

**TO INTERESTED PARTIES ENTITLED TO SIGN A
REFERENDUM APPLICATION**

SECOND DRAFT BY-LAW NUMBER CA29 0040-40 ENTITLED:

SECOND DRAFT BY-LAW NUMBER CA29 0040-40 MODIFYING ZONING BY-LAW NUMBER CA29 0040 IN ORDER TO ADJUST THE PARKING REQUIREMENTS IN TRAIN STATIONS AND ÎLOT SAINT-JEAN SECTORS AND TO IMPLEMENT COMPENSATION MEASURES REGARDING THE REQUIRED MINIMUM NUMBER OF PARKING SPACES

1. Object of the draft and referendum application

Following the regular sitting held on August 5, 2019, the council of the Borough of Pierrefonds-Roxboro adopted a second draft by-law entitled as hereinabove.

This second draft contains provisions that may be the object of an application from interested parties of the concerned territory to request that a by-law containing said provisions be submitted to their approval in compliance with the Act respecting elections and referendums in municipalities.

The provisions that may be the object of an application are articles 5 to 11 of the by-law, which establish particular standards regarding number and the design of parking spaces in the sector 1, Îlot Saint-Jean sector and in the sector 2, train stations sector.

Such an application requires that the by-law containing these provisions be submitted to the approval of qualified voters in the concerned zone and in any contiguous zone from where a valid application originates.

Therefore, an application may originate from the concerned zones in sector 1, Îlot Saint-Jean sector comprising the following zones : C-4-259, H4-4-260, H3-4-261, H1-4-262, P-4-263, H3-4-265, C-4-266, H1-4-267, P-4-268, C-4-269, C-4-270, H3-4-272-2, C-4-273, C-4-274, C-4-275, C-4-276, P-4-278-1, P-4-278, H3-4-279, C-4-280, C-4-281, H4-4-282, P-4-283, H4-4-284, H4-5-290, P-5-291, E-5-291-1, H4-5-295, H3-5-296, C-5-298, C-5-316, P-5-317, P-5-317-1, C-5-318, H4-5-319, P-5-328, or of one of its contiguous zones, to wit: H1-6-386, H1-6-376, H1-6-374, H1-5-327, H1-6-353, H2-6-352, H1-7-389, H4-6-351, C-8-487-1, C-8-486, H1-8-485, H1-8-483.

An application may also originate from concerned zones in sector 2 , train stations sector comprising the following zones : C-6-368, P-6-370, C-6-371, P-6-375, H4-6-387, H3-6-377, C-6-378, C-6-379, H4-7-390, H1-7-392, P-7-393, C-7-394, H4-7-395, H4-7-396, C-7-397, P-7-398, H2-7-399, H1-7-399-1, P-7-400, H1-7-401, P-7-402, H4-7-403, H3-7-404, P-7-405, C-7-406, C-7-407, C-7-408, C-7-409, H4-7-410, C-7-411, C-7-412, C-7-413, C-7-414, H3-7-415, H1-7-416, P-7-417, H4-7-418, H1-7-419, H1-7-420, H2-7-421, P-7-422, P-7-423, C-7-424, C-7-424-1, H1-7-425, H3-7-426, H1-7-427, C-7-428, H1-7-429, P-7-430, H1-7-431, C-7-432, H3-7-433, P-7-434, P-7-435, H1-7-436, H3-7-436-1, H1-7-437, P-7-438, P-7-439, P-7-440, P-7-441, H1-7-442, P-7-442-1, P-7-442-2, C-7-443, C-7-443-1, P-7-444, P-7-445, P-7-446, P-7-447, P-7-448, C-8-449, H1-8-450, P-8-451, H1-8-452, H4-8-453, C-8-454, P-8-455, P-8-456, P-8-457, P-8-458, P-8-458-1, P-8-458-2, P-8-459, C-8-460, H4-8-461, H2-8-462, H3-8-463, P-8-464, H1-8-465, H2-8-466, H4-8-467, H3-8-468, P-8-469, H1-8-470, C-8-471, C-8-472, C-8-473, C-8-474, H1-8-475, P-8-476, H4-8-477, P-8-477-1, H2-8-478, P-8-479, P-8-479-1, H1-8-480, H1-8-481, P-8-482, or of one of its contiguous zones, to wit: C-4-242, H1-4-239, P3-348, R6-349, R1-351, R3-355, H1-5-293-2, H1-5-294, H2-5-320, H3-5-329, H1-5-331, H1-4-285 and H1-4-246.

