

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

SECOND DRAFT BY-LAW NUMBER CA29 0040-41 ENTITLED:

SECOND DRAFT BY-LAW NUMBER CA29 0040-41 MODIFYING ZONING BY-LAW NUMBER CA29 0040 IN ORDER TO ADD A STANDARD CONCERNING GREENHOUSES ON ROOFS, TO CLARIFY ARTICLES REGARDING SPAS AND TO ADD PENAL PROVISIONS

1. Object of the draft and referendum application

Following the regular sitting held on February 10, 2020, the council of the Borough of Pierrefonds-Roxboro adopted a second draft by-law entitled as hereinabove.

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

The provision is:

- to add a standard concerning greenhouses on roofs.

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

These zones are identified on the Borough's map attached to the public notice on the Borough's website at <https://montreal.ca/>.

Some contiguous zones are adjacent to zones located in the Borough of Sainte-Geneviève-Île-Bizard and in the Borough of Saint-Laurent.

Therefore, an application may originate from the concerned zones H1-2-103, H1-2-103-1, H1-2-103-2, H2-2-105, H1-2-108, E-2-109, H1-2-111, H1-2-111-1, H1-2-111-2, H1-2-111-3, H1-2-111-4, H1-2-112-1, H1-2-112-2, H1-2-114, H1-3-121, H2-3-131, H2-3-136, H1-3-137, H1-3-138, H1-3-140, H1-3-141, H1-3-142, H1-3-144, H3-3-146, H2-3-147, H4-3-148, H4-3-150, H1-3-151, H3-3-153, H3-3-154, H2-3-156, H3-3-157, H4-3-158, H2-3-159, H1-3-160, H1-3-164, H1-3-165, , H1-3-167, H2-3-176, H4-3-177, H1-3-180, H1-3-181, H1-3-184, H1-3-185, H1-3-186, H1-3-187, H3-3-191, H1-3-192, H1-3-193, H3-3-195, H3-3-196, H3-3-197, H1-3-198, H1-3-201, H4-3-202, H4-3-204, H4-3-205, H1-3-211, H1-3-215, C-3-217, C-3-218, H2-4-232, C-4-237, H2-2-244, H1-4-245, H1-4-246, H4-4-260, H3-4-265, H1-4-277, H3-4-279, H4-4-282, H4-4-284, H1-4-285, H1-5-293-1, H1-5-293-2, H4-5-295, H3-5-296, H1-5-309, H1-5-312, H1-5-313, H3-5-314, H3-5-315, P-5-317, H4-5-319, H2-5-320, H2-5-321, H2-5-322, H1-5-327, H3-5-329, H1-5-331, C-5-335, H2-6-338, H2-6-340, H3-6-347, H4-6-351, H2-6-352, H1-6-353, H1-6-360, H2-6-361, H1-6-363, C-6-364, H2-6-365, H1-6-374, H1-6-376, H3-6-377, H1-6-380, H1-6-386, H4-6-387, H1-7-389, H4-7-390, H1-7-392, H4-7-395, H4-7-396, H2-7-399, H1-7-399-1, H1-7-401, H4-7-403, H3-7-404, H4-7-410, C-7-412, H3-7-415, H1-7-416, H4-7-418, H1-7-419, H1-7-420, H2-7-421, C-7-424, H1-7-425, H3-7-426, H1-7-427, C-7-428, H1-7-429, H1-7-431, H3-7-433, H1-7-436, H3-7-436-1, H1-7-437, H1-7-442, C-7-443, H1-8-450, H1-8-452, H4-8-453, H4-8-461, H2-8-462, H3-8-463, H1-8-465, H2-8-466, H4-8-467, H3-8-468, H1-8-470, C-8-474, H1-8-475, H2-8-478, H1-8-480, H1-8-481, H1-8-483, H1-8-485, H1-8-487 and C-8-487-1 or one of their contiguous zones located in the Pierrefonds-Roxboro Borough

The contiguous zones located in the l'Île-Bizard-Sainte-Geneviève Borough have number H2-1-106, H1-2-107, H1-3-115, H1-3-118, H4-3-119, H1-3-122, H1-3-126, H4-3-135, H1-3-166, C-3-171, H3-3-172, H4-4-225, H3-4-226, H2-4-227, H3-4-228, H4-4-229, H1-4-239, H3-4-261, H1-4-262, H1-4-267, H3-4-272-2, H4-5-290, A-5-292, H1-5-293, H1-5-294 and the contiguous

zone located in the Saint-Laurent Borough has number H4-8-477.

