



No de résolution  
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**CANADA  
PROVINCE OF QUEBEC  
MRC DU HAUT ST-FRANÇOIS  
MUNICIPALITY OF BURY**

**A REGULAR MEETING** of the Municipal Council of Bury was held on **Monday, August 6, 2018 at 7:30 pm** at the Bury Armoury Community Center. Presents were Councillors Daniel Frechette, Alain Villemure, Delmar Fisher, Corey Strapps all members of said Council having been duly convened and forming quorum, under the chairmanship of the Pro-Mayor, Mrs. Marilyn Matheson, and according to the provisions of the Municipal Code.

Mayor Walter Dougherty, Director General Karen Blouin and Councillor Sabrina Patry-McComb are absent.

The Assistant Secretary-Treasurer, Mrs. Louise Brière, is present.

**1. Opening of the meeting**

Verification of the quorum and word of welcome at 7:33 p.m.

**2. Adoption of the agenda**

IT IS PROPOSED BY Councillor Daniel Frechette,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED to adopt the agenda for the August 6 2018 meeting.

The agenda is as follows:

**AGENDA**

- 1. Opening of the regular meeting**
- 2. Adoption of the August 6 agenda**
- 3. Adoption of the minutes of the regular July 3 meeting and of the extraordinary meetings of July 11 and 23 2018.**
- 4. First question period (general questions)**
- 5. Deposit of the monthly correspondence**
- 6. Mayor's Report**
- 7. Committee Reports**
  - 7.1 Administration**
  - 7.2 Public Safety**
  - 7.3 Public Works**
  - 7.4 Town Planning and Environment**
  - 7.5 Leisure, Sports and Culture**
- 8. New Business**
  - 8.1 List of Monthly Bills**
  - 8.2 CPTAQ- Recommendation of the Municipality on a request for exclusion from the agricultural zone for lot 4 772 850 deposited by the MRC**
  - 8.3 Tenders for the verification of the debit meters**
- 9. Legislation**
  - 9.1 Adoption of Bylaw number 432-2018 «Bylaw on conditional uses»**

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- 9.2 Adoption of Bylaw number 4334-2018 «Bylaw decreeing the repair work of municipal services on McIver Street authorising an expense for the total amount of 1 089 000\$ and authorising a loan to cover the costs abolishing Bylaw number 431-2018**
- 10. Second question period (questions on subjects on the agenda)**
- 11. Other and new business**
- 12. Information from Council members**
- 13 Adjournment**

Next Regular Meeting

Monday, September 10, 2018 at 7:30 p.m. at the Bury Armoury Community Centre at 563 Main Street in Bury.

**ADOPTED UNANIMOUSLY**

- 3. Adoption of the minutes of the Regular Meeting of July 3 2018 and of the Extraordinary Meetings of July 11 and 23 2018**

IT IS PROPOSED BY Councillor Corey Strapps  
SECONDED BY Councillor Daniel Frechette

AND CARRIED that the minutes of the Regular Meeting of July 3, 2018 and of the Extraordinary Meetings of July 11 and 23, 2018 be adopted.

**ADOPTED UNANIMOUSLY**

- 4. First question period (general questions)**

Questions were asked regarding the following:

- The bins on Larivière Road
- The notice regarding the limiting of the use of the drinking water
- The 2 meetings held on June 4, 2018
- The follow up regarding a complaint deposited at the Municipal Office
- The temporary hiring of the Municipal Inspector
- Bylaw 432-2018
- The posting in the Record
- The availability of copies of Bylaw 411-2018 and posting on the web site
- The resolution of 8.3 of the agenda

- 5. Deposit of the monthly correspondence**

The Assistant Secretary-treasurer advises of certain subjects of interest related to the correspondence which had been deposited at the work meeting.

- 6. Mayor's Report**

As the Mayor was absent there was no report on his local or MRC activities.

- 7. Committee Reports**

- 7.1 Administration**  
**7.2 Public Safety**

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**7.3 Public Works**  
**7.4 Town Planning and Environment**  
**7.5 Leisure, Sports and Culture**

**8. New business**

**8.1 List of the monthly bills**

2018-08-119

CONSIDERING THAT the Director General must, in virtue of Bylaw 403-2008 regarding the delegation of powers and rules for the control and following-up of budget expenses, prepare and periodically present to Council at a regular meeting, a report detailing the expenses authorized.

THEREFORE,  
IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the Municipal Council accepts the inclusion of the authorized expenses with the list of accounts payable and payment of the corresponding bills totalling \$ 103 120.07.

THAT the report be filed under number 07-2018 and be considered an integral part of the present minutes.

