

Minutes of the ordinary meeting of council of the Municipality of the Township of Arundel held at the community hall at the municipal garage located at 2, White's road, Arundel on the 26<sup>th</sup> day of January at 5:30 p.m.

Present were councillors: Jonathan Morgan, Hervey William Howe, Paul Pepin, Dale Rathwell, Thomas Bates and the mayor Pascale Blais.

The director general France Bellefleur, and the inspector of buildings and environment, are present.

### **Agenda**

#### **1. Adoption of the Agenda**

#### **2. Question period**

#### **3. Consultation on requests for minor variances**

3.1 Request for minor variances - 33, Village Street - Roll number 1892-27-1120

3.2 Request for minor variances - 73, de la Rouge road - Roll number 1692-60-4021

#### **4. Request for minor variances**

4.1 Request for minor variances - 33, Village Street – Roll number 1892-27-1120

4.2 Request for minor variances - 73, de la Rouge road - Roll number 1692-60-4021

#### **5. Notice of motion and by-law**

5.1 Adoption – By-law #234 decreeing the imposition of taxes and compensations for the year 2018

#### **6. Urban planning and environmental hygiene**

6.1 PIIA – 33, rue du Village – Roll number 1892-27-1120- Siding

6.2 Request to the CPTAQ for alienation and non-agricultural use - 73, de la Rouge Road – Roll number 1692-60-4021

6.3 Request to the CPTAQ for non-agricultural use - Deer Haven Road – Roll number 1893-97-0626

#### **7. Question period**

#### **8. Termination of meeting**

### **OPENING OF THE SESSION**

The meeting opened at 5:30 p.m. The mayor of the Municipality of the Township of Arundel and president of the assembly, Mrs. Pascale Blais notes the regularity of the session given there is quorum and that the notice of the special meeting was served to all members of council and this, in accordance with the provisions of Article 157 of the *Quebec Municipal Code*.

2018-0017

**1. Adoption of the Agenda**

It is moved by councillor Dale Rathwell

And carried that the Agenda be adopted as presented

**ADOPTED UNANIMOUSLY**

**2. Question period**

**3. Consultation on requests for minor variances**

**3.1 Request for minor variances - 33, Village Street – Roll number 1892-27-1120**

The Mayor invites the audience to submit their comments or objections to this request for minor variances.

No questions or comments were made about this request.

No objections have been filed with respect to this request for a minor variance.

**3.2 Request for minor variances - 73, de la Rouge road - Roll number 1692-60-4021**

The Mayor invites the audience to submit their comments or objections to this request for minor variances.

No questions or comments were made about this request.

No objections have been filed with respect to this request for a minor variance.

**4. Request for minor variances**

2018-0018

**4.1 Request for minor variances - 33, Village Street – Roll number 1892-27-1120**

**WHEREAS** the request for minor variances filed by the owner of 33, Village Street, roll number 1892-27-1120;

**WHEREAS** the request for minor variances is to authorize the

construction of a residential garage with a height of eight (8) meters while the maximum allowed is 6 (six) meters;

**WHEREAS** the owners wish to build a new residential garage with a storage space in the roof (habitable roof trusses);

**WHEREAS** the owners plan to demolish the old garage within six (6) months after the expiry of the garage building permit;

**WHEREAS** the residence has a height greater than eight (8) meters and that the garage will be located directly behind it;

**WHEREAS** the garage will conceal some of the greenhouses belonging to Les Serres Arundel and located directly on the back line of the site;

**WHEREAS** except for the height, the project of construction of a garage respects all the urban planning regulations;

**WHEREAS** the mayor invited the assistance to make their comments or their opposition on this request for minor variances;

**WHEREAS** no opposition has been presented to this application for minor variances;

**WHEREAS** the director general, secretary-treasurer has, at least 15 days before the meeting where the council must decide on the minor variance request, publishes a notice in accordance with the law that governs the municipality;

**WHEREAS** the planning advisory Committee's recommendation to accept this request;

### **CONSEQUENTLY,**

It is moved by councillor Paul Pepin

And carried:

**THAT** council approves this request for minor variances for the property at 33, Village Street, roll number 1892-27-1120, and authorizes the construction of a residential garage with a height of eight (8) meters while the maximum authorized is six (6) meters.

