

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON
THURSDAY, OCTOBER 13, 2022 AT 5801 CAVENDISH BOULEVARD,
CÔTE-SAINT-LUC, AT 7:50 P.M.**

PRESENT:

Mayor Mitchell Brownstein, B. Comm., B.C.L., LL.B. presiding
Councillor Lior Azerad
Councillor Sidney Benizri
Councillor Dida Berku, B.C.L.
Councillor Mike Cohen, B.A.
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Andee Shuster

ALSO PRESENT:

M^e Jonathan Shecter, City Manager, Director of Legal Services and
City Clerk
Ms. Florine Agbognihoue, Assistant City Clerk, acted as Secretary of
the meeting

QUESTION PERIOD

No questions were asked.

221001

**DECISION OF THE DEMOLITION COMMITTEE RENDERED ON
OCTOBER 13, 2022 ON THE REQUEST FOR A CERTIFICATE OF
AUTHORIZATION FOR THE DEMOLITION OF THE EXISTING RESIDENTIAL
BUILDING LOCATED AT 8037 KILDARE, SITUATED ON CADASTRAL LOT
NUMBER 1 052 571**

WHEREAS The Planning Advisory Committee has considered the following application and has made its recommendations to the City Council;

WHEREAS the Demolition Committee of the City of Côte-Saint-Luc (being the Côte-Saint-Luc City Council) has carefully considered the application for a Certificate of Authorization for the demolition of 8037 Kildare said application filed by Mr. David Bensimon;

WHEREAS the Demolition Committee has reviewed all submissions related to the said application;

WHEREAS the evaluation of the building has been determined at \$260,700.00;

WHEREAS the applicants intend to use the land located at 8037 Kildare to build a new, two storey detached, single-family dwelling and have thus submitted preliminary architectural drawings;

WHEREAS the Demolition Committee has viewed the preliminary architectural drawings received on August 31st, 2022, and the 3D rendering received on September 15th, 2022, prepared by Missyl Design Inc. and agree by majority that the proposed new building integrates well into the streetscape and surroundings on Kildare Road;

WHEREAS should the Demolition Committee award the Certificate of Authorization, the decision regarding the approval of the minor exemption request for the building height will take place during the Regular Public Council meeting on October 13th, 2022;

WHEREAS no evidence has been presented to demonstrate that the proposed demolition would cause disruptions to the neighbourhood that are any greater than the normal inconveniences associated with such a demolition;

WHEREAS no evidence has been presented that the proposed demolition would cause any other undue prejudice to the neighbours;

WHEREAS all of the procedures established by the City of Côte-Saint-Luc have been met when considering the present application;

WHEREAS article 148.0.12 of the Act Respecting Land Use Planning and Development states, "If the committee grants the authorization, it may impose conditions for the demolition of the immovable or the utilization of the vacated land.";

WHEREAS article 15 of by-law 2345 entitled : "By-law governing the demolition of buildings", being the by-law governing the demolition of buildings of the City of Côte-Saint-Luc, states that the "Council shall render its decision in conformity with the criteria delineated in article 7 of this by-law as well as any other pertinent criterion and also provide, as the case may be, for the conditions to be satisfied, in addition to the conditions provided in the present by-law. Council shall also take into consideration the information furnished under the requirements of article 5 of this by-law.";

FOR ALL OF THE FOREGOING REASONS,

It was

MOVED BY COUNCILLOR LIOR AZERAD
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the City of Côte-Saint-Luc's Demolition Committee:

- GRANTS the Certificate of Authorization (Certificate) for the demolition of the existing one-storey detached single-family dwelling located at 8037 Kildare situated on cadastral lot number 1 052 571;
- APPROVES the prospectus for the new two-storey detached single-family dwelling proposed as per the preliminary architectural drawings received on August 31st, 2022, and the 3D rendering received on September 15th, 2022, prepared by Missyl Design Inc.;

THAT the granting of the said demolition and approval of the said prospectus are contingent upon the following conditions that:

PRIOR TO ISSUANCE OF THE CERTIFICATE OF AUTHORISATION

- The necessary monetary guarantee of \$52,140 be obtained pursuant to by-law 2345, the whole within the thirty (30) days following the date of this decision;
- The applicant's RBQ-licenced contractor will furnish the City of Côte-Saint-Luc with proof of insurance which is satisfactory to the City;

