

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, JULY 9, 2007, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M.**

PRESENT:

Mayor Anthony Housefather, B.C.L., L.L.B, M.B.A. presiding
Councillor Mitchell Brownstein, B. Comm., B.C.L., L.L.B.
Councillor Mike Cohen, B.A.
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Sam Goldbloom, B.A.
Councillor Ruth Kovac, B.A.
Councillor Allan J. Levine, B.Sc., M.A., DPLI

ALSO PRESENT:

Mr. Ken Lerner, City Manager
Mr. Jonathan Shecter, Director of Legal Services and City Clerk,
acted as Secretary of the meeting

QUESTION PERIOD

The question period started at 8:32 p.m. and finished at 9:25 p.m. Six (6) people asked to speak and they were heard.

1) Toby Shulman

The resident complained that the lights on Cavendish are not always synchronized to which Mayor Housefather responded that the synchronization of lights on Cavendish has recently improved and the City will continue to iron out the kinks to ensure that the lights are even better synchronized.

The resident then inquired as to when her building would receive recycling to which Mayor Housefather inquired with the City Manager as to when the recycling bins ordered would be arriving to which the City Manager responded within the coming weeks.

The resident then requested an update regarding the Cavendish Extension project to which Mayor Housefather responded that the Mayor of the City of Montreal, without consulting his partners, came up with a proposal on a transport plan in which he backtracked on his promise to have the Cavendish Extension project be realized by 2012. He then stated that a meeting will be held on August 29, 2007 in which this project will be discussed and encouraged all residents to attend this meeting to express their views. Mayor Housefather also mentioned that the City will put forward a brief in support of its position.

2) Avrum Shtern

The resident wished to congratulate this council for saving E.M.S.

The resident referred Mayor Housefather to railway proximity guidelines in Ontario and requested that the City convince the province of Quebec to adopt similar ones to which Mayor Housefather responded that it would be more expedient for the resident to request this of the provincial government since this issue is within its purview.

The resident then observed that the draft by-law to amend chapter 11 of zoning by-law no. 2217 concerning the protection of trees was on tonight's council agenda and expressed his wish that its final version be adopted soon.

The resident then opined that the overall transport needs of the western part of the Island of Montreal including Côte Saint-Luc have been ignored by the City of Montreal to which Mayor Housefather concurred. The resident then requested that Côte Saint-Luc have a railway station as per his understanding of an initial transport plan.

3) Harry Oberman

The resident wished to thank this council for saving E.M.S.

The resident asked for NO PARKING restrictions on Clanranald to alleviate the traffic on the East side of the street to which Mayor Housefather responded that the Director of Public Works could look into it.

4) Mike Coplowski

The resident congratulated this council for putting up crosswalk signs on the corner of Kildare and Marc Chagall but complained of motorists running these signs over with their vehicles to which Mayor Housefather responded that the City will look into whether the signs erected at that corner would be the most expedient ones.

The resident then sought clarification as to whether the City intends to make its by-law concerning the use of barbecues stricter to which Mayor Housefather responded that the City is presently looking into amending its by-law so that it be current with Federal and Provincial norms.¹

5) Dr. Bernard Tonchin

The resident opined that several years ago, a Federal representative of a railway committee came to Côte Saint-Luc to hear citizens' concerns who posed certain questions and still today, this resident is awaiting a reply to which Councillor Levine responded that in his view, the Provincial government should be involved in railway issues and that he will personally call upon them to get involved.

The resident then complained of three lawns on Guelph, a lawn on Jellicoe, a lawn on Parkhaven and a lawn on Kildare that all need to be cut.

The resident then requested that for the meeting of August 29, 2007, the City should organize a busload of people to which Mayor Housefather responded that the City is looking into getting transportation to enable residents to attend.

6) Jack Cabot

The resident called upon the City to get involved in issues concerning railway setbacks as setbacks which are too close to residential developments engender problems arising from the trains for which Mayor Housefather clarified that nuisance issues such as noisy, shunting or whistling trains are separate from the issue of the necessary distance of train tracks from a residential development.

