



**PUBLIC CONSULTATION MEETING
ON DRAFT BY-LAW NUMBER CA29 0040-39 ENTITLED**

BY-LAW NUMBER CA29 0040-39 MODIFYING ZONING BY-LAW NUMBER CA29 0040 IN ORDER TO ADD STANDARDS APPLICABLE TO “SPLIT-LEVEL” BUILDINGS, PROVISIONS REGARDING STORAGE AREAS FOR GARBAGE, RECYCLABLE MATERIAL OR ORGANIC MATERIAL, AND PROVISIONS RELATED TO THE FLOOR/SITE RATIO AND THE BUILD/LAND RATIO OF A SERVICE STATION

TO ALL PERSONS WHO MIGHT BE INTERESTED IN PIERREFONDS-ROXBORO BOROUGH'S DRAFT BY-LAW NUMBER **CA29 0040-39**:

NOTICE is hereby given by the undersigned:

THAT the Borough Council, following the adoption by resolution number CA18 29 0371 at the regular sitting held on December 3, 2018 of the draft by-law entitled as hereinabove, will hold a public consultation meeting on **Monday, January 14, 2019, at 6:30 p.m.**, at the Borough Hall, located at 13665, boulevard de Pierrefonds, in conformity with the provisions of the Act respecting land use planning and development (R.S.Q. c. A-19.1).

THAT the object of draft by-law is to modify zoning by-law CA29 0040 in order to add standards applicable to “split-level” buildings, provisions regarding waste, recyclable material or organic material deposits, and provisions related to the floor/site ratio and the build/land ratio of service stations.

THAT in the course of this public meeting the Mayor of the Borough or another member of the Council will explain this draft by-law and the consequences of its adoption, and also hear parties who wish to express their concerns.

THAT this draft by-law contains provisions relating to a by-law that is susceptible to be approved by referendum.

THAT this draft by-law is available for examination at the Borough Secretary's Office, Monday to Thursday, from 8 a.m. to noon and from 1 p.m. to 4:45 p.m. and Friday from 8 a.m. to noon. It is also available on the “Public Notices” page on the Borough's website at ville.montreal.qc.ca/pierrefonds-roxboro.

GIVEN IN MONTREAL, BOROUGH OF PIERREFONDS-ROXBORO
This twelfth day of December of the year 2018.

The secretary of the Borough

Suzanne Corbeil, Attorney

/r/

PROVINCE DE QUÉBEC

VILLE DE MONTRÉAL
ARRONDISSEMENT DE PIERREFONDS-ROXBORO

DRAFT BY-LAW CA29 0040-39

BY-LAW NUMBER CA 290040-39 MODIFYING ZONING BY-LAW CA29 0040 IN ORDER TO ADD STANDARDS APPLICABLE TO “SPLIT-LEVEL” BUILDINGS, PROVISIONS REGARDING STORAGE AREAS FOR GARBAGE, RECYCLABLE MATERIAL OR ORGANIC MATERIAL, AND PROVISIONS RELATED TO THE FLOOR/SITE RATIO AND THE BUILD/LAND RATIO OF A SERVICE STATION

At the Borough of Pierrefonds-Roxboro regular sitting held at the Borough Hall located at 13665, boulevard de Pierrefonds in Pierrefonds, on December 3, 2018 at 7 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-19), at which were present:

Mayor of the Borough	Dimitrios (Jim) Beis
Councillors	Catherine Clément-Talbot Yves Gignac Benoit Langevin Louise Leroux

All members of the Council and forming a quorum under the chairmanship of the Mayor of the Borough, Mr. Dimitrios (Jim) Beis.

The Director of the Borough, Mr. Dominique Jacob and the Secretary of the Borough, M^c Suzanne Corbeil, were also present.

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

The zoning by-law CA29 0040 is modified as follows

ARTICLE 1 By-law CA29 0040 is modified at article 25 entitled “Terminology”, in order to include the following definition:

SPLIT-LEVEL FLOOR

Floor composed of two (2) sub-levels (split-level), which meet the following criteria:

The vertical distance between the two floor levels does not exceed 1.52 meters;

The highest floor level does not represent more than 60% of the *gross floor area*.

The same article 25 is also modified in order to replace the definitions of “storey” and “ground floor” as follows:

STOREY

Portion of a building between the upper surface of a floor and that of the floor immediately above, or in the absence of same, of the ceiling.

The number of storeys in a building is calculated starting at the ground floor.

