CANADA PROVINCE OF QUEBEC MUNICIPALITY OF WEST BOLTON

Minutes of the regular Council meeting of the of the Municipality of West Bolton, held on Monday, August 10, 2020 at 7:30 p.m. by videoconference with live streaming on Facebook.

<u>The following are present</u>: Jean-Pierre Pouliot, Councillor nº 2 Loren Allen, Councillor nº 3 Denis Vaillancourt, Councillor nº 4 Gilles Asselin, Councillor nº 5 Cedric Briggs, Councillor nº 6 who formed a quorum. The meeting was chaired by Jacques Drolet, mayor.

<u>Also present</u>: Jean-François Grandmont, Director general and Secretary-treasurer Michael Ferland, Planning officer and Municipal inspector

<u>Is absent</u>: Robert Chartier, Councillor nº 1

AGENDA

- 1. CALL TO ORDER
- 2. ADOPTION OF THE AGENDA
- 3. FIRST QUESTION PERIOD
- 4. APPROVAL OF MINUTES
- 5. CORRESPONDENCE
- 6. TOWN PLANNING
 - 6.1. Inspector's Report
 - 6.2. Request for minor exemption #2020-03-0001 21, Stukely Road
 - 6.3. Request for minor exemption #2020-05-0003 7, Terrace-Maple Road
 - 6.4. Application for conditional use #2020-06-0004 Residential tourism component 4 Crow Hill Road
 - 6.5. Application for conditional use #2020-06-0007 Residential tourism component - 8 Vista Road
 - 6.6. *Commission de protection du territoire agricole du Québec -*Application to use a lot for a purpose other than agriculture - 340, de Brill Road
 - 6.7. Bolton-Pass Road Revitalization Pethel consultants Market study
 - 6.8. SLAIP Application Creation of artificial pond 67, chemin Paramount - File Number 2020-07-0008

7. ADMINISTRATION

- 7.1. Approval of accounts and transfers
- 7.2. Human Resources Intern Contract extension
- 7.3. 3-1-1 CITAM Outsourcing of municipal calls
- 7.4. By-law number 370-2020 respecting the rate of transfer tax applicable to transfers of immovables with a tax base over \$500,000 Adoption

8. ROADWORKS

- 8.1. Foster Road Provisional Acceptance
- 8.2. Mont Foster Work Supervision
- 9. ENVIRONMENT
 - 9.1. Brown bins Tonnage analysis
 - 9.2. Brown bins Compliance analysis
- **10. PUBLIC SECURITY**

11. HEALTH AND WELLNESS

- 11.1. End of delivery service with IGA
- **12. LEISURE AND CULTURE**
- 12.1. Les 100 à B7 Authorization
- 13. VARIA
- 14. SECOND QUESTION PERIOD
- **15. END OF MEETING**

182-0820 CALL TO ORDER

With the members participating in the opening of the meeting forming a quorum, the meeting called to order by the mayor at 7:30 pm.

The mayor addressed participants and invited them to ask their questions live by phone or via ZOOM.

183-0820 ADOPTION OF THE AGENDA

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Gilles Asselin and resolved to adopt the agenda presented while keeping the Varia open and removing the following item:

8.1 Foster Road - Provisional acceptance

Adopted unanimously

184-0820 FIRST QUESTION PERIOD

Council held a first question period during which the mayor answered questions emailed to him prior to the meeting.

185-0820 APPROVAL OF MINUTES

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Loren Allen and resolved to approve the minutes of July 6, 2020.

Adopted unanimously

Note: The approval of the minutes was made at the Varia.

186-0820 CORRESPONDENCE

Nothing to discuss.

187-0820 TOWN PLANNING INSPECTOR'S REPORT - PERMITS AND CERTIFICATES

Mr. Michael Ferland presented the inspector's report for the month of July 2020.

Number of permits: 21 Value of work: \$574,822

188-0820 TOWN PLANNING REQUEST FOR MINOR EXEMPTION #2020-03-0001 21 STUKELY ROAD

The Mayor and Mr. Michael Ferland, Planning officer and Municipal inspector, presented the application.