The resident then recounted that he was told that the AMT was planning on setting up a yard to repair locatives in Lachine or CSL to which Mayor Housefather responded that he has not heard of one being proposed in Côte Saint-Luc.

¹ such as building codes, gas codes and propane codes.

The resident then requested that Côte Saint-Luc modify the City of Montreal's parking regulations to allow those attending a meeting in Montreal to park free of charge to which Mayor Housefather clarified that the City of Montreal's parking regulations are not within the City of Côte Saint-Luc's jurisdiction to modify.

070701

EXPRESSION OF CONDOLENCES - FALLEN CANADIAN SOLDIERS IN AFGHANISTAN

WHEREAS the Canadian Armed Forces have been called up to serve in Afghanistan in an effort to help restore order and protect the peace as part of a multi-national force; and

WHEREAS the brave soldiers of the Canadian Armed Forces are often in harm's way in service to Canada and all Canadians;

WHEREAS the following soldiers were killed in action in Afghanistan, in the service of our country:

Trooper Darryl Caswell	-	June 11, 2007
Sergeant Christos Kariginannis	-	June 20, 2007
Corporal Stephen Frederick Bouzane	-	June 20, 2007
Private Joel Vincent Wiebe	-	June 20, 2007
Master Corporal Colin Bason	-	July 4, 2007
Corporal Cole Bartsch	-	July 4, 2007
Captain Matthew Johnathan Dawe	-	July 4, 2007
Private Lane Watkins	-	July 4, 2007
Captain Jefferson Francis	-	July 4, 2007
Corporal Jordan Anderson	-	July 4, 2007

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the City of Côte Saint-Luc extends its deepest sympathies to the family, friends and comrades of all the above-named fallen soldiers, and sends a message of support, encouragement and appreciation to our troops serving abroad;

THAT this resolution be sent to the Minister of National Defence, Mr. Gordon O'Connor as well as to the President of the Royal Canadian Legion, Frederick Kisch Branch 97;

THAT said resolution shall be for immediate action."
CARRIED UNANIMOUSLY

070702

CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF COUNCIL DATED JUNE 11, 2007

It was

MOVED BY COUNCILLOR RUTH KOVAC

SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated June 11, 2007 be and are hereby approved as submitted.”

CARRIED UNANIMOUSLY

070703

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED JUNE 21, 2007**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated June 21, 2007 be and are hereby approved as submitted.”

CARRIED UNANIMOUSLY

070704

MONTHLY DEPARTMENTAL REPORTS FOR JUNE 2007

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the monthly departmental reports for June 2007, be and are hereby approved as submitted.”

CARRIED UNANIMOUSLY

070705

**HUMAN RESOURCES – HIRING OF AUXILIARY WHITE COLLARS – PARKS
AND RECREATION**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the list of auxiliary employees for the Parks and Recreation Department for July 2007, entitled *Part-time employees* – and comprising of two (2) pages be approved as submitted;

THAT the employees contained on the aforementioned list be and are hereby hired and shall commence as per their respective dates indicated on the aforementioned list;

THAT Treasurer's certificate number TC07-0074 dated June 29, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070706

HUMAN RESOURCES – HIRING OF AUXILIARY CROSSING GUARD – PUBLIC SECURITY

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Cheryl Gray be and is hereby hired as an auxiliary Crossing Guard for the Public Security Department, posting number 2007-136, for the period June 18, 2007 to September 18, 2007;

THAT Treasurer's certificate number TC07-0075 dated June 29, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070707

HUMAN RESOURCES – HIRING OF COORDINATOR OF ADMINISTRATION SERVICES – EMS

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

"THAT Sophie Katz-Milo be and is hereby hired as Coordinator of Administrative Services for the Emergency Medical Services Department, posting number 2007-130, for a 1 year contract period, effective July 10, 2007;

THAT Treasurer's certificate number TC07-0077 dated June 29, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070708

HUMAN RESOURCES – MODIFICATION OF EMPLOYEE STATUS - LIBRARY

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT the status of Kathleen Conroy be and is hereby modified from White Collar Union to Management status, with the management job title of Coordinator of

Children's Services, Eleanor London Côte Saint-Luc Public Library, effective June 19, 2007;

THAT Treasurer's certificate number TC07-0076 dated June 29, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070709

HUMAN RESOURCES – RESIGNATION OF WORKS AND CLEANLINESS ATTENDANT – PUBLIC WORKS

WHEREAS the City of Côte Saint-Luc received the resignation letter of James Rigg, employee number 170, dated February 26, 2007 in which he tendered his resignation, effective August 1, 2007;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT the City accepts the resignation of James Rigg, effective August 1, 2007."