2. Conditions and validity of an application

To be valid, any application must:

- clearly indicate the provision being the object of the application and the zone from which it originates;

- clearly indicate the name, address and status of the petitioner next to his or her signature;
- be received at the borough secretary’s office at the latest on **Friday August 23, 2019 at noon**;
- be signed by at least 12 interested parties from the zone where it originates or by at least the majority of them if the number of interested parties in the zone does not exceed 21.

3. Interested parties

3.1 Is an interested party anyone who is not disqualified from voting and who meets the following conditions on **August 5, 2019**;

AND

- be of full age, Canadian citizen and not be under curatorship;
- be domiciled in a zone from which can come a valid application, and **for at least six months**, in Quebec;

OR

- be, for at least twelve months, owner of an immovable or occupant of a place of business in compliance with the Act respecting municipal taxation in a zone from which can come a valid application.

3.2 Additional condition to undivided co-owners of an immovable or co-occupants of a place of business: be designated by means of a power of attorney signed by the majority of co-owners or co-occupants, as the one entitled to sign the application on their behalf.

3.3 Condition to exercise the right to sign an application by a legal person: any legal party must designate among its members, directors and employees, by resolution, someone who, on **August 5, 2019**, is of full age and Canadian citizen and who is not under curatorship.

3.4 Corporations, co-owners or co-occupants must provide their resolution or power of attorney along with the application.

4. Lack of applications

The provisions of the second draft that will not have been the object of a valid application may be included in a by-law that will not have to be approved by qualified voters.

5. Consultation of the draft

This draft by-law may be consulted during business hours, Monday to Thursday, from 8 a.m. to noon and from 1 p.m. to 4:45 p.m., on Friday, from 8 a.m. to noon. It is also available on the page of “Public Notices” on the Borough’s website at www.ville.montreal.qc.ca/pierrefonds-roxboro.

GIVEN IN MONTREAL, Borough of Pierrefonds-Roxboro
this fourteenth day of August of the year 2019.

The acting secretary of the Borough

Johanne Palladini

/rl

PROVINCE DE QUÉBEC

VILLE DE MONTRÉAL
ARRONDISSEMENT DE PIERREFONDS-ROXBORO

SECOND DRAFT BY-LAW CA 29 0040-40

BY-LAW MODIFYING ZONING BY-LAW CA29 0040 IN ORDER TO ADJUST THE PARKING REQUIREMENTS IN TRAIN STATIONS AND ÎLOT SAINT-JEAN SECTORS AND TO IMPLEMENT COMPENSATION MEASURES REGARDING THE REQUIRED MINIMUM NUMBER OF PARKING SPACES

At the Borough of Pierrefonds-Roxboro regular sitting held at the Borough Hall located at 13665, boulevard de Pierrefonds in Pierrefonds, on August 5, 2019 at 7 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-19), at which were present:

Acting Mayor of the Borough	Yves Gignac
Councillors	Catherine Clément-Talbot Benoit Langevin Louise Leroux

All members of the Council and forming a quorum under the chairmanship of the Acting Mayor of the Borough, Mr. Yves Gignac.

The Acting Director of the Borough, Mrs. Anne Castonguay and the Acting Secretary of the Borough, Mrs. Johanne Palladini, were also present.

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

ARTICLE 1 By-law CA29 0040 is modified by the addition of the two maps annexed to the present, to form the new annex N of the by-law.

