



CITY OF POINTE-CLAIRE

MINUTES OF THE **SPECIAL MEETING** OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE, HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC, ON **TUESDAY SEPTEMBER 1, 2015**, AT 7:30 P.M., AFTER DUE NOTICE HAD BEEN DELIVERED BY THE CITY MESSENGER ON FRIDAY AUGUST 28, 2015.

PRESENTS: Councillors K. Thorstad-Cullen, J. Beaumont, P. Bissonnette, C. Cousineau, C. Homan, A. Iermieri, J-P. Grenier and D. Smith chaired by His Worship Mayor Morris Trudeau forming a quorum of council.

Mr. Robert-F. Weemaes, City Manager, Me Jean-Denis Jacob, Director of Legal Affairs and City Clerk, Mrs. Naomi Lane, Coordinator for the Planning Advisory Committee and Mrs. Heather LeBlanc, Planning Department director, are also in attendance.

2015-387 **ADOPTION OF THE AGENDA**

RESOLVED: It is moved by Councillor Beaumont,
Seconded by Councillor Iermieri, and unanimously
TO approve the agenda submitted for this meeting.

2015-388 **QUESTION PERIOD**

No question is addressed to council members.

2015-389 **APPEAL OF THE DECISION OF THE DEMOLITION COMMITTEE –
BUILDING LOCATED AT 154 DIEPPE AVENUE**

Mrs. Heather LeBlanc and Mrs. Naomi Lane of the Planning Department present the request for authorization to demolish an immovable located at 154 Dieppe Avenue, submitted by “Les Constructions de Prestige Jean Houde Inc.” with the owners, Mr. Claude Desloover and Mrs. Sharon Morgan, written authorization, which request is accompanied by a preliminary programme for the reutilization of the vacated land, which request was refused by the Demolition Committee at its meeting of June 18, 2015;

The City Clerk informs the Councillors about written the objection received in accordance with the provisions of the Act respecting Land Use Planning and Development;

- Mrs. Sharon Morgan, owner of 154 Dieppe Avenue, appeals the decision given by the demolition committee on June 18, 2015 to refuse the demolition request;

Mr. Patrick Barrette, representing the owners, mentions a few elements for which, according to them, the Demolition Committee decision should be annulled on appeal:

- It would be more expensive for anyone, to proceed to the purchase of the property and its renovation;
- The house is up for sale since April 2014 and has not found a buyer;
- Mr. Barrette submits the inspection report prepared by Inspector Lafleur on August 31, 2015;
- Mr. Jason Fitzpatrick, representative of the real estate broker, files a document containing multiple photos;
- Mrs. Pearl Kezele, also representing the real estate broker mentions that the house is becoming a danger for public safety on the territory of the City of Pointe-Claire;
- Mr. Claude Desloover addresses the following representations and the comments to Council:

- He is no longer a Pointe-Claire resident and congratulates the Planning Department for their assistance in this file;
 - He says that the project was the object of the necessary notices required by law;
 - He suggests that the members of the Demolition Committee did not have all the facts when they made their decision;
 - He reiterated the fact that the existing house can be considered a risk to public safety;
- Mrs. Sharon Morgan mentions that the house was the subject of a structural study by a structural engineer and files a document to this effect; Mrs. Morgan adding that this study was done about one year ago
 - Mr. Jason Fitzpatrick, representative of the real estate broker mentions that the property would benefit from other acquired rights by virtue of a document filed with Council;

Council suspends the meeting at 8:10 p.m. to deliberate following the representations made.

At 8:20 p.m. the members of Council resume the meeting and take the following decision.

2015-389

GRANTING OF THE APPEAL OF THE DEMOLITION COMMITTEE DECISION CONCERNING THE IMMOVABLE LOCATED AT 154 DIEPPE AVENUE

WHEREAS on June 18, 2015, the Demolition Committee of the City of Pointe-Claire refused the demolition of the immovable located at 154 Dieppe Avenue, and refused the programme for the reutilization of the vacated land for the construction of two new single-family dwellings;

WHEREAS on July 2nd, 2015, Mrs. Sharon Morgan, owner of 154 Dieppe Avenue, appealed this decision in writing within thirty (30) days of the Committee's decision;

WHEREAS Council has acknowledged the appeal received and the opposition expressed during the meeting and has considered both before making a decision;