CARRIED UNANIMOUSLY

070710

HUMAN RESOURCES – RESIGNATION OF SECRETARY – CLASS 4 – LIBRARY

WHEREAS the City of Côte Saint-Luc received the resignation letter of Lorraine Steiner, employee number 112, dated April 10, 2007 in which she tendered her resignation, effective July 26, 2007;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT the City accepts the resignation of Lorraine Steiner, effective July 26, 2007."

CARRIED UNANIMOUSLY

070711

HUMAN RESOURCES – HIRING – AUXILIARY DISPATCHER

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT Eddy Afram be and is hereby hired as an auxiliary Dispatcher for the Emergency Medical Services Department, posting number 2007-134, effective July 9, 2007;

THAT Treasurer’s certificate number TC07-0079 dated July 9, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”
CARRIED UNANIMOUSLY

070712

FINANCE – APPROVAL OF THE DISBURSEMENTS FOR THE PERIOD FROM JUNE 1, 2007 TO JUNE 30, 2007

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the disbursements for the period of June 1, 2007 to June 30, 2007 for a total of \$3,819,994.16 in Canadian Funds and \$1,252.17 in U.S. Funds are hereby approved;

THAT Treasurer’s certificate number TC07-0078 dated July 4, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses;

THAT said resolution shall be for immediate action.”
CARRIED UNANIMOUSLY

070713

NOTICE OF MOTION – BY-LAW TO BE ENTITLED: “BY-LAW 2278 CONCERNING VARIOUS TARIFFS AND OTHER FEES IN THE FINANCE DEPARTMENT”

Councillor Ruth Kovac gave notice of motion that By-Law to be entitled: “*By-law 2278 concerning various tariffs and other fees in the Finance Department*” will be presented at a later meeting for adoption.

070714

RESOLUTION TO DISPENSE WITH THE READING OF THE BY-LAW TO BE ENTITLED: “BY-LAW 2278 CONCERNING VARIOUS TARIFFS AND OTHER FEES IN THE FINANCE DEPARTMENT”

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc dispense with the reading of the By-Law to be entitled: “*By-law 2278 concerning various tariffs and other fees in the Finance Department*”; when it will be presented for adoption, the whole in accordance with the law.”

CARRIED UNANIMOUSLY

070715

**NOTICE OF MOTION – BY-LAW TO BE ENTITLED: “BY-LAW 2277
REPLACING THE FEE SCHEDULE FOR THE RENTAL OF CITY FACILITIES”**

Councillor Ruth Kovac gave notice of motion that By-Law to be entitled: “*By-law 2277 replacing the fee schedule for the rental of City facilities*” will be presented at a later meeting for adoption.

070716

**RESOLUTION TO DISPENSE WITH THE READING OF THE BY-LAW TO BE
ENTITLED: “BY-LAW 2277 REPLACING THE FEE SCHEDULE FOR THE
RENTAL OF CITY FACILITIES”**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc dispense with the reading of the By-Law to be entitled: “*By-law 2277 replacing the fee schedule for the rental of City facilities*”; when it will be presented for adoption, the whole in accordance with the law.”

CARRIED UNANIMOUSLY

070717

**PUBLIC WORKS - JANITORIAL CONTRACT – EXERCISE OF RENEWAL
OPTION**

WHEREAS the City of Montreal, Borough of Côte Saint-Luc - Hampstead - Montreal West went to tender (A-37-04) according to the law for a janitorial contract;

WHEREAS the City of Côte Saint-Luc, subrogated into the rights of the City of Montreal, wishes to exercise its option to renew the janitorial contract for 2007/2008;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Council hereby exercises its option to renew its janitorial contract for a *twelve* (12) month period for the janitorial services of various municipal buildings, regarding tender A-37-04, with 9063-4825 Quebec Inc. (Service d'entretien Perform-Net), for an amount of \$102,196.68, plus applicable taxes;

THAT Treasurer's certificate number TC07-0071 dated June 20, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses for the period of July 1, 2007 to December 31, 2007."

