

**PROVINCE OF QUEBEC  
PONTIAC COUNTY**

MINUTES of the regular Council meeting of the Municipality of Pontiac held on Tuesday, November 14, 2023, at 7:30 p.m. at the Luskville Community Centre, located at 2024 route 148, Pontiac, at which were present:

Mr. Roger Larose, Mayor, Dr. Jean Amyotte, Pro-Mayor and Councillors, Mrs. Diane Lacasse, Mr. Serge Laforest and Mrs. Chantal Allen.

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

Excused absence: Mrs. Caryl McCann and Mr. Garry Dagenais, Councillors.

**1. OPENING OF THE MEETING**

Roger Larose, President, notes the quorum and opens the meeting. The meeting starts at 7:30 p.m.

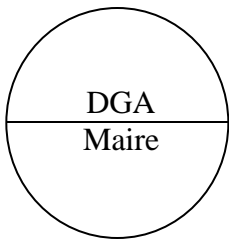
**2. FLOOR TO THE PUBLIC AND QUESTIONS**

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 October 10 and 31, 2023**
- 5. Administration**
  - 5.1 List of incurred expenses
  - 5.2 Budgetary transfers
  - 5.3 Concordance and short-term resolution in connection with a loan by bills in the amount of \$401,800.00 to be carried out on November 21, 2023
  - 5.4 Tenders for the issuance of bank notes
  - 5.5 Adoption of the 2024 calendar of the regular Council meetings
  - 5.6 Mandate to RPGL Avocats concerning the matter of Lalonde Cantin Construction & Associés Canada inc. v. Municipalité de Pontiac v. Pierre J. Tabet
  - 5.7 Adoption of bylaw 12-23 to repeal and replace bylaw 12-09 concerning a tax imposition to finance 9-1-1 call centres

23-11-5101



**6. Public Works**

- 6.1 Call for tenders 23-TP-08 - purchase of a truck for the Public Works Department
- 6.2 Call for tenders 23-TP-09 - purchase of an excavator and equipment for the Public Works Department

**7. Urban Planning and zoning**

- 7.1 Request for an additional period of 12 months to carry out the revision of the urban plan and bylaws
- 7.2 11 Quero Road - request for a minor variance to regularize the area of the lot
- 7.3 CPTAQ - 25 Elm Road - lot 2 683 758
- 7.4 Notice of motion - bylaw 11-23
- 7.5 Tabling of the draft bylaw 11-23 concerning special projects construction, modification or occupancy of an immovable (PPCMOI)
- 7.6 Pricing - PPCMOI
- 7.7 Notice of motion - bylaw 14-23
- 7.8 Tabling of the draft bylaw 14-23 decreeing the closure of a portion of Saint-Patrick Street
- 7.9 Subdivision - 5 Saint-John Street - lot 5 815 038

**8. Recreation and culture**

- 8.1 Agreement with Les Blés d'Or for a donation

**9. Tabling of documents**

- 9.1 Tabling of the report regarding the delegation of authorization of expenses
- 9.2 Tabling of the audit report of the presbytery and St-Dominique Heritage Church

**10. Public question period**

**11. Closing of the meeting**

**IT IS MOVED BY** the Mayor Roger Larose and seconded by Councillor Dr. Jean Amyotte.

**AND RESOLVED** to adopt the agenda with the addition of item 7.10:

- Promise of purchase - 225 Pontiac Road

Carried

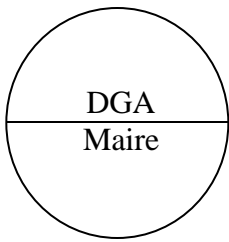
23-11-5102

**4. ADOPTION OF THE MINUTES OF OCTOBER 10 AND 31, 2023**

**IT IS MOVED BY** the Mayor Roger Larose and seconded by Councillor Dr. Jean Amyotte.

**AND RESOLVED** to adopt the minutes of October 10 and 31, 2023.

Carried



## 5. ADMINISTRATION

23-11-5103

### 5.1 List of incurred expenses for the month of November

**IT IS MOVED BY** the Mayor Roger Larose and seconded by Councillor Dr. Jean Amyotte.

**AND RESOLVED** to accept the incurring expenses, for a total amount of \$169,822.82\$, taxes included.

Carried

23-11-5104

### 5.2 Budgetary transfers

**IT IS MOVED BY** the Mayor Roger Larose and seconded by Councillor Dr. Jean Amyotte.

**AND RESOLVED THAT** the Municipality carries out the budgetary transfers in the amount of \$99,882.00.

Carried

23-11-5105

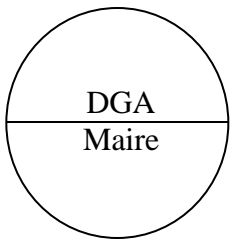
### 5.3 Concordance, short-term extension resolution in connection with a loan by bank notes in the amount of \$401,800.00 to be carried out on November 21, 2023

**WHEREAS**, in accordance with the following borrowing bylaw and for the amounts indicated therein, the Municipality of Pontiac wishes to borrow through bank notes for a total amount of \$401,800.00 to be carried out on November 21, 2023, distributed as follows:

Borrowing bylaw #	For an amount of \$
06-10	\$401,800

**WHEREAS** it is necessary to modify the borrowing bylaw accordingly;

**WHEREAS**, in accordance with the 1st paragraph of Section 2 of the Municipal Debts and Loans Act (RLRQ, chapter D 7), for the purposes of this loan and for borrowing bylaw number 06-10, the Municipality of Pontiac wishes to carry out the loan for a shorter term than the one originally set in this bylaw;



**WHEREAS** the Municipality of Pontiac had on November 20, 2023, a loan in the amount of \$401,800, on an original loan of \$554,200, concerning the financing of by-law number 06 10;

