

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON AUGUST 6<sup>TH</sup>, 2012, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Abraham Gonshor, Leon Elfassy, Michael Goldwax and Bonnie Feigenbaum, forming a quorum with Mayor Steinberg presiding.

**ABSENT:** Councillors Jack Edery and Harvey Shaffer.

**ALSO PRESENT:** Mr. Richard Sun, Director General and Me Nathalie Lauzière, Town Clerk, acting as Secretary of the Meeting.

**FIRST QUESTION PERIOD**

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

2012-205

**ADOPTION OF THE AGENDA**

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is hereby adopted with the below amendment:
  - Items 8.2, 10.3 and 10.4 have been removed from the Agenda.

Adopted

2012-206

**ADOPTION OF THE MINUTES**

On motion of Councillor Michael Goldwax, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council Meeting of July 9<sup>th</sup>, 2012 and of the Special Council Meeting of July 23<sup>rd</sup>, 2012 be and are hereby approved as submitted.

Adopted

2012-207

**APPROVAL – ACTIVITIES PLAN 2012-2013 AND BUDGET PLAN 2012-2013 FOR CLD CENTRE- OUEST / CENTRE WEST**

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WHEREAS Council has reviewed the documents sent on July 25<sup>th</sup>, 2012 by the Borough Director of Saint-Laurent concerning CLD Centre-Ouest / Centre West;

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

- THAT the Town Council of Hampstead approves the Activities Plan 2012-2013 and the Budget Plan 2012-2013 of the CLD Centre-Ouest / Centre West.

Adopted

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2012-208

### **APPROVAL – APPOINTMENT OF MRS. THERESE REGENSTREIF AS A CLD BOARD MEMBER - CENTRE- OUEST / CENTRE WEST**

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WHEREAS Council has reviewed the Curriculum vitae of Mrs Therese Regenstreif concerning the replacement of a member on the CLD Board Centre-Ouest / Centre West;

WHEREAS Mrs. Regenstreif's qualifications are very compatible with the purpose and mission of the CLD Board;

On motion of Councillor Michael Goldwax, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the Town Council of Hampstead approves the appointment of Mrs. Therese Regenstreif as member of the CLD Board- Centre-Ouest / Centre West.
- THAT by her naming, the aforementioned Mrs. Regenstreif be and is hereby authorized to represent the City of Côte Saint-Luc, the Town of Hampstead and the Town of Montreal West.

Adopted

### **RECESS**

*The Mayor recessed the meeting at 8:50 p.m and reconvened the meeting at 8:55 p.m., all members of Council present at the beginning of the Meeting remaining to form a quorum.*

2012-209

### **CHANGING OF THE DATE OF THE REGULAR COUNCIL MEETING FOR THE MONTH OF SEPTEMBER 2012**

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WHEREAS the Provincial election is to be held on September 4th, 2012;

WHEREAS the Local Community Center Irving Adessky at 30, Lyncroft Road in Hampstead will be occupied for electoral purposes on September 4th, 2012;

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

- THAT the next Regular Council Meeting of the Town of Hampstead scheduled for Tuesday, September 4th, 2012 will be held on **Monday, September 10<sup>th</sup>, 2012** at 8:00 p.m. at the Irving L. Adessky Community Centre, 30 Lyncroft Road in Hampstead.

Adopted

2012-210

### **ADOPTION OF BY-LAW N° 795-1 MODIFYING BY-LAW NO. 795 CONCERNING NUISANCE**

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CONSIDERING THAT notice of motion of By-law N° 795-1 was given at the regular council meeting of July 9<sup>th</sup>, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 795-1 modifying By-law n° 795 concerning nuisance.

Adopted

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2012-211

**ADOPTION OF BY-LAW N° 797 CONCERNING A LOAN FOR THE REHABILITATION OF INFRASTRUCTURE AND SAFETY OF PLAYGROUNDS THROUGH THE USE OF PART OF THE AVAILABLE BALANCE OF THE LOAN BY-LAW NO. 749**

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CONSIDERING THAT notice of motion of By-law N° 797 was given at the regular council meeting of July 9<sup>th</sup>, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 797 concerning a loan for the rehabilitation of infrastructure and safety of playgrounds through the use of part of the available balance of the loan By-law no. 749.

