

**MINUTES**  
**REGULAR COUNCIL MEETING**

**APRIL 28, 2009**  
**8:00 p.m.**

Minutes of the Regular Meeting of the Council of Montreal West held on April 28, 2009 at the Town Hall located at 50 Westminster Avenue South.

Present: Mr. Campbell Stuart, Mayor  
Ms. Colleen Feeney, Councillor  
Mr. Beny Masella, Councillor  
Mr. Joseph McKenzie, Councillor  
Ms. Elizabeth Ulin, Councillor

Also present: Mr. Stéphane Dulude, Director General  
Mr. Claude Gilbert, Town Clerk

Mayor Campbell Stuart acted as chairperson of the meeting.  
Mr. Claude Gilbert, Town Clerk, acted as secretary of the meeting.

Twenty-four (24) residents and visitors were in attendance.

**1. Opening of the Meeting**

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Beny Masella and resolved:

That the Meeting be declared open.

Carried unanimously  
#20090428-001

The Mayor called the Meeting to order at 8:05 p.m.

**2. Acknowledgement of Visitors**

Mayor Stuart greeted and welcomed Commandant Sylvain Bissonnette, from the Montréal Police Service (Neighbourhood Police Station 9), and Julie Tasker-Brown, Ron Hasid and Tim Goforth, members of the Town Planning Committee.

**3. Adoption of the Agenda**

It was moved by Councillor Beny Masella, seconded by Councillor Colleen Feeney and resolved:

To adopt the Agenda of the Regular Meeting of Tuesday, April 28, 2009 as presented.

Carried unanimously  
#20090428-002

**4. Approval of the Minutes of the Council**

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Colleen Feeney and resolved:

To adopt the Minutes of the following Council Meetings:

- a) Regular Council Meeting held on March 31, 2009;
- b) Special Council Meeting held on April 21, 2009;
- c) Special Council Meeting held on April 27, 2009.

Carried unanimously  
#20090428-003

**5. Correspondence**

- a) **Village de Senneville (redevelopment of the Montreal Hippodrome sector)**

On April 6, 2009, the Town Clerk of Senneville sent a certified copy of Resolution No. 2009-03-592, by which Senneville objected to the Quebec Government's policy change that would result in authorizing the construction of a casino on the site of the Hippodrome. This letter was noted and filed.

**6. Report of the Mayor**

Mayor Stuart stated that he and the other mayors of the demerged towns had had a fruitful meeting with the Minister of Municipal Affairs. The major issues discussed included the reduction of the subsidy provided for Montreal's "downtown", which is vastly greater than what is actually contemplated in the law; and the management of water supply and waste treatment on the island. There will be round tables to further these discussions.

The Mayor also reported on a meeting he had with the Minister to explain the prejudice done to Montreal West by Montreal's manipulation of the 2009 Agglomeration budget in contravention of Bill 22. The Minister appeared to be receptive and the Mayor was optimistic that compensation would be found in some form for the Town.

Mayor Stuart also noted that public hearings would soon take place before an Agglomeration Commission concerning the preservation of green spaces on the Island. At the hearing on May 6 at 7:00 p.m., submissions will be made requesting that Meadowbrook be declared an eco-territory, as a first step to making it a park. Les Amis De Meadowbrook, the Green Coalition and Heritage Laurentien, among others, will present briefs to this effect, as will Dida Berku for Côte Saint-Luc and Mayor Stuart for Montreal West.

**7. Contracts and Town Clerk's Office**

**a) Agglomeration Council Meeting of April 30, 2009**

WHEREAS Mayor Campbell Stuart, who is the regular representative of the Town of Montreal West on the Agglomeration Council, will be unable to attend its next meeting on April 30, 2009;

THEREFORE:

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Beny Masella and resolved:

- 1) That Councillor Joseph McKenzie, be appointed to represent the Town of Montreal West at the Agglomeration Council meeting of April 30, 2009 in lieu of the Mayor.
- 2) That Councillor Joseph McKenzie, in this capacity, be authorized and instructed to enquire as to the legitimacy of the allocation of costs to the Agglomeration, in particular the allocation of costs between the Agglomeration and reconstituted municipalities, and only vote for such allocations if and to the extent that they may be considered legitimate.

