

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MARCH 4<sup>TH</sup>, 2019, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Cheryl Weigensberg, Jack Edery, Leon Elfassy, Michael Goldwax, Warren Budning, and forming a quorum with Mayor Steinberg presiding.

**THOSE ABSENT WERE:** Councillor Harvey Shaffer

**ALSO PRESENT:** Mr. Richard Sun, Director General, and Me Pierre Tapp, Town Clerk, acting as Secretary of the meeting.

**OPENING OF MEETING**

The Mayor called the meeting to order at 8:03 p.m.

**PUBLIC QUESTION PERIOD**

The Mayor invited those persons in attendance to ask their questions.

- Question were asked by residents and answered by the Mayor and the Councillors.

2019-043

**ADOPTION OF THE AGENDA**

On motion of Councillor Michael Goldwax, seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is hereby adopted as submitted.

Adopted

2019-044

**ADOPTION OF THE MINUTES**

On motion of Councillor Michael Goldwax, seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council meeting of February 4<sup>th</sup>, 2019, are hereby approved as submitted.

Adopted

2019-045

**REGISTRATION OF DELEGATE TO ATTEND THE 2019 ANNUAL CONFERENCE OF THE FEDERATION OF CANADIAN MUNICIPALITIES (FCM) IN QUEBEC CITY**

WHEREAS the 2019 Annual Conference of the Federation of Canadian Municipalities (FCM) will be held in Quebec City from May 30<sup>th</sup>, to June 2<sup>nd</sup>, 2019;

On motion of Councillor Cheryl Weigensberg, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT Council authorizes the following delegate to attend the 2019 Annual Conference of the FCM to be held in Quebec City from May 30<sup>th</sup> to June 2<sup>nd</sup>, 2019;

- Mayor William Steinberg

Adopted

2019-046

**REGISTRATION OF DELEGATES TO ATTEND THE 2019 ANNUAL CONFERENCE OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)**

WHEREAS the 2019 Annual Conference of the Government Finance Officers Association (GFOA) will be held in Los Angeles, California from May 19<sup>th</sup> to May 22<sup>nd</sup>, 2019;

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On motion of Councillor Cheryl Weigensberg, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT Council authorizes the following delegate to attend the 2019 Annual Conference of the Government Finance Officers Association (GFOA) held in Los Angeles, California from May 19<sup>th</sup> to May 22<sup>nd</sup>, 2019;

- Councillor Jack Edery

Adopted

*At 8:29 p.m. Councillor Jack Edery took his seat.*

2019-047

**DEPOSIT – STATEMENTS OF PECUNIARY INTERESTS OF MEMBERS OF COUNCIL**

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Written Statements of Pecuniary Interests of Mayor William Steinberg and Councillors Cheryl Weigensberg, Jack Edery, Leon Elfassy, Michael Goldwax, Warren Budning, and Harvey Shaffer have been deposited at this Council Meeting, in accordance with Section 358 of the *Act respecting elections and referendums in municipalities* (R.S.Q., c.E-2.2).

**RECESS**

*The Mayor recessed the meeting at 8:30 p.m. and reconvened the meeting at 8:57 p.m.*

2019-048

**NOTICE OF MOTION OF DRAFT BY-LAW NO. 1001-4 MODIFYING BY-LAW NO. 1001-2 CONCERNING ZONING**

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NOTICE OF MOTION was given by Councillor Warren Budning, that, at a subsequent meeting of Council, By-law no. 1001-4 modifying By-law no. 1001-2 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1001-4 and a motion to dispense with the reading of the said By-law was made.

2019-049

**ADOPTION OF DRAFT BY-LAW NO. 1001-4 MODIFYING BY-LAW NO. 1001-2 CONCERNING ZONING**

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WHEREAS a notice of motion was deposited March 4<sup>th</sup>, 2019;

WHEREAS a Draft By-law was adopted March 4<sup>th</sup>, 2019;

WHEREAS the Members of Council have received a copy of Draft By-law no. 1001-4 modifying By-law no. 1001-2 regarding zoning, and declare to have read it;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

- TO approve Draft By-law no. 1001-4 modifying By-law no. 1001-2 concerning Zoning.

Adopted

2019-050

**NOTICE OF MOTION OF DRAFT BY-LAW NO. 1003-3 MODIFYING BY-LAW NO. 1003-2 CONCERNING BUILDINGS**

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NOTICE OF MOTION was given by Councillor Michael Goldwax, that, at a subsequent meeting of Council, Draft By-law no. 1003-3 modifying By-law no. 1003-2 will be submitted to Council for adoption.

All Council members have received a Draft copy of By-law no. 1003-3 and a motion to dispense with the reading of the said By-law was made.

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2019-051

**ADOPTION OF DRAFT BY-LAW NO. 1003-3 MODIFYING  
BY-LAW NO. 1003-2 CONCERNING BUILDINGS**

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WHEREAS the Members of Council have received a copy of Draft By-law no. 1003-3 modifying By-law no. 1003-2 concerning buildings, and declare to have read it;

On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- TO approve the Draft By-law no. 1003-3 modifying By-law no. 1003-2 concerning buildings.

