

MUNICIPALITY OF LITCHFIELD

Minutes of the regular council meeting held on September 14th, 2020 at 7 p.m. at the municipal office located at 1362 Rte. 148 Campbell's Bay, QC.

Present: Mayor Colleen Larivière, councillors Denis Dubeau, Donald Graveline, Emile Morin, Joe Bélanger and John Stitt.

Councillor Terry Racine joined the meeting at 7:30 p.m.

Also, present: Director General, Julie Bertrand

Quorum is met and Mayor Colleen Larivière presides the meeting.

Adoption of Agenda

2020-09-134 It is moved by Donald Graveline and unanimously resolved to adopt the agenda, with additions, for September 14th, 2020.

Carried

Adoption of Minutes

2020-09-135 It is moved by Emile Morin and unanimously resolved to adopt the minutes of August 10th, 2020 regular meeting.

Carried

URBANSIM

2nd Project of by-law 2020-243 Regulation of minor derogations-Planning By-laws

2020-09-136 It is moved by Denis Dubeau and unanimously resolved that by-law 2020-243 By-law regarding minor derogations-Planning by-laws be adopted as follows:

WHEREAS, Litchfield LMunicipality has adopted a subdivision by-law 2017-227 dated February 22, 2018 and a zoning by-law No. 2017-228 dated February 22, 2018 and an amendment to the 2017-228-1 bylaw dated April 13, 2020.

WHEREAS, under the Planning and Planning Act (QRA, A-19.1), the municipality may pass by-law on minor derogations from zoning and subdivision by-laws other than those relating to land use and density;

WHEREAS, a planning committee will be set up in accordance with the Planning and Planning Act (LRQ, a-19.1).

WHEREAS, the notice of motion and 1st project of a regulation on minor derogations from planning regulations was tabled on August 10, 2020;

WHEREAS, It is moved by Denis Dubeau and unanimously resolved to adopt by-law 2020-243 on September 14th, 2020, as follows:

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1. LEGAL PROVISIONS

This regulation is referred to as "DEROGATIONS IN URBANISM" (housing and zoning).

1.1 Entry into force

This regulation comes into force in accordance with the Act.

1.2 Subject Territory

This regulation applies to the entire territory of the municipality.

1.3 Amendment mode

In accordance with the provisions of the Planning and Planning Act (QRA, A-19.1), this regulation must be amended or repealed by a regulation approved under the provisions of the Act.

2. AREA OF APPLICATION

2.1 The municipal council may grant a minor waiver.

2.2 The minor derogation may only be granted if the application of the regulation has the effect of causing serious harm to the person requesting it

2.3 The minor derogation cannot be granted if it interferes with the owners of neighboring buildings enjoying their ownership rights.

2.4 Only zoning and subdivision by-laws may be subject to a minor derogation other than those relating to land use and density, as well as minimum standards for construction and works. along a lake or stream (section 4.22 of the zoning by-law), provisions specific to agricultural activity (section 4.22.3 of the zoning by-law), uses, subdivisions s and buildings prohibited from unsanitary purposes.

Published on closed waste disposal sites (section 4.21. Zoning by-laws) and standards for the conservation and felling of trees (Chapter 4 of the zoning by-law).

Notwithstanding the previous paragraph, a minor waiver may be requested and granted under the following conditions:

2.4.1 In order to allow the construction or expansion of a main building when the size of the lot, which is necessarily separate, no longer permits the construction or expansion of this main building, following the creation of the waterfront protection strip, and the work cannot be reasonably carried out elsewhere on the ground. However, a minimum five-meter shoreline protection strip must be retained and maintained in its natural state;

September 2020

Continued...

2.4.2 In order to allow the felling of trees above the standards prescribed for

stands that are exceptionally degraded or very vulnerable to natural disturbance. A forest management plan, signed by an engineer who is a member of the Order of Forest Engineers of Quebec, must accompany the application for a minor derogation;

2.4.3 In order to allow an agricultural area of less than one (1) hectare for each a comma two (1.2) s unit animals, provided that an agronomic study accompanies the application for a minor exemption and demonstrates that the minor derogation requested will generate no more than forty-five (450 kilograms of phosphorus per hectare);

2.4.4 In order to allow the accounting of animal production-related application grounds, even if they are located more than five (5) kilometers from the livestock building, on the condition that an economic and agronomic study accompanies the application and demonstrates that the minor derogation requested will not affect the economic profitability of the production concerned and provided that the livestock building and the applied land concerned are located within the territory of the municipality.

2.5 "The flood zone provisions may be waived in according with the conditions and criteria set out in the Interim Flood Zone Control Regulations number 117-2006 of the Pontiac County Regional Municipality applicable on the municipality's territory, provided that the waiver application complies with the other provisions of this regulation."

2.6.1 The application for a minor derogation must comply with all provisions of the administration, construction and subdivision and zoning by-law that are not subject to a minor derogation.