CARRIED UNANIMOUSLY

070718

**PUBLIC WORKS – PURCHASE OF 550 COMPOST BINS, KITCHEN
CONTAINERS AND INSTRUCTIONAL DVDS**

WHEREAS, the City of Côte Saint Luc wishes to purchase 550 compost bins, 550 kitchen containers and 550 instructional DVDs;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT Council hereby awards a purchasing contract for 550 compost bins, 550 kitchen containers and 550 instructional DVDs to Nova Envircom Inc. for an amount \$12,463.00, plus applicable taxes;

THAT Treasurer's certificate number 07-0073 dated June 28, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070719

**PUBLIC WORKS AND PARKS AND RECREATION – PROFESSIONAL
SERVICES FOR PARK RENOVATIONS**

WHEREAS the City of Côte Saint-Luc wishes to obtain consulting services for the renovations of various parks;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

"THAT Council hereby awards a consulting contract for the renovations of various parks in the City of Côte Saint-Luc to Planex Consulting Inc. for an amount of \$8,500.00 plus applicable taxes;

THAT Treasurer's certificate number TC07-0072 dated July 28, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070720

MATERIAL RESOURCES – AGREEMENT WITH *LE MEILLEUR RAMONEUR*

WHEREAS the City of Côte Saint Luc wishes to enter into an agreement ("Agreement") to sweep the chimneys of dwellings in Côte Saint Luc;

It was

MOVED BY COUNCILLOR MIKE COHEN

SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT Council hereby ratifies the Agreement with Le Meilleur Ramoneur Inc. to sweep the chimneys of dwellings in the City of Côte Saint-Luc, at \$ 17.00 per flue, in accordance with its quotation of June 15, 2007, the cost of which is to be charged directly to the property owner."

CARRIED UNANIMOUSLY

070721

**URBAN PLANNING – MINOR EXEMPTION – 6861 BANTING –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6861 Banting, Lot 1561806, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow, for a detached single-family dwelling, that an existing patio around a pool be located at 0" from the lateral lot line instead of the minimum required of 2'-0". The foregoing is in accordance with the provisions of zoning by-law No. 2217, article 4-4-5c). "

CARRIED UNANIMOUSLY

070722

**URBAN PLANNING – MINOR EXEMPTION – 6857 BANTING –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6857 Banting, Lot 1561954, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow, for a detached single-family dwelling, that an existing patio be located at 0" from the lateral lot line instead of the minimum of 2'-0" from said line. The foregoing is in accordance with the provisions of zoning by-law No. 2217, article 4-4-5c). "

CARRIED UNANIMOUSLY

070723

**URBAN PLANNING – MINOR EXEMPTION – 5644 WOLSELEY –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5644 Wolseley, Lot 1052966, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow, for a detached single-family dwelling, an above-ground swimming pool to be located at 3.88’ from the rear lot line instead of 5’-0. The foregoing is in accordance with the provisions of zoning by-law No. 2217, article 5-1-1c).”

CARRIED UNANIMOUSLY

070724

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 6880 BANTING – CITY OF CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the site planning and architectural integration programs received June 5, 2007, showing a detached single-family dwelling change its front façade from brick to stone, on lot 1561814 at 6880 Banting and prepared for the Planning Advisory Committee meeting of June 5, 2007, by Naguib Slim, architect, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

070725

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 5625 CORK – CITY OF CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the site planning and architectural integration programs received May 22, 2007, and showing, for a detached single-family dwelling, a side extension (replacement of a bay window) on lot 1053872 at 5625 Cork and prepared for the Planning Advisory Committee meeting of June 5, 2007, by Riccardo Ottoni, technologist, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

070726

RESOLUTION TO ADOPT THE FINAL VERSION OF ZONING BY-LAW ENTITLED: "BY-LAW TO AMEND THE ZONING BY-LAW NO. 2217, OF THE CITY OF CÔTE SAINT-LUC IN ORDER TO MODIFY THE INSTITUTIONAL CATEGORY OF USE -4"

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT by-law entitled "By-law to amend the zoning by-law No. 2217, of the City of Côte Saint-Luc in order to modify the institutional category of use -4," be and is hereby adopted and numbered 2217-26;

"THAT the City clerk be and is hereby instructed to complete the procedure to finalize the draft by-law in accordance with the law."