Adopted

2019-052

**DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON  
FEBRUARY 11<sup>th</sup>, 2019**

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Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on February 11<sup>th</sup>, 2019.

The Council takes note of the deposit of the said minutes by the Town Clerk.

2019-053

**REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING  
BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY  
DWELLING LOCATED AT 80 MERTON ROAD, LOT NO.  
2 090 377, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-  
LAW CONCERNING MINOR EXEMPTIONS NO. 1013)**

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WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2;

1. to section 54, table 2, to allow the flat portion of the roof at 35% instead of 20%;
2. to section 65, schedule b, to allow the front setback at 5.8m (19 ft.) instead of 6.1m (20 ft.).

WHEREAS the Planning Advisory Committee, at its meeting held on February 11<sup>th</sup>, 2019, recommended to refuse the request for minor exemptions;

On motion of Councillor Michael Goldwax, seconded by Councillor Leon Elfassy, it is RESOLVED:

- THAT the request for minor exemptions for the property located at **80 Merton Road**, lot no. : 2 090 377, Zone RA-2 is accepted and this notwithstanding the recommendation of the PAC.

**Intervention of interested persons concerning the request for  
Minor Exemption for project located at 80 Merton Road:**

*Representations were made on the subject by Citizens.*

Town Clerk's Note:

*Mayor William Steinberg immediately informed the Town Clerk and Council of his intention to use the prerogative of section 53 of the Cities and Town Act, expressing his opposition to the adoption of this resolution. In accordance with the law, the resolution is then*

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*on the agenda of the Regular Council Meeting of April 1<sup>st</sup>, 2019  
for urgent and priority study.*

Adopted

2019-054

**REQUEST TO AUTHORIZE AN ADDITION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 80 MERTON ROAD, LOT NO. 2 090 377, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)**

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On motion of Councillor Michael Goldwax, seconded by Councillor Leon Elfassy, it is RESOLVED:

- THAT the addition to a detached single family dwelling located at **80 Merton Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019 is accepted and this notwithstanding the recommendation of the PAC. The addition only partially meets the prescribed standards of the Zoning By-law no. 1001-2 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775

Town Clerk's Note:

*Mayor William Steinberg immediately informed the Town Clerk and Council of his intention to use the prerogative of section 53 of the Cities and Town Act, expressing his opposition to the adoption of this resolution. In accordance with the law, the resolution is then on the agenda of the Regular Council Meeting of April 1<sup>st</sup>, 2019 for urgent and priority study.*

Adopted

2019-055

**REQUEST TO AUTHORIZE AN ADDITION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 191 HARLAND ROAD, LOT NO. 2 089 161, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)**

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On motion of Councillor Michael Goldwax, seconded by Councillor Cheryl Weigensberg it is UNANIMOUSLY RESOLVED:

- THAT the addition to a detached single family dwelling located at **191 Harland Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019 is deferred as recommended by the PAC. The addition meets the prescribed standards of the Zoning By-law no. 1001-2 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2019-056

**REQUEST TO AUTHORIZE THE MODIFICATIONS OF FACADES FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 2 FALLBROOK ROAD, LOT NO. 2 089 711, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775).**

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On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the modifications of facades of a single family dwelling located at **2 Fallbrook Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019 is approved as recommended by the PAC. The modification meets the prescribed standards of the Zoning By-law no. 1001-2 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

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2019-057

**REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 FOR THE FRONT AND LEFT SIDE SETBACKS FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 19 HEATH ROAD, LOT NO. 2 089 581, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)**

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WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2;

1. to section 65, schedule b, to allow the front setback at 2.61m (8.56 ft.) instead of 6.1m (20 ft.);
2. to section 65, schedule b, to allow the left side setback at 2.04m (6.69 ft.) instead of 2.3m (7.55 ft.).

WHEREAS the Planning Advisory Committee, at its meeting held on February 11<sup>th</sup>, 2019, recommended to approve the request for minor exemptions;

On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the request for minor exemptions for the property located at **19 Heath Road**, lot no. : 2 089 581, Zone RA-1 is approved.

**Intervention of interested persons concerning the request for Minor Exemption for project located at 19 Heath Road:**

*No intervention.*

Adopted

2019-058

**REQUEST TO AUTHORIZE THE MODIFICATION OF A FACADE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 27 FALLBROOK ROAD, LOT NO. 2 089 921, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)**

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On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the modification of a facade of a detached single family dwelling located at **27 Fallbrook Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019 is refused as recommended by the PAC. The modification meets the prescribed standards of the Zoning By-law no. 1001-2 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

**RECESS**

*The Mayor recessed the meeting at 9:59 p.m. and reconvened the meeting at 10:03 p.m.*

2019-059

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR THE DISTANCE BETWEEN THE POOL AND THE FENCE/HEDGE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 39 ALBION ROAD, LOT NO. 2 089 786, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)**

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WHEREAS the members of Council have reviewed the following request for a minor exemption to Zoning By-law No. 1001-2;

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1. to section 84, paragraph 2, to allow the distance between the pool and the fence/hedge at 1.47m (4.81 ft.) instead of 2m (6.56 ft.).