### **ADOPTED UNANIMOUSLY**

**2018-0019**

#### **4.2 Request for minor variances - 73, de la Rouge road - Roll number 1692-60-4021**

**WHEREAS** the request for minor variances filed by the owner of 73, de la Rouge road, roll number 1692-60-4021;

**WHEREAS** the request for minor variances is to authorize the subdivision of two (2) lots with a frontage of fifteen (15) meters each

while the minimum required is sixty (60) meters (land enclosed by the agricultural zone);

**WHEREAS** the owner's plan to sell to her son all of her agricultural land in the agricultural zone, located west of the aerobic Corridor, with the exception of two (2) strips of land fifteen (15) meters wide that will allow her to access the portions of land on the other side of the agricultural zone and on the banks of the Rouge River;

**WHEREAS** these areas of land with exceptional potential for vacation purposes are only accessible via the agricultural zone;

**WHEREAS** that it would be illogical to ask the owner to keep sixty (60) meters in front of the de la Rouge Road for each of the proposed lots, until it reaches each of the two (2) proposed lots, situated in the white zone, since this would unnecessarily divide the agricultural territory;

**WHEREAS** the Mayor invited the assistance to make their comments or their opposition on this request for minor variances;

**WHEREAS** no opposition has been presented to this application for minor variances;

**WHEREAS** the director general, secretary-treasurer has, at least 15 days before the meeting where the council must decide on the minor variance request, publishes a notice in accordance with the law that governs the municipality;

**WHEREAS** the planning advisory Committee's recommendation to accept this request;

**CONSEQUENTLY,**

It is moved by councillor Jonathan Morgan

And carried:

**THAT** council approves this request for minor variances for the property of 73, de la Rouge Road, roll number 1692-60-4021, and authorizes the subdivision of two (2) lots with a frontage of fifteen (15) meters each, while the minimum prescribed in the schedule of specifications for uses and standards for zones Af-41 and Pa-43 of *zoning By-law # 112* is sixty (60) meters, subject to the following conditions:

- Only one access via the aerobic Corridor will have to be kept during the construction of a residence on one or the other lot thus created and this one will have to be authorized by the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET) and the MRC des Laurentides. In addition, the annual fees required for occupation of the aerobic corridor right-of-way, as well as the costs of liability insurance that insures the MTMDET and the MRC as additional insureds, must be paid annually by the owner;

- Only one residence can be built per lot thus created, unless a street is built in accordance with the requirements of the *Subdivision By-law #*

113. The new lots thus created in the white zone should then have a frontage on this new street, in accordance with said subdivision by-law;

- The owner must, before the subdivision permit is issued, have granted a notarized easement to her son, so that he is able to cross the two (2) accesses of fifteen (15) meters projected, allowing him to legally access all parts of his properties.

## **ADOPTED UNANIMOUSLY**

### **5. Notice of motion and by-law**

**2018-0020**

#### **5.1 Adoption – By-law #234 decreeing the imposition of taxes and compensations for the year 2018**

**WHEREAS** the Municipality of the Township of Arundel has adopted its budget for the year 2018;

**WHEREAS** it is necessary to determine property tax rates and compensation for municipal services in the fiscal year 2018;

**WHEREAS** financial policy aims to maximize financial, material and human resources to control the increase in the tax rate while maintaining a social and financial balance;

**WHEREAS** a notice of motion was regularly given at the council meeting held on January 23<sup>rd</sup>, 2018;

### **CONSEQUENTLY,**

It is moved by councillor Jonathan Morgan

And carried that the municipal council adopts by-law # 234 decreeing the imposition of taxes and compensations for the year 2018.