CARRIED UNANIMOUSLY

070727

RESOLUTION TO ADOPT THE FINAL VERSION OF ZONING BY-LAW ENTITLED: "BY-LAW TO AMEND THE ZONING BY-LAW 2217 OF THE CITY OF CÔTE SAINT LUC IN ORDER TO INCREASE THE MAXIMUM ALLOWED DRIVEWAY WIDTH TO 21'-0"

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT by-law entitled "By-law to amend the zoning By-law 2217 of the City of Côte Saint- Luc in order to increase the maximum allowed driveway width to 21'-0" be and is hereby adopted and numbered 2217-27;

"THAT the City clerk be and is hereby instructed to complete the procedure to finalize the draft by-law in accordance with the law."

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS ALLAN J. LEVINE AND STEVEN ERDELYI BOTH DISSENTING

Subsequent to the vote, both Councillors Levine and Erdelyi stated they opposed the by-law being adopted tonight as they would have liked to have seen it adopted commensurate with the by-law to amend chapter 11 of zoning by-law no. 2217 concerning the protection of trees. Councillor Erdelyi then added that after gathering empirical data, he saw no need to permit the widening of driveways and then opined that with the widening of driveways, more snow would be pushed onto the street during wintertime which would engender interference with the City's snow-clearing operations.

Councillor Brownstein then explained that he has always been in favour encouraging people to derive benefit from their property – particularly in this case when he is making it clear that this by-law has no effect on trees. He then

explained that with the widening of driveways, more cars would be able to park off of the street which translates into better safety and security as well as easier snow-clearing operations. He then reiterated that he sees no downside to having people benefit from their properties.

070728

RESOLUTION TO ADOPT THE SECOND DRAFT ZONING BY-LAW TO BE ENTITLED: «BY-LAW TO AMEND ZONING BY-LAW 2217, OF THE CITY OF CÔTE SAINT-LUC IN ORDER TO CREATE ZONE RM*-61 AND REPEAL THE “SENIOR CITIZENS HOME” DEFINITION»

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the second draft by-law numbered 2217-GG-P2 and entitled: «By-law to amend Zoning By-law 2217 of the City of Côte Saint-Luc in order to create zone RM*-61 and repeal the “Senior Citizens Home” definition», be and is hereby adopted;

THAT the City Clerk be and is hereby instructed to complete the procedure to finalize the draft by-law in accordance with the law.”
CARRIED UNANIMOUSLY

070729

RESOLUTION TO ADOPT THE DRAFT ZONING BY-LAW TO BE ENTITLED: “BY-LAW TO AMEND CHAPTER 11 OF ZONING BY-LAW 2217 OF THE CITY OF CÔTE SAINT-LUC CONCERNING THE PROTECTION OF TREES”

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT in conformity with “An Act respecting Land Use and Development”; the Council of the City of Côte Saint-Luc hereby adopts the draft By-Law to be entitled: “By-law to amend Chapter 11 of the Zoning By-law 2217 of the City of Côte Saint-Luc concerning the protection of trees”;

THAT the required public consultation will be held at the City Hall located at 5801 Cavendish Boulevard, on Monday, August 13, 2007 at 7:30 p.m.”
CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLOR RUTH KOVAC
DISSENTING

070730

RESOLUTION RE EXTENSION OF CAVENDISH BOULEVARD AND THE CITY OF MONTREAL TRANSPORT PLAN

WHEREAS the goal of the Cavendish extension project is to complete the road network in the Decarie/Cavendish/Jean-Talon West sector by the creation of North-South and East-West connections in order to improve accessibility to, from

and within this sector for all means of transport and to ensure that the traffic conditions are conducive to the economic prosperity and well-being of residents, as it appears in the project proposal submitted to the Ministry of Environment and Parks in September 2005;

