

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, MARCH 13, 2023 AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M.**

PRESENT:

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

ALSO PRESENT:

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

WELCOMING REMARKS BY THE MAYOR

Prior to tonight's meeting, Mayor Brownstein gave his thanks to the City's employees, directors of the City and its councillors.

230301

ADOPTION OF THE AGENDA FOR THE MEETING OF MARCH 13, 2023

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR SIDNEY BENIZRI

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby adopts the agenda for the meeting of March 13, 2023, as submitted with the following item added:

*Item 14b: Resolution regarding Certified Compostable Bags, in other business."

CARRIED UNANIMOUSLY

PRESENTATION: SPOTLIGHT ON LOCAL MERCHANTS, WARREN PERLEY

Councillor Mike Cohen introduced Mr. Perley, who has a punctuation graphics business, a local business in Côte Saint-Luc producing art and graphic arts publications for over 20 years. He received the certificate of the local merchant for the month of March.

A commemorative photo was then taken with Council, Mr. Perley and his partners Karren and Rodney.

QUESTION PERIOD

The question period started at 8:13 p.m. and finished at 8:51 p.m. Seven (7) people asked to speak, and they were heard.

1) Robert Gordon

The resident inquired about the snow dump Marc Chagall Avenue and the noise and air pollution it creates, to which acting Mayor Berku responded that the City has good neighborly relation with the City of Hampstead and part of that relation is that the City of Hampstead is allowed to dump some of their snow. She also mentioned that once the snow reaches a certain level, the City stops the dumping of the snow.

2) Sharon Friedman

The resident suggested that the major redevelopment of Decarie Square be moved in Côte Saint-Luc's shopping Center or Cavendish Mall, due to the congestion area near Decarie Square's restricted areas, to which acting Mayor Berku responded that the Cavendish extension is at the B.A.P.E. (*Bureau d'Audiences Publiques sur l'Environnement*) and as the City of Montreal has to produce the environmental reports the B.A.P.E. will give their recommendation. She also responded that the City will not allow traditional parking attached to buildings in order to reduce the use of cars in that area and alternative types of transit are being studied.

The resident also inquired about when development will begin, to which acting Mayor Berku informed that the next stage is the drafting of the Master Plan Which will be in the following months.

3) Norman Sabin

The resident inquired as to why the traffic sensor located at the intersection of Cavendish Boulevard and Kildare Road, which is not functioning optimally, has not been replaced, to which acting Mayor Berku responded that the Engineering Department is actively looking into improving the traffic in this area as Cavendish Boulevard is to be repaved.

4) Joe Ortona

The Chair of the English Montreal School Board requested a formal meeting with the Mayor and the Association of suburban Mayors regarding Bill 21, Bill 40 and Bill 96, to which Mayor Brownstein concurred with his request and invited the Chairman to prepare a letter to the Association of suburban Mayors to outline the issues that he is contesting as they relate to the English Municipals School Board and a list of school and school board with the ASM. Councillor Erdelyi also stated that the City has reached out the other 89 municipalities which bilingual status in order to jointly contest the legislation.

5) Mark Lokshen

The resident commented on a report he had sent to some of the councillors on the issues with the City, to which acting Mayor Berku stated that she undertakes to send the report to the councillors who have not received the report.

6) Fernanda Cano

The resident inquired about how to solve the parking issues, to which councillor Sebag responded that the City cannot prevent people from parking in front of a house since these parking are legally accessible for vehicles to park.

The resident also inquired about the obligation to change the lead pipes, to which Councillor Erdelyi responded that the City did a comprise by repairing a portion of the lead pipes in the City and that it is giving the residents up to 10 years from the date the City changes the City's portion of the pipe.

The resident also inquired about the annual water quality report to which the Director of Communications responded that the Engineering Department produces such report which is available on the City's website in French as the government requests this report in French.

7) Irving Itman

The resident inquired about a timeline regarding the replacement of lead pipes, to which acting Mayor Berku responded that the City is receiving a report next week and the City will make this report public. The report provided by the Engineering Department will provide recommendations as to which streets are to prioritize and the residents will be notified. Councillor Erdelyi also added comments and encouraging residents to continue to use the rebate program concerning filtered water. Councillor Kujavsky also added that the City will have a Plan by the end of the year.

230302

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF COUNCIL
DATED FEBRUARY 13, 2023, AT 8:00 P.M.**

It was

MOVED BY COUNCILLOR ANDEE SHUSTER
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Minutes of the Regular Meeting of Council dated February 13, 2022, at 8:00 p.m. be and are hereby approved as submitted."
CARRIED UNANIMOUSLY

COUNCILLOR MIKE COHEN LEFT THE MEETING TO ATTEND VIRTUALLY.

230303

**MONTHLY DEPARTMENTAL REPORTS AND COUNCIL REPORTING FOR
FEBRUARY 2023**

It was

MOVED BY COUNCILLOR ANDEE SHUSTER
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT the monthly departmental reports submitted for February 2023 be and are hereby approved as submitted.”

CARRIED UNANIMOUSLY

230304

FINANCE AND INFORMATION TECHNOLOGY SERVICES – AWARDING OF A CONTRACT TO ITI FOR TEAMS TELEPHONY LICENSES (K-37-23)

WHEREAS the City of Côte Saint-Luc (“City”) wishes to procure Microsoft Teams telephony licenses for its employees and common area telephones;

WHEREAS ITI Inc. is currently supplying Microsoft licenses to the City through a group tender organized by ITQ (*Infrastructures Technologiques Québec*, formerly known as CSPQ);

WHEREAS the Microsoft Teams telephony system was deployed on February 4, 2022, and the annual licenses were purchased in January 2022 for a twelve-month period;

WHEREAS as per Article 12.1 of the City’s By-law 2497 entitled: “By-law Concerning Contract Management”, the City is permitted to award a contract by mutual agreement for an amount between \$25,000 and the threshold for public tenders, if it is in the best interest of the City (criteria (a), (d) and (f));

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby awards a contract to ITI Inc. for Microsoft Teams telephony and other related Microsoft licenses for an amount up to \$43,000.00, plus applicable taxes, for the period starting January 1, 2023 and ending December 31, 2023;

THAT Treasurer’s Certificate No. 23-0045 dated February 21, 2023, has been issued by the City Treasurer attesting to the availability of funds to cover the above-described expenses;

THAT the City’s General Counsel be and is hereby authorized to sign the related documents to purchase the licenses.”