2.6.2 A minor derogation from zoning and subdivision by-laws must meet the objectives of the urban plan.

3. SITUATIONS APPLICABLE FOR A MINOR WAIVER APPLICATION

A minor waiver application may be made at the time of an application for a permit or certificate. A minor derogation may also, as a result of extraordinary circumstances, be granted in respect of work in progress or already carried out, in the event that such work has been the subject of a building permit or authorization and has been carried out in good faith.

4. APPLICANT'S PROCEDURES FOR A MINOR DEROGATION

Anyone requesting a minor derogation from any of the specific provisions listed in Section 2 of this Regulation must:

- Request it in writing by filling out the form "Request for a Minor Derogation from Planning Regulations" form;

September 2020

continued...

- Provide the title establishing that the applicant owns the affected building;

- In the case of a minor deviation from margins and subdivision, provide a plan of the land and, if applicable, of the proposed or existing building, which plan must be made and signed by a surveyor-geometer;
- at the time of filing the minor waiver application, pay the fifty dollars (\$50.00) fee for the study of the application. These study fees cannot be reimbursed by the municipality, regardless of the municipality's response;
- (cover) the publication costs of two hundred dollars (\$200.00) of the public notice under section 5.6. These publication fees cannot be reimbursed by the municipality and do not
- Whatever the municipality's response; further, following the verification of the content of the application by the building inspector, the applicant must provide any additional information required by the inspector.

5. ADMINISTRATIVE PROCEDURES

The process for applying for a minor waiver is as follows:

- 5.1 Applicants who want to benefit from the minor waiver procedure must:**
- Apply on the form for this purpose.
 - Pay for the study
 - to pay the publication fee.
- 5.2 The application is forwarded for consideration to the building inspector who must, among other things, verify whether the application is accompanied by all the plans and documents required by the permit and certificate issuance regulations and whether it complies with the provisions of the building by-law and those of the zoning and subdivision by-laws not subject to the application for a minor exemption.**
- 5.3 The building inspector forwards the application to the Planning Advisory Committee or council; where the application has already been the subject of an application for a permit or certificate, the documents relating to the application must also be forwarded to the committee.**
- 5.3 The Planning Advisory Committee reviews the application and may ask the building inspector or applicant for additional information to complete the study. He may also visit the building that is the subject of a minor waiver application after notifying the applicant.**

September 2020

Continued...

5.5 The Planning Advisory Committee makes its written opinion to the City Council, taking into account, among other things, the criteria of section 2 of this by-law. The notice should specify the factors that explain the committee's decision. This notice is forwarded to the board.

5.6 The Secretary-Treasurer, in conjunction with the Council, sets the date for the council meeting where the request for a minor waiver will be discussed and at least fifteen (15) days before the meeting, has a notice issued in accordance with the provisions of section 445 of the municipal code. In addition, the content of this notice must contain, as required by section 145.6 of the Planning and Planning Act, the following:

- The date, time and location of the council meeting
- The nature and effects of the minor derogation requested;
- The designation of the building affected by the application;
- a statement specifying that anyone interested can be heard by the board.

5.7 The Board must then make its decision following the receipt of the opinion of the Planning Advisory Committee and after hearing everything of interest during the consultation session.

5.8 In the event that the request for a minor waiver has been accepted by the City Council, the Secretary-Treasurer sends a copy of the resolution granting this so-called minor derogation to the building inspector who must subsequently issue the permit or certificate after payment of the tariff required by the regulations on the issuance of permits and certificates.

5.9 A copy of the resolution by which the board makes its decision must be forwarded to the person who requested the waiver.
Carried

***It is noted** that members of council received a copy of the by-law prior to this meeting, therefore reading of the by-law is

***It is noted** that at a subsequent meeting of council, two (2) members from the community and one (1) council member will be appointed to the CCU committee.

September 2020

ROADS AND EQUIPMENT

***A report of road works to date is made.**

***It is noted that members of the Road committee and Gerald Graveline will, upon requests from property owners at 28 Lac Leslie, 50 Crawford road and 0 Lac Leslie, visit the sites to evaluate the requests for culverts and manholes.**

202-09-137 **Purchase of 2 steel rims for the 2020 Western Star plow truck**
It is moved by Joe Belanger and unanimously resolved to authorize the purchase of 2 steel rims for the 2020 Western Star truck. This expense of \$300 is authorized from the budgetary item "vehicle repairs and maintenance" from the 2020 provisional budget.
Carried

