



**AGENDA
REGULAR MUNICIPAL SITTING MEETING
OF THE CITY OF WESTMOUNT**

MONDAY, APRIL 6, 2020

1. OPENING OF THE MEETING

The Mayor calls the sitting to order.

Unless otherwise indicated in these minutes, the Mayor avails herself of her privilege provided for in section 328 of the *Cities and Towns Act* (CQLR, chapter C-19) by abstaining from voting.

2. MAYOR'S AND COUNCILLORS' REPORTS

3. QUESTION PERIOD

4. ADOPTION OF THE AGENDA

MOVER

Councillor Bostock

SECONDER

THAT the agenda of the regular Council sitting of April 6, 2020 be adopted.

5. CONFIRMATION OF MINUTES

MOVER

Councillor Bostock

SECONDER

THAT the minutes of the regular Council sitting held on March 16, 2020 be approved.

6. REPORTS TO COUNCIL

6.1. CORRESPONDENCE

Mayor Smith

No reports are tabled.

6.2. MINUTES OF THE GENERAL COMMITTEE OF COUNCIL

Councillor Bostock

The minutes of the General Committee meeting of Council held on March 2, 2020 are tabled and are available on the City's website.

6.3. FINANCE AND ADMINISTRATION COMMITTEE MINUTES

Councillor Kez

No minutes are tabled.

6.4. TRANSPORTATION ADVISORY COMMITTEE MINUTES

Councillor Bostock

No minutes are tabled.

6.5. MANPOWER REPORT

Councillor Shamie

The Manpower report for the month of February 2020 is tabled.

6.6. PAYMENT REGISTRY

Councillor Kez

The list of payments for the month of February 2020 is tabled.

6.7. LIST OF APPROVALS IN VIRTUE OF BY-LAW 1507

Councillor Shamie

In accordance with *By-law 1507 on the Delegation of powers to certain employees of the City of Westmount*, the list of authorization of expenditures for the month of February 2020 is tabled.

7. ADOPTION OF COUNCIL'S POSITION ON THE ITEMS TO BE SUBMITTED TO THE MONTREAL AGGLOMERATION COUNCIL

MOVER

Councillor Bostock

SECONDER

THAT the Mayor, or in her absence the Acting Mayor, be authorized to make any decisions she deems necessary and in the best interest of the City of Westmount and its residents regarding the items on the agenda of the Montreal Agglomeration Council meeting to be held on April 23, 2020.

8. CHANGING THE NAME OF GARDEN POINT PARK TO VIMY PARK

WHEREAS the triangular space with the 1922 Cenotaph, bounded on the south by Sherbrooke Street West, on the west by Argyle Avenue, and on the north by Côte-Saint-Antoine Road, is presently named Garden Point Park ;

WHEREAS April 9, 2020 marks the 103rd Anniversary of the Battle of Vimy Ridge which took place on April 9 to 12, 1917;

WHEREAS the City wishes to rename Garden Point Park to “Vimy Park” to commemorate the Canadians who served and died during the Battle of Vimy Ridge.

MOVER

Councillor Lulham

SECONDER

THAT Garden Point Park be renamed “Vimy Park”.

9. 2020 ACTION PLAN CONCERNING PERSONS WITH DISABILITIES

WHEREAS in accordance with Section 61.1 of the *Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration* (CQLR, chapter E-20.1), every local municipality with at least 15,000 inhabitants shall adopt an action plan identifying the barriers to integration of handicapped persons encountered in the sector of activities within its powers, and describing the measures taken over the past year and those to be taken in the coming year to reduce barriers to integration in that sector of activities. The action plan includes any other element determined by the Government upon recommendation of the Minister, and must be prepared and published annually.

MOVER

Councillor Brzeski

SECONDER

THAT the 2020 Action Plan concerning persons with disabilities, recommended by the administration, be adopted to ensure the exercise of their fundamental rights.

10. APPROVAL OF THE 2020 GRANTS FOR LOCAL NON-PROFIT COMMUNITY ORGANIZATIONS

WHEREAS, pursuant to Sections 4 and 90 of the *Municipal Powers Act* (CQLR, c. C-47.1), a municipality may, with respect to culture, recreation, activities and parks, grant any assistance it considers appropriate;

WHEREAS, according to the City's policies for recreation and cultural grants, all applications for 2020 supporting grants, received from local community groups and organizations have been reviewed by the administration;

WHEREAS the General Committee of Council has reviewed the applications from local non-profit organizations;

WHEREAS the recommendations of the Director General are submitted for Council approval;

WHEREAS Council recommends deferring the approval of certain grants offered by the City of Westmount for the year 2020 due to the COVID-19 pandemic;

WHEREAS some local non-profit organizations require immediate assistance for the execution of their work related to the COVID-19 pandemic.

