

REQUEST FOR REFERENDUM APPROVAL

SECOND DRAFT RESOLUTION FOR PP-2022-001

PROJECT AIMING TO AUTHORIZE THE CONSTRUCTION OF A NEW SIX-STOREY MULTI-FAMILY BUILDING (H3 USE) IN ZONE C-8-454 AT 4700-4704, BOULEVARD SUNNYBROOKE, AT THE INTERSECTION OF BOULEVARD GOUIN OUEST, ON LOTS 1 900 120 AND 1 899 992, AND THIS, NOTWITHSTANDING ANY PROVISION TO THE CONTRARY IN ZONING BY-LAW CA29 0040

TO ALL PERSONS IN THE C-8-454 ZONE AND CONTIGUOUS ZONES H3-8-468, H1-8-470, P-8-455, H1-8-452 AND H4-8-453 LIKELY TO BE INTERESTED IN THIS SECOND DRAFT RESOLUTION

1. Referendum approval

Following the public consultation meeting held on September 28, 2022, the Borough Council adopted, at the regular sitting held on October 4, 2022, the second draft resolution mentioned above.

This second draft contains provisions that may be requested by interested persons in the territory concerned to submit the by-law containing them for the approval of certain qualified voters in accordance with the Act respecting elections and referendums in municipalities.

2. Purpose of the second draft resolution

The purpose of this second draft resolution is to authorize the construction of a new six-storey multi-family building (H3 use) in C-8-454 zone at 4700-4704, boulevard Sunnybrooke, at the intersection of boulevard Gouin Ouest, on lots 1 900 120 and 1 899 992 of the Quebec cadastre.

The provisions of this draft resolution are subject to referendum approval by the qualified voters of the C-8-454 zone and its contiguous zones H3-8-468, H1-8-470, P-8-455, H1-8-452 and H4-8-453.

3. Description of the territory

An application relating to provisions subject to referendum approval may come from C-8-454 zone and its contiguous zones H3-8-468, H1-8-470, P-8-455, H1-8-452 and H4-8-453, all located on the territory of the Borough of Pierrefonds-Roxboro.

Such a request will have the effect of submitting these provisions to the approval of the qualified voters of the concerned zone and of the contiguous zones from which the request originates.

4. Conditions of validity of an application

To be valid, all applications must:

- clearly identify the **provisions** subject to referendum approval;
- identify the **zone** where it originates;
- be signed by at least **twelve (12)** interested persons in the area from which it originates or by at least a majority of them if the number of interested persons in the area does not exceed 21;
- be received in the office of the Borough Clerk, within eight (8) days of the publication of this notice, which shall be no later than 7 p.m. on October 19, 2022.

In addition, each signatory must be an interested person as described in Section 5.

The signatory (who must be of age as of October 4, 2022) indicates, next to his or her signature, his or her name in capital letters, telephone number, address, apartment number and the capacity in which he or she is a person interested in signing (see section 4 to this effect: resident, owner or co-owner, occupant or co-occupant of a place of business, representative of a legal person).

5. Requirements to be a person interested in signing an application

- 5.1 An interested person is any person who, on October 4, 2022, is not disqualified from voting, is of full age, is a Canadian citizen, is not under curatorship and meets one of the following two conditions;
- is domiciled in a zone from which an application may originate and has been in Quebec for at least six (6) months;
 - is, for at least 12 months, the owner of an immovable or the occupant of a place of business, within the meaning of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), located in a zone from which an application may originate.
- 5.2 Additional condition for undivided co-owners of an immovable and co-occupants of a place of business: to be designated, by means of a power of attorney signed by a majority of the co-owners or co-occupants, as the person entitled to sign the application on their behalf and to be entered on the referendum list, if applicable **This power of attorney must be filed before or at the same time as the application.**
- 5.3 An additional condition to the right to sign an application by a corporation is that the corporation must have designated, by resolution, one of its members, directors and employees who, on May 2, 2022, is of the age of majority, is a Canadian citizen, is not under curatorship and is not disqualified from voting by law. **Such resolution must be filed before or at the same time as the application.**

