

(Unofficial version)

DATE: December 12, 2017

The regular meeting of the Clarendon Municipal Council was held on the above night at the Council Hall. Mayor John Armstrong presided with, Ricky Younge, Jonathan Dagg, Phillip Elliott, Edward Walsh, Eric Smith and Mavis Hanna. The Director General Mike Guitard was also in attendance.

OPENING THE MEETING

Mayor John Armstrong opened the meeting at 7:00 PM

QUESTION PERIOD/VISITORS

Pontiac Snow mobile driver's asc.

ADOPTION OF THE AGENDA

244-12-2017 Proposed by Crs. Smith

Seconded by Crs. Walsh

And is unanimously resolved to adopt the agenda as presented.

Carried

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 28th, 2017

245-12-2017 Proposed by Crs. Elliott

Seconded by Crs. Smith

And is unanimously resolved to adopt the minutes of the November 28th, 2017 regular meeting.

Carried

MAYOR'S REPORT

Mayor John Armstrong deposited a verbal report of his last meetings at the MRC.

BUSINESS ARISING FROM MAYOR'S REPORT

No business for this meeting

ROAD FOREMAN'S REPORT

The road foreman gave a report on the state of the roads.

CORRESPONDENCE AND INFORMATION

The following items were tabled and discussed:

Request for two street lights in sand bay

Tabled and discussed

Request by the Pontiac Snowmobile Driver's assoc for a temporary detour

246-12-2017 Proposed by Crs. Smith

Seconded by Crs. Walsh

And is unanimously resolved to allow the PSDA to use the Morehead road for the time of the construction.

Carried

Rescinding of resolution 221-11-2017

247-12-2017

Moved by Cr Elliott

Seconded by Cr Hanna

And unanimously resolved to rescind resolution 221-11-2017 pertaining to a request from the Pontiac Snowmobile drivers asc. for signage and the use of the ditches on the certain municipal roads.

Carried

Request by the Pontiac Snowmobile Driver's assoc (PSDA) for use of the right of ways on the Bristol – Clarendon side line and the Thorne lake road and signage at road crossings.

248-12-2017

Moved by Cr Elliott

Seconded by Cr Hanna

And unanimously resolved to grant permission to the PSDA to use the right of way on the Bristol-Clarendon side line and Thorne Lake road provided all the condition are met in the authorisation letter. If there are any public complaints this authorisation will be revoked immediately. As for the signage council feels they should be provided and installed by the Snowmobile driver's asc

Carried

PREVIOUS BUSINESS FOLLOW UP

Fire chief's banked hours and holidays

Where as council has received more information regarding the request made by the Fire chief to carry holidays and banked time into 2018;

249-12-2017 It is proposed by Crs. Younge

And seconded by Crs. Smith

And is unanimously resolved to allow the Fire chief to carry one week holidays and the accumulated time for to 2017 into 2018. This is a onetime arrangement due to the nature of the request.

Carried

Mr. Robin Leget owner of Forespect , the company doing the cutting on crown land in Thorne and is using our roads to truck the logs has offered two gravel trucks in the spring of 2018 to help rehabilitate the road.

Cadaster reform

A letter was sent as requested by council an answer was received and the information was forwarded in person to the rate payer in question.

FQM FOREST INDUSTRY DECLARATION

WHEREAS forest economies provide direct employment to more than 106,000 people and represent 2.8% of the Québec economy;

WHEREAS the economic activities that make up the forest economies contribute more than \$ 9.5 billion to the Québec economy, of which nearly \$ 1 billion is related to the exploitation of non-timber forest products and recreational activities;

WHEREAS the Forum of Forest Communities organized by the FQM, held in Quebec City on November 28th, concluded with the signing of a joint declaration by more than 14 signatories representative of the various economic activities related to the forest ;

250-12-2017

It is moved by Cr. Elliott

And seconded by Cr. Hanna

TO SUPPORT the joint statement adopted at the 2017 Forest Communities Forum;

ASK the FQM to take the necessary actions to implement the commitments stemming from the joint declaration of the 2017 Forest Communities Forum;

TO TRANSMIT this resolution to the Premier of Quebec (ie MDDELCC, MFFP, MFQ, MESI, MAPAQ, MAMOT) and the Prime Minister of Canada.