Adopted

2012-212

**ADOPTION OF BY-LAW N° 798 – LOAN FOR THE REHABILITATION OF THE MUNICIPAL YARD THROUGH THE USE OF PART OF THE AVAILABLE BALANCE OF THE LOAN BY-LAW NO. 749**

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CONSIDERING THAT notice of motion of By-law N° 798 was given at the regular council meeting of July 9<sup>th</sup>, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 798 concerning a loan for the rehabilitation of the municipal yard through the use of part of the available balance of the loan by-law no. 749

Adopted

2012-213

**NOTICE OF MOTION – BY-LAW N° 729-3 AMENDING BUILDING BY-LAW NO. 729**

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NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 729-3 amending building By-law no. 729 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 729-3 and a motion to dispense with the reading of the said By-law was made.

2012-214

**ADOPTION OF DRAFT BY-LAW N° 729-3 AMENDING BUILDING BY-LAW N° 729**

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WHEREAS the Members of Council have received a copy of Draft By-law N° 729-3 amending Building By-law No. 729 and declare to have read it;

WHEREAS By-Law no. 729-3 will amend Building By-Law no. 729 in order to remove section 5.4 regarding exterior walls;

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WHEREAS in accordance with section 125 (2) of an *Act Respecting Land Use Planning and Development*, the municipal council of the Town of Hampstead delegates to the Town Clerk the power to fix the date and time of the public consultation meeting to be held;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- TO approve Draft By-law N° 729-3 amending Building By-law N° 729.

Adopted

2012-215

### **NOTICE OF MOTION – BY-LAW N° 727-12 AMENDING ZONING BY-LAW NO. 727**

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NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N° 727-12 amending Zoning By-law no. 727 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 727-12 and a motion to dispense with the reading of the said By-law was made.

2012-216

### **ADOPTION OF FIRST DRAFT BY-LAW N° 727-12 AMENDING ZONING BY-LAW N° 727 (LOCATION OF PROPANE GAS TANKS)**

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WHEREAS the Members of Council have received a copy of first Draft By-law N° 727-12 amending Zoning By-law No. 727 and declare to have read it;

WHEREAS By-Law no. 727-12 will amend Zoning By-Law no. 727 in order to modify section 6.15 regarding the location of propane gas tanks;

WHEREAS in accordance with section 125 (2) of an *Act Respecting Land Use Planning and Development*, the municipal council of the Town of Hampstead delegates to the Town Clerk the power to fix the date and time of the public consultation meeting to be held;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve First Draft By-law N° 727-12 amending Zoning By-law N° 727.

Adopted

2012-217

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JULY 16<sup>TH</sup> 2012**

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Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on July 16<sup>th</sup>, 2012.

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

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**Intervention of interested persons concerning the request for Minor Exemption for property located at 39 Heath Road.**

*Resident of 41 Heath*

2012-218

**REQUEST FOR APPROVAL FOR A MINOR EXEMPTION TO ZONING BY-LAW NUMBER 727, ART. 6.3.2 TO PERMIT THE RIGHT SIDE SETBACK AT 2M (6.56FT) INSTEAD OF 3.20M (10.5 FT), TO LEGALIZE THE EXISTING GARAGE, FOR ART. 6.3.6 TO PERMIT THE RIGHT SIDE SETBACK AT 2M (6.56FT) INSTEAD OF 2.13M (7FT) AND FOR ART. 6.8.1 TO PERMIT THE ROOF TERRACE HEIGHT AT 2M (6.56FT) INSTEAD OF 3M (9.84FT) TO PERMIT THE ENLARGEMENT OF THE REAR YARD AND THE ADDITION OF A SECOND STOREY TO A DETACHED SINGLE FAMILY DWELLING AT 39 HEATH ROAD, LOT NO.: 2 089 385, ZONE RA-1 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005 & ZONING BY-LAW NO 727)**

WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 727, article 6.3.2 to permit the right side setback at 2m (6.56ft) instead of 3.20m (10.5 ft), to legalize the existing garage, for art. 6.3.6 to permit the right side setback at 2m (6.56ft) instead of 2.13m (7ft) and for art. 6.8.1 to permit the roof terrace height at 2m (6.56ft) instead of 3m (9.84ft) to permit the enlargement of the rear yard and the addition of a second storey to a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 16<sup>th</sup>, 2012, recommended *to conditionally approve* the aforementioned request for minor exemption considering the following condition;

- That the roof terrace must be a minimum distance of 3 meters (9.84 feet) from the property line instead of 2m (6.56 feet);

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 39 Heath Road, on lot no.: 2 089 385 Zone RA-1 is *conditionally approved*, as recommended and mentioned above by the Planning Advisory Committee.

Adopted

*At 9.03 p.m. Councillor Leon Elfassy left temporarily the meeting and came back at 9.10p.m.*

*At 9.06 p.m. Councillor Abe Gonshor left temporarily the meeting and came back at 9.13p.m.*

2012-219

**REQUEST TO AUTHORIZE AN ENLARGEMENT OF A REAR YARD AND THE ADDITION OF A SECOND STOREY A DETACHED SINGLE FAMILY DWELLING AT 39 HEATH ROAD, LOT NO.: 2 089 385, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)**

On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an enlargement of a

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rear yard and the addition of a second storey to a detached single family dwelling at 39 Heath Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 is **conditionally approved**. The modifications partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC considering the following conditions:

- the proposed elevated deck must be located at a distance of 3m. (9.8 feet) from the property line;
- the garage and the roof must be raised by 1m. (3.3 feet).

Adopted

*At 9.13 p.m. Councillor Michael Goldwax left temporarily the meeting.*

2012-220

**REQUEST TO AUTHORIZE FAÇADE MODIFICATIONS TO A DETACHED SINGLE FAMILY DWELLING AT 346 DUFFERIN ROAD, LOT NO.: 2 088 587, ZONE RA-2 (SPAIP BY-LAW NUMBER 775 & ZONING BY-LAW 727)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize façade modifications of a detached single family dwelling at 346 Dufferin Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 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

2012-221

**REQUEST TO AUTHORIZE FAÇADE MODIFICATIONS TO A DETACHED SINGLE FAMILY DWELLING AT 5711 FERNCROFT ROAD, LOT NO.: 2 089 196, ZONE RA-2 (SPAIP BY-LAW NUMBER 775 & ZONING BY-LAW 727)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize façade modifications of a detached single family dwelling at 5711 Ferncroft Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 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

2012-222

**REQUEST TO AUTHORIZE FAÇADE MODIFICATIONS TO A DETACHED SINGLE FAMILY DWELLING AT 19 BRIARDALE ROAD, LOT NO.: 2 089 993, ZONE RA-1 (SPAIP BY-LAW NO 775 & ZONING BY-LAW 727)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, 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 façade modifications of a detached single family dwelling at 19 Briardale Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 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

2012-223

**REQUEST TO AUTHORIZE FAÇADE MODIFICATIONS TO A SEMI-DETACHED SINGLE FAMILY DWELLING AT 108 DUFFERIN ROAD, LOT NO.: 2 088 636, ZONE RB-1 (SPAIP BY-LAW NUMBER 775 & ZONING BY-LAW 727)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize façade modifications of a semi-detached single family dwelling at 108 Dufferin Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 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

*Councillor Michael Goldwax came back to assist the meeting at 9.17p.m.*

**Intervention of interested persons concerning the request for Minor Exemption for property located at 10 Northcote Road.**

*No intervention*

2012-224

**REQUEST FOR THE APPROVAL OF A MINOR EXEMPTION FROM ZONING BY-LAW 727, ART. 6.2.1, TO PERMIT THE SECONDARY FRONT SETBACK AT 5.52M (18.11FT) INSTEAD OF 6.1M (20FT) TO PERMIT AN ENLARGEMENT, TO A DETACHED SINGLE-FAMILY DWELLING AT 10 NORTHCOTE ROAD LOT NO. : 2 089 005 ZONE RA-1 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005 & ZONING BY-LAW NO 727)**

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WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 727, article 6.2.1 to permit secondary front setback at 5.52m (18.11ft) instead of 6.1m (20ft) to permit an enlargement, to a detached single-family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 16<sup>th</sup>, 2012, 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 10 Northcote Road, on lot no.: 2 089 005 Zone RA-1 is **approved**.