**WHEREAS** on November 20, 2023, this loan was not renewed;

**WHEREAS** the bill loan to be carried out on November 21, 2023, includes the amounts required for this refinancing;

**WHEREAS** in accordance with the 2nd paragraph of the aforementioned section 2, it is necessary to extend the term of by-law number 06 10;

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

**AND UNANIMOUSLY RESOLVED THAT** the borrowing bylaw indicated in the 1st paragraph of the preamble be financed through bank notes, as follows:

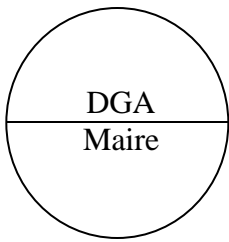
- the bank notes shall be dated November 21, 2023;
- interest will be payable semi-annually on May 21 and November 21 of each year;
- the bank notes shall be signed by the Mayor and the Acting Director General;
- the bank notes, as to capital, shall be reimbursed as follows:

<b>2024</b>	\$30,500	
<b>2025</b>	\$32,300	
<b>2026</b>	\$34,200	
<b>2027</b>	\$36,400	
<b>2028</b>	\$38,400	<b>(to pay in 2028)</b>
<b>2028</b>	\$230,000	<b>(to be renewed)</b>

**THAT**, regarding the annual capital amortization planned for the years 2029 and following, the term provided for in borrowing bylaw 06-10 be shorter than the one originally set, i.e., for a term of five (5) years (as of November 21, 2023), instead of the term prescribed for said amortization, each subsequent issue having to be for the balance or part of the balance due on the loan.

**THAT**, in view of the bill loan of November 21, 2023, the original term of borrowing bylaw number 06 10, be extended by 1 day.

Carried



23-11-5106

### 5.4 Tenders for the issuance of bank notes

Opening date: November 14, 2023	Number of tenders: 3
Opening time: 10:00 a.m.	Average maturity: 4 years and 2 months
Opening location: Ministry of Finances	Issuance date: November 21, 2023
Amount: \$401,800	

**WHEREAS** the Municipality of Pontiac has requested, in this regard, through the electronic system "Service d'adjudication et de publication des résultats de titres d'emprunts émis aux fins du financement municipal", bids for the sale of the issuance of bank notes, dated November 21, 2023, in the amount of \$401,800.00;

**WHEREAS**, following the public call for tenders for the sale of the above-mentioned issuance, the Department of Finances received three compliant bids, all in accordance with section 555 of the Cities and Towns Act (RLRQ, chapter C-19) or section 1066 of the Quebec Municipal Code (RLRQ, chapter C-27.1) and the resolution adopted pursuant to this section;

#### 1. CAISSE DESJARDINS DE HULL AYLNER

\$30,500	#5.55000 %	2024
\$32,300	#5.55000 %	2025
\$34,200	5.55000 %	2026
\$36,400	5.55000 %	2027
\$268,400	5.55000 %	2028

Price : 100,00000      True cost: 5,55000 %

#### 2. FINANCIÈRE BANQUE NATIONALE INC.

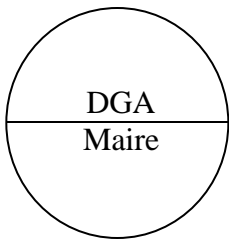
\$30,500	5.35000 %	2024
\$32,300	5.20000 %	2025
\$34,200	5.15000 %	2026
\$36,400	5.15000 %	2027
\$268,400	5.15000 %	2028

Price : 98,38400      True cost: 5,59827 %

#### 3. BANQUE ROYALE DU CANADA

\$30,500	5.70000 %	2024
\$32,300	5.70000 %	2025
\$34,200	5.70000 %	2026
\$36,400	5.70000 %	2027
\$268,400	5.70000 %	2028

Price : 100,00000      True cost: 5.70000 %



**WHEREAS** the result of the actual cost calculation indicates that the bid submitted by CAISSE DESJARDINS DE HULL AYLMEER is the most advantageous;

**THEREFORE**, it is moved by Councillor Chantal Allen and seconded by Councillor Dr Jean Amyotte.

**AND RESOLVED THAT** the preamble to this resolution be and is hereby made a part of this resolution as if it were reproduced in full.

Carried

23-11-5107

**5.5 Adoption of the 2024 calendar of regular Council meetings**

**WHEREAS** Section 148 of the Quebec Municipal Code provides that Council shall establish, before the beginning of each calendar year, the calendar of its regular meetings for the coming year, setting the day and time of the beginning of each;

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

**AND RESOLVED THAT** the following schedule of regular meetings of Council for 2024 be adopted, to be held on Tuesdays and to start at 7:30 p.m.:

January : 23	May: 14 (Breckenridge)	September: 10 (Quyon)
February: 13	June: 11 (Quyon)	October: 8
March: 12	July: 9	November :12
April : 9	August: 13	December: 10

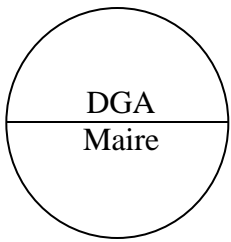
**THAT** the meetings will be held at the Lusville Community Centre, except for the meeting of May 14, which will be held at the Breckenridge Fire Hall and the meetings of June 11 and September 10, which will be held at the Quyon Community Centre.

Carried

23-11-5108

**5.6 Mandate to RPGL Avocats concerning the matter of Lalonde Cantin Construction & Associés Canada inc. v. Municipalité de Pontiac v. Pierre J. Tabet**

**WHEREAS** the dispute between Lalonde Cantin Construction et Associés Canada Inc. and the Municipality of Pontiac;



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**WHEREAS**, following a meeting between Council members and RPGL Avocats on May 29, 2023, it was decided to attempt to settle this matter amicably;

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

**AND RESOLVED** to authorize the lawyers at RPGL to participate in an amicable settlement conference (ASC) to attempt to settle this matter amicably.