Nature and effects of request #2020-03-0001:

To allow the reduction of the minimum average depth to 46.41 metres in order to be able to carryout a 5,000 square metre subdivision with a frontage of 107.73 metres. The current standard for the average minimum depth of a lot in an agricultural zone is 75 metres, as set out in the table to Section 4.1.2 of Subdivision By-law Number 265-2008.

Identification of the site concerned: The site covered by this application is located at 21 Stukely Road in West Bolton, on Lot 5 193 295 of the Quebec cadastre (roll number: 8814-38-3031).

A written consultation was held to allow any interested party to be heard on this application. The comments received were forwarded to members of Council.

188-0820 TOWN PLANNING REQUEST FOR MINOR EXEMPTION #2020-03-0001 21 STUKELY ROAD

WHEREAS pursuant to Sections 145.1 and following of the *Act Respecting Land Use Planning and Development,* the application complies with the objectives of the Master Plan, does not affect neighbouring property owners' enjoyment of their ownership right;

WHEREAS the Planning Advisory Committee recommends to Council, by resolution number 0620-007, to approve this request;

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Loren Allen and resolved to approve the request for minor exemption #2020-03-0001 and to allow the reduction of the minimum average depth to 46.41 metres in order to allow the setting up of a subdivision of 5,000 square metres with a frontage of 107.73 metres for the benefit of Lot 5 193 295 of the Quebec cadastre (roll number: 8814-38-3031).

Adopted unanimously

189-0820 TOWN PLANNING REQUEST FOR MINOR EXEMPTION #2020-05-0003 7, CHEMIN DE LA TERRASSE-MAPLE

The Mayor and Mr. Michael Ferland, Planner and City Inspector, presented the application.

Nature and effects of request #2020-05-0003:

Allow the reduction of lateral setbacks to conform to the reconstruction of the main building. The requested left lateral setback is 7.84 metres and the requested right lateral setback is 11.57 metres, as identified by the site plan prepared by Mr. Robert Fournier, Land surveyor, under his minute 5767 and dated June 21, 2019.

The current standard for lateral setbacks is 15 metres on each side as stipulated in Schedule C of Zoning By-law Number 264-2008 for Zone DESI-04.

Identification of the site concerned: The site covered by this application is located at 7 Maple Terrace Road in West Bolton, on lot number 5 192 622 of the Quebec cadastre (roll number: 8716-77-8169).

A written consultation was held to allow any interested party to be heard on this application. The comments received were forwarded to members of Council.

189-0820 TOWN PLANNING REQUEST FOR MINOR EXEMPTION #2020-05-0003 7, CHEMIN DE LA TERRASSE-MAPLE

WHEREAS pursuant to Sections 145.1 and following of the *Act Respecting Land Use Planning and Development,* the application complies with the objectives of the Master Plan and does not affect neighbouring property owners' enjoyment of their property right;

WHEREAS the Planning Advisory Committee recommends to Council, by resolution number 0620-008, to approve this request;

IT WAS MOVED by Councillor Loren Allen, SECONDED by Councillor Cedric Briggs and resolved:

- to approve this request for minor exemption #2020-05-0003 for the benefit of lot 5 192 622 of the Quebec cadastre (roll number: 8716-77-8169) located at 7, chemin de la Terssasse-Maple and allow a reduction in lateral setbacks in order to conform to the reconstruction of the main building. The requested left lateral setback is 7.84 metres and the requested right lateral setback is 11.57 metres, as identified by the site plan prepared by Mr. Robert Fournier, Land surveyor, under his minute 5767 and dated June 21, 2019.
- that this exemption be conditional to the prohibition to install any exterior wallmounted air conditioning unit on the south side of the property.

Adopted unanimously

190-0820 TOWN PLANNING APPLICATION FOR CONDITIONAL USE #2020-06-0004 4 CROW HILL ROAD

The Mayor and Mr. Michael Ferland, Planning officer and Municipal inspector, presented the application.

Nature and effects of request #2020-06-0004:

The purpose of the application for Conditional use is to permit the operation of a tourist residence for the purpose of short-term rental based on the objectives and criteria identified in By-law Number 349-2018 on conditional uses particularly for tourist residences.