CARRIED UNANIMOUSLY

230305

FINANCE – TABLING OF TREASURER’S ACTIVITY REPORT CONCERNING ELECTION ACTIVITIES FOR THE 2022 CALENDAR YEAR

City Manager tabled the treasurer’s activities report concerning the election activities for the calendar year 2022.

230306

NOTICE OF MOTION – BY-LAW 2614 TO BE ENTITLED: “BY-LAW 2614 REPEALING BY-LAW 2385 AUTHORIZING A LOAN OF \$50,000 FOR PLAYGROUND EQUIPMENT AND PARK FACILITY UPGRADES FOR THE PIERRE ELLIOT TRUDEAU PARK”

Councillor Steven Erdelyi gave Notice of Motion that By-Law 2614 to be entitled: “By-law 2614 repealing by-law 2385 authorizing a loan of \$50,000 for playground equipment and park facility upgrades for the Pierre Elliot Trudeau Park” will be presented at a later meeting for adoption.

Councillor Steven Erdelyi mentioned the object and the scope of the By-Law 2614 to be entitled: “By-Law 2614 repealing by-law 2385 authorizing a loan of \$50,000 for playground equipment and park facility upgrades for the Pierre Elliot Trudeau Park”.

230307

TABLING OF DRAFT BY-LAW 2614 TO BE ENTITLED: “BY-LAW 2614 REPEALING BY-LAW 2385 AUTHORIZING A LOAN OF \$50,000 FOR PLAYGROUND EQUIPMENT AND PARK FACILITY UPGRADES FOR THE PIERRE ELLIOT TRUDEAU PARK”

Councillor Steven Erdelyi tabled draft By-Law 2614 to be entitled: “By-Law 2614 repealing By-Law 2385 authorizing a loan of \$50,000 for playground equipment and park facility upgrades for the Pierre Elliot Trudeau Park”.

230308

FINANCE AND INFORMATION TECHNOLOGY SERVICES – RATIFICATION OF THE CONTRACT WITH MICROMEL INC. REGARDING THE SUPPLY OF INFORMATION TECHNOLOGY CONSULTING SERVICES (K-38-23)

WHEREAS the City of Côte Saint-Luc (“City”) entered into an agreement with MicroMel Inc. regarding the supply of information technology consulting services due to the implementation of the Microsoft Teams telephony;

WHEREAS the Manager of IT Service has been on an extended leave since April 2021, and additional information technology consulting services were required beyond the implementation of the Microsoft Teams telephony;

WHEREAS it was difficult to predict the additional needs for consulting services and the length of time the consulting services would be required when the initial contract was awarded;

WHEREAS as per Article 12.1 of the City’s By-law 2497 entitled: “By-law Concerning Contract Management”, the City is permitted to award a contract by mutual agreement for an amount between \$25,000 and the threshold for public tenders, if it is in the best interest of the City (criteria (a), (d) and (f));

WHEREAS the City spent \$47,437.50, plus applicable taxes, for the consulting services contract with MicroMel Inc. between January 1, 2022 and December 31, 2022;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) hereby ratifies the contract with MicroMel Inc. regarding the supply of information technology consulting services until the IT Manager returns from extended leave;

THAT Treasurer’s Certificate No. 22-0169 dated March 3, 2023, has been issued by the City Treasurer attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

230309

**RESOLUTION TO APPROVE DISBURSEMENTS FOR THE PERIOD OF
FEBRUARY 1, 2023 TO FEBRUARY 28, 2023**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the list of disbursements for the period of February 1, 2023, to February 28, 2023 for a total amount of \$5,754,184.07 in Canadian Funds;

THAT Treasurer’s certificate No. 23-0053 dated March 3, 2023, has been issued by the City Treasurer attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

230310

**HUMAN RESOURCES – PARKS AND RECREATION – HIRING OF A
CUSTOMER SERVICE COORDINATOR**

It was

MOVED BY COUNCILLOR ANDEE SHUSTER
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT the Côte Saint-Luc City Council ratifies the hiring of Jovenelle L’herisson as a Customer Service Coordinator, effective January 30, 2023;

THAT Treasurer’s certificate No. 23-0051, dated March 1st, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

230311

**HUMAN RESOURCES – PURCHASING – HIRING OF LAW STUDENT – PART-
TIME CONTRACTUAL POSITION**

It was

MOVED BY COUNCILLOR LIOR AZERAD
SECONDED BY COUNCILLOR SIDNEY BENIZRI

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the hiring of Julianne Michaud as a Law Student (part-time, contractual position), effective February 13, 2023

THAT Treasurer’s certificate No. 23-0052, dated March 1st, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

230312

HUMAN RESOURCES – PUBLIC SAFETY – HIRING OF PUBLIC SECURITY AGENT – PART-TIME AUXILIARY WHITE COLLAR POSITION

It was

MOVED BY COUNCILLOR OREN SEBAG
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the hiring of Reidel Lopez Rodriguez as a Public Security Agent (part-time, auxiliary, white collar position), effective February 6, 2023;

THAT Treasurer’s certificate No. 23-0050, dated March 1st, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

COUNCILLOR MIKE COHEN RE-ENTERED THE MEETING IN PERSON.