MOVER

Councillor Gallery

SECONDER

THAT a portion of the grants offered by the City of Westmount for the year 2020, totaling \$73,000, be approved as follows:

- *Atwater Library*; a one-time grant of \$8,000 to improve accessibility as part of its building restoration project; and
- *Contactivity Centre*: a grant of \$65,000 to help finance its operating costs.

THAT this expenditure be allocated in accordance with the financial information included in the decision-making file No. 2020-0993.

11. CALL FOR PUBLIC TENDERS - RECONSTRUCTION OF SPRINGFIELD AVENUE BETWEEN MOUNT STEPHEN AND METCALFE AVENUE (PUB-2020-019)

WHEREAS tenders were publicly opened on February 28, 2020, for the reconstruction of Springfield Avenue between Mount Stephen and Metcalfe Avenue (Tender No. PUB-2020-019), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Les entreprises Ventec inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER

Councillor Cutler

SECONDER

To authorize an expenditure in the amount of \$810,070.95, including tax credits, for the reconstruction of Springfield Avenue between Mount Stephen and Metcalfe Avenue (Tender No. PUB-2020-019);

To award to *Les entreprises Ventec inc.* the contract for this purpose at its bid price, for a maximum amount of \$887,133.30, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-019;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-0967.

12. CALL FOR PUBLIC TENDERS - REPLACEMENT OF OVERHEAD NETWORK REPAIR POLES (PUB-2020-022)

WHEREAS tenders were publicly opened on March 20, 2020, for the replacement of overhead network repair poles (Tender No. PUB-2020-022), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Lanauco Itée* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER

Councillor Shamie

SECONDER

To authorize an expenditure in the amount of \$323,509.00, including tax credits, for the replacement of overhead network repair poles (Tender No. PUB-2020-022);

To award to *Lanauco Itée* the contract for this purpose at its bid price, for a maximum amount of \$371,954.47, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-022;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-0966.

13. CALL FOR PUBLIC TENDERS - RECONSTRUCTION OF SAINT-SULPICE ROAD BETWEEN MOUNT PLEASANT AVENUE AND RAMEZAY ROAD (PUB-2020-027)

WHEREAS tenders were publicly opened on March 20, 2020, for the reconstruction of Saint-Sulpice Road between Mount Pleasant Avenue and Ramezay Road (Tender No. PUB-2020-027), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Les entreprises Ventec inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER

Councillor Cutler

SECONDER

To authorize an expenditure in the amount of \$860,512.20, including tax credits, for the reconstruction of Saint-Sulpice Road between Mount Pleasant Avenue and Ramezay Road (Tender No. PUB-2020-027);

To award to *Les entreprises Ventec inc.* the contract for this purpose at its bid price, for a maximum amount of \$942,373.04, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-027;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-0982.

14. CALL FOR PUBLIC TENDERS - SUPPLY OF TYCO PRODUCTS, CONNECTORS, CARTRIDGES AND VARIOUS TRANSITION JOINTS FOR TWO YEARS (PUB-2020-031)

WHEREAS tenders were publicly opened on March 20, 2020, for the supply of Tyco products, connectors, cartridges and various transition joints for two years (Tender No. PUB-2020-031), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, Tyco Electronics Canada ULC is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER

Councillor Shamie

SECONDER

To authorize an expenditure in the amount of \$74,576.19, including tax credits, for the supply of Tyco products, connectors, cartridges and various transition joints for two years (Tender No. PUB-2020-031);

To award to Tyco Electronics Canada ULC the contract for this purpose at its bid price, for a maximum amount of \$85,743.97, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-031;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-0990.

15. CALL FOR PUBLIC TENDERS - PURCHASE OF CABLES (PUB-2020-033)

WHEREAS tenders were publicly opened on March 20, 2020, for the purchase of cables (Tender No. PUB-2020-033), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Lumen, division de Sonepar Canada inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER

Councillor Shamie

SECONDER

To authorize an expenditure in the amount of \$270,080.00, including tax credits, for the purchase of cables (Tender No. PUB-2020-033);

To award to *Lumen, division de Sonepar Canada inc.* the contract for this purpose at its bid price, for a maximum amount of \$310,524.48, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-033;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-0991.