Carried

23-11-5109

**5.7 Adoption of bylaw 12-23 to repeal and replace bylaw 12-09 concerning a tax imposition to finance 9-1-1 call centres**

**WHEREAS**, on September 6, 2023, the government proceeded with the final legislative revision of the bylaw amending the bylaw governing the municipal tax for 9-1-1 ;

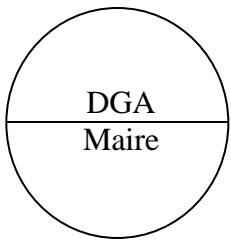
**WHEREAS** the coming into force of the amendments in connection with said regulatory revision has the effect of repealing municipal bylaw #12-09 currently in force;

**WHEREAS**, in accordance with sections 244.69 and 244.70 of the Act respecting municipal taxation, "the adoption of this bylaw need not be preceded by a notice of motion or a draft bylaw";

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

**AND RESOLVED THAT** Council decree and adopt the following:

1. For the purposes of these regulations, the following definitions apply:
  - 1° « customer » : a person who subscribes to a telephone service for a purpose other than to provide it again as a telecommunications service provider;
  - 2° « telephone service » : a telecommunications service that meets both of the following conditions:
    - a) it makes it possible to dial 9-1-1 to reach, directly or indirectly, a 9-1-1 emergency centre offering services in Quebec ;
    - b) it is provided, within the territory of the local municipality, by a telecommunications service provider.



When a telecommunications service provider reserves one of its telephone services for its own use, it is deemed, with respect to this service, to be a customer referred to in subparagraph 1 of the first paragraph.

For the purposes of subparagraph b of indent 2 of the first paragraph, the telecommunication service is deemed to be provided within the territory of the local municipality when the telephone number assigned to the customer for use of the service includes a Quebec area code.

2. As of January 1, 2024, a tax is imposed on the supply of a telephone service, the amount of which is, for each telephone service, \$0.52 per month per telephone number, or, in the case of a multilingual service other than a Centrex service, per outgoing access line.
3. The amount of the tax is indexed, on January 1 of each year beginning in 2025, according to the rate corresponding to the annual variation in the overall average consumer price index for Quebec, excluding alcoholic beverages, tobacco products, smokers' articles and recreational cannabis, for the 12-month period ending June 30 of the year preceding that for which the amount of the tax is to be indexed.
4. The customer must pay the tax for each month during which he receives, at any time, a telephone service.
5. This bylaw comes into force on the date of publication of a notice to that effect by the Minister of Municipal Affairs, Regions and Land Occupancy in the *Gazette officielle du Québec*.
6. This bylaw repeals and replaces bylaw #12-09.

Carried

## **6. PUBLIC WORKS**

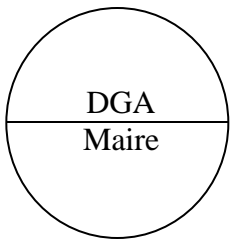
23-11-5110

### **6.1 Call for tenders 23-TP-08 - purchase of a truck for the Public Works Department**

**WHEREAS** an amount of \$50,000.00 was provided in the umbrella borrowing bylaw 02-23 for the purchase of a pick-up truck for the Public Works Department;

**THEREFORE**, it is moved by Councillor Serge Laforest and seconded by Councillor Dr. Jean Amyotte.





**AND RESOLVED** to mandate the Director of Public Works to prepare a call for tenders by invitations, for the purchase of a pick-up truck, for the Public Works Department, for a net maximum amount of \$50,000.00.

**THAT** this purchase be financed with the umbrella borrowing bylaw 02-23.

Carried

23-11-5111

### **6.2 Call for tenders 23-TP-09 - purchase of an excavator and equipment for the Public Works Department**

**WHEREAS** an amount of \$150,000.00 was provided in the umbrella borrowing bylaw 02-23 for the purchase of an excavator and equipment for the excavator, for the Public Works Department;

**THEREFORE**, it is moved by Councillor Dr. Jean Amyotte and seconded by Councillor Serge Laforest.

**AND RESOLVED** to mandate the Director of Public Works to prepare a call for tenders to be published on the SEAO, for the purchase of an excavator and equipment for the excavator, for the Public Works Department, for an approximate amount of \$150,000.00.

**THAT** this purchase be financed with the umbrella borrowing bylaw 02-23.

Carried

23-11-5112

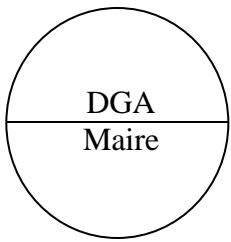
### **7. URBAN PLANNING AND ZONING**

#### **7.1 Request for an additional period of 12 months to carry out the revision of the urban plan and bylaws**

**WHEREAS** the council of any municipality whose territory is included in that of a Regional County Municipality must, within two years following the coming into force of the revised MRC plan, adopt any concordance bylaw;

**WHEREAS** the revised MRC plan came into force on February 6, 2020, and that the legal deadline of 24 months is expired;

**WHEREAS** the desire of the Municipality's Council to propose a new territory project with the population of the Municipality of Pontiac and this, in conformity with the revised plan of the MRC;



**WHEREAS** the urban plan and bylaws require a thorough revision;

**WHEREAS** resolution 22-02-4559 in which additional time was requested;

**WHEREAS**, for administrative reasons, it has been impossible to complete the mandate;

**THEREFORE**, it is moved by Councillor Dr. Jean Amyotte and seconded by Councillor Chantal Allen.

**AND RESOLVED THAT** Council asks the Minister of Municipal Affairs and Housing, for an additional 12 months to allow the Municipality of Pontiac to comply with the revised schema of the MRC des Collines.