Identification of the site concerned:

The site covered by this application is located at 4 Crow Hill Road in West Bolton, on lot number 6 074 821 of the Quebec cadastre (roll number: 9009-30-1680) and is situated in zones RES-1 and PRES-2.

A written consultation was held to allow any interested party to be heard on this application. The comments received were forwarded to members of Council.

190-0820 TOWN PLANNING APPLICATION FOR CONDITIONAL USE #2020-06-0004 4 CROW HILL ROAD

CONSIDERING the request by Pierre-André Khlat, applicant for Mille Pieds Carrés Inc. to allow the operation of the residence at 4 Crow Hill Road as a tourist residence;

WHEREAS the requested use is not authorized as per Zoning By-law Number 264-2008;

WHEREAS the Planning Advisory Committee, by its resolution number 0620-011, recommends to the Municipal Council to approve the present request on condition that the Brome Lake Fire Department report is received and no non-compliance is detected;

WHEREAS this application is complete and meets the requirements of By-law Number 349-2018 on conditional uses particularly for tourist residences;

AND WHEREAS this by-law permits the revocation of a conditional use in the event of noncompliance;

AND WHEREAS a public notice has been given and a sign has been placed in a conspicuous place on the site of the application, all in accordance with Section 145.33 of the *Act Respecting Land Use Planning and Development;*

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Jean-Pierre Pouliot and resolved:

- to authorize the application for conditional use #2020-06-0004 and allow the operation of a tourist residence at 4, chemin Crow Hill, in order to carry out short-term rentals, according to the objectives and criteria identified in By-law Number 349-2018 on conditional uses, particularly for tourist residences, on lot number 6 074 821 of the Quebec cadastre (roll number: 9009-30-1680) and located in zones RES-1 AND PRES-2;
- that this authorization be conditional on the fact that the sorting and deposit of residual materials in the bins must be carried out only by the owner or his authorized representative, in accordance with the law;
- that the noise level must be in accordance with and supervised by the owner.

Adopted unanimously

191-0820 TOWN PLANNING APPLICATION FOR CONDITIONAL USE #2020-06-0007 8 VISTA ROAD

The Mayor and Mr. Michael Ferland, Planning officer and Municipal inspector, presented the application.

Nature and effects of request #2020-06-0007:

The purpose of the application for conditional use is to permit the operation of a tourist residence for the purpose of short-term rental based on the objectives and criteria identified in By-law Number 349-2018 on conditional uses particularly for tourist residences.

Identification of the site concerned:

The site covered by this application is located at 8, Vista Road in West Bolton, on Lot 5 192 921 of the Quebec cadastre (roll number: 8908-87-9259) and located in Zone RES-2 and PRES-2.

A written consultation was held to allow any interested party to be heard on this application. The comments received were forwarded to members of Council.

191-0820 TOWN PLANNING APPLICATION FOR CONDITIONAL USE #2020-06-0007 8, VISTA ROAD

CONSIDERING Philippe Roberge's application to allow the operation of the residence at 8, Vista road as a tourist residence;

WHEREAS the requested use is not authorized under Zoning By-law Number 264-2008;

WHEREAS the Planning Advisory Committee, by its resolution number 0620-016, recommends to the Municipal Council to approve the present application on condition that the Brome Lake Fire Department report is obtained and that no non-compliance is detected and that the liability insurance policy also covers the tenants;

AND WHEREAS this application is complete and meets the requirements of By-law Number 349-2018 on conditional uses, particularly for tourist residences;

AND WHEREAS this by-law permits the revocation of a conditional use in the event of non-compliance;

AND WHEREAS a public notice has been given and a sign has been placed in a conspicuous place on the site of the application, all in accordance with Section 145.33 of the Community Planning Act;

IT WAS MOVED by Councillor Cedric Briggs, SECONDED by Councillor Denis Vaillancourt and resolved:

- to authorize the Application for Conditional Use #2020-06-0007 and allow the operation of a tourist residence at 8, Vista Road, in order to carry out short-term rentals, according to the objectives and criteria identified in By-law Number 349-2018 on conditional uses, particularly for tourist residences, located on Lot 5 192 921 of the Quebec cadastre (roll number: 8908-87-9259) and situated in Zone RES-2 and PRES-2.
- that this authorization be conditional to the fact that the sorting and deposit of residual materials in the bins must be carried out only by the owner or his authorized representative, and this, in accordance with the law;
- that this authorization is also conditional on the provision of proof of insurance coverage for short-term rentals;
- that the owner must comply with the Fire Department's recommendations (including minor recommendations), which will be verified by the Municipal Inspector when the permit is issued;
- that the noise level must be compliant and supervised by the owner.

Adopted unanimously

192-0820

COMMISSION DE PROTECTION DU TERRITOIRE AGRICOLE DU QUÉBEC -APPLICATION TO USE A LOT FOR A PURPOSE OTHER THAN AGRICULTURE - 340 DE BRILL ROAD

The municipal inspector and the head of the planning department explained the project.

WHEREAS the alienation project presented does not contravene municipal by-laws and will not have a negative effect on agriculture as per the criteria set out in section 62 of the *Act respecting the preservation of agricultural land and agricultural activities* (R.S.Q., c. P-41.1);

WHEREAS the Planning Advisory Committee, by its resolution number 0620-014, recommends to the Municipal Council to approve this application, but also wishes to express its concerns regarding the structure of the building and also recommends to ensure that the work will comply with the Quebec Building Code;

IT WAS MOVED by Gilles Asselin, SECONDED by Loren Allen and resolved to recommend to the *Commission de protection du territoire agricole* to accept the application for the use for a purpose other than agriculture of a hay barn on the lot located on Lot 5 192 594 of the Quebec cadastre.

Adopted unanimously

193-0820 TOWN PLANNING BOLTON-PASS ROAD REVITALIZATION PETHEL CONSULTANTS - MARKET RESEARCH

The mayor mentioned that the RCM development plan has been in effect since 2008. Bolton Pass Road would need some help in its revitalization, especially the area between Bailey and Glen Roads that has deteriorated considerably. The Municipality would like to be able to offer to the population a commercial environment that is conducive for local shopping and it wishes to know if there is a potential for the establishment of such businesses. Citizens who have suggestions should forward them to us as soon as possible.

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Cedric Briggs and resolved:

- to accept the offer of service from the firm Pethel Consultants dated August 4, 2020 in the amount of 2000 plus travel expenses and taxes;
- to finance this expense, net of tax rebates, from the Municipality's general account (current budget);
- to authorize the Director general to give any directions and sign any documents to that effect.

Adopted unanimously

194-0820 TOWN PLANNING SLAIP APPLLICATION - CREATION OF AN ARTIFICIAL POND 67 PARAMOUNT ROAD

Mr. Michael Ferland, planning officer and municipal inspector, briefly explained Mr. André Desrosiers' application for the construction of a pond;

WHEREAS the Planning Advisory Committee, by its resolution number 0620-015, recommends to the Municipal Council to obtain additional information based on certain concerns related to the environmental impacts that this project may have, especially:

- Blasting required;
- Quantity of material to be removed from the site;
- Water quality and quantity for nearby wells

WHEREAS these concerns can be addressed by means of an environmental risk assessment study, which will allow the feasibility of the project to be properly evaluated;

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Jean-Pierre Pouliot and resolved:

- to ask the owner of 67 Paramount Road to provide an environmental risk study to complete his SLAIP application number 2020-07-0008;
- to order, in accordance with section 145.18 of the *Act respecting land use planning and development*, that the plans produced be submitted for public consultation, which will be written due to the Covid-19 pandemic.

195-0820 ADMINISTRATION APPROVAL OF ACCOUNTS AND TRANSFERS

IT WAS MOVED by Councillor Loren Allen, SECONDED by Councillor Cedric Briggs and resolved to approve the list of accounts and transfers as of August 6, 2020, in the amount of \$152,608.86, and to authorize the Director general to make the payments to the rightful owner.

