

Municipalité de | Municipality of

Pontiac

**PROVINCE OF QUEBEC
PONTIAC COUNTY**

MINUTES of the regular Council meeting of the Municipality of Pontiac held on Tuesday, July 12, 2022, at 7:30 p.m. at the Quyon Community Centre, located at 2 Ferry Road, Pontiac, at which were present:

Mr. Roger Larose, Mayor, and Councillors, Mrs. Diane Lacasse, Mrs. Caryl McCann, Mr. Garry Dagenais, Mr. Serge Laforest and Mrs. Chantal Allen.

Also present, Mario Allen, Acting Director General and a few ratepayers.

Excused absence: Dr. Jean Amyotte, Councillor.

1. OPENING OF THE MEETING

Roger Larose, President, notes the quorum and opens the meeting. The meeting starts at 7:31 p.m.

2. FLOOR TO THE PUBLIC AND QUESTIONS

Mayor, Roger Larose, takes note of the entries in the register of questions and gives the floor to the public.

3. ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor to the public and questions**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of the meeting held on June 14, 2022**
- 5. Administration**
 - 5.1 List of incurred expenses
 - 5.2 Budgetary transfers
 - 5.3 Employee #02-0090 - change in work schedule
 - 5.4 Overtime during a disaster
 - 5.5 Memorandum of Understanding for the use of the gymnasium - Vallée-des-Voyageurs School
 - 5.6 Municipal organization chart
 - 5.7 Procedures for the hiring of a Registrar and Secretary-treasurer
- 6. Public Safety**
 - 6.1 Damaged fire truck
- 7. Public Works**
 - 7.1 Line marking on some municipal roads

22-07-4678



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- 7.2 Hiring of a student - 2022 Canada summer job program
- 8. Urban Planning and zoning**
- 8.1 Minor variance - 24 Asaret Road - correction
- 8.2 Minor variance - Bronson-Bryant Road
- 8.3 CPTAQ - 113 Frazer Road
- 8.4 CPTAQ - 2145 Beaudoin Road
- 8.5 Sale of lot #2 682 485 - Thérien Road
- 8.6 Remuneration of the members of the Planning Advisory Committee (PAC)
- 8.7 Notice of motion - bylaw #09-22
- 8.8 Tabling of the draft bylaw #09-22 regarding the maintenance of private roads open to the public by tolerance
- 9. Tabling of documents**
- 9.1 Tabling of the report regarding the delegation of authorization of expenses
- 9.2 Tabling of the Municipal organization chart
- 10. Public question period**
- 11. Closing of the meeting**

IT IS MOVED BY the Mayor Roger Larose and seconded by Councillor Garry Dagenais.

AND RESOLVED to adopt the agenda as prepared and read.

Carried

22-07-4679

4. ADOPTION OF THE MINUTES OF THE MEETING OF JUNE 14, 2022

IT IS MOVED BY the Mayor Roger Larose and seconded by Councillor Garry Dagenais.

AND RESOLVED to adopt the minutes of the meeting of June 14, 2022.

Carried

22-07-4680

5. ADMINISTRATION

5.1 List of incurred expenses for the month of July

IT IS MOVED BY the Mayor Roger Larose and seconded by Councillor Garry Dagenais.

AND RESOLVED to accept the incurring expenses, for a total amount of \$26, 244.05, taxes included.

Carried



22-07-4681

5.2 Budgetary transfers

IT IS MOVED BY the Mayor Roger Larose and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT the Municipality carries out the budgetary transfers in the amount of \$63, 172.00.00.

Carried

Councillors Chantal Allen and Serge Laforest step away from the table.

22-07-4682

5.3 Employee #02-0090 - change in work schedule

WHEREAS Mr. Allen has been hired as Acting Director General and Director of Public Works;

WHEREAS the Director of the Fire Department has resigned as of July 1, 2022;

WHEREAS Mr. Allen has taken charge of the Public Security Department since the departure of the Director of the Fire Department;

WHEREAS, according to the management policy, managers work a minimum of 35 hours/week;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Caryl McCann.

