

PROVINCE OF QUEBEC

VILLE DE MONTRÉAL
ARRONDISSEMENT DE PIERREFONDS-ROXBORO

SECOND DRAFT BY-LAW 1047-204

CONCORDANCE BY-LAW MODIFYING ZONING BY-LAW 1047 IN ORDER TO

MODIFY THE ZONING PLAN TO ENSURE ITS COMPLIANCE WITH VILLE DE MONTREAL PLANNING PROGRAMME;

ADD A NEW GROUP OF USES INCLUDING SNOW DUMPING SITES, WATER TREATMENT PLANTS AND PUBLIC UTILITIES, AND TO LIMIT THESE USES TO SNOW DUMPING SITES AND TO THE WATER TREATMENT PLANT;

REPLACE THE DEFINITION FOR THE EXPRESSION “LAND USE RATIO”;

ADD DEFINITIONS FOR THE EXPRESSIONS “BUILDING/LAND SITE COVERAGE”, “COVERAGE RATIO” AND “TOTAL FLOOR AREA”;

ADD EXCEPTIONAL TREATMENTS FOR HEIGHTS, CONSTRUCTION METHODS, LAND USE RATIOS AND BUILDING/LAND SITE COVERAGE THAT VARY IN TERMS OF THE DENSITY ZONES;

ADD A PLAN SHOWING THESE NEW DENSITY ZONES;

ADD PROVISIONS RELATIVE TO MICRO-CLIMATIC IMPACTS;

ADD PROVISIONS RELATIVE TO BICYCLE PARKING;

ADD PROVISIONS APPLICABLE IN A ZONE LOCATED WITHIN 500 M OF THE ROXBORO-PIERREFONDS AND SUNNYBROOKE COMMUTER TRAIN STATIONS;

MODIFY THE PROVISIONS RELATIVE TO THE CUTTING DOWN AND PROTECTION OF TREES;

ADD A PLAN SHOWING NATURAL ENVIRONMENTS IN RELATION TO THE CUTTING DOWN AND PROTECTION OF TREES;

THE WHOLE IN ORDER TO ENSURE THE CONCORDANCE WITH VILLE DE MONTRÉAL PLANNING PROGRAMME, CHAPTER OF THE BOROUGH OF PIERREFONDS-ROXBORO

At the Borough of Pierrefonds-Roxboro special council sitting held in the borough hall situated at 13665, boulevard de Pierrefonds, in the said borough, on April 16, 2007, at 7:30 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-19), at which were present:

Mayor of the Borough Mrs. Monique Worth

Councillors Mrs. Catherine Clément-Talbot
Mr. Christian G. Dubois
Mr. Roger Trottier
Mr. Bertrand A. Ward

all members of the Council and forming a quorum under the chairmanship of the Mayor of the Borough, Mrs. Monique Worth.

Was also present, Mr. Jacques Chan, who was acting as Substitute Secretary of the Borough in the absence of Me Suzanne Corbeil.

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

Zoning by-law 1047 is modified as follows:

SECTION 1 By modifying the zoning plan as follows:

- a) On lot 1 977 652 of the cadastre of Quebec, by creating a new PB-5 zone from part of zone RA-5 and from parts of zones RA, RD and RG, as shown on plan no P005-57 attached to this by-law as Annex A, and forming an integral part thereof;
- b) On lot 1 978 967 of the cadastre of Quebec, by replacing a PB zone with a new PB-5 zone, as shown on plan no P005-58 attached to this by-law as Annex A, and forming an integral part thereof;
- c) On lots 1 898 913 and 1 898 911 of the cadastre of Quebec, and on parts of lots 1 902 626 and 1 898 903, by creating a new PB zone from parts of a PD zone and a PD-P zone, by creating a new PB zone from part of a PD zone and by creating a new PD zone from part of a PD-P zone, as shown on plan no P001-50 attached to this by-law as Annex A, and forming an integral part thereof;
- d) On lots 1 169 392, 1 169 393, 1 169 394 and 1 169 395 of the cadastre of Quebec, by enlarging a PA zone from part of a RA zone, as shown on plan no P002-52 attached to this by-law as Annex A, and forming an integral part thereof;
- e) On lot 1 841 520 of the cadastre of Quebec (île Ménard), by replacing a RA zone with a PA zone, as shown on plan no P004-50 attached to this by-law as Annex A, and forming an integral part thereof;
- f) On lots 2 855 150 2 860 653, 3 395 907 and 3 395 961 of the cadastre of Quebec, by creating a PA zone from part of a RA zone, as shown on plan no P005-56 attached to this by-law as Annex A, and forming an integral part thereof;
- g) On lots 1 841 740, 1 841 741, 1 841 742, 1 841 746, 1 841 748, 1 841 786, 1 841 883, 2 217 983 and 3 307 506 of the cadastre of Quebec, by creating a new RE zone from part of a RE zone, as shown on plan no P004-51 attached to this by-law, and forming an integral part thereof;

