare (Councillor Martin).

**Confirmation of Minutes of the Meeting of General Committee Held on October 3, 2016**

The Minutes of the General Committee of Council’s meeting held on October 3, 2016 were adopted with corrections.

Confidential items were discussed.

The meeting was adjourned at 5:07 p.m., at which point Council held its Special Sitting.

The meeting was reconvened at 5:13 p.m.
ITEMS FOR DISCUSSION / DECISION

Confidential items were discussed.

MODIFICATIONS TO THE TARIFF BYLAW – URBAN PLANNING AND SPORTS & RECREATION USER FEES

Director Poirier presented her proposed modifications to the tariff by-law. As rock excavation by blasting or mechanical means requires that the City inspect and monitor the work on a regular basis, Director Poirier recommended that the tariff for this permit be increased from $1,200 to $1,500. Regarding the tariff for signage, Director Poirier explained that as the PAC must review all signs and in light the boroughs of Outremont’s and Saint-Laurent’s tariffs for this permit, which are higher than the City’s current $125 per sign, she recommended that this fee be increased to $150.

Tariffs for Elm Tree and Ash Tree Removal

Councillor Martin directed Council’s attention to the tariff for tree removal. He recommended waiving this tariff for the removal of noxious trees, namely in the case of ash trees infested by emerald ash borers and elm trees afflicted by Dutch elm disease. He explained that the removal of trees can already be costly, and the City wishes to encourage the removal of noxious trees in order to arrest the spreading of their disease. The City currently charges $50 to open the file, which includes an Urban Planning representative’s visit to the site, and an additional $100 for the permit to remove the tree. Director Poirier explained that these tariffs are meant to cover the costs imposed on Urban Planning for the carrying out of this work, but the fee could be waived and presented as the City’s subsidy for addressing this issue. Councillor Martin suggested maintaining the $50 tariff for the opening of the file and waiving the $100 fee for the permit.

- It was agreed that subject to Council’s adoption of an amending by-law, the tariff for rock excavation by blasting or mechanical means will be increased to $1,500, the tariff for signage will be increased to $150, and the $100 tariff for the permit to remove a tree will be waived in the case of noxious trees while the $50 fee for the opening of the file, which includes the Urban Planning representative’s visit to the site, will be maintained. This exception for noxious trees will be specified in the amending by-law.

Director Poirier left the meet at 6:27 p.m.

CÔTE-ST-ANTOINE ROAD / WESTMOUNT AVENUE TRIAL BICYCLE ROUTE STUDY AND UPCOMING PUBLIC MEETING

Mr. Patrick Raggo, Director of Public Works, and Mr. Jonathan Auger, Traffic Technician, joined the meeting at 6:27 p.m.
Director Raggo explained that as part of the capital works program and transportation master plan, the City implemented a trial bicycle route with the goal of improving road safety for all commuters. He explained that Mr. Auger’s study of the bicycle route’s impact demonstrates a statistically significant reduction of speeding, but he cautioned that the reduction may not be convincing to the public.

Mr. Auger informed Council that the trial bicycle route on Côte-Saint-Antoine Road and Westmount Avenue covers 2.2km. This nearly doubles the City’s current 2.4km of bicycle paths on De Maisonneuve Boulevard and Glen Road. Mr. Auger’s report ultimately recommends the permanent implementation of the Côte-Saint-Antoine Road and Westmount Avenue bicycle route.

In order to demonstrate the bicycle route’s impact, speed and traffic counts were taken before and after the route’s implementation. On Côte-Saint-Antoine Road, data was recorded from April 16, 2016 to May 15, 2016. On Westmount Avenue, the “before” data was taken from October 18, 2015 to October 24, 2015. The route was implemented at 90% as of April 22, 2016, with the remaining 10% completed on April 25. Westmount Avenue was under construction as of May 16, 2016 with preparatory work beginning on May 10. When Westmount Avenue was closed for construction, many cyclists commuted against the flow of traffic on Côte-Saint-Antoine Road.

