

**Minutes of Town of Hampstead**

**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON AUGUST 23<sup>RD</sup>, 2010, 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, Jack Edery, Michael Goldwax, Bonnie Feigenbaum and Harvey Shaffer, forming a quorum with Mayor Steinberg presiding.

**ABSENT:** Councillor Leon Elfassy

**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.

2010-515

**ADOPTION OF THE AGENDA**

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the Special Council Meeting is hereby adopted as submitted.

Adopted

2010-516

**ADOPTION – BY-LAW N° 747-15 – MODIFYING BY-LAW N° 747-14 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR FALL 2010/WINTER 2011**

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CONSIDERING THAT notice of motion was given the at the Regular Council meeting of August 2<sup>nd</sup>, 2010 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 Bonnie Feigenbaum, seconded by Councillor Abraham Gonshor and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 747-15 entitled: By-law modifying By-law N° 747-14, to decree the Fee Schedule for Cultural, Sports and Leisure Activities for Fall 2010/Winter 2011.

Adopted

2010-517

**ADOPTION – BY-LAW NO 694-7 FURTHER MODIFYING BY-LAW N° 694 CONCERNING TRAFFIC**

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CONSIDERING THAT notice of motion was given the at the Regular Council meeting of August 2<sup>nd</sup>, 2010 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 Harvey Shaffer seconded by Councillor Abraham Gonshor and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 694-7 entitled: By-law further modifying By-law No. 694 concerning Traffic.

Adopted

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2010-518

**ADOPTION OF BY-LAW NO.780 AUTHORIZING A LOAN FOR THE COST OF REHABILITATION OF WATER MAINS AND SEWERS FOR DIFFERENT LOCATIONS IN THE TOWN**

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CONSIDERING THAT notice of motion was given the at the Regular Council meeting of August 2<sup>nd</sup>, 2010;

It was proposed by Councillor Jack Edery, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO approve By-law N<sup>o</sup> 780 authorizing a loan for the cost of rehabilitation of water mains and sewers.

Adopted

2010-519

**APPROVAL OF THE PAYMENT CONCERNING AN INSURANCE CLAIM REGARDING 20 THURLOW ROAD, HAMPSTEAD**

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It was proposed by Councillor Harvey Shaffer, seconded by Councillor Bonnie Feigenbaum, and unanimously resolved to defer this item to a subsequent meeting.

Adopted

2010-520

**DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON AUGUST 9, 2010**

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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 August 9, 2010.

2010-521

**REQUEST TO AUTHORIZE A SECOND STOREY ADDITION TO A DETACHED SINGLE FAMILY DWELLING AT 7 COLCHESTER ROAD, LOT NO.: 2 089 852, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations for a second storey addition to a detached single family dwelling at 7 Colchester Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-522

**REQUEST TO AUTHORIZE A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING AT 32 CRESSY ROAD, LOT NO.: 2 089 739, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations for a façade modification to a detached single family dwelling at 32 Cressy Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of

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the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC considering the following element:

- To ensure a delimitation between the first and the second floor in regards to the materials used, namely to install on both side elevations vinyl siding and the installation of stucco on the first level on all four elevations.

Adopted

2010-523

**REQUEST TO AUTHORIZE THE DEMOLITION AND CONSTRUCTION OF A DETACHED SINGLE FAMILY DWELLING AT 39 HEATH ROAD, LOT NO.: 2 089 573, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations for the demolition and construction of a detached single family dwelling at 39 Heath Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC considering the following element:

- To install the projected door at the basement level to the outermost left portion of the wall so as to minimize the amount of excavated earth and in addition, by reducing the impact of the excavation in the back yard.

Adopted

2010-524

**REQUEST TO AUTHORIZE A MODIFICATION TO THE REAR AND RIGHT SIDE ELEVATIONS OF A SEMI-DETACHED SINGLE FAMILY DWELLING AT 40 DUFFERIN ROAD, LOT NO.: 2 088 389, ZONE RB-1 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations for a modification to the rear and right side elevations of a semi-detached single family dwelling at 40 Dufferin Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-525

**REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 18 BARONSCOURT ROAD, LOT NO.: 2 089 318, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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

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- THAT the site planning and architectural integration program showing **plans and elevations for an addition in the rear yard of a detached single family dwelling at 18 Baronscourt Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-526

**REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 201 HARLAND ROAD, LOT NO.: 2 089 179, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Abraham Gonshor, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations for an addition in the rear yard of a detached single family dwelling at 201 Harland Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-527

**REQUEST TO AUTHORIZE A SECOND STOREY ADDITION TO A DETACHED SINGLE FAMILY DWELLING AT 345 DUFFERIN ROAD, LOT NO.: 2 088 459, ZONE RB-1 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations for a second storey addition to a detached single family dwelling at 345 Dufferin Road**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2010-528

**REQUEST TO AUTHORIZE A MODIFICATION TO THE FRONT ELEVATION OF A DETACHED SINGLE FAMILY DWELLING AT 18 HOLTHAM PLACE, LOT NO.: 2 090 017, ZONE RB-4 (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Abraham Gonshor, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations for a modification to the front elevation of a detached single family dwelling at 18 Holtham Place**, submitted to the Planning Advisory Committee meeting of August 9, 2010 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC :

- to the following condition:

To ensure that the panels are repetitive below the windows;

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- and with the following suggestion:

See the possibility of installing columns on the gallery in order to support the marble plates located below the second storey balcony and thus to ensure that all the security standards are met.

Adopted

2010-529

**REQUEST TO AUTHORIZE THE DEMOLITION AND CONSTRUCTION OF A DETACHED SINGLE FAMILY DWELLING AT 15 APPLEWOOD CRESCENT, LOT NO.: 2 089 861, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations for the demolition and construction of a detached single family dwelling at 15 Applewood Crescent**, submitted to the Planning Advisory Committee meeting of July 12, 2010 is *approved*, more specifically **option 2**, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

**Intervention of interested persons concerning request for minor exemption at 15 Applewood Crescent:**

**No Intervention**

2010-530

**MINOR EXEMPTION REQUEST TO THE ZONING BY-LAW NUMBER 727, ARTICLE 6.4.1, IN ORDER TO PERMIT THE REAR SETBACK OF 5.77M (18.93 FEET) INSTEAD OF 8.22M (26.97 FEET) FOR A DETACHED SINGLE-FAMILY DWELLING AT 15 APPLEWOOD CRESCENT, LOT NO.: 2 089 861, ZONE RA-2**

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WHEREAS the members of Council have reviewed the request for approval for a minor exemption to Zoning By-law N° 727 Article 6.4.1 for the property located at 15 Applewood Crescent, lot 2 089 861, in order to permit the rear setback of 5.77m (18.93 feet) instead of 8.22m (26.97 feet);

WHEREAS the Planning Advisory Committee, at its meeting held on July 12, 2010, recommended to *approve* the aforementioned request for minor exemption;

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

- ✓ THAT the aforementioned request for minor exemption for the property located at 15 Applewood Crescent, on lot 2089861, Zone RA-2, is **approved**.

Adopted

**Intervention of interested persons concerning request for minor exemption at 127-129 Dufferin Road:**

**Mrs. Rachel Genziuk**

2010-531

**MINOR EXEMPTION REQUEST TO THE ZONING BY-LAW NUMBER 727, ARTICLES 6.2.1, 6.3.1, AND 6.6.5 FOR THE REGULARIZATION OF A SEMI-DETACHED SINGLE-FAMILY DWELLING AT 127-129 DUFFERIN ROAD, LOT NO.: 2 088 669, ZONE RB-1, IN ORDER TO PERMIT THE FOLLOWING ELEMENTS:**

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- FRONT SETBACK OF 4.36M (14.3FT) INSTEAD OF THE PRESCRIBED 6.1M (20 FT);
- LEFT SIDE SETBACK OF 2.07M (6.8 FT) INSTEAD OF THE PRESCRIBED 2.3M (7.5 FT);
- RIGHT SIDE SETBACK OF 2.14M (7 FT) INSTEAD OF THE PRESCRIBED 2.3M (7.5 FT);
- THE FRONT PROJECTION OF THE BUILDING OF 3.54M (11.6 FT) INSTEAD OF THE PRESCRIBED 2.13M (7 FT);
- THE CORNICE OF THE FRONT ELEVATION OF 2.02M (6.6FT) INSTEAD OF THE PRESCRIBED 0.76M (2.5 FT).

