

Public Notice



PROMULGATION

BY-LAW CA29 0097-1

NOTICE is given that the following by-law was adopted at the regular sitting of Pierrefonds-Roxboro Borough Council held on March 7, 2022

BY-LAW CA29 0097-1

By-law modifying the administration by-law CA29 0097 of the planning by-laws of the Borough of Pierrefonds-Roxboro in order to make various corrections and adjustments and to add provisions concerning the documents to be submitted for certain types applications for certificates of authorization

This by-law becomes effective on the day of its publication. It is available for consultation on the Borough's website at the following e-mail address: montreal.ca/pierrefonds-roxboro.

GIVEN IN MONTREAL, BOROUGH OF PIERREFONDS-ROXBORO,
this tenth day of the month of March of the year two thousand twenty two

A handwritten signature in blue ink, appearing to read "Alice Ferrandon", is written over a light blue rectangular background.

Alice Ferrandon, Attorney
Secretary of the Borough

/r1

PROVINCE OF QUEBEC

VILLE DE MONTRÉAL
BOROUGH OF PIERREFONDS-ROXBORO

BY-LAW CA29 0097-1

BY-LAW MODIFYING THE ADMINISTRATION BY-LAW OF THE PLANNING BY-LAWS IN ORDER TO MAKE VARIOUS CORRECTIONS AND ADJUSTMENTS AND TO ADD PROVISIONS CONCERNING THE DOCUMENTS TO BE SUBMITTED FOR CERTAIN TYPES OF APPLICATIONS FOR CERTIFICATES OF AUTHORIZATION

At the Borough of Pierrefonds-Roxboro regular sitting held by videoconference on March 7, 2022 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, Chahi (Sharkie) Tarakjian, 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^e Alice Ferrandon, also attend by videoconference.

WHEREAS the urban planning by-law administration by-law of the Borough of Pierrefonds-Roxboro, number CA29 0097, entered into force on May 1, 2017;

WHEREAS it is necessary to modify several articles in order to adjust to the new requirements applicable to urban planning regulations since its adoption;

WHEREAS it is necessary to provide additional documents for certain types of authorization requests in order to verify the conformity of the requests in accordance with the urban planning by-law;

WHEREAS sections 119 to 122 of the Act respecting land use planning and development (RLRQ, c. A-19.1);

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

By-law CA29 0097 concerning the administration of the urban planning by-laws of the Borough of Pierrefonds-Roxboro, is modified as follows:

ARTICLE 1:

The existing Section 12 entitled "PENALTIES FOR DEMOLITION OF A BUILDING" is amended by replacing the existing Section 12 with the following:

“12. PENALTIES FOR DEMOLITION OF A BUILDING

Any person who demolishes or causes to be demolished, in whole or in part, an accessory building of more than 15 square metres in size in contravention of any provision of this by-law or the planning by-laws is liable to a fine of not less than two

thousand five hundred dollars (\$2,500.00) and not more than ten thousand dollars (\$10,000).

Any person who demolishes or causes to be demolished, in whole or in part, a principal building in contravention of any provision of this by-law or the planning by-laws is liable to a fine of not less than five thousand dollars (\$5,000) and not more than twenty-five thousand dollars (\$25,000)."

ARTICLE 2:

The existing Section 19 entitled "REQUIREMENT FOR CERTIFICATE OF AUTHORIZATION" is amended as follows:

a) By replacing paragraph 2 of the first paragraph with the following paragraph:

"2° construct a new parking lot or driveway, alter or enlarge an existing parking lot or driveway, except for maintenance and rehabilitation works of existing surfaces of such a development and those included in a permit for the construction of a new building or conversion of an existing building;"

b) By repealing paragraphs 3° and 10°.

c) By replacing subparagraph 8° of the first paragraph with the following subparagraph:

"8° install any auxiliary heating appliance of the solid or gas burning stove type that includes a gaseous fuel tank with a capacity of not more than 190 kg; "

d) By replacing subparagraph 13° of the first paragraph with the following subparagraph:

"13° install an in-ground swimming pool, or a basin, with a depth of more than 60 cm, including fences, a gaseous fuel tank with a capacity of not more than 190 kg, ancillary mechanical equipment, a diving board and an access staircase;"

e) By replacing subparagraph 14° of the first paragraph with the following subparagraph:

"14° install an above-ground pool with a depth of more than 60 cm including fences, GAS FUEL TANK of not more than 190 kg, accessory mechanical equipment, stairs and access platform not integral with the main building;"

f) By replacing subparagraph 20° of the first paragraph with the following subparagraph:

“20° assign, add or replace a civic number;”

g) By replacing subparagraph 21° of the first paragraph with the following subparagraph:

“21° carry out the work related to a water connection described in Section 15 of by-law number 20-030 of the Ville de Montréal;”

h) By replacing subparagraph 22° of the first paragraph with the following subparagraph:

“22° carry out the work related to a sewer connection described in Section 72 of by-law number 20-030 of the Ville de Montréal;”

i) By adding the following subparagraphs 27° and 28° after the existing subparagraph 26° of the first paragraph:

“27° temporarily set up a real estate sales office;

28° install a diving board in the case of an existing pool.”