The sectors with particular parking standards set in those maps cover the following zones of the current zoning by-law:

Sector 1, Îlot Saint-Jean sector : zones C-4-259, H4-4-260, H3-4-261, H1-4-262, P-4-263, H3-4-265, C-4-266, H1-4-267, P-4-268, C-4-269, C-4-270, H3-4-272-2, C-4-273, C-4-274, C-4-275, C-4-276, P-4-278-1, P-4-278, H3-4-279, C-4-280, C-4-281, H4-4-282, P-4-283, H4-4-284, H4-5-290, P-5-291, E-5-291-1, H4-5-295, H3-5-296, C-5-298, C-5-316, P-5-317, P-5-317-1, C-5-318, H4-5-319, P-5-328.

Sector 2, train stations sector : C-6-368, P-6-370, C-6-371, P-6-375, H4-6-387, H3-6-377, C-6-378, C-6-379, H4-7-390, H1-7-392, P-7-393, C-7-394, H4-7-395, H4-7-396, C-7-397, P-7-398, H2-7-399, H1-7-399-1, P-7-400, H1-7-401, P-7-402, H4-7-403, H3-7-404, P-7-405, C-7-406, C-7-407, C-7-408, C-7-409, H4-7-410, C-7-411, C-7-412, C-7-413, C-7-414, H3-7-415, H1-7-416, P-7-417, H4-7-418, H1-7-419, H1-7-420, H2-7-421, P-7-422, P-7-423, C-7-424, C-7-424-1, H1-7-425, H3-7-426, H1-7-427, C-7-428, H1-7-429, P-7-430, H1-7-431, C-7-432, H3-7-433, P-7-434, P-7-435, H1-7-436, H3-7-436-1, H1-7-437, P-7-438, P-7-439, P-7-440, P-7-441, H1-7-442, P-7-442-1, P-7-442-2, C-7-443, C-7-443-1, P-7-444, P-7-445, P-7-446, P-7-447, P-7-448, C-8-449, H1-8-450, P-8-451, H1-8-452, H4-8-453, C-8-454, P-8-455, P-8-456, P-8-457, P-8-458, P-8-458-1, P-8-458-2, P-8-459, C-8-460, H4-8-461, H2-8-462, H3-8-463, P-8-464, H1-8-465, H2-8-466, H4-8-467, H3-8-468, P-8-469, H1-8-470, C-8-471, C-8-472, C-8-473, C-8-474, H1-8-475, P-8-476, H4-8-477, P-8-477-1, H2-8-478, P-8-479, P-8-479-1, H1-8-480, H1-8-481, P-8-482.

ARTICLE 2 Article 25 of by-law CA29 0040, entitled “TERMINOLOGY”, is modified by the addition of the following definition:

CAR SHARING

Service proposing the use of a vehicle for short periods, offered in self-service for reservation as well as takeover, and usually in exchange for the payment of a fee. For the application of the present by-law, a *car sharing station* is formed of one or many off-street parking spaces serving as a starting point and point of arrival for the car sharing vehicles to which the spaces are reserved.

ARTICLE 3 Article 196 of by-law CA29 0040, entitled “NECESSITY FOR AND MAINTENANCE OF A PARKING AREA”, is modified to add the following fourth subparagraph:

Annex N of the present by-law define the sectors for which particular standards apply with regard to parking. The sectors are the following:

1. sector 1 or “Îlot Saint-Jean sector”;
2. sector 2 or “Train station sector”.

The title of article 196 is also modified to read: “NECESSITY FOR AND MAINTENANCE OF A PARKING AREA AND PARTICULAR STANDARDS SECTORS”

ARTICLE 4 Article 189 of by-law CA29 0040, entitled “SPECIFIC PROVISIONS FOR THE SITING OF A LANDSITE ENTRANCE OR AN ACCESS AISLE”, is repealed.