- h) On lots 1 977 332, 1 977 383, 1 977 384, 1 977 389 to 1 977 392, 1 977 394 and 2 811 334 of the cadastre of Quebec, by creating three new RA zones from one AG-P zone and two AG zones, as shown on plan no P005-59 attached to this by-law as Annex A, and forming an integral part thereof;
- i) On lots 1 977 226 to 1 977 228, 1 977 233 to 1 977 248, 1 977 250, 1 977 251, 1 977 253, 1 977 254, 1 977 257, 1 977 259 to 1 977 289, 1 977 291, 1 977 293 to 1 977 295, 1 977 300 to 1 977 302, 1 977 304, 1 977 306, 1 977 308 to 1 977 313, 1 977 315, 1 977 330, 1 977 331, 1 978 934, 1 978 990, 1 990 783, 1 990 925, 1 990 926, 1 990 968, 1 990 974, 1 990 975, 1 990 982, 1 991 006, 1 991 009, 1 991 020, 1 991 057, 1 991 058, 1 991 079, 1 991 083, 1 991 084, 2 575 430, 2 575 431, 3 016 043, 3 016 044, 3 070 208, 3 337 338 and 3 337 339 and on portions of lots 1 977 299, 1 979 018, 1 979 019 and 1 990 782 of the cadastre of Quebec, by creating, from part of a AG zone, a new RA zone and by enlarging a RA zone from another RA zone, a AG-P zone and part of a AG zone, as shown on plan no P006-04 attached to this by-law as Annex A, and forming an integral part thereof;
- j) On lots 2 855 075, 2 855 077 to 2 855 088, 2 855 092 to 2 855 094, 2 855 145, 2 855 144, 2 860 677, 2 860 744, 3 093 421 to 3 093 425, 3 138 090 to 3 138 099, 3 205 550, 3 205 551, 3 263 946 to 3 263 950, 3 395 822 to 3 395 830 of the cadastre of Quebec, by creating a new RA zone from part of a RA zone, as shown on plan no P005-60 attached to this by-law as Annex A, and forming an integral part thereof;
- k) On lots 1 172 399, 1 169 397, 3 093 110, 3 093 109, 3 093 112, 3 093 111, 3 093 116, 3 093 115, 1 170 671, 1 170 672, 1 170 674, 1 170 675, 2 355 978, 1 170 673, 3 093 119, 1 170 676, 1 170 738, 1 170 739, 1 170 740, 3 093 122, 1 170 743, 1 170 744, 3 093 124, 3 093 117, 1 172 398, 1 172 279, 1 170 454 and 1 169 309 of the cadastre of Quebec, by creating three new PD zones and three new RG-1 zones from a RG-1 zone, as shown on plan no P002-53 attached to this by-law as Annex A, and forming an integral part thereof.

SECTION 2 By modifying the specifications chart as follows:

- a) Replacing the black box, located at the intersection of the column PB constructions and uses and the line for the P2-1 sub-group, with a white box;
- b) Inserting a new column for PB-5 constructions and uses between the columns for PB-4 and PD-P constructions and uses, and then inserting a new line for sub-group P-5 and for sub-group P5-1 after the line for the P4-2 sub-group, and making the box, located at the intersection of this new column and new line, black.

