

Minutes of Town of Hampstead

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON AUGUST 11TH, 2014, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Karen Zajdman, Leon Elfassy, Michael Goldwax, and Warren Budning forming a quorum with Mayor Steinberg presiding.

ABSENT: Councillors Jack Edery, Harvey Shaffer and Mr. Richard Sun, Director General.

ALSO PRESENT: Mr. Yves Mailhot, Acting Director General and Mrs. Simona Sonnenwirth, Assistant Town Clerk, acting as Secretary of the Meeting.

FIRST QUESTION PERIOD

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

2014-206

ADOPTION OF THE AGENDA

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

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

Adopted

2014-207

NOTICE OF MOTION – BY-LAW NUMBER 790-1 AMENDING CONCORDANCE BY-LAW 790, ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW 728 AND SPAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law no.790-1 amending *Concordance By-law 790, Zoning By-law number 727, Subdivision By-law 728 and SPAIP By-law number 775 of the Town of Hampstead* will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received copy of By-law N° 790-1 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2014-208

ADOPTION OF DRAFT BY-LAW NO.790-1 AMENDING CONCORDANCE BY-LAW 790, ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW 728 AND SPAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD

CONSIDERING THAT notice of motion of Draft By-law N° 790-1 was given at the Special Council meeting of August 11th, 2014 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

CONSIDERING THAT By-Law no. 790-1 will amend By-Law no. 790 in order to modify certain requirements with regard to Zone RE.

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THAT, in accordance with section 125 (2) of an *Act Respecting Land Use Planning and Development*, the municipal council of the Town of Hampstead delegates to the Assistant Town Clerk the power to fix the date and time of the public consultation meeting to be held.

It was proposed by Councillor Leon Elfassy, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- TO approve Draft By-law n° 790-1 entitled: “By-law no. 790-1 amending *Concordance By-law 790, Zoning By-law number 727, Subdivision By-law 728 and SPAIP By-law number 775 of the Town of Hampstead*”.

Adopted

2014-209

RESOLUTION SUPPORTING THE *SCHÉMA D'AMÉNAGEMENT ET DE DÉVELOPPEMENT* AND GIVING A FAVORABLE NOTICE WITH COMMENTS TO THE *DOSSIER DECISIONNEL # 1140219001*

WHEREAS the Act respecting land use planning and development requires that the agglomeration, like other regional county municipalities (RCM) of the Montreal Metropolitan Community (MMC), must change its Schéma d'aménagement et de développement so it conforms to the Plan métropolitain d'aménagement et de développement (PMAD) of the MMC, which entered into force on March 12th, 2012;

WHEREAS the Town of Hampstead has received and analyzed the draft Schéma d'aménagement et de développement dated August 5, 2014;

It was proposed by Councillor Karen Zajdman, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

THAT The Town of Hampstead gives a favorable notice with comments to the *Dossier Décisionnel #1140219001* to approve the draft *Schéma d'aménagement et de développement* of the Montreal Agglomeration and this, with the following conditions;

- 1- "Aires TOD au PMAD", «Seuils de densité résidentielles moyen » and « Modulation de la densité résidentielle » maps as illustrated in Chapter 3.2 of the draft *schéma* and the texts of Chapter 3.2 shall not, in practice, impose an average density of 60 dwellings per hectare for the Town of Hampstead.
- 2- Section 4.1 of the proposed *schéma* concerning parking spaces, must specifically exclude residential uses.
- 3- Section 4.8.4.3 of the draft Schéma d'aménagement et de développement concerning the harmonization with a neighboring municipality for construction or addition of a building adjacent to a municipal boundary shall be modified by deleting second paragraph of the text. This text should not be applicable in Hampstead.

Adopted

2014-210

REQUEST FOR THE APPROVAL OF A MINOR EXEMPTION TO THE ZONING BY-LAW 727, ART. 6.3.2., TO PERMIT THE RIGHT SIDE SETBACK AT 2.16 M (7.11 FEET) FROM THE LOT LINE INSTEAD OF 3.72 M (12.22 FEET) TO PERMIT A NEW CONSTRUCTION PROJECT OF A DETACHED SINGLE-FAMILY DWELLING AT 175, ETON ROAD LOT NO.: 2 089 500, ZONE RA-2 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005) (ZONING BY-LAW NUMBER 727)

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It was proposed by Councillor Leon Elfassy, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- TO defer this resolution to a subsequent Council Meeting

Adopted

2014-211

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A NEW 2 STOREY DETACHED SINGLE FAMILY DWELLING AT 175, ETON ROAD LOT NO.: 2 089 500, ZONE RA-2 (ZONING BY-LAW NUMBER 727) (SPAIP BY-LAW NUMBER 775) (DEMOLITION BY-LAW NUMBER 759)

It was proposed by Councillor Leon Elfassy, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- TO defer this resolution to a subsequent Council Meeting.

