



MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE, HELD AT POINTE-CLAIRE HOLIDAY INN AND SUITES, 6 700 TRANSCANADA HIGHWAY, POINTE-CLAIRE, **ON WEDNESDAY SEPTEMBER 26, 2018**, À 7:00 P.M.

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

Mr. Robert-F. Weemaes, City Manager, Mrs. France Giguère, Planning Coordinator - Planning Department, Mrs. Danielle Gutierrez, Assistant City Clerk and Council Secretary, as well as Me Jean-Denis Jacob, City Clerk and Director of Legal Affairs, are also in attendance.

*As opening remarks, Mayor John Belvedere, as well as Councillor Paul Bissonnette, president of the Demolition Committee give explanations on the following elements:*

- Process and follow up until now;
- The fact that tonight's meeting is held in appeal of the two decisions rendered by the Demolition Committee on August 9 and 10, 2018;
- The removal of the installation, on the roof, of a common utility room;
- The impact of the project on future development at Alexandre-Bourgeau Park;
- The anticipated impacts on the parking in the Village sector;
- Sale of the land used until now as municipal parking;
- Explanations on the course of the meeting ;

**2018-690**      **APPROVAL OF THE AGENDA**

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

**05.01**      **APPEAL FROM THE "SOCIÉTÉ POUR LA SAUVEGARDE DU PATRIMOINE DE POINTE-CLAIRE"**

Council hear the appeal filed by the "Société pour la Sauvegarde du Patrimoine de Pointe-Claire" Mr. Claude Lesage, both represented by Me Chantal Paquet.

Me Paquet presents her arguments on the basis of the following elements:

- The City hands would be tied by this promise to purchase with the developer;
- "La Société pour la Sauvegarde du Patrimoine de Pointe-Claire" should be thanked for raising doubts about the value of the property;
- Although the "Patri-Arch" report recognizes a "low" heritage value to the building being discussed, the fact remains that some heritage value would remain;

Me Paquet invites Council to proceed with caution;

- According to her, there is no consideration of the elements and criteria contained in the By-law concerning Site Planning and Architectural Integration Programme;

Mr. Claude Lesage adding to the arguments raised by Me Paquet, indicates the following elements to consider:

- Commitment allegedly made during the election campaign by Mr. Claude Cousineau and Mayor John Belvedere;
- The existence of a parallel with another project possibly underway at the corner of Cartier Avenue and Bord-du-Lac—Lakeshore Road;

Mrs. Linda Proulx-Swidzinski, on behalf of her son, Mr. Andrew Swidzinski, reads a statement focusing mainly on the impacts of the development project of Alexandre-Bourgeau Park and on the fact that tonight would be the last opportunity for City Council to change the course of things.

*Council suspends the meeting for ten minutes at 8:15 p.m.*

*The meeting resumes at 8:25 p.m.*

**05.02**                    APPEAL FROM KOEBRA DEVELOPMENT CORPORATION

Mr. Gregory J. Koegl, filed a document illustrating the measures taken to limit the impact of the realization of the project with respect to parking and traffic issues;

Mr. Koegl emphasizes on the following elements:

- The safety is a primary concern;
- The measures to be taken to minimize impact during construction;
- The proposed efforts to ensure pedestrian safety on the pathway at the east of the proposed project;

**05.03**                    WRITTEN APPEALS RECEIVED FROM POINTE-CLAIRE CITIZENS

Thereafter, the members of Council hear the representations from certain citizens who have made written appeals to the Legal Affairs and City Clerk Department within the prescribed time limit:

Mrs. Linda De Witt:

- Reference to Mr. Martin Dubois (Patri-Arch) letter;
- Comparison with Costco.

Mrs. Joan Dyer:

- The present exercise is a trial against the Pioneer;
- The Pioneer acts as a magnet for the Village;
- Quote from Shakespeare: "Quality of mercy...".

Mrs. Barbara Chliplaski:

- A lot of construction in recent years;
- Absence of pedestrian crossings;
- Insufficient promotion of merchant activities.

Mrs. Suzanne Daoust:

- Sainte-Anne-de-Bellevue would not proceed this way;
- Not in favor of changing Bord-du-Lac—Lakeshore Road.

Mrs. Hélène Cantin:

- A vote of the highest significant importance;
- Heritage is life;
- Parallel with "Old Aylmer".

Mr. André Charbonneau:

- Quote from "Jean-Paul L'Allier »;
- Loss of Pointe-Claire identity;
- Comparison with Terrebonne.

Mr. Tim Thomas:

- Wants to protect the Pioneer and his parking;
- New residents would not fit into the Village;
- Deficient project.

Mrs. Donna Cameron:

- Petition of 4 000 names;
- Creation of a Facebook page;
- Citizens forced the re-evaluation.

Mrs. Tracy McBean:

- Against the Pioneer's demolition;
- Reminder of the election campaign.

Mrs. Susan Gaskin:

- Chance of being able to preserve heritage;
- Heritage buildings: "Priceless".