Adopted

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2012-225

**REQUEST TO AUTHORIZE AN ENLARGEMENT ON THE FRONT SECONDARY YARD TO A DETACHED SINGLE FAMILY DWELLING AT 10 NORTHCOTE ROAD LOT NO.: 2 089 005 ZONE RA-1 (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 enlargement on the front secondary yard to a detached single family dwelling at 10 Northcote Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 is *conditionally approved*. The modifications partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC considering the following condition:
  - the proposed stone for the garage needs to be raised 0.40m. (1.3 feet);

Adopted

**Intervention of interested persons concerning the request for Minor Exemption for property located at 192 Wexford Road.**

*No intervention*

2012-226

**REQUEST FOR APPROVAL FOR A MINOR EXEMPTION TO ZONING BY-LAW NUMBER 727, ART. 6.2.1 TO PERMIT THE FRONT SETBACK AT 6.04M (19.8FT) INSTEAD OF 6.10M (20.0FT) AND FOR ART. 6.3.2 TO PERMIT THE RIGHT SIDE SETBACK AT 3.16M (10.37FT) INSTEAD OF 3.20M (10.49FT), TO LEGALIZE AN EXISTING DETACHED SINGLE FAMILY DWELLING AT 192 WEXFORD ROAD, LOT NO.: 2 089 211, ZONE RA-2 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005 & ZONING BY-LAW NUMBER 727)**

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WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 727, article 6.2.1 to permit the front setback at 6.04m (19.8ft) instead of 6.10m (20.0ft) and for art. 6.3.2 to permit the right side setback at 3.16m (10.37ft) instead of 3.20m (10.49ft), to legalize an existing detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 16<sup>th</sup>, 2012, 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 192 Wexford Road, on lot no.: 2 089 211 Zone RA-2 is *approved*.

Adopted

**Intervention of interested persons concerning the request for Minor Exemption for property located at 148 Finchley Road.**

*No intervention*



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2012-227

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW 727, ART. 6.3.2 TO LEGALIZE THE RIGHT SIDE SETBACK AT 2M (6.56 FT) INSTEAD OF 2.74M (9FT) AND ART. 6.8.1 TO PERMIT THE CONSTRUCTION OF A TERRACE AT 2.40M (7.87FT) FROM THE PROPERTY LINE INSTEAD OF 3M (9.84FT) OF A DETACHED SINGLE FAMILY DWELLING AT 148 FINCHLEY ROAD LOT NO.: 2 089 136 ZONE RA-2 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005 & ZONING BY-LAW NUMBER 727)**

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WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 727, article 6.3.2 to legalize the right side setback at 2m (6.56 ft) instead of 2.74m (9ft) and art. 6.8.1 to permit the construction of a terrace at 2.40m (7.87ft) from the property line instead of 3m (9.84ft) of a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 16<sup>th</sup>, 2012, recommended *to approve* the aforementioned request for minor exemption;

On motion of Councillor Leon Elfassy, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 148 Finchley Road, on lot no.: 2 089 136 Zone RA-2 is *approved*.