Carried unanimously  
#20090428-004

**b) Engineering professional services – Infrastructure work supervision for 2009**

WHEREAS the Town of Montreal West issued a call for tender on the electronic tendering system SEAO and through Journal Construction for the purpose of hiring an engineering firm within the scope of its 2009 infrastructure renewal program;

WHEREAS six firms submitted offers which had to be evaluated by a committee on the qualitative level before its members could take the element of price into consideration;

WHEREAS only one firm could also be evaluated on this element as a result of the process, which was conducted as required by the applicable legislation;

THEREFORE:

It was moved by Councillor Joseph McKenzie, seconded by Councillor Colleen Feeney and resolved:

- 1) That the contract for professional services of supervision for infrastructure work for 2009 be awarded to the consortium made of Genivar/Seguin, being the conforming bidder with the highest score, for a price of \$90,180.92 (including applicable taxes).
- 2) That this expense be charged to Loan By-Law No. 2009-004.
- 3) That the Mayor and the Town Clerk be authorized to sign any contract and other documents required to implement this resolution, as the case may be.

Carried unanimously  
#20090428-005

**c) Granting of a surface right – 155 Brock South**

WHEREAS the owner of the property mentioned in title intends to subdivide this large piece of land in order to eventually build another house;

WHEREAS this project would involve that the building ground be leveled, and to this end, given the site, would also involve to extend the Town's retaining wall on Brock South;

WHEREAS the required work implies that this owner would encroach on Town's property;

WHEREAS the circumstances of this project are not detrimental to the Town's interest;

THEREFORE:

It was moved by Councillor Joseph McKenzie, seconded by Councillor Colleen Feeney and resolved:

- 1) That the Town of Montreal West agree to grant a surface right, as well as any other accessory rights as may be required for this purpose (like servitudes) to the owner of the building identified in the preamble, in order to allow the work required for the extension of the retaining wall on Brock South along this property, on the following conditions.
- 2) That the land covered by this right of surface be surveyed and the contract be notarized and registered at the expense of this owner.
- 3) That the construction and securing costs of this project and its maintenance be supported by the said owner.
- 4) That engineering plans be supplied by the owner before a building permit can be issued by the Town.
- 5) That the style and look of the wall extension match that of the existing retaining wall in front of the property.
- 6) That the Mayor and the Town Clerk be authorized to sign a contract on behalf of the Town with the owner of this property.

Carried unanimously  
#20090428-006

**8. Administration and finances**

**a) Approval of disbursements – March 27 to April 21, 2009**

It was moved by Councillor Colleen Feeney, seconded by Councillor Beny Masella and resolved:

That the list of accounts payable from March 27 to April 21, 2009 totaling \$2,355,322.72 be approved and paid as listed.

Carried unanimously  
#20090428-007

**b) CLD Centre-Ouest/Center West (joint expectations)**

WHEREAS the Town of Montreal West is a member organization of the Centre Local de Développement (CLD) Centre-Ouest/Center West, together with the Town of Hampstead, the City of Côte Saint-Luc and the Borough of Saint-Laurent;

WHEREAS each member organization is asked every year to notify the CLD of its expectations in terms of organization, services and activities;

WHEREAS the three reconstituted municipalities jointly expressed their expectations in 2008, and these remain relevant and operational for the new fiscal year of the CLD;

THEREFORE:

It was moved by Councillor Beny Masella, seconded by Councillor Joseph McKenzie and resolved:

To approve the same joint municipal expectations of Côte Saint-Luc City Council, Hampstead Town Council and Montreal West Town Council from the Centre Local de Développement (CLD) Centre-Ouest/Center West for the year 2009-2010.

Carried unanimously  
#20090428-008

**9. Urban Department**

**a) Site Planning Projects and Architectural Integration Programs (SPAIP)**

It was moved by Councillor Colleen Feeney, seconded by Councillor Beny Masella and resolved:

- 1) To acknowledge receipt of the minutes of a meeting held by the Planning Advisory Committee (PAC) on April 22, 2009, and to accept its recommendations.
- 2) To approve under the SPAIP the following plans submitted to this meeting, subject to the conditions set forth by the PAC as outlined in the minutes, as the case may be:
  - a) 152 Easton
  - b) 84 Easton
  - c) 142 Percival
  - d) 49 Parkside
  - e) 291 Sheraton

Carried unanimously  
# 20090428-009

**b) Approval of Draft By-Law (By-Law to Modify the Planning Programme of the Town of Montreal West) and fixing of the date of a public consultation meeting**

Mayor Stuart invited the Building Inspector, Raymond Beshro, to explain the modification proposal for an up-dated Planning Programme. Mr. Beshro summed up the content of this proposal and explained the modification process. The Mayor noted that there will be two public meetings on this project, rather than just one which is the legal minimum.

It was moved by Councillor Beny Masella, seconded by Councillor Joseph McKenzie and resolved:

- 1) To approve the Draft By-Law for a By-Law to Modify the Planning Programme of the Town of Montreal West.
- 2) To convene a public consultation meeting on this Draft By-Law at the Assembly Hall of the Town Hall, on May 20, 2009 at 7:00 p.m.