Adopted unanimously

196-0820 ADMINISTRATION HUMAN RESOURCES INTERN - CONTRACT EXTENSION

WHEREAS Mr. Antoine Bourbonnais' internship period ends this week;

WHEREAS Mr. Bourbonnais is interested in continuing to update the website pending the hiring of a permanent resource;

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Denis Vaillancourt and resolved:

- to extend the hiring of Mr. Antoine Bourbonnais, on a part-time basis and according to the needs of the municipality, until October 31.
- That the Mayor and the Director general be authorized to sign any document to that effect.

Adopted unanimously

197-0820 ADMINISTRATION 3-1-1 - CITAM - OUTSOURCING OF MUNICIPAL CALLS

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Cedric Briggs and resolved:

- to accept CITAM's offer of service for the outsourcing of municipal calls 24 hours a day, 7 days a week and the software "Requêtes et plaintes" for a period of 3 years for a total amount of \$19,651.47 plus taxes; `.
- to finance this expense from the general account of the municipality;
- to authorize the Mayor and the Director general to sign any document to that effect. Adopted unanimously

198-0820 ADMINSTRATION BY-LAW NUMBER 370-2020 RESPECTING THE RATE OF TRANSFER TAX APPLICABLE TO TRANSFERS OF IMMOVABLES WITH A TAX BASE OVER \$500,000 - ADOPTION

The mayor mentioned the purpose of this by-law and the changes between the submitted draft and the by-law submitted for adoption.

WHEREAS a notice of motion of By-law Number 370-2020 relating to the rate of transfer tax applicable to transfers of immovables with a tax base over \$500,000 was given on July 6, 2020 under minute 173-0720;

WHEREAS the draft by-law was tabled by the Deputy Mayor at the meeting of July 6, 2020;

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Denis Vaillancourt and resolved to adopt By-law No. 370-2020 with respect to the rate of transfer tax applicable to transfers of immovables with a tax base over \$500,000.

A copy of the by-law is attached hereto to form part of this resolution.

Copies of this by-law were made available to the public prior to the start of this meeting.

Adopted unanimously

199-0820 ROADWORKS MOUNT FOSTER - WORK - SUPERVISION

WHEREAS the proponent has obtained all required authorizations;

WHEREAS the costs of monitoring shall be borne by the proponent;

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Gilles Asselin and resolved:

- to accept the offer of service dated July 13, 2020 from Bruno Lortie, engineer, for site supervision for the Mount Foster project for an estimated amount of \$695 per day plus travel expenses;
- to authorize the director general to grant, upon the recommendation of Mr. Lortie and acceptance by the promoter, any mandate for the control of materials or surveying, within the limits of his power of delegation;
- to authorize the mayor and the director general to give any directions and sign any documents to that effect.

Adopted unanimously

200-0820 ENVIRONMENT BROWN BINS - TONNAGE ANALYSIS

The analysis of the materials received versus the tonnage objectives of the *RIGMRBM* composting platform was presented.

201-0820 ENVIRONMENT BROWN BINS - COMPLIANCE ANALYSIS

The compliance analysis of the materials received at the *RIGMRBM* composting facility was presented, as well as the non-compliance report dated July 14, 2020.

202-0820 PUBLIC SECURITY

The mayor mentioned that steps have been taken, especially on weekends, at the Sûreté du Québec for the cyclists who invade our roads and who circulate 4-5 wide and 2-3 rows. If you witness it, do not hesitate to contact the Sûreté du Québec. This can be dangerous for you and the cyclists.

203-0820 HEALTH AND WELLNESS END OF DELIVERY SERVICE WITH IGA

Mr. Jean-Pierre Pouliot explained the end of the grocery basket delivery service with IGA.

204-0820 LEISURE AND CULTURE LES 100 À B7

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Cedric Briggs and resolved:

- to authorize the passage of cyclists during the activity "Les 100 à B7" which will take place on September 26 and 27, 2020;
- to authorize the director general to give any directions and sign any documents to that effect.

Adopted unanimously

205-0820 VARIA

Council approved the minutes.