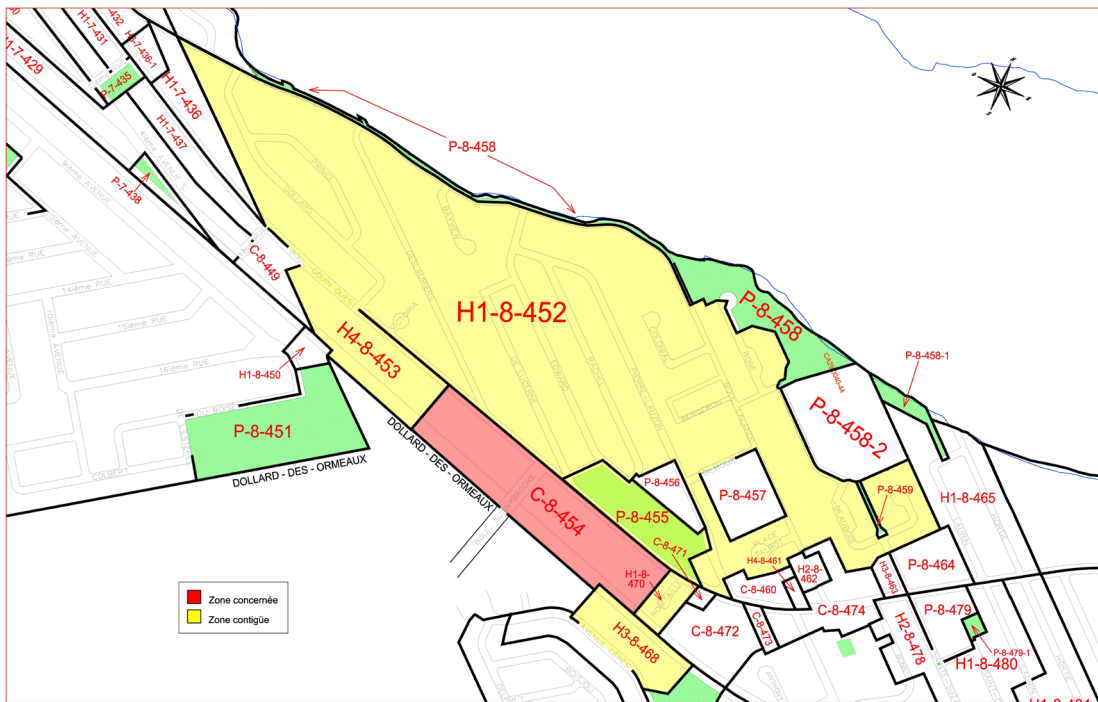
Except in the case of a person designated as a representative of a legal person, no person may be considered to be interested in more than one capacity in accordance with section 531 of the Act respecting elections and referendums in municipalities (R.R.Q., chapter E-2.2).

5. Absence of applications

Any provisions of these second draft by-laws that have not been validly applied for may be included in a by-law that does not require approval by those entitled to vote.

6. Consultation of the draft by-law

This second draft by-law and the detailed illustration of the concerned zones and the contiguous zones can be consulted at the Accès Montréal 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 of the Borough's website at montreal.ca/pierrefonds-roxboro. Any person who requests it may obtain a copy of the second draft by-laws free of charge.



Concerned zone: **C-8-454**

Contiguous zones: **H3-8-468, H1-8-470, P-8-455, H1-8-452 and H4-8-453**

DONE IN MONTREAL, Borough of Pierrefonds-Roxboro
this eleventh day of October in the year 2022.

Pier-Luc Bisailon Landry, Attorney
Secretary of the Borough by interim

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**Extrait authentique du procès-verbal d'une
séance du conseil d'arrondissement**

**Genuine Extract from the minutes of
a Borough Council Sitting**

Séance ordinaire du mardi
4 octobre 2022 à 19 h 45

Résolution: CA22 29 0274

Regular sitting of Tuesday
October 4, 2022 at 7:45 p.m.

PP-2022-001
4700-4704, BOULEVARD SUNNYBROOKE À
L'INTERSECTION DU BOULEVARD GOUIN
OUEST
SECOND PROJET DE RÉSOLUTION

PP-2022-001
4700-4704, BOULEVARD SUNNYBROOKE À
L'INTERSECTION DU BOULEVARD GOUIN
OUEST
SECOND DRAFT RESOLUTION

ATTENDU qu'une réunion du comité consultatif d'urbanisme a été tenue le 7 avril 2021 à 17 h 30, à l'issue de laquelle le projet particulier de construction a été recommandé par ledit comité;

WHEREAS a meeting of the Urban Planning Advisory Committee has been held on April 7, 2021 at 5:30 p.m., at the end of which the specific construction proposal was recommended by said committee;

ATTENDU qu'une consultation citoyenne s'est tenue du 23 juin 2022 au 24 juillet 2022 sur la plateforme de consultation en ligne Cocoriko;

WHEREAS a citizen consultation was held from June 23, 2022 to July 24, 2022 on the Cocoriko online consultation platform;

