

Public Notice



PROMULGATION

BY-LAW CA29 0040-51

NOTICE is given that the following by-law was adopted at the regular sitting of the Borough of Pierrefonds-Roxboro council held on September 13, 2021 and was approved by the Director of the Service de l'urbanisme et de la mobilité on October 22, 2021 in accordance with the certificate of conformity issued on October 26, 2021:

BY-LAW CA29 0040-51

By-law modifying zoning by-law CA29 0040 in order to bring the following modifications and adjustments to articles regarding solariums, detached carports and private garages, vegetable garden, awnings, public services equipment base and charging station for electric vehicles, detached accessory buildings, sheds, garden structures, inground, semi-inground or aboveground pools, landscape strips, parking spaces in sector 1 of îlot Saint-Jean and sector 2 of train stations, mezzanines and storage spaces.

This by-law became effective on October 26, 2021 and is available for consultation at the Secretary of the Borough's office during opening hours as well as on the Borough's website at the following address: ville.montreal.qc.ca/pierrefonds-roxboro.

GIVEN IN MONTREAL, BOROUGH OF PIERREFONDS-ROXBORO
this twenty-eighth day of the month of October of the year two thousand twenty-one.

The secretary of the Borough

Alice Ferrandon, avocate

PROVINCE OF QUÉBEC

VILLE DE MONTRÉAL
BOROUGH OF PIERREFONDS-ROXBORO

BY-LAW CA29 0040-51

BY-LAW NUMBER CA 290040-51 MODIFYING ZONING BY-LAW CA29 0040 MODIFYING ZONING BY-LAW CA29 0040 IN ORDER TO BRING THE FOLLOWING MODIFICATIONS AND ADJUSTMENTS TO ARTICLES REGARDING SOLARIUMS, DETACHED CARPORTS AND PRIVATE GARAGES, VEGETABLE GARDENS, AWNINGS, PUBLIC SERVICES EQUIPMENT BASE AND CHARGING STATION FOR ELECTRIC VEHICLES, DETACHED ACCESSORY BUILDINGS, SHEDS, GARDEN STRUCTURES, INGROUND, SEMI-INGROUND OR ABOVEGROUND POOLS, LANDSCAPE STRIPS, PARKING SPACES IN SECTOR 1 OF ÎLOT SAINT-JEAN AND SECTOR 2 OF TRAIN STATIONS, MEZZANINES AND STORAGE SPACES

At the Borough of Pierrefonds-Roxboro regular sitting held by videoconference on September 13, 2021 at 7 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-19), and in conformity with the ministerial orders by which the minister of Health and Social Services has implemented special measures for the municipalities in order to minimize the spreading risks associated with COVID-19, to which attend:

The Mayor of the Borough Mr. Dimitrios (Jim) Beis, Councillors Catherine Clément-Talbot, Yves Gignac, Benoit Langevin and 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 Alice Ferrandon, also attend by videoconference.

WHEREAS article 113 of the Land Use Planning and Development Act (RLRQ, chapter A-19.1),

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

ARTICLE 1 The present by-law modifies zoning by-law number CA29 0040 of the Borough Pierrefonds-Roxboro and its successive amendments. The present by-law which should be understood as restating the relevant interpretative and administrative provisions of the by-law it modifies, as if they were reproduced entirely.

ARTICLE 2 Zoning by-law CA29 0040 is modified as follows:

The chart of article 138 of by-law CA29 0040 is modified at line 13, entitled “solarium (glazed atrium)”, in order to repeal lines 13 a) and 13 b) which specify the maximum encroachment in any setback and the minimum distance from a solarium lot line.

ARTICLE 3 Article 138 of by-law CA29 0040 is modified at line 22 of the chart, so that the designated constructions at this line be read as follows:

“22. DETACHED ACCESSORY BUILDING OTHER THAN THAT TARGETED IN LINE 23, AND INCLUDING DETACHED CARPORT AND DETACHED PRIVATE GARAGES”.

