

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 **WEDNESDAY SEPTEMBER 5, 2018**, AT 7:00 P.M., AFTER DUE NOTICE WAS TRANSMITTED ON FRIDAY AUGUST 31, 2018.

PRESENT: Councillors C. Homan, T. Stainforth and K. Thorstad-Cullen, as well as, Councillors P. Bissonnette, C. Cousineau, B. Cowan, E. Stork, D. Webb, chaired by His Worship Mayor John Belvedere forming a quorum of council.

Mr. Robert-F. Weemaes, City Manager, Mrs. Danielle Gutierrez, Assistant City Clerk and Council Secretary, as well as Mrs. France Giguère, Planning Coordinator, are also in attendance.

At the beginning of the meeting Mayor Belvedere welcomes all persons present at the meeting and offers a history of the file pertaining to the property situated at 100-112, Walton Avenue. Mayor Belvedere explains the reasons for which the meeting is being held, namely the appeal of a decision of the Demolition Committee rendered on July 12, 2018 refusing the programme of reutilization of the vacated land concerning the property situated at 100-112 Walton Avenue.

Mayor Belvedere explains the manner in which the evening will unfold, by specifying that the developer will first be invited to put forth his argument and following which those opposed to the appeal would be invited to make known their arguments.

2018-607 **APPROVAL OF THE AGENDA**

It is moved by Councillor Stork,
Seconded by Councillor Bissonnette, and unanimously
RESOLVED: TO approve the agenda that has been prepared for this meeting.

2018-608 **QUESTION PERIOD**

The developer is absent at the beginning of the question period. The question period is therefore commenced with questions, comments and representations from the other persons present wishing to speak.

Questions and representations are addressed to the Council members:

Mrs. Genny Gomes

- The project does not respect City By-laws and continues by stating examples.

Mr. John McMillan

- Mentions the hiring of the new Director of Inspection - Public Security of the City of Pointe-Claire;
- Concerned for the safety of children;
- Raises the issue of automobile congestion.

Mr. Patrick St-Louis

- Question concerning page 11 of the documents made available online.

Mr. Steven Farrugia

- Comments on visitor parking;
- Questions Council to know if a parking permit system would be implemented;
- The potential issues that may arise regarding bins (garbage/recycling/compost).

Mrs. Terri Almond

- Mentions her citizen participation and that of her husband;
- Comments that money isn't everything.

Intervention of the Mayor concerning the role of Council and the fact that Council works for the community.

Mrs. Jacqueline Ward

- Questions if the project will create a precedent;
- Questions if Council should be more proactive in facing higher instances to represent what citizens need (less densification).

Mrs. Susan Weaver

- The Walton area is not a TOD (transit-oriented development) area;
- The price of the townhouses.

Comments from citizens expressing their objections to the developer being represented by a lawyer.

Mr. Sébastien Poirier, Beauregard Attorneys (representative of Mr. David Owen, developer)

- Clarifies the fact that this type of project exists in the City By-law;
- The construction request is already in progress;
- The PAC (*Planning Advisory Committee*) recommended the approval of the plans and has considered them to be conforming;
- All the specifics are in the letter of appeal;
- The municipal zoning permits the project.

At the request of a citizen, Mr. Poirier repeats his comments in French.

Mrs. Linda De Witt

- The meeting held in 2010 regarding the consultation for the Planning Programme was not smooth and all citizens were not in favour;
- The townhouses can be lower, they should not tower over neighbouring homes and they should be without underground parking.

Mr. David Owen, developer

- He has worked with the City from the beginning, he has made numerous modifications to the plans, he has worked with existing zoning and has worked closely with an architect;
- The lot is zoned for what has been submitted;

- He has tried to cooperate and will continue to do so;
- The appeal was filed to protect his rights but still wishes to be accommodating.

Mr. Bob Walker

- The Walton area is not a TOD (transit-oriented development) area;
- The project does not respect all the legalities and does not respect the average size of neighbouring houses;
- Parking will be an issue;
- Questions if Council members have been to the area to see what the area actually looks like.

Mr. Steven Farrugia

- The project states 12 houses or 24 townhouses and therefore the developer has a choice.

Mr. Normand Lapointe

- Presents a model and mentions that it is to scale (*the model is loaned to the Department of Legal Affairs and City Clerk for a short period*);
- Mention certain City by-laws;
- An urban heat island will be created;
- The tranquility of the neighborhood will not be preserved;
- Asks Council to dismiss the appeal;

The meeting is adjourned at 8:00 p.m. and Council exits the room.

Council returns to the room and the meeting resumes at 8:27 p.m.

2018-609

DECISION – PROGRAMME OF REUTILISATION OF THE VACATED LAND – 100-112 WALTON AVENUE

WHEREAS the City Council in accordance with the provisions of article 30 of By-law PC-2818 on the demolition of immovable, took into consideration, including the following criteria:

- The deterioration, the architectural appearance, of the aesthetic character or the quality of life of the neighborhood that may result from the approval of the reutilization of the vacated land program;
- The environmental sustainability of the programme for the reutilization of the vacated land;
- The projected use of the vacated land;
- The prejudice caused to the tenants;

WHEREAS the City Council extensively analyzed the file, the reports submitted, the representations made by interested parties, including those expressed forthwith;

GIVEN the provisions of articles 148.01 to 148.06 of the Act respecting Land Use Planning and Development and those of By-law PC-2818 on the demolition of immovables of the City of Pointe-Claire;

FOR THESE REASONS,

Mayor Belvedere requests all Council members to vote.

It is moved by Councillor Cowan,
Seconded by Councillor Homan, and unanimously

RESOLVED: TO UPHOLD the decision of the Demolition Committee rendered on July 12th, 2018, namely to refuse the programme for the reutilization of the vacated land;

TO REQUIRE that within six (6) months of today, the developer submit a revised programme for the reutilization of the vacated land for approval by the Demolition Committee, which must include the following elements:

- A green space to be ceded representing 10% of the total area of land that will be used as a public park, pursuant to the Subdivision By-law PC-2774, article 4.3 (b);
- An adaptation of the architecture, volume measurement and height of the proposed buildings that is more compatible with the character of the neighbourhood, all in accordance with the Site Planning and Architectural Integration Programme By-law PC-2787, chapter 3, article 31.10.

2018-610

CLOSURE

It is moved by Councillor Homan,
Seconded by Councillor Stainforth, and unanimously

RESOLVED: TO hereupon adjourn this meeting at 8:34 p.m.

John Belvedere, Mayor

Danielle Gutierrez, Assistant-City Clerk