WHEREAS the Planning Advisory Committee, at its meeting held on February 11<sup>th</sup>, 2019, recommended to refuse the request for a minor exemption;

On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the request for a minor exemption for the property located at **39 Albion Road**, lot no. : 2 089 786, Zone RA-2 is refused.

**Intervention of interested persons concerning the request for Minor Exemption for project located at 39 Albion Road:**

*No intervention.*

Adopted

2019-060

**REQUEST TO AUTHORIZE THE CONVERSION TO CONDOMINIUMS FOR A DETACHED BI-FAMILY DWELLING LOCATED AT 164-166 DUFFERIN ROAD, LOT NO. 2 088 620, ZONE RB-1, (ZONING BY-LAW NO. 1002-2) AND (CONDO CONVERSION BY-LAW NO. 713)**

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WHEREAS the proposed project meets the prescribed standards regarding Zoning By-law No. 1001-2;

WHEREAS the proposed project is a conversion of a detached bi-family dwelling to condominiums;

On motion of Councillor Warren Budning, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- THAT the conversion to condominiums for a detached detached bi-family dwelling located at **164-166 Dufferin Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019 is approved as recommended by the PAC.

Adopted

2019-061

**REQUEST TO AUTHORIZE AN ADDITION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 5812 FLEET ROAD, LOT NO. 2 089 330, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)**

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On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the addition to a detached single family dwelling located at **5812 Fleet Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019 is deferred as recommended by the PAC. The addition meets the prescribed standards of the Zoning By-law no. 1001-2 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2019-062

**REQUEST TO AUTHORIZE THE MODIFICATIONS OF FACADES FOR AN APARTMENT BUILDING LOCATED AT 6191 CÔTE ST-LUC ROAD, LOT NO. 2 089 731, ZONE RC-1, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)**

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On motion of Councillor Michael Goldwax, seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

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- THAT the modifications of facades for an apartment building located at **6191 Côte St-Luc Road** and submitted to the Planning Advisory Committee meeting on February 11<sup>th</sup>, 2019, is deferred as recommended by the PAC. The modification meets the prescribed standards of the Zoning By-law no. 1001-2 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2019-063

#### **APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF FEBRUARY 2019**

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WHEREAS Council reviewed the list of payments for the month of February 2019;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from January 16<sup>th</sup>, 2019 to February 15<sup>th</sup>, 2019, in the total amount of **\$1, 584, 105. 58** are hereby approved.

Adopted

2019-064

#### **APPROVAL FOR A REFUND OF A DEMOLITION DEPOSIT GUARANTEE AS PER BY-LAW NO. 1009 BY-LAW CONCERNING THE DEMOLITION OF IMMOVABLES**

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WHEREAS the Town wishes to refund the guarantee deposit for 34 Glenmore Road received on May 2<sup>nd</sup>, 2017 held in the Town's G/L account # 55-136-00-014 per construction compliance with respect to By-law 1009.

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- THAT a sum of \$645 000 for a guarantee deposit be refunded to 34 Glenmore.

Adopted

2019-065

#### **APPROVAL OF THE HIRING LIST OF WHITE COLLAR STUDENT EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT**

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CONSIDERING THAT Council members reviewed the list of the Community Services and Recreation [Director] [Supervising Manager], submitted February 20<sup>th</sup>, 2019, on the hiring of white collar student employees,

It is proposed by Councillor Warren Budning, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of white collar student employees as detailed on the list from the Community Services and Recreation Department. The hiring is subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

*Councillor Michael Goldwax abstained from participating in the discussions and from voting or attempting to influence the vote considering that his daughter is on the list of white collar student employees for Community Services Department.*

Adopted

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2019-066

**APPROVAL OF THE HIRING LIST OF BLUE COLLAR STUDENT EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT**

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CONSIDERING THAT Council members reviewed the list of the Community Services and Recreation [Director] [Supervising Manager], submitted February 20<sup>th</sup>, 2019, on the hiring of blue collar student employees,

It is proposed by Councillor Cheryl Weigensberg, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of blue collar student employees as detailed on the list from the Community Services and Recreation Department. The hiring is subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Adopted

**SECOND QUESTION PERIOD**

The Mayor invited those persons in attendance to ask their questions.

- No questions were asked.

2019-067

**ADJOURNMENT**

All the subjects of the Agenda having been discussed, it was proposed by Councillor Michael Goldwax, seconded by Councillor Warren Budning and unanimously resolved to declare that the meeting be closed at 10:11 p.m.

Adopted

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Dr. William Steinberg, Mayor

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Me Pierre Tapp OMA, Town Clerk