Carried

RESOLUTION OF SUPPORT FOR THE FQM ON LAW 132 ON WETLANDS AND WATERWAYS

WETLANDS – FINANCING NEW RESPONSIBILITIES

WHEREAS the Government's policy of consultation and administrative alleviation for municipalities specifies that the government must make an economic cost analysis when a government measure is likely to lead to a significant increase in responsibilities for a municipality;

WHEREAS the sanction of the Law No. 132 on 16 June 2017 concerning the conservation of wetlands and waterways by the Government of Quebec;

WHEREAS this law requires the RCMs to assume a new responsibility, namely the adoption and management of a regional wetland and water resources plan (PRMHH);

WHEREAS the MRC will have 5 years to develop its PRMHH and that it will have to be revised every 10 years;

WHEREAS the MRCs will have to complete the identification of wetlands and watersheds;

CONSIDERING the magnitude of the task in terms of financial and human resources in order to carry out this imposed responsibility;

WHEREAS no financial compensation is currently provided to help RCMs meet this obligation;

WHEREAS the systematic financial compensation provided for in the transitional measures of Bill 132 may have significant financial impacts for the RCMs and municipalities;

WHEREAS the MRCs and municipalities intervene regularly in the water and wet environments in the exercise of their competence relative to the management of water courses, or to maintain infrastructures which, in certain cases, belong to the government of Quebec.

251-12-2017

It is moved by Cr. Younge

And seconded by Cr. Walsh

To REQUEST the MDDELCC for a cost analysis for the implementation of wetland and water management and conservation plans as well as the financial impacts for municipalities of the implementation of the provisions of the Act;

Carried

PUBLIC BUDGET MEETING

252-12-2017 Proposed by Crs. Hanna

Seconded by Crs. Elliott

And is unanimously resolved to set the public budget meeting on January 16, 2016 at 7 pm

Carried

RESOLUTION FOR PRO MAYOR TO REPLACE MAYOR AT MRC MEETINGS

253-12-2017 Proposed by Crs. Younge

Seconded by Crs. Walsh

And is unanimously resolved to name Pro-mayor Phillip Elliott to replace Mayor John Armstrong at the MRC meetings when the Mayor is unable to attend.

Carried

FINANCIAL REPORT &/or ACCOUNTS PAYABLE

Municipalité de/of Clarendon

Vendor Aged Summary As at 11/12/2017

<u>Name</u>	<u>Total</u>	
3477835 Canada Inc	10,875.91	
Battleshield Industries	494.72	Joint
Benson Autoparts	859.66	
Billy T's Restaurant & Catering	929.58	
CMP MAYER INC.	1,747.62	
Council Remuneration	4,476.02	
Esso Pétrolière Impériale	917.19	117.50 Joint
Firemen Remuneration	16,592.51	
Formulaires Ducharme Inc	130.43	
Fresh Image Computing Services	70.42	
Gerard Labelle, CPA Inc.	885.31	
Hayes Manufacturing	236.03	
Hugh Tracy	25.24	
Hydro Quebec	1,297.02	
J. & J. Grocery	3,304.98	
Jennifer Dale - Little Red Wagon Winery	150.00	
La Capitale	2,991.18	
MacEwen Petroleum	3,997.84	
Municipality of Shawville	324.98	
Pontiac Auto Parts	678.08	
Pontiac Printshop Ltd	334.50	
Shawville/Clarendon Fire Dept	1,386.75	Joint
Vaughn Bastien Tire Service	3,159.51	
Total outstanding:	<u><u>55,865.48</u></u>	

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AUTHORITY OF PAYMENT OF THE LIST OF BILLS

Certificate of availability of credits

I, the undersigned, Mike Guitard, Director General of the Municipality of Clarendon certify that there are sufficient credits available to carry out the expenditure mentioned above.

In witness whereof, this certificate is given in Clarendon this 12th day of December, 2017.

Mike Guitard Director General

254-12-2017 Proposed by Cr. Smith

Seconded by Cr. Walsh

And is unanimously resolved to pay the bills amounting to \$ 55 865.48

Carried

COMMITTEE REPORTS

Personnel committee

Nothing for this meeting

LUP Committee

Minor Variance Request – 114 Armitage Road – Detached garage

A Minor Variance request was presented to have permission to built a detached secondary building in the front yard of 114 Armitage Road because it does not comply to article 4.3.2.c) of Zoning By-law 2003-216 where secondary buildings are prohibited within the setback and in the front yard.