206-0820 SECOND QUESTION PERIOD

Council held a second question period during which those attending the live broadcast could ask questions to Councillors.

Copies of the agenda were made available electronically to the public prior to the start of the session.

207-0820 END OF MEETING

The agenda having been exhausted, IT IS MOVED by Councillor Loren Allen, SECONDED by Councillor Cedric Briggs and unanimously resolved to end the meeting at 8:56 p.m.

Jean-François Grandmont, OMA Director general and Secretary-treasurer Jacques Drolet Mayor

Atttestation

The signing of these minutes by the mayor shall be equivalent to the signing by the mayor of all resolutions contained herein as per Section 142 of the Municipal Code.

Bonsoir à tous et bienvenu à votre séance du Conseil. Good evening to all and welcome to your sitting of your Council for August.

J'invite les gens qui souhaiteraient intervenir en direct lors d'une des périodes de questions, à téléphoner au numéro 1-438-809-7799 et à entrer le numéro de réunion 816 7248 6092 suivi du #. I invite people wishing to directly intervene during question periods, to dial 1-438-809-7799 and enter the meeting number 816 7248 6092 followed by the pound (#) key.

Nous ouvrons un poste de directeur général adjoint et secrétaire-trésorier adjoint et nous demandons aux personnes intéressées, à nous faire parvenir leur CV, avant le 21 août. We are looking to fill a new position of Deputy general manager and Deputy secretary treasurer. Those interested to apply should forward their resume before August 21st.

Comme annoncé dans notre infolettre, une consultation publique par voie de courrier régulier et/ou par courriel est maintenant ouverte jusqu'au 4 septembre prochain, pour recevoir vos commentaires sur les règlements approuvés en mars dernier. Par la même occasion, nous sollicitons vos commentaires/suggestions pour un futur projet d'un nouvel Hôtel de Ville, dont l'infolettre fait état. As we announced with our latest newsletter, a public consultation by either regular mail or e-mails is open until September 4th, to receive your comments on by-laws approved last March. We also take this opportunity to also receive your comments for a future Town Hall, as explained in the same newsletter.

La Santé publique nous rappelle que nous devons tous prévoir une deuxième vague de la pandémie de Covid 19. Nous vous invitons donc à continuer d'appliquer les mesures sanitaires présentement en vigueur. Public Health reminds us to prepare for a second wave of the pandemic Covid 19. We therefore invite you to continue to follow all sanitary measures, as advised by the Governmentent.

En terminant, nous avons été informés, que dû è la grève des débardeurs au Port de Montréal, le Canadien Pacifique, afin de rejoindre ses clients des côtes est canadienne et américaine, augmentera le nombre de convois de trains de marchandises sur la voie longeant les Chemins Foster, Mizener et Stukely. Soyez vigilants à l'approche des passages à niveau. Finally, we are informed that due to the strike of longshoremen at Port of Montreal, Canadian Pacific, in order to reach its clients on the Eastern sea shores of Canada and the United States, will increase the number of freight trains on track along Foster, Mix=zener and Stukely roads. Be prudent when approaching railway crossings.

Jacques Drolet

BY-LAW NUMBER 370-2020 ON THE RATE OF TRANSFER TAX APPLICABLE TO THE TRANSFER OF IMMOVABLE WHOSE TAX BASE EXCEEDS \$500,000

WHEREAS the *Act respecting duties on transfers of immovables* provides that a municipality may set a rate not exceeding 3% for any portion of the tax base that exceeds \$500,000 when transferring an immovable located on its territory;

WHEREAS the notice of motion of this by-law was duly given at the Council meeting held on July 6th and whereas the draft by-law was presented at this same meeting.

THEREFORE, Council orders as follows:

ARTICLE 1

The preamble is an integral part of this by-law.

ARTICLE 2

The rate of duty on the transfer of an immovable, for the portion of the tax base in excess of \$500,000, is set at 3%.

ARTICLE 3

This by-law comes into force in accordance with the Act.

Adopted at West Bolton, on August 10, 2020.

Jacques Drolet Mayor Me Jean-François Grandmont, OMA Director general and Secretary-treasurer