Adopted

2012-228

**REQUEST TO AUTHORIZE AN ENLARGEMENT IN THE REAR YARD AND THE CONSTRUCTION OF A TERRACE TO A DETACHED SINGLE FAMILY DWELLING AT 148 FINCHLEY ROAD, NO. LOT 2 089 136, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an enlargement in the rear yard and the construction of a terrace to a detached single family dwelling at 148 Finchley Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2012-229

**REQUEST TO AUTHORIZE THE ENLARGEMENT OF THE REAR YARD AND A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING AT 8 APPLEWOOD ROAD, LOT NO. : 2 089 856, 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 Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize the enlargement of the rear yard and a façade modification to a detached single family dwelling at 8 Applewood Road, submitted to the Planning Advisory Committee meeting of July 16<sup>th</sup>, 2012 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet

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the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

**Intervention of interested persons concerning the request for Minor Exemption for property located at 89 Finchley Road.**

*No intervention*

2012-230

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW 727, ART. 7.6.3.1 AND ART. 7.6.3.4 TO PERMIT THE ENLARGEMENT OF A VEHICULAR ACCESS AND RECONSTRUCTION OF A RETAINING WALL AT 0.39M (1.3FT) FROM THE PROPERTY LIMIT INSTEAD OF 1M (3.3FT) OF A DETACHED SINGLE FAMILY DWELLING AT 89 FINCHLEY ROAD, NO. LOT 2 089 005, ZONE RA-1 (BY-LAW CONCERNING MINOR EXEMPTIONS #18 G-0005 & ZONING BY-LAW NO 727)**

WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 727, article 7.6.3.1 and art. 7.6.3.4 to permit the enlargement of a vehicular access and reconstruction of a retaining wall at 0.39m (1.3ft) from the property limit instead of 1m (3.3ft) of a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on July 16<sup>th</sup>, 2012, recommended *to approve* the aforementioned request for minor exemption;

On motion of Councillor Leon Elfassy, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 89 Finchley Road, on lot no.: 2 089 005 Zone RA-1 is *approved*.

Adopted

2012-231

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JULY 2012**

WHEREAS Council reviewed the list of payments for the month of July 2012;

On motion of Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from July 1<sup>st</sup>, 2012 to July 31<sup>st</sup>, 2012, in the total amount of \$ 1,069,663.95 are hereby approved (\$ 511,986.83 for cheques and \$ 557,677.12 for on line payments).

Adopted

*At 9.23 p.m. Councillor Abraham Gonshor left temporarily the meeting.*

2012-232

**GRANTING OF CONTRACT – SNOW CLEARING OF SKATING RINKS IN HAMPSTEAD AND ELLERDALE PARKS – WINTER 2012/2013**

WHEREAS there has been a call for tenders, by way of written invitation, for a one season contract including a clause for two optional renewals of one season each for the snow removal of skating rinks in Hampstead and Ellerdale Parks;

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WHEREAS Resolution number 2010-577, adopted by the Council on October 19, 2010, authorized granting the contract to the lowest bidder conforming to the requirements, Les Entreprises Clifton DRAM Inc, for the winter season 2010-2011;

WHEREAS Resolution number 2011-848, adopted by the Council on August 3, 2011, authorized granting the first optional renewal of one season to the lowest bidder conforming to the requirements, Les Entreprises Clifton DRAM Inc, for the winter season 2011-2012;

WHEREAS the Director of Material Resources recommends exercising the second renewal option;

WHEREAS, after analysing the tenders opened on August 3, 2010, 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 Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT, as recommended by the Director of Material Resources, the contract for snow clearing of skating rinks 2012/2013 in Hampstead and Ellerdale Parks be and is hereby granted to the following contractor, the whole as more amply delineated hereunder:

**LES ENTREPRISES CLIFTON DRAM INC**

Snow clearing skating rink #1 Hampstead Park	\$ 8,850.00
Snow clearing skating rink #2 Hampstead Park	\$ 8,850.00
Snow clearing skating rink Ellerdale Park	\$ 8,850.00

G.S.T. and Q.S.T. are applicable on above prices.