16. CALL FOR TENDERS BY INVITATION - DISPOSAL OF STREET SWEEPER RESIDUES FOR THE CITY OF WESTMOUNT (INV-2020-028)

WHEREAS tenders were publicly opened on March 25, 2020, for the disposal of street sweeper residues for the City of Westmount (Tender by invitation No. INV-2020-028), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Recyclage Notre-Dame inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER

Councillor Cutler

SECONDER

To authorize an expenditure in the amount of \$45,144.63, including tax credits, for the disposal of street sweeper residues for the City of Westmount (Tender by invitation No. INV-2020-028);

To award to *Recyclage Notre-Dame inc.* the contract for this purpose at its bid price, for a maximum amount of \$49,439.25, including taxes, the whole in conformity with the contractual documents of the call for tenders by invitation INV-2020-028;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-0988.

17. NOTICE OF MOTION - BY-LAW 1553 TO ESTABLISH THE CONDITIONS GOVERNING THE SUPPLY OF ELECTRICITY

NOTICE OF MOTION

Councillor Shamie to give notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1553 entitled *By-law to establish the conditions governing the supply of electricity*.

OBJECT

The object of this by-law is to establish the conditions governing the supply of electricity.

The object of this by-law is also to authorize the temporary suspension of late fees for unpaid electricity bills. This measure is intended to support Hydro Westmount customers during the pandemic period.

This by-law repeals *By-law 1538 to establish the conditions governing the supply of electricity*.

A copy of the draft by-law is tabled and available for public consultation.

18. NOTICE OF MOTION - BY-LAW 1554 TO ESTABLISH RATES AND CERTAIN CONDITIONS FOR THE SUPPLY OF ELECTRICITY FOR THE YEAR 2020-2021

NOTICE OF MOTION

Councillor Shamie to give notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1554 entitled *By-law to establish rates and certain conditions for the supply of electricity for the year 2020-2021*.

OBJECT

The object of this by-law is to authorize the electricity rates for Hydro Westmount customers, as of April 1, 2020.

The object of this by-law is also to authorize the conditions respecting the supply of electricity for the year 2020-2021.

The object of this by-law is also to authorize the temporary suspension of late fees for unpaid electricity bills. This measure is intended to support Hydro Westmount customers during the pandemic period.

This by-law repeals *By-law 1537 to establish the rates and certain conditions for the supply of electricity for the year 2019-2020* and its amending By-law No. 1543.

A copy of the draft by-law is tabled and available for public consultation.

19. NOTICE OF MOTION - BY-LAW 1555 TO AMEND BY-LAW 1545 TO IMPOSE AND LEVY A TAX AND A COMPENSATION FOR THE 2020 FISCAL YEAR

NOTICE OF MOTION

Councillor Kez to give notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1555 entitled *By-law to amend By-law 1545 to impose and levy a tax and a compensation for the 2020 fiscal year.*

OBJECT

The object of this by-law is to postpone the date of the second payment of property taxes and compensation for municipal services to June 29, 2020.

The object of this by-law is also to amend the interest rates and penalties.

This measure is intended to support the City of Westmount taxpayers during this time of pandemic.

A copy of the draft by-law is tabled and available for public consultation.

20. URBAN PLANNING – BY-LAW 1489 – DESIGNATION OF A PRIORITY ACTION – 360 CLARKE

WHEREAS the City of Westmount has adopted *By-law 1489 concerning specific construction, alteration or occupancy proposals for an immovable (S.C.A.O.P.I.) of the City of Westmount*, and this by-law is in force;

WHEREAS this by-law allows the Municipal Council, upon request, and subject to the conditions it determines, to authorize a SCAOPI;

WHEREAS an application for authorization under By-law 1489 has been filed in order to obtain a derogation to section 8.4.1.5 with respect to the area of institutional enlargement, in Table 4 of Division 8 regarding the siting rate and the ground occupancy coefficient of the *Zoning By-law 1303* for the building located at 360 Clarke Avenue in order to allow the construction of an enlargement to the building in a residential zone;

WHEREAS both the Planning Advisory Committee, at its meeting held on November 26, 2019, as well as the Director of the Urban Planning Department have made a favourable recommendation regarding the project;

WHEREAS the City of Westmount has adopted a first draft resolution dated December 2, 2019 (Resolution No. 2019-12-252);

WHEREAS, following the adoption of the aforementioned resolution, the public was invited to attend a public consultation meeting on January 22, 2020;