A storey delimited by a *split-level* floor is considered as a single floor for the purposes of this by-law, including for the calculation of the number of storeys in a building.

GROUND FLOOR

Single floor which is not a basement or a cave and whose floor is at a maximum vertical distance of 2 m above the medium level of the centre of the road, calculated with the total width of the lot.

In the case of a *split-level*:

- Only the storey which is accessed by the door located on the main façade of the building is considered for the calculation mentioned in the previous paragraph;
- The vertical distance mentioned in the previous paragraph is at the most 1.52 metre.

A storey which vertical distance between the floor and the medium level of the centre of the road is higher than the values mentioned in the previous paragraphs is considered as a second floor.

ARTICLE 2 Article 109 is modified by replacing the second paragraph by the following:

Notwithstanding any provision of the present by-law, a projection of an outside wall in relation to the foundation wall is not considered in the calculation of the setback margins if this projection is only made of exterior cladding and provided that it does not exceed 0.15 m.

ARTICLE 3 Article 138 is modified in order to add to the table line 30.1 as follows:

Authorized use, building, structure or accessory equipment and projection for the main building	Front Yard	Side Yard not adjacent to a street	Side Yard adjacent to a street	Rear Yard not adjacent to a street	Rear Yard adjacent to a street
30.1. SEMI-BURIED CONTAINER FOR WASTE, RECYCLABLE MATERIAL OR ORGANIC MATERIAL	No	Yes	Yes	Yes	Yes
a) Minimum distance from a landsite boundary line, other than a street line	-	1.5 m	1.5 m	1.5 m	1.5 m
b) Other standards applicable	See Article 142				

ARTICLE 4 Article 142 is replaced by the following:

142. ADDITIONAL PROVISIONS APPLICABLE TO THE STORAGE OF GARBAGE OR MATERIALS FOR RECYCLING OR ORGANIC MATERIALS

In addition to the provisions applicable in virtue of article 138, the following provisions apply to an area for the storage of garbage or materials for recycling for the use of a main building:

- 1° In the case of a building with 6 or more dwelling units or 10 or more rooms, a space must be reserved, inside or outside the building, for the storage of garbage and materials for recycling. The table that follows establishes the type of area authorized in terms of the total number of dwelling units in the building. When the word “Yes” appears on the line for the type of storage area, this type of storage area is authorized to serve a building containing the number of dwelling units or rooms shown in the corresponding column.

Type of area authorized for the storage of garbage and materials for recycling	Number of dwelling units or rooms per building		
	6 to 8 dwelling units or 10 to 17 rooms	9 to 23 dwelling units or 18 to 47 rooms	24 or more dwelling units or 48 or more rooms
Garbage receptacle for containers or bins	Yes	No	No
Outdoor enclosure for containers or bins	Yes	Yes	No
Storage area inside the main building	Yes	Yes	Yes
Outdoor semi-buried container	Yes	Yes	Yes

- 2° A storage area for garbage and materials for recycling or a semi-buried container must not obstruct any emergency exit.
- 3° It is obligatory to use a storage area for garbage installed inside a main building.
- 4° A garbage receptacle must be contiguous with a wall of the main building and be placed at least 6 m away from the main façade of the building.
- 5° A garbage container and a storage area inside the main building main building and serving a use in the “Multi-family dwelling (h3)” category or “Collective housing (h4)” category with more than 6 dwelling units or more than 10 rooms must have a minimum volume of 0.57 m³ per dwelling unit. A semi-buried container for the same use must have a minimum volume of 0.40 m³ par dwelling unit. The required volume can be reached by using many semi-buried containers.
- 6° An outdoor enclosure for garbage and recycling materials containers or bins or a semi-buried container must be accessible by a circulation aisle with a street entrance. There must be an open space with a minimum length of 12 m in front of the door to the enclosure to allow the truck to park during the collection of garbage or materials for recycling.
- 7° An outdoor enclosure for garbage and recycling materials containers or bins must be installed on a concrete or asphalt surface and it must have a door that closes automatically. In addition, it must be surrounded on three sides by a minimum 1 m wide green strip planted with grass and shrubs.
- 8° The walls of the outdoor enclosure for garbage and recycling materials containers or bins must be at least as high as the garbage containers or bins so that they are not visible from the street or from a contiguous landsite located on the same street, but must not exceed 3 m or be less than 2 m in height.
- 9° The exterior cladding material on the outdoor enclosure must be treated wood or masonry. In the case of the construction of a wooden fence, it must consist of openwork over a maximum of 20% of its surface.
- 10° A door providing access to a storage area for garbage and recycling materials, whether indoors or outdoors, must be kept closed at all times and it must be fitted with an automatic door closer.

