



**AGENDA  
REGULAR MUNICIPAL COUNCIL MEETING  
OF THE CITY OF WESTMOUNT  
MONDAY, AUGUST 2, 2021**

**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. FIRST QUESTION PERIOD**

**4. ADOPTION OF THE AGENDA**

**MOVER**

**Councillor Lulham**

**SECONDER**

THAT the agenda of the regular Council sitting of August 2, 2021 be adopted.

**5. CONFIRMATION OF MINUTES**

**MOVER**

**Councillor Lulham**

**SECONDER**

THAT the minutes of the regular Council sitting held on July 19, 2021 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 Lulham**

The minutes of the General Committee meeting of Council held on July 5, 2021 are tabled and are available on the City's website.

**6.3. FINANCE AND ADMINISTRATION COMMITTEE MINUTES**

**Councillor Lulham**

No minutes are tabled.

**6.4. TRANSPORTATION ADVISORY COMMITTEE MINUTES**

**Councillor Bostock**

The minutes of the Transportation Advisory Committee meeting held on June 29, 2021 are tabled and are available on the City's website.

**6.5. WESTMOUNT ACCESSIBILITY ADVISORY COMMITTEE MINUTES**

**Councillor Brzeski**

The minutes of the Westmount Accessibility Advisory Committee meetings held on April 28, May 26, and June 30, 2021 are tabled.

**6.6. WORKFORCE REPORT**

**Councillor Shamie**

The workforce report for the month of June 2021 is tabled.

**6.7. PAYMENT REGISTRY**

**Councillor Kez**

The list of payments for the month of June 2021 is tabled.

**6.8. 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 June 2021 is tabled.

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

**MOVER**

**Councillor Lulham**

**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 August 26, 2021.

**8. DECLARATION - COMMITMENT BY THE CITY OF WESTMOUNT TO PROTECT MONARCH BUTTERFLIES**

WHEREAS the monarch butterflies are an iconic North American species;

WHEREAS their exceptional migration and their fascinating life cycle appeal to the imaginations of millions of citizens;

WHEREAS the monarch population has declined by 90% in North America over the past 20 years;

WHEREAS scientists attribute this decline to the degradation and loss of reproduction habitats;

WHEREAS municipalities have a crucial role to play in the recovery of this species, by creating reproduction habitats on their territories, adopting by-laws to protect it, sharing information on the subject, and inviting the public to take part in citizen science programs;

WHEREAS the City of Westmount has already taken many steps to raise awareness on the decline of the monarch butterfly and has initiated a number of actions to help increase their numbers.

**MOVER**

**Councillor Brzeski**

**SECONDER**

THAT the City of Westmount officially commit to help to restore monarch habitats by continuing to implement measures to protect the species and encourage its citizens to participate in these efforts, in order for these magnificent butterflies to once again proliferate throughout the continent;

THAT the Mayor of Westmount sign the Mayors' Monarch Pledge to make Westmount a monarch-friendly city.

**9. 2021 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;

WHEREAS in accordance with said Section, the action plan must be prepared and published annually.

**MOVER**

**Councillor Brzeski**

**SECONDER**

THAT the 2021 Action Plan concerning persons with disabilities, recommended by the administration, be adopted to ensure the exercise of their fundamental rights.

**10. MANDATE FOR LEGAL SERVICES - DHC AVOCATS INC.**

WHEREAS Ms. Anna Chrostowska is the owner of the property located at 4030 Dorchester Boulevard West in the City of Westmount;

WHEREAS the building located at 4030 Dorchester Boulevard West is in an advanced state of abandonment and dilapidation that may endanger the safety of individuals;

WHEREAS, since 2016, this building has been subject to numerous inspections and several notices of violation for unsafe condition have been sent to the Owner;

WHEREAS, on February 12, 2019, the building was the subject of a notice of deterioration pursuant to Section 145.41.1 of the *Act respecting land use planning and development* (CQLR, c. A-19.1);

WHEREAS Sections 145.41 and 231 of the *Act respecting land use planning and development* (CQLR, c. A-19.1) provide that the Superior Court may, on application by the municipality, order the owner of the structure to carry out of the works required to ensure the safety of persons;

WHEREAS the Owner has had several opportunities to remedy the situation and make her property safe and compliant with the City's regulations;

WHEREAS the Owner has, to this day, refused or neglected to take the required action to remedy the situation.

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT the City of Westmount mandate the firm *DHC avocats inc.* to undertake the appropriate legal action against Ms. Anna Chrostowska, owner of 4030 Dorchester Boulevard West, to ensure that the City's rights are respected, and ratify the taking of legal action in this file;

THAT the Director of Legal Services, or in his absence the Assistant Director of Legal Services, be authorized to sign all documents required to give full effect to this resolution.