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WHEREAS the members of Council have reviewed the request for approval for a minor exemption to Zoning By-law N<sup>o</sup> 727 Articles 6.2.1, 6.3.1, and 6.6.5 for the regularization of a semi-detached single family dwelling at 127-129 Dufferin Road, Lot No.: 2 088 669, Zone RB-1;

WHEREAS the Planning Advisory Committee, at its meeting held on July 12, 2010, recommended to *approve* the aforementioned request for minor exemption;

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Jack Edery, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 127-129 Dufferin Road, on lot 2 088 669, Zone RB-1 is *approved*.

Adopted

2010-532

### **MODIFICATION TO RESOLUTION 2009-266**

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WHEREAS Zoning By-law N<sup>o</sup> 727, Chapter 11.1, requires that the members of the Demolition Committee be designated by Council resolution;

WHEREAS resolution 2009-266 was adopted to that effect on November 16, 2009, at a Regular Meeting of the Council of the Town of Hampstead;

On motion of Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED to modify the following paragraph:

- THAT the following members be named:
  - Mayor William Steinberg – Member ex officio
  - Councillor Leon Elfassy - Chairman
  - Councillor Abraham Gonshor
  - Councillor Michael Goldwax
  - 1<sup>st</sup> Replacement to unavailable Councillor:  
Councillor Bonnie Feigenbaum
  - 2<sup>nd</sup> Replacement to unavailable Councillor:  
Councillor Jack Edery
  - Isabelle Ménard – Secretary of the Committee
  - Replacement to unavailable Secretary of the Committee:  
Romeo Rivera

Adopted

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2010-533

**AUTHORIZATION TO PAY IN INSTALLMENTS THE EXPENSES COVERING HAMPSTEAD'S SHARE OF MONTREAL WEST / HAMPSTEAD 2010-2011 SEASON OF MINOR HOCKEY EXPENSES AND ICE TIME**

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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 2010 / Winter 2011 is approximately \$85,000;

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;

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

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

- 1<sup>st</sup> Installment:           October 31, 2010 - A portion of the registration user fees \$25,000;
- 2<sup>nd</sup> Installment:           January 31, 2011 - The balance of the registration user fees;
- 3<sup>rd</sup> Installment:           At the end of the season - The balance of the program costs.

Adopted

2010-534

**GRANTING OF CONTRACT – REHABILITATION OF AQUEDUCT PIPES BY RELINING**

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WHEREAS there has been a call for tenders, by way of public tender, for the rehabilitation of aqueduct pipes by relining;

WHEREAS, after analysing the tenders opened on August 23, 2010, the lowest bidder conforming to the requirements of the public tender is Sanexen Services Environnementaux inc;

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

- THAT, as recommended by Mr Riad Taouk, Engineer from the firm Roche Ingenieur Conseils Ltd, the following quotation for the following contract be and is hereby approved conditional upon both the MAMROT approval of the PRECO grant and the By-Law 780 authorizing a loan for the cost of the rehabilitation of water mains for different locations in the Town, the whole as more amply delineated hereunder:

**SANEXEN SERVICES ENVIRONNEMENTAUX INC**

Rehabilitation of aqueduct and sewer pipes by relining:	\$ 795 810.00
Contingencies (10%):	\$ 79 581.00

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G.S.T. 5%	\$ 43 769.55
Q.S.T. 7.5%	<u>\$ 68 937.04</u>
Grand total taxes included	\$ 988 097.59

- THAT Treasurer's Certificate N° 10-024, dated August 23, 2010, has been issued by the Assistant Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2010-535

**SUSPENSION OF EMPLOYEE # 1025**

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**WHEREAS** the Director General has reported a three (3) day suspension without pay of employee # 1025;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- **THAT**, having inquired, Council ratifies a three (3) day disciplinary suspension without pay of employee # 1025, imposed by the Director General, in accordance with article 113 of the Cities and Towns Act.

Adopted

**SECOND QUESTION PERIOD**

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

*At 9:00 p.m. Councillor Bonnie Feigenbaum temporarily left the meeting.*

*At 9:03 p.m Councillor Bonnie Feigenbaum returned to the meeting.*

2010-536

**ADJOURNMENT**

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

Adopted

(s) William Steinberg

(s) Nathalie Lauzière

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Dr. William Steinberg, Mayor

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Me Nathalie Lauzière, Town Clerk