**05.04** APPEALS RECEIVED FROM OTHER INTERESTED PARTIES

From the list of these appellants, no one addressed Council.

**05.05** WRITTEN COMMENTS RECEIVED PAST THE DEADLINE

Council then heard questions and comments from people who have written to Council, but outside the time allowed for the purpose of appealing:

Mrs. Lois Butler:

- Customers will not come if they have to walk further;
- Snow removal of the proposed pathway: a problem;
- The City should invest more in heritage.

Mr. Stéphane Licari:

- Presentation of statistics;
- Questioning the work of experts;
- Usefulness of the parking lot near the boat ramp;
- Citizens against the redevelopment of Bourgeau Park.

Mr. Marc Legault:

- Evicted lady (Quorum Project);
- Comparison with Beaconsfield (Boisé Angell);
- City should have subsidized the renovation of the Pioneer.

Mr. Daniel Montpetit:

- Against the sale of the parking at the northeast corner of Sainte-Anne and Bord-du-Lac – Lakeshore Road.

Mr. Normand Lapointe:

- Quote provisions of the SPAIP By-law;
- Statistics about the building volume;
- Possible creation of an amphitheater.
- *Presentation of a model.*

*At 9:45 p.m. the meeting is suspended to allow those present to take a break of a few minutes.*

*The meeting resumed at 9:55 p.m.*

Mrs. Karine Lavergne:

- Still patronizing the Pioneer.

**05.06** OTHER COMMENTS AND QUESTIONS FROM THOSE PRESENT WHO REGISTERED AT THE BEGINNING OF THE MEETING

The following persons address Council to express their point of view:

Mr. Richard Leonardo:

- Subject of discussion province-wide;
- Dismantling of the SSPPC kiosk;
- Establishment of guided bus tours.

Mr. Matthew Trudel:

- Property prices push people out of the Island.

Mr. Michel Forest (as president of the “Société pour la Sauvegarde du patrimoine”)

- Lack of transparency in the process;
- The Village Code does not reflect the will of the people;
- Densification of a mid-nineteenth century setting does not make sense.

Mr. Réjean Lachance:

- Against condos;
- Village is beautiful as is.

Mrs. Shereen Quraeshi:

- Base of appeal due to an error in the administration of the Law;
- Historical site.

Mr. Robert Butler:

- Long road for construction trucks;
- Unable to keep the basement dry (flood zone);
- The merchants need the contribution of an external clientele.

Mr. Jean-Charles Labelle:

- Absence of social acceptability;
- OK for revitalization, but not for condos;
- Heritage assessment should be redone;
- Moratorium no condos, for the time needed to decide what to do.

Mr. Paul Parfett:

- Wants to see the Pioneer reborn and be run as it should;
- Wants to commit to restore the building;
- Council should consider a referendum.

Mrs. Élise Semethys:

- Wants to keep the Village as is.

Mrs. Michèle Girard:

- Renovations more difficult for citizens than for developers.

*At 10:35 p.m. the meeting was suspended to allow the members of Council to discuss on the decision to be taken.*

*At 11:10 p.m. the meeting resumed.*

**2018-691**      ADJOURNMENT OF THE MEETING

RESOLVED: It is moved by Councillor Cousineau, Seconded by Councillor Webb, and unanimously TO adjourn this meeting to October 2, 2018, at 6:30 p.m. in the Council Room of Pointe-Claire City Hall to allow the members of Council to benefit from a sufficient period of deliberation to make their decision with respect to appeals heard during the evening.

The meeting adjourned at 11:30 p.m.

Mayor Belvedere reopens the meeting stating that this is the continuity of the meeting of September 26, 2018.

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

Mr. Robert-F. Weemaes, City Manager, Mrs. France Giguère, Planning Coordinator - Planning Department, as well as Me Jean-Denis Jacob, City Clerk and Director of Legal Affairs, are also in attendance.

The Mayor states that tonight's Council decision is made following eighty-one (81) appeals filed against the August 9 and 10, 2018 decisions of the Demolition Committee.

The Mayor reads a statement prior to the adoption of the Council resolution, which is adopted as follows:

**2018-692**                    **DECISION ON APPEALS FILED AGAINST THE DECISIONS OF THE DEMOLITION COMMITTEE ON AUGUST 9 AND 10, 2018**

WHEREAS an application for the demolition of a building located at 286 Bord-du-Lac—Lakeshore Road and approval of a programme for the utilization of the vacated land has been presented to the City of Pointe-Claire, for authorization and approval;

WHEREAS in accordance with the criteria, rules and procedures set out in By-law PC-2818 and in the Act, the Demolition Committee, on August 9 and 10, 2018, has rendered a decision to authorize the demolition of the building contemplated by the application;

WHEREAS the same day, the Demolition Committee has refused to approve the programme of utilization of the vacated land, essentially for reasons related to traffic and parking;