ARTICLE 3:

Section 20 entitled “INFORMATION REQUIRED FOR ANY APPLICATION FOR A CERTIFICATE OF AUTHORIZATION” is amended by adding the following subsection 9 after the existing subsection 8:

“9° unless self-built, the name of the contractor or the name of the construction company and the person in charge of the construction company and, if applicable, the Quebec Business Number (QBN) of any construction company performing the work.”

ARTICLE 4:

The existing Section 22 entitled “ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR ANY DEVELOPMENT OF A PARKING AREA, INCLUDING A CURB CUT OR CIRCULATION AISLE” is replaced by the following section:

“22. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR ANY PARKING LOT DEVELOPMENT, INCLUDING CURB CUT OR CIRCULATION AISLE

In addition to the information and documents required under Section 20, an application for a certificate of approval for the construction of a parking area, including a curb cut

or circulation aisle, shall also be accompanied by a document indicating the following information, as applicable:

1° a chart showing :

- a) the size of the land;
- b) the total floor area of any building served by the parking lot;
- c) the number of spaces provided;
- d) the number of spaces on the lot;
- e) A calculation of the percentage of grass or vegetated area in the front yard of a building.”

ARTICLE 5:

Section 24 entitled “ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR THE INSTALLATION OF A FENCE, SUPPORT WALL OR MECHANICAL EQUIPMENT” is amended by adding the following subsection 7 following the existing subsection 6:

“7° A certificate of location prepared by a land surveyor:”

ARTICLE 6:

The existing Section 27 entitled “ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR THE INSTALLATION OF AN ABOVE-GROUND SWIMMING POOL, OFF-GROUND SWIMMING POOL OR BASIN THAT IS MORE THAN 60 CM IN DEPTH” is replaced by the following:

“27. ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR THE INSTALLATION OF AN IN-GROUND POOL, AN ABOVE-GROUND POOL OR A POOL WHOSE DEPTH IS GREATER THAN 60 CM

In addition to the information and documents required under section 20, an application for a certificate of authorization for the construction, installation, relocation or alteration of an in-ground pool or an above-ground pool shall be accompanied by the following information and documents:

1° a certificate of location to scale, prepared by a land surveyor. In the case of a property located on the waterfront, the certificate of location must:

a) be prepared and dated within one year prior to the date of application by a land surveyor;

b) identify the location of the coastline, shoreline, riparian protection strip and the presence of any floodplains or wetlands under applicable regulations;

2° a scaled development plan showing:

a) the location of the pool and its distance from lot lines and buildings on the property;

b) the dimensions and area of the land and pool;

c) the location of the terrace allowing access to the pool;

d) existing trees within the proposed pool area;

e) if a diving board is present, measurements and dimensions demonstrating compliance with BSQ 9461-100;

f) mechanical equipment, including, if applicable, the location of the heat pump or propane tank;

In the case of a pool with a waterfront property, the development plan must show the existing and proposed land:

1° the height of the wall, in the case of an above ground pool;

2° plans, sections and elevations of the pool details, materials, height, mesh size of the fence controlling access to the pool and, if applicable, details of any access stairs or ladders and details of the automatic closing mechanism of the door providing access to the pool.”

ARTICLE 7:

Section 28 entitled “ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR A SIGN” is amended by adding the following subsections following existing subsection e)

“f) Valid certificate of occupancy number of the establishment;

g) Photo of the façade of the establishment;

h) Width of the front of the establishment;

i) Location of the sign on the façade (photo) or on the property indicating its exact location;

j) For a ground sign a certificate of location prepared by a land surveyor;

k) In the case of a pole-mounted sign, a plan and specifications accompanied by a foundation and structural study demonstrating the resistance of the sign itself to ice formation or wind exposure, sealed and signed by an engineer.”