SECTION 3 By modifying Section 14 as follows:

- a) Replacing the definition applicable to the expression "land use ratio" (LUR) with the following:

"Ratio between the total floor area of the building and the area of the lot on which it is, or will be erected."

b) Adding, in alphabetical order, the following definition:

Building/land site coverage: Quotient obtained by dividing the coverage ratio of all the buildings erected on a single lot by the area of this lot.”

c) Adding, in alphabetical order, the following definition:

“Coverage ratio: surface area delineated by the vertical projection of a building over the ground, including a porch, a veranda, a light well or ventilation shaft, but excluding a terrace, an exterior staircase or an open-air loading bay;”

d) Adding, in alphabetical order, the following definition:

“Total floor area: Floor area of a building, for the purpose of calculating minimum density; floor area excludes spaces used for mechanical purposes (technical room), basement storage areas and the floor area used for basement or semi-basement parking for the purpose of calculating minimum density;”

SECTION 4 By modifying Section 17, adding the following expression at the end of paragraph 4:

“PUBLIC AND INSTITUTIONAL Group 5: public infrastructures”

SECTION 5 By replacing the first paragraph in Section 35 with the following:

“The PUBLIC AND INSTITUTIONAL division “P” includes only detached or semi-detached buildings between one (1) and five (5) storeys high; these buildings include the following structures:”

SECTION 6 By adding the following subsection after subsection 5° in Section 35:

“6° PUBLIC AND INSTITUTIONAL group 5 “P5”: includes only snow dumps, water treatment plants and public utilities;”

SECTION 7 By replacing, in the first paragraph of Section 40, the expression “in Section 41” with the expression “in Sections 41 and 41.1”.

SECTION 8 By adding the following Section 41.1 after Section 41:

“41.1 Exceptional treatments concerning heights and land use ratios”

Despite the provisions relative to minimum and maximum heights and to land use ratios (LUR) shown in the specifications chart or elsewhere in the present by-law, the following rules apply in the density zones shown on the plan in Annex “D” of this by-law:

- 1° In density zone 18-01:
 - a) The number of storeys above ground must not exceed two storeys when the maximum height shown in the specifications chart is more than two storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
 - b) Only detached buildings are authorized;
 - c) The building/land site coverage must not exceed 0.30.
- 2° In density zone 18-02:
 - a) The number of storeys above ground must not exceed two storeys when the maximum height shown in the specifications chart is more than two storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
 - b) Only detached buildings are authorized;
 - c) The building/land site coverage must not exceed 0.30.
- 3° In zone 18-03 :
 - a) The number of storeys above ground must not exceed four storeys when the maximum height shown in the specifications chart is more than four storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
 - b) The building/land site coverage must not exceed 0.50.
- 4° In density zone 18-04:
 - a) The number of storeys above ground must not exceed four storeys when the maximum height shown in the specifications chart is more than four storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
 - b) The building/land site coverage must not exceed 0.50.
- 5° In density zone 18-05:
 - a) The number of storeys above ground must not exceed three storeys when the maximum height shown in the specifications chart is more than three storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
 - b) The building/land site coverage must not exceed 0.50.

6° In density zone 18-06:

- a) The number of storeys above ground must not exceed eight storeys when the maximum height shown in the specifications chart is more than eight storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
- b) The building/land site coverage must not exceed 0.50.

7° In density zone 18-07:

- a) The number of storeys above ground must not exceed ten storeys when the maximum height shown in the specifications chart is more than nine storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
- b) Contiguous dwelling units are not authorized;
- c) The building/land site coverage must not exceed 0.50.

8° In density zone 18-08:

- a) The number of storeys above ground must not exceed six storeys when the maximum height shown in the specifications chart is more than six storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
- b) The building/land site coverage must not exceed 0.50.

9° In density zone 18-09:

- a) The number of storeys above ground must not exceed four storeys when the maximum height shown in the specifications chart is more than four storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
- b) Only detached buildings are authorized;
- c) The building/land site coverage must not exceed 0.50.