- The applicant submits all required documents and drawings for the demolition work and Reconstruction work to the City of Côte-Saint-Luc, including but not limited to the following:
 - permit application form;
 - certificate of location;
 - architectural drawings for permit (existing, demolition and construction) signed and sealed by an Architect (member of the *Ordre des architectes du Québec* or by a professional architectural technologist (member of the *Ordre des technologies professionnels du Québec*);
 - structural drawings for permit (existing, demolition and construction) signed and sealed by a structural engineer (member of the *Ordre des ingénieurs du Québec*);
 - automatic building sprinkler system plans for permit, as required for all new construction in the City of Côte-Saint-Luc as per article 3.4.3 of the construction by-law 2593 entitled: "Construction by-law";
 - mechanical and electrical plans signed and sealed by an engineer (member of the *Ordre des ingénieurs du Québec*);
 - landscaping plans (proposed site plan);
 - samples of exterior cladding materials;
 - detailed construction cost estimate and description of work.
- Payment of applicable fees for the certificate of authorization;
- Payment of applicable fees for the construction permit;
- Payment of a \$2,500.00 refundable damage deposit, due and exigible prior to the issuance of the Certificate. This deposit is an estimate in case of damages caused to public property during demolition and construction work. If the deposit is not enough to cover the cost of the damages, an invoice will be sent to the owner for the entire balance owed;

AFTER ISSUANCE OF THE CERTIFICATE OF AUTHORISATION

- The certificate of authorization will become null and void if the Demolition Work does not start within 90 days after issuing the certificate and is not completed within 120 days after starting the Demolition Work pursuant to article 17 of by-law 2345 being the by-law governing the demolition of buildings of the City of Côte-Saint-Luc;
- The construction delays for the new building be 12 months from the time the building permit for the new dwelling is issued pursuant to article 5.1.11 of by-law 2593 being the Construction by-law of the City of Côte-Saint-Luc;
- The Demolition Work and all Reconstruction Work must be conforming to the demolition by-law 2345 and the construction by-law 2593;
- Hours to perform Demolition Work and all Reconstruction Work are from 7:00am until 7:00pm during weekdays (Monday to Friday). No work is permitted during weekends and statutory holidays;
- The construction site and the adjacent public property must be maintained, according to article 4.1.1 of the construction by-law 2593 during the Demolition Work and all Reconstruction Work. In the event that the construction site or adjacent public property is not properly maintained, an invoice representing any costs incurred will be sent to the owner;

- The construction site must be protected by a fence conforming to article 4.1.2 of the construction by-law 2593: solid, at least 2 meters high and completely opaque;
- Existing trees must be protected during the Demolition Work and all Reconstruction Work;
- Five (5) days before the occupation of the street, the applicant must apply for an occupation permit in order to park or place equipment on the street at the cost of \$100.00 per day in addition to paying an application fee of \$75.00;
- The owner will be held responsible for all damages caused to public property during the Demolition Work and all Reconstruction Work;
- All measures must be undertaken to prevent inconveniences related to noise, dust, pollution, street usage and vermin;
- In the two days following the end of demolition works, the lot must be cleaned from all debris and rubble and properly levelled. Debris and rubble resulting from demolition shall be transported off-site, according to article 4.1.3 of the construction by-law 2593.

CARRIED BY THE MAJORITY OF THE VOTES WITH COUNCILLORS DIDA BERKU AND ANDEE SHUSTER BOTH DISSENTING

221002

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

**MOVED BY COUNCILLOR LIOR AZERAD
SECONDED BY COUNCILLOR ANDEE SHUSTER**

AND RESOLVED:

“THAT Council hereby authorizes the Acting Mayor to declare the Meeting adjourned.”

CARRIED UNANIMOUSLY

**AT 8:11 P.M. MAYOR MITCHELL BROWNSTEIN DECLARED THE MEETING
ADJOURNED.**

**MITCHELL BROWNSTEIN
MAYOR**

**FLORINE AGBOGNIHOUE
ASSISTANT CITY CLERK**