WHEREAS the project to link Cavendish in the City of Côte Saint-Luc to Cavendish in the Borough of Saint-Laurent was clearly defined as a priority project at the Montreal Summit in 2002, as it appears in the Preliminary Montreal Summit's 2002 Profile;

WHEREAS the City of Montreal's Urban Plan adopted in 2004 also favoured the creation of new connections in the axis of Cavendish Boulevard, in the Hippodrome and "Cité Scientifique" sector, in order to emphasize and open up this important employment sector, as is described in item 4.13 of the City of Montreal Urban Plan entitled "Decarie/Cavendish/Jean-Talon West";

WHEREAS the inclusion of the Cavendish Extension project in the former Montreal Urban Community's Urban Development Plan indicated the Government's will to proceed with this project in the early 1980's, as appears in the project proposal presented to the Ministry of Environment and Parks in September 2005;

WHEREAS since the 1990s, and more particularly from 1998 to 2004, the City of Montreal Municipal Council and Executive Committee of the City of Montreal mandated the Urban Planning Department, the Infrastructure Department and the Financial Department, as well as expert firms, in order to study and coordinate the completion of the Cavendish/Cavendish link, and to follow up with the Minister of Transport and the municipalities concerned, namely Côte Saint-Luc, Mount-Royal and Saint-Laurent, as appears in previous decisions referred to in Sommaire Décisionnel 104 345 4001 tabled at the City Council meeting of December 14, 2004;

WHEREAS on December 14, 2004, the City Council of Montreal adopted a resolution enacting a loan by-law authorizing the financing of \$5,000,000 for the creation of the Project Bureau managing the Cavendish Extension Project with the mandate to complete the precise following schedule:

Financing Methods	October 2004
Granting of a mandate for the project management and final concept of the project	January 2005
Approval of the preliminary concept and submission of the project proposal to the Ministry of Environment	September 2005
Approval of the final concept	October 2006
Acquisition and start of preparatory works	April 2007
Completion of the environmental impact study	May 2007
Design and completion of the work	2007 to 2012

as appears from the Schedule and Action Plan according to the mandate referred to in the Sommaire décisionnel 104 345 4001 tabled at the City Council meeting of December 14, 2004;

WHEREAS the Project Bureau fulfilled its mandate and prepared the studies and proposal and reports according to their schedule, and they went on to present preliminary designs about which they consulted the City of Côte Saint-Luc and other bodies;

WHEREAS, despite the mandate of the Project Bureau and the participation and implication of the City of Côte Saint-Luc and all the partners and parties partaking in the project, namely the City of Côte Saint-Luc, the Town of Mount-Royal, the borough of Saint-Laurent, the borough of Côte-Des-Neiges/Notre-Dame-de-Grâce, the Ministry of Transport of Québec, la Société de transport de Montréal and the

Canadian Pacific Railway Company, the City of Montreal announced in May 2007 its proposed new Transport Plan which delays the Cavendish-Cavendish link until after 2017, as appears from the Transport Plan page 148;

WHEREAS this announcement was made without any consultation with neighbouring municipalities or Montreal boroughs or recognition of the needs and perspectives of the parties concerned;

WHEREAS, following the announcement of this decision, the Project Bureau slowed down its work;

WHEREAS the problems of recurring traffic congestion (for example, at Jean-Talon and Décarie), which result from being landlocked and surrounded by the train tracks as well as other geographic barriers, infringe upon the free circulation of vehicles including public transport and considerably limit the possibilities of economic development in the sector;

WHEREAS the Cavendish link will greatly improve services in terms of public transportation and active transportation between the various hubs of activities in that sector;

WHEREAS there would be an improvement to the environment such as a reduction of pollutants and greenhouse gases by the reduction of travel distances and travel time for commuters;

WHEREAS the delay of the Project to link Cavendish would consequently obligate the ordering of new studies which would incur supplementary costs;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