10° In density zones 18-01 to 18-09, despite the definitions in Section 14, the floor area of a storey located below ground must not be considered when calculating the land use ratio.

11° In density zone 18-T1:

- a) The number of storeys above ground must not exceed twelve storeys when the maximum height shown in the specifications chart is more than twelve storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;

- b) The land use ratio (LUR) must not be less than 0.2 when the minimum land use ratio (LUR) shown in the specifications chart is less than 0.2;
- c) The land use ratio (LUR) must not be more than 3.0 when the minimum land use ratio (LUR) shown in the specifications grid is less than 3.0;
- d) The building/land site coverage must not exceed 0.50.

12° In density zone 18-T2:

- a) The number of storeys above ground must not exceed sixteen storeys when the maximum height shown in the specifications chart is more than sixteen storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
- b) The land use ratio (LUR) must not be less than 0.5 when the minimum land use ratio (LUR) shown in the specifications grid is less than 0.5;
- c) The land use ratio (LUR) must not be more than 3.0 when the minimum land use ratio (LUR) shown in the specifications grid is less than 3.0;
- d) The building/land site coverage must not exceed 0.50.

13° In density zone 18-C1:

- a) The number of storeys above ground must not exceed ten storeys when the maximum height shown in the specifications chart is more than ten storeys. In all other cases, the maximum height in storeys shown in the specifications chart shall apply;
- b) The land use ratio (LUR) must not be less than 0.2 when the minimum land use ratio (LUR) shown in the specifications grid is less than 0.2;
- c) The land use ratio (LUR) must not be more than 3.0 when the minimum land use ratio (LUR) shown in the specifications grid is less than 3.0;
- d) The building/land site coverage must not exceed 0.50.

The standards for heights and densities given in the preceding paragraph do not apply to a project duly authorized on or before December 10, 2004 as long as it complies with the corresponding standards shown on the specifications chart.

An existing building for which the land use ratio is less than the minimum required in the present by-law may be enlarged without necessarily meeting the minimum land use ratio.

An existing building where the height in storeys is higher than the maximum authorized in the present by-law may be enlarged as long as the height of the addition does not exceed the maximum authorized in this by-law.

SECTION 9 By adding the following Section 54.1 after Section 54:

54.1 Provisions relative to micro-climatic impacts

Territory of application

The provisions of the present section apply in all zones in which heights of 23 m or higher, or more than 6 storeys, are authorized.

Field of application

The provisions of the present section apply to the construction of any new main building that possesses the two following characteristics:

- 1° Its height is 23 m or higher, or more than 6 storeys;
- 2° Its height exceeds, by one half or more, the average height in metres of buildings located within a radius of 50 m.

In applying the present section, buildings with heights that do not comply with the provisions of the zoning by-law in effect are excluded in the calculation of average height.

Wind impacts

The following provisions apply to a building contemplated in the present section:

- 1° The construction must try to avoid creating wind impacts, the average ground speed of which is higher than 15 km/h in winter and 22 km/h in summer, calculated on an hourly basis, with a maximum frequency of exceedance corresponding to 25% of the time on a public road and 10% in a park, a public area and a leisure area;
- 2° The construction must try to avoid creating gusts at ground level that exceed a ground speed of 75 km/h for longer than 1% of the time, the reference period for measuring the gust being 2 seconds or less, with 2% turbulence.

SECTION 10 By adding the following sections and articles after Section 66:

Section III
Provisions relative to bicycle parking

66.1 Obligation to provide bicycle parking

During the construction or enlargement of a main building, bicycle parking units in conformity with the requirements of the present section must be provided.

In the case of an enlargement, only the addition is considered for establishing the requirements.

66.2 Construction standards for bicycle parking units

The required bicycle parking units must be constructed in conformity with the following provisions:

- 1° Units must be located within 50 m of the main access to the building served, or inside the building;
- 2° Each unit must be at least 1.80 m in length;
- 3° Units may be located inside or outside the building;
- 4° Visitors must have free access to the units;
- 5° Each unit must be fixed to the ground or the wall of a building and be designed so that the bicycle may be stored in the normal upright position on two wheels, or hung;
- 6° It must be possible to lock the bicycle into its parking unit.