WHEREAS Council has considered the condition of the immovable subject to the application, the deterioration of the architectural appearance, the aesthetic character and the quality of life of the neighbourhood, the cost of restoration, as well as the intended use of the vacated land;

WHEREAS Council has the obligation to preserve the entire real estate portfolio of the City and the quality of life of its residents;

WHEREAS Council, despite the divergent opinions and comments expressed, notes the desuetude of the immovable subject to the demolition request and the regulatory compliance of the presented replacement project;

WHEREAS Council can confirm the Demolition Committee decision or render any decision that the Committee should have rendered;

WHEREAS taking into account public interest and the interest of the parties, Council is convinced of the opportunity of the demolition and it is appropriate to grant the authorization and to approve the programme for the reutilization of the vacated land;

WHEREAS Council has been informed of relevant additional information and documents transmitted since June 18th, 2015 and prior to this meeting;

FOR THESE REASONS,

RESOLVED: It is moved by Councillor Iermieri,
Seconded by Councillor Bissonnette, and unanimously
TO grant the appeal made by Mrs. Sharon Morgan, on July 2nd, 2015,
against the decision of the City of Pointe-Claire Demolition Committee
rendered on June 18, 2015;

TO authorize the issuance of a demolition permit for the existing
building at 154, avenue Dieppe;

TO approve the site planning and architectural integration plans related
to the construction of two single-family dwelling, said plans hereinafter
described:

Received at the Planning Department on April 17 and 21, 2015:

- 152 Dieppe Avenue
 - Site plan et land level;
 - Panorama;
 - Exterior choices – Zebrano;
 - Elevation;
 - Elevation;
 - 3rd colour – Zebrano- Walnut;
 - M;
 - Zebrano – version 3;

- 154 Dieppe Avenue
 - Landscaping plan;
 - Elevations;
 - Sidding change;
 - Site;
 - Mimosa Colour;
 - Sample board with change;

Received at the Planning Department on January 16, 2015

- Tree evaluation report;

TO inform the applicants that, before the demolition permit is issued, a
monetary guarantee in the amount of \$10,000 to ensure that the
programme for the reutilization of the vacated land is carried out, must
be submitted to the Planning Department Director, in accordance with
Section 26 of By-law PC-2818;

TO inform the applicants that a building permit will be issued in
accordance with the applicable Planning by-laws at the same time as
the demolition permit is issued;

TO inform the applicants that the construction must be carried out in
strict conformity with the approved plans;

TO inform the applicants that the construction of the two new houses,
as approved in accordance to the Site Planning and Architectural
Integration Programme By-law should be completed at the latest one
year from the date of the issuance of the permit;

TO inform the applicants that in addition to the \$10,000 guarantee
required in accordance to the previous paragraph, an additional
financial guarantee of \$5,960, by proposed house, must be provided to
ensure the execution of the works in accordance with the approved site
planning and architectural integration plans and within the prescribed
period.

APPEAL OF THE DEMOLITION COMMITTEE DECISION
CONCERNING THE IMMOVABLE LOCATED AT 153 DIEPPE
AVENUE

Mrs. Heather LeBlanc and Mrs. Naomi Lane of the Planning
Department present the authorization request for the demolition of a
building located at 153 Dieppe Avenue, submitted by the owners
Mr. Patrick Saint-Louis and Mrs. Véronique Sheehy, said request is
accompanied by a preliminary programme respecting the use of

vacated land, request accepted by the demolition committee at its meeting of July 8, 2015;

The City Clerk informs the Councillors about the written objection received in accordance to the provisions of the Act respecting Land Use Planning and Development;

- Mrs. Geneviève Gomes and Mr. Stephen Farrugia, of 109 Dieppe Avenue, file a written objection on July 27, 2015;

Mr. Patrick Saint-Louis co-owner of the immovable located at 153 Dieppe Avenue addresses the following representations:

- Mr. Saint-Louis and the members of his family (three children) live on Newton Square Avenue for ten years;
- They tried to save the existing home but it required too much renovation work to make it economically feasible;
- The new proposed house will be built in function of the criteria “Leed Platine”;

