

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON SEPTEMBER 2<sup>ND</sup>, 2014, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Karen Zajdman, Jack Edery, Leon Elfassy, Michael Goldwax, and Harvey Shaffer, forming a quorum with Mayor Steinberg presiding.

**ABSENT:** Councillor Warren Budning

**ALSO PRESENT:** Mr. Richard Sun, Director General and Mrs. Simona Sonnenwirth, Assistant Town Clerk, acting as Secretary of the Meeting.

**FIRST QUESTION PERIOD**

The Mayor invited those persons in attendance to ask their questions.

2014-218

**ADOPTION OF THE AGENDA**

On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is hereby adopted as submitted.

Adopted

2014-219

**ADOPTION OF THE MINUTES**

On motion of Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council Meeting of August 4<sup>th</sup>, 2014 and the Minutes of the Special Council Meeting of August 11<sup>th</sup>, 2014 are hereby approved as submitted.

Adopted

*At 8.25 p.m. Councillor Leon Elfassy left temporarily the meeting.*

2014-220

**REASSIGNMENT OF COUNCIL MEMBERS PORTFOLIOS**

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On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the Members of Council acknowledge the reassignment of the Town of Hampstead's portfolios as follows:

<i>Community events, programs Day camp, Parks, Animal Protection and Sponsorships</i>	<i>Councillor Karen Zajdman Seat 1</i>
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<i>Finance Strategic development</i>	<i>Councillor Jack Edery Seat 2</i>
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<i>Urban Planning, Tennis and Traffic</i>	<i>Councillor Leon Elfassy Seat 3</i>
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<i>Public Works, IT – Co Chair Seniors, Environment</i>	<i>Councillor Michael Goldwax Seat 4</i>
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<i>Youth involvement, IT – Co Chair</i>	<i>Councillor Warren Budning</i>
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*Pool, and Centennial Committee*

*Seat 5*

*Legal and Public Security*

*Councillor Harvey Shaffer  
Seat 6*

*Inter-government relations,  
Human Resources,  
Communications and  
Agglomeration Council*

*Mayor William Steinberg*

Adopted

*At 8.35 p.m. Councillor Leon Elfassy came back to assist the meeting.*

2014-221

**ADOPTION OF SECOND DRAFT CONCORDANCE BY-LAW NUMBER 790-1 AMENDING CONCORDANCE BY-LAW 790, ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW NUMBER 728 AND SPAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD**

WHEREAS the Members of Council have received a copy of the Second Draft By-law N° 790-1, amending Concordance By-law 790, Zoning By-law number 727, subdivision By-law number 728 and SPAIP By-law number 775 and declare to have read it;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

TO approve the Second Draft By-law n° 790-1 entitled: “Concordance By-law number 790-1 amending Concordance By-law 790, Zoning By-law number 727, subdivision By-law number 728 and SPAIP By-law number 775 of the Town of Hampstead.

Adopted

2014-222

**NOTICE OF MOTION - BY-LAW N° 727-17- FURTHER MODIFYING ZONING BY-LAW N° 727 (GENERAL PROVISIONS CONCERNING PERMITTED USES OR STRUCTURES).**

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N° 727-17 regarding the further modification of Zoning By-law N° 727 will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft of By-law N° 727-17 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2014-223

**ADOPTION – FIRST DRAFT OF BY-LAW N° 727-17- FURTHER MODIFYING ZONING BY-LAW N° 727 (GENERAL PROVISIONS CONCERNING PERMITTED USES OR STRUCTURES).**

WHEREAS the Members of Council have received a copy of the First Draft of By-law N° 727-17 further modifying Zoning By-law N° 727, regarding the general provisions concerning permitted uses or structures, and declare to have read it;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

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- TO approve First Draft By-law N° 727-17 to be entitled: “By-law n° 727-17- further modifying Zoning By-law n° 727 regarding the general provisions concerning permitted uses or structures.”

Adopted

2014-224

**DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON AUGUST 11<sup>TH</sup> 2014**

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Each member of the Council having received a copy, the Assistant Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on August 11<sup>th</sup>, 2014.

The Council takes note of the deposit of the said minutes by the Assistant Town Clerk.

2014-225

**REQUEST FOR THE APPROVAL OF A MINOR EXEMPTION TO THE ZONING BY-LAW 727, ART. 6.3.2., TO PERMIT THE EXISTING LEFT SIDE SETBACK AT 2.59 M (8.5 FEET) FROM THE LOT LINE INSTEAD OF 2.86 M (9.38 FEET) TO A DETACHED SINGLE-FAMILY DWELLING AT 57 THURLOW ROAD LOT NO. : 2 088 997 ZONE RA-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775) (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005)**

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WHEREAS the members of Council have reviewed the request for approval of minor exemption to Zoning By-law number 727 art. 6.3.2., to permit the existing left side setback at 2.59 m (8.5 feet) from the lot line instead of 2.86 m (9.38 feet) to a detached single-family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on August 11<sup>th</sup>, 2014, recommended *to approve* the aforementioned request for minor exemption;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 57 Thurlow Road, lot no. : 2 088 997, Zone RA-1 is *approved*.