AND RESOLVED THAT Council agrees to adjust Mr. Allen's hours of work to a minimum of 40 hrs/week and that the adjustment be retroactive to July 1, 2022.

THAT the adjustment be made to his salary.

Carried

22-07-4683

5.4 Overtime during a disaster

WHEREAS the violent winds that occurred a few weeks ago;

WHEREAS the Public Works Department and the Public Safety Department were on duty during the emergency;



WHEREAS the Acting Director General had to work long hours during the weekends and the following 2 weeks to ensure the safety of our associations and our citizens and to properly coordinate the operations;

THEREFORE, it is moved by Councillor Garry Dagenais and seconded by Councillor Diane Lacasse.

AND RESOLVED to pay 20 hours to the Acting Director General, in replacement of the Director of the Fire Department, at an hourly rate of \$60.00, for a total of \$1,200.00 before deductions.

Carried

Councillors Chantal Allen and Serge Laforest return to the table.

22-07-4684

5.5 Memorandum of understanding - Vallée-des-Voyageurs School

WHEREAS the Municipality works in partnership with the Portages-de-l'Outaouais School Board;

WHEREAS the Municipality wishes to renew the Memorandum of Agreement for the gymnasium at the Vallée-des-Voyageurs School;

THEREFORE, it is moved by Councillor Caryl McCann and seconded by Councillor Serge Laforest.

AND RESOLVED THAT the Mayor and the Acting Director General sign the agreement with the Vallée-des-Voyageurs School.

Carried

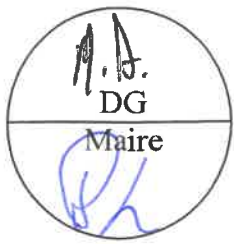
22-07-4685

5.6 Municipal organization chart

WHEREAS the recommendation of the Administration Committee and the Acting Director General;

WHEREAS the position of Registrar and Secretary-treasurer should be added to the municipal organization chart;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Chantal Allen.



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AND RESOLVED to amend the municipal organization chart to add the position of Registrar and Secretary-treasurer.

Carried

22-07-4686

5.7 Procedure for the hiring of a Registrar and Secretary-treasurer

WHEREAS the recommendations of the Administration Committee and the Acting Director General;

WHEREAS the modification of the municipal organization chart to include the position of Registrar and Secretary-treasurer;

WHEREAS the Acting Director General also holds the position of Director of Public Works;

WHEREAS a Registrar and Secretary-treasurer would be of great assistance to the Acting Director General/Public Works Director, allowing the latter to focus more on Public Works;

THEREFORE, it is moved by Councillor Chantal Allen and seconded by Councillor Diane Lacasse.

AND RESOLVED to mandate the Administration Committee to begin the hiring process for the position of Registrar and Secretary-treasurer.

Carried

6. PUBLIC SAFETY

22-07-4687

6.1 Damaged fire truck

WHEREAS truck #905 was involved in an accident during an intervention and was declared a total loss;

WHEREAS the *Mutuelle des municipalités du Québec* (MMQ) has offered the total sum of \$30,000.00, plus towing and storage fees with a deductible of \$2,500.00, as indicated in file 220663;

WHEREAS the Municipality deems it advantageous to keep the damaged vehicle in order to recover mechanical parts and that the MMQ has evaluated the whole at approximately \$2,700.00;



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THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Garry Dagenais.

AND RESOLVED to accept the offer from the MMQ in the amount of \$30,000.00, less \$2,500.00, less \$2,700.00, for a total amount of \$24,800.00 plus applicable taxes.

Carried

7. PUBLIC WORKS

22-07-4688

7.1 Line marking on some municipal roads

WHEREAS for the safety of motorists, it is necessary to redo the line marking on certain roads;

WHEREAS paving work was done last year on Montagne, Tremblay and Pères Dominicains Roads;

WHEREAS the call for tenders by invitation to that effect and the receipt of two bids, namely from Proligne and Lignco;

WHEREAS the offer of the company Proligne is the most advantageous for the Municipality;

THEREFORE, it is moved by Councillor Garry Dagenais and seconded by Councillor Serge Laforest.