ARTICLE 4 Article 138 of zoning by-law CA29 0040 is modified to add to the chart line 1.1 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
1.1 Vegetable garden	Yes	Yes	Yes	Yes	Yes
See article 235.1					

ARTICLE 5 Article 235.1 is also added to by-law CA29 0040:

235.1 Layout of vegetable gardens

If the vegetable garden is set out in front yard or in side yard adjacent to a street, the following standards apply:

- a) The vegetable garden or the plantations must be at a minimum distance of 0.5 m of a front lot line and at 1 m of the other lot lines, without being at less than 2 m of a sidewalk, of a street curb or of a bicycle path.
- b) The height of the plantations should not exceed 1 m on a distance of 2 m from a front line and exceed 2 m elsewhere in the front yard.
- c) The vegetable garden area should not exceed 50 % of the front yard’s area.
- d) The existing ground level should not be increased and the addition of permanent or temporary installations to retain the soil in place is forbidden.
- e) No vegetable garden product should be displayed or put up for sale.
- f) A removable structure to support the plants is authorized from May 1st to November 1st of a same year. Only a stake, a support for plants, a grid, a net and a lattice made of wood, metal, plastic or rope is authorized as a removable structure.
- g) The structure must be installed at a minimum distance of 0.5 m from a front line and at 1 m of the other lot lines, without being at less than 2 m of a sidewalk, of a street curb, of a bicycle path and of a parking lot. It should not exceed a height of 1 m. The maximum height does not apply when the structure is affixed to the front wall of the main building.
- h) Vegetable gardens in a tub are not allowed in front yard.
- i) The structures or plantations must be at a minimum distance of 1.5 meters from a fire hydrant.
- j) No structure or plantation of more than 1.0 meter heigh can be implemented in a visibility triangle as defined in article 115 of the present by-law.

ARTICLE 6 Article 138 of by-law CA29 0040 is modified as follows:

- a) By withdrawing the word “AWNING” at line 18 of the chart.
- b) By adding the word “AUVENT” at line 11 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
11. PORCH, BALCONY, AWNING, GALLERY, OR COLD STORAGE, INCORPORATED IN THE MAIN BUILDING	Yes	Yes	Yes	Yes	Yes

ARTICLE 7 Article 138 of by-law CA29 0040 is modified to add line 45 to the chart 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
45. Public services equipment base and charging station for electric vehicles	Yes	Yes	Yes	Yes	Yes

ARTICLE 8 Article 140 of by-law CA29 0040 is modified by replacing paragraph 1° by the following:

1° General provisions applicable to all detached accessory buildings in all zones on lands of residential use:

- a) There shall not be more than two (2) detached accessory buildings per land, nor more than one accessory building of the same type (shed, domestic greenhouse, etc.). This provision does not apply to the number of private garages or carports authorized on a land.
- b) The combined built area of the group of detached accessory buildings cannot exceed 60 square meters.
- c) The minimum distance between the detached accessory buildings and the main building is of 2.0 m.
- d) Unless when specified at the following paragraphs, the maximum allowed height for an accessory building is of 4.0 m.
- e) When the accessory building is located in a side yard adjacent to a street or in a rear yard adjacent to a street, it should be covered by the implementation, on the area of land between the street and the building, of an opaque fence of a height of at least 1.5 m and that does not exceed 2.0 m or a continuous hedge composed of evergreen shrubs or a conifer hedge of a height of at least 1.5 m.

ARTICLE 9 Article 140 of by-law CA29 0040 is modified by adding paragraph 5° as follows:

5° Specific provisions applicable to sheds:

- a) Despite paragraph 1° of the present article, a garden shed must be located at no less than 0.5 m of a side line or a rear line;
- b) The maximum area of a garden shed is 14 m². This maximum area is increased to 28 m² when the garden shed is located on a land covering an area of 1000 m² and more.

ARTICLE 10 a) By the addition, after article 140.1, of article 140.2 which reads as follows:

140.2 PROVISIONS APPLICABLE TO GARDEN STRUCTURES

- a) There must not be more than two (2) garden structures per yard.
- b) The combined built area of the all garden structures cannot exceed 28 m². Each garden structure area should not exceed 14 m². These numbers are doubled when the land on which is located the garden structure has an area of 1000 m².or more.
- c) The minimum distance between the garden structures and any lot line is of 2.0 m. No minimum distance apply between the main building and a garden structure.
- d) The maximum height allowed for a garden structure is of 4.0 m.

ARTICLE 10 b) By the repeal, at article 140, of paragraph 3° which concerns garden structures.

ARTICLE 10 c) By the addition, between lines 22.1 and 23 of the chart of article 138, of the following lines which read 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
22.2. Garden structures	No	Yes	Yes	Yes	Yes
a) Other applicable standards	See the standards at article 140.2				

ARTICLE 11 Article 143 of by-law CA29 0040 is modified by replacing paragraph 4° by the following:

4° Notwithstanding the preceding subsection, when the rear yard or side yard on the ground of which the swimming pool is located is surrounded by a 1.5 m height fence, a fence of a minimum height of 1.2 m shall be placed so as to prevent access to the pool from the residence.