Adopted

**Intervention of interested persons concerning the request for Minor Exemption for project located at 57 Thurlow Road.**

*No intervention*

2014-226

**REQUEST TO AUTHORIZE AN ADDITION ON THE EXISTING FOOTPRINT OF A DETACHED SINGLE FAMILY DWELLING AT 57 THURLOW ROAD LOT NO. : 2 088 997 ZONE RA-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition on the existing footprint of a detached single family dwelling at 57 Thurlow Road, submitted to the Planning Advisory Committee meeting of August 11<sup>th</sup>, 2014 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

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2014-227

**REQUEST FOR THE APPROVAL OF MINOR EXEMPTION TO THE ZONING BY-LAW 727 ART. 6.2.1 TO PERMIT THE EXISTING FRONT SETBACK AT 4.65 M (15.25 FEET) FROM THE LOT LINE INSTEAD OF 6.1 M (20 FEET), TO ART. 6.3.1 TO PERMIT THE EXISTING RIGHT SIDE SETBACK AT 1.87 M (6.14 FEET) FROM THE PROPERTY LINE AND A TOTAL OF 4.01 M (13.16 FEET) INSTEAD OF 2.29 M (7.5 FEET) AND A TOTAL OF 4.58 M (15 FEET) AND ART. 6.3.2 TO PERMIT THE EXISTING RIGHT SIDE SETBACK AT 1.87 M (6.14 FEET) FROM THE LOT LINE INSTEAD OF A MINIMUM OF 2.29 M (7.5 FEET) TO A DETACHED DUPLEX LOCATED AT 38-40 HOLTHAM ROAD LOT NO. : 2 090 012 ZONE RB-4 (ZONING BY-LAW NO. 727) (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005)**

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WHEREAS the members of Council have reviewed the request for approval of minor exemption to Zoning By-law number 727 art. 6.2.1 to permit the existing front setback at 4.65 m (15.25 feet) from the lot line instead of 6.1 m (20 feet), to art. 6.3.1 to permit the existing right side setback at 1.87 m (6.14 feet) from the property line and a total of 4.01 m (13.16 feet) instead of 2.29 m (7.5 feet) and a total of 4.58 m (15 feet) and art. 6.3.2 to permit the existing right side setback at 1.87 m (6.14 feet) from the lot line instead of a minimum of 2.29 m (7.5 feet) to a detached duplex dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on August 11<sup>th</sup>, 2014, recommended *to approve* the aforementioned request for minor exemption;

On motion of Councillor Leon Elfassy, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 38-40 Holtham Road, lot no. : 2 090 012, Zone RB-4 is *approved*.

Adopted

*Intervention of interested persons concerning the request for Minor Exemption for project located at 38-40 Holtham Road.*

*No intervention*

2014-228

**REQUEST TO AUTHORIZE A MODIFICATION TO PREVIOUSLY SUBMITTED PLANS TO PERMIT AN ADDITION IN THE REAR YARD AND A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 172, FINCHLEY ROAD, LOT NO. : 2 089 346, ZONE RA-2, (ZONING BY-LAW NUMBER 727), (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to **previously submitted plans and elevations** to permit an addition in the rear yard and a façade modification to a detached single family dwelling at 172, Finchley Road, submitted to the Planning Advisory Committee meeting of August 11<sup>th</sup>, 2014 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

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2014-229

**REQUEST TO AUTHORIZE AN ADDITION IN THE LEFT YARD TO A SEMI-DETACHED DWELLING LOCATED AT 440, DUFFERIN ROAD, LOT NO. : 2 088 566, ZONE RB-1, (ZONING BYLAW NUMBER 727), (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition in the left yard of a semi-detached dwelling at 440 Dufferin Road, submitted to the Planning Advisory Committee meeting of August 11<sup>th</sup>, 2014 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2014-230

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO THE ZONING BY-LAW NO. 727 ART. 6.3.1 TO PERMIT THE EXISTING RIGHT SIDE SETBACK AT 1.98M (6.50 FEET) FROM THE PROPERTY LINE AND A TOTAL OF 4.36 M (14.3 FEET) INSTEAD OF 2.29 M (7.5 FEET) AND A TOTAL OF 4.58 M (15 FEET) AND TO ART. 6.3.2 TO AUTHORIZE THE EXISTING RIGHT SIDE SETBACK AT 1.98 M (6.50 FEET) FROM THE LOT LINE INSTEAD OF A MINIMUM OF 2.29 M (7.5 FEET) TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 9, HARLAND PLACE, LOT NO. : 2 089 243, ZONE RA-2, (ZONING BY-LAW NO. 727) (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005)**

