

(Unofficial version)

DATE: May 9th, 2017

The regular meeting of the Clarendon Municipal Council was held on the above night at the Council Hall. Mayor John Armstrong presided with, Gerald (Jerry) Barber, James Howard, Phillip Elliott, Keven Knox, Eric Smith, Mavis Hanna. The Director General Mike Guitard and the office assistant Pat Hobbs were also in attendance.

OPENING THE MEETING

Mayor John Armstrong opened the meeting at 7:00 PM

QUESTION PERIOD/VISITORS

NONE

ADOPTION OF THE AGENDA

103-05-2017 Proposed by Cr. Barber

Seconded by Cr. Elliott

And is unanimously resolved to adopt the agenda with the removal of 14.2.2

Carried

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF APRIL 25th, 2017

104-05-2017 Proposed by Cr. Knox

Seconded by Cr. Smith

And is unanimously resolved to adopt the minutes of the April 25th, 2017 regular meeting.

Carried

MAYOR'S REPORT

No report

BUSINESS ARISING FROM MAYOR'S REPORT

None

ROAD FOREMAN'S REPORT

M. Bruce Telford deposited his monthly road inspector's report.

CORRESPONDENCE AND INFORMATION

The following items were tabled and discussed:

Lions Club

Tabled and Discussed

Letter from a rate payer from Sand Bay

Tabled and Discussed

PREVIOUS BUSINESS FOLLOW UP

Truck #5

105-05-2017 Proposed by Cr. Smith

Seconded by Cr. Hanna

It is unanimously resolved to proceed with the necessary repairs to truck # 5

Carried

Canada 150 Committee

106-05-2017 Proposed by Cr. Smith

Seconded by Cr. Knox

It is unanimously resolved to give \$500.00 to the Canada 150 Celebration

Carried

MMQ insurance visit
Tabled and Discussed

Price for trapping beavers
Tabled and Discussed

Basement water leak repair
Tabled and discussed

Heath line water project
Tabled and discussed

FINANCIAL REPORT &/or ACCOUNTS PAYABLE

Municipalité de/of Clarendon Vendor Aged Summary As at 05/05/2017

<u>Name</u>	<u>Total</u>	
3477835 Canada Inc	11,171.17	
9907530 Canada Inc Palmer Plumbing	972.98	
Benson Autoparts	179.67	
Boivin-Gauvin Inc.	1,269.25	
Council Remuneration	4,476.02	
Esso	1,137.44	Joint 313.81
Équipements Lourds Papineau Inc.	1,293.27	
Fresh Image Computing Services	135.10	
Gerard Labelle, CPA Inc.	885.31	
Hayes Manufacturing	131.01	
Hugh Tracy	137.91	
Hydro Quebec - StreetLighting	597.60	
J.F.Sabourin et associés Inc	1,667.14	
Kelly Brothers	2,407.57	
La Capitale	2,659.44	
Lapointe Beaulieu Avocats	649.47	
M & R Feeds & Farm Supply	1,149.80	
MacEwen Petroleum	6,136.19	
Mickey McGuire Construction Ltd.	1,667.14	
Nortrax	247.02	
Payroll April	34,831.00	
Pontiac Auto Parts	218.11	
Pontiac Electric	207.22	
Pontiac Printshop Ltd	185.84	
Purolator Courier Ltd.	35.44	
R.& M. Truck & Trailer Repairs	234.41	
Receiver General	3,083.58	
Revenue Quebec	8,905.55	
SEAO Constructo	41.35	
Telebec Ltee	262.03	
Vaughn Bastien Tire Service	440.91	
Total outstanding:	87,415.94	

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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 9th day of May, 2017.

Mike Guitard Director General

107-05-2017 Proposed by Cr. Barber

Seconded by Cr. Elliott

And is unanimously resolved to pay the bills amounting to \$ 87 415.94

Carried

QUARTERLY FINANCIAL REPORT

The finance committee chairman Cr. Barber gave a report on the state of the budget.