Mr. Auger outlined the trial indicators. Firstly, traffic analysis literature was consulted, which holds that the presence of a bicycle path has a traffic-calming effect, and accordingly, improves road safety for all commuters. Secondly, residents expressed their satisfaction with the trial, many noting that the route was easily implemented as no physical barrier was installed, but rather only lines were painted. Thirdly, SPVM police officers and crossing guards found the trial to be a success in its improvement of road safety. Fourthly, the descriptive statistics demonstrate a reduction in motor vehicles’ speeds further to the route’s implementation. Lastly, the inferential findings demonstrate a statistical significance in the reduction of average speed over the one-month period on Côte-Saint-Antoine Road.

Councillor Lulham questioned whether the one-month period will constitute sufficiently convincing data for the public. She recommended focusing on the other elements of the trial study. Director Raggo explained that given the unanimous literature and the SPVM police officers and crossing guards attesting to the improvement of road safety, as well as the current traffic counts demonstrating a 50% decrease in cyclists commuting against traffic on Côte-Saint-Antoine Road since the reopening of Westmount Avenue, the public should be convinced of the bicycle route’s merits.

Councillor Drury noted that the average speed over the one-month period on Côte-Saint-Antoine Road was only reduced from 50km/h to 49km/h. Mr. Auger explained that speed reductions in these types of trials are never significant in absolute terms; however, the recorded reduction reinforces the literature.

Councillor Martin inquired as to the bicycle route’s impact on traffic volume. Councillor Lulham responded that more vehicles are commuting on these roads since the implementation of the bicycle route. Councillor Martin explained that as speed decreases, volume can increase as vehicles can move in closer proximity to each other.
Councillor Martin reported that Director of Public Security, Greg McBain, and the SPVM officers consulted in this process pointed out that as traffic on Côte-Saint-Antoine Road has been reduced from two lanes to one, motorists do not attempt to pass each other. He recommended emphasizing this improvement in road safety at the upcoming public meeting and ensuring that the SPVM police officers and crossing guards be present at the meeting in order to express their observations directly to the public. Councillor Samiotis agreed.

The Mayor was of the opinion that, as the data has revealed that the average vehicle on Côte-Saint-Antoine Road travels at 50km/h, 20km/h over the speed limit, traffic-calming measures must be implemented, with a bicycle path as just the first of several such measures. He made the point that the most important finding of this study had to do with the confirmation that illegal speeding on Côte-Saint-Antoine Road had become a just routine matter, and any findings regarding the bicycle route were secondary.

Mr. Auger informed Council that while the radar that measured motor vehicle speed could not accurately detect passing cyclists, traffic counts of cyclists were taken on Côte-Saint-Antoine Road. In an eight-hour sample recorded in August, 135 cyclists commuted on Côte-Saint-Antoine Road, 34% of whom were travelling against traffic, as Westmount Avenue was closed at the time. In an eight-hour sample recorded in early October, after the reopening of Westmount Avenue and its bicycle route, 133 cyclists commuted on Côte-Saint-Antoine Road, only 18% of whom were travelling against traffic. Councillor Lulham recommended presenting these figures at the public meeting.

Councillor Cutler informed Council that at the upcoming public meeting, to be held at the WRC on November 1st, he will present the results of trial. He will report that the traffic counts of cyclists that were recorded manually demonstrated a drastic reduction in the number of cyclists commuting against traffic on Côte-Saint-Antoine Road once Westmount Avenue was reopened.

Councillor Cutler explained that the vast majority of residents have expressed their support for the bicycle route, seeing it as a logical continuation of the bicycle paths on the western portion of these same roads in Notre-Dame-de-Grâce; however, a vocal minority remains opposed. Most of those who are opposed are residents of Côte-Saint-Antoine Road. At the public meeting, he will emphasize that the average motor vehicle travels at a speed of 50km/h on Côte-Saint-Antoine Road, which is being mitigated by the bicycle route, and will be further reduced through the implementation of more traffic-calming measures.