ATTENDU QUE le premier projet de résolution a été adopté à la séance du 12 septembre 2022 par la résolution numéro CA22 29 0241;

WHEREAS the first draft resolution has been adopted at the September 12, 2022 sitting by resolution number CA22 29 0241;

ATTENDU QU'une assemblée publique de consultation a été tenue du 28 septembre 2022 conformément aux dispositions de la Loi sur l'aménagement et l'urbanisme (L.R.Q., c. A-19.1);

WHEREAS a public consultation meeting was held on September 28, 2022 in accordance with the provisions of the Act respecting land use planning and development (R.S.Q., c. A-19.1);

ATTENDU QUE le procès-verbal de cette consultation écrite a été déposé en séance;

WHEREAS the minutes of this written consultation has been tabled at the sitting;

**Il est proposé par
le conseiller Benoit Langevin
appuyé par
la conseillère Louise Leroux**

**It was moved by
Councillor Benoit Langevin
seconded by
Councillor Louise Leroux**

ET RÉSOLU

AND RESOLVED

D'ADOPTER, en vertu du règlement CA29 0045 sur les projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI), le premier projet de résolution visant à autoriser l'implantation d'un nouveau bâtiment multifamilial (usage H3) de six (6) étages dans la zone C-8-454 au 4700-4704, boulevard Sunnybrooke, à l'intersection du boulevard Gouin Ouest, sur les lots 1 900 120 et 1 899 992, et ce, nonobstant toute disposition contraire inscrite au règlement de zonage CA29 0040;

TO ADOPT, by virtue of by-law CA29 0045 concerning specific construction, alteration or occupancy proposals for an immovable (SCAOPI), first draft resolution authorizing a new six (6) storey multi-dwelling construction (H3 use) in the C-8-454 zone at 4700-4704, boulevard Sunnybrooke, at the intersection of boulevard Gouin Ouest, on lots 1 900 120 et 1 899 992, and that, notwithstanding any contradicting provisions of the zoning by-law CA29 0040;

DE permettre un usage résidentiel multifamilial (h3) sur le site, situé dans la zone C-8-454;	TO allow a multi-dwelling residential use (h3) on the site, located in zone C-8-454
D'autoriser la mixité d'usage habitation (h) et commercial (c1 et c2) au rez-de-chaussée;	TO authorized mixed residential (h) and commercial (c1 and c2) use on the ground floor;
D'autoriser la sous-classe d'usages 581 – Restauration avec service complet ou restreint (c2d) pour le local commercial situé au rez-de-chaussée.	TO authorize the subclass of uses 581 – Restaurant with full or limited service (c2d) for the commercial premises located on the ground floor.
D'établir une superficie minimale de terrain à 1000 mètres carrés;	TO establish a minimum land area of 1000 square meters;
D'établir une profondeur minimale de terrain à 40 mètres;	TO establish a minimum depth of the lot at 40 meters;
D'établir une largeur minimale de terrain à 30 mètres;	TO establish a minimum width of the lot at 30 meters;
DE permettre une structure de bâtiment isolée;	TO allow detached building structure;
D'établir la marge de recul avant minimale à 3,15 mètres (boulevard Sunnybrooke);	TO establish the front setback at a minimum of 3.15 meters (boulevard Sunnybrooke);
D'établir la marge de recul latérale droite minimale à 7,5 mètres (boulevard Gouin Ouest);	TO establish the right lateral setback at a minimum of 7.5 meters (boulevard Gouin Ouest);
D'établir la marge de recul latérale gauche minimale à 9,15 mètres;	TO establish the left lateral setback at a minimum of 9.15 meters;
D'établir la marge de recul arrière à 6,15 mètres;	TO establish the backyard setback at a minimum of 6.15 meters;
D'établir la hauteur maximale du bâtiment à six (6) étages;	TO establish the maximum building height at six (6) storeys;
D'établir le coefficient d'occupation du sol (C.O.S.) à un maximum de 2,6;	TO establish the floor area ratio (F.A.R.) at a maximum of 2.6;
D'établir le coefficient d'emprise au sol (C.E.S.) maximum à 0,50;	TO establish the maximum coverage ratio (C.E.S.) at 0.50;
DE permettre que la cour avant du terrain soit gazonnée ou autrement paysagée à l'aide de végétaux à 25%;	TO allow the front yard of a landsite be grassed or otherwise landscaped with plants and vegetation at 25%;
D'établir le ratio des aires d'agrément à 15 m ² par logement;	TO establish the minimum leisure area at 15 square meters per unit;
DE permettre des espaces de stationnement comportant deux baies paysagères ayant une superficie de 8 m ² et une troisième de 13 m ² ;	TO allow parking spaces with two landscaped bays having an area of 8 m ² and a third one of 13 m ² ;
DE permettre des espaces de stationnement sans baies paysagères lorsque ces espaces sont surplombés par une construction sur pilotis;	TO allow parking spaces without landscaped bays when these spaces are overhanging by pile construction;
DE permettre un espace de stationnement hors rue d'empiéter dans la marge de recul avant minimum;	TO allow an off-street parking area to encroach onto the minimum front setback;
DE permettre une construction souterraine non apparente à 2,7 mètres de la ligne de terrain avant (boulevard Sunnybrooke);	TO allow underground construction that is not apparent at 2.7 meters from the front lot line (boulevard Sunnybrooke);
DE permettre une construction souterraine non apparente à 0 mètre de la ligne de terrain arrière;	TO allow underground construction that is not apparent at 0 meter from the rear lot line;