Where as, an existing main building serves the lot;

Where as, the proposed detached garage will respect all minimum setbacks;

Where as, the proposed building would not be in view from the road;

Where as, the property is waterfront on the Ottawa River;

Where as, it does not affect the enjoyment of property rights of owners of neighbouring buildings;

Where as, it meets the objectives of the planning program of the municipality;

255-12-2017

Moved by Younge

Seconded by Smith

And is unanimously resolved to accept the Minor Variance Request submitted for the construction of a detached garage in the front yard as presented.

Carried

Minor Variance Request – Pt-17, Rg.13, Greermount Road – Detached garage

Differed to next meeting

C15 Harvey Lane

Tabled and discussed

BY-law concerning conditional usage

The first draft of the by-law was deposited

Notice of Motion is given by Erick Smith that the first draft by-law will be deposited at a future meeting.

PROVINCE OF QUEBEC

DRAFT BY-LAW # 2017-263

BY-LAW PERTAINING TO CONDITIONAL USES

WHEREAS the Municipality of Clarendon is governed by the provisions of the Municipal Code of Quebec;

WHEREAS under the provisions of the Act respecting Land Use Planning and development (L.R.Q., c. A-19-1), Council can adopt a by-law pertaining to conditional uses regarding the provisions of zoning by-laws;

WHEREAS a Municipal Planning Advisory Committee is in existence;

WHEREAS there is, by the same occasion, an opportunity to create a by-law concerning conditional uses;

WHEREAS a draft of the present by-law was deposited at the regular council meeting held on November 28th, 2017;

THEREFORE it is proposed by Crs. ____ Seconded by Crs. ____ and resolved by the municipal Council that By-Law # 2017-263 entitled "By-Law Pertaining to Conditional Uses" be adopted as follows.

CHAPTER 1 - ADMINISTRATION

ARTICLE 1.1: Preamble

In the Zoning By-law currently in force, uses are either allowed in the entire Zone or completely prohibited. This regulatory framework leaves no place to implement uses not authorized, but could in fact integrate well its environment. To offer more accommodations in the application of its regulations, the municipality adopted the present Bylaw on conditional uses to provide more flexibility and to create a more diversified mix of uses on the territory of the municipality while maintaining the sustainability of activities already established.

ARTICLE 1.2: Territory Affected

The provisions of the present by-law shall apply to the whole territory under the jurisdiction of the Municipality of Clarendon. On this territory, the present by-law applies to both individuals and legal persons under public or private law.

ARTICLE 1.3: Scope of Application

The present by-law governs the format and procedure of analysis of a conditional uses application within Zoning By-Laws. In addition, it regulates the requirements for eligibility of admissibility in regards to such a request. Any conditional uses application must be submitted and studied in conformity with the present by-law. The present by-law or any by-law that amends or replaces the conditional use by-law is also subject to approval by way of referendum.

ARTICLE 1.4: General Principles of Interpretation

This by-law is written according to the principles mentioned in Articles 38 to 62 of the Interpretation Act (L.R.A., c. I-16). Consequently, the text of this by-law must be interpreted according to this Act.

ARTICLE 1.5: Terminology

For the purposes of interpreting the present by-law, except where the context indicates a different meaning, any word or expression has the meaning given to it in Chapter 2 of the *Planning By-law Interpretation and administration By-law* in force. Should a word or an expression not be specifically defined in that by-law, it is understood by its common meaning as defined in a dictionary.

Conditional Uses: Conditional use means a special activity, operation or improvement that is proposed within a building, a development, or on a site, which is allowed by the regulations of the zoning district in which it is located, subject to obtaining approval of a conditional use permit, as provided in Section X, Articles 145.31 to 145.35 of the Act Respecting Land Use Planning (L.R.Q., c. A-19-1).

ARTICLE 1.6: Administration and Enforcement of the By-Law

The administration and enforcement of the present by-law refers to the designated officer appointed under the provisions of the Chapter 3 of the *Planning By-law Interpretation & Administration By-law* in force.

Every conditional use application shall respect the aims of the planning program. This by-law may not, however, apply to **agricultural activities** within the meaning of the Act respecting the preservation of agricultural land and agricultural activities in an agricultural zone established under that Act. However, a municipality may exercise its power on conditional uses with respect to **non-agricultural activities** in agricultural zone since the Land Use and Planning Program promotes the protection of the agricultural activities.