Councillor Cutler explained that he has witnessed the route improve road safety and encourage active transportation, referring to 10 students on bicycles he recently saw biking together on Westmount Avenue to Roslyn School. He informed Council that he took a photograph of the group of young cyclists, which he will present to the public at the November 1st meeting. Ultimately, he will express the City's favourability to the permanent implementation of this bicycle route.

Further to Councillor Drury's inquiry, Councillor Lulham confirmed that no accidents have been reported related to the bicycle route since its implementation.
NEW BUSINESS: PARKING IN FRONT OF KIDS DAYCARE

Councillor Martin informed Council of KIDS Daycare’s request for a drop-off parking zone in front of the daycare. He explained that the area in front of the daycare is occupied by overnight resident parking. Councillor Martin reported that he examined the area with Director McBain and Mr. Auger, all of whom agreed that the creation of a drop-off parking zone would make for a safer environment. In order to respect the parking needs of the neighbouring residents and to compensate for this prospective loss of parking spaces in front of the daycare, Councillor Martin recommended converting the no-parking zone just down the street, which could accommodate roughly four vehicles, into an overnight resident parking zone. He relayed the TAC’s approval of this proposal.

Councillor Lulham recommending adopting a policy that can be applied for all of the daycares in the City. Councillor Samiotis agreed. Councillor Smith recommended that the policy provide for drop-off parking in front of all of the daycares in the City, pointing out that this should be manageable as there are only eight of them throughout the City.

- It was agreed that the administration will develop a policy for the creation of drop-off parking zones in front of the daycares in the City.

Director Raggo and Mr. Auger left the meeting at 7:26 p.m.

SPREADING OF THE ASSESSMENT ROLL

The Mayor explained that since 2004, the City has experienced huge increases to property value assessments (33.8% in 2004, 36.1% in 2007, 18.8% in 2011, and 20.9% in 2014). The 2017 assessment roll, however, is only to increase by an overall 7.2%.

Such high overall assessment increases result in significant discrepancies in the increases experienced between and within all classes of taxpayers. Throughout this period, the City has spread the assessment roll, as does Montreal and a few other municipalities on the Island. While spreading the roll eases the pain for property owners whose assessments saw above average increases, it results in taxpayers who saw below average increases effectively subsidizing the former over the three-year period, he said.

Additionally, spreading the roll can result in an absolute loss of revenue for the City when it causes tax burden shifts between categories of buildings, as property owners are only taxed based on their new assessed values in the third year, with the first two years representing a gradual increase towards this new amount.

Given the relatively low overall increase to the assessment roll for 2017, the Mayor recommended no longer spreading the roll. He explained that spreading the roll is a tool to be used in times of significant increases to the assessment roll. Accordingly, the City could reinstate the practice if ever drastic increases (or possibly decreases) are experienced again.
The Mayor noted the value in reducing opacity from an already opaque process, explaining that few taxpayers understand their assessment notice or the basis for their tax bill because of the spreading practice.

Confidential items were discussed.

➢ **It was agreed** that the City will no longer spread the assessment roll.

**MODIFICATIONS TO THE TARIFF BYLAW – URBAN PLANNING AND SPORTS & RECREATION USER FEES (CONTINUED)**

Councillor Davis directed Council’s attention to the proposed modifications to the Sports and Recreation tariffs.

Councillor Lulham recommended against consistently increasing this tariffs each year. The Director General explained that prior to the WRC’s construction, these tariffs were extremely low. Upon the construction of the new facility, program fees were increased and then set to increase at roughly $5 per year. Even at these current rates, the City offers these programs at rates that are significantly below the fees imposed in other municipalities. Moreover, the WRC’s construction marked the City’s shift from a subsidized system to a user pay system.