## **ADOPTED UNANIMOUSLY**

### **6. Urban planning and environmental hygiene**

**2018-0021**

#### **6.1 PIIA – 33, rue du Village – Roll number 1892-27-1120- Siding**

**WHEREAS** a request under the SPAIP has been submitted for the property located at 33, Village Street and which is identified by the roll number 1892-27-1120 and is aimed at the construction of a garage;

**WHEREAS** the request of the owners is subject to the criteria of By-law # 168 concerning the site planning and architectural integration Program (SPAIP);

**WHEREAS** the applicants have submitted the plans and elevations of the proposed garage as well as a sample of wall siding and roof cladding materials;

**WHEREAS** the projected form of the roof of the garage is a roof type with two (2) slopes, identical to that of the main residence;

**WHEREAS** that the exterior siding of the horizontally installed beige-gray wood clapboard walls will have the same orientation as that of the main building while being a material of superior architectural value and recommended under *By-law # 168 of the site planning and architectural integration Program (SPAIP)* in Article 4.1.2;

**WHEREAS** the planning advisory Committee's recommendation to accept this request;

**CONSEQUENTLY,**

It is moved by councillor Paul Pepin

And carried that the council accepts the request presented under the SPAIP for the property located at 33, Village Street, identified by the roll number 1892-27-1120 and which aims at the construction of a garage according to plans and elevations filed.

**ADOPTED UNANIMOUSLY**

2018-0022

**6.2 Request to the CPTAQ for alienation and non-agricultural use - 73, de la Rouge Road – Roll number 1692-60-4021**

**WHEREAS** the owner of 73, de la Rouge Road, roll number 1692-60-4021 has filed a request for authorization for alienation and non-agricultural use to the municipality;

**WHEREAS** this request has two (2) distinct components:

1. The owner wishes to sell the agricultural portion of her property, located north of the aerobic Corridor, to her son (lots 20-p, 21A-p and 21B-p of range 2, Township of Arundel), with the exception of two (2) vehicular access to de la Rouge Road fifteen (15) meters wide to access two (2) white zoned sections (non-contiguous) of her property, enclosed by the agricultural zone, with the objective of establishing access to a vehicle with a width of five (5) meters, while having the possibility of following a future application for authorization to the Commission for the Protection of Agricultural Land (CPTAQ) to build a road in conformity with subdivision regulations;
2. To sell as a single block the entire area of her property, located south of the aerobic Corridor (the remainder of lots 20-p, 21A-p and 21B-p of range 2, Township of Arundel owned by her), and the buildings therein;

**WHEREAS** the planning advisory Committee has given a favorable opinion to this request and that the council has taken into consideration the following criteria of section 62 of the *Act respecting the protection of the territory and its agricultural activities*:

1. the agricultural potential of the lot and neighboring lots will remain intact since no new vehicular access is created. It's more about using existing access;

2. the possibilities of using the lot for agricultural purposes remain the same;
3. the consequences of an authorization for existing agricultural activities and the development of these agricultural activities, as well as the agricultural potential of neighboring lots, taking into account standards designed to mitigate the inconveniences associated with the odors inherent in the activities resulting from the exercise of the powers provided for in paragraph 4 of the second paragraph of section 113 of the *Act respecting land use planning and development* (chapter A-19.1) are such that no new constraint would result in neighboring lots or for an increase in the cattle herd of the owner's son;
4. the constraints and effects resulting from the application of laws and regulations, particularly in the area of the environment and more particularly for animal production establishments, will have no impact on the project of the owner to build a residence in more than three hundred (300) meters from her son's breeding facility, who with his twenty (20) cows requires a separating distance of fifty (50) meters;
5. there are no other locations outside the agricultural zone allowing access to the owner's white zone and these vehicular accesses will not create any new constraints on agricultural activities;
6. the homogeneity of the community and farming activities would be significantly improved;
7. there is no effect on the agricultural preservation of water and soil resources in the territory of the local municipality and in the region;
8. the agricultural area of the properties modeled will remain amply sufficient to practice agricultural activities;
9. the possible construction of two (2) new residences or more would have a positive impact on the economic development of the region;
10. the low land-use density justifies allowing access to areas outside the agricultural zone and is enclaved by it and is even necessary to ensure the viability of the collectivity;
11. the development plan for the agricultural zone of the MRC des Laurentides will not be affected in any way;
12. the project is consistent with the objectives of the development and development plan and the provisions of the complementary document of the MRC des Laurentides;
13. a refusal of this request would have negative and significant monetary and family effects for the owner, as this would prevent her from using the part of her property situated outside the agricultural zone, while limiting greatly the deployment of agricultural activities of her son ;