230313

HUMAN RESOURCES – PARKS AND RECREATION – HIRING OF WHITE COLLAR AUXILIARY EMPLOYEES

It was

MOVED BY COUNCILLOR ANDEE SHUSTER
SECONDED BY COUNCILLOR SIDNEY BENIZRI

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the hiring of the White Collar auxiliary employees whose names are listed on the document titled “Auxiliary Employees – White Collars – Hiring”, dated March 3, 2023, hereto annexed as Annex A, and that said employees’ terms of employment will be as per the conditions of the collective agreement;

THAT Treasurer’s certificate No. 23-0054, dated March 3, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

230314

RESOLUTION TO APPOINT A MEMBER OF THE COMMITTEE ON ACCESS TO INFORMATION AND THE PROTECTION OF PERSONAL INFORMATION AND TO ADOPT THE POLICY CONCERNING “INCIDENTS” INVOLVING CONFIDENTIALITY

WHEREAS article 8.1 of the *Act respecting Access to documents held by public bodies and the Protection of personal information* (“*Act respecting Access*”) provides that a committee on access to information and the protection of personal information is responsible for supporting the public body in the exercise of its obligations under the *Act respecting Access*;

WHEREAS article 8.1 of the *Act respecting Access* provides that this committee reports to the Director General and that it is comprised of the person responsible for access to documents, the person responsible for the protection of personal information and any other person whose expertise is required, including, where applicable, the person responsible for the security of information and the person responsible for records management;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) hereby ratifies and confirms that, pursuant to the memorandum signed by the City Manager on September 14, 2022 (and as of that date), Pascalie Tanguay, Director of Legal Services and City Clerk is appointed as member of the above-described Committee on access to information and the protection of personal information;

THAT the Council hereby adopt the Policy concerning incidents involving confidentiality as prepared by the Committee on access to information and the protection of personal information.”
CARRIED UNANIMOUSLY

230315

BY-LAW 2613 ENTITLED: “BY-LAW CONCERNING THE ESTABLISHMENT OF A DEDICATED FUND FOR ELECTION EXPENSES AND ALLOCATION OF NECESSARY SUMS” – ADOPTION

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT By-Law 2613 entitled: “By-law concerning the establishment of a dedicated fund for election expenses and allocation of necessary sums” be and is hereby adopted.”
CARRIED UNANIMOUSLY

230316

**OPINION TO BE SENT TO THE COMMISSION MUNICIPALE DU QUÉBEC
CONCERNING THE APPLICATION FOR EXEMPTION FROM PROPERTY
TAXES FOR THE IMMOVABLE LOCATED AT 5620-5622 AVENUE EMERALD**

WHEREAS sections 243.1 and following of the *Act respecting municipal taxation* provide that the *Commission Municipale du Québec* (“CMQ”) is responsible to grant recognition giving rise to a property tax exemption, that the CMQ has received an application concerning the immovable located at 5620-5622 Avenue Emerald and that the CMQ shall consult the local municipality in whose territory the immovable concerned by the request is situated within 90 days of the request for opinion;

WHEREAS the request made to the CMQ does not meet one or various criteria prescribed by the *Act respecting municipal taxation*;

It was

MOVED BY COUNCILLOR LIOR AZERAD
SECONDED BY COUNCILLOR SIDNEY BENIZRI

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) is of the opinion that the request made to the CMQ does not meet one or various criteria prescribed by the *Act respecting municipal taxation*;

THAT Council appoints Me Pascalie Tanguay, Director of Legal Services and Clerk, to send the City's opinion to the CMQ within the time prescribed by the *Act respecting municipal taxation*.”

CARRIED UNANIMOUSLY

230317

**FILING OF CORRECTIONS PURSUANT TO ARTICLE 92.1 OF THE CITIES AND
TOWNS ACT**

WHEREAS according to article 92.1 of the *Cities and Towns Act*.

“The clerk is authorized to amend the minutes or a by-law, resolution, order or other act of the council, executive committee or borough council in order to correct an error that is obvious just by reading the documents provided in support of the decision. In such a case, the clerk must attach the minutes of the correction to the original of the amended document and file a copy of the amended document and of the minutes of the correction at the next meeting of the council, executive committee or borough council.”

The following corrections (highlighted in yellow) to Resolution 221146 to clarify the resolution decision hereby:

Resolution 221146 in French

- « QUE conformément aux dispositions du Règlement G18-0005, qu'une demande de dérogation mineure concernant une propriété localisée au 7928-7930 Wavell, lot 1 053 327 soit et est, par les présentes, **approuvée**, le tout tel que plus amplement décrit ci-dessous;
- « QUE conformément aux dispositions du Règlement G18-0005, qu'une demande de dérogation mineure concernant une propriété localisée au 7928-7930 Wavell, lot 1 053 327 soit et est, par les présentes, **refusée**, le tout tel que plus amplement décrit ci-dessous;

The Minutes of the Corrections are attached, hereto, as Annex B.

230318

**PUBLIC WORKS – AWARDING A CONTRACT TO PURCHASE OF AN
OUTDOOR BATHROOM FOR MITCHELL BROWNSTEIN PARK (K-31-23)**

WHEREAS the City of Côte Saint-Luc (“City”) wishes to award a contract for the purchase the of an outdoor bathroom for Mitchell Brownstein Park;

WHEREAS as per Article 12.1 of the City’s By-law 2497 entitled: “By-law Concerning Contract Management”, the City is permitted to award a contract by mutual agreement for an amount between \$25,000 and the threshold for public tenders, if it is in the best interest of the City (criteria (d));

It was

MOVED BY COUNCILLOR SIDNEY BENIZRI
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the City of Côte Saint-Luc Council hereby awards a contract for the purchase of an outdoor bathroom for Mitchell Brownstein Park to Darcom Innovations Inc. for an amount not to exceed \$95,000.00, plus applicable taxes;

THAT the above-described expenses shall be financed from the City’s Restricted Cumulative Surplus – Small Parks Projects;

THAT Treasurer’s Certificate No. 23-0047 dated February 22, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

