MINUTES OF PROCEEDINGS OF THE MEETING OF THE GENERAL COMMITTEE OF COUNCIL (GC) OF THE CITY OF WESTMOUNT HELD AT CITY HALL ON DECEMBER 18, 2017 AT 4:06 P.M. AT WHICH WERE PRESENT:

Chair        David Laidley
Mayor        Christina Smith
Councillors  Anitra Bostock
              Marina Brzeski
              Philip A. Cutler
              Mary Gallery
              Kathleen Kez
              Cynthia Lulham
              Conrad Peart
              Jeff J. Shamie

Administration Benoit Hurtubise, Director General (DG)
Martin St-Jean, Director of Legal Services and City Clerk

Recording Secretary Andrew Brownstein

NOTE TO THE READER:

The comments, opinions and any consensus views reflected herein are those of the participants in their individual capacity. As such, they are not binding upon the City or the administration.

The City and its administration are only bound by decisions that are authorized by the Municipal Council in the course of a public meeting by way of a resolution or a by-law.

GC AGENDA

Adoption of the GC Agenda of December 18, 2017

It was agreed that the Agenda of the December 18, 2017 meeting of the GC be adopted.

ITEMS FOR DISCUSSION / DECISION

PLANNING ADVISORY COMMITTEE (PAC) RECOMMENDATIONS FOR MOVING FORWARD GOALS AND OBJECTIVES

Mrs. Julia Gersovitz, Chair of the PAC, and Mr. Tom Flies, Director of Urban Planning, joined the meeting at 4:08 p.m.

The PAC’s role is to provide Council, upon its request, with recommendations in matters of planning and building, and to provide Council with advice regarding the approval or rejection of permit applications for building and renovating. The PAC’s goal in doing so is to maintain and enhance the City’s distinctive architectural and urban character.
In order to accomplish its goal, the PAC must ensure its credibility, neutrality, and clarity, apply the relevant by-laws in a consistent and timely manner, encourage design excellence, focusing on quality and consistency throughout the design and not taste, prioritize the use of durable materials and enduring styles, and manage inevitable change.

The PAC is comprised of the Mayor, the urban planning commissioner, and three registered architects or planners, of whom at least two must be residents and of whom at least two must be architects.

The PAC recommends taking the following measures to promote the accomplishment of its goal:

Council should endorse or modify the new approach of a public call for PAC membership.

Council should endorse or modify the requirement that the PAC consider a project’s impact on the neighbouring residents and businesses, namely lasting impacts of the completed project as opposed to those relating to the construction period.

Council should endorse or provide guidance on how the PAC minutes are to be written, which are currently quite detailed in order for the Committee’s reasoning to be communicated to the applicant.

Council should provide the PAC and the administration with its time targets for the permit application consideration process. Currently, the shortest time period for certain types of applications is two weeks from submission to Council’s decision to approve or reject. This two-week period from submission to decision is the shortest of any municipality on the Island. With established estimated time periods for the approval process, the City will be able to inform residents of the estimated processing times and encourage them to apply sufficiently in advance.

Council should consider imposing a maximum number of reviews for an application; while Westmount has never imposed a maximum number of reviews, such is the practice in other municipalities, as each review requires the allocation of the municipality’s resources.

Council should ensure the completion of the updating of the urban planning by-laws, the guidelines entitled Building and Renovating in Westmount among them. Similarly, the categorization of buildings according to their heritage value should be updated. As they were categorized roughly 30 years ago, some buildings classified as Category II at the time are now better classified as Category I buildings.

Council should provide further direction on how the City is to respond to work done without a permit.

Council should consider the adoption of a minor variance by-law, which would permit the PAC to recommend the approval of applications for modestly non-conforming designs that result in better architectural and urban integration, as many buildings predate the by-laws and are therefore non-conforming.
Lastly, the PAC recommends the undertaking of a public outreach and education program to inform residents on the by-laws. Currently, Director Flies is further developing the Urban Planning section of the City’s website. The City should draft a welcome booklet/package for new residents, which will explain the City’s protection of its architectural heritage.

GC members expressed their intention to discuss the requirements on windows at an upcoming meeting.

Mrs. Gersovitz and Director Flies left the meeting at 5:00 p.m.

The meeting was adjourned at 5:00 p.m., at which point Council held its Regular Sitting. The meeting was reconvened at 5:06 p.m.

**GC AGENDA (Continued)**

**Confirmation of minutes of the meeting of the GC held on December 4, 2017**

The Minutes of the GC’s meeting held on December 4, 2017 were adopted with corrections.

**Business arising from the Minutes of the Meeting of the GC Held on December 4, 2017**

**Follow-up on Discussion of Bill 122 – Impact on the Publication of Public Notices**

Confidential items were discussed.

➢ **It was agreed** in principle that at the January 15th Regular Sitting, Council will adopt a by-law in virtue of Bill 122 to establish the City’s bilingual publication of its notices on its website as its primary method for their publication.

**Recommendation on Orientations for a Future Draft By-law on the Control of Vicious Dogs**

Mr. St-Jean presented Legal Services’ recommendations on the orientations for a prospective dangerous dog by-law.