66.3 Number of bicycle parking units

The minimum number of bicycle parking units required is:

- 1° For a building with 6 or more dwelling units: 5% of the minimum number of car parking spaces required, up to a limit of 10 units;
- 2° For a commercial or community establishment(s), excluding an educational or an industrial facility: 5% of the minimum number of car parking spaces required, up to a limit of 30 units;
- 3° For an educational facility: 1 unit per 10 students.

Section IV
Provisions applicable to certain zones

66.4 Parking in a zone located within 500 m of the Roxboro-Pierrefonds or Sunnybrooke commuter train station

For any non-residential use on a lot located in whole or in part in a zone located within 500 m of the Roxboro-Pierrefonds or Sunnybrooke commuter train station, the minimum parking requirements are reduced by 25%. In addition, such a use must not be served by a number of parking spaces exceeding 25% of the minimum number required in the present by-law.

SECTION 11 By repealing subsection e) in Section 115.1.

SECTION 12 By repealing the expression “during the construction of a project authorized by the municipality” from the last paragraph of Section 115.1.

SECTION 13 By adding the following paragraph at the end of Section 115.1:

Notwithstanding the previous paragraph, it is prohibited to cut down a tree in order to install a sign.

Moreover, if a tree that someone intends to cut down is located in a wood identified on the natural heritage plan in Annex E, and the purpose of this cutting down is for the erection of a new building or the enlargement of an existing building, the proposed structures must be designed in such a way as to maximize the preservation of the trees that are of ecological or esthetic interest.

SECTION 14 By replacing Section 116 with the following Section:

“116 Protection of trees

During construction work, the cutting down of mature trees must be limited to the perimeter of the main construction work, including a strip with a maximum width of five metres (5 m) at its perimeter and in the areas needed for construction of accessory structures and buildings. In addition, for the purposes of constructing a building or carrying out work, areas cleared of trees must be chosen over areas with trees.

During construction work, the following measures apply for the protection of trees not destined to be cut down;

- 1° The natural ground level around the tree must not be modified within an imaginary circle of 3 m in diameter, with the tree trunk at its centre;
- 2° The tree trunk must be protected from impacts throughout the construction period;

- 3° During the construction period, the perimeter of the tree, delineated by the projection of its branches over the ground (drip line), must be protected when its foliage is at risk of being damaged or when the soil is likely to be compacted, by erecting a temporary fence to prevent access by vehicles or machinery; or if this solution is impractical, by installing a protective sheath around the trunk and by spreading a temporary layer of non-compactable material to prevent soil compaction.
- 4° Portions of roots exposed by excavation work must be cut cleanly.

SECTION 15 By adding the following section :

«**193.4.1 PB-5 zone**»

Are permitted in this zone, usages of zones P4-1, P4-2, PR-1 and P5.
Standards of PB zone are the ones applicable in this zone.

SECTION 16 By adding, as Annex D, the plan delineating the density zones, as shown on the plan attached to the present by-law and forming an integral part thereof as Annex D.

