



Bienvenue à  
*Baie-D'Urfe!*

## **ZONING BY-LAW**

### **NO. 1110**

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## **CHAPTER 1 : DECLARATORY, INTERPRETIVE AND ADMINISTRATIVE PROVISIONS**

### **Division 1.1 : Declaratory provisions**

#### **1.1.1 : Title of the by-law**

This By-Law is entitled "Zoning By-Law of the Town of Baie d'Urfé" and the number 1110. This By-Law comes into force in accordance with the provisions of the law.

#### **1.1.2 : Replacement**

This By-Law replaces by-law no. 875, entitled "*Zoning By-Law*," as modified by all its amendments as well as all inconsistent provisions of another by-law in effect.

This replacement does not affect the permits and certificates that were legally issued under the authority of the by-law replaced hereby or the rights acquired before this By-Law came into force.

In any event where a natural or legal person has violated, on the date on which this By-Law comes into force, Zoning By-Law Number 875, the replacement of said by-law shall not invalidate the situation in which said by-law was violated or confer acquired rights that could be set up against this By-Law.

#### **1.1.3 : Territory and persons subject to this by-law**

This By-Law, whose provisions are enforceable upon natural persons and legal persons of public or private law, applies to the entire territory of the Town of Baie-d'Urfé.

#### **1.1.4 : Compliance with other regulations, by-laws or laws**

Compliance with this By-Law shall not exempt a person from compliance with any other law, regulation, code or directive of the provincial or federal government as well as any other applicable municipal by-law.

#### **1.1.5 : References**

All references to another by-law contained in this By-Law are open, such that they include any amendment that may be made to the by-law referred to herein after it has come into force.

### **1.1.6 : Regulatory alignment**

This By-Law applies concurrently with the other urban planning by-laws, which, where applicable, may be used to interpret these provisions.

### **1.1.7 : Appended documents**

The following documents are appended to this By-Law as an integral part of hereof:

1. Appendix "1," entitled "Zoning Plan";
2. Appendix "2," entitled "Specification Schedules";
3. Appendix "3," entitled "Plan of the archeological areas of interest";
4. Appendix "4," entitled "Natural and anthropogenic constraints plan."

### **1.1.8 : Adoption in parts**

The Town Council of the Town of Baie-D'Urfé hereby declares that it adopts this By-Law chapter by chapter, division by division and section by section, paragraph by paragraph, and sub-paragraph by sub-paragraph, such that any judgment rendered by a court to the effect that any part hereof is null and void shall have no effect on any other parts of this By-Law, unless the meaning and the scope of the By-Law or one of its provisions is altered or modified thereby.

## **Division 1.2 : Interpretive provisions**

### **1.2.1 : By-Law structure**

The numbering method used in this By-Law is the following (when the text of a section does not include numbering for a sub-paragraph or a clause, it is a paragraph):

1. Chapter

1.1 Division

1.1.1 Section

Paragraph

1. Sub-paragraph

a) Clause

### **1.2.2 : Interpretation**

When two (2) standards or provisions in this By-law apply to a use, building, landsite or other object governed by this By-Law, the following rules apply:

1. The particular standard or provision prevails over the general provision;
2. The more restrictive provision prevails.

Unless otherwise indicated by the context, it is agreed that:

1. use of the verb "MUST" or "SHALL" indicates an absolute obligation;
2. use of the verb "MAY" implies an option, except in the expression "MAY NOT," which means "MUST NOT" or "SHALL NOT";
3. the word "WHOEVER" includes any natural or legal person;
4. words importing the male gender include the