The Mayor explained that these fees were increased in order to contribute towards the cost of the WRC’s construction. As these programs are now being offered in a better facility, they are worth more. On average, the City is still only charging 64% of the rates that other municipalities charge for these programs.

In order to encourage young families to live in the City, the Mayor recommended establishing a policy that distinguishes between programs for youth from those offered to adults. Specifically, youth programs can be offered at a rate of 66% of the average fee for said programs in other municipalities while adult programs can be offered at a rate of 80% of the average fee for said programs in other municipalities.

Councillor Smith recommended maintaining the cost of summer camp enrolment at its current rate.

Councillor Lulham recommended limiting the increase to the cost of senior programs.

➢ **It was agreed** that the City will establish a policy that distinguishes between programs for youth and seniors from those offered to adults, maintaining a reduced rate for youth and senior programs.

**SALE OF THE HILLSIDE ARMOURY**

The Mayor presented the National Defence Minister’s offer for the City to purchase the Hillside Armoury property. As the City already has perhaps the highest ratio of municipal
buildings to residents of any Quebec municipality, and as the property in question likely has significant soil contamination, he recommended rejecting the offer.

The Mayor noted that while there has been discussion as to the possible construction of an indoor pool in this location, the operating costs would be too great to justify. Councillor Lulham agreed. The Mayor explained that the City’s employees earn roughly 30%-40% of the salaries earned in the rest of the public sector, let alone those paid by the YMCA. He said he has suggested in the past that the City contribute to the capital costs for an indoor pool, along with the YMCA and the Rotary Club. Such a pool (at the YMCA’s current location or elsewhere) would be run by the YMCA. Councillor Davis affirmed that there exists a demand for an indoor pool. Further to Councillor Martin’s inquiry, Councillor Davis confirmed that the public indoor pool in Little Burgundy offers free access during free swim.

Councillor Samiotis cautioned against rejecting the offer without giving it due consideration.

Councillor Martin suggested that the property may in fact have a negative value given the building’s potential structural issues and the likely existence of significant soil contamination. He recommended requesting a full report on the building’s structural integrity and the degree of soil contamination.

2016 SALE OF IMMOVABLES FOR NON-PAYMENT OF TAXES

M° St-Jean informed Council that this year’s list of immovable subject to sale for non-payment of taxes is considerably longer than in past years, with roughly 35 properties listed last year and 360 listed this year. He explained that in past years, the policy had been to only list those properties for which the previous year’s taxes remained unpaid. Therefore, the process for this sale in January 2016 only included accounts owing taxes from 2014 and earlier. M° St-Jean explained that according to the Cities and Towns Act, this process is to be initiated six months after the taxes are due, which is in January. The City does not have the power to modify this process, and accordingly, the approach taken in the previous years was not legal. M° St-Jean informed Council that one month prior, a letter was distributed to all property owners with unpaid taxes informing them of their obligation to make payment by November 6th. He reported that $90,000 of these taxes were paid since the distribution of this letter, with $2.3 million remaining to be paid.

NEW BUSINESS: ROSLYN SCHOOL

Councillor Cutler reported that the issue with Roslyn School’s chain-link fence has grown more contentious. He informed Council that he was contacted by Global News to comment on the situation.

Councillor Cutler explained that while the residents are furious with the fence’s installation, students’ parents affirm that it must remain in place for their children’s safety. Further upsetting these residents, the school’s principal informed them that the City will not allow the school to remove the fence that separates the original parking lot from the entrance along Roslyn Avenue, which the City in fact asked the school to remove. Councillor Samiotis informed Council that the school has agreed to remove this portion of the fence
and plant the cedar hedges that the City recommended. She cautioned that the residents' discontent may continue to escalate until this work is carried out.

2016 SALE OF IMMOVABLES FOR NON-PAYMENT OF TAXES (CONTINUED)

M⁶ St-Jean presented the list of properties for which taxes remain to be paid. He explained that the City can pursue the collection of all amounts owed within the past three years, after which the recourse for obtaining these amounts is prescribed.