- 11° The outdoor enclosure for garbage and recycling materials containers or bins must be installed in such way that it allows separate treatment of the garbage and recycling materials.
- 12° No enclosure or shed is required in the case of semi-buried containers.
- 13° The storage of organic materials awaiting the collection is also allowed in all types of garbage storage allowed in previous paragraphs, apart from the outdoor enclosures for containers or bins. The standards of the previous paragraphs then apply, considering necessary adjustments.

ARTICLE 5 Article 145 is modified by replacing its title by the following:

145. ADDITIONAL PROVISIONS APPLICABLE TO A GAS BOTTLE OR CANISTER WITH A CAPACITY OF MORE THAN 9.1 KG AND PROVISIONS APPLICABLE TO LIQUID FUEL TANKS

ARTICLE 6 Article 147 is modified in order to add to the table line 27.1 as follows:

Authorized use, building, structure or accessory equipment and projection for the main building	Front Yard	Side Yard not adjacent to a street	Side Yard adjacent to a street	Rear Yard not adjacent to a street	Rear Yard adjacent to a street
27.1. SEMI-BURIED CONTAINER FOR GARBAGE, RECYCLING MATERIALS OR ORGANIC MATERIALS	No	Yes	Yes	Yes	Yes
a) Minimum distance from a landsite boundary line other than a street line	-	1.5 m	1.5 m	1.5 m	1.5 m
b) Other standards applicable	See Article 156				

ARTICLE 7 Article 155 is modified by replacing the sub paragraph d) of the second paragraph by the following:

- d) The display area can be constructed with display cases specially designed for this purpose, or from the storage pallet containing the displayed items;

ARTICLE 8 Article 156 is replaced by the following:

156. ADDITIONAL PROVISIONS APPLICABLE TO AN AREA FOR GARBAGE STORAGE

In addition to the provisions applicable in virtue of Article 147, the following provisions apply to an area for garbage storage:

1° A space must be reserved inside or outside a building for garbage storage. The following table sets out the type of garbage storage and the volume of a garbage storage required according to the main use:

Main use	Types of garbage storage required	Volume required
<p>1. Retail sale or on-site preparation of food products (fish store, butcher shop, fresh produce market, restaurant, cafeteria, etc.), including without limitations all commercial stores generating garbage of putrescible matter, but excluding outdoor public markets.</p>	<ul style="list-style-type: none"> • Refrigerated storage area inside the building where the use is carried. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • Outdoor container or bin, or semi-buried container. 	<p>Minimum 2.4 m³; 1.8 m³ per 100 m² of <i>gross floor area</i> for the use.</p>
<p>2. Any commercial use other than those mentioned in item 1; 3. Any use in the “Recreational (R)” group.</p>	<ul style="list-style-type: none"> • Storage area inside the main building where the use is carried <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Outdoor container or bin <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Semi-buried container 	<p>Minimum 2.4 m³; 0.9 m³ per 100 m² of <i>gross floor area</i> for the use.</p>

2° A garbage storage can have an inferior volume than required in the above table if it is equipped of a garbage compactor. A semi-buried container can have a one third lower volume than the volume required in the above table, thereby reducing the minimum required. The required volume can be reached by using many semi-buried containers.

3° When an area for garbage storage is located inside a building, this area must be used for storing garbage.

4° Indoor or outdoor storage of garbage must not obstruct any emergency exit.

5° When several establishments occupy a building, regardless of their use, the garbage storage area may be shared, on condition that the minimum volume required for each of the uses is in conformity with the provisions in the present by-law.

6° A shelter for garbage storage must be contiguous to a wall of the main building and be set back at least 6 m from the main façade of the building.

7° All outside garbage container or bin must be completely surrounded by an enclosure, with the exception of a semi-buried container.

8° An outdoor enclosure for garbage containers or bins, or a semi-buried container, must be accessible by a circulation aisle with a street entrance. There must be an open space with a minimum length of 12 m in front of the door to the enclosure or in front of the semi-buried container to allow the truck to park during the collection of garbage or materials for recycling.

9° An outdoor enclosure for garbage containers or bins must be installed on a concrete or asphalt surface and it must have a door that closes automatically.