ARTICLE 5 Article 199 of by-law CA29 0040, entitled “DIMENSIONS OF PARKING SPACES AND OF CIRCULATION AISLES”, is modified, at first paragraph, subparagraph 2°, by the addition of subparagraph d) which reads as follows:

d) in the case of a space reserved for small vehicles, configured in accordance with the provisions of the present by-law, the prescribed lengths are as follows:

Angle authorized for the space in relation to the traffic direction	Minimum width of an <u>outdoor</u> circulation aisle	Minimum depth of an <u>outdoor</u> row of parking spaces
90°	4.5 m	4.7 m
30, 45 or 60°	5.0 m	5.2 m
0°	5.5 m	5.7 m

ARTICLE 6 Article 200.1 is added to by-law CA29 0040, and read as follows:

200.1. SIGNAGE AND LAYOUT OF THE SPACES RESERVED FOR SMALL VEHICLES OR FOR CAR SHARING

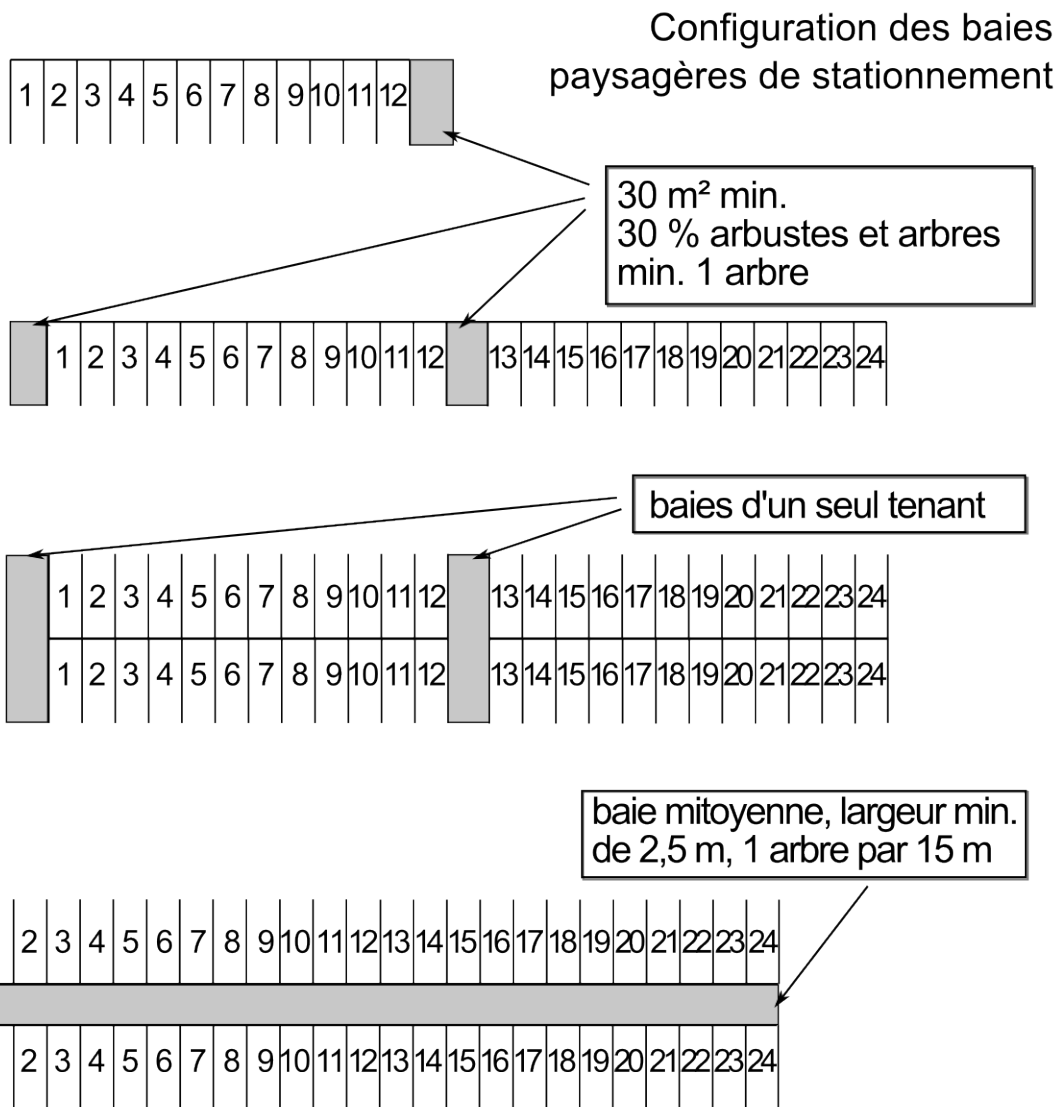
The spaces reserved for small vehicles, having the dimensions prescribed in present by-law, must be signalled in an appropriate way so that the maximum length dimension of 4.0 m of the vehicles allowed to park in these spaces be clearly indicated.

