

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON AUGUST 2ND, 2010, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Leon Elfassy, Michael Goldwax, Bonnie Feigenbaum and, forming a quorum with Mayor Steinberg presiding.

ABSENT: Councillors Harvey Shaffer, Abraham Gonshor and Jack Edery.

ALSO PRESENT: Mr. Richard Sun, Director General and Me Nathalie Lauzière, Town Clerk, acting as Secretary of the Meeting.

FIRST QUESTION PERIOD

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

2010-491-A

ADOPTION OF THE AGENDA

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is hereby adopted with the addition of the following items:
 - 4.1 Authorization for attendance 2010 APWA Conference.
 - 5.5 Notice of motion – By-law amending zoning By-law no.727.
 - 5.6 Notice of motion - By-law authorizing a loan for the cost of rehabilitation of water mains and sewers for different locations in the Town.

And to change the order of items 6.10 and 6.11, the whole becoming:

- 6.10 Minor Exemption Request to the Zoning By-law number 727, Article in order to permit the left side setback of 1.83m (6 feet) instead of 2.3m (7.5 feet) for a semi-detached single family dwelling at 403 Dufferin Road, Lot No.: 2 088 505, Zone RB-1.
- 6.11 Request to authorize an addition in the side yard of a semi-detached single family dwelling at 403 Dufferin Road, Lot No.: 2 088 505, Zone RB-1 (SPAIP by-law number 775).

Adopted

2010-492

ADOPTION OF THE MINUTES

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Leon Elfassy, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council Meeting of July 5th, 2010 and of the Special Council Meeting of July 12, 2010 be and are hereby approved as submitted.

Adopted

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2010-493

AUTHORIZATION FOR ATTENDANCE 2010 APWA CONFERENCE

WHEREAS the 2010 APWA (American public Works association) Congress and exposition will be held in Boston, Massachusetts, from August 14 to August 18, 2010;

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT Council authorizes Councillor Michael Goldwax to attend the 2010 APWA Congress and exposition that will ne held in Boston, MA, from August 14 to August 18, 2010;
- THAT expenses related to the congress for Councillor Goldwax are estimated at \$2,000 USD, plus reasonable expenses; and
- THAT Treasurer’s Certificate No 10-21, dated August 2, 2010, has been issued, attesting to the availability of funds to cover the described expenses.

Adopted

2010-494

NOTICE OF MOTION – BY-LAW N° 747-15 – MODIFYING BY-LAW N° 747-14 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR FALL 2010/WINTER 2011

NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 747-15 modifying By-law N° 747-14, to Decree the Fee Schedule for Cultural, Sports and Leisure Activities for Fall 2010/Winter 2011 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 747-15 and a motion to dispense with the reading of the said By-law was made.

Adopted

2010-495

NOTICE OF MOTION – BY-LAW NO 694-7 FURTHER MODIFYING BY-LAW N° 694 CONCERNING TRAFFIC

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N° 694-7 further modifying By-law N° 694 concerning traffic will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 694-7 and a motion to dispense with the reading of the said By-law was made.

Adopted

2010-496

ADOPTION OF BY-LAW NO. 779 AUTHORIZING A LOAN OF \$ 2,000,909 FOR THE COST OF REHABILITATION OF WATER MAINS AND SEWERS

CONSIDERING THAT notice of motion was given the at the Regular Council meeting of July 5, 2010 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;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 779 authorizing a loan of \$2,000,909 for the cost of rehabilitation of water mains and sewers.

Adopted

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2010-497

SELECTION COMMITTEE – RISK MANAGER SERVICES REGARDING THE GENERAL INSURANCE FOR MEMBERS OF THE GROUP OF MUNICIPALITIES OF THE ISLAND OF MONTREAL AND THE UNION DES MUNICIPALITES DU QUEBEC (UMQ)

WHEREAS according to section 29.5 of the *Cities and Towns Act*, (R.S.Q., chapter C-19) (the Act), the Town of Hampstead together with the members of the Island of Montreal group of municipalities (the group of municipalities), entered into an agreement concerning the common purchasing of general insurance;

WHEREAS, according to section 29.9.1 of the Act, the group of municipalities entered into an agreement with *l'Union des municipalités du Québec* regarding the awarding of an insurance contract in the name of the group of municipalities;

WHEREAS, according to section 29.7 of the Act the rules governing the awarding of contracts by a municipality apply to any contract awarded pursuant to an agreement under section 29.5 of the Act;

WHEREAS, according to section 573.1.0.1.1 of the Act, when a contract for professional services is to be awarded, the council of each municipality member of the group must use a system of bid weighting and evaluating;

WHEREAS the council of each municipality member of the group must also establish a selection committee consisting of at least three members, other than council members, to evaluate the bids.