Carried

23-11-5113

### 7.2 11 Quero Road - request for a minor variance to regularize the area of the lot

**WHEREAS** a request for a minor variance has been filed for the lot designated under lot 6 537 047 located at 11 Quero Road, to grant the construction of a 3rd secondary building;

**WHEREAS** the Planning Advisory Committee (PAC) has analyzed this request for a variance and recommends that Council accept the request for a minor variance to allow for the regularization of a third secondary building, as shown on the proposed site plan of the land-surveyor Hubert Carpentier, dated March 3, 2023, under its minutes 17383;

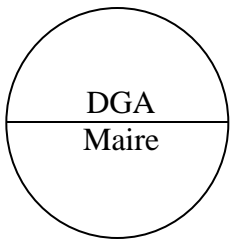
**WHEREAS** the favourable recommendation of the PAC at the meeting of 17 October 2023;

**WHEREAS** the location of the third secondary building will not be detrimental to the neighbours;

**THEREFORE**, it is moved by Councillor Dr. Jean Amyotte and seconded by Councillor Serge Laforest.

**AND RESOLVED THAT** this Council approve the application for a minor variance for 11 Quero Street, as shown on the proposed site plan, of the land-surveyor Hubert Carpentier, dated March 3, 2023, under its minutes 1783.

Carried



23-11-5114

**7.3 CPTAQ - 25 Elm Road - lot 2 683 758**

**WHEREAS** the request for support from Mr. William F. Twolan for an application to the CPTAQ for an authorization for the subdivision, the alienation and the use other than agricultural, that is for the construction of two future residences, on two separate lots, for lot 2 683 758 of the Quebec cadastre, located at 25 Elm Road, in zones 7 and 8 of the zoning plan of the Municipality of Pontiac, as shown on the plan prepared by W.T & D.L.T, dated October 16, 2023;

**WHEREAS** the zoning bylaw, through the specification grid for said zone, authorizes residential use;

**WHEREAS** the proposed use will not restrict the practice of agriculture on neighbouring lots;

**WHEREAS** the proposed use will not affect water and soil resources, since it will comply with current municipal bylaws in force;

**WHEREAS** the potential of the soils as it appears from the mapping presented on the Commission's website, the lot covered by the request has class 5-R and 7-RT soils. According to Canadian Land Inventory data, class 5 soils have very serious limitations that restrict them to the cultivation of perennial forage plants, but can be improved and class 7 soils have limitations so severe that they do not offer any possibility for cultivation or permanent grazing;

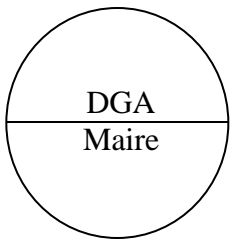
**WHEREAS** nearly 41% of the territory of the Municipality of Pontiac, that is 204.4 km<sup>2</sup>, is under the control of the National Capital Commission (NCC) and that all residential construction is formally prohibited;

**WHEREAS** nearly 42% of the Municipality's territory, or 213 km<sup>2</sup>, is under the control of the CPTAQ;

**WHEREAS** the wasteland on the territory of the Municipality of Pontiac represents 2.2% of the territory, that is 11.0 km<sup>2</sup>;

**WHEREAS** there are other vacant lots on the territory of the Municipality of Pontiac that could be used for purposes outside the permanent agricultural zone;

**WHEREAS** the presence of wetlands and hydric environments, biodiversity protection zones, flood zones, landslide zones and contaminated land further limit residential construction;



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**WHEREAS** the Municipality of Pontiac is faced with a shortage of land suitable for a main residence and its dependencies;

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

**AND RESOLVED THAT** the Municipal Council confirms its support for the request to the CPTAQ to allow the subdivision, alienation and use for a purpose other than agriculture, that is for the construction of two future residences, on two separate lots, for the reasons listed above, at 25 Elm Road, lot 2 683 758, as shown on the plan prepared by W.T & D.L.T, dated October 16, 2023.

Carried

Councillor Dr Jean Amyotte votes against the resolution.

#### **7.4 Notice of motion**

Notice of motion is given by Councillor Dr. Jean Amyotte of Ward 6 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw 11-23 concerning special projects construction, modification or occupancy of an immovable.

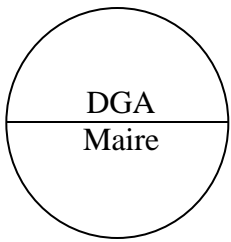
#### **7.5 Tabling of the draft bylaw 11-23 concerning special projects construction, modification or occupancy of an immovable (PPCMOI)**

**WHEREAS**, pursuant to sections 145.36 to 145.40 of the Act respecting land use planning and development (RLRQ, chapter A-19.1), any local municipality may adopt a bylaw respecting specific construction, alteration or occupancy projects to allow, under certain conditions, a project to be carried out even though it derogates from one or other of the municipality's planning bylaws;

**WHEREAS** the Municipal Council considers that it is in the public interest to adopt such a bylaw, particularly to authorize projects that deviate from municipal bylaws but whose characteristics and proposed interventions respect the objectives of the Master Plan;

**WHEREAS** the Municipality of Pontiac set up a Planning Advisory Committee several years ago;

**WHEREAS** several requests have been made to the Municipality of Pontiac, but that the channel for this type of request does not exist in Pontiac;



**WHEREAS** the Municipal Council deems it necessary and in the public interest to establish standards for the occupancy and maintenance of buildings;

**WHEREAS** a notice of motion of the present bylaw was previously given at the regular Council meeting of November 14, 2023;

**WHEREAS** members of Council received a copy of the 1st draft bylaw at the meeting of November 14, 2023, are in possession of a copy of the present bylaw, declare having read it and renounce to its reading by the Acting Director General;

**THEREFORE**, it is moved by Councillor XX and seconded by Councillor XX.

**AND RESOLVED THAT** Council decrees and adopts the following:

## **CHAPTER 1 : DECLARATORY, INTERPRETATIVE AND ADMINISTRATIVE PROVISIONS**

### **Section 1 Declaratory provisions**

#### **Title**

This bylaw is entitled " Bylaw concerning special projects construction, modification or occupancy of an immovable ".