**ADOPTED UNANIMOUSLY**

**8.2 CPTAQ- Recommendation of the Municipality on a request for exclusion from the agricultural zone for lot 4 772 850 deposited by the MRC**

2018-08-120

WHEREAS lot 4 772 850 of the Quebec land registry for Bury is the property of the Régie intermunicipale of the centre of improvement of residual materials of the Haut-Saint- François and Sherbrooke hereafter cited (Valoris)

WHEREAS lot 4 772 850 has an area of 151,26 hectares and is situated entirely within the permanent agricultural zone;

WHEREAS lot 4 772 850 has been used for the last 38 years for the management of residual materials and to this effect we find several infrastructures related to this use (old sanitary dump site, technical dump site, sorting centre and water treatment basins etc.);

WHEREAS this use is intended for the whole of lot 4 772 850 and this was authorised and confirmed by the Commission for the Protection of Agricultural territory and activities, hereafter cited as (the Commission) by the numerous decisions in the last decades (025415;247055;329202; and 405267);

WHEREAS Valoris wishes to develop an eco-industrial park project on lot 4 772 850;

WHEREAS this project is centred on creneau of the green valorisation of the waste, pursues the objective of synergie between enterprises the activities of Valoris

WHEREAS the project of the eco-industrial park aims at:

- To allow for the shared use of resources



- To allow for the improvement of residual materials by transformation or integration in the fabrication of other products for a second life;
- To allow for the creation of new employment on the MRC territory
- To allow for the reduction of the volume of buried waste

WHEREAS only businesses related to the improvement and transformation of residual materials will be authorised inside the eco-industrial park;

WHEREAS the numerous past decisions of the Commission do not cover the setting up of businesses of transformation of residual materials and the situation has a restraining effect on the development of the eco-industrial park when we consider that each new project to install a business must be the object of a new authorisation request;

WHEREAS the characteristics of the eco-industrial project makes it essential to approach its development in a global manner and not piece meal hence the relevance of the request for exclusion from the permanent agricultural zone;

WHEREAS the MRC du Haut Saint-François wishes to deposit a request for exclusion from the permanent agricultural zone for lot 4 772 850 in order to set up the eco-industrial park project;

WHEREAS in conformity to article 65 of the Act Respecting the Preservation of Agricultural Land and Agricultural Activities, hereafter referred to as (the Act), the MRC has sent its request to the Municipality;

WHEREAS in conformity to articles 65 and 58.2 of the Act, the Municipality must give the Commission a recommendation on the exclusion request justified by article 62 of the Act and indicate the availability of appropriate spaces outside the agricultural zone;

WHEREAS the soils inside lot 4 772 850 are divided into two categories. The southern part is composed of organic soils while the northern part is composed of soils classified as 4 to 7% and 3 to 30% and affected by low fertility, relief and stony constraints. The agricultural potential of the neighbouring lots is comparable according to the data of the inventory of lands of Canada;

WHEREAS as lot 4 772 850 is situated inside a sector dominated by forestry and that the Commission has already acknowledged that the actual use of this lot accorded by the numerous past authorisations is no longer an area of agricultural interest.

WHEREAS the actual and planned activities on lot 4 772 850 do not constitute a restraint to the breeding installations situated in proximity as well as their development possibilities as they are not assimilated to protected property according to municipal regulations;

WHEREAS the surrounding homogeneity of the agricultural community will in no way be affected by the exclusion of lot 4 772 850;

WHEREAS the exclusion will have no negative effect on the preservation for agriculture water or soil resources of the Municipality of Bury and in the region and it will not affect negatively on the taxable properties of which there is sufficient area to practice agriculture;

WHEREAS lot 4 772 850 is advantageously situated near large transportation axis and main urban centres of the MRC du Haut Saint François as well as being sufficiently away from sensitive uses;



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WHEREAS the industrial zones of the Municipality have limited space and are not adapted to accept the type of activities aimed at by the eco-industrial park;

WHEREAS the nature of the urban perimeter of the Municipality as well as the synergy objective between the businesses aimed at by the eco-industrial park project and the activities of Valoris in order to reap the economic benefits as well as environmental favour the concentration of businesses on lot 4 772 850;

WHEREAS the importance of the activities of Valoris for the region and the economic opportunities (investment, employment) trickling down from the eco-industrial park project;

WHEREAS the eco-industrial park project in conjunction with the request for exclusion is partially conforming to the Management and Development Plan of the MRC and the MRC will modify its planning document accordingly;

WHEREAS the eco-industrial park project in conjunction with the exclusion request does not conform to the Zoning Bylaw of the Municipality. Lot 4 772 850 is situated in the Zone ENV-54 which does not allow other activities than forestry, gravel and sand pit as well sanitary dump and the composting centre and development of the biomasse;

WHEREAS the Municipality must modify its Zoning Bylaw in connection with the modifications which will be previously made to the Management and Development Plan of the MRC;

WHEREAS the eco-industrial park project in conjunction to the exclusion request respects the objectives of the land use development plan of the Municipality regarding industry and environment;

THEREFORE

IT IS PROPOSED BY Councillor Alain Villemure,  
SECONDED BY Councillor Daniel Frechette,

THAT The Municipality of Bury recommends that the Commission for the Protection of Agricultural Territories of Quebec accept the request deposited by the MRC du Haut-Saint-François for exclusion of lot 4 772 850 of the Quebec Land Registry for an area of 151.26 hectares in order to allow the realization of a eco-industrial park.