Small dogs, weighing less than 10kg, do not pose a significant threat to people. Beyond that size, a dog’s bite could be dangerous. Accordingly, in order to adopt a preventative measure to protect people, without regulating based on breed, Legal Services proposed as an idea, a provision that would require all dogs weighing more than a set weight, such as 10kg, to be muzzled at all times in public.
GC members recommended that a prospective by-law would improve the mechanism for declaring dogs as dangerous and imposing the corresponding consequences. Specifically, any dog that commits a violent act would be declared to be dangerous by a committee made up of the DG, the Director of Public Security, and the Director of Legal Services. Such a declaration would entail an order for the dog, when in public, to be muzzled and kept in the care of an adult on a leash measuring 1.8m in length at most. The declaration would also entail an order for the dog to only be permitted to be left in its owner’s backyard further to Public Security’s inspection of the premises and their confirmation that this can be done safely. Additionally, the dog would be prohibited from entering any dog run.

- **It was agreed** that at the January 15th GC meeting, Mme St-Jean will present a new draft by-law, which will improve the mechanism for declaring dogs as dangerous and imposing the corresponding consequences and will include a fine for the owner of a dog that commits a violent act or who fails to follow the terms set out in an order made pursuant to such an act. The draft by-law will not include the pre-emptive muzzling of any dog before it commits a violent act.

**Council Question Period Follow-up**

GC members discussed the communication documents published on the City’s website regarding the SCAOPI application for 500 Claremont Avenue.

**ITEMS FOR DISCUSSION / DECISION (Continued)**

Confidential items were discussed.

**REQUEST TO MODIFY THE OPERATIONAL HOURS OF THE MOUTON NOIR CAFÉ**

The Mouton Noir Café has requested to modify its lease by extending its operational hours to 8:00 a.m. to 11:55 p.m., closing earlier at its discretion. Currently, the Café opens at 9:00 a.m. and closes at 8:00 p.m. Monday to Friday, and on weekends it closes at 5:00 p.m. in the winter and at 7:00 p.m. in the summer.

The administration recommended granting the request in part. Specifically, operational hours would be extended to 8:00 a.m. to 11:00 p.m., given the associated noise concerns and the area’s residential character, with the Café exercising its discretion to close earlier. However, the Café would not be permitted to close earlier than the currently established closing times. The administration carried out an informal survey of the facility’s users and found significant support for extending the operational hours.

Confidential items were discussed.

- **It was agreed** in principle that at an upcoming Regular Sitting, Council will adopt a resolution modifying the Mouton Noir Café’s lease to extend operational hours to 8:00 a.m. to 11:00 p.m., with the café exercising its discretion to close earlier; however, the café will not be permitted to close earlier than the currently
established closing times, namely 8:00 p.m. on weekdays, 5:00 p.m. on weekends in the winter, and 7:00 p.m. on weekends in the summer.

Confidential items were discussed.

COUNCIL REPRESENTATION – 2018 CONFERENCES

As Council must adopt a resolution authorizing the individual councillors’ participation and the associated expenditures before any costs are incurred, GC members wishing to participate in a February conference were asked to confirm their intention to do so in order for the corresponding resolution to be adopted at the January 15th Regular Sitting.

- It was agreed that the International Making Cities Livable Conference and the City Spaces Conference will be added to the list of conferences to be held in 2018 in which Council members may participate.

- It was agreed in principle that at the January 15th Regular Sitting, Council will adopt a resolution authorizing Councillor Brzeski to participate in the Federation of Canadian Municipalities’ Sustainable Communities Conference (February 6th to 8th) as well as the associated expenditures.

SUSTAINABILITY AND ACCESSIBILITY

The City had a formal advisory committee on sustainability from 1990 to 2009. Despite its discontinuation, sustainability efforts continued to be pursued. Similarly, the City has improved accessibility for individuals with physical disabilities in the absence of an advisory committee on the matter. However, the creation of a new advisory committee on sustainability and accessibility could help further focus efforts in these regards. Specifically, it could improve cross-departmental collaboration and external communications, help establish consistent policies, allow for better use of the City’s external network, and further organize applications for grants.

This prospective Sustainability and Accessibility Advisory Committee (SAAC) would be made up of several members, external and internal, with physically disabled members providing insight into matters of accessibility. The SAAC would meet on a regular basis and act as an advisory committee to Council and the administration.

GC members expressed their interest in creating the proposed SAAC. GC members discussed the possibility of creating an Accessibility Advisory Committee while for matters of sustainability, the Commissioner of Sustainability would work to further encourage the departments to follow the policies established on the matter, and to further develop said policies.

GC members discussed the need for an employee tasked with seeking out and applying for grants.
It was agreed that at an upcoming GC meeting, Councillor Brzeski will present a draft of the terms of reference for the prospective Sustainability and Accessibility Advisory Committee (SAAC), ideally presenting two options for the GC’s consideration.

ONGOING ITEM: MTQ/TURCOT

The MTQ temporarily banned parking on Saint-Antoine Street due to the adjacent construction; however, it did not provide the City with prior notice of its decision do so. The DG contacted the MTQ in this regard, but has yet to receive a response.

ABSENCES

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

The meeting was adjourned at 7:00 p.m.

______________________________  ________________________________
Christina Smith           MÈ Martin St-Jean
Mayor                      Director of Legal Services and City Clerk