#### **Validity**

The Council adopts the present bylaw as a whole and also chapter by chapter, section by section, article by article, paragraph by paragraph, subparagraph by subparagraph and indent by indent. If any chapter, section, article, paragraph, subparagraph or indent of the present bylaw is declared null and void by an authorized body, the remainder of the bylaw shall continue to apply to the fullest extent possible.

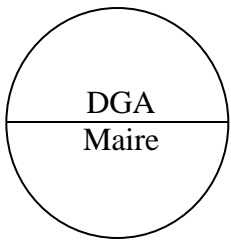
#### **Purpose of the bylaw and scope of application**

The purpose of the present bylaw is to empower the Council to authorize, upon request and subject to certain conditions, on a specific site located within a zone, without, however, covering the entire zone, a specific project for the construction of a new building, the modification of an immovable or the occupation of an immovable which derogates from one or more provisions of one or more of the following bylaws:

1. The current zoning bylaw;
2. The current subdivision bylaw;
3. Building bylaw in force.

#### **Covered territory**

This bylaw applies to the entire territory of the Municipality of Pontiac.



## **Application of the bylaw**

The designated official is responsible for the application of this bylaw as established in the Permits and Certificates bylaw in force.

## **Fines**

Anyone who commits an offence is liable to a fine of not less than \$300 and not more than \$1,000 in the case of a natural person, or not less than \$600 and not more than \$2,000 in the case of a legal person.

In the case of a repeat offence, the offender is liable to a fine of not less than \$600 and not more than \$2,000 in the case of a natural person, or not less than \$1,200 and not more than \$4,000 in the case of a legal person.

Any continuous infringement of a provision of the planning bylaws constitutes, day by day, a separate and distinct infringement.

## **Powers and duties of the designated officer**

The powers and duties of the designated officer are defined in the current Permits and Certificates bylaw.

## **8. Contraventions, penalties, remedies and legal proceedings**

The provisions relating to fines, penalties, remedies and legal proceedings with respect to the bylaw are those set out in the Permits and Certificates bylaw in force.

## **9. Tables, graphs, symbols and the like**

A table, graph, symbol or any form of expression other than the text appearing in this bylaw forms an integral part thereof.

## **Section 2 Interpretative provisions**

### **10. Terminology**

In the present bylaw, unless the context indicates otherwise, any term has the meaning attributed to it in the terminology index in Appendix 1 of the current zoning bylaw.

If a term is not specifically defined in the terminology index, it must be understood in the common sense.

### **11. System of measurement**

Dimensions in the present bylaw are in the International System (SI).

### **12. Priority of application**

In the event of any inconsistency between two provisions of the bylaw or between a provision of the bylaw and a provision contained in another bylaw, the specific provision takes precedence over the general provision.



In the event of any inconsistency between restrictive or prohibitive provisions contained in the bylaw or in the event of any inconsistency between a restrictive or prohibitive provision contained in the bylaw and a provision contained in any other bylaw, the more restrictive or prohibitive provision shall apply.

### **13. References**

All cross-references to other regulations contained in this bylaw are open, meaning they extend to any changes that may be made to the regulation to which the cross-reference refers after the regulation comes into force.

## **Section 3 Administrative provisions**

### **14. Application of the bylaw**

The designated officer is responsible for enforcing this bylaw as set out in the current Permits and Certificates bylaw.

### **15. Powers and duties of the designated officer**

The powers and duties of the designated officer are defined in the Permits and Certificates bylaw.

### **16. Contraventions, penalties, remedies and legal proceedings**

The provisions relating to a contravention, penalty, recourse or legal proceedings in respect of the bylaw are those set out in the current Permits and Certificates bylaw.

## **CHAPTER 2 : ELIGIBILITY, ASSESSMENT AND PROCESSING OF AN APPLICATION FOR A PPCMOI**

### **Eligibility of the application for PPCMOI**

An application for approval of a particular project must be forwarded by the applicant or his authorized agent to the designated officer to determine its eligibility. It must be signed by the applicant or his authorized agent and accompanied by the required information and documents.

### **18. Information required for an application for approval of a specific project**

An application for a specific construction, alteration or occupancy project must be accompanied by the following documents and information:

- 1° A duly completed "PPCMOI application" form;
- 2° Payment of application fees;
- 3° All documents and information required under the Permits and Certificates bylaw in effect, depending on the nature of the PPCMOI submitted.



An application for approval of a specific project must be accompanied by the following information and documents:

- 1) The full name, address and telephone number of the owner and of the occupant, if different from the owner;
- 2) The address and cadastral number of the site covered by the application;
- 3) When requested by the official, two (2) copies of a report prepared by a biologist including the delineation and characterization of plant formations and wetlands, a survey of water bodies and watercourses and their high-water marks, an inventory of plants of precarious status and an inventory of wildlife species of precarious status. If the site has none of these features, a document prepared and signed by a biologist must confirm this. The requirements of this paragraph do not apply to a site located within an urbanization perimeter, which has no wooded areas and where a simple visual examination reveals the absence of the natural elements referred to in this paragraph;
- 4) Two (2) copies of a certificate of location showing, for the site in question, the following information :
  - a) The boundaries, dimensions and area of the lots forming the site, as well as their cadastral numbers;
  - b) Any existing construction;
  - c) The distance between any existing construction and a site boundary;
  - d) Location and width of any vehicular access;
  - e) Any landscaped areas and their dimensions;
  - f) Terrain contours equidistant by no more than two metres;
  - g) Any existing easements;
  - h) Location of existing water bodies, lakes and watercourses;
  - i) The location of wetlands;
  - j) Location of wooded areas and isolated mature trees.
- 5) When requested by the official, two (2) copies of a site plan or subdivision plan showing, for the site concerned, the following information and details :
  - a) Boundaries, dimensions and area of the lot;
  - b) Existing or planned servitudes on the lot;
  - c) The location of any equipment or above-ground street furniture or utilities located on the public thoroughfare facing the lot;
  - d) The natural high-water mark of any body of water, lake or watercourse as defined