**11. ADOPTION - UPDATE TO THE COMPLAINT PROCEDURE CONCERNING THE APPLICATION OF A RATE OR A CONDITION FOR THE SUPPLY OF ELECTRICITY FROM HYDRO WESTMOUNT**

WHEREAS in accordance with Section 87 of the *Act respecting the Régie de l'énergie* (CQLR, chapter R-6.01), a complaint examination procedure shall be established by the electric power carrier and by every distributor;

WHEREAS the Complaint procedure concerning the application of a rate or a condition for the supply of electricity from Hydro Westmount is in force since 2020;

WHEREAS the Director of Hydro Westmount recommends that an update be made to the Complaint procedure concerning the application of a rate or a condition for the supply of electricity from Hydro Westmount, in order to better serve Westmount residents and offer options similar to those of other members of the *Association des redistributeurs d'électricité du Québec* (AREQ).

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT the attached Complaint procedure concerning the application of a rate or a condition for the supply of electricity from Hydro Westmount be adopted.

**12. CALL FOR PUBLIC TENDERS - PRICING AGREEMENTS FOR INVENTORY PRODUCTS FOR HYDRO WESTMOUNT (PUB-2021-025)**

WHEREAS tenders were publicly opened on June 11, 2021, for the pricing agreements for inventory products for Hydro Westmount (Tender No. PUB-2021-025), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *P.T.S Électrique Itée*, Lumen, a division of Sonepar Canada Inc., and Wesco Distribution Canada LP are the lowest conforming bidders for each lot submitted, 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 \$296,690.01, including tax credits, for the pricing agreements for inventory products for Hydro Westmount, for lots 1 to 6 and 8 to 13 (Tender No. PUB-2021-025);

To award the contracts for this purpose as follows:

- To *P.T.S. Électrique Itée*, the contract for lots 1, 6, and 9, at its bid price;
- To Lumen, a division of Sonepar Canada Inc., the contract for lots 3, 4, 5, 6, and 12, at its bid price; and
- To Wesco Distribution Canada LP, the contract for lots 2, 5, 6, 8, 10, 11, 12, and 13, at its bid price

for a maximum amount of \$324,914.25, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2021-025;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2021-1325.

**13. CALL FOR PUBLIC TENDERS - JANITORIAL SERVICES - VARIOUS MUNICIPAL BUILDINGS (PUB-2021-038)**

WHEREAS tenders were publicly opened on June 25, 2021, for janitorial services - various municipal buildings (Tender No. PUB-2021-038), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, Axia Services 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 \$347,056.80, including tax credits, for the 2021 fiscal year, for janitorial services - various municipal buildings (Tender No. PUB-2021-038);

To award to Axia Services the contract for this purpose at its bid price, for a maximum amount of \$3,283,097.74, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2021-038;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2021-1329.

**14. CALL FOR PUBLIC TENDERS - PROFESSIONAL ACCOUNTING AUDIT SERVICES FOR 2021, 2022, 2023, AND 2024 (PUB-2021-040)**

WHEREAS according to Sections 573.1.0.1.1 and 573.1.0.1.2 of the *Cities and Towns Act* (CQLR, c. C-19), where a contract for professional services is to be awarded, the council must use a system of bid weighting and evaluating;

WHEREAS tenders were publicly opened on July 9, 2021, for professional accounting audit services for 2021, 2022, 2023, and 2024 (Tender No. PUB-2021-040), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Deloitte inc.* is the conforming bidder having obtained the best score as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

**MOVER**

**Councillor Kez**

**SECONDER**

To award to *Deloitte inc.* the contract for professional accounting audit services for 2021, 2022, 2023, and 2024, at its bid price, for a maximum amount of \$224,776, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2021-040;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2021-1323.

**15. MODIFICATION TO A CONTRACT - SUPPLY OF TYCO PRODUCTS, CONNECTORS, CARTRIDGES, AND VARIOUS TRANSITION JOINTS FOR TWO YEARS (PUB-2020-031)**

WHEREAS, on April 6, 2020, Council awarded a contract to Tyco Electronics Canada ULC for the supply of Tyco products, connectors, cartridges, and various transition joints for two years, for a maximum amount of \$85,743.97, including taxes (Resolution No. 2020-04-71);

WHEREAS the estimated total cost for the supply of Tyco products, connectors, cartridges, and various transition joints for two years with Tyco Electronics Canada ULC is \$172,462.50, all taxes included.