THE DELEGATION OF POWER TO THE MRC PONTIAC TO MANAGE THE 911 SERVICE CONTRACTS

108-05-2017

- Whereas** Municipalities must provide the services of a 9-1-1 emergency call center to their citizens;
 - Whereas** Groupe CLR (CLR) is currently providing the service to the municipality for the amount of 9-1-1 tax;
 - Whereas** the contract with CLR ends on 31 December 2017;
 - Whereas** the municipality has declared its intention to not renew the agreement with Groupe CLR for the services of a 9-1-1 emergency call center when it expires;
 - Whereas** the municipality's fire dispatch is currently provided by the MRC des Collines and the municipality pays a fee for this service;
 - Whereas** that the MRC des Collines is offering to provide the services of a 9-1-1 emergency call center and fire dispatch for the amount of the 9-1-1 tax only;
 - Whereas** the MRC Pontiac must sign an inter-MRC agreement for this service
 - Whereas** this agreement will represent important annual savings per municipality;
- For these reasons,

It was moved by; CR. Elliott seconded by Cr. Howard and unanimously resolved that the Municipality of Clarendon gives the delegation of power to the MRC Pontiac to manage the 911 service contracts.

This delegation allows the MRC Pontiac to modify the recipient of the 911 tax on behalf of the municipality.

CARRIED

RESOLUTION FOR 2016 ROAD GRANT

109-05-2017 Proposed by Cr. Hanna

Seconded by Cr. Knox

Whereas the Ministry of Transportation has paid a compensation of \$805,542.00 for the maintenance of the local roads for the calendar year 2016:

Whereas the distributed compensation to the municipality focuses on the current maintenance and prevention of the local road 1 and 2 including the bridge elements situated on roads that the municipality is responsible;

Whereas the present resolution is attached to Annexe "A" identifying the maintenance done by the municipality of the mentioned roads;

Whereas an external auditor will serve within the allotted time for filing of accountability duly completed in Annexe "B";

For these reasons;

It is unanimously resolved THAT the Municipality of Clarendon inform the Minister of Transport of the use of compensation on the current and preventative maintenance of local roads 1 and 2 including the bridge elements situated on these roads that are the responsibility of the of the municipality; which is in conformity with the objectives of the Road Improvement Grant.

Carried

COMMITTEE REPORTS

Personnel committee

Recommendations from the meeting held April 4th

Tabled and discussed

LUP COMMITTEE

Adoption of the minor variance by-law

110-05-2017

CANADA

PROVINCE OF QUEBEC

MUNICIPALITY OF CLARENDON

BY-LAW # 2017-260

BY-LAW PERTAINING TO MINOR VARIANCES

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 minor variances regarding the provisions of zoning and subdivision by-laws other than those relating to the use and density of land;

WHEREAS a Municipal Planning Advisory Committee is in existence;

WHEREAS it is necessary to make major modifications to these regulations in order to update;

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

WHEREAS notice of motion of the present by-law was given at the council meeting held on March 28th 2017;

THEREFORE it is proposed by Crs. Smith Seconded by Crs. Knox and resolved by the municipal Council adopted By-Law # 2017-260 entitled "By-Law Pertaining to Minor Variances".

ARTICLE 1: Preamble

The preamble is an integral part of the present by-law.

ARTICLE 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 3: Scope of Application

The present by-law governs the format and procedure of analysis of a minor variance application within Zoning and Subdivision By-Laws. In addition, it regulates the requirements for eligibility of admissibility in regards to such a request. Any minor variance application must be submitted and studied in conformity with the present by-law.

ARTICLE 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 5: Terminology

In the present by-law, unless the context indicates otherwise, the following definitions shall apply:

Minor Variance: a special procedure established by by-law under which the Council may authorize the realization of the proposed work or regularization of work in progress or completed, which does not meet all the provisions of the Zoning or Subdivision By-Laws.

Designated Officer: employee designated by resolution of Council to administer and enforce the present by-law.

ARTICLE 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 Permit and Certificate By-Law.

Every minor variance from the zoning and subdivision by-laws shall respect the aims of the planning program. In no case, a minor variance may be granted for a zone in which land use is subject to particular constraints for reasons of public safety.

ARTICLE 7: Content of the Application

A minor variance application must be accompanied by the following documents and information:

1. The minor variance application form duly completed and signed as provided by the municipality.
2. The name, surname and address of the owner and, where applicable, their authorized representative.
3. Where applicable, a letter authorizing the representative to act on behalf of the owner of the property in question.
4. In the case where the minor variance is for the length, width, area of open space to be left between the buildings on the same property or space required between the buildings and road allowance or property lines:

- An updated certificate of location prepared by a surveyor in the case of an existing building;
 - A projected plan prepared by a surveyor in the case of a proposed construction;
 - When it is required for the analysis of the request, a plan showing the minor variance requested.
5. A check payable to the Municipality of Clarendon for the amount of \$150.00 to cover review costs and required publications.

