

The regular meeting of the Bristol Council was held in the Townhall on December 3rd, 2012 at 8:00 p.m. with Mayor Brent Orr, and Crs. Steve Forbes, Colette O'Malley, Greg Graham, Brian Drummond and Debbie Kilgour. Cr. Keith Smith did not attend.

- (12-12-222)** Motion Cr. Forbes that the minutes from the November 5<sup>th</sup> meeting be adopted with the modification to resolution # 12-11-212 indicating that the resolution was carried on division, 3 against and 4 in favour and deleting the sentence The Mayor abstains from voting. Crd. The Mayor abstains from voting.
- (12-12-223)** Motion Cr. Drummond to adopt the agenda with the additions. Crd. The Mayor abstains from voting.
- (12-12-224)** Motion Cr. Forbes to accept the tender from MacEwen Petroleum for the supply of clear diesel, supreme gasoline, stove oil & furnace oil for the year 2013. Crd. The Mayor abstains from voting.
- (12-12-225)** Motion Cr. Forbes to accept the insurance tender from Valley Mutual Insurance. Crd. The Mayor abstains from voting.
- (12-12-226)** Motion Cr. Drummond to accept the proposal from the Municipality of Shawville for the use of the fire hydrant in the Village of Shawville should there be a fire in the Village of Caldwell in the amount of \$100.00 per tank. Crd. The Mayor abstains from voting.
- (12-12-227)** Motion Cr. O'Malley to add all unpaid taxes for 2012 in excess of \$300.00, including interest arrears, to the list for the Land Sale and forward it to the lawyer, Pharand Joyal, for collection. The Municipal Office will accept payment only until the 15<sup>th</sup> of February, 2013. Any payment received after the 31<sup>st</sup> of January must be by cash or certified cheque. The Director General, Christina Peck, is authorized to attend the Land Sale scheduled for May 9<sup>th</sup>, 2013. Crd. The Mayor abstains from voting.

**(12-12-228)** By-Law # 298 Minor Variances

WHEREAS the Municipality of Bristol is governed by the provisions of the Municipal Code of Quebec;

WHEREAS under the provisions of the Act respecting Land Use Planning and Development (L.R.Q., c. A-19-1), Council can adopt a by-law concerning minor variances regarding the provisions of zoning and subdivision by-laws other than those relating to the use and density of land;

WHEREAS a Town Planning Advisory Committee is in existence;

WHEREAS it is necessary to make major modifications to these regulations in order to update;

WHEREAS there is, by the same occasion, an opportunity to create a by-law concerning minor variances;

WHEREAS notice of motion of the present by-law was given at the council meeting held on July 3rd, 2012;

IN CONSEQUENCE it is proposed by Cr. Drummond and resolved by the Municipal Council that By-Law # 298 entitled “By-Law Concerning Minor Variances” of the Municipality of Bristol be adopted.

#### ARTICLE 1: Preamble

The preamble is an integral part of the present by-law.

#### ARTICLE 2: Territory Affected

The provisions of the present by-law shall apply to the whole territory under the jurisdiction of the Municipality of Bristol. On this territory, the present by-law applies to both individuals and legal persons under public or private law.

#### ARTICLE 3: Scope of Application

The present by-law governs the format and procedure of analysis of a minor variance application within Zoning and Subdivision By-Laws. In addition, it regulates the requirements for eligibility of admissibility in regards to such a request. Any minor variance application must be submitted and studied in conformity with the present by-law.

#### ARTICLE 4: General Principles of Interpretation

This by-law is written according to the principles mentioned in Articles 38 to 62 of the Interpretation Act (L.R.A., c. I-16). Consequently, the text of this by-law must be interpreted according to this Act.

#### ARTICLE 5: Terminology

In the present by-law, unless the context indicates otherwise, the following definitions shall apply:

**Minor Variance:** a special procedure established by by-law under which the Council may authorize the realization of the proposed work or regularization of work in progress or completed, which does not meet all the provisions of the Zoning or Subdivision By-Laws.

**Designated Officer:** employee designated by resolution of Council to administer and enforce the present by-law.

#### ARTICLE 6: Administration and Enforcement of the By-Law

The administration and enforcement of the present by-law refers to the designated officer appointed under the provisions of the Permit and Certificate By-Law.

#### ARTICLE 7: Content of the Application

A minor variance application must be accompanied by the following documents and information:

The minor variance application duly completed and signed as provided by the municipality.

The name, surname and address of the owner and, where applicable, their authorized representative.

Where applicable, a letter authorizing the representative to act on behalf of the owner of the property in question.

In the case where the minor variance is for the length, width, area of open space to be left between the buildings on the same property or space required between the buildings and road allowance or property lines:

An updated certificate of location prepared by a surveyor in the case of an existing building;

A projected plan prepared by a surveyor in the case of a proposed construction;

When it is required for the analysis of the request, a plan showing the minor variance requested.