WHEREAS the City of Westmount adopted a second draft resolution on February 3, 2020 (Resolution No. 2020-02-27);

WHEREAS following a public notice dated February 11, 2020, the City received applications to take part in a referendum during the prescribed time;

WHEREAS the City of Westmount adopted the final resolution on March 16, 2020 (Resolution No. 2020-03-60);

WHEREAS the City of Westmount must proceed with the holding of a register;

WHEREAS pursuant to Order 2020-008, any procedure involving the movement or gathering of citizens, including any referendum procedure, that is part of the decision-making process of a municipal body is suspended, except when it relates to an action designated as a priority by a two-thirds majority vote of Council members;

WHEREAS, in the latter case, the procedure must be replaced by a written consultation announced 15 days in advance by a public notice and any action taken as a result of such replacement procedure is not subject to the approval of the qualified persons entitled to vote;

WHEREAS the SCAOPI concerning the building located at 360 Clarke Avenue represents an important investment for the community and a postponement of the procedures would cause considerable prejudice to the realization of this project.

MOVER

Councillor Peart

SECONDER

THAT the City of Westmount adopt, pursuant to By-law 1489 entitled "*By-law concerning specific construction, alteration or occupancy proposals for an immovable (S.C.A.O.P.I.) of the City of Westmount*" and Order 2020-008, a resolution designating the specific construction, alteration or occupancy project for an immovable bearing the civic address 360 Clarke Avenue on lot 2 626 404 of the Quebec cadaster (hereinafter referred to as the IMMOVABLE), as described in the final resolution (Resolution No. 2020-03-60), as a priority action ;

THAT this project thus designated as a priority action have the following effect on the IMMOVABLE:

- A. Grant a variance to section 8.4.1.5 of By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the 5% or 92.9 m² restriction imposed for the area of an enlargement to an assembly building appearing in Table 4 of Division 8, an enlargement of approximately 2,120 m²;
- B. Grant a variance to By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the maximum site coverage authorized of 30% for this assembly building appearing in Table 4 of Division 8, a site coverage of approximately 37%;
- C. Grant a variance to By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the maximum floor area ratio of 0.90 authorized for this assembly building appearing in Table 4 of Division 8, a floor area ratio of approximately 1.14;

- D. Grant a variance to By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the maximum construction height permitted in the physical and spatial specification grid for zone R3-23-01 of the City's zoning plan, a height of approximately 1.25 m (4'-1¼") in excess of the authorized 10.668 m (35'-0");
- E. Grant a variance to section 5.5.9.2 of By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the maximum permitted mineral surface rate of 30% for a building in a residential area, a ratio of mineral surfaces of approximately 84% for the school yard;
- F. Grant a variance to section 6.2.1 of By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the requirements for the location of a fence in the front yard of a lot, a fence at the proposed location in the landscaping;
- G. Grant a variance to section 6.2.4 of By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by allowing, notwithstanding the requirements for the maximum height of a fence in the front yard of a lot, a fence between 1.8 and 2.1 metres high proposed in the landscaping drawings

the whole, according to the plans submitted and subject to the following conditions:

- 1. Submit a revised traffic plan of the school's surroundings in response to comments from the meeting of the Transportation Advisory Committee held on November 19, 2019 for review and approval;
- 2. Integrate a generous and user-friendly access to the playground from Clarke Avenue, visible from the street, located on the south side of the existing building; and
- 3. Develop and submit a communication campaign covering the traffic policy, support for active transportation (trottibus), concrete traffic instructions for parents (at the beginning of the school year, reminders if necessary) and the presence of proactive workers to maintain traffic flow at the morning rush hour. At the City's discretion, this policy shall be the subject of an annual meeting, or more if necessary, with the Westmount Public Safety Department to assess its relevance and implement any necessary adjustments

the whole in accordance with the information contained in the decision-making files Nos. 2019-0892, 2019-0912, 2020-0930, 2020-0961, and 2020-0992;

THAT the present authorization given by the Municipal Council does not have the effect of exempting the applicant from having to obtain, if necessary, any other permit, certificate, authorization or approval which could be required, according to the law or the municipal by-laws, for the completion of the project;

THAT, in accordance with Order 2020-008, the holding of the register be replaced by a written consultation, announced by public notice, which will last for a period of 15 days, during which written comments will be received by e-mail or mail, and that any action taken following this replacement procedure not be subject to the approval of the qualified persons entitled to vote.

21. NEW BUSINESS

22. CLOSING OF THE SITTING

The Mayor declares the sitting closed.