

**(Unofficial version)**

**DATE: February 13th, 2018**

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

Cr. Mavis Hanna and Cr. Eric Smith have motivated their absence for this meeting.

**OPENING THE MEETING**

Mayor John Armstrong opened the meeting at 7:00 PM

**QUESTION PERIOD/VISITORS**

**None for this meeting**

**ADOPTION OF THE AGENDA**

**027-02-2018** Proposed by Cr. Younge

Seconded by Cr. Walsh

And is unanimously resolved to adopt the agenda as presented.

**Carried**

**ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 23rd, 2018**

**028-02-2018** Proposed by Cr. Elliott

Seconded by Cr. Younge

And is unanimously resolved to adopt the minutes of the January 23rd, 2018 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.

**COUNCIL MEMBERS OATH TO RESPECT THE CODE OF ETHICS AND PROFESSIONAL CONDUCT**

Councilors, Younge, Dagg, Elliott, Walsh as well as Mayor Armstrong took the oath.

**CORRESPONDENCE AND INFORMATION**

The following items were tabled and discussed:

MMQ dividends for 2017

Tabled and discussed

Resolution from City of Côte Saint-Luc

Tabled and discussed

Thank you from Pontiac Archives for donation.

Tabled and discussed

Pontiac Artist tour

**029-02-2018** Proposed by Cr. Younge

Seconded by Cr. Walsh

And is unanimously resolved to support the Pontiac Artists Association by purchasing the Bronze level sponsorship at a cost of \$60.00

**Carried**

Report on the Director General's meeting at the MRC  
The Director General deposited a verbal report of his meetings at the MRC.

MRC residual waste report  
Tabled and discussed

#### **PREVIOUS BUSINESS FOLLOW UP**

Archive room renovations

**030- 02-2018** Proposed by Cr. Younge  
Seconded by Cr. Dagg

And is unanimously resolved to hire Régent Lance Construction for the renovations in the archive room.

**Carried**

#### **GROUPE INSURANCE TENDER**

**031-02-2018**

### **GROUP INSURANCE CONTRACT - GROUP PURCHASE - UMQ SOLUTION**

#### **QUEBEC-BEAUCE-LAURENTIANS-OUTAOUAIS REGROUPING**

**JANUARY 1, 2019 TO DECEMBER 31, 2023**

- Whereas** in accordance with the Cities Act / Municipal Code and the UMQ Solution, the Municipality Of Clarendon and this council wish to authorize the launching of a public call for tenders to obtain products group insurance for its employees and, where applicable, for its elected representatives, for the period 2019-2024;
- Whereas** Mallette actuaires inc. has already been awarded the mandate, following a public call for tenders, for the independent consultant services required by the Union of Quebec Municipalities (UMQ) in the application of the UMQ Solution;
- Whereas** the remuneration provided for in the contract - Solution UMQ - to be granted is 0.65% to the consultant Mallette actuaires Inc. and the management fees forecast for the UMQ are 1.15%;
- Whereas** the Municipality Of Clarendon wishes now to confirm its adhesion to the solution of regroupings in collective insurance of the UMQ and the mandate to Actuaires inc.;

Therefore it is proposed by CR Elliott and seconded by Cr Walsh and resolved:

- **THAT** The preamble is an integral part of these as if recited along;
- **THAT** Regional Council of the Municipality Of Clarendon hereby confirms its adhesion to the UMQ Solution in the matter of group insurance for its employees and / or elected, at the municipality's choice;
- **THAT** membership in the UMQ Solution will be for a maximum of five years;
- **THAT** the Municipality Of Clarendon mandates the UMQ to act as agent to represent it in the group insurance contract to be granted following the application of the present as well as its renewal, as well as for access to his group insurance file with the insurer, respecting the rules of protection of personal information;

- **THAT** the Municipality Of Clarendon agrees to pay the UMQ a management fee of 1.15% of the total premiums paid by the Municipality Of Clarendon during the contract and a remuneration of 0.65% of the total premiums paid by the municipality to the consultant Mallette actuaires Inc., whose the Municipality Of Clarendon also encloses the mandate obtained for the grouping, following a call for tenders public;
- **That** the Municipality Of Clarendon agrees to respect the terms and conditions of the contract to be entered into with the insurance company to whom the contract will be granted following the application of the present conditions as well as the conditions of the mandate of the consultant.

**CARRIED**

**LAPOINTE BEAULIEU**

**32-02-2018** Proposed by Cr. Dagg  
Seconded by Cr. Younge

And is unanimously resolved to contract the Legal Firm Lapointe Beaulieu to collect land taxes in arrears for the Municipality of Clarendon.

**Carried**

**033-02-2018**

**THE DOCUMENT ON THE EFFECTS ON THE PONTIAC DUE TO THE BARETTE REFORM**

CONSIDERING this report is based on interviews with interveners and with users and observers from diverse backgrounds, with extensive knowledge of the health system in the Pontiac region, as well as on relevant documentation;

WHEREAS the document highlights the negative effects of the Barrette reform on a system that was once well integrated, flexible, proactive and based on the values of rural solidarity;

CONSIDERING the reform resulting from Bill 10 has brought about major changes in the Pontiac health system;

CONSIDERING the reorganization, resulting from Bill 10, led to the merger of the CSSS du Pontiac with the four other CSSS's in the region to form a single organization;

It is moved by the Regional Councillor Walsh and seconded by Councillor Elliott and resolved that the Municipality of Clarendon supports the document and agrees that the system put in place in the Pontiac, in the context of the reform resulting from Bill 10, does not reach many of the objectives of the reform, including simplifying access to services and improving the quality of care. It does not sufficiently take into account the cultural, linguistic, local and historical specificities of certain institutions, as well as a better consideration of regional realities and consumer habits in the care and services of populations for the delimitation of territories.