ARTICLE 8:

The existing section 30 entitled “ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR WORK ON THE SHORELINE, ON THE LITTORAL OR IN A FLOOD RISK ZONE” is amended by adding the following subsections 4 through 6 following subsection 4 :

“4° When the work is located on an existing structure, the area and percentage of the structure exposed to flooding;

5° An opinion of a professional attesting to the compliance of his or her activity with the applicable conditions set out in the Regulation respecting activities in wetlands, water bodies and sensitive environments and the Regulation respecting the supervision of activities with respect to their impact on the environment. A professional qualified to give an opinion must be a professional within the meaning of section 1 of the Professional Code (chapter C-26); any person authorized by a professional order to carry on an activity reserved for its members is also considered a professional.

6° A statement from the applicant or representative confirming that all information and documentation provided by the applicant is complete and accurate.”

ARTICLE 9:

Section 37 entitled “ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR THE INSTALLATION OF A CLOTHING AND FABRIC RECYCLING BOX” is amended to replace existing subsections 1° to 6° with the following subsections:

“1° a copy of the certificate of location of the land to which the application relates, to which the applicant must attach a plan drawn to scale showing the location of the collection box in relation to any building, structure or lot line;

2° the name, address and telephone number of the person or organization that owns and operates the recovery box, the legal form of the organization, and the charitable registration number of such organization with the Canada Revenue Agency (CRA), if applicable;

3° authorization and identification (name, address, telephone number) of the owner of the land covered by the application;

4° two copies of the plans and elevations of the recovery box, made to scale, and showing:

- a) the dimensions of the recovery box;
- b) identification of all materials and how they are to be fixed to the ground;
- c) the size and lettering of the required markings on the donation box referred to in paragraph 2° of this subparagraph.”

ARTICLE 10:

The following section 37.1 is added to the existing section 37:

“37. 1 ADDITIONAL INFORMATION AND DOCUMENTS REQUIRED FOR THE TEMPORARY ESTABLISHMENT OF A REAL ESTATE SALES OFFICE

In addition to the information and documents required under section 20, when the application for a certificate of authorization is for the temporary establishment of a real estate sales office, it must be accompanied by the following documents:

- 1° a plan to scale showing the dimensions of the building and its distance from any property line;
- 2° a brief description of the temporary building and how it will be installed on the site;

In addition, in order to issue such a certificate, the designated official must have a copy of the subdivision permit or building permit that authorizes the applicant to proceed with the real estate project for which the application is made. This copy may be provided by the applicant or by the Borough.”

ARTICLE 11:

The existing subsection 2 of section 41 entitled “RENEWAL OF A CERTIFICATE OF AUTHORIZATION” is replaced by the following subsection:

“2° To this end, the application must be for the same project as the initial project, without modification, and must comply in all respects with the regulations in force at the time of submission of the application for renewal of the certificate.”

ARTICLE 12:

The existing section 41 entitled “RENEWAL OF A CERTIFICATE OF AUTHORIZATION” is replaced by the following:

“41. RENEWAL OF A CERTIFICATE OF AUTHORIZATION

A certificate of authorization may be renewed once only under the following conditions:

1° if the work covered by the certificate of authorization has not begun, upon receipt of a written request from the owner or the owner's representative, presented before the expiry of the period provided for in section 40, the competent authority may renew a certificate of authorization once for a period of 3 months following its expiry;

2° the application must be for the same project as the original project or, if it concerns:

a project that involves changes to the original project, the new project must comply with the regulations in force at the time the application for renewal of the certificate is submitted;

3° the provisions of the by-law relating to a certificate of authorization apply to a renewal application with the necessary modifications.”

ARTICLE 13:

Section 43 entitled “INFORMATION AND DOCUMENTS REQUIRED FOR APPLICATION FOR A CERTIFICATE OF APPROVAL FOR DEMOLITION” is amended to read as follows:

a) by replacing the text of the existing paragraph 11° with the following text:

“11° with the exception of a building constructed after 1940, a technical report on the general condition of the entire building produced by a professional expert competent in the field, detailing:

b) by adding the following paragraph 12° after the existing paragraph 11°:

“12° A certificate of location of the subject property prepared by a land surveyor.”

ARTICLE 14:

Section 48 entitled “INFORMATION AND DOCUMENTS REQUIRED FOR ANY APPLICATION FOR A CERTIFICATE OF USE” is amended by replacing the existing subsection 5 with the following subsection:

“5° a plan drawn to scale and by a method other than handwriting, showing the existing and proposed layout of the premises, including the layout of the interior of the portion of the building to which the application applies;”

ARTICLE 15:

This by-law comes into force in accordance with the Law.