AND RESOLVED to accept the offer of Proligne in the amount of \$0.32/km, for a total estimated amount of \$16,793.32 plus taxes.

THAT this expense be attributed to budget item #02 35500 521 and that the residual amount be taken from the accumulated surplus.

Carried

22-07-4689

7.2 Hiring of a student - 2022 Canada Summer Jobs program

WHEREAS the Municipality should be granted financial assistance for the hiring of students, through the Canada Summer Jobs program;

THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Chantal Allen.



AND RESOLVED THAT Council authorizes the Director General to sign all documents related to the financial assistance and to proceed with the hiring of Samuel Saumure, as of June 27, 2022, for a period of 10 weeks, for 35 hours per week at an hourly rate of \$16.00.

Carried

8. URBAN PLANNING AND ZONING

22-07-4690

8.1 Minor variance - 24 Asaret Road - correction

WHEREAS an application for a minor variance was submitted for the lot designated as #3 966 406 to regularize the location of the secondary building at 1.86 m from the right-side lot line instead of the 2 m required in zone 2;

WHEREAS this application for a minor variance also includes the regularization of the location of the enclosed porch at 4.27 m from the left-side lot line instead of the required five (5) m prescribed in said zone;

WHEREAS the construction of the enclosed porch was carried out without a building permit but at the same time as the construction of the main building and that the owners acted in good faith;

WHEREAS the 0.73 m encroachment of the porch does not affect the neighbours;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT Council accepts the application for a minor variance for the location of the secondary building at 1.86 m from the right-side lot line and the application for the regularization of the enclosed porch at 4.27 m from the left-side lot line.

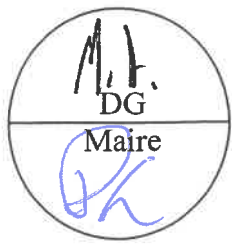
THAT this resolution replaces and repeals resolution #22-06-4666.

Carried

22-07-4691

8.2 Minor variance - 2763 Bronson-Bryant Road

WHEREAS the owner of lot #5 814 311 wishes to complete the cadastral subdivision with the objective of attributing a single lot number for the two neighbouring main residences;



WHEREAS an application for a minor variance was submitted for lot #5 814 311, plot 2, in order to regularize the location of the main building at 2.81 m from the right-side lot line of the lot instead of 5 m as prescribed in zone 45;

WHEREAS the construction of the two residences on the same lot was done before 1950;

WHEREAS the 2.19-metre encroachment of the porch does not affect the neighbours;

THEREFORE, it is moved by Councillor Caryl McCann and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT Council accepts the application for a minor variance for the construction of the main building at 2.81 m from the right-side lot line instead of the 5 m prescribed in zone 45.

Carried

22-07-4692

8.3 CPTAQ - 113 Frazer Road

WHEREAS the application is part of a citizen's approach to the CPTAQ for the construction of a main residence on lot #5 815 301, located at 113 Frazer Road, which is in the agricultural zone decreed in the Act respecting the protection of agricultural land and agricultural activities in Quebec (R.S.Q., c. P-41.1);

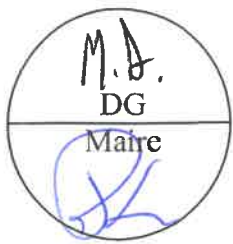
WHEREAS, in accordance with section 58.2 of the Act respecting the protection of agricultural land and agricultural activities, the present notice sent by the Municipality to the CPTAQ is motivated by taking into consideration the criteria established in section 62 of the LPTAA;

WHEREAS the authorization sought will not affect the possibilities of using the lots for agricultural purposes and those of neighbouring lots;

WHEREAS this application for authorization is not incompatible with agriculture in the area and does not create constraints with regard to the application of laws and regulations aimed at mitigating the inconveniences related to odours inherent to agricultural activities;

WHEREAS the closest active farm buildings to the affected areas appear to be more than 500 metres away;

WHEREAS other lots on the territory of the Municipality of Pontiac are listed on the real estate market;



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WHEREAS the authorization sought will not affect water and soil resources, since these will be respected in compliance with municipal regulations;

WHEREAS 42% of the territory of the Municipality is under the jurisdiction of the CPTAQ;

WHEREAS 48% of the territory of the Municipality is under the jurisdiction of the National Capital Commission (NCC);

WHEREAS the application does not contravene any municipal bylaw;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Serge Laforest.