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- THAT the bid weighting and evaluating system proposed in the document entitled "*Selection Committee – Risk Manager Services regarding the General Insurance for members of the Group of Municipalities of the Island of Montreal and the Union des Municipalités du Québec (UMQ)*" be approved within the framework of a call for tenders for the professional services regarding the group purchase of general insurance;
- THAT Jonathan Shecter, City Clerk for the City of Côte-St-Luc, Carole Michelin, Treasurer and Assistant Director General for the City of Montreal-East, Nancy Gagnon, Assistant City Clerk for the City of Westmount and Jean Morneau from *l'Union des municipalités du Québec*, be appointed on the selection committee established to evaluate the tenders; and
- THAT a copy of this resolution be sent to *l'Union des municipalités du Québec*.

Adopted

2010-498

NOTICE OF MOTION – BY-LAW AMENDING ZONING BY-LAW No. 727

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law amending By-law No. 727 will be submitted to Council for adoption.

Adopted

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2010-499

NOTICE OF MOTION – BY-LAW AUTHORIZING A LOAN FOR THE COST OF REHABILITATION OF WATER MAINS AND SEWERS FOR DIFFERENT LOCATIONS IN THE TOWN

NOTICE OF MOTION was given by the Councillor Michael Goldwax that, at a subsequent meeting of Council, a by-law authorizing a loan for the cost of rehabilitation of water mains and sewers for different locations in the Town will be submitted to Council for adoption.

Adopted

2010-500

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JULY 12, 2010

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on July 12, 2010.

2010-501

REQUEST TO AUTHORIZE THE DEMOLITION AND CONSTRUCTION OF A DETACHED SINGLE FAMILY DWELLING AT 39 HEATH ROAD, LOT NO.: 2 089 573, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)

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

- THAT the site planning and architectural integration program showing **plans and elevations for the demolition and construction of a detached single family dwelling at 39 Heath Road**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC conditional to the following element:

- ✓ To add brick detailing on the plane brick surfaces of the proposed building;

Adopted

2010-502

REQUEST TO AUTHORIZE THE DEMOLITION AND CONSTRUCTION OF A DETACHED SINGLE FAMILY DWELLING AT 15 APPLEWOOD CRESCENT, LOT NO.: 2 089 861, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)

It was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy, and unanimously resolved to defer this item to a subsequent meeting.

Adopted

2010-503

REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 35 HOLTHAM ROAD, LOT NO.: 2 090 425, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations for an addition in the rear yard of a detached single family dwelling at 35 Holtham Road**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *approved*, the whole in conformity

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with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-504

REQUEST TO AUTHORIZE A SECOND STOREY ADDITION TO A DETACHED SINGLE FAMILY DWELLING AT 7 COLCHESTER ROAD, LOT NO.: 2 089 852, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Leon Elfassy, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations for a second storey addition to a detached single family dwelling at 7 Colchester Road**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *refused*, the whole in conformity with the provisions of the Zoning By-law number 727 and not in compliance to the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC considering the following elements:
 - ✓ To reframe the new roof on top of the existing roof structure;
 - ✓ Include new dormers;
 - ✓ Need to soften the front façade of the proposed building;

Adopted

2010-505

REQUEST TO AUTHORIZE A MODIFICATION TO AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 3 ALDRED CRESCENT, LOT NO.: 2 089 526, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)

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

- THAT the site planning and architectural integration program showing **plans and elevations for a modification to an addition in the rear yard of a detached single family dwelling at 3 Aldred Crescent**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-506

REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 11 KILBURN ROAD, LOTS NO.: 2 845 193 AND 2 088 889, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations for an addition in the rear yard of a detached single family dwelling at 11 Kilburn Road**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

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2010-507

REQUEST TO AUTHORIZE A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING AT 32 CRESSY ROAD, LOT NO.: 2 089 739, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations for a façade modification to a detached single family dwelling at 32 Cressy Road**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *refused*, the whole in conformity with the provisions of the Zoning By-law number 727 and not in compliance to the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC considering the following elements:
 - ✓ Need for a more revealed pattern on the appliqué;
 - ✓ To include mouldings for detailing purposes;
 - ✓ Need for a more residential look;

Adopted

Intervention of interested persons concerning request for minor exemption at 403 Dufferin Road:

Mrs. Rachel Genziuk

Mr. Michael Finkelstein, Architect.