2015-390

REJECTION OF THE APPEAL OF THE DEMOLITION DECISION CONCERNING THE IMMOVABLE LOCATED AT 153 DIEPPE AVENUE

WHEREAS on July 8, 2015, the Demolition Committee of the City of Pointe-Claire authorized the demolition of the building located at 153 Dieppe Avenue and approved the programme of land reutilization for the construction of a new single-family dwelling;

WHEREAS on July 27, 2015, Mrs. Geneviève Gomes and Mr. Stephen Farrugia, of 109 Dieppe Avenue, appealed this decision in writing within thirty (30) days of the Committee’s decision;

WHEREAS Council has acknowledge the appeal received and the opposition expressed during the meeting and has considered both before making a decision;

WHEREAS Council has considered the condition of the immovable subject to the application, the deterioration of the architectural appearance, the aesthetic character and the quality of life of the neighbourhood, the cost of restoration, as well as the intended use of the vacated land;

WHEREAS Council has the obligation to preserve the entire real estate portfolio of the City and the quality of life of its residents;

WHEREAS Council, despite the divergent opinions and comments expressed, notes of the desuetude of the immovable subject to the demolition request and the regulatory compliance of the presented replaced project;

WHEREAS Council can confirm the Demolition Committee decision or render any decision that the Committee should have rendered;

WHEREAS taking into account public interest and the interest of the parties, Council is convinced of the opportunity of the demolition and it is appropriate to grant the authorization and to approve the programme for the reutilization of the vacated land;

FOR THESE REASONS,

It is moved by Councillor Iermieri,

Seconded by Councillor Beaumont, and unanimously

RESOLVED:

TO refuse the appeal made by Mrs. Geneviève Gomes and Mr. Steven Farrugia on July 27, 2015, against a decision rendered by the Demolition Committee July 8, 2015;

TO maintain the demolition committee’s decision authorizing the demolition of the existing immovable located at 153 Dieppe Avenue;

TO approve the site planning and architectural integration programme plans pertaining to the construction of a new single-family dwelling at this address, in accordance to the plans mentioned below:

Received at the Planning Department on March 19, April 13 and April 22, 2015

- Rendu 3D;
- Novatech Brochure;
- Magistral window Brochure;
- Materials (1, 2 and 3);
- Revised plans submitted April 22;
- Topographic plans– existing levels;
- West side view;
- View from the street;
- Rising sun view;

TO inform the applicants that, before the demolition permit is issued, a monetary guarantee in the amount of \$10,000 to ensure that the programme for the reutilization of the vacated land is carried out, must be submitted to the Planning Department Director, in accordance with Section 26 of By-law PC2818;

TO inform the applicants that a building permit will be issued in accordance with the applicable Planning By-laws at the same time as the demolition permit is issued;

TO inform the applicants that the construction must be carried out in strict conformity with the approved plans;

TO inform the applicants that the construction of the new single-family dwelling as approved in accordance to the Site Planning and Architectural Integration Programme By-law should be completed at the latest one year following the issuance of the permit;

TO inform the applicants that in addition to the \$10,000 guarantee required in accordance to the previous paragraph, an additional financial guarantee in the amount of \$10,800 must be provided in order to ensure the execution of the works in accordance with the approved site planning and architectural integration plans and within the prescribed period

2015-391

NOTICE OF MOTION – BY-LAW RESPECTING THE OCCUPATION OF THE PUBLIC DOMAIN ON GENDRON, DES FRÊNES AND MASON AVENUES BY DÉVELOPPEMENT SOTRAMONT POINTE-CLAIRE INC. SO AS TO ALLOW THE INSTALLATION OF SEMI-INGROUND TRUCK CRANE CONTAINERS INTENDED FOR THE COLLECTION OF RESIDUAL MATTERS

Councillor Grenier gives notice that a by-law respecting the occupation of the public domain on Gendron, des Frênes and Mason Avenues by Développement Sotramont Pointe-Claire Inc. so as to allow the installation of semi-inground truck crane containers intended for the collection of residual matters will be presented for adoption at a subsequent meeting and exemption of its reading is requested.

2015-392

CLOSURE

It is moved by Councillor Homan,
Seconded by Councillor Thorstad-Cullen, and unanimously
TO hereupon adjourn this meeting at 8:50 p.m.

RESOLVED:

Morris Trudeau, Mayor

Me Jean-Denis Jacob, City Clerk