

DECISION OF THE DEMOLITION COMMITTEE OF THE CITY OF POINTE-CLAIRE, AT A MEETING HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC ON **JUNE 14th 2018**, AT 7:30 P.M. AFTER A PUBLIC NOTICE HAS BEEN PUBLISHED ON **MAY 30th, 2018**.

PRESENT: Councillors P. Bissonnette, acting as President of the Demolition Committee, B. Cowan and E. Stork, being all members of the Demolition Committee.

Danielle Gutierrez, Assistant City Clerk, acting as Secretary of the Demolition Committee, Naomi Lane, Planning Advisory Committee Coordinator and Heather Leblanc, Director of Planning, are also in attendance.

DEMOLITION OF THE IMMOVABLE LOCATED AT 100, WALTON AVENUE

Councillor Paul Bissonnette, acting as President of the Demolition Committee, mentions that the public notice published on May 30th, 2018 in The Suburban made mention of the address 100, Walton Avenue and that said address should have been 100-112, Walton Avenue. As a result of this inaccuracy and in order to ensure transparency, a second Demolition Committee meeting will be held on Thursday July 12th, 2018 at 7:30 P.M. in the Council Chamber, concerning the request pertaining to this address, and this, in order to ensure that all persons are given the opportunity to express their opinions. A new public notice will be published on June 27th, 2018 and a new sign shall be installed in front of 100-112, Walton Avenue.

Ms. Naomi Lane of the Planning Department presents the request for authorization to demolish an immovable located at 100, Walton Avenue submitted by Mr. David Owen, president and administrator of the company 7663609 Canada Inc., owner. This request is accompanied by a preliminary programme for the reutilization of the vacated land;

The applicant is present and does not submit additional information to the Committee in support of the request;

The Assistant City Clerk informs the Committee that written objections were received from ninety-five (95) addresses representing one hundred and forty-one (141) signatories, three (3) petitions one (1) commentary document in accordance with the provisions of Section 148.0.7 of the Act Respecting Land Use Planning and Development.

The Committee takes note of the comments and questions of those present at the meeting:

- Gerald Sztuka: Upset about the Walton project, he explains how a family bought a place of business situated at the location in question and that had the citizens of Pointe-Claire, including this family, known in advance that the location would become residential, the family would not have purchased the business. Suggests that any money that Pointe-Claire would receive from any potential sale of land adjacent to the Pioneer should be given to said family as compensation. He adds that citizens are worried about this project.
- Patrick St-Louis: Comments regarding the re-establishment of the population pyramid and the possibility of considering a lower densification. Points out that three lots are concerned by the project and not just one. Mentions the lease between the owner of the green space and the City of Pointe-Claire and speaks of acquisitive prescription. Comments on the highlights of the file, namely the acquired rights of the commercial building, the height of the proposed townhouses, the elevation plan and the width of the path.
- James Baxter: Questions the reason why the little convenience store cannot be kept and comments that the City is doing it for the tax return.
- Raymond Delage: Comments on small businesses in Pointe-Claire, demographics have changed over the last ten years, the community needs a place of gathering and not townhouses and that the project does not make sense to the community.
- Isabelle Picard: Comments on being able to travel by foot to make purchases, makes a comparison between the orientation of the province regarding public and active transportation and that of the City of Pointe-Claire, believes the existing building should be revitalized, and that the demolition would result in a loss for the community and the loss of acquired rights.

- Craig Buchanan: Comments that the project would result in a total loss of commerce in the area, loss of the opportunity for small family businesses and that the owner allowed it to fall apart over the past 8-10 years. Discusses densification and questions why individual homes are not being considered.
- Genny Gomes: Summarizes the history of Louis B. Magil and reiterates how he wanted a sense of community and how the demolition of the Walton Shopping Center would be a loss.
- Erika Johnson: Explains how there is no feedback from the community in support of the proposed project and that the opportunity exists for the demolition committee to make a difference. Comments on a mixed-use development proposal.
- Robert Walker: Questions if the decision can be changed between the first and second meetings. Comments on how the Walton Shopping Center has been running since 1958-59, how people were not well advised for the 2010-2011 Planning Program adoption, how the project is too dense for this area and requests that the decision be made for the community.
- Christopher Derek: Comments regarding the current and future demographic, the possible dangers of townhouse parking lots for kids and the green space to be preserved.
- Andrew Swidzinski: Comments regarding the correction of the public notice in order to mention the complete address of the property and that the lease for the green space is a public document that should be made available and should have been registered. Mentions the age pyramid and that the sale prices of townhouses will not be affordable.
- Robert Walker: Comments on how the lease was probably done for the sum of one dollar in order to get the City to upkeep the green space.
- Susan Weaver: Addresses Mr. David Owen, and questions him in order to know if he is under the impression that his project will fit in with the community as well as his intentions for greenspaces.
- Jennifer Ferguson: Explains that she just moved from Dorval and lives in a condo, does not want to be distant and wants to be a part of the community and comments on the divide in our community. Believes that the community needs to unite over a common vision and encourages the citizens to not let this project divide them.
- David Owen (president and administrator of the company 7663609 Canada Inc., owner): Expresses his empathy with everyone and with the committee, explains how he recently acquired the property for its zoning (2-storey residential), his inability to build a mixed-use building as per the by-laws currently in force. Receives the following questions and comments from various people present:
 - o Does he believe that 24 townhouses would fit into the character of the neighbourhood?
 - o Whether or not green space will be preserved or considered, and if so what percentage?
 - o Will the small businesses be preserved?
 - o The sale prices of the townhouses;
 - o Will a modification to the zoning be requested?
 - o Examples of places and of cities where townhouses exist;
 - o Is he flexible in reconsidering his plans?
- Isabelle Picard: The sale prices of \$500,000 to \$600,000 are not affordable for young families.
- Tracy McBean: Questions why the convenience store owner was not advised upon the rezoning that took place in 2010-2011.
- Normand Lapointe: Wishes to know if PC-2774, chapter 4 was taken into consideration by the Urban Planning department in this file.