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WHEREAS the members of Council have reviewed the request for approval of minor exemption to Zoning By-law number 727 art. 6.3.1., to permit the existing right side setback at 1.98m (6.50 feet) from the property line and a total of 4.36 m (14.3 feet) instead of 2.29 m (7.5 feet) and a total of 4.58 m (15 feet) and to art. 6.3.2 to authorize the existing right side setback at 1.98 m (6.50 feet) from the lot line instead of a minimum of 2.29 m (7.5 feet) to a detached single-family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on August 11<sup>th</sup>, 2014, recommended *to approve* the aforementioned request for minor exemption;

On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 9 Harland Place, lot no. : 2 089 243, Zone RA-2 is *approved*.

Adopted

**Intervention of interested persons concerning the request for Minor Exemption for project located at 9 Harland Place.**

*No intervention*

2014-231

**REQUEST TO AUTHORIZE AN ADDITION ON THE EXISTING FOOTPRINT TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 9, HARLAND PLACE, LOT NO. : 2 089 243, ZONE RA-2, (ZONING BY-LAW NUMBER 727), (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

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- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition on the existing footprint of a detached single family dwelling at 9 Harland Place, submitted to the Planning Advisory Committee meeting of August 11<sup>th</sup>, 2014 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2014-232

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF AUGUST 2014**

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WHEREAS Council reviewed the list of payments for the month of August 2014;

On motion of Councillor Jack Edery, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from July 28<sup>th</sup>, 2014 to August 27<sup>th</sup>, 2014, in the total amount of \$1 089,233.94 are hereby approved (\$627 736.77 for cheques and \$ 461,497.17 for on line payments).

Adopted

2014-233

**AUTHORIZATION OF SIGNATURE – CHEQUES AND BANK EFFECTS**

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On motion of Councillor Jack Edery, seconded by Councillor Harvey Shaffer , it was UNANIMOUSLY RESOLVED:

THAT resolution no.2014-179 be modified by rescinding the following paragraph:

“THAT in the case of vacancy in the office of the Treasurer, the Director General be authorized to sign checks and negotiable instruments for the Town of Hampstead until the vacancy is filled.”

And replacing it with the following paragraph:

“THAT in the case of vacancy in the office of the Treasurer, the Director General or his duly mandated interim replacement be authorized to sign checks and negotiable instruments for the Town of Hampstead until the vacancy is filled.”

Adopted

2014-234

**RESOLUTION OF CONCORDANCE AND SHORT MATURITY DATE - LOAN BY MEANS OF NOTES IN THE AMOUNT OF \$491,200**

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WHEREAS in compliance with the following borrowing By-laws and for the amounts indicated relative to each; the Town of Hampstead intends to borrow, by means of notes, an amount of \$491,200;

By-Law No	Amount \$
767	491,200

WHEREAS for the purposes of said issue, it is necessary to modify the borrowing By-laws pursuant to which these notes are issued;

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On motion of Councillor Jack Edery, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- THAT the preamble of the present resolution becomes an integral part of the resolution as if it was herewith reproduced in its entity;
- THAT a loan by means of notes in the amount of \$491,200 under borrowing By-law number 767 is realized;
- THAT the notes will be signed by the Mayor and the Treasurer;
- THAT the notes will be dated October 8, 2014;
- THAT the interest on the notes will be payable semi-annually;
- THAT the capital of the notes will be reimbursed as follows:

<b>2015</b>	<b>26 800 \$</b>
<b>2016</b>	<b>27 500 \$</b>
<b>2017</b>	<b>28 400 \$</b>
<b>2018</b>	<b>29 100 \$</b>
<b>2019</b>	<b>29 900 \$ (paid in 2019)</b>
<b>2019</b>	<b>349 500 \$ (to be renewed)</b>

- THAT in order to realize this loan, the Municipality must issue notes for a term shorter than the term provided for in the loan By-law, that is for a term of **five (5) years** (as of October 8, 2014), as concerns the annual amortization of capital provided for the years 2020 and following, instead of the term prescribed for the annual capital amortization per By-law number 767, each subsequent loan must be for the balance or part of the balance owing of the loan.