AND RESOLVED THAT Council supports the citizen in his application to the CPTAQ for the construction of a principal residence on lot #5 815 301, located at 113 Frazer Road.

Carried

22-07-4693

8.4 CPTAQ - 2145 Beaudoin Road

WHEREAS the application is part of a citizen's approach to the CPTAQ for the construction of a main residence on lot #5 814 529, located at 2145 Beaudoin Road, which is in the agricultural zone decreed in the Act respecting the protection of agricultural land and agricultural activities in Quebec (R.S.Q., c. P-41.1);

WHEREAS, in accordance with section 58.2 of the Act respecting the protection of agricultural land and agricultural activities, the present notice sent by the Municipality to the CPTAQ is motivated by taking into consideration the criteria established in section 62 of the LPTAA;

WHEREAS the authorization sought will not affect the possibilities of using the lots for agricultural purposes and those of neighbouring lots;

WHEREAS this application for authorization is not incompatible with agriculture in the area and does not create constraints with regard to the application of laws and regulations aimed at mitigating the inconveniences related to odours inherent to agricultural activities;

WHEREAS the closest active farm buildings to the affected areas appear to be more than 700 metres away;

WHEREAS other lots on the territory of the Municipality of Pontiac are listed on the real estate market;



WHEREAS the authorization sought will not affect water and soil resources, since these will be respected in compliance with municipal regulations;

WHEREAS 42% of the territory of the Municipality is under the jurisdiction of the CPTAQ;

WHEREAS 48% of the territory of the Municipality is under the jurisdiction of the National Capital Commission (NCC);

WHEREAS the application does not contravene any municipal bylaw;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT Council supports the citizen in his application to the CPTAQ for the construction of a principal residence on lot #5 814 529, located at 2145 Beaudoin Road.

Carried

22-07-4694

8.5 Sale of lot #2 682 485 - Thérien Road

WHEREAS the surface area of lot #2 682485 and the topography of the site do not present any possibility of development for the Municipality of Pontiac;

WHEREAS the owners of lot #2 682 488 have expressed their interest in acquiring lot #2 682 485;

THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT Council transfers lot #2 682 485 for the symbolic sum of \$1.00, plus tax and fees.

THAT the costs related to notarial fees, or surveying work or related to any other costs arising from this sale are the responsibility of the buyer.

THAT the lot bearing number 2 682 485 be transferred from the public domain to the private domain.

THAT the sale of lot #2 682 485 is conditional on lot #2 683 485 being merged with lot #2 683 488.



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Carried

22-07-4695

8.6 Remuneration of the members of the Planning Advisory Committee (PAC)

WHEREAS citizen members who sit on the PAC receive a bonus for their attendance;

WHEREAS the Committee members have requested clarification regarding the payment process;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT Council asks the Director of Finances to set up a system so that payments are made every three months.

Carried

8.7 Notice of motion

Notice of motion is given by Councillor Garry Dagenais of Ward 3 of the Municipality of Pontiac to the effect that there will be adoption of the bylaw #09-22 regarding the maintenance of private roads open to the public by tolerance.

8.8. Tabling of the draft bylaw #09-22 regarding the maintenance of private roads open to the public by tolerance

WHEREAS under section 70 of the Municipal Powers Act (R.S.Q., C. c-47.1), a local municipality may maintain a private roadway open to the public by tolerance of the owner or occupant, upon request of a majority of the owners or occupants of immovables served by a private roadway;

WHEREAS, under section 244.1 of the Act respecting municipal taxation (R.S.Q., F-2.1), a local municipality may finance the services it offers to the population by means of a fee structure;

WHEREAS there are several private roads on the territory of the Municipality of Pontiac;

WHEREAS the Municipality of Pontiac wishes to offer the owners of properties served by a private road the possibility of proceeding with the maintenance of said road, at the request of these owners;



WHEREAS the Municipality of Pontiac wishes to establish the conditions applicable to the maintenance of such private roads;

WHEREAS a notice of motion was duly given at the regular council meeting held on July 12, 2022;

THEREFORE, it is moved by Councillor xx and seconded by Councillor xx.