230319

**URBAN DEVELOPMENT – RATIFICATION OF EXTRA EXPENDITURES FOR
FEE SERVICES WITHIN THE CONTRACT FOR MANAGEMENT OF CITY
WATER AND SEWER SYSTEM (C-11-17-22)**

WHEREAS in 2017 the City of Côte Saint-Luc (“City”) issued a public call for tenders for professional services for the management of the City water and sewer systems and awarded the contract to Simo Management Inc.;

WHEREAS the abovementioned contract ended on December 31, 2022;

WHEREAS in the 2022 year an extra amount of \$66,561.87, plus applicable taxes, was required for fee services (“*services à l’acte*”) included in the contract;

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the City of Côte Saint-Luc Council hereby approves and ratifies the extra expenditures for fee services under tender No. C-11-17-22 for professional services for the management of the City water and sewer systems in the amount of \$66,561.87 plus applicable taxes;

THAT Treasurer's Certificate No. 22-0168 dated February 21, 2023, has been issued the by the City Treasurer, attesting to the availability of funds to cover the above-described expenses."
CARRIED UNANIMOUSLY

230320

URBAN DEVELOPMENT – AWARDING OF A CONTRACT FOR THE PURCHASE OF TRANSMITTERS FOR WATER METERS (K-21-23)

This item was deferred to a subsequent meeting.

230321

URBAN DEVELOPMENT – AWARDING OF A CONTRACT FOR PAVING MERRIMAC WALKWAY AT REMBRANDT PARK (K-33-23)

WHEREAS the City of Côte Saint-Luc ("City") wishes to award a contract for paving Merrimac walkway at Rembrandt park;

WHEREAS the City researched suppliers that offer this type of services and received three (3) quotes;

WHEREAS the lowest conforming quote was received from Catalogna Construction;

WHEREAS as per Article 12.1 of the City's By-law 2497 entitled: "By-law Concerning Contract Management", the City is permitted to award a contract by mutual agreement for an amount between \$25,000 and the threshold for public tenders, if it is in the best interest of the City (criteria (d));

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR SIDNEY BENIZRI

AND RESOLVED:

"THAT the City of Côte Saint-Luc Council hereby awards a contract for paving Merrimac walkway at Rembrandt Park to Catalogna Construction for an amount not to exceed \$ 51,500.00 plus applicable taxes;

THAT the above-described expenses shall be financed in whole from the City's Cumulative Surplus;

THAT Treasurer's Certificate No. 23-0048 dated February 28, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses."
CARRIED UNANIMOUSLY

230322

ENGINEERING – AWARDING OF A CONTRACT FOR THE INSTALLATION OF A NEW SANITARY AND AQUEDUCT SERVICE LINE IN BROWNSTEIN PARK (K-34-23)

WHEREAS the City of Côte Saint-Luc ("City") wishes to award a contract for the installation of a new sanitary and aqueduct service line for the future toilets in Brownstein Park;

WHEREAS the City researched suppliers that offer this type of services and received two (2) quotes;

WHEREAS the lowest conforming quote was received from Construction Camara Inc.;

WHEREAS as per Article 12.1 of the City's By-law 2497 entitled: "By-law Concerning Contract Management", the City is permitted to award a contract by mutual agreement for an amount \$25,000 and the threshold for public tenders, if it is in the best interest of the City (criteria (d));

It was

MOVED BY COUNCILLOR SIDNEY BENIZRI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby awards a contract to Construction Camara Inc. for the installation of a new sanitary and aqueduct service line for the future toilets in Brownstein Park for a total amount of \$36,518.41, plus applicable taxes;

THAT the above-described expenses shall be financed from the City's Cumulative Surplus – Small Parks Projects;

THAT Treasurer's Certificate No. 23-0046 dated February 28, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses."

CARRIED UNANIMOUSLY

230323

URBAN DEVELOPMENT – AWARDING OF A CONTRACT FOR SIDEWALK RECONSTRUCTION (C-08-23)

WHEREAS the City of Côte Saint-Luc ("City") issued a public call for tenders under tender No. C-08-23 for the reconstruction of City sidewalks, and received three (3) bids;

WHEREAS Cojalac Inc. was the lowest conforming bidder;

WHEREAS By-Law 2088 entitled "By-Law 2088 - Consolidated building By-Law of the City of Côte Saint-Luc" stipulates that the City is responsible to repair the damages caused to the sidewalks by residents or contractors due to construction on their property ("Private portions of sidewalks");

WHEREAS these repairs are executed by the same contractor and at the same unit prices as the rest of the City sidewalks ("Public portions of sidewalks");

WHEREAS the cost for the Private portions of sidewalks is financed from the City's operational budget and ultimately reimbursed by said residents and/or contractors, having a nil effect on the City's expenses;

WHEREAS the cost for the Public portions of sidewalks is financed from the City's capital expenditure budget;

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR SIDNEY BENIZRI

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) hereby awards a contract for sidewalk repairs to Cojalac Inc., in accordance with the terms of the tender No. C-08-23, for up to a maximum of \$598,980.45, plus applicable taxes;

THAT, furthermore, Council may consider an amount of \$40,000.00, plus applicable taxes for potential repairs of the Private portions of sidewalks, as needed;

THAT the above-described expenses shall be financed as follows:

- \$598,980.45 from loan By-laws 2521 entitled “By-law 2521 authorizing a loan of \$866,000 for the resurfacing of roads and sidewalk repairs at various locations belonging to the City of Côte Saint-Luc”, 2541 entitled “By-law 2541 authorizing a loan of \$1,628,000 for the resurfacing of various roads and sidewalk repairs at various locations belonging to the City of Côte Saint-Luc”, 2584 entitled “By-Law authorizing a loan of \$988,000, including professional fees, for the resurfacing of roads and sidewalk repairs at various locations belonging to the City of Côte Saint-Luc” and 2604 entitled “By-Law 2604 authorizing a loan of \$546,000, including professional fees, for sidewalk repairs at various locations belonging to the City of Côte Saint-Luc”, for the Public portions of sidewalks;
- Up to \$40,000.00 from the City’s operational budget – for the Private portions of sidewalks;