Carried unanimously  
# 20090428-010

**10. Public Works**

**a) Request for financial assistance to the Quebec Government – repair project for Courtney, Easton, Broughton, Ballantyne, Curzon and Strathearn Avenues – Fonds Chantier Canada-Québec (FCCQ)**

WHEREAS the FCCQ is intended, through grants from the Quebec and Canadian Governments, to support the carrying out of eligible projects for infrastructure renewal work;

WHEREAS Courtney, Easton, Broughton, Ballantyne, Curzon and Strathearn Avenues are considered a priority for the replacement of their aqueduct and sewer network, according to the intervention plan which has been prepared by the Town and which has been accepted by the Ministry of Municipal Affairs, Regions and Territorial Occupancy;

THEREFORE:

It was moved by Councillor Joseph McKenzie, seconded by Councillor Elizabeth Ulin and resolved:

- 1) That the Director General, Mr. Stephan Dulude, be authorized to sign an application form for financial assistance within the scope of the Fonds Chantier Canada-Québec program (for local governments), for the purposes of the Courtney, Easton, Broughton, Ballantyne, Curzon and Strathearn Avenues repair project.
- 2) That the Town of Montreal West undertake to pay its share of the eligible costs for the carrying out of this project, as well as its operating costs once completed.

Carried unanimously  
# 20090428-011

**11. Human Resources**

There was nothing under this item.

**12. Appointments**

**a) Signing officers**

It was moved by Councillor Joseph McKenzie, seconded by Councillor Colleen Feeney and resolved:

1) That the Mayor, Campbell Stuart, and the Treasurer, Julie Mandeville, be authorized to sign jointly, for and in the name of the Town of Montreal West, all cheques and other documents in connection with Town monies on deposit with RBC Groupe Financier; and if unable to obtain the Mayor's signature, that the Acting Mayor be authorized to sign in his stead and, if unable to obtain the Treasurer's signature, that Stéphan Dulude, Director General, be authorized to sign in her stead.

2) That Julie Mandeville, in her capacity as Treasurer, and Claude Gilbert, in his capacity as Town Clerk, be authorized to sign jointly cheques for employee salaries; and if unable to obtain the Treasurer's or the Town Clerk's signature, that Stéphan Dulude, in his capacity as Director General, be authorized to sign.

3) That Julie Mandeville, in her capacity as Treasurer, or a representative authorized by her and the Mayor, be authorized to recover from RBC Groupe Financier, on her sole signature, all cancelled cheques and cancelled documents being the property of Town of Montreal West.

4) That Julie Mandeville be authorized, in her capacity as Treasurer, to sign, for the Town of Montreal West, all documents required by or for the Société de l'assurance automobile du Québec in the normal course of operations of the Town; and if unable to obtain the Treasurer's signature, that Claude Gilbert, in his capacity as Town Clerk, be authorized to sign the said documents.

5) That resolutions # 20061212-019 (3) and # 20080527-030 be repealed.

Carried unanimously  
# 20090428-012

**b) Pension Plan Committee**

It was moved by Councillor Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

1) To appoint the following persons as representatives of the employer on the Pension Plan Committee of the Employees' Pension Plan for the Town of Montreal West:

- Colleen Feeney, Councillor;
- Joseph McKenzie, Councillor;
- Stéphan Dulude, Director General;
- Julie Mandeville, Treasurer;
- Claude Gilbert, Town Clerk.

2) To repeal Resolution # 20080527-033.

Carried unanimously  
# 20090428-013

**13. Commissioners' Reports**

**a) Public Security**

Councillor Beny Masella reported on activities pertaining to the Public Security Commission for the month of April 2009.

**b) Recreation and Cultural Services**

Councillor Elizabeth Ulin reported on activities pertaining to the Recreation and Cultural Services Commission for the month of April 2009.

**c) Administration and Buildings**

Councillor Colleen Feeney reported on activities pertaining to the Administration and Buildings Commission for the month of April 2009.

**d) Public Works**

Councillor Joseph McKenzie reported on activities pertaining to the Public Works Commission for the month of April 2009.

**14. Deposit of Documents**

There was nothing under this item.

**15. Notice of Motion, Reading and Adoption of By-Laws**

**a) Adoption of By-Law No. 466-9 – By-Law To Amend By-Law No. 466 Concerning Employees' Pension Plan for the Town of Montreal West**

WHEREAS Council has previously requested that the reading of this By-Law be dispensed with;

THEREFORE:

It was moved by Councillor Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

That By-Law No. 466-9 entitled "By-Law To Amend By-Law No. 466 Concerning Employees' Pension Plan for the Town of Montreal West" be adopted.