**ADOPTED UNANIMOUSLY**

### **8.3 Tenders for the verification of the debimetres**

WHEREAS the Municipality of Bury requested tenders from two businesses to make a verification of the precision of the debimetres of the drinking water installations;

THEREFORE

IT IS PROPOSED BY Councillor Delmar Fisher,  
SECONDED BY Councillor Daniel Frechette,

AND CARRIED THAT the Municipality of Bury accept the tender of Aisto Inc. For an amount of 1495\$ plus taxes.

**ADOPTED UNANIMOUSLY**

2018-08-121



2018-08-122

### **9.1 Adoption of Bylaw 432-2018 entitled «Bylaw on Conditional Uses»**

WHEREAS there is in force on the territory of the Municipality of Bury a Zoning Bylaw which divides the territory into zones;

WHEREAS the Zoning Bylaw prohibits or authorizes the constructions and uses in each of these zones;

WHEREAS articles 145.31 to 145.35 of the Act Respecting Land Use Planning (RLRQ.c A-19.1) allows the Municipality to adopt a Bylaw on Conditional Uses;

WHEREAS the usefulness of a Bylaw on Conditional Uses resides in its flexibility in comparison to the traditional Zoning Bylaw;

WHEREAS this type of Bylaw with discretionary character can allow under conditions of the Municipal Council and following an evaluation procedure, the set up or exercise within a zone determined by the Zoning Bylaw a use deemed compatible, but initially not authorized within said zone and this without it being necessary to modify the bylaw each time;

WHEREAS the Municipal Council of Bury judges it appropriate to adopt a bylaw on conditional uses;

WHEREAS the municipality has a Town Planning Advisory Committee duly formed under article 146 of the Act on Land Use Planning (RLRQ.c A-19.1) a prior condition to adopting a bylaw on set up plans and architectural integration;

WHEREAS a notice of motion was duly given during the present meeting;

WHEREAS the municipality is controlled by the Act on Land Use Planning (RLRQ.c A-19.1) and the present bylaw is adopted conforming with the clauses of this law.

THEREFORE

IT IS PROPOSED by Councillor Daniel Frechette  
SECONDED by Councillor Alain Villemure

AND CARRIED that Bylaw number 432-2018 entitled « Bylaw on Conditional Uses» be and is adopted.

THAT the members of Council present declare having read the Bylaw and renounce its reading.

**ADOPTED UNANIMOUSLY**

### **9.2 Adoption of Bylaw 434-2018 « Bylaw decreeing the repair work of municipal services on McIver Street, authorising an expense of 1 089 000\$ and authorising a loan to pay the costs abolishing Bylaw number 431-2018»**

2018-08-123

WHEREAS a notice of motion related to the present bylaw was given at a Council Meeting held July 23, 2018;

THEREFORE

IT IS PROPOSED BY Delmar Fisher  
SECONDED BY Daniel Frechette



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AND CARRIED that Bylaw 434-2018 « Bylaw decreeing the repair work of municipal services on McIver Street, authorising an expense of 1 089 000\$ and authorising a loan to pay the costs abolishing Bylaw number 431-2018» be and is adopted.

THAT the members of Council present declare having read the Bylaw and renounce its reading.

**ADOPTED UNANIMOUSLY**

**10. 2<sup>nd</sup> Question Period**

Questions were asked regarding:

- Items 27 and 28 of the monthly bills
- Item 9.1- What is the need if this method of procedure

**11. Other and New Business**

none

**12. Information from Council Members**

none

**13. Adjournment of the meeting;**

2018-08-124

IT IS PROPOSED BY Councillor Alain Villemure that the assembly be adjourned; it is 8:10 p.m.

**ADOPTED UNANIMOUSLY**

**Next regular meeting will be held on Monday, September 10, 2018, at 7:30 p.m. at the Armoury Community Center situated at 563 Main Street.**

**Certificate of sufficient funds:**

I, the undersigned, Louise Brière, Assistant Secretary-Treasurer, certify, by the present, that funds are available for the amounts to be paid in the following resolutions: 2018-08-119, 2018-08-121

Signed this August 7, 2018

Louise Brière, Assistant Secretary-Treasurer

Marilyn Matheson  
Pro-Mayor