The spaces reserved for car sharing or for car sharing stations must be signalled in an appropriate way so that it is clearly indicated that they are reserved for car sharing. The signage can mention the brand or logo of the car sharing company with whom the person having the obligation to maintain the car sharing spaces has taken contract, if need be. At all times, the signage must correspond to the company which is offering the service, or to how the service is offered.

This signage must be maintained at all times, for all the concerned spaces.

ARTICLE 7 Article 201 of by-law CA29 0040, entitled “LAYOUT OF A PARKING AREA” is modified by replacing subparagraph d) of subparagraph 3° by the following:

- d) The off-street parking space must include landscaped bays at a rate of one bay per row of 12 spaces or less. Each bay must have a minimum area of 30 m² and be composed of grass, shrubs or trees, of which at least 30% of this area must include shrubs and one or many trees. When a row has 12 spaces or more, a landscaped bay must be created every 12 spaces in that row. When two rows are face-to-face (contiguous by the lines which define the spaces lengthwise), the landscaped bays can be created in one piece for the two rows. In such case, the landscaped bays can be replaced by a landscaped strip as a line delimiting the spaces lengthwise, of a minimum width of 2,5 m, composed of grass, shrubs and trees and with at least one tree for each 15 m length section of the landscaped strip.



Article 201 is also modified by adding the following paragraph:

Despite any other provision of the present article, it is authorized to create two tandem spaces when prescribed by special parking standards of the present by-law. “Tandem spaces” mean two spaces created one right behind the other, which are used by the occupants of the same housing unit of which one of the two has a direct access to a traffic lane.

ARTICLE 8 Article 207 of by-law CA29 0040, entitled “MINIMUM NUMBER OF SPACES FOR A BUILDING IN THE HOUSING (H) GROUP LOCATED LESS THAN 500 METRES FROM A COMMUTER TRAIN STATION”, is replaced by the following:

207. SPECIAL PARKING STANDARDS BY SECTOR FOR THE BUILDINGS OF THE HOUSING (H) GROUP

Despite any other provision of the present by-law, the minimum number of off-street parking spaces to provide for a building composed of one or many uses of the “Housing (H)” group is as follows according to the sectors with special standards mentioned in article 196 of the following by-law:

Uses “Multifamily housing” (h3)					
Sector	Minimum number of spaces for residents	Minimum number of spaces for visitors	Maximum number of spaces reserved for small vehicles	Maximum number of spaces reserved for a car sharing station	Maximum number of spaces created in tandem
Sector 1 (îlot Saint-Jean)	1 space by unit	0,1 space by unit	Up to 30% of the housing unit number with one bedroom	Up to 10 % of the minimum number of spaces for residents, maximum of 6 spaces	10 % of the units number with 2 bedrooms or more
Sector 2 (Train station sector)	1 space by unit	No minimum	Up to 30% of the housing unit number with one bedroom	Up to 10 % of the minimum number of spaces for residents, maximum of 6 spaces	10 % of the units number with 2 bedrooms or more