**MOVER**  
**SECONDER**

**Councillor Shamie**

THAT the contract awarded to Tyco Electronics Canada ULC for the supply of Tyco products, connectors, cartridges, and various transition joints for two years (Resolution No. 2020-04-71) be modified and increased to a maximum amount of \$172,462.50, all taxes included;

THAT an additional expenditure be authorized in the amount of \$86,718.53, all taxes included, for the supply of Tyco products, connectors, cartridges, and various transition joints for two years with Tyco Electronics Canada ULC;

To allocate this expenditure in accordance with the financial information included in the decision-making files Nos. 2020-0990 and 2021-1333.

**16. MODIFICATION TO A CONTRACT - SEWER INSPECTION AND CLEANING (PUB-2021-034)**

WHEREAS, on May 17, 2021, Council awarded a contract to *Tech vac Environnement inc.* for sewer inspection and cleaning, for a maximum amount of \$186,657.08, including taxes (Resolution No. 2021-05-124);

WHEREAS the estimated total cost for sewer inspection and cleaning with *Tech vac Environnement inc.* is \$205,322.79, all taxes included.

**MOVER**  
**SECONDER**

**Councillor Cutler**

THAT the contract awarded to *Tech vac Environnement inc.* for sewer inspection and cleaning (Resolution No. 2021-05-124) be modified and increased to a maximum amount of \$205,322.79, all taxes included;

THAT an additional expenditure be authorized in the amount of \$18,665.71, all taxes included, for sewer inspection and cleaning with *Tech vac Environnement inc.*;

To allocate this expenditure in accordance with the financial information included in the decision-making files Nos. 2021-1263 and 2021-1320.

**17. NOTICE OF MOTION AND ADOPTION OF A DRAFT - BY-LAW 1576 ON MINOR EXEMPTIONS**

**NOTICE OF MOTION**

Councillor Peart to give notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1576 entitled *By-law on minor exemptions*.

**OBJECT**

The object of this by-law is to establish an exception procedure whereby Council may authorize the carrying out of proposed work, or the regularization of work in progress or completed, that does not comply with all provisions of the *Zoning By-law* or the *By-law concerning subdivisions*.

**MOVER**

**Councillor Peart**

**SECONDER**

THAT the first draft of By-law No. 1576 entitled *By-law on minor exemptions* be adopted for submission to public consultation in accordance with the provisions of the *Act respecting Land Use Planning and Development* (CQLR, chapter A-19.1); and

THAT, in accordance with Order 2020-049, the public consultation meeting be replaced by a 15-day written consultation, announced in advance by public notice.

**18. NOTICE OF MOTION - BY-LAW 1577 TO AMEND BY-LAW 1565 TO ESTABLISH TARIFFS FOR THE 2021 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. 1577 entitled *By-law to amend by-law 1565 to establish tariffs for the 2021 fiscal year*.

**OBJECT**

The object of this by-law is to introduce a fee for minor exemptions and to provide for the possibility of a partial refund of the fee for an application for an amendment to the zoning by-law.

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

**19. ADOPTION - BY-LAW 1575 TO ESTABLISH A PLANNING ADVISORY COMMITTEE**

**City Clerk**

The City Clerk to report that all formalities required for dispensing with the reading of this by-law have been observed and that copies of the by-law have been remitted to all members of Council and are available for public reference.

**OBJECT**

The City Clerk to explain that the object of this by-law is to replace *By-law 1320 to establish a Planning Advisory Committee* with a new by-law establishing, on a new basis, the composition, roles and responsibilities of the committee, as well as certain rules of operation.



## **MODIFICATIONS**

The City Clerk to mention that changes were made to the draft by-law:

- Paragraph 2<sup>o</sup> of Section 3 was modified to remove the requirement for members to be active members of their respective professional order;
- Section 5 was modified to broaden the scope of the members that can act as the Chair of the Committee;
- Section 13 was modified to allow only the Secretary to add an application to the agenda;
- Section 22 was modified to indicate that this by-law will come into force on September 2, 2021.

A copy of these modifications is available for public reference.

**Mayor Smith**

**Declaration by each member of Council present that he or she has read the by-law and that reading is waived thereof.**

**MOVER**

**Councillor Peart**

**SECONDER**

THAT By-law No. 1575 entitled *By-law to establish a Planning Advisory Committee* be adopted.

**Declaration**

**Mayor Smith**

THAT By-law No. 1575 entitled *By-law to establish a Planning Advisory Committee* having been duly adopted; it is ordered that notices be given as required by law.

**20. NEW BUSINESS**

**21. SECOND QUESTION PERIOD**

**22. CLOSING OF THE SITTING**

The Mayor declares the sitting closed.