Carried unanimously  
#20090428-14

**b) Adoption of By-Law No. 2009-005 – Interim Control By-Law imposing a freeze on the issuance of new Urban Planning permits in zones MA-1, MA-2, MB-1 and RG-1**

It was moved by Councillor Beny Masella, seconded by Councillor Elizabeth Ulin and resolved:

- 1) That the reading of the by-law mentioned in title be accepted.
- 2) That By-Law No. 2009-005 entitled "Interim Control By-Law imposing a freeze on the issuance of new Urban Planning permits in zones MA-1, MA-2, MB-1 and RG-1" be adopted.

Carried unanimously  
#20090428-15

**16. Public Question Period**

The Mayor announced the beginning of the Public Question Period at 8:50 p.m.

Residents were invited to ask their questions to the Mayor and Councillors.

Dodd Gray of 64 Courtney complained that potholes make it hard to drive in his street. Councillor Masella assured him that major repair work this summer will solve this problem. In the meantime, Councillor McKenzie said that he would see what the Public Works Department can do about the potholes.

Daniel Markuze of 446 Wolseley North noted that there was a water break near Radcliffe a month ago, and asked when it would be repaired. Councillor Masella explained that it is necessary to wait until the weather gets warmer. The resident said that Public Security Officers should consider the impact of that situation on local drivers, and be more lenient on giving tickets for parking offences. He also asked when the recycling bins will be available. Councillor Ulin answered that they will be delivered between April 1 and July 31.

Jacob Kalff of 83 Brock North wondered what prices other bidders quoted for the contract that was awarded to Genivar. The Director General, having been invited to answer by the Mayor, explained that Genivar partnered with Séguin to form a joint venture, which helped this bidder to win over others. In addition, the tenders had to be evaluated from a qualitative standpoint before the price could be taken into consideration, and other bidders did not qualify well enough to see their prices considered. The resident then asked if a study on Montreal West traffic patterns has been commissioned, as there had been an undertaking to this effect at a meeting last year. Councillor Masella answered that the Town was about to let a contract for the traffic study, and that the Agence Métropolitaine de Transport will also be doing a study of the level crossing. These two studies will be coordinated in order to maximize the effectiveness of each.

Marie Yaremko of 43 Ballantyne North suggested that, while the Town awaits the results of the traffic study, it could take interim measures to slow traffic down where it is most needed. Councillor Masella said that certain things like flower posts and speed bumps are in the works, but that they will be installed only after the traffic study is complete. That way, we will be able to quantify the results of the calming measures as each is tried.

Jeff Clarke of 255 Ballantyne North said he concurred with other residents' concerns regarding traffic speed. Councillor Masella added that such problems might also be linked to other bad traffic habits, like not stopping at stop signs, which is another reason to complete the traffic study first. The resident also complained about the smoke generated by the new restaurant on Westminster.

Gordon Farrel of 60 Ballantyne North introduced himself, as did other Ballantyne residents attending for the same reason: Ray Murphy, Peter Pride, Muir Wood and Ray Van Dusen. He spoke on their behalf to complain about the smoke and odours generated by the new restaurant on Westminster. Mayor Stuart assured them that the Town was aware of this problem, and that while the restaurant's facilities were installed in accordance with municipal by-laws, the problem still needs to be addressed. The Town will see to it that everyone's rights are respected in this matter, merchant and residents alike. The Mayor assured everyone that the Town will explore technical and other possible solutions with the hope of finding a mutually satisfactory arrangement, as was the case with West End Piano.

Tony Sequeira, one of the owners of the restaurant located at 45 Westminster North, stated that the smoke and odours from the restaurant are not excessive as far as the Building Code and the norms of Environment Quebec are concerned. He also noted that the emission of smoke is not continuous and that there are over 50 restaurants in Montreal with charcoal grills like his. Still, he acknowledged that the issue needs to be addressed and he undertook to try and find a reasonable solution.

Jeff Clarke of 255 Ballantyne North agreed to let the restaurant owner try to solve the problem, but insisted that the Town continue to pursue this issue.

**17. Termination of the Meeting**

At 9:25 p.m., no other questions being asked,

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Colleen Feeney and resolved:

That the Meeting be terminated.

Carried unanimously  
#20090428-16

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Campbell Stuart  
Mayor

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Claude Gilbert  
Town Clerk

*The annexes mentioned above are deposited  
in the municipal archives in File Archives-20090428*