## **CONSEQUENTLY,**

It is moved by councillor Thomas Bates

And carried that council approves this request for authorization for alienation and non-agricultural use for the property of 73, de la Rouge Road, roll number 1692-60-4021.

## **ADOPTED UNANIMOUSLY**

**6.3 Request to the CPTAQ for non-agricultural use - Deer  
Haven Road – Roll number 1893-97-0626**

**WHEREAS** the owner has filed a request for a non-agricultural use to the municipality;

**WHEREAS** this request aims to allow access to the non-agricultural zone, via the agricultural zone, in the form of a five (5) meter vehicular access for the two (2) portions of land, located in the white zone, separated by the agricultural zone, in order to be able to sell the land inherited from her father with a residential potential recognized by the CPTAQ;

**WHEREAS** the planning advisory Committee gave a favorable opinion to this request and that the council took into consideration the following criteria of the article 62 of the *Act respecting the protection of the territory and it's agricultural activities*:

1. the agricultural potential of the lot and neighboring lots will remain intact;
2. the possibilities of using the lot for agricultural purposes remain the same;
3. the consequences of an authorization for existing agricultural activities and the development of these agricultural activities, as well as the agricultural potential of neighboring lots, taking into account standards designed to mitigate the inconveniences associated with the odors inherent in the activities resulting from the exercise of the powers provided for in paragraph 4 of the second paragraph of section 113 of the *Act respecting land use planning and development* (chapter A-19.1), are such that no new constraint would result in neighboring lots or for the establishment of a new breeding facility;
4. the constraints and effects resulting from the application of the laws and regulations, in particular with regard to the environment and more particularly for the establishments of animal production, will have no impact on the possibility of building a residence in this portion of the property located in the white zone since there is no livestock facility within 500 meters of this site;
5. there are no other locations outside the agricultural zone allowing access to the white area of this property and the projected vehicular accesses will not create any new constraints on agricultural activities;
6. the homogeneity of the community and farming activities would be significantly improved for the former and the latter unchanged;
7. there is no effect on the preservation of water and soil resources for agriculture in the territory of the local municipality and in the region;
8. the project does not affect the size of the property and its capacity to accommodate a farm;
9. the possible construction of a new residence would have a positive impact on the economic development of the region;



10. the low land-use density justifies allowing access to areas outside the agricultural area and is enclaved by it and is even necessary to ensure the viability of the collectivity;

11. the development plan for the agricultural zone of the MRC des Laurentides will not be affected in any way;

12. the project is consistent with the objectives of the development and development plan and the provisions of the complementary document of the MRC des Laurentides;

13. A refusal of this request would have significant monetary consequences for the owner, greatly reducing the value of the property;

**CONSEQUENTLY,**

It is moved by councillor Paul Pepin

And carried that the council approves this request for a non-agricultural use for the Deer Haven Road property identified by roll number 1893-97-0626.

**2018-0024**

**Termination of meeting**

It is moved by councillor Paul Pepin and carried that the meeting be terminated at 6:30 p.m.

**ADOPTED UNANIMOUSLY**

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Pascale Blais, LL.B., B.A.  
Mayor

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France Bellefleur, CPA, CA  
Director general