- by the Politique de protection des rives, du littoral et des plaines inondables (Q-2, r. 35);
- e) The delimitation of the area to be cleared for construction purposes, including buildings, driveways, septic installations and amenity areas;
  - f) The location of any existing or planned construction on the lot, including any mechanical equipment on the ground, and its distance from the lot limits;
  - g) The location of any existing or planned exterior service area, including a handling space or dock and a space reserved for waste storage;
  - h) The location and dimensions of parking spaces, driveways, access aisles and entrances to any outdoor parking area. If parking spaces reserved for the disabled are planned, they must be identified on the plan;
  - i) The location and dimensions of any circulation or manoeuvring area intended for use by trucks or heavy vehicles;
  - j) The location and dimensions of any sidewalk or circulation area intended for pedestrians or cyclists;
  - k) Location and dimensions of any outdoor storage or display area and surrounding fence, with indication of height and type of fence;
  - l) The location and dimensions of any area planted or intended to be planted with grass, shrubs or trees;
  - m) Location and dimensions of any amenity area;
  - n) The finished grade around any building, the grade at the top of the foundation, the grade of the driveway and the grade of the public thoroughfare facing the property where the work is to be carried out;
  - o) Invert water and sewer services in front of lots, when required.
- 6) When requested by the officer, two (2) copies of architect's, engineer's or building technologist's plans of any main or accessory building including:
- a) When requested by the officer, plans of all floors showing perimeter and openings;
  - b) When requested by the officer, elevations of all exterior walls, showing the type and colour of all materials visible from the outside;
  - c) When requested by the officer, sections and architectural details necessary to ensure understanding of the project.
- 7) When requested by the officer, two (2) copies of a document and accompanying plans explaining the overall concept recommended for stormwater drainage, including proposed retention structures, where applicable;



- 8) When the proposed work is to be carried out in an environment characterized by the presence of one or more other main buildings, recent photographs or an architectural survey of existing buildings on the site and on neighbouring sites;
- 9) When requested by the official and when the proposed work is likely to have a visual impact on the quality of natural landscapes, the location of the main building must be identified on the site concerned by means of benchmarks set by a land surveyor;
- 10) When requested by the official and when the planned work is to be carried out in a wooded area, the work and deforestation zones must be identified on the site concerned using markers such as stakes, ribbons or paint marks.

## **20. Compliance with urban plan objectives**

To be authorized, a specific construction, alteration or occupancy project must comply with the objectives of the urban plan.

## **21. Sectors where PPCMOI is prohibited**

A specific construction, alteration or occupancy project may not be authorized in a sector where land use is subject to special constraints for reasons of public safety.

## **CHAPTER 3 - CRITERIA FOR ASSESSING A SPECIFIC PROJECT APPLICATION**

### **22. General assessment criteria**

The general criteria used to evaluate a request for authorization for a specific project are as follows:

- 1) The project must meet the objectives of the current urban plan, as well as those of municipal policies on urban planning, housing, development, architecture and design;
- 2) Planned occupancies must be compatible with the surrounding environment;
- 3) When the planned occupations are non-residential and are planned in or near a residential environment, the potential nuisance to residents must be negligible, particularly regarding noise;
- 4) If the project involves the construction of a new building or the modification of an existing building, its architecture must be in keeping with the surrounding environment;
- 5) The architectural concept must demonstrate an effort of design and architectural research favouring an architecture adapted to the receiving environment;
- 6) The siting of a building on a site must adapt to the natural topography of the land, favouring its integration with the natural character of the environment and maximum



- preservation of existing mature trees on the site, where applicable;
- 7) The location of the building(s) on the site must be planned in such a way as to minimize its visual impact;
  - 8) Buildings must be sited in such a way as to reduce the length of access aisles and the disturbance to the environment resulting from their construction;
  - 9) The project must contribute to enriching the town's natural, architectural and landscape heritage;
  - 10) When the project involves lodging, restaurant or recreational activities, it must contribute to the improvement and diversification of the recreation and tourism offer;
  - 11) Priority should be given to projects that preserve natural landscapes and features of natural interest;
  - 12) Projects and constructions must contribute to sustainable stormwater management. Lot drainage must be considered during initial planning and should preferably include ecological stormwater management on new lots, notably through retention and natural infiltration.

### **23. Assessment criteria for a project located within an urbanization perimeter**

In addition to the general criteria, the criteria used to evaluate an application for authorization of a specific project located within an urbanization perimeter are as follows:

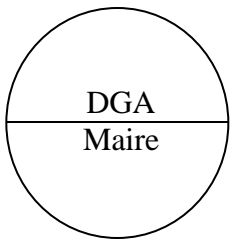
When the project is located on a vacant site contiguous to one or more other vacant sites, consideration must be given to the potential development of neighbouring sites, particularly regarding vehicular and pedestrian traffic networks and the extension of public water supply and sanitary sewer systems;

Public water and sanitary sewer services must be provided for the project. In cases where this is technically impossible, dependent on the prior completion of another project or too costly and does not jeopardize the potential service to adjacent or nearby sectors, an alternative may be proposed. In this case, solutions involving shared facilities are to be preferred to individual facilities.

### **Application process for PPCMOI**

#### **Adoption of the draft or 1st draft bylaw (Section 124 LAU)**

Adoption of a draft resolution granting or refusing the request for authorization of the PPCMOI. As soon as possible after the adoption of the PPCMOI, the clerk or clerk-treasurer of the Municipality forwards to the Regional County Municipality a certified copy of the PPCMOI and the resolution by which it is adopted.