TO MANDATE the City of Côte Saint-Luc to table a report at the "Permanent Commission of the Agglomeration Council on Environment, Transport and Infrastructure", at its meeting of August 29th, 2007, requesting that the City of Montreal respect the mandate and the schedule submitted in December 2004 to the Project Bureau on the Cavendish Boulevard Extension and continue to finance the project according to the approved schedule;

TO REQUEST that the Permanent Commission of the Agglomeration Council on Environment, Transport and Infrastructure recommend to the agglomeration of Montreal that the Cavendish-Cavendish Project be prioritized in the next five (5) years, so that the work is completed by 2012 as per the original plan, and to modify its schedule as well as the detailed costs of the projects of the Transport Plan accordingly;

TO REQUEST that the agglomeration of Montreal prioritize the Cavendish-Cavendish Project in the next five (5) years, so that the work is completed by 2012 as per the original plan, and to modify its schedule as well as the detailed costs of the projects of the Transport Plan accordingly;

TO REQUEST that the agglomeration of Montreal ensures the continuation of work by the Project Bureau on the Cavendish Extension, and that it ensures that the various decision-making governmental bodies prioritize the financing of this project, so as to include the project in the Canada-Quebec Infrastructure Program;

TO REQUEST that the Executive Committee of the City of Montreal divulge all the reports, studies and concepts proposed by the Project Bureau to date, and consult the neighbouring municipalities and boroughs and participating partners to the project within the next 60 days;

THAT this resolution be tabled at the "*Commission Permanente*" of the Agglomeration Council on the Environment, Transport, and Infrastructure; and be sent to the City of Montreal and to all of the boroughs and all of the cities on the Island of Montreal, as well as to the Quebec Ministry of Transport, the STM and the Canadian Pacific Railway Company.

CARRIED UNANIMOUSLY

070731

MANDATE TO THE TOWN OF HAMPSTEAD BY THE CITY OF CÔTE SAINT-LUC TO CARRY OUT A GROUP CALL FOR TENDERS FOR THE SUPPLY OF ROAD SALT / WINTER 2007-2008

WHEREAS the Town of Hampstead has offered to orchestrate a group call for tenders, on behalf of the City of Côte Saint-Luc and the Town of Montreal West, for the supply of road salt for the winter of 2007-2008;

WHEREAS the Division Chief of Purchasing for the Town of Hampstead will act as a representative of the City of Côte Saint-Luc in this regard;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT Council authorizes the City of Côte Saint-Luc's participation in a group call for tenders for the granting of a contract for the supply of road salt for the winter of 2007-2008;

THAT the City of Côte Saint-Luc delegates to the Town of Hampstead:

- to prepare the specifications and other tender documents;
- to proceed with the call for tenders;
- to receive and to analyze the tenders; and
- to report the results, in writing, to the participating municipalities;

THAT the City of Côte Saint-Luc reserves the right to award the proposed contract;

THAT after opening the tenders and evaluating the cost to each of the participating municipalities, Côte Saint-Luc will have the right to confirm or to cancel its participation in the proposed group contract for the supply of road salt for the winter of 2007-2008; and

THAT the City Manager or, in his absence, the City's contract lawyer be and is hereby authorized to sign any document to give effect to the foregoing."

070732

AUTHORIZATION TO SETTLE AN INVOICE SENT BY THE CITY OF CÔTE SAINT-LUC TO L'UNIQUE ASSURANCES GÉNÉRALE INC.

WHEREAS the City of Côte Saint-Luc ("City") invoiced Unique Assurances Générale Inc. for damages caused by its insured, Radion Bacenko, to City property;

WHEREAS both parties wish to amicably resolve the invoice;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT Council hereby accepts payment from Unique Assurances Générale Inc. in the amount of \$1,285.53 to resolve an invoice the City sent for damages to its property;

THAT the Director of Legal Services and City Clerk or the City Treasurer be and is hereby authorized to sign any document to give effect to the foregoing."
CARRIED UNANIMOUSLY