Uses “Collective Housing” (h4)					
Sector	Minimum number of spaces for residents	Minimum number of spaces for employees	Minimum number of spaces for short-term parking and for visitors	Maximum number of spaces reserved for small vehicles	Maximum number of spaces reserved for a car sharing station
Sector 1 (îlot Saint-Jean)	0,35 space per unit	0,3 space by bed or 0,075 space by housing unit	0,075 space by bed or by housing unit, of which at least 3 spaces located at less than 50 m from main entrance identified as short-term spaces (maximum 15 minutes)	Up to 30% of the minimum number of spaces for residents	Up to 10 % of the minimum number of spaces for residents, maximum of 6 spaces, reserved for a car sharing station
Sector 2 (Train station sector)	0,35 space per unit	0,3 space by bed or 0,075 space by housing unit	0,075 space by bed or by housing unit, of which at least 3 spaces located at less than 50 m from main entrance identified as short-term spaces (maximum 15 minutes)	Up to 30% of the minimum number of spaces for residents	Up to 10 % of the minimum number of spaces for residents, maximum of 6 spaces, reserved for a car sharing station

The supply of a car sharing station in the off-street parking of a land where the use “h3” or “h4” is carried out exempts the land owner to provide, for each car sharing station vehicle for which a space is reserved, 3 spaces of the minimum number of spaces that would be required for the residents. The minimum and maximum number of spaces applicable to the present paragraph, are determined according to the above charts.

In order for this exemption to apply, the car sharing service must at all times meet the following requirements:

- a) the service is reserved to residents if the owner is in charge;
- b) the vehicles should be made available for reservation and made accessible in self-service at all times for the residents, by a technical medium and at conditions which are at the owner's discretion;
- c) it is the land's owner's responsibility to maintain the service functionality for the residents, except in case of imponderable situation (example: failure, accident, case of force majeure);
- d) the owner must be able to demonstrate, at the request of the designated officer, the real and actual existence of the service (example: reservation table, services contracts signed by the residents, rules of access, registration documents of the vehicles used for car sharing);
- e) If the owner fails to offer the service himself, he must maintain at all times an agreement with a car sharing company which provides the service according to the above-mentioned conditions.

Despite article 208 of the present by-law, the minimum number of bicycles parking units required for a use of the Housing (h) group of more than 3 housing units on a land being part of sector 1 - îlot Saint-Jean or sector 2 – train stations sector is doubled. The additional bicycles parking units required herewith must be located indoor, accessible at all times only to the residents, and be individual or regroup a maximum of six (6) locations, each for one bicycle.

ARTICLE 9 Article 211, entitled “MINIMUM NUMBER OF SPACES FOR COMMERCIAL (C) BUILDING LOCATED LESS THAN 500 METRES FROM A COMMUTER TRAIN STATION”, is replaced by the following:

211. SPECIAL PARKING STANDARDS BY SECTOR FOR THE BUILDINGS OF THE “COMMERCIAL (C)” GROUP

Despite articles 210 and 212 of the present by-law, the minimum number of off-street parking spaces to provide for a building composed of one or many uses of the “Commercial (c)” group is as follows according to the sectors with special standards mentioned in article 196 of the present by-law:

“Commercial (c)” uses			
Sector	Minimum and maximum number of spaces – general rule	Maximum number of spaces reserved for small vehicles	Maximum number of spaces reserved for car sharing
Sector 1 (îlot Saint-Jean)	Minimum 75%, maximum 125% of the minimum number prescribed at article 210	Up to 5% of the number of spaces provided	Up to 5 % of the minimum number of spaces to provide, maximum of 4 spaces
Sector 2 (Train station sector)	Minimum 70%, maximum 120% of the minimum number prescribed at article 210	Up to 5% of the number of spaces provided	Up to 5 % of the minimum number of spaces to provide, maximum of 4 spaces

When spaces reserved for car sharing are provided on a land occupied by a “Commercial (c)” use, these spaces cannot constitute a car sharing station. The spaces must be marked as required by article 200.1 of the present by-law. Each space thus reserved exempts from the obligation of providing a space which would be required, according to the above chart, to the minimum number of spaces – general rule.