THAT the awarding of the aforementioned contract shall be subject to the approval of loan by-law 2604 by the *Ministère des Affaires Municipales de l’Habitation*;

THAT Treasurer’s Certificate No. 23-0049 dated March 1st, 2023, has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses;

THAT the Director of Urban Development is hereby appointed to proceed with the evaluation of Cojalac Inc.’s performance within this tendered contract.”
CARRIED UNANIMOUSLY

230324

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5526 RANDALL – CITY OF CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the site planning and architectural integration program showing a rear extension to an existing Detached, Single-Family Dwelling, on lot 1 560 859 and prepared by Ariel Aaron Architect for the Planning Advisory Committee meeting of January 17, 2023, be approved according to the provisions of Chapter 14 of by-law 2217, of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

230325

URBAN PLANNING – MINOR EXEMPTION – 5526 RANDALL – CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR MITCH KIJAVSKY
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5526 Randall, lot 1 560 859, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow the construction of a one-storey rear extension with a minimum rear setback of 5.6m instead of the minimum required rear setback of 6.095m.

The whole notwithstanding the provisions of Zoning By-law No. 2217, Annex “B” (zone RU-3) and Article 4-4-3.”
CARRIED UNANIMOUSLY

230326

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5526 RANDALL – CITY OF CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5781 Wentworth, lot 1 051 999, be and is hereby approved, the whole as more amply delineated hereunder:

The request is:

- To allow the Detached, Single-Family Dwelling, built in 1955 under permit number 1955-00100, to maintain its current Secondary Front Setback at a minimum of 3.04m instead of the minimum required Secondary Front Setback of 4.57m;
- To allow the construction of a balcony in the rear yard located at a minimum distance of approximately 9 feet from the rear land line instead of the minimum required distance of 10 feet from the rear land line and with a maximum encroachment of approximately 11 feet into the minimum rear setback instead of the maximum permitted encroachment of 10 feet into the minimum rear setback.

The whole notwithstanding the provisions of Zoning By-law No. 2217 Annex “B” (zone RU-40), Article 4-2-2 Table 1, Article 4-4-1, Article 4-4-3, and Article 4-4-5 a).”
CARRIED UNANIMOUSLY

230327

RESOLUTION TO ESTABLISH THE STANCE OF THE CITY OF CÔTE SAINT-LUC COUNCIL ON ISSUES TO BE PRESENTED AT THE MONTREAL URBAN AGGLOMERATION COUNCIL MEETING

WHEREAS according to section 4 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (CQLR, c. E-20.001) (“Act”), the urban agglomeration of Montreal is made up *inter alia*, of the City of Côte Saint-Luc since January 1, 2006;

WHEREAS according to section 58 of the Act, every central municipality has an urban agglomeration council, the nature, composition and operating rules of which are set out in an order in council and that this agglomeration council constitutes a deliberative body of the municipality;

WHEREAS under section 59 of the Act, every municipality must be represented on the urban agglomeration council;

WHEREAS according to section 61 of the Act, at a meeting of the council of a related municipality, the Mayor informs the council of the matters that are to be considered at a future meeting of the urban agglomeration council, sets out the position the Mayor intends to take on any matter referred to at the urban agglomeration council meeting, discusses that position with the other members present and proposes the adoption of a resolution establishing the council’s stance;

WHEREAS agglomeration council meetings may be held in April 2023 for which members of the municipal council shall establish the stance that it wishes to take;

It was

MOVED BY COUNCILLOR OREN SEBAG
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT Council take the following stance in view of any Agglomeration Council meetings to be held in April 2023 as follows:

- to authorize the Mayor or his duly authorized replacement to make any decisions he deems necessary and in the best interest of the City of Côte Saint-Luc and its residents regarding the items on the agenda of the Agglomeration Council meetings to be held in April 2023 based on the information to be presented during those meetings.”

CARRIED UNANIMOUSLY

OTHER BUSINESS

230328

RESOLUTIONS REGARDING ACT TO AMEND THE OFFICIAL LANGUAGES ACT, TO ENACT THE USE OF FRENCH IN FEDERALLY REGULATED PRIVATE BUSINESSES ACT AND TO MAKE RELATED AMENDMENTS TO OTHER ACTS (BILL C-13)

WHEREAS the preamble of the *Canadian Official Languages Act* states the following:

WHEREAS the *Constitution of Canada* provides that English and French are the official languages of Canada and have equality of status and equal rights and

privileges as to their use in all institutions of the Parliament and government of Canada;

WHEREAS officers and employees of institutions of the Parliament or government of Canada should have equal opportunities to use the official language of their choice while working together in pursuing the goals of those institutions;

WHEREAS the *Official Languages Act* is of vital importance to the residents of Côte Saint-Luc as it has historically guaranteed equality of the English and French languages in the country;

WHEREAS the City of Côte Saint-Luc is a bilingual city which has recognized status according to the *Charter of the French Language* to communicate and provide services to residents in both Official languages;

WHEREAS Quebec's English-speaking community has been deeply impacted by *Law 96* which was adopted by the National Assembly of Quebec in 2022. This law reduces services available in English, limits those people who have the general right to receive services in English from the Government, challenges the equality of French and English before the courts as guaranteed by the *Constitution Act* and makes the *Quebec Charter of Rights* subservient to the *Charter of the French Language* and uses the notwithstanding clause of the federal *Charter of Rights and Freedoms* preemptively;

WHEREAS the federal *Official Languages Act* is based on the equality of minority language communities and not asymmetry and has not referred to provincial language legislation, particularly legislation that is opposed by almost the entire minority language community;

