



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

TUESDAY, MAY 19, 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. FIRST QUESTION PERIOD

3. ADOPTION OF THE AGENDA

MOVER

Councillor Cutler

SECONDER

THAT the agenda of the regular Council sitting of May 19, 2020 be adopted.

4. CONFIRMATION OF MINUTES

MOVER

Councillor Cutler

SECONDER

THAT the minutes of the regular Council sitting held on May 4, 2020 be approved.

5. REPORTS TO COUNCIL

5.1. CORRESPONDENCE

Mayor Smith

The following documents are tabled:

- By-law RCG 18-042-1 entitled "*Règlement modifiant le règlement sur le programme de subventions visant la revitalisation des secteurs commerciaux en chantier (RCG 18-042)*" and Resolution CG20 0230 of the Montreal Agglomeration Council adopting said by-law;
- By-law RCG 20-013-1 entitled "*Règlement modifiant le règlement intérieur du conseil d'agglomération sur la délégation de pouvoirs du conseil d'agglomération au comité exécutif relatif à l'exercice du droit de préemption aux fins du logement social (RCG 20-013)*" and Resolution CG20 0236 of the Montreal Agglomeration Council adopting said by-law;

- By-law RCG 20-018 entitled “*Règlement sur les subventions relatives aux bâtiments affectés à des activités économiques à finalité sociale (Accélérer l’investissement durable - Économie sociale)*” and Resolution CG20 0231 of the Montreal Agglomeration Council adopting said by-law.

5.2. MINUTES OF THE GENERAL COMMITTEE OF COUNCIL

Councillor Cutler

The minutes of the General Committee meeting of Council held on April 20, 2020 are tabled and are available on the City's website.

6. RENEWAL OF THE GROUP INSURANCE COVERAGE - LA CAPITALE ASSURANCE

WHEREAS following a call for tenders for group insurance services for employees of the reconstituted cities of the Island of Montreal, the contract for the group insurance coverage for employees, retirees, and elected officials of the City of Westmount, was awarded to *La Capitale Assurance* for a maximum period of five (5) years, from April 1, 2019 to March 31, 2024;

WHEREAS a provision provides for the annual renewal of the coverage.

MOVER

Councillor Shamie

SECONDER

THAT the renewal of the group insurance coverage for active employees, retired employees, and elected officials, be authorized for the period from April 1, 2020 to March 31, 2021;

THAT the payment of the premiums in the total amount of \$652,772, all applicable taxes included, be authorized for the period of April 1, 2020 to March 31, 2021;

THAT the expenditure in the amount of \$489,579 be allocated for the 2020 fiscal year, in accordance with the financial information included in the decision-making file No. 2020-1008;

THAT the Director General be authorized to sign any documents necessary and/or required to give effect to the foregoing resolution, for and on behalf of the City.

7. NOTICE OF MOTION - BY-LAW 1557 TO FURTHER AMEND BY-LAW 1544 TO ESTABLISH TARIFFS 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. 1557 entitled *By-law to further amend By-law 1544 to establish tariffs for the 2020 fiscal year.*

OBJECT

The object of this by-law is to modify the tariffs applicable to terraces of commercial nature for the 2020 summer season.

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

8. GROUP PURCHASE WITH THE CITY OF MONTREAL - ROAD SALT FOR THE WINTER SEASONS OF 2019-2024

WHEREAS according to Section 29.5 of the *Cities and Towns Act* (CQLR c. C-19), a municipality may enter into an agreement with another municipality in order to call for tenders for the purpose of awarding contracts;

WHEREAS the City of Montreal will publish a call for tenders for the supply of road salt for the nineteen (19) boroughs, fifteen (15) demerged cities of the Montreal Agglomeration and the *Société de transport de Montréal*.

MOVER

Councillor Cutler

SECONDER

THAT Council authorize the City of Westmount to participate in the group purchase with the City of Montreal for the supply of road salt for the next four (4) winter seasons (November 1, 2020 to March 31, 2024);

THAT the Purchasing Manager be mandated to act as a representative of the City for this call for tenders and be authorized to sign any and all documents required to give effect to the present resolution.

9. CALL FOR PUBLIC TENDERS - REPAIRS TO THE SLAB AND THE WALLS OF THE SWIMMING POOL AT THE WESTMOUNT RECREATION CENTRE (PUB-2020-026)

WHEREAS tenders were publicly opened on May 1, 2020, for the repairs to the slab and the walls of the swimming pool at the Westmount Recreation Centre (Tender No. PUB-2020-026), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Construction Madux 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 Gallery

SECONDER

To authorize an expenditure in the amount of \$458,795.38, including tax credits, for the repairs to the slab and the walls of the swimming pool at the Westmount Recreation Centre (Tender No. PUB-2020-026);

To award to *Construction Madux inc.* the contract for this purpose at its bid price, for a maximum amount of \$502,440.75, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-026;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-1007.

10. CALL FOR PUBLIC TENDERS - PURCHASE OF ONE (1) SIDEWALK CATERPILLAR (PUB-2020-032)

WHEREAS tenders were publicly opened on May 1, 2020, for the purchase of one (1) sidewalk caterpillar (Tender No. PUB-2020-032), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, Plannord Equipment Ltd. 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 \$196,751.52, including tax credits, for the purchase of one (1) sidewalk caterpillar (Tender No. PUB-2020-032);

To award to Plannord Equipment Ltd. the contract for this purpose at its bid price, for a maximum amount of \$215,468.57, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2020-032;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2020-1012.

11. URBAN PLANNING – BY-LAW 1489 – ADOPTION OF THE FINAL RESOLUTION – 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 (hereinafter referred to as the IMMOVABLE) 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, thus qualifying it as a priority action within the meaning of Order 2020-008;

WHEREAS the City of Westmount adopted a resolution on April 6, 2020, designating the SCAOPI for the immovable as a priority action and replacing the holding of the register by a written consultation (Resolution No. 2020-04-74) ;

WHEREAS following a public notice dated April 14, 2020, the City received written comments during the prescribed time.

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*", a final resolution to grant the application for authorization for a 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);

THAT the final resolution thus adopted 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, 2020-0992, and 2020-1002;

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.

12. URBAN PLANNING - APPROVAL OF BUILDING PERMITS

WHEREAS, according to *By-law 1305 on Site Planning and Architectural Integration Programmes*, the issuance of some building permits are subordinate to the prior recommendation of plans by the Planning Advisory Committee;

WHEREAS according to section 3.2.2 of this by-law, Council must decide on the recommendations of the Committee by way of resolution.

MOVER

Councillor Peart

SECONDER

THAT, according to the recommendations made by the Planning Advisory Committee at its meeting held on May 5, 2020, the building permit applications appearing on the attached list, reviewed under *By-law 1305 on Site Planning and Architectural Integration Programmes*, be approved.

13. SECOND QUESTION PERIOD

14. CLOSING OF THE SITTING

The Mayor declares the sitting closed.