Despite article 213 of the present by-law, the minimum number of bicycles parking units required for a use of the “Commercial (c)” group on a land being part of sector 1 - îlot Saint-Jean or sector 2 – train stations sector is doubled. The additional bicycles parking units required hereunder must be located outdoor and accessible at all times for the users of the site.

ARTICLE 10 Article 220 of by-law CA29 0040, entitled “MINIMUM NUMBER OF SPACES FOR A COMMUNITY (P) BUILDING LOCATED LESS THAN 500 METRES FROM A COMMUTER TRAIN STATION”, is replaced by the following:

220. SPECIAL PARKING STANDARDS BY SECTOR FOR THE BUILDINGS OF THE “COMMUNITY (P)” GROUP

Despite article 219 of the present by-law, the minimum number of off-street parking spaces to provide for a building composed of one or many uses of the “Community (p)” group is as follows according to the sectors with special standards mentioned in article 196 of the present by-law:

“Community” (p) uses				
Sector	Minimum and maximum number of spaces – general rule	Minimum number of spaces per housing unit for the uses 1541, 1549, 6531, 6542 of the sub-category p2 – base number	Maximum number of spaces reserved for small vehicles	Maximum number of spaces reserved for car sharing
Sector 1 (îlot Saint-Jean)	Minimum 80%, maximum 130% of the minimum number prescribed at article 219	0,35 space by unit, in addition to the other requirements applicable according to article 219 (parking for employees and short-term)	Up to 5% of the number of spaces provided	Up to 5 % of the minimum number of spaces to provide, maximum of 4 spaces
Sector 2 (Train stations sector)	Minimum 75%, maximum 125% of the minimum number prescribed at article 219	0,35 space by unit, in addition to the other requirements applicable according to article 219 (parking for employees and short-term)	Up to 5% of the number of spaces provided	Up to 5 % of the minimum number of spaces to provide, maximum of 4 spaces

When spaces reserved for car sharing are provided on a land occupied by a “Community (p)” use, these spaces cannot constitute a car sharing station. The spaces must be marked according to article 200.1 of the present by-law. Each space thus reserved exempts from the obligation of providing a space which would be required, according to the above chart, to the minimum number of spaces – general rule.

Despite article 222 of the present by-law, the minimum number of bicycles parking units required for a use of the “Community (p)” group on a land being part of sector 1 - îlot Saint-Jean or sector 2 - train station sector is doubled. The additional bicycles parking units required herewith must be located outdoor and accessible at all times for the users of the site.

ARTICLE 11 Articles 208, 213 and 222 of by-law CA29 0040 are modified to add to each the following paragraph:

Additional standards are prescribed in sectors with special parking standards identified at article 196 and in the applicable map attached to the present by-law as annex N.

ARTICLE 12 Chapter 10 of by-law CA29 0040, entitled “PROVISIONS RELATIVE TO OFF-STREET PARKING”, is modified by the addition of the following section 8:

SECTION 8: FINANCIAL COMPENSATION FOR PARKING SPACES THAT ARE NOT PROVIDED

228.1 Exemption to provide parking spaces

Despite any other provision of the present by-law, the Borough council may, by ordinance, exempt from the obligation to provide and maintain the required parking units, anyone who submits a written request to the competent authority by paying a sum determined in the present by-law.

In the application sectors of the present section, namely sections with special parking standards identified at article 196 and in Annex N of present by-law, a maximum of 15% of the parking spaces which would be required according to the present by-law may qualify for such an exemption.

228.2 Categories of parking spaces and cost of the exemption

In these sectors, the categories of parking spaces which may qualify for such exemption and the cost of the exemption are as follows:

Category	Amount to be paid: cost of the exemption
Category 1 – space to be provided inside the main building	\$20,000 / space
Category 2 – space that have to be provided inside the main building	\$2, 000 / space

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

ANNEX N