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 February 21, 2020 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 **February 10, 2020**;

- . be of full age, Canadian citizen and not be under curatorship;

AND

- . 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 **February 10, 2020**, 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 provision 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 <https://montreal.ca/>.

GIVEN IN MONTREAL, Borough of Pierrefonds-Roxboro
this twelfth day of February of the year 2020.

The secretary of the Borough

Suzanne Corbeil, Attorney

/rl

PROVINCE DE QUÉBEC

VILLE DE MONTRÉAL
ARRONDISSEMENT DE PIERREFONDS-ROXBORO

BY-LAW CA29 0040-41

BY-LAW NUMBER CA 290040-41 MODIFYING ZONING BY-LAW CA29 0040 IN ORDER TO ADD A STANDARD CONCERNING GREENHOUSES ON ROOFS, TO CLARIFY ARTICLES REGARDING SPAS AND TO ADD PENAL PROVISIONS

At the Borough of Pierrefonds-Roxboro regular sitting held at the Borough Hall located at 13665, boulevard de Pierrefonds in Pierrefonds, on February 10, 2020 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.

WHEREAS article 113 of the Act respecting land use planning and development (R.R.S.Q., chapter A-19.1);

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

ARTICLE 1 By-law CA29 0040 is modified at article 25, entitled “Terminology”, in order to replace the following definitions as follows:

FRONT PORCH

Outdoor platform which is accessed through a staircase, and giving access to the main entrance of a building.

TOTAL FLOOR AREA

Sum of the area of each of the floors in the building, calculated from the exterior face of exterior walls, including the floor area of a basement but excluding the floor area of a cellar. For the purposes of calculating the floor area ratio (F.A.R.), are excluded from the calculation are spaces used for mechanical purposes (technical room), basement storage spaces and the floor area used for basement and semi-basement parking.

ARTICLE 2 Article 140 of by-law CA29 0040 is modified as follows:

- a) by adding sub-paragraph c) to paragraph 4^e as follows:

- c) A domestic greenhouse located on the roof of a building must not be visible from the street and shall be located at an equal distance from its height to a lateral or rear wall.

ARTICLE 3 Article 143 of by-law CA29 0040 is modified by replacing its title by the following:

143. ADDITIONAL PROVISIONS APPLICABLE TO AN INGROUND OR SEMI-INGROUND SWIMMING POOL

ARTICLE 4 Article 143.1 of by-law CA29 0040 is modified as follows:

- a) by modifying its title as follows:

143.1 ADDITIONAL PROVISIONS APPLICABLE TO AN ABOVEGROUND POOL

- b) by modifying the first paragraph by removing the words “or a spa”;
- c) by repealing paragraphs 6 and 7.

ARTICLE 5 By-law CA29 0040 is modified by adding article 143.2 as follows:

143.2 ADDITIONAL PROVISIONS APPLICABLE TO A SPA

- 1° A spa must have a cover equipped with a lock system;
- 2° When not in use, the spa must be locked;

ARTICLE 6 Article 189 of zoning by-law CA29 0040 is repealed.

ARTICLE 7 Article 284 of zoning by-law CA29 0040 is repealed.

ARTICLE 8 Third paragraph of article 353 of by-law CA29 0040 is replaced as follows:

It is allowed to perform necessary regular repair and maintenance works in order to preserve the derogatory building protected by acquired rights.

ARTICLE 9 Zoning by-law CA29 0040 is modified by adding chapter 22.1, article 368.1 as follows:

CHAPTER 22.1
PENAL PROVISIONS

368.1 GENERAL PENALTIES

A person who commits an infraction to the present by-law is liable to a fine of at least \$350 and at most \$1 500, in the case of a natural person, or to a fine of at least \$500 and up to \$2 000 if the offender is a legal person.

In the event of a repeated infringement, the offender is liable to a fine of at least \$500 and at most \$2 000, in the case of a natural person, or to a fine of at least \$1 000 and at most \$4 000 if the offender is of legal person.

Any ongoing violation of a provision constitutes, per day, a separate and distinct offence.

ARTICLE 10 The present by-law comes into force according to Law.