M⁶ St-Jean explained that the City cannot enter into agreements with property owners wishing to pay by instalments as each agreement would form a separate contract, which would exceed the framework of the extraordinary protection that the Cities and Towns Act grants the City for the purpose of claiming of its taxes. As opposed to being able to carry out a seizure of movable assets or to proceed to the sale of the immovable, the City would become an ordinary creditor. This would render its claims secondary to those of the taxpayer’s hypothecary creditors.

M⁶ St-Jean explained that the City cannot discriminate between taxpayers; residential and non-residential taxpayers must be treated in the same manner.

Councillor Lulham recommended extending the delay for making payment to January 2017 for this transition year. She suggested distributing a letter to all property owners that taxes for 2017 must be paid by six months from when they are due in January at the latest.

M⁶ St-Jean informed Council that the current list includes all taxes owed to the City for at least six months or more, including mutation taxes, additional taxes as a result of permits, welcome taxes, and any others. He explained that these amounts should have been included in past years. He relayed the recommendation of Ms. Julie Mandeville, Director of Finance and Treasurer, to proceed in this manner.

M⁶ St-Jean explained that while the City cannot split the list and proceed with two sales, one for amounts owing from 2015 and prior and another for unpaid taxes from 2016, it can postpone the sale until February or March of 2017. He confirmed that proceeding in this manner will not compromise the City’s protection in relation to these taxpayers.

Council members expressed their preference for postponing the sale of immovables for non-payment of taxes to March 2017.

The Director General recommended against distributing another notice to inform taxpayers of this postponement. M⁶ St-Jean explained that as no timeline was provided with the initial notice, the City need not inform these property owners of the sale’s postponement.

➢ It was agreed that the City will postpone the sale of immovables for non-payment of taxes to March 2017.

M⁶ St-Jean informed Council that he will provide it with a revised timeline in light of this postponement.
ONGOING ITEM: MTQ/AMT

Councillor Samiotis reported that a public meeting will be held on November 9th. Mr. Sebastian Samuel, Division Chief – Communications, is preparing a poster to inform residents of the scheduled meeting.

COUNCIL OBJECTIVES FOLLOW-UP

INFRASTRUCTURE AND PARKS

Councillor Lulham informed Council that the work on Summit Crescent has been initiated. Pedestrians coming from the Ridgewood path have been breaking down the barrier on Summit Crescent. A sign will be installed indicating that work is being carried out, which will include the connection of the two pathways.

Councillor Lulham reported that the work on King George Park dog run is proceeding well and should be completed by the following week.

TRAFFIC

Councillor Martin recommended that bollards be installed as a traffic-calming measure throughout the City as needed. He explained that as they are inexpensive, effective, and appreciated by residents, Public Works should avoid delaying their placement in an attempt to determine the most suitable locations.

The Director General informed Council that the City is purchasing a radar scanner, which will inform motorists of their speed and can display a message as well.

URBAN PLANNING

Councillor Samiotis informed Council that she will be speaking at the Westmount Historical Association’s event on October 20th regarding Dorchester Boulevard and the prospective project to transform the area. Councillor Lulham reported that she will be speaking at the event as well, discussing the Summit Crescent road closure and naturalization project.

Councillor Davis informed Council that the fall flower show will be held the following week. She sought Council’s opinion as to whether the receiving line will be foregone, as was done at the previous flower show.

- It was agreed that there will be no receiving line at the fall flower show. Council members will circulate the room and residents will be given nametags to identify them as either new residents or volunteers, as well as by the district in which they reside.
ABSENCES

Council members were requested to submit their absence sheets to the City Clerk.

The meeting was adjourned at 9:41 p.m.

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Rosalind Davis               Mî Martin St-Jean
Acting Mayor                  City Clerk