

## REQUEST FOR REFERENDUM APPROVAL

### SECOND DRAFT BY-LAW NUMBER CA29 0040-52

NOTICE IS HEREBY GIVEN to interested persons in the Borough of Pierrefonds-Roxboro to sign an application to participate in a referendum:

#### 1. Purpose of the project and request for referendum approval

Following the public consultation meeting held on September 26, 2022, the Borough Council adopted, at the sitting held on October 4, 2022, the second draft of by-law number CA29 0040-52 amending zoning by-law CA29 0040 in order to make various corrections and adjustments to section 70 on additional authorized uses for uses in the “One-family dwelling (H1) “Section 73 on the general provisions applicable to an additional use, section 75 on the specific provisions applicable to an additional use “Service business” and section 76 on the specific provisions applicable to an additional use “Family daycare service”.

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. Description of the territory

An application for referendum approval may be made from the concerned zones and contiguous zones.

The amendments introduced by this second draft by-law concern additional uses in the residential group (H) and are applicable to the entire Borough:

The effect of such a request will be to submit the draft by-law to the approval of the qualified voters of the concerned zones and those of the contiguous zones from which a valid request originates.

#### 3. 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 4.

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).

#### 4. Requirements to be a person interested in signing an application

- 4.1 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.
- 4.2 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.**
- 4.3 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 October 4, 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 this second draft by-law that has 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](http://montreal.ca/pierrefonds-roxboro). Any person who requests it may obtain a copy of the second draft by-laws free of charge.

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

/rl

PROVINCE OF QUEBEC

VILLE DE MONTRÉAL  
BOROUGH OF PIERREFONDS-ROXBORO

SECOND DRAFT BY-LAW CA29 0040-52

BY-LAW NUMBER CA29 0040-52 MODIFYING ZONING BY-LAW CA29 0040 IN ORDER TO MAKE VARIOUS CORRECTIONS AND ADJUSTMENTS TO ARTICLE 70 CONCERNING ADDITIONAL AUTHORIZED USES FOR THE “SINGLE FAMILY DWELLING (H1)”, “TWO AND THREE FAMILY DWELLING (H2)” AND “MULTI-FAMILY DWELLING (H3)” USES, TO SECTION 73 ON THE GENERAL PROVISIONS APPLICABLE TO AN ADDITIONAL USE, TO SECTION 75 ON THE SPECIFIC PROVISIONS APPLICABLE TO AN ADDITIONAL “SERVICE BUSINESS” USE AND TO SECTION 76 ON THE SPECIFIC PROVISIONS APPLICABLE TO AN ADDITIONAL USE “FAMILY DAYCARE SERVICE”

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At the Borough of Pierrefonds-Roxboro regular sitting held on October 4, 2022 at 7 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-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 by interim, M<sup>e</sup> Pier-Luc Bisaillon-Landry, also attend the sitting.

HAVING REGARD to sections 113 and 123 to 137.17 of the Act respecting land use planning and development (RLRQ, chapter A-19.1),

WHEREAS the zoning by-law in force in the Borough of Pierrefonds-Roxboro number CA29 0040 came into force on July 19, 2010;

WHEREAS it is necessary to modify it again in order to make various corrections and adjustments to reflect the evolution of the reality of the territory of the Borough of Pierrefonds-Roxboro;

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

### **ARTICLE 1: Interpretation of the present by-law**

This by-law amends zoning by-law number CA29 0040 of the Borough of Pierrefonds-Roxboro and its successive amendments. The present by-law is understood to include the relevant interpretative and administrative provisions of the by-law it amends, as if they were reproduced here.

### **ARTICLE 2: Table of contents**

The table of contents of by-law CA29 0040 is adjusted to reflect amendments, additions and deletions of articles so that it remains accurate as to the chapters, sections and article numbers to which it refers.

### **ARTICLE 3**

The existing article 70 entitled “ADDITIONAL USES PERMITTED FOR USES IN THE “SINGLE-FAMILY (H1)”, “TWO-FAMILY AND THREE-FAMILY (H2)” AND “MULTI-FAMILY (H3)” USAGE CATEGORIES” is amended by replacing the existing subsection 2 with the following subsection AND “MULTI-FAMILY DWELLING (H3)” is amended by replacing the existing paragraph 2 with the following paragraph:

“2° A service business, which is limited to the following uses:

a) Office of a professional practicing one of the following professions governed by the Professional Code (L.R.Q., c. C-26):

- acupuncturist
- certified administrator
- agronomist
- architect
- land surveyor
- lawyer
- chiropractor
- accountant
- guidance counselor
- human resources and industrial relations consultant
- dietitian-nutritionist
- occupational therapist
- certified appraiser
- judicial officers
- geologist
- engineer
- forestry engineer
- interpreter
- speech therapist
- notary
- doctor
- professional technologist, except a technologist connected with a medical, health, paramedical or therapeutic service
- physiotherapist
- psychoeducator
- psychologist
- sexologist
- terminologist
- marital therapist

translator  
social worker  
urban planner

- b) Massage therapist
- c) Landscape Architect
- d) Business office related to the administration of a company (office only);
- e) Environmental Services Office;
- f) Repealed
- g) Repealed
- h) Repealed
- i) Computer Department
- j) Administration and business consulting services
- k) Repealed
- l) Music education
- m) Seamstress
- n) Telework
- o) Repealed
- p) Repealed”

#### **ARTICLE 4**

Existing article 73 entitled “GENERAL PROVISIONS APPLICABLE TO AN ADDITIONAL USE” is amended by replacing subparagraph (c) of existing subsection 4 with the following subparagraph:

“4° c) There can be only one additional use per dwelling unit.”

#### **ARTICLE 5**

The existing article 75 entitled “SPECIAL PROVISIONS APPLICABLE TO AN ADDITIONAL “SERVICE COMMERCE” USE” is amended by the following article 75:

“In addition to the conditions applicable under Section 73, an additional “service business” use is subject to the following conditions:

- 1° Only a person living in the dwelling may work for the business. The business may not employ a person who is not domiciled in the dwelling.
- 2° The floor area occupied by the business cannot exceed 25% of the total floor area of the dwelling or 25 m<sup>2</sup>, whichever is more restrictive.
- 3° No sales of outside products or goods are permitted on site.
- 4° No display windows facing the exterior are permitted.
- 5° Repealed.”

#### **ARTICLE 6**

Existing article 76 entitled “SPECIAL PROVISIONS APPLICABLE TO AN ADDITIONAL USE “FAMILY CHILD CARE SERVICE”” is amended by replacing existing subsection 5 with the following subsection:

“2° The child care facility may not be located on a floor immediately above a dwelling unit.”

**ARTICLE 7: Entry into force**

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