WHEREAS the Government has introduced a Bill entitled Bill C-13 An Act to amend the *Official Languages Act*, to enact the Use of French in *Federally Regulated Private Businesses Act* and to make related amendments to other Acts or as its Short title states this Act may be cited as an *Act for the Substantive Equality of Canada's Official Languages*;

WHEREAS Bill C-13 includes elements of deep concern to the English-speaking minority, namely references in the *Official Languages Act to Quebec Law 96* and creates parallel legislation that only guarantees employees and customers of privately owned federally regulated businesses the right to work and be served in French, and not in English;

WHEREAS the Côte Saint-Luc City Council ("Council") strongly supports Members of Parliament who have been before the Official Languages Committee proposing amendments to ensure the Bill reflects the needs of Quebec's English-speaking minority as well as it reflects the needs of the French speaking minority outside of Quebec;

WHEREAS the Council has been extremely disheartened to see the amendment to remove the reference to *Law 96* defeated and even more disheartened to see the myriad of amendments that seek to have the *Official Languages Act* remove the federal government's role to promote the vitality and development of the English-speaking minority of Quebec and substantively require federal law to follow *Quebec's Law 96*;

WHEREAS the proposed amendments are of significant concern and disturbing for the residents of Côte Saint-Luc as they undermine the mission and purpose of the *Official Languages Act* which is to provide equality of status and opportunity for all Canadians to use either official language in accessing federal services across Canada including Quebec;

WHEREAS language legislation should not cause a minority community to feel that its rights are being diminished and this feeling is clear today amongst the members of Quebec's English-speaking minority.

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR LIOR AZERAD

AND RESOLVED:

“THAT the Council hereby calls on all federal political parties to maintain and respect the original purpose of the Official Languages Act, to ensure equal status for French and English throughout all federal institutions and federally-regulated companies, and not make any reference in the Act to the Quebec Charter of the French Language as amended by Law 96;

THAT the Council calls on all members of the Official Languages Committee to reject any additional amendments that reduce the rights of English speaking Quebecers by referring to the Quebec Charter of the French Language or creating asymmetry in the Act and to accept those amendments that would remove the references to Law 96 and revise the parallel legislation to create an equivalent right to work and receive services in English in federally-regulated institutions;

THAT the Council calls on the Government of Canada, if and when Bill C-13 is returned to the House of Commons, to remove all references to the *Quebec Charter of the French Languages* which reduce the rights of Quebec's minority language community;

THAT the Council directs its clerk to send copies of this resolution to the Prime Minister of Canada, the Minister of Official Languages and all members of the federal Parliament as well as all other Quebec municipalities and boroughs with bilingual status and the City of Montreal.”
CARRIED UNANIMOUSLY

230329

RESOLUTION REGARDING CERTIFIED COMPOSTABLE BAGS

WHEREAS Côte Saint-Luc (“City”) was the first city on the Island of Montreal to implement curbside organic waste collection for all homes and duplexes in 2008;

WHEREAS the City originally allowed residents the options of using both paper and certified compostable bags, made of corn starch, to dispose of organic waste;
WHEREAS the City, along with other cities on the Island of Montreal, is responsible for the collection and transport of residual waste;

WHEREAS the Agglomeration of Montreal is responsible for the treatment and disposal of residual waste on the Island of Montreal;

WHEREAS, since the City began organic waste collection, councillors and staff made presentations on the program to the *Commission des transports et de l'environnement de l'Assemblée nationale du Québec* and to the *Commission du conseil d'agglomération sur l'environnement, le transport et les infrastructures* as part of the *Plan Directeur de Gestion des Matières Résiduelles* (“PDGMR”);

WHEREAS after Côte Saint-Luc residents were using certified compostable bags for several years, the Agglomeration of Montreal informed the City that it could no longer use these compostable bags;

WHEREAS the *Bureau de Normalisation du Québec* (BNQ) has put in place specifications and standards for certified compostable bags;

WHEREAS after seeing significant increases in the tonnage diverted through Cote Saint-Luc's organic waste collection, in recent years the tonnages have plateaued;

WHEREAS the City has received multiple complaints over the years from residents upset with not being able to use certified compostable bags;

WHEREAS cities in other provinces including but not limited to, Ontario, Manitoba, Alberta, New Brunswick, Prince Edward Island allow certified compostable bags for organic waste collection;

WHEREAS in 2021, only 29% of organic waste on the Island of Montreal was diverted from landfills;

WHEREAS the PDGMR has set a target to divert 60% of organic waste on the Island of Montreal by 2025;

WHEREAS some treatment plants on the Island of Montreal are able to process certified compostable bags while others are not;

WHEREAS the current Agglomeration contract for the treatment site that Cote Saint-Luc is using for organic waste collection is coming to an end on March 31, 2023;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ANDEE SHUSTER

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) requests that the Agglomeration of Montreal allow the treatment of Cote Saint-Luc's organic waste at a site that accepts certified compostable bags;

THAT the Côte Saint-Luc Director of Public Works or the Sustainable Development Technician be authorized to sign documentation to give effect to this change;

THAT the Council requests that the Agglomeration of Montreal ensure that at least some of the new treatment plants being constructed be able to process certified compostable bags;

THAT The Council directs its clerk to send copies of this resolution to the members of the Montreal Agglomeration Council and members of the *Agglomération Commission sur l'eau, l'environnement, le développement durable et les grands parcs.*”

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The second question period started at 9:57 p.m. and finished at 10:02 p.m. One (1) person submitted questions, and they were answered during the live feed.

1) Toby Shulman

The resident inquired item 7b regarding the repealed by-law 2614, to which Councillor Erdelyi responded that the by-law 2614 “By-law 2614 repealing by-law

2385 authorizing a loan of \$50,000 for playground equipment and park facility upgrades for the Pierre Elliot Trudeau Park” was repealed as the City used the funds from another by-law and ended up not using by law 2614.