Once the Municipal Council authorizes the implementation of a conditional use and that the project is realized, this conditional use has the same rights as any other use permitted in the zone. Therefore, the adoption or the entry into force of a new regulation that would have the effect of making this use derogatory would not be applicable to the conditional use as it would be protected by acquired rights.

CHAPTER 2 - PROCESSING AN APPLICATION FOR A CONDITIONAL USE

ARTICLE 2.1: Obligation & Fees

The issuance of a permit or a certificate of authorization for a conditional use listed in the present by-law is subject to a recommendation from the Planning Advisory Committee (PAC) and to approval from the Clarendon Municipal Council.

The applicant must also complete the conditional use application form and provide a signed copy to the municipality along with a check payable to the Municipality of Clarendon for the amount of \$250.00 to cover review costs and required publications fees.

ARTICLE 2.2: Submitting the Application

An application for approval of a conditional use must be submitted by the applicant or his authorized representative to the appointed official. It must be signed by the applicant or his authorized representative and be accompanied by the information and documents required in the present by-law.

ARTICLE 2.3: Information and documents required for an Application for a Conditional use

An application for approval of a conditional use must include the following information and documents:

1. The last name, first names, address and telephone number of the owner or of the occupant if they are different from those of the owner.
2. The address and the cadastral number of the property targeted by the application.
3. The existing use and the proposed use of the landsite or the building or part of the landsite or building targeted by the application.
4. Copy of an official cadastral plan of the landsite.
5. Copy of a certificate of location of the site concerned.
6. Copy of a site plan showing, for the site concerned, the information listed in the Zoning By-law on request for permits and certificates.
7. Copy of the architectural plans, sections, elevations and details listed in the Zoning By-law on request for permits and certificates.
8. Photographs or an architectural survey of the existing buildings on the site and on adjoining sites.
9. Proposed timetables and phases for implementation of the use
10. A detailed description and presentation of the projected use(s).
11. Estimated cost of the project.
12. Any other document necessary for a good understanding of the project.

Depending on the nature of the application, the appointed official may indicate to the applicant the information and documents, among those listed previously, that are not required for the evaluation of his application and, as a consequence, do not need to be submitted. However the above listed document is not limited to; the appointed official may also indicate to the applicant if additional documents are required. If the information and documents required are incomplete or inaccurate, the examination of the application is suspended until the information and documents required are submitted by the

applicant. The application is then considered to be received on the date of receipt of this additional information or documents.

ARTICLE 2.4: Transmission of the file to the Municipal Planning Advisory Committee

From the date on which he has in hand all the information and documents required by the present by-law, the designated officer has thirty (30) days to transmit the file to the Municipal Planning Advisory Committee.

ARTICLE 2.5: Study of the Application by the Committee

The Municipal Planning Advisory Committee reviews the request. After analyzing the request, the Municipal Planning Advisory Committee must give a written recommendation taking into account the conditions and criteria outlined in the present by-law.

If the Committee finds and concludes that the conditional use application does not comply with the provisions of the present by-law, it shall dismiss the application.

The resolution stating the Committee's recommendation must be submitted within sixty (60) days following the date upon which the conditional use request, accompanied by all the required information and documents and the amount covering the cost of the analysis, were received by the designated officer.

CHAPTER 3 - CONDITIONAL USES AND EVALUATION CRITERIA

ARTICLE 3.1: Abbreviations

Dominant Uses as described in Zoning By-law in force:

1. Dwelling Groups (RE)
2. Commercial & Services Groups (C)
3. Recreation & Tourism Groups (RT)
4. Industrial Groups (I)
5. Public Groups (P)
6. Agricultural Groups (AG)

ARTICLE 3.2: Evaluation criteria

ZONES OF APPLICATION

The provisions in the present article apply in all zones.

CONDITIONAL USE THAT MAY BE AUTHORIZED

The type of permitted conditional use will be evaluated on a **case by case basis**.

EVALUATION CRITERIA APPLICABLE

An application for a conditional use must in all cases, be evaluated considering the following criteria:

1. In the case of a new or existing structure, the architectural composition must be adapted to the function of the use in respect to the requirements of the Zoning and Construction By-law in force.
2. Displayed merchandise or Exterior storage of merchandise may be permitted depending on the conditional use requested and the zoning it is located in.
3. The quality of integration of the project into the surrounding environment in regard to the external appearance of the structure, the landscaping and the use of the outdoor spaces.
4. The intensity of the use, in particular in terms of floor area, attendance, volumes of pedestrian and vehicular traffic, times of use and hours of operation, must not disturb the serenity of the surrounding environment.
5. Existing and proposed pedestrian and vehicular entrances must be designed with respect for the insertion environment.