- 10° The walls of the outdoor enclosure for garbage containers or bins must be at least as high as the garbage containers or bins so that they are not visible from the street or from a contiguous landsite located on the same street, but must not exceed 3 m or be less than 2 m in height.
- 11° The exterior cladding material on the outdoor enclosure must be of a material authorized by the by-law for the main building served.

ARTICLE 9 Article 171 is modified in order to add to the table line 24.1 as follows:

Accessory use, building, structure or equipment and projection for the main building	Front Yard	Side Yard not adjacent to a street	Side Yard adjacent to a street	Rear Yard not adjacent to a street	Rear Yard adjacent to a street
24.1. SEMI-BURIED CONTAINER FOR GARBAGE, RECYCLING MATERIALS OR ORGANIC MATERIALS	No	Yes	Yes	Yes	Yes
a) Minimum distance from a landsite boundary line other than a street line	-	1.5 m	1.5 m	1.5 m	1.5 m
b) Other standards applicable	See Article 177				

ARTICLE 10 Article 177 is replaced by the following:

177. ADDITIONAL PROVISIONS APPLICABLE TO STORAGE FOR GARBAGE OR MATERIALS FOR RECYCLING

In addition to the provisions applicable in virtue of Article 171, the following provisions apply to an area for the storage of garbage and materials for recycling:

- 1° A space must be reserved inside or outside a building for the storage of garbage and materials for recycling. The following are the types of garbage storage authorized:
 - a) One (1) outdoor enclosure for containers or bins;
 - b) Storage area inside the main building.
- 2° The area for garbage storage must have a volume of 0.9 m³ per 100 m² of floor area of the use it serves, with the minimum volume being 2.4 m³. However, a semi-buried container may have a one-third inferior volume. The required volume can be reached by using many semi-buried containers.
- 3° When an area for garbage storage is installed inside a building, this area must be used for storing garbage.
- 4° Indoor or outdoor storage of garbage must not obstruct any emergency exit.

- 5° When several establishments occupy a building, regardless of their use, the garbage storage area may be shared, on condition that the minimum volume required for each of the uses is in conformity with the provisions in the present by-law.
- 6° A shelter for garbage storage must be contiguous to a wall of the main building and be set back at least 6 m from the main façade of the building.
- 7° All outside garbage container or bin must be completely surrounded by an enclosure, with the exception of a semi-buried container.
- 8° An outdoor enclosure for garbage containers or bins, or a semi-buried container, must be accessible by a circulation aisle with a street entrance. There must be an open space with a minimum length of 12 m in front of the door to the enclosure or in front of the semi-buried container to allow the truck to park during the collection of garbage or materials for recycling.
- 9° An outdoor enclosure for garbage containers or bins must be installed on a concrete or asphalt surface and it must have a door that closes automatically. In addition, it must be surrounded on three sides by a minimum 1 m wide green strip planted with grass and shrubs.
- 10° The walls of the outdoor enclosure for garbage containers or bins must be at least as high as the garbage containers or bins so that they are not visible from the street or from a contiguous landsite located on the same street, but must not exceed 3 m or be less than 2 m in height.
- 11° The exterior cladding material on the outdoor enclosure must be of a material authorized by the by-law for a main building served.

ARTICLE 11 Article 201 is modified by replacing sub-paragraph f) of the second paragraph of the first section by the following:

- f) Notwithstanding sub-paragraph e), the construction of an embankment of a minimal height of 0.6 m may be replaced by a low wall of equivalent height. or by plantation forming a continuous landscape composed of grasses, shrubs spaced not more than 1.5 m or trees spaced not more than 6 m.

ARTICLE 12 Chapter 19 is modified by the addition of section 4 as follows:

**SECTION 4: PROVISIONS APPLICABLE TO THE USES OF THE
“COMMERCIAL (C)” GROUP**

**330.3 FLOOR/SITE RATIO (F.A.R.) AND BUILD/LAND RATIO (B.F.S.) OF A
SERVICE STATION**

The minimum floor/site ratio (F.A.R.) is of 0.10 on a land occupied by a use of the sub-category “The retail distribution centres of petroleum products and fuel – c3a”. No minimum build/land ratio (B.F.S.) applies, and the maximum is set at 0.50.

The present article does not apply when the main building has more than three (3) separate business premises, nor when it includes a use which is not part of the “Commercial (C)” group. The present article does not apply to integrated projects.

ARTICLE 13 The present by-law comes into force according to law.