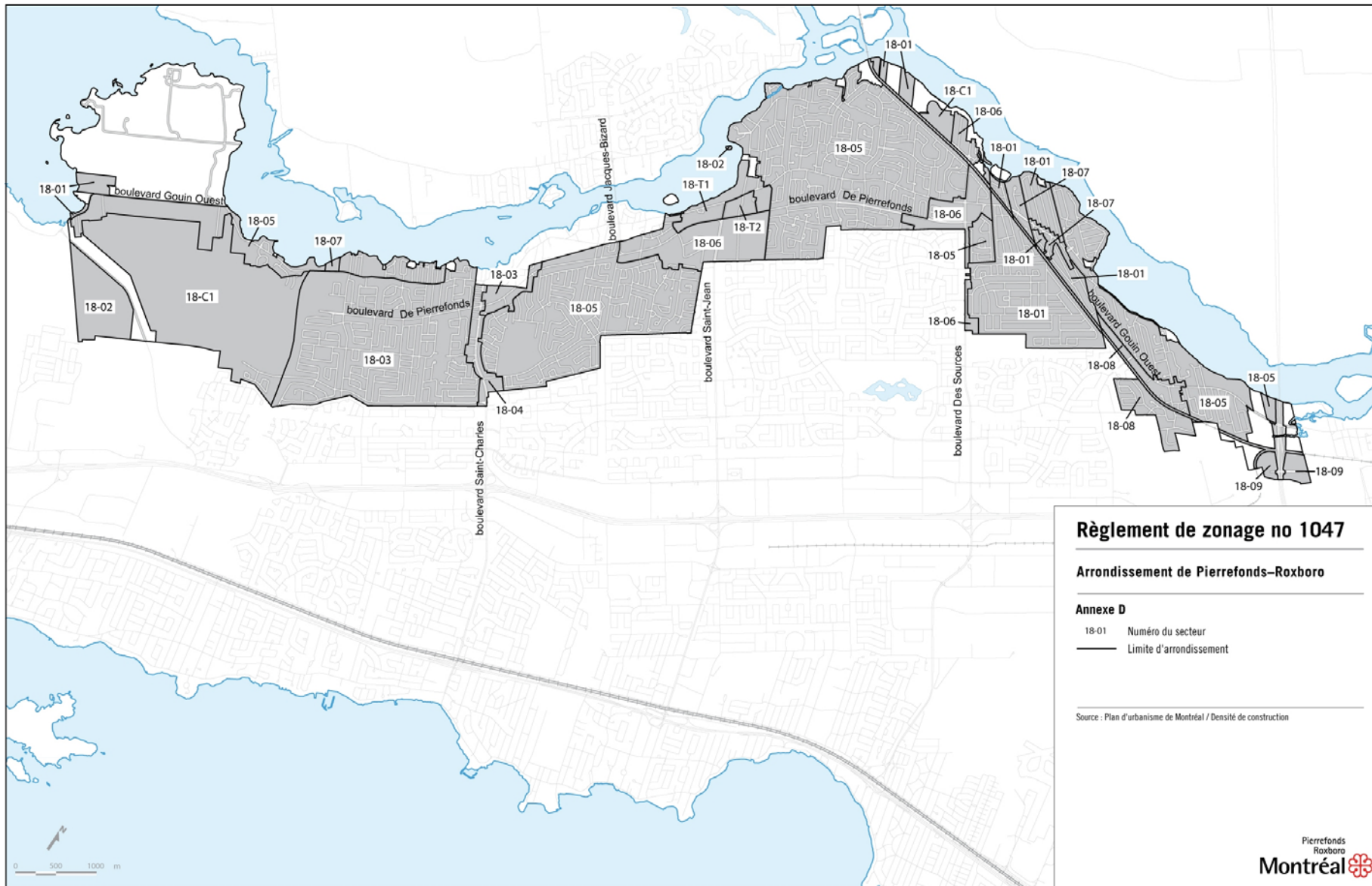
SECTION 17 By adding, as Annex E, the plan relative to the natural heritage, as shown on the plan attached to the present by-law and forming an integral part thereof as Annex E.

SECTION 18 The present by-law comes into effect in accordance with the law.

ANNEX “A”