**(Section 145.38 LAU)**

The resolution by which the Council grants the request specifies any conditions, with respect to the Municipality's jurisdiction, that must be met in order to carry out the PPCMOI.

The resolution by which the Council refuses the request specifies the reasons for the refusal.

**Display on the lot**

**(Section 145.39 LAU)**

As soon as possible after the adoption, under section 124, of a draft resolution granting an application for authorization of a PPCMOI, the clerk or clerk-treasurer of the Municipality must, by means of a poster or sign placed in a prominent location on the site covered by the application, announce the nature of the application and the place where any interested person may obtain information relating to the PPCMOI project.

This obligation ceases when Council adopts the resolution granting the request for authorization or waives it. However, if the resolution adopted must be approved by persons entitled to vote, the obligation ceases when the referendum process ends.

**Public notice announcing a public meeting**

**(Section 126 LAU)**

No later than the seventh day prior to the public meeting, the clerk or clerk-treasurer of the municipality posts a notice of the date, time, place and purpose of the meeting at the office of the municipality and publishes the notice in a newspaper circulated within its territory.

**Public consultation**

**(Section 125 LAU)**

The Municipality holds a public meeting on the PPCMOI through the Mayor or another Council member designated by the Mayor.

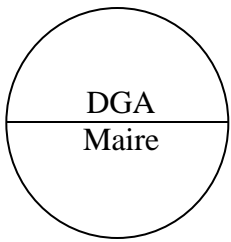
Council sets the date, time and place of the meeting; it may delegate all or part of this power to the Clerk or Clerk-treasurer of the Municipality.

**If the draft contains a provision specific to a bylaw subject to referendum acceptance**

**Adoption 2nd draft**

**(Section 128 LAU)**

After a public meeting has been held regarding a PPCMOI having a provision specific to a bylaw subject to referendum approval, the Council of the Municipality adopts, with or without changes, a second draft resolution. The second draft resolution may only contain such a provision relating to a subject if that subject was the subject of such a



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provision contained in the first draft resolution.

**Public notice indicating the possibility of applying for referendum approval of the project**

**(Section 132 LAU)**

Following the adoption of the second draft resolution, the Clerk or Clerk-treasurer gives, in accordance with the law governing the Municipality in this matter, a public notice indicating to interested persons the possibility of applying for referendum approval of the PPCMOI.

**If the Municipality receives a valid request, the provisions of the LAU and the LERM must be followed to ensure the continuation of the adoption process of the PPCMOI**

**Finale adoption**

**(Section 135 LAU)**

The Municipal Council adopts the PPCMOI

**Transmission to the MRC**

**(Section 137.2 LAU)**

As soon as possible after adoption, the Clerk or Clerk-treasurer forwards a certified copy of the PPCMOI and the resolution by which it was adopted to the Regional County Municipality whose territory includes that of the Municipality.

**Approval of the PPCMOI by the MRC**

**(Section 137.3 LAU)**

Within 120 days of the transmission provided for in section 137.2, the Council of the Regional County Municipality must approve the PPCMOI, if it complies with the objectives of the MRC's plan and the provisions of the complementary document or disapprove it if it does not.

**Coming into force of the PPCMOI**

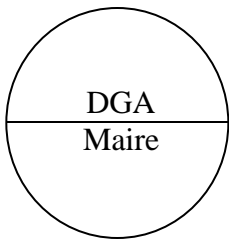
**(Section 137.15 LAU)**

The PPCMOI comes into force on the date the MRC issues its certificate of conformity. It is deemed to comply with the objectives of the MRC's plan and the provisions of the complementary document.

**Issuance of permit and transmission to applicant**

**(Section 145.40 LAU)**

When the Council's resolution authorizes the specific construction, alteration or occupancy project requested, the officer may then issue the required building permit, subdivision permit or certificate of authorization, provided the application complies with the application filed by the applicant, with the Council's conditions set out



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in the resolution granting the special building, immovable alteration or occupancy project, and with all other provisions of the urban planning bylaws except for that which was the subject of the special building, immovable alteration or occupancy project.

As soon as possible after the resolution comes into force, the Clerk or Clerk-treasurer forwards a certified copy to the applicant.

#### **CHAPTER IV - FINAL PROVISIONS**

##### **Coming into force**

The present bylaw will come into force once all the formalities required by law have been completed.

23-11-5115

##### **7.6 Pricing - PPCMOI**

**WHEREAS** the current pricing bylaw must be revised to include fees for PPCMOI applications and other fees, and that the adoption of said bylaw is scheduled for January 2024;

**WHEREAS** it is necessary to establish, the price of an application for a PPCMOI now, in the event that an application is submitted before January 2024;

**THEREFORE**, it is moved by Councillor Dr. Jean Amyotte and seconded by Councillor Chantal Allen.

**AND RESOLVED** that the price of an application for a PPCMOI now be set at \$1,000.00, as it will be indicated in the upcoming pricing bylaw.

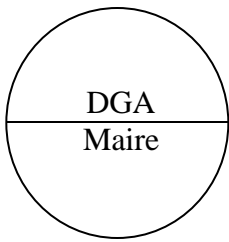
Carried

##### **7.7 Notice of motion**

Notice of motion is given by Councillor Diane Lacasse of Ward 1 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw 14-23 decreeing the closure of a portion of Saint-Patrick Street.