230330

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

MOVED BY COUNCILLOR OREN SEBAG
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby authorizes the Mayor to declare the Meeting adjourned.”
CARRIED UNANIMOUSLY

**AT 10:03 P.M. ACTING MAYOR DIDA BERKU DECLARED THE MEETING
ADJOURNED.**

DIDA BERKU
ACTING MAYOR

PASCALIE TANGUAY
CITY CLERK

LIST OF ANNEXES		
Resolution number	Corresponding Annex	Document
230313	Annex A	Auxiliary Employees – White Collars – Hiring (list)
230317	Annex B	Minutes of the corrections – Resolution 221146

ANNEX A

AUXILIARY EMPLOYEES - WHITE COLLARS - HIRING
 PARKS AND RECREATION DEPARTMENT
 CITY OF CÔTE SAINT-LUC
 LIST NAMES FROM FEBRUARY 2023
 FOR APPROVAL MARCH 2023 COUNCIL

NAME OF EMPLOYEE		POSITION / PROGRAM OR REPLACEMENT	TRANSFERRING FROM -	EMPLOYEE START DATE	RESIDENCY	NUMBER OF YEARS EMPLOYED IN	HOURLY RATE	PROJECTED WEEKS OF EMPLOYMENT	WEEKLY HOURS	APPROX ANNUAL EXPENSE until end of 2023	GENERAL LEDGER CODE
LAST NAME	FIRST NAME	(NAME OF EMPLOYEE)	WHICH POSITION /								
Winter Carnival											
Bensimon	Lielle	Winter Carnvial 2023		2023-02-12	Côte Saint Luc	1	\$14.53	1	5	\$72.65	02-780-05-112
Bejar Diaz	Ana Victoria	Winter Carnvial 2023		2023-02-12	Côte Saint Luc	1	\$14.53	1	5	\$72.65	02-780-05-112
Barman-Tao	Dawson	Winter Carnvial 2023		2023-02-12	Montreal	1	\$15.68	1	5	\$78.40	02-780-05-112
Barman-Tao	Kelsey	Winter Carnvial 2023		2023-02-12	Montreal	1	\$23.25	1	5	\$116.25	02-780-05-112
Salkovitz	Hannah	Winter Carnvial 2023		2023-02-12	Montreal	2	\$15.04	1	5	\$75.20	02-780-05-112
Mirasyedi	Ashely	Winter Carnvial 2023		2023-02-12	Brossard	1	\$15.68	1	5	\$78.40	02-780-05-112
									Sub total:	\$493.55	
Aquatic & Community Center											
Zaifman	William	Skating Monitor/Cashier		2023-02-03	Côte Saint Luc	2	\$15.23	15	5	\$1,142.25	02-730-00-112
									Sub total:	\$1,142.25	
Day Camp											
Schacter	Shane	Park Leader		2023-05-28	Côte Saint Luc	5	\$17.32	10	40	\$6,928.00	02-750-05-112
Shuklinsky	Noa Jade	Park Leader		2023-05-28	Côte Saint Luc	3	\$17.01	10	40	\$6,804.00	02-750-05-112
Tobenstein	Ilyssa	Park Leader		2023-05-28	Côte Saint Luc	4	\$17.01	10	40	\$6,804.00	02-750-05-112
Segal	Allison	Park Leader		2023-05-28	Côte Saint Luc	2	\$17.01	10	40	\$6,804.00	02-750-05-112
Schwartz	Brendan	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	2	\$15.99	9	40	\$5,756.40	02-750-05-112
Bensemama	Talla	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.70	9	40	\$5,652.00	02-750-05-112
Kemp-Germain	Gaëlle	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.70	9	40	\$5,652.00	02-750-05-112
Yacoub	Joshua	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Elkman	Ethan	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.70	9	40	\$5,652.00	02-750-05-112
Bejar Diaz	Ana Victoria	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	1	\$14.54	9	40	\$5,234.40	02-750-05-112
Constantine	Jenna	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.05	9	40	\$5,418.00	02-750-05-112
Rosen	Shiri	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.70	9	40	\$5,652.00	02-750-05-112
Segal	Alexanader	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Lepinzan	Tristian	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.70	9	40	\$5,652.00	02-750-05-112
Shuklinsky	Mya	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Vais	Ben	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Giambattista	Liliana	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Libman	Josh	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	1	\$15.70	9	40	\$5,652.00	02-750-05-112
Skolar	Abby	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Glazer	Danielle	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Dahan	Sabrina	Day Camp Junior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Smith	Braden	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$15.70	9	40	\$5,652.00	02-750-05-112
Mitchell-Capela	Mya	Day Camp Senior Counsellor		2023-06-04	Côte Saint Luc	NEW	\$15.70	9	40	\$5,652.00	02-750-05-112
Orlov	Daniel	Day Camp Senior Counsellor		2023-06-04	Montreal-West	1	\$15.99	9	40	\$5,756.40	02-750-05-112
Lesenko-Oliveros	Eliot	Park Leader		2023-05-28	Montreal	1	\$17.01	10	40	\$6,804.00	02-750-05-112
Salkovitz	Hannah	Day Camp Senior Counsellor		2023-06-04	Montreal	2	\$15.70	9	40	\$5,652.00	02-750-05-112
Fichman	Alexandra	Day Camp Junior Counsellor		2023-06-04	Montreal	NEW	\$14.54	9	40	\$5,234.40	02-750-05-112
Barman-Tao	Dawson	Day Camp Senior Counsellor		2023-06-04	Montreal	1	\$15.99	9	40	\$5,756.40	02-750-05-112
									Sub total:	\$160,043.20	
AQUATICS											
Boboc	Nicoleta	Lifeguard		2023-02-10	Côte Saint Luc	New	\$15.34	40	4	\$2,454.40	02-780-01-112
Sadgursky	Kelly	Lifeguard		2023-02-11	Côte Saint Luc	New	\$15.34	40	4	\$2,454.40	02-780-01-112
									Sub total:	\$4,908.80	
									Total:	\$166,587.80	