2020-09-138 **Closure of a portion of the Pilon road damaged during the 2019 spring thaw.**
Whereas the Pilon road was damaged during the 2019 spring thaw;
Whereas the municipality of Litchfield has requested financial aid from the Minister of Public Security (MSP) to repair the road;
Whereas the request has been refused;
Whereas the municipality has asked for support from Hydro Quebec in the request to the MSP;
Whereas Hydro Quebec has stated that they do not require access by vehicle to the portion of the closed road;
Whereas the municipality cannot receive funding for the repairs because the closure of the portion of the Pilon road does not affect access to properties;
Whereas the property owners have 2 other access routes;
Whereas the MSP states that the repair of the road is not within the scope of financial aid due to the alternate access routes available;
Whereas the cost of repairs is extreme;
Whereas at this time the municipality does not have the funds available for the repairs;
Therefore,
It is moved by Denis Dubeau and unanimously resolved to request information from Kim Lesage, engineer, on the procedure and works required to permanently close the damaged portion of the pilon road.
Carried

September 2020

2020-09-139 **TECQ 2019-2023 Programming – Replacement of Crawford Road Bridge**
Whereas the municipality wishes to replace the Crawford Road bridge which was damaged during the 2019 spring thaw;
Whereas the municipality has requested funding from the Ministry of Public Security and has been refused;

Whereas the municipality has requested the Ministry of Transport take responsibility for the replacement and maintenance of the Crawford Road bridge;

Whereas the MTQ has refused the request;

Whereas the replacement of the bridge is a matter of public security;

Whereas the damages must be assessed by a structural engineer;

Whereas the municipality requires an inspection report and recommendation and cost estimates prior to the replacement of the bridge;

Whereas the municipality wishes to use a portion of the TECQ funds to cover a portion of the costs;

Whereas the municipality intends to apply for a grant from the MTQ-AIRRL program;

Therefore,

It is moved by Donald Graveline and unanimously resolved to authorize the TECQ programming for the Crawford Road bridge replacement project.

Carried

FINANCE

Payment of accounts

2020-09-141

It is moved by Denis Dubeau and unanimously resolved to authorize payment of invoices to be paid and to accept the payment of invoices paid prior to this meeting.

Carried

Monthly Invoices

Invoices paid:

Invoices to be paid: \$73 997.06

Certificate of availability

I, Julie Bertrand, Director General of the Municipality of Litchfield, certify that there are sufficient credits available to pay the approved amount of bill totalling \$73 997.06 for the month of September 2020.

Signed: _____ Date: _____

Julie Bertrand, Director General

Tender for the 2020 supply of 3000 m.t.winter sand

2020-09-142

It is moved by Terry Racine and unanimously resolved to put out a call for tender for the 2021 supply of 3000 m.t. winter sand. It is moved to send the requests to 3 suppliers and to indicate that the cost of hauling to the municipal yard will be taken into consideration when choosing the supplier.

Carried

September 2020

Winter salt supply -2020

2020-09-143

It is moved by Terry Racine and unanimously resolved to request 3 prices for the 2021 supply of 115 m.t. of winter salt.

Carried

STUDENT BURSARIES – ESSC

2020-09-144 It is moved by Emile Morin and unanimously resolved to provide student bursaries in the amount of \$200 each to:
Ollisha Herault and Andrew Pilon
This donation authorized from the budgetary item “goodwill gestures and donations” from the 2020 provisional budget.
Carried

SECURITY

2020-09-145 Authentication of email resolution #2020-08-25
It is moved by Denis Dubeau and resolved to authenticate the following email resolution;
Purchase of emergency vehicle for the Campbell’s Bay/Litchfield Fire Department
It is moved by Denis Dubeau and resolved to authorize the purchase of a used emergency vehicle for the Campbell’s Bay/Litchfield Fire Department. The funds are authorized as follows: \$5000 from the Litchfield 2020 provisional budget “emergency vehicle-fire department” and \$5000 from the Campbell’s Bay 2020 provisional budget and the balance of \$9633 from the Campbell’s Bay /Litchfield fire department 2020 budget funds not used for training and training remuneration. The cost of the vehicle is \$19,633 taxes included.
Carried

TRANSFER SITE

2020-09-146 **Modification to resolution # 2020-08-132**
Whereas council resolved via resolution 2020-08-132 to purchase 2 recycling bins with lids for the cost of \$2600 +taxes;
Whereas the price has increased to \$4078+ taxes;
Therefore,
It is moved by Joe Belanger and unanimously resolved to authorize the amount of \$4078 + taxes for the purchase of 2 recycling bins with lids.
This purchase authorized from revenues received from local sources not previously budgeted.
Carried

MISCELLANEOUS

2020-09-147 **MRC Volunteer Awards candidate**
It is moved by Donald Graveline and unanimously resolved to nominate the late TJ Vibert for the MRC Volunteer awards.
Carried

September 2020

2020-09-148 **Resolution in support of the SPAOL regarding cultivation of maple trees on public land and the protection of sugar maples on public lands**
It is moved by Denis Dubeau and unanimously resolved to send a letter in support of the SPAOL resolution dated July 7, 2020.
Carried

ADJOURNMENT

2020-09-149

It is moved by Joe Belanger and unanimously resolved to adjourn the meeting at 7:55 p.m.

Carried

Colleen Larivière
Mayor

Julie Bertrand
Director General