##### **7.8 Tabling of the draft bylaw 14-23 decreeing the closure of a portion of Saint-Patrick Street**

**WHEREAS** the Municipality of Pontiac is governed by the provisions of the Municipal Powers Act;



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**WHEREAS** the Municipality of Pontiac has the power, under section 4 of the Municipal Powers Act, to close and abolish a road that is part of the public domain;

**WHEREAS** a notice of motion was duly given at the regular council meeting held on November 14, 2023;

**WHEREAS** the draft bylaw was tabled at the same regular Council meeting ;

**WHEREAS** part of St-Patrick Street, officially designated as lot 5 815 807 of the Cadastre of Quebec, has not been built or used as a STREET for more than one hundred (100) years; (1908)

**WHEREAS** the St-Mary's Parish Fabric has always maintained this part of the street with a greater extent, namely the Church parking lot, among other things, paving, snow removal and maintenance since the existence of said Church;

**WHEREAS** the Municipality has never paid any maintenance costs for said portion of St-Patrick Street;

**WHEREAS**, according to the law and jurisprudence, a street or road that has been opened or even verbalized, and subsequently not built or materialized, is presumed to have never existed;

**WHEREAS** the alleged owner, the Municipality of Pontiac, accepts these facts as true;

**AND RESOLVED THAT** Council decrees and adopts the following:

**SECTION 1: PREAMBLE**

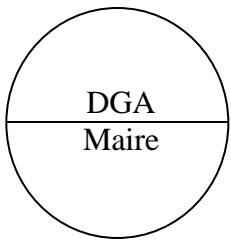
The preamble to this bylaw forms an integral part of this bylaw.

**SECTION 2 : TITLE OF BYLAW**

This bylaw shall be known as "BYLAW 14-23 DECREERING THE CLOSURE AND ABOLITION OF PART OF SAINT-PATRICK STREET".

**SECTION 3: CLOSURE**

As of the coming into force of the present bylaw, the portion of Saint-Patrick Street, more specifically the western portion, located between St-John Street and the Ottawa River, on the territory of the Municipality of Pontiac, having a length of 110.01 metres



on the south line and 118.81 on the north line and a width of 12.19 metres on east line and 14.98 on the west line, as shown on the plan.

#### **SECTION 4: ABOLITION AND RETROCESSION**

The portion of Saint-Patrick Street, as described in section 3 is hereby closed and abolished as a municipal public street.

#### **SECTION 5: COMING INTO FORCE**

This bylaw shall come into force in accordance with the Law.

23-11-5116

#### **7.9 Subdivision - 5 Saint-John street - lot 5 815 038**

**WHEREAS** an application for a subdivision permit was submitted on September 9, 2023, by the members of the Catholic Presbytery, concerning lot 5 815 038 of the Quebec cadastre, located at 5 rue Saint-John, for the purpose of replacing said lot to create two (2) new lots, namely lots 6 592 330 and 6 592 331, as described on the plan prepared by Richard Fortin Land surveyor, dated August 14, 2023, under minutes 11380;

**WHEREAS** the subdivision project does not require the transfer, free of charge, of one or more lots representing 10% of the total area of all the lots subdivided, or the payment to the Municipality of a sum of money representing 10% of the value of all the lots subdivided, in accordance with section 2.1 of Subdivision By-law 178-01.

**WHEREAS** this subdivision project is in keeping with the broad land use planning orientations of the Municipality of Pontiac's Master Plan, which is to promote residential and commercial development throughout the territory of the Municipality;

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

**AND RESOLVED THAT** to authorize the issuance of a subdivision permit to the members of the Catholic Presbytery concerning the cadastral operation of lot 5 815 038, all in accordance with subdivision by-law 178-01.

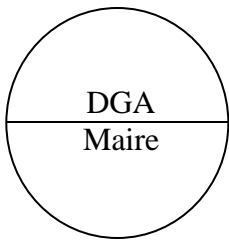
Carried

23-11-5117

#### **7.10 Promise of purchase - 225 Pontiac Road**

**WHEREAS** the owner of 225 Pontiac Road wishes to sell her property to the Municipality of Pontiac;





**WHEREAS** the Municipality of Pontiac is interested in purchasing said property;

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

**AND RESOLVED THAT** the Municipality proceed with the purchase of the property at 225 Pontiac Road according with the terms and provisions of the agreement.

**THAT** the Acting Director General, Mr. Mario Allen, the Assistant General Director, Mr. Louis-Alexandre Monast, and the Mayor, Mr. Roger Larose, be authorized to sign for and in the name of the Municipality, all documents related to this transaction.

THAT this expenditure be taken from the non-allocated surplus.

Carried

## **8. RECREATION AND CULTURE**

23-11-5118

### **8.1 Agreement with Les Blés d'Or for a donation**

**WHEREAS** the organization Les Blés d'Or wishes to donate to the Municipality the complete inventory contained in the room adjoining the kitchen of the Luskville Community Centre;

**THEREFORE**, it is moved by Councillor Serge Laforest and seconded by Councillor Dr. Jean Amyotte.

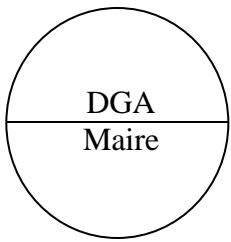
**AND RESOLVED THAT** the donation be received as described in the agreement prepared for this purpose.

**THAT** Council authorizes Mr. Mario Allen, Acting General Director, to sign said agreement for, and in the name of the Municipality of Pontiac.

Carried

Councillor Chantal Allen votes against the resolution.

The Mayor exercise the right of veto power for this resolution. Therefore, it will be tabled again at the next Council meeting.



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**9. TABLING OF DOCUMENTS**

**9.1 Tabling of the report regarding the delegation of authorization of expenses from September 21 to October 22, 2023.**

**10.2 Tabling of the audit report of the presbytery and St-Dominique Heritage Church.**

**10. PUBLIC QUESTION PERIOD**

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

**11. CLOSING OF MEETING**

**IT IS MOVED BY** Councillor Chantal Allen and seconded by Councillor Diane Lacasse.

**AND RESOLVED** to close the meeting at 8:14 p.m. having gone through the agenda.

Carried

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Louis-Alexandre Monast  
Assistant Director General and  
Secretary, Clerk-treasurer

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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».*

*“However, my signature is not valid on resolution number **23-11-5118** to which I exercise the right of veto power, provided for in article 142 (3) of the Municipal Code”.*