070733

AUTHORIZATION TO SETTLE A LAWSUIT WITH CONSTRUCTION D'ASTOUS INC. ET AL. – FILE NUMBER 500-22-130326-062

WHEREAS *Construction D'Astous Inc.* ("Plaintiff") sued the City of Côte Saint-Luc ("City") in the Court of Quebec, said suit bearing file number 500-22-130326-062;

WHEREAS the City countersued Plaintiff;

WHEREAS subsequent to said countersuit, Plaintiff countersued Michel Elfassy;

WHEREAS all three parties have arrived at an amicable settlement;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Council hereby accepts to settle said suit as per the terms and conditions of the tripartite agreement ("Agreement") comprising of five (5) pages annexed herewith as Annex A to form an integral part of the Minutes;

THAT any of: Me Anthony Housefather, B.C.L., L.L.B., M.B.A., Mayor; Me Dida Berku, B.C.L.; Me Mitchell Brownstein, B. Com., B.C.L., L.L.B. and the Director of Legal Services and City Clerk is authorized to sign the Agreement, Declaration of Satisfaction of Settlement or any other document to give effect to the foregoing."
CARRIED UNANIMOUSLY

070734

CERTIFICATE OF THE DIRECTOR OF LEGAL SERVICES AND CITY CLERK RE – REGISTER FOR PERSONS QUALIFIED TO VOTE ON BY-LAW 2274

The Director of Legal Services and City Clerk reported that, after the registration proceedings called for and held at 5801 Cavendish Boulevard from 9:00 a.m. to

7:00 p.m., on July 4, 2007, concerning by-law 2274 entitled: "*By-law authorising a loan of \$1,500,000 for road and sidewalk reconstruction*":

The number of persons qualified to vote on the by-law is 22,975;

The number of signatures of persons qualified to vote required to make the holding of a referendum poll obligatory is 574;

The number of persons qualified to vote who have registered is 1.

Therefore, by-law 2274 has been deemed approved by the persons qualified to vote.

070735

RESOLUTION TO ASSIGN LEASE WITH LITTLE CORNER CAFÉ INC TO JUN YA ZHENG

WHEREAS the City of Côte Saint-Luc currently has a lease with Little Corner Café Inc. for operation of the café in the library;

WHEREAS Little Corner Café Inc wishes to assign said lease to Jun Ya Zheng;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT the City of Côte Saint-Luc agrees to assign the lease with Little Corner Café Inc. to Jun Ya Zheng, subject to a consented and signed agreement;

THAT the City Manager or the City contract lawyer be authorized to sign said agreement."

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The second question period started at 10:15 p.m. and finished at 10:25 p.m. Three (3) people asked to speak and they were heard.

1) Dr. Bernard Tonchin

The resident inquired as to whether places of worship pay full municipal taxes to which Mayor Housefather responded that they do not. The resident then inquired if anyone could declare their home a place of worship to which Mayor Housefather responded that they could not as there are certain legal requirements which apply.

2) Jack Cabot

The resident inquired as to whether the composting containers purchased tonight were for apartments or condominiums to which both Mayor Housefather and Councillor Erdelyi clarified they were for single-family homes.

The resident then inquired as to the hours of the crossing guard to be placed at Westminster to which Mayor Housefather responded Monday through Friday from 9:30 am to 11:30 am.

The resident then inquired as to when the City will be holding its Public Consultation Meeting regarding the by-law to amend chapter 11 of zoning by-law no. 2217 concerning the protection of trees to which Mayor Housefather responded, Monday, August 13, 2007 at 7:30 p.m.

The resident then complained that the lights on Kingsley are covered by tree branches to which Mayor Housefather responded that the Public Works Department could look into it.

3) Mike Coplowski

The resident inquired as to whether the Minor Exemptions on tonight's council agenda were for new pools or existing ones to which Mayor Housefather responded that the Minor Exemptions on Banting are for a new (common) pool and the one on Wolsely is for an existing one.

070736

APPROVAL OF THE CLOSING OF THE MEETING

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT Council hereby authorizes the Mayor to declare the Regular Council Meeting closed."
CARRIED UNANIMOUSLY

AT 10:25 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING CLOSED.

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
DIRECTOR OF LEGAL SERVICES
AND CITY CLERK