

**REQUEST FOR REFERENDUM APPROVAL
(REQUEST FOR REGISTRY)**

SECOND DRAFT BY-LAW NUMBER CA29 0040-70

By-law number CA29 0040-70 amending zoning by-law CA29 0040 concerning the minimum level required for access to an underground garage and authorized modifications to a derogatory construction

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 second draft by-law and referendum approval

Following the public consultation meeting held on Thursday, June 19, 2025, the Borough Council adopted, at the sitting held on August 4, 2025, the second draft of by-law number CA29 0040-70 amending zoning by-law CA29 0040 concerning the minimum level required for access to an underground garage and authorized modifications to a derogatory construction.

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.

Thus, a request may be made with respect to the following provisions contained in the second draft by-law, namely:

- Article 355 “Extinction of acquired rights relating to a derogatory construction” is replaced by the following:

“The acquired rights of a derogatory construction are extinguished if the construction is damaged, destroyed or demolished as a result of a disaster or other fortuitous cause, and the damages incurred reach 60% or more of the building's assessment roll value at the time of destruction or demolition.

The value of the damage must be established by a person with professional expertise in the field.

The demolition of a derogatory construction, other than as a result of a disaster or other fortuitous cause, causes the loss of all rights acquired over it contrary to any by-law applicable in the case.”

- Article 358 “Modification or enlargement of a derogatory construction” is amended by adding a paragraph 8, which should read as follows:

“8) Notwithstanding paragraph 5, when extending a building whose garage door sill is located less than 20 cm from the average level of the center of the street on the segment corresponding to the width of the driveway serving the garage access, the area of the extension may not exceed 20% of the floor area of the existing building, without exceeding the maximum floor area ratio authorized in this by-law.”

If the request is valid, this means that the second by-law containing this provision must be submitted for approval, by opening a register, to the qualified voters of the zone to which it applies and of any contiguous zone from which the valid request concerning this provision originates.

2. Description of the territory

The amendments made by this second draft by-law are applicable to the entire Borough.

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.

3. Conditions of validity of an application

To be valid, all applications must:

- clearly identify the **provision** 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 no later than 4:30 p.m. on **August 19, 2025**, at either of the following addresses:

By mail, e-mail or in person:

a/s Jean-François Gauthier, Secretary of the Borough
Department of Citizen Relations, Administrative Services and Registry
Pierrefonds-Roxboro Borough Hall
13665, boulevard de Pierrefonds
Pierrefonds (Québec) H9A 2Z4

By e-mail : greffe.pfdsrox@montreal.ca

If the application is sent by mail, it must be received at the address indicated at the latest on **August 19, 2025**, before 7 p.m. to be considered, regardless of postal deadlines.

In addition, each signatory must be an interested person as described in Section 4.

The signatory (who must be of age as of August 4, 2025) 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 August 4, 2025, 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 August 4, 2025, 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 provision 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 4:30 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.

In case of any discrepancy or difference between the French and English versions, the French version of this public notice shall prevail.

DONE IN MONTREAL, Borough of Pierrefonds-Roxboro
this eleventh day of August in the year 2025.

The acting secretary of the Borough,

Marie-Pier Cloutier
Marie-Pier Cloutier, M. A.

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PROVINCE OF QUEBEC

VILLE DE MONTRÉAL

BOROUGH OF PIERREFONDS-ROXBORO

SECOND DRAFT BY-LAW CA29 0040-70

BY-LAW AMENDING ZONING BY-LAW CA29 0040 CONCERNING THE MINIMUM LEVEL REQUIRED FOR ACCESS TO AN UNDERGROUND GARAGE AND AUTHORIZED MODIFICATIONS TO A DEROGATORY CONSTRUCTION

At the Borough of Pierrefonds-Roxboro regular sitting held on August 4, 2025, 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, M^e Jean-François Gauthier, also attend the sitting.

WHEREAS a notice of motion of this by-law was given on June 2, 2025;

GIVEN sections 113 and 123 to 137.17 of the Act respecting land use planning and development (RLRQ, c. A-19.1);

GIVEN sections 130 and 131 of Appendix C of the Charter of Ville de Montréal (RLRQ, chapter C-11.4).

HAVING REGARD TO the adoption of the 2020-2030 Climate Plan by the Ville de Montréal and its recent update to 2025;

HAVING REGARD TO the actions identified in this plan, which aim in particular to adopt regulatory measures that take into account certain climatic disturbances, in order to promote the adaptability and resilience of built environments;

HAVING REGARD TO the Borough's desire to pursue the deployment of the Montréal 2030 Strategic Plan, in particular by identifying the ecological transition as one of the Borough's five 2025 priorities;

HAVING REGARD TO the Borough's desire to integrate sustainable strategies to adapt living environments to current and future environmental challenges;

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

Zoning by-law CA290 040 is amended as follows:

ARTICLE 1 Article 138 is amended by deleting the reference to article 141 in paragraph a) “Other applicable standards” of line 22.1 “Carports and attached or integrated private garages”.

ARTICLE 2 Article 140.1 is amended by modifying paragraphs e) and f) to read as follows:

“e) Except in the case of a private garage serving a use in the “Multi-family dwelling (h3) or Group dwelling (h4)” use categories, a private garage attached to or integrated into a main building must be located at a level higher than 20 cm from the average level of the center of the street on the segment corresponding to the width of the driveway serving the garage access.

f) A private garage attached to or integrated into a main building serving a “Multi-family dwelling (h3)” or “Group dwelling (h4)” use category must be located underground. However, the threshold of the garage door giving access to it must be located at a level more than 20 cm above the average grade of the center of the street on the segment corresponding to the width of the driveway serving the garage access.”

ARTICLE 3 Article 141 is repealed.

ARTICLE 4 Article 342 “Specific provisions applicable to zone H1-6-376” is amended by removing paragraph 1.

ARTICLE 5 Article 343 “Specific provisions applicable to zone H1-6-380” is amended by removing paragraphs 2, 3, 4, 5, 6 and 7.

ARTICLE 6 Article 344 “Specific provisions applicable to zone H1-7-436” is amended by removing paragraphs 1 and 7.

ARTICLE 7 Article 347.9 “Installation of an indoor parking space” is amended by removing paragraph 4.

ARTICLE 8 Article 355 “Extinction of acquired rights relating to a derogatory construction” is replaced by the following:

“The acquired rights of a derogatory construction are extinguished if the construction is damaged, destroyed or demolished as a result of a disaster or other fortuitous cause, and the damages incurred reach 60% or more of the building's assessment roll value at the time of destruction or demolition.

The value of the damage must be established by a person with professional expertise in the field.

The demolition of a derogatory construction, other than as a result of a disaster or other fortuitous cause, causes the loss of all rights acquired over it contrary to any by-law applicable in the case.”

ARTICLE 9 Article 358 “Modification or enlargement of a derogatory construction” is amended by adding a paragraph 8, which should read as follows:

“8) Notwithstanding paragraph 5, when extending a building whose garage door sill is located less than 20 cm from the average level of the center of the street on the segment corresponding to the width of the driveway serving the garage access, the area of the extension may not exceed 20% of the floor area of the existing building, without exceeding the maximum floor area ratio authorized in this by-law.”

ARTICLE 10 This by-law shall come into force in accordance with the Law.