Adopted

2014-212

REQUEST FOR THE APPROVAL OF A MINOR EXEMPTION TO THE ZONING BY-LAW 727, ART. 6.3.2., PERMIT THE LEFT SIDE SETBACK AT 1.83 M (6 FEET) FROM THE LOT LINE INSTEAD OF 2.28 M (7.5 FEET) AND TO BY-LAW 727-14 ART. 7.3.1 TO PERMIT THE INSTALLATION OF AN EXTERIOR CLADDING MATERIAL OF A THICKNESS OF LESS THAN 76 MM (3 INCHES) TO PERMIT A RECONSTRUCTION AND ADDITION IN THE REAR YARD OF A SEMI-DETACHED SINGLE FAMILY DWELLING AT 34, DUFFERIN ROAD LOT NO.: 2 088 392, ZONE RB-1 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005) (ZONING BY-LAW NUMBER 727)

WHEREAS the members of Council have reviewed the request for approval of minor exemptions to Zoning By-law number 727 art. 6.3.2 for the left setback and to By-law 727-14 art. 7.3.1. for the thickness of the exterior cladding, for an addition to a semi-detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 14th, 2014, recommended *to approve* the aforementioned request for minor exemptions;

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemptions for the property located at 34 Dufferin Road, lot no. : 2 088 392, Zone RB-1 is *approved*.

Adopted

Intervention of interested persons concerning the request for Minor Exemption for project located at 34 Dufferin Road.

No intervention

2014-213

REQUEST FOR A RECONSTRUCTION AND ADDITION IN THE REAR YARD OF A SEMI-DETACHED SINGLE FAMILY DWELLING AT 34 DUFFERIN ROAD LOT NO. : 2 088 392 ZONE RB-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

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- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a reconstruction and addition in the rear yard of a single semi-detached family dwelling at 34, Dufferin Road, submitted to the Planning Advisory Committee meeting of July 14th, 2014 is **approved** as recommended by the PAC. The modifications partially meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2014-214

REQUEST FOR THE APPROVAL OF A MINOR EXEMPTION TO THE ZONING BY-LAW 727, ART. 7.6.3.1. PARAGRAPH 1, TO PERMIT THE WIDTH OF THE DRIVEWAY OF 2.61 M (8.26 FEET) GREATER THAN THE WIDTH OF THE DOOR INSTEAD OF 1M (3 FEET) AND THIS TO A DETACHED SINGLE FAMILY DWELLING AT 76, MERTON ROAD LOT NO.: 2 089 592, ZONE RA-1 (ZONING BY-LAW NUMBER 727) (SPAIP BY-LAW NO.775) (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005)

WHEREAS the members of Council have reviewed the request for approval of minor exemption to Zoning By-law number 727 art. 6.3.2 for the left setback and to By-law 727 art. 7.6.3.1 for the width of the driveway of a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 14th, 2014, recommended **to approve** the aforementioned request for minor exemption;

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 76 Merton Road, lot no. : 2 089 592, Zone RA-1 is **approved**.

Adopted

Intervention of interested persons concerning the request for Minor Exemption for project located at 76 Merton Road.

No intervention

2014-215

REQUEST TO AUTHORIZE A NEW 2 STOREY DETACHED SINGLE FAMILY DWELLING WITH AT 1, HAVERSTOCK ROAD LOT NO.: 2 089 770, ZONE RA-1 (ZONING BYLAW NUMBER 727) (SPAIP BY-LAW NUMBER 775) (DEMOLITION BYLAW NUMBER 759)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a new two (2) storey detached single family dwelling at 1, Haverstock Road, submitted to the Planning Advisory Committee meeting of August 11th, 2014 is **approved** as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

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2014-216

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 20 NORTHCOTE ROAD

In accordance with Article 7.6 of By-law N° 759 Concerning the Demolition of Buildings, the Town Council acknowledges the decision rendered by the Demolition Committee at their meeting of July 7th, 2014 in which they approved the demolition of the detached single family residence located at 20, Northcote Road, lot no. 2 089 460.

The Council has not received any objection to the decision of the Demolition Committee during the thirty (30) day period required by Law.

SECOND QUESTION PERIOD

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

2014-217

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 the meeting closed.

Adopted

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Simona Sonnenwirth
Simona Sonnenwirth, Assistant Town Clerk