2010-508

MINOR EXEMPTION REQUEST TO THE ZONING BY-LAW NUMBER 727, ARTICLE 6.3.1, IN ORDER TO PERMIT THE LEFT SIDE SETBACK OF 1.83M (6 FEET) INSTEAD OF 2.3M (7.5 FEET) FOR A SEMI-DETACHED SINGLE-FAMILY DWELLING AT 403 DUFFERIN ROAD, LOT NO.: 2 088 505, ZONE RB-1

It was proposed by Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, and unanimously resolved to defer this item to a subsequent meeting.

Adopted

2010-509

REQUEST TO AUTHORIZE AN ADDITION IN THE SIDE YARD OF A SEMI-DETACHED SINGLE FAMILY DWELLING AT 403 DUFFERIN ROAD, LOT NO.: 2 088 505, ZONE RB-1 (SPAIP BY-LAW NUMBER 775)

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Leon Elfassy, and unanimously resolved to defer this item to a subsequent meeting.

Adopted

Intervention of interested persons concerning request for minor exemption at 127-129 Dufferin Road:

Mrs. Rachel Genziuk

2010-510

MINOR EXEMPTION REQUEST TO THE ZONING BY-LAW NUMBER 727, ARTICLES 6.2.1, 6.3.1, AND 6.6.5 FOR THE REGULARIZATION OF A SEMI-DETACHED SINGLE-FAMILY DWELLING AT 127-129 DUFFERIN ROAD, LOT NO.: 2 088 669, ZONE RB-1, IN ORDER TO PERMIT THE FOLLOWING ELEMENTS:

- FRONT SETBACK OF 4.36M (14.3FT) INSTEAD OF THE PRESCRIBED 6.1M (20 FT);
- LEFT SIDE SETBACK OF 2.07M (6.8 FT) INSTEAD OF THE PRESCRIBED 2.3M (7.5 FT);

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- RIGHT SIDE SETBACK OF 2.14M (7 FT) INSTEAD OF THE PRESCRIBED 2.3M (7.5 FT);
- THE FRONT PROJECTION OF THE BUILDING OF 3.54M (11.6 FT) INSTEAD OF THE PRESCRIBED 2.13M (7 FT);
- THE CORNICE OF THE FRONT ELEVATION OF 2.02M (6.6FT) INSTEAD OF THE PRESCRIBED 0.76M (2.5 FT).

It was proposed by Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, and unanimously resolved to defer this item to a subsequent meeting.

Adopted

2010-511

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JULY 2010

WHEREAS Council reviewed the list of payments for the month of July 2010;

On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from July 1st, 2010 to July 29, 2010, in the total amount of \$ 1,106,562.70 are hereby approved (\$ 595,584.80 for cheques and \$ 510,977.90 for on line payments).

Adopted

2010-512

PUBLIC AUCTION FOR NON-PAYMENT OF MUNICIPAL TAXES

It was proposed by the Councillor Bonnie Feigenbaum and seconded by the Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

THAT, in compliance with article 512 of the Cities and Towns Act, the Council for the Town of Hampstead orders the sale by public auction of the immovables specified in the following table, for unpaid 2008-2009-2010 municipal taxes **including all legal and notary costs as well as disbursements incurred** with an interest rate applicable of 12%. This sale will occur at a later date as prescribed by law, and will be held at the Town of Hampstead's Town Hall at 5569 Queen Mary road. An announcement in the form of a final notice will be sent to all concerned parties.

Matricule	Lot	Location	Amount (plus interest)
9337-86-0731-6-000-0000	2089459	18 Northcote	\$20 621.09
9238-85-8400-2-000-0000	2089273	17-19 Cleve	\$21 692.94

THAT, in compliance with article 536 of the Cities and Towns Act, the Council for the Town of Hampstead mandates Mr. Charles Ohayon, Treasurer, to bid and purchase in the name of the Town, any immovable up for sale during the Town of Hampstead's public auction for non-payment of taxes held in accordance to the present resolution. The person mandated by the Town is authorized to sign all documents related to the sale.

Adopted

2010-513

APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of the Community Services dated August 2010, with regard to hiring auxiliary employees;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

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- THAT the Town Council approves the hiring of auxiliary employees with the hourly rates for the Community Services Department, such as enumerated in the list of August 2010, prepared by the Director of Community Services.

Adopted

SECOND QUESTION PERIOD

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

2010-514

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax and unanimously resolved to declare the meeting closed.

Adopted

(s) William Steinberg

(s) Nathalie Lauzière

Dr. William Steinberg, Mayor

Me Nathalie Lauzière, Town Clerk