ARTICLE 7.1: Request for Work in Progress or Already Completed

To qualify, a minor variance application which relates to a cadastral plan or work in progress or already completed must meet the following conditions:

- The work or the cadastral plan must have been the subject, depending on the case, of a construction permit, a certificate of authorization or a subdivision permit;
- The work or the cadastral plan has been executed in good faith;
- Granting the minor variance would not result in endangering the safety, health or welfare of persons.

ARTICLE 8: Transmission of the Request

The designated officer reviews the application and verifies that all information and documents required by the present by-law were provided. 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.

The applicant must provide to the designated officer any additional information required to ensure proper understanding of the minor variance application.

ARTICLE 9: 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 10: 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 in account the conditions and criteria outlined in the present by-law.

If the Committee finds and concludes that the minor variance application does not comply with the provisions of Article 7 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 minor variance request, accompanied by all the required information and documents and the amount covering the cost of the analysis, were received by the designated officer.

ARTICLE 11: Public Notice

The Director General of the Municipality must, no later than fifteen days before the holding of the sitting at which the council is to give a decision on the application for a

minor variance, cause a notice to be published in accordance with the Law governing the municipality under section 145.6 of the *Act respecting Land Use Planning* (L.R.Q., c. A-19.1).

ARTICLE 12: Council Decision

Before making its decision, the Council or the designated officer shall explain the minor variance 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 13: Issuance of the Permit or Certificate

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

ARTICLE 14: Inscription in the Register Book

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

ARTICLE 15 : Remplacement

The present by-law replaces any preceding municipal by-laws concerning minor variances.

ARTICLE 16: Entry into Force

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

Notice of Motion: March 28th 2017

Adoption of first Draft By-Law: April 11th 2017

Adoption of the By-Law: May 9th 2017

Date de publication:

Mayor, John Armstrong

Director General, Mike Guitard

Subdivision plan pt-7A, Range 11

There was a review for a subdivision plan prepared by Michel Fortin, Quebec Land Surveyor, minute 27628, for the property of M. Marcel Lapointe, to subdivided Part of Lot 7A, Range 11. The proposed Lot 7A-12, Range 11 has an overall area of 48,484.5 sq.m., an average depth of 100m and a road frontage of just over 370m which exceeds the minimum lot size of *By-law 2003-217 – Subdivision*.

111-05-2017

Motion Cr. Knox and seconded by Cr. Hanna to authorize subdivision plan prepared by Michel Fortin under minutes 27628.

Carried

CPTAQ Authorisation request – Pt-28, Range 1

A CPTAQ Authorization request was presented to the LUP committee for the permission to sell Part of Lot 28-A, Range 1 along with lots 28A-18 and 28A-1, Range 1 for a total area of 98 hectares. The Authorization request is required because M. Armitage wishes to keep contiguous lots referred as 28A-Pt, 28A-4 and 28A-23, range 1 which forms part of the subdivision project along Armitage Road Waterfront.

112-05-2017

Whereas, CPTAQ Decision 202142 was given in 1993 for the authorization of alienation and use other than agriculture on a strip of 200 meters wide along the waterfront for a new subdivision project;

Whereas, the existing road (Lot 28A-1) separates the area into two (2) distinct parts where one is bush/agricultural land and the other are cottage lots;

Whereas, the agricultural value of the property is nil;

Whereas, there would be no impact on the soil and water of the area;

Whereas, it would contribute to the local economy in the recreation sector;

Whereas, it would not impact the homogeneity of agriculture;

Whereas, it would not impact existing surrounding agricultural activities;

Moved by Cr. Elliott and seconded by CR Knox to support the Authorization Request submitted by M. Maxwell Gordon Armitage.

Carried

Transportation committee

Culverts

Differed to next meeting

Trucks

Tabled and discussed

Grader wheel leak

Tabled and discussed

MISCELLANEOUS AND DISCUSSIONS

Building inspector

Tabled and discussed

Sand Bay

Tabled and discussed

113-05-2017 Proposed by Cr. Knox

Seconded by Cr. Elliott

It is unanimously resolved to pay for sand bags that were purchased by rate payers on the presentation of a receipt

Carried

ADJOURNING & CLOSING THE MEETING

114-05-2017 Proposed by Cr. Howard

And unanimously resolved to adjourn the council meeting of the 9th day of May, 2017 at 8:52PM.

Carried

Mayor
John Armstrong

Director General/Secretary Treasurer
Mike Guitard