MODIFICATIONS TO ZONING PLAN

ANNEX D
DENSITY ZONES



Règlement de zonage no 1047

Arrondissement de Pierrefonds-Roxboro

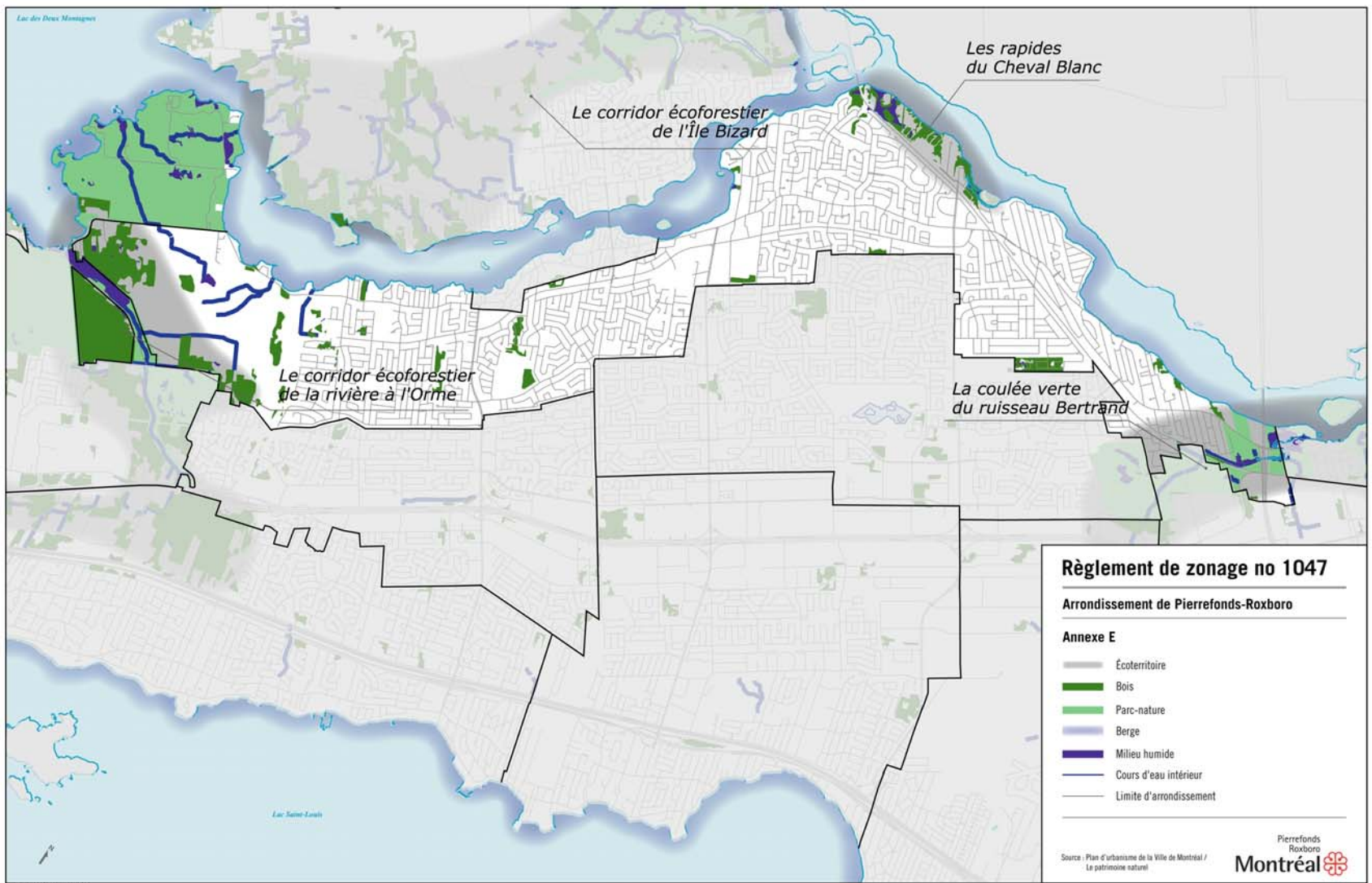
Annexe D

- 18-01 Numéro du secteur
- Limite d'arrondissement

Source : Plan d'urbanisme de Montréal / Densité de construction

ANNEX E

PLAN RELATIVE TO THE NATURAL HERITAGE



Règlement de zonage no 1047

Arrondissement de Pierrefonds-Roxboro

Annexe E

- Écoterritoire
- Bois
- Parc-nature
- Berge
- Milieu humide
- Cours d'eau intérieur
- Limite d'arrondissement

Source : Plan d'urbanisme de la Ville de Montréal /
Le patrimoine naturel