It is also resolved that the Municipality of Clarendon agrees with the nine recommendations in the report and asks the Quebec government to take into account the impacts and asks for a re-evaluation of the health system reform for the Pontiac and that management positions be reinstated at the CSSS Pontiac location.

**CARRIED**

**FINANCIAL REPORT &/or ACCOUNTS PAYABLE**

**Municipalité de/of Clarendon  
Vendor Aged Summary As at 13/02/2018**

Name	Total	
3477835 Canada Inc	9,307.57	
Antrim Truck Centre	8,059.86	
Bruce Sales Incorporated	7,249.44	
Bruce Telford	47.42	
Council Remuneration - January	4,567.36	
Deluxe	462.87	office supplies
Donald S. Hodgins Inc.	654.83	Joint
Esso Pétrolière Impériale	1,984.07	
Fresh Image Computing Services	82.50	
Gerard Labelle, CPA Inc.	919.80	
Hayes Manufacturing	93.35	
Hydro Quebec	2,143.75	
La Capitale	2,991.18	
M.R.C. Pontiac	103,247.76	
MacEwen Petroleum	328.60	
Magnalum Co. Ltd.	57.49	
Mickey McGuire Construction Ltd.	1,080.77	
Morneau Shepell (Group AST 1993 inc)	1,153.45	
O'Malley Truck & Trailer Service	252.95	
P.G. Solutions (Tax Program)	613.63	
Payroll - January	25,924.41	
Petro Pontiac	15,489.33	
Pitney Bowes Leasing	229.28	
Pontiac Auto Parts	39.09	
Pontiac Printshop Ltd	4,551.25	
Receiver General	2,045.42	
Revenue Quebec	6,110.56	
Shawville Auto Service	36.79	
Telebec Ltee	280.62	
Valley Truck & Spring Service	1,460.00	
Vaughn Bastien Tire Service	806.90	
W.A. Hodgins Store	124.97	
<b>Total outstanding:</b>	<b>202,397.27</b>	

**Generated On: 13/02/2018**

**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 13<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mike Guitard Director General

**034-02-2018** Proposed by Cr. Walsh

Seconded by Cr. Dagg

And is unanimously resolved to pay the bills amounting to \$ 202 397.27

**Carried**

## **COMMITTEE REPORTS**

### **Personnel committee**

#### **Cleaning position**

Tabled and discussed

#### **Terms of employment**

Differed to next meeting

#### **Sick days during winter hours**

Tabled and discussed

## **IN-CAMERA**

It is moved by Crs. Elliott seconded by Crs. Walsh and resolved to go in-camera at 8:45 pm.

## **OUT OF THE IN-CAMERA**

It is moved by Crs. Elliott seconded by Crs. Walsh and resolved to come out of in-camera at 9:08 pm.

### **LUP Committee**

#### **CPTAQ Authorization request – 74 Calumet East – Alienation**

Tabled till next meeting

### **035-02-2018**

## **ADOPTION OF THE SECOND DRAFT OF THE CONDITIONAL USE BY-LAW**

### **2<sup>nd</sup> 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 December 12<sup>th</sup>, 2017;

**WHEREAS** a public meeting was held February 6th

**THEREFORE** it is proposed by Crs. Younge Seconded by Crs. Walsh 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-laws 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-laws 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 non-conforming 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 \$500.00 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 may 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 Chapter 4 of the *Planning By-laws Interpretation & Administration By-law* in force for the issuance of permits and certificates.
7. Copy of the architectural plans, sections, elevations and details listed in the Chapter 4 of the *Planning By-laws Interpretation & Administration By-law* in force for the issuance of 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 all the information and documents required by the present by-law are handed, 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 12 <sup>th</sup> 2017
Deposit of the first Draft By-Law:	January 9 <sup>th</sup> 2018
Public meeting:	February 6 <sup>th</sup> , 2018
Deposit of the second Draft By-Law:	February 13 <sup>th</sup> 2018
Adoption of the By-Law:	
Date de publication:	

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Mayor, John Armstrong

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Director General, Mike Guitard

**TRANSPORTATION COMMITTEE**

**Wall A bet road**

Tabled and discussed

**LIBRARY COMMITTEE**

**Library elevator repairs**

**036-02-2018** Proposed by Cr. Younge

Seconded by Cr. Dagg

And is unanimously resolved to make the necessary repairs to the elevator. To minimize costs a new more local elevator maintenance company should be sought.

**Carried**

**Kids reading bench**

Tabled and discussed

**FINANCE COMMITTEE**

Nothing for this meeting

**FIRE COMMISSION**

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

**MISCELLANEOUS AND DISCUSSIONS**

Bill 122 – contractual management policy

Tabled and discussed

Pontiac Archives

**037-02-2018** Proposed by Cr. Younge

Seconded by Cr. Elliott

And is unanimously resolved to make a donation to the Pontiac Archives in memory of Elsie Sparrow with the Municipality of Shawville for \$50.00 dollars.

**Carried**

**ADJOURNING & CLOSING THE MEETING**

**038-02-2018** Proposed by Crs. Dagg

And unanimously resolved to adjourn the council meeting of the 13th day of February, 2018 at 10:10 PM.

**Carried**

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Mayor  
John Armstrong

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Director General/Secretary Treasurer  
Mike Guitard