The meeting is adjourned at 9:42 P.M. and the Demolition Committee exits the room.

The Demolition Committee returns to the room and the meeting resumes at 9:57 P.M.

DECISION

WHEREAS the Committee has considered the condition of the building concerned by the demand, the deterioration of its architectural appearance, the aesthetic character, the neighbourhood's quality of life, the cost of restoration, the proposed reutilization of the vacated land, the environmental sustainability of the demolition and of the programme for the reutilization of the vacated land and any other relevant criteria, in particular:

- When the building includes one or more dwellings, the prejudice caused to the tenants, the need for housing in the area and relocation possibilities for tenants;
- Written objections received by the Assistant City Clerk, if applicable, in accordance with the provisions 148.0.7 of the Act Respecting Land Use Planning and Development;
- Any other objection or representation received or presented at the meeting;

WHEREAS the Committee is convinced that the demolition is appropriate, taking into account the interests of the public and the parties;

CONSIDERING the provisions of Sections 148.0.1 to 148.0.26 of the Act Respecting Land Use Planning and Development and those of Demolition By-law number PC-2818 of the City of Pointe-Claire;

CONSIDERING the project was thoroughly studied prior to the meeting and considering the objections received;

CONSIDERING that the general condition of the building is poor, that the foundation walls are affected by the cracks, efflorescence and mold, that there is water infiltration in the basement, that the structural floor is deteriorating and that there are exposed reinforcing bars in the concrete slab, that the exterior walls are damaged and cracked and that a number of elements, such as windows and the roof, require replacement and that the economic life of the building is nil;

CONSIDERING that despite the fact that the building provides certain local services, the sustainability of the businesses is declining and they are no longer serving the community as they once did.

CONSIDERING the cost of complete restoration of the building is \$1 660 000 and the replacement value is \$1 471 800;

DEMOLITION

Councillor Bissonnette requests the Demolition Committee members to vote.

All members of the Demolition Committee are in favour and for these reasons it is unanimously:

RESOLVED:

1. TO AUTHORIZE the demolition of the immovable located at 100, Walton Avenue in Pointe-Claire, based on the aforementioned relevant criteria of the Demolition By-Law;

PRELIMINARY PROGRAMME FOR THE REUTILIZATION OF THE VACATED LAND

Councillor Bissonnette requests the Demolition Committee members to vote.

All members of the Demolition Committee are in favour and for these reasons it is unanimously:

RESOLVED:

2. TO REFUSE the land reutilisation programme of the vacated land for the following reason:

That the proposed project does not integrate harmoniously into the surrounding building typology and lifestyle of the neighbourhood (Article 31.10 of Chapter 3 of the SPAIP By-Law PC-2787).
3. TO ORDER the Department of Legal Affairs and City Clerk of the City of Pointe-Claire to publish a second public notice on Wednesday, June 27th, 2018 in The Suburban;
4. TO ORDER the Department of Urban Planning of the City of Pointe-Claire to install a sign announcing a second Demolition Committee meeting for civic numbers 100-112 Walton Avenue in front of the property;

The Demolition Committee of Pointe-Claire will hold a second meeting on Thursday, July 12th at 7:30 P.M. in the Council Chamber, after which the decision will be made official.

It is noted that any interested party may, within 30 days of the decision of the Committee made on July 12th, 2018, appeal the decision, in writing, to the Municipal Council and to inform the applicant about the effect of such appeal on the issuance of the permit.

ADJOURNMENT

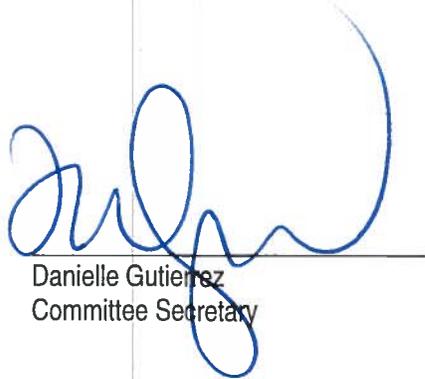
It is moved by councillor Stork;
Seconded by councillor Cowan, and carried unanimously

RESOLVED:

THAT the meeting be hereupon adjourned at 10:06 P.M.



Paul Bissonnette
Committee President



Danielle Gutierrez
Committee Secretary