

(Unofficial version)

DATE: September 28, 2021

The regular meeting of the Clarendon Municipal Council was held on the above night, respecting Covid 19 Pandemic restrictions and requirements. Mayor John Armstrong, Cr. Elliott, Cr. Younge, Cr. Dagg, Cr. Walsh, Cr. Smith, & Cr. Hanna attended. Director General Patricia Hobbs was also in attendance.

**1. OPENING THE MEETING**

Mayor, John Armstrong opened the meeting at 7:30 p.m.

**Public Participation** – Eddie Jean Marie came to make an official request that Lemay Road and Claude Road be taken over by the Municipality.

**2. ADOPTION OF THE AGENDA**

**123-09-2021** Proposed by: Cr Walsh

Seconded by: Cr. Hanna

And unanimously resolved to adopt the agenda of September 28, 2021, with the addition of Villa James Shaw at 8.1, Request to MTQ at 7.3.3, Request regarding Lemay and Claude Road at 7.3.4

**3 . ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF August 24, 2021**

**124-09-2021** Proposed by: Cr. Dagg

Seconded by: Cr Smith

*And is unanimously* resolved to adopt the minutes of the August 24, 2021 regular meeting.

**Carried**

**4. MAYOR'S REPORT –**

**5. CORRESPONDENCE AND INFORMATION**

**6. FINANCIAL REPORT &/OR ACCOUNTS PAYABLE**

Accounts Payable in the amount of \$ 242,174.96 were presented

**AUTHORITY OF PAYMENT OF THE LIST OF BILLS**

Certificate of availability of credits

I, the undersigned, Patricia Hobbs, Director General of the Municipality of Clarendon certify that there are sufficient credits available to carry out the expenditure mentioned above.

In witness whereof, this certificate is given in Clarendon this 28 day of September 2021

\_\_\_\_\_ *Patricia Hobbs* \_\_\_\_\_

**Patricia Hobbs – Director General**

**125-09-2021** Proposed by Cr. Younge

Seconded by Cr. Smith

And is resolved to pay the bills amount of \$ 242,174.96

**Carried**

**126 -09-2021** Moved by: Cr. Smith

Seconded by: Cr. Younge

And unanimously agreed to purchase two benches (\$ 4,973.68) plus landscaping for a sitting area at the end of McCagg Road in Sand Bay and a sign for the Fire Hall with money allocated from the Beautification Budget.

Carried

**6.1 Land Tax Sale**

Two properties which had been sent to the land tax sale did not sell and are now under the ownership of the Municipality.

**7.. COMMITTEE MEETINGS AND REPORTS**

**7.1 PERSONNEL COMMITTEE**

**7.2 LUP COMMITTEE**

**7.2.1 – Resolution Concerning Land locked parcels of land**

**Whereas**, land locked parcels, "land enclosed by that of others in such a way that there is no access or only an inadequate, difficult or impassable access to it from the public road" exist throughout the Municipality of Clarendon.

**Whereas**, many of the historical informal arrangements to gain access to a land locked parcel are no longer being honored and respected, in part due to the rapid increase in the sale of properties to new owners.

**Whereas**, this resulting in litigation between owners to assert a right to access the landlocked parcel.

**Whereas**, the Municipality wishes to ensure that it does not add to these litigious situations by creating additional landlocked parcels

**127 -09-2021**

**It is therefore**

**Moved by: Cr. Dagg**

**Seconded by: Cr.Smith**

And unanimously agreed that a subdivision of land cannot result in the creation of one or more landlocked parcels immediately after the subdivision without obtaining a real servitude registered in the land registry system.

Carried

**7.2.2 - Alienation of Rights CPTAQ – Declaration Lot 5 640 560**

**Where as**, lot 5 640 560 is located in agriculture zoning AG-32;

**Where as**, the owner being a corporation would like to proceed with the declaration of the right at the CPTAQ pending the confirmation that the Council concur with the alienation.

**Where as**, the 4,978.1 sqm lot size respects the permissible size permitted by the acquired rights and also includes the well, the laneway and the septic system.