Adopted

2014-235

**GRANTING OF CONTRACT – SUPPLY AND PLANTATION OF TREES**

WHEREAS there has been a call for tenders, by way of written invitation, for the supply and plantation of trees;

WHEREAS, after analyzing the tenders opened on Tuesday, August 26 2014, the lowest bidder conforming to the requirements of the tender invitation is Les Entreprises Clifton DRAM Inc;

On motion of Councillor Michael Goldwax, seconded by Councillor Jack Edery, it was UNANIMOUSLY RESOLVED:

THAT, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

**Les Entreprises Clifton DRAM Inc**

Supply and plantation of 46 trees: (as per specifications in tender documents)	\$ 22,080.00
G.S.T. (5%):	\$ 1,104.00
Q.S.T. (9.975%):	\$ <u>2,202.48</u>
Grand total taxes included:	\$ 25,386.48

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Treasurer's certificate n° 14-25, dated September 2<sup>nd</sup>, 2014, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

*Councillor Harvey Shaffer disclosed that his law firm represents Les Entreprises Clifton DRAM Inc.; he abstained from participating in the discussions and from voting or attempting to influence the vote.*

Adopted

2014-236

### **GRANTING OF CONTRACT – SUPPLY OF PROFESSIONAL SERVICES FOR THE INSPECTION OF SEWER PIPES WITH TELEPHOTO LENS CAMERA**

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WHEREAS there has been a public call for tenders for the supply of professional services for the inspection of sewer pipes with telephoto lens camera;

WHEREAS, after analysing the offer of services received and the application of the formula to determine the pointing of each bidder, the highest bidder's note conforming to the requirements of the tender is the one obtained by Nordik Eau Inc;

On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

THAT, the supply of professional services for the inspection of sewer pipes with telephoto lens camera be granted to Nordik Eau Inc for an amount of \$ 64 659.07 taxes included, the whole in conformity with the offer of services dated August 25, 2014.

Treasurer's certificate n° 14-26, dated September 2<sup>nd</sup>, 2014, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2014-237

### **ESTABLISHMENT OF A SELECTION COMMITTEE TO EVALUATE TENDERS CONCERNING PROFESSIONAL SERVICES CONTRACTS FOR ROADS INSPECTION AS PART OF THE INTERVENTION PLAN FOR THE RENEWAL OF AQUADUCT PIPES, SEWERS AND ROADS**

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WHEREAS the Town has conducted a solicitation for professional services for roads inspection as part of the intervention plan for the renewal of aquaduct pipes, sewers and roads;

WHEREAS pursuant to Section 573.1.0.1.1 of the Cities and towns act, the Council shall form a selection committee to evaluate the bids for services received;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO Appoint the Director of Public Works, the Chief Operating Officer for Public Works and the Director of Material Resources and Information Technology, to be part of the selection committee for the evaluation of tenders concerning the professional services contract for roads inspection as part of the intervention plan for the renewal of aquaduct pipes, sewers and roads;
- TO appoint the Treasurer as substitute for the selection committee.

Adopted

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2014-238

**DEPOSIT OF THE LIST OF TEMPORARY MANAGEMENT EMPLOYEES HIRED UNDER RESOLUTION NO 2006-344**

Each member of the Council having received a copy, the Assistant Town Clerk deposits the list of temporary management employees hired under resolution no 2006-344.

2014-239

**AUTHORIZATION TO PAY IN INSTALLMENTS THE EXPENSES COVERING HAMPSTEAD'S SHARE OF MONTREAL WEST / HAMPSTEAD 2014-2015 SEASON OF MINOR HOCKEY EXPENSES AND ICE TIME**

WHEREAS the Town of Hampstead participates in the hockey program housed in Montreal West under the supervision of the Montreal West Civic Recreation Association;

WHEREAS, based on the anticipated number of Hampstead residents who will participate in the hockey program, the expected expense for the fall 2014 / winter 2015 is approximately \$125,000;

WHEREAS, based on the recommendation of the Director of Community Services, an advance partial payment at the beginning of the season is deemed justified given Hampstead's rate of participation in a non-profit organization's services;

It was proposed by Councillor Jack Edery, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

THAT Council approves the payment of this expense in three installments as follows:

- 1<sup>st</sup> Installment: No later than October 31, 2014 - A portion of the registration user fees - \$25,000;
- 2<sup>nd</sup> Installment: No later than December 31, 2014 – A second portion of the registration user fees \$25,000;
- 3<sup>rd</sup> Installment: At the end of the season - The balance of the program costs but not exceeding \$75,000.

Adopted

**SECOND QUESTION PERIOD**

The Mayor invited those persons in attendance to ask their questions.

2014-240

**ADJOURNMENT**

All the subjects of the Agenda having been discussed, it was proposed by Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax and unanimously resolved to declare the meeting closed.

Adopted

(s) William Steinberg  
Dr. William Steinberg, Mayor

(s) Simona Sonnenwirth  
Simona Sonnenwirth, Assistant Town Clerk