AND RESOLVED THAT Council decrees and adopts the following :

SECTION 1 : PREAMBLE

The preamble to this bylaw is part of this bylaw.

SECTION 2 : PURPOSE OF THE BYLAW

The purpose of this bylaw is to determine the conditions under which the Municipality may assume responsibility for the maintenance of private roads open to the public by tolerance of the owner or occupant, upon request of a majority of the owners or occupants along the road. It also determines the terms and conditions for charging maintenance services to owners of properties served by the private road.

SECTION 3 : DEFINITIONS

Maintenance : Refers to summer and winter maintenance:

- Summer maintenance consists solely of grading the road or driveway from June 1 to October 15 of each year.
- Winter maintenance shall consist of the clearing of snow from the road over a maximum width of five (5) metres, the snow being pushed onto the shoulders or onto private roads, as well as the de-icing of the road, from November 1st of each year to April 30th of the following year.

Maintenance excludes road improvements and emergency work required when the physical condition or structure of the road presents a hazard to maintenance personnel or equipment.

Building : Means any residential building containing one or more dwelling units, as well as any commercial building.



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Maintenance costs :

In the case of maintenance performed by the Municipality, maintenance costs shall mean an amount determined by the Municipality.

In the case of maintenance performed by a private contractor, maintenance costs shall mean the cost of the contract between the Municipality and the contractor plus ten percent (10%) for administration costs.

Immovable :

The term "immovable" is used in this bylaw to mean any immovable within the meaning of Article 900 of the Civil Code of Quebec, namely:

« Immovable property means land, buildings or structures of a permanent nature located thereon and everything that is an integral part thereof».

A serviced Immovable is an Immovable that fronts directly on a private road.

Municipality :

Means the Municipality of Pontiac.

Owner :

The owner of any Immovable located on the territory of the Municipality, as designated on the property assessment roll.

When several persons are co-owners of an Immovable, these persons are deemed, for the purposes of this bylaw, to constitute only one owner.

Private road

A private road as defined in this bylaw is a vehicular traffic lane that meets the following conditions:

- Is located on the territory of the Municipality;
- Is non-municipalized and directly connected to a municipal or provincial roadway, or to a private roadway already maintained under the terms of this bylaw;
- Is open to the public by tolerance of the owner or occupant of the Immovable on which the way is located;
- Is free of all obstructions for a width of six (6) meters;
- Is clear of all obstructions for a height of five (5) metres;



- Is at least one hundred (100) metres in length and serves at least four (4) Immovables on which is located at least one (1) building per Immovable;
- Where a dead end is present, there is a traffic circle that is large and wide enough to permit a three (3) point turn.

SECTION 4 : REQUEST FOR THE MAINTENANCE OF A PRIVATE ROAD

Anyone who wishes the Municipality to take charge of the maintenance of a private road must file with the Municipality a request to this effect, signed by the majority (50% + 1) of the owners of the Immovables served by the private road that is the subject of the request, and in cases where the road is located on an Immovable that is distinct from the Immovables served, by the owners of the Immovable on which the private road that is the subject of the request is located.

In the event that there is more than one co-owner for the same Immovable, the application shall contain the signature of only one co-owner.

The owners of several Immovables served by the same private road shall be deemed to be one owner for the purposes of each application.

A single application may include several private roads provided they are connected to each other.

In addition to the owners of the Immovables served by the private road covered by the request, the owner of the Immovable on which the private road is located must in all cases authorize the request.

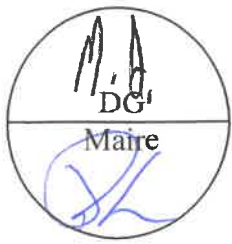
The application for maintenance of a private road must be submitted on the form provided by the Municipality.

This application must be received at the municipal office no later than April 30th of each year.

Applications received after this date will not be considered for the current year, but for the following year.