**Where as**, the proposed new lot size, frontage and average depth respect the Subdivision By-law #2017-259.

**Where as**, the proposed subdivision plan respects our Zoning By-law #2017-258 in force in terms of minimum setback from all buildings;

**Where as**, the remainder of the land would be accessible by its own laneway located north of the residential laneway and would not create additional restrictions nor the needs of servitude of access

It is therefore

**128 -09-2021** Moved by : Cr. Smith

Seconded by: Cr.Walsh

And unanimously agreed to accept the recommendation of the LUP committee to approve the request to subdivide the personal residence from the agricultural property (5 640 560) as shown in the survey by Michel Fortin, Quebec Land Surveyor, Minute 31665

Carried

### **7.2.3 - Subdivision Application – Quebec Hydro Lot 5 640 337**

The owner requests permission to subdivide lot 5 640 337 located in Clarendon.

This proposed subdivision would create 16 new lots numbered 6 449 197 to 6 449 212.

Each of the 16 newly formed lots are landlocked and do not conform to the Zoning By-law #2017-258. It was agreed with the owner that as a condition of the subdivision approval that each of the 16 lots would be immediately consolidated at the time of alienation. 14 of the 16 new lots will be consolidated with the adjacent land owner(s).

The remaining 2 lots will remain in the name of Quebec Hydro until such time as the adjacent landowner agrees to purchase and consolidate those lands.

**Whereas** this lot is part of a larger lot, all of which is expected to be subdivided and disposed of over the next year.

**Whereas** lot 5 640 337 is located in RT 37, Recreation and Tourism.

**Whereas** the proposed new lots include a consolidation with a corresponding existing lot.

**Whereas** immediately before the subdivision the adjacent lots have acquired rights and do not comply with Zoning By-law #2017-258 in terms of road frontage, lot size and average depth.

**Whereas** the new lots would be landlocked, being situated between the water and an adjacent property and do not comply with Zoning By-law #2017-258 in terms of road frontage, lot size and average depth.

**Whereas** the vendor has sold 14 of the 16 lots to the adjacent land owners.

**Whereas** a condition for approval of the subdivision is to conclude a consolidation of the newly formed lots with the existing lot of the adjacent landowner(s).

**Whereas** the survey dated August 27, 2021 Minute 4093 shows the final parcel id numbers, after consolidation.

**Whereas** a condition of this subdivision is that the 2 remaining lots 6 449 208 and 6 449 197 cannot be sold except to be consolidated to an existing adjacent parcel.

**Whereas** the registration of the consolidated lots are a condition of approval of the subdivision.

**Whereas** the proposed lots are not located in an area of flood risk or landslide;

**Whereas** the LUP committee has not reviewed this subdivision due to time restraints.

**129 -09-2021** it is therefore

Moved by; Cr. Smith

Seconded by; Cr. Elliott

And unanimously agreed to accept the subdivision plan as laid out in the survey by Bussieres Berube Genest Schnob Arpenteurs – Geometeries Inc Quebec Surveyors Minute # 4093

Carried

### **7.2.4 – Authorization Request – CPTAQ ( 7914377 Canada Inc)**

Numbered company 7914377 Canada Inc is proposing the sale of farms land to another company (Pure Conscience SENC)

The stated purpose of the sale is for the purchaser to consolidate and increase agriculture production to include new farm buildings (storage, barn, bigger chicken house) and land (hay production, increase pasture, increase garlic and strawberry production). Further develop agricultural business opportunities in the Pontiac.

The CPTAQ request is for approval of an *Alienation of a lot or set of lots (severing of a lot or set of lots, sale, purchase, exchange or gift of land), except in the case of an expansion of an area currently used for purposes other than agriculture.*

The four (4) lots included in this request are:

- 5 639 468 90.81 Hec Clarendon (29H cultivated, 19H waste 42H forest)
- 5 640 975 0.026 Hec Clarendon
- 5 639 271 92.3 Hec Clarendon
- 5 639 263 1.43 Hec Clarendon
- 5 801 285 38.0 Hec Bristol
- 6 253 532 0.33 Hec Bristol

Included in sale Garage, barn, 2 sheds, 1 residence (1941) and a second smaller secondary residence. No animals.