D'autoriser une zone tampon composée d'un écran acoustique et une palissade dans la cour latérale gauche et la cour arrière dont la hauteur est de 2,4 mètres;

TO allow a buffer zone consisting of an acoustic screen and a fence in the left side yard and rear yard with a height of 2.4 metres;

D'autoriser des conteneurs semi-enfouis extérieurs pour déchets, matières récupérables ou organiques dans la cour avant :

TO allow semi-buried containers for waste, recyclable or organic material in the front yard:

i) sans qu'ils ne soient accessibles par une allée de circulation donnant accès à une rue; et

i) without being accessible by a circulation aisle with a street entrance; and

ii) sans qu'un espace libre d'une longueur minimale de 12 mètres soit aménagé devant les conteneurs semi-enfouis

ii) without an open space of a minimum length of 12 meters in front of the semi-buried containers.

D'ASSORTIR l'acceptation du présent projet particulier de construction aux conditions suivantes :

TO MAKE the acceptance of the present specific construction project subject to the following conditions :

a) L'approbation du plan d'aménagement paysager par la Direction Développement du territoire et études techniques;

a) The approval of the landscaping plan by the "Direction Développement du territoire et études techniques";

b) L'approbation des plans de l'écran acoustique et de la palissade par le Direction Développement du territoire et études techniques;

b) The approval of the acoustic screen and fence plans by the "Direction Développement du territoire et études techniques"

c) Que les demandes de permis et autorisations nécessaires à la réalisation du projet soient effectuées dans les 24 mois suivant l'entrée en vigueur du présent PPCMOI;

c) That the permit and necessary authorizations for the present project be requested during the 24 months following the entry into force of the present SCAOPI;

D'OBLIGER le requérant à respecter toutes les conditions prévues ci-dessus, sans quoi, à défaut de se conformer aux obligations résultant de la présente résolution, les dispositions pénales du Règlement sur les projets particuliers de construction, de modification ou d'occupation d'un immeuble (CA29 0045), s'appliqueront;

TO REQUEST the applicant to respect all the conditions set above and, failure to comply by the obligations resulting from hereby resolution, the penal law provisions of By-law on specific construction, alteration or occupancy proposals for an immovable (CA29 0045), will apply;

En cas de contradiction avec les dispositions énoncées dans le Règlement de zonage de l'arrondissement de Pierrefonds-Roxboro CA29 0040, les critères de la présente résolution prévalent. Toutes autres dispositions dudit règlement continuent à s'appliquer.

In case of conflict with the provisions and standards stated in the zoning by-law CA29 0040 of the Borough of Pierrefonds-Roxboro, the criteria of this resolution prevail. All other dispositions of the zoning by-law CA29 0040 will continue to apply.

QUE soit publié un avis public annonçant la possibilité de faire une demande de participation à un référendum.

THAT a public notice be published announcing the possibility of a request to participate in a referendum.

DE poursuivre la procédure d'adoption de ce projet de résolution.

TO pursue the adoption procedure of this draft resolution.

ADOPTÉ À L'UNANIMITÉ

UNANIMOUSLY ADOPTED

Dimitrios (Jim) BEIS

Maire d'arrondissement
Mayor of the Borough

Pier-Luc BISAILLON LANDRY

Secrétaire d'arrondissement par intérim
Secretary of the Borough by interim

Signée électroniquement le 6 octobre 2022

COPIE CERTIFIÉE CONFORME, le 6 octobre 2022

Pier-Luc BISAILLON LANDRY
Secrétaire d'arrondissement par
intérim/Secretary of the Borough by interim