WHEREAS on July 3, 2018, the members of Council approved a conditional sale/purchase agreement for the sale of part of lot 2 528 094, measuring 1 328 square meters, to the developer Koebra Development Corporation Inc., in order to allow the realization of the project related to the programme of utilization of the vacated land;

WHEREAS on September 11, 2018, the Municipal Council adopted a resolution accepting a modification in the size of the land contemplated by the promise to purchase, to reduce it to 860.7 meters;

WHEREAS following new information provided to the City, Mayor Belvedere refused to approve this resolution of September 11, 2018

WHEREAS eighty-one (81) appeals were filed against the Demolition Committee's decisions to authorize the demolition of the building located at 286 Bord-du-Lac—Lakeshore Road and its possible replacement by the programme of utilization of the vacated land;

WHEREAS the applicant "Koebra Development Corporation Inc." appealed the decision of the Demolition Committee to refuse the programme of utilization of the vacated land;

WHEREAS the Municipal Council, on September 26, 2018, heard the appeals filed by those concerned against the decisions mentioned above;

GIVEN the state of deterioration of the building (its distorted interior structure, the presence of molds and asbestos) and its low heritage value;

GIVEN the deterioration of the architectural appearance and the aesthetic character of the existing building and its low contribution to the life of the neighborhood;

WHEREAS the main guidelines of the Special Planning Programme (SPP) for the central Village sector, namely Bord-du-Lac—Lakeshore Road between Cartier and Golf Avenues require, among other things, to favor new constructions with comparable elevations to existing buildings: an average maximum height of two storeys;

WHEREAS the architectural integration of any new building with existing buildings is essential to preserve the historical and village character of this sector;

WHEREAS the use of exterior materials that are not visually similar to the materials already present on other existing buildings, represents an integration problem as important and essential as the architectural composition of a new proposed building in comparison to its existing and immediate future neighbourhood;

WHEREAS the current Village Code does not sufficiently reflect the initial guidelines of the Special Planning Programme and that the difference observed so far are at the heart of the issues raised by the many stakeholders involved in this matter;

WHEREAS the issue raised with regards to the parking spaces that would be eliminated in the realization of this project makes it necessary to review the whole planning for parking in the Village sector and that the solutions offered, while appearing theoretically viable, are not the object of sufficient social acceptability to ensure minimum success;

WHEREAS the evident interest shown by the many citizens and by various community groups, within the sector, for the preservation of the historical and heritage character of certain buildings and the impact this particular characteristic should have on the future development of the Village sector;

WHEREAS the revitalization of the Village of Pointe-Claire goes through an improvement of the housing offer;

WHEREAS it is essential to preserve the distinct heritage identity of the Village and to allow citizens who have proposed an alternative solution to restore the Pioneer to carry out a possible project in cooperation with the village community that supports this alternative;

WHEREAS the Pioneer, in its current condition, while having undeniable historical characteristics, has only a low architectural value and no longer offers reasonable opportunity to renovate it in a viable and profitable way

FOR THESE REASONS,

It is moved by Mayor Belvedere,  
Seconded by Councillor Cousineau, and unanimously

RESOLVED:

TO declare that the preamble of this present resolution forms an integral part thereof;

TO confirm the decision of the Demolition Committee and to authorize the demolition of the existing Pioneer building, subject to the approval of a programme of utilization of the vacated land in accordance with the applicable regulations;

TO confirm the decision of the Demolition Committee and to refuse to approve the programme of utilization of the vacated land as submitted (involving the construction of four stores and fifteen condominium units); and

TO clarify that any future project to be presented in respect of this building should reconstitute as truly as possible, the two facades of the original 20<sup>th</sup> century hotel located on Bord-du-Lac—Lakeshore Road and Sainte-Anne Avenue, including the use of horizontal clapboard and balconies;

Furthermore, the building should be wrapped with quality materials, but visually similar to the original materials of the building and those already present on the various historic buildings in the Village;

For integration purposes, the maximum height and the maximum volume of any new project should not exceed the height and volume of the original Pioneer building. In the event of an extension of this building to the side or the rear, the maximum height of such an extension should not exceed two floors or two thirds of the total height of the original Pioneer building;

TO indicate that the authorization to demolish will not be effective unless a new programme of utilization of the vacated land is brought to the attention of the Demolition Committee, in accordance with the City by-laws, within six (6) months of the present decision (no later than on April 2, 2019) and that it be approved thereafter;

TO confirm the content of resolution number 2018-688, adopted on September 11, 2018, concerning the acceptance of an amendment to the promise to purchase accepted on July 12, 2018, provided that the value of the immovable which is under consideration to be sold be subject to a new evaluation taking into account all the available data in order to establish the fair market value and the fair price, which evaluation will have to be submitted to the City no later than on October 31, 2018.

**2018-693**

CLOSURE

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

RESOLVED: TO hereupon adjourn this meeting at 6:50 p.m.

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John Belvedere, Mayor

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Me Jean-Denis Jacob, Director of  
Legal Affairs and City Clerk