Current utilization:

Agriculture

- Crop/Wasteland 171.5 hectares
- Wooded without maple 50.06 hectares
- Wooded with maple 0.0 hectares
- **Total area 221.56 hectares**

Other non-agriculture

- Residential 1.33 hectares

Lots to be preserved by the vendor

- 5 639 271 92.2 H
- 5 639 263 1.43 H
- 5 801 285 38.00 H
- 6 253 532 0.3395 H
- Total area kept **132.06** H
- Cultivated 114.5 H
- Wasteland 9.0 H
- Wooded 8.06 H

1998 residence included in the residual to be kept by the vendor

The residual land of the vendor making the request exceeds 100 hectares and although the vendor has previously filed a CPTAQ application, a request for a council resolution was made.

**Whereas**, lot 5 639 468 and 5 640 975 are located in agriculture zoning AG-20.

**Whereas**, the total hectares of 90.836 are being sold to another registered farmer.

**Whereas**, the sale of the land is intended to permit the purchaser to expand farming operations.

**Whereas**, the vendor will retain 132.06 hectares including a residence.

**Whereas**, the proposed sale is for existing parcels and no subdivision or surveys are required.

**130 -09-2021** It is therefore

Moved by: Cr. Smith

Seconded by: Cr. Younge

And unanimously agreed to authorize 7914377 Canada Inc (a registered farmer) to sell parcels 5 639 468 and 5 640 975 to Pure Conscience S.E.N.C. ( a registered farmer.

### **7.3 TRANSPORTATION COMMITTEE**

#### 7.3.1 – Winter Sand Tenders

Three Tenders were received with the following results

Campbell’s Bay Ciment	\$8.93 /MT
Mickey McGuire Const	\$12.45/MT
Les Entreprises Brian Stanton	\$ 7.79/MT

**131-09-2021** Moved by: Cr. Dagg  
Seconded by: Cr. Walsh

And unanimously agreed to accept the lowest tender from Les Ent. Brian Stanton

#### 7.3.2 – Salt Tenders

Four tenders for Winter Salt were received

MultiRoutes - \$153/mt
Compass Minerals \$ 94.56/MT
Sel Warwick \$ \$116.00 /MT
Windsor Sale - \$ 115.99 /MT

**132-09-2021** Moved by: Cr. Younge  
Seconded by; Cr. Dagg  
To accept the lowest tender from Compass Minerals.  
Carried

**133-09-2021** 7.3.3 – MTQ Request  
**Moved by: Cr. Walsh**  
**Seconded by: Cr. Elliott**

And unanimously agreed to request the Ministry of Transport to install a double line on the 303N from Shawville to the 8<sup>th</sup> concession for safety. As well, the Municipality will request to have a street light to be installed at the entrance to Lemay Road.  
Carried.

7.3.4 - Request for Municipal ownership of ch Lemay & ch Claude  
The engineer from the MRC will be asked to inspect these roads and give a report to Council prior to the next regular meeting.

### **7.4 LIBRARY COMMITTEE**

### **7.5 FINANCE COMMITTEE**

### **7.6 FIRE COMMITTEE**

#### **Hiring of New Fire Men**

Fire Chief, Lee Laframboise is recommending 3 names for approval to join the Shawville/Clarendon Fire Dept; namely... Braeden Picard, Chad Mosely, & Ryan Laframboise.

**134-09-2021** Moved by: Cr. Dagg  
Seconded by: Cr. Hanna  
Carried

**7.7 WASTE MANAGEMENT**

The Municipality will be asking the MRC to give direction regarding the disposal of hazardous waste.

**8. MISCELLANEOUS AND DISCUSSION**

**135-09-2021**

**Moved by: Cr. Smith**

**Seconded by : Cr. Walsh**

And unanimously resolved to donate one load of gravel to the Villa James Shaw Auction for delivery up to 30 km  
Carrie

**9. ADJOURNMENT**

**136-09-2021**

Motion by: Cr Younge to adjourn the meeting of September 28, , 2021 at 9:15 p.m.

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Mayor John Armstrong

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Director General – Patricia Hobbs