5. A cheque payable to the Municipality of Bristol covering the costs of the minor variance.

#### ARTICLE 7.1: Request for Work in Progress or Already Completed

To qualify, a minor variance application which relates to a cadastral plan or work in progress or already completed must meet the following conditions:

The work or the cadastral plan must have been the subject, depending on the case, of a construction permit, a certificate of authorization or a subdivision permit;  
The work or the cadastral plan has been executed in good faith;  
Granting the minor variance would not result in endangering the safety, health or welfare of persons.

#### ARTICLE 8: Transmission of the Request

The designated officer reviews the application and verifies that all information and documents required by the present by-law were provided. If the information and documents required are incomplete or inaccurate, the examination of the application is suspended until the information and documents required are submitted by the applicant. The application is then considered to be received on the date of receipt of this additional information or documents.

The applicant must provide to the designated officer any additional information required to ensure proper understanding of the minor variance application.

#### ARTICLE 9: Transmission of the File to the Town Planning Advisory Committee

From the date on which he has in hand all the information and documents required by the present by-law, the designated officer has thirty (30) days to transmit the file to the Town Planning Advisory Committee.

#### ARTICLE 10: Study of the Application by the Committee

The Town Planning Advisory Committee reviews the request. After analyzing the request, the Town Planning Advisory Committee must give a written recommendation taking in account the conditions and criteria outlined in the present by-law.

If the Committee finds and concludes that the minor variance application does not comply with the provisions of Article 7 of the present by-law, it shall dismiss the application.

The resolution stating the Committee's recommendation must be submitted within sixty (60) days following the date upon which the minor variance request, accompanied by all the required information and documents and the amount covering the cost of the analysis, were received by the designated officer.

#### ARTICLE 11: Public Notice

The Director General of the Municipality must, at least 15 days prior to the Council Meeting at which the Council must approve the minor variance application, publish in accordance with the Law governing the municipality, a notice under section 145.6 of the Act covering Town Planning and Development (L.R.Q., c. A-19.1).

#### ARTICLE 12: Council Decision

Before making its decision, the Council or the designated officer shall explain the minor variance request. After hearing any person wishing to speak concerning the request and having reviewed the recommendation of the Town Planning Advisory Committee, the council makes its decision. The Council is not bound by the decision of the Town Planning Advisory Committee.

A certified copy of the resolution by which Council issued its decision must be transmitted by the Director General of the Municipality to the applicant and the designated officer within fifteen (15) days after its adoption by Council.

#### ARTICLE 13: Issuance of the Permit or Certificate

When the Council resolution grants the minor variance requested, the officer may then issue the building permit, subdivision permit or certificate of authorization required, provided that the application complies with all provisions of the planning regulations excluding the minor variance.

#### ARTICLE 14: Inscription in the Register Book

The minor variance application and the resolution from Council are recorded in the register compiled for this purpose.

#### ARTICLE 15: Replacement

The present by-law replaces any preceding Municipal by-laws concerning minor variances.

## ARTICLE 16: Entry into Force

The present by-law shall enter into force in accordance with the Law. Crd. The Mayor abstains from voting.

- (12-12-229)** Motion Cr. Drummond to decline the proposal of Jean-Sébastien Houle to sell a portion of his property, 1.18 acres located at 23 Gold Mine Nord to the Municipality of Bristol. Crd. The Mayor abstains from voting.
- (12-12-230)** Motion Cr. Drummond to deny the application of Terrence Kiefl to subdivide his property located at the corner of Dodd Street & Grantham since the parameters of the new subdivision would render the lots too small to conform to our present zoning by-laws. Crd. The Mayor abstains from voting.
- (12-12-231)** Motion Cr. Drummond to deny the request of Marilyn Antle to subdivide her property located at 104 River Road since the subdivision of this property would not conform to our minimum lot requirements. Crd. The Mayor abstains from voting.
- (12-12-232)** Motion Cr. Kilgour to accept the applications of Kenneth Bernard, Barry Tubman & Gérard Laferrière for the Bristol Volunteer Fire Department. Crd. The Mayor abstains from voting.
- (12-12-233)** Motion Cr. Forbes to accept the proposal from Multi-Routes for the supply of calcium in the amount of 65 000 litres at a cost of \$0.33 per litre for the 2013 season. Crd. The Mayor abstains from voting.
- (12-12-234)** Motion Cr. Forbes to contact Anne-Marie Vaz from the MRC Pontiac authorizing her to proceed with the Gingerbread Houses Workshop. Crd. The Mayor abstains from voting.

I, Christina Peck, Director General of the Municipality of Bristol, certify that there are credits available to pay the expenses below.

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Christina Peck, Director General

- (12-12-235) Motion Cr. Drummond that invoices totalling \$135 428.20 be paid for the month of November. Crd. The Mayor abstains from voting.
- (12-12-236) Motion Cr. Forbes to accept the financial statements for the month of October. Crd. The Mayor abstains from voting.
- (12-12-237) Motion Cr. Drummond to close the meeting. Crd. The Mayor abstains from voting.

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Mayor Brent Orr

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Director General Christina Peck