The application must include the following:

- The date of the application;
- The designation of the private road(s) to which the application relates;



- The total number of separate owners of Immovables served by the private roadway, it being understood that where there are joint owners of an Immovable, the joint owners are deemed to be one owner, and that an owner of more than one Immovable served is deemed to be one owner;
- The name of the person designated by the group of owners to act as the group's agent with the Municipality;
- A plan of the roadway showing the portion to be maintained and the civic addresses of the Immovables served;
- In the case of a dead end where the three (3) point turn is to be made on a serviced Property, written authorization from each owner of the Property on which the turn is to be made is required with a mandatory mention to the effect that the Municipality will not be held liable for damages caused by the maintenance work.

SECTION 5 : DECISION OF THE MUNICIPALITY

Council shall accept, with or without conditions, or refuse, by resolution, to carry out the request for maintenance by June 30 of each year. The Municipality has full discretion to accept or refuse maintenance of a private road.

In the event of acceptance of the request, the Municipality reserves the right, at its sole discretion, to proceed with the maintenance itself or to contract with a contractor to carry out the said maintenance, in accordance with the rules of contract management.

SECTION 6 : DURATION OF THE MAINTENANCE CONTRACT

The default duration of the maintenance agreement shall be three (3) years unless Council establishes another term by resolution. The Municipality reserves the right to terminate the agreement at its sole discretion upon thirty (30) days notice.

SECTION 7 : MAINTENANCE COSTS

At the discretion of the Municipality, the cost of maintaining a private roadway may :

- A. Be paid for entirely by the Municipality from its own funds pursuant to a resolution of Council duly passed to that effect; or
- B. Be entirely subject to compensation established annually in the taxation bylaw establishing the tax rates and fees for services, following a resolution of the Municipal Council duly adopted to that effect; or



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- C. Be borne in part by the Municipality and be compensated in part by a resolution of Council duly passed to that effect.

The compensation rate is calculated as the share of the maintenance costs of a private roadway to be paid by compensation, divided by the total assessed value of the Immovables served by the roadway, as shown on the property assessment roll in the year of the request for maintenance, the basic unit of this total being one hundred dollars (\$100.00) of assessed value.

The Municipality may, at its discretion, combine the maintenance of two or more private roads for the purpose of calculating the compensation rate.

The rates shall be charged annually to the owners of the Immovables served at the same time as the property tax.

If the Municipality owns properties served by the private road, the Municipality also pays its share of the maintenance cost.

Properties owned by the various governmental authorities, and which are tax exempt, are exempt from contributing to the cost of maintenance.

SECTION 8 : NON-LIABILITY OF THE MUNICIPALITY

Under no circumstances shall the Municipality be liable for any damage caused directly or indirectly to the private roadway, lands or buildings served by the private roadway, by the maintenance performed.

SECTION 9 : COMPLAINT PROCEDURE FOR PRIVATE ROAD MAINTENANCE

The mandatary shall inform the Municipality in writing of any dissatisfaction with the maintenance work and shall provide sufficient details to allow the complaint to be addressed. In the case of work carried out by a contractor, according to the decision of the Municipality, the Municipality is the client and is the only party involved with the contractor.

SECTION 10 : AMENDMENT

This bylaw amends bylaw #03-10.

SECTION 11 : COMING INTO FORCE

The present bylaw will come into force according with the Law.



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9. TABLING OF DOCUMENTS

9.1 Tabling of the report regarding the delegation of authorization of expenses from May 20 to June 19, 2022.

9.2 Tabling of the municipal organization chart.

10. PUBLIC QUESTION PERIOD

Roger Larose, President, asks the people present if they have questions.

22-07-4696


11. CLOSING OF MEETING

IT IS MOVED BY Councillor Serge Laforest and seconded by Councillor Diane Lacasse.

AND RESOLVED to close the meeting at 8:00 p.m. having gone through the agenda.

Carried



Mario Allen
ACTING DIRECTOR GENERAL

Roger Larose
MAYOR

« I, Mayor Roger Larose, hereby certify that the signature on the present minutes is equivalent to my signature on each and every resolution herein, as specified in section 142 (2) of the Municipal Code».