6. The use must be compatible with, and complementary to, its environment, taking into account the following elements:
 - a. The location of the use within the sector, on the lot and inside the building.
 - b. The nature and the degree of concentration of the other uses and conditional uses installed in the building and in the sector.
 - c. The locations of entrances to the site and entrances to the building.
 - d. The characteristics of the building occupied, as well as those of the landscaping and of the uses of the outdoor spaces.
 - e. Vibrations and the emission of dust, smoke, odour, light and noise generated by the project.
 - f. The proximity of residential zones.
 - g. The area of the landsite in terms of the conditional use requested.
 - h. Any proposed signage must be discreet and respect the applicable provisions listed in the Zoning By-law in force.
 - i. Availability of parking spaces for the disabled.
7. The project must not be the source of any irritation or annoyance for the neighbourhood.

CHAPTER 4 - AUTHORIZATION

ARTICLE 4.1: Public Notice

The Director General of the Municipality must, no later than fifteen (15) days before the holding of the sitting at which the council is to give a decision on the application for a conditional use, cause a notice to be published in accordance with the Law governing the municipality under section 145.33 of the *Act respecting Land Use Planning* (L.R.Q., c. A-19.1) and place a poster or a sign in full view on the site to which the application relates, indicating the date, time and place of the sitting, the nature of the application and that any person interested may be heard at the sitting in relation to the application.

ARTICLE 4.2: Council Decision

Before making its decision, the Council or the designated officer shall explain the conditional use request. After hearing any person wishing to speak concerning the request and having reviewed the recommendation of the Municipal Planning Advisory Committee, the council makes its decision. The Council is not bound by the decision of the Municipal Planning Advisory Committee.

A certified copy of the resolution by which Council issued its decision must be transmitted by the Director General of the Municipality to the applicant and the designated officer within fifteen (15) days after its adoption by Council.

ARTICLE 4.3: Issuance of the Permit or Certificate

When the Council resolution grants the conditional use requested, the officer may then issue the building permit or certificate of authorization required, provided that the application complies with all provisions of the planning regulations.

ARTICLE 4.4: Inscription in the Register Book

The conditional use application and the resolution from Council are recorded in the register compiled for this purpose.

ARTICLE 4.5: Entry into Force

The present by-law shall enter into force in accordance with the Law.

Notice of Motion: December 12th, 2017

Deposit of first Draft By-Law: December 12th, 2017

Adoption of the By-Law:
Date de publication:

Mayor, John Armstrong

Director General, Mike Guitard

Transportation committee

Ditching on Smiley rd, 4th line and Stoney Batter rd

256-12-2017 Proposed by Cr. Smith

Seconded by Cr. Elliott

And is unanimously resolved to pay 50% of the cost of the work done by B&H.

Carried

Call out protocol for snow plowing

257-12-2017 Proposed by Cr. Hanna

Seconded by Cr. Younge

And is unanimously resolved to change the callout protocol to 2.5 cms of snow on paved roads instead of 5 cm. And to try the new call out protocol it for the season and re-evaluate it before the next season.

Carried

LIBRARY COMMITTEE

Report on their meeting

FINANCE COMMITTEE

ADOPTION OF THE THREE YEAR CAPITAL INVESTMENT PLAN

258-12-2017 Proposed by Cr. Smith

Seconded by Cr. Walsh

And is unanimously resolved to adopt the three year capital investment plan as shown below:

Year	Municipal fleet upgrade	capital road investments	Total
2018	\$100,000.00	\$168,000.00	\$268,000.00
2019	\$100,000.00	\$36,000.00	\$136,000.00
2020	\$100,000.00	\$36,000.00	\$136,000.00

Carried

Fire commission

Cr. Dagg gave a report on the last firemen's meeting.

MISCELLANEOUS AND DISCUSSIONS

None for this meeting

ADJOURNING & CLOSING THE MEETING

259-12-2017 Proposed by Cr. Walsh

And unanimously resolved to adjourn the council meeting of the 12th day of December, 2017 at 10:30 PM.

Carried

Mayor
John Armstrong

Director General/Secretary Treasurer
Mike Guitard