ARTICLE 12 Article 143.1 of by-law CA29 0040 is modified by replacing paragraph 4° by the following:

4° Notwithstanding the preceding subsection, a swimming pool whose wall's height is at least 1.2 m at all points relative to the ground, or a removable swimming pool whose wall's height is at least 1.4 m, does not need to be surrounded by a fence when access to the pool is carried out in one or any of the ways listed at paragraph 3 above.

ARTICLE 13 First paragraph of article 184 "SITING OF A LANDSITE ENTRANCE OR AN ACCESS AISLE" of by-law CA29 0040 is modified by adding the words "vegetation cover" after the words "otherwise landscaped".

ARTICLE 14 Article 199 of by-law CA29 0040 is modified at section 2° of first paragraph to replace subparagraph a) by the following:

a) for spaces at right angles of 90° degrees: 5 m minimum and 5.5 m maximum if the space is perpendicular to a border or a sidewalk, or of this space serves a single-family housing "H1" main use, and 5.5 m minimum and 5.5 m maximum otherwise;

ARTICLE 15 Second paragraph of article 205 “SITING OF PARKING SPACES” of by-law CA29 0040 is replaced as follows:

205. SITING OF PARKING SPACES

For the “Multi-family (h3)” and “Collective housing (h4)” use categories, an off-street parking area may not encroach onto the minimum front setback. However, up to 10% of the number of spaces required may encroach onto the minimum front setback, on condition that these spaces are reserved for the exclusive use of visitors.

ARTICLE 16 Article 207 of by-law CA29 0040 is modified to add the following chart at first section, before the existing:

“Bi-family and tri-family housing” (h2) uses		
Sector	Minimum number of spaces for residents	Maximum number of spaces reserved for small vehicles
Sector 1 (îlot Saint-Jean)	1 space per unit	Up to one third of the housing unit number with one bedroom
Sector 2 (secteur des gares)	1 space per unit	Up to one third of the housing unit number with one bedroom

ARTICLE 17 The specifications chart at Appendix A of by-law CA29 0040, bearing zone number “C-8-472”, is modified to withdraw note (1), which reads as follows: “A minimum number of 300 parking spaces is required to serve the c1 use”.

ARTICLE 18 a) Article 258 of by-law CA29 0040 is replaced as follows:

258. ROOFTOP STRUCTURE, ROOFTOP HOUSING FOR EQUIPMENT AND MEZZANINE AT THE TOP FLOOR

A rooftop structure or a rooftop housing for equipment located on the roof of a building must be at least 4.5 m away from the side or front walls and be completely concealed by an architectural screen made of the exterior cladding materials authorized for the walls of the building. This provision does not apply to a glazed elevator from which the view is to the outside of the building.

A rooftop structure considered as a mezzanine within the meaning of the present by-law shall conform to the following standards:

1. the cumulative area of non-overlapping mezzanines within a suite does not exceed 40% of the area of the suite they overhang;
2. the outside walls of the mezzanine are recessed of no less than 60 cm at all points in regard to the exterior walls of the storey they overhang.

ARTICLE 18 b) Article 25 of by-law CA29 0040 is also modified, respectively, by replacing the definition of “mezzanine” as follows and by adding the definition of “suite” as follows:

MEZZANINE

Intermediate floor surface installed between two floors of a building or between a floor and a ceiling when there is no floor above.

When two or more mezzanines are installed above the same floor, the cumulated area of all mezzanines must be taken into account as if they were constructed in one piece.

SUITE

Refers to the definition of “suite” as it appears in the Quebec Construction Code, (RLRQ, chapitre B-1.1, r. 2).

ARTICLE 19 Article 261 “STORAGE AREA” of by-law CA29 0040 is replaced by the following:

261. STORAGE AREA

In a building occupied by a use in the “Multi-family dwelling (h3)” category or the “Collective Housing (h4)” category, an indoor storage area with a minimum floor area of two square metres (2 m²) per dwelling unit must be provided.

ARTICLE 20 The table of content of by-law CA29 0040 is adjusted to reflect, where appropriate, the articles modifications, additions and withdrawals so that it remains accurate in regard to the titles and subtitles to which it refers.

ARTICLE 21 The present by-law comes into force according to Law.