Treasurer's certificate N° 12-20, dated July 11 2012, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2012-233

**EXTENSION OF CONTRACT – REMOVAL OF GARBAGE AND GREEN WASTE FOR THE YEAR 2013**

WHEREAS there has been a call for tenders by way of public tender, for a one year contract including a clause for four optional renewals for the removal of garbage and green waste;

WHEREAS Resolution number 2010-623, adopted by the Council on December 7, 2010, authorized granting the contract to the lowest bidder conforming to the requirements, TTI Environnement Inc, for the year 2011;

WHEREAS Resolution number 2011-892, adopted by the Council on October 5, 2011, authorized granting the first optional renewal of one year to the lowest bidder conforming to the requirements, TTI Environnement Inc, for the year 2012;

WHEREAS the Director of Material Resources recommends exercising the second one-year renewal option;

On motion of Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the contract with TTI Environnement Inc., for the removal of garbage and green waste, be renewed for 2013, at the cost outlined below:

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**TTI ENVIRONNEMENT INC.**

Removal of garbage and green waste year 2012:	\$ 134 109.84
G.S.T. 5%	\$ 6 705.49
Q.S.T. 9.5%	\$ 13 377.46
<b>GRAND TOTAL</b>	<b>\$ 154 192.79</b>

Adopted

2012-234

**APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR  
COMMUNITY SERVICES DEPARTMENT**

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CONSIDERING THAT Council members reviewed the report of the Community Services Acting Supervising Manager dated July 31, 2012, with regard to hiring auxiliary employees,

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of auxiliary employees with the hourly rates for the Community Services Department, such as enumerated in the list prepared by the Director of Community Services.

Adopted

2012-235

**SUSPENSION OF EMPLOYEE #1278**

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WHEREAS the Director General has reported a four (4) days suspension without pay of employee #1278,

It is proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- **THAT**, having inquired, **THE COUNCIL** ratifies the four (4) days disciplinary suspension without pay of employee #1278 imposed by the Director General on July 23, 2012, in accordance with article 113 of the Cities and Towns Act.

Adopted

*Councillor Abraham Gonshor came back to assist the meeting at 9.26p.m.*

2012-236

**APPROVAL OF A CONTRACT FOR THE PERSONAL SERVICES OF  
MR. ANDRÉ DROUIN AS “SPOKESMAN AND CHIEF NEGOTIATOR  
FOR THE RENEWAL OF THE COLLECTIVE AGREEMENT  
BETWEEN THE TOWN OF HAMPSTEAD AND THE BLUE COLLAR  
UNION”**

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CONSIDERING THAT Mr. André Drouin's employment contract ends on August 31<sup>st</sup> 2012 and that he is retiring as a Town employee on August 31<sup>st</sup> 2012;

CONSIDERING THAT the Town of Hampstead requires the services of a person who will act as a spokesman and chief negotiator for the renewal of the collective agreement between the Town of Hampstead and the blue collar Union;

CONSIDERING THAT the Director General and the Division Chief of Human Resources are recommending the signature of a contract for services to fill the need;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

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- TO authorize the Director General to enter into a service contract for Mr. André Drouin to provide his personal services as “Spokesman and chief negotiator for the renewal of the collective agreement between the Town of Hampstead and the blue collar Union” under the conditions set forth in the contract entered into between the parties for the period starting on September 1<sup>st</sup> 2012 and contained in a confidential file in the Human Resources Division Chief’s Office;

Treasurer’s certificate no 12-31, dated August 2<sup>nd</sup> 2012 has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2012-237

### **MODIFICATION OF THE RESOLUTION 2012-209 - CHANGING OF THE DATE OF THE REGULAR COUNCIL MEETING FOR THE MONTH OF SEPTEMBER 2012**

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Abe Gonsior, it was UNANIMOUSLY RESOLVED:

- TO replace resolution N<sup>o</sup> 2012-209 approved by the Council at its Regular Council Meeting of August 6<sup>th</sup>, 2012 with the following:
  - “- THAT the next Regular Council Meeting of the Town of Hampstead scheduled for Tuesday, September 4th, 2012 will be held on **Tuesday, September 11<sup>th</sup>, 2012** at 8:00 p.m. at the Irving L. Adessky Community Centre, 30 Lyncroft Road in Hampstead.”

Adopted

### **SECOND QUESTION PERIOD**

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

2012-238

### **ADJOURNMENT**

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

Adopted

(s) William Steinberg \_\_\_\_\_  
Dr William Steinberg, Mayor

(s) Nathalie Lauzière \_\_\_\_\_  
M<sup>c</sup> Nathalie Lauzière, Town Clerk