Cornelia Ziga
 Director of Recreation

 Signed
 for Cornelia Ziga

Mar 3 2023
 Date

ANNEX B
MINUTES OF THE CORRECTIONS – RESOLUTION 221146

NATURE OF THE CORRECTION:

- ❖ Resolution 221146 entitled: “Urban planning – minor exemption – 7928-7930 Wavell – Côte Saint-Luc

Resolution 221146 in French

- « QUE conformément aux dispositions du Règlement G18-0005, qu’une demande de dérogation mineure concernant une propriété localisée au 7928 7930 Wavell, lot 1 053 327 soit et est, par les présentes, **approuvée**, le tout tel que plus amplement décrit ci-dessous);
- « QUE conformément aux dispositions du Règlement G18-0005, qu’une demande de dérogation mineure concernant une propriété localisée au 7928 7930 Wavell, lot 1 053 327 soit et est, par les présentes, **refusée**, le tout tel que plus amplement décrit ci-dessous);

I, the undersigned, Florine Agbognihoue, Assistant City Clerk of the City of Côte Saint-Luc, modify by these correcting minutes the resolution 221146, being a clerical error.

These correcting minutes enter into force immediately after being signed.

In witness whereof, I have signed in Côte Saint-Luc, Quebec, this _____ 2023.

Florine Agbognihoue
Assistant City Clerk

221146

AMÉNAGEMENT URBAIN – DÉROGATION MINEURE – 7928-7930 WAVELL – CÔTE-SAINTE-LUC

Il fut

PROPOSÉ PAR LE CONSEILLER MITCH KUJAVSKY
APPUYÉ PAR LA CONSEILLÈRE ANDEE SHUSTER

ET RÉSOLU :

« QUE conformément aux dispositions du Règlement G18-0005, qu'une demande de dérogation mineure concernant une propriété localisée au 7928-7930 Wavell, lot 1 053 327 soit et est, par les présentes, approuvée refusée, le tout tel que plus amplement décrit ci-dessous:

La demande vise à permettre un agrandissement de l'accès véhiculaire (aire pavée supplémentaire) :

- avec une largeur totale de l'aire pavée de 27'-6 au lieu de la largeur totale maximale autorisée de l'aire pavée de 21';
- avec une distance entre l'aire pavée et la ligne latérale du terrain d'au moins 11 pouces au lieu de la distance minimale requise entre l'aire pavée et la ligne latérale du terrain de 3 pieds;
- finie par asphalté au lieu d'être finie dans un matériau autre que des blocs de patio, d'asphalté ou de béton.

Le tout, nonobstant les dispositions du règlement de zonage n° 2217, articles 7-2-2 et 7-2-3. »

ADOPTÉ À LA MAJORITÉ DES VOTES AVEC LE CONSEILLER LIOR AZERAD
DISSIDENT

le Conseil pouvait, par résolution, approuver le PIIA. Il s'agit d'une irrégularité grave. Les permis ont été délivrés illégalement).

- *Desbiens c. Corp. municipale de St-Jean-de-Boischatel*, J.E. 92-400 (C.A.) (Comme il n'y a eu aucune preuve concluante qu'une injustice réelle découlait de l'omission que contenait l'avis de promulgation du règlement, cette omission peut être couverte par l'art. 14 C.M. [1916] (devenu 23 C.M actuel)).
- *Renaud c. Pavages Citadins inc.*, J.E. 89-115 (C.A.), [1988] R.L. 504 (C.A.).
« Et puis les intimés n'ont pas fait voir de préjudice réel du fait que les dossiers de la municipalité de Carignan soient gardés chez le greffier Monty dans la ville voisine de Chambly, ou que les réunions du conseil municipal sont tenues à l'Hôtel de Ville de cet endroit ». (p. 4, opinion du juge Barbès)
- *Desrosiers c. Corporation du comté de Joliette*, [1961] B.R. 705.
« Or, ne pas se soumettre à certaines formalités ne vicie pas, *a priori*, l'ordonnance ou la décision municipale, même si ces formalités sont impératives, à moins qu'elles ne soient susceptibles d'équivaloir à une injustice flagrante ou encore de permettre la transgression de l'autorité municipale ». (p. 708)

[8.13] Il n'est peut-être pas sans intérêt de mentionner que la *Charte de la Ville de Québec* avait été modifiée en décembre 1999 pour autoriser le greffier à modifier un procès-verbal, un règlement, une résolution, une ordonnance ou un autre acte du conseil ou du comité exécutif pour y corriger une erreur évidente (*Loi modifiant la Charte de la Ville de Québec*, L.Q. 1999, c. 93, art. 5 et 38). Ce pouvoir de correction avait été repris à l'article 182 de l'annexe C de la nouvelle *Charte de la Ville de Québec* et s'appliquait en plus aux actes d'un conseil d'arrondissement. Il pouvait aussi se retrouver dans d'autres chartes municipales (voir par exemple l'article 40.1 du décret qui a constitué la nouvelle Ville de Sherbrooke : *Concernant la correction du décret numéro 850-2001 du 4 juillet 2001 concernant le regroupement des villes de Sherbrooke, de Rock Forest, de Lennoxville, de Fleurimont et de Bromptonville et des municipalités d'Ascot et de Deauville*, (2002) 134 G.O. II, 3083 (n° 20, 2002-05-15)). Le 17 juin 2005 la législation municipale a été modifiée afin de permettre à tout greffier ou secrétaire-trésorier de corriger une erreur évidente ou cléricale apparaissant dans un procès-verbal, un règlement, une résolution, une ordonnance ou un autre acte du conseil, du comité exécutif ou d'un conseil d'arrondissement (art. 92.1 L.C.V.; art. 202.1 C.M.; voir aussi : « Pouvoir de correction du greffier ou du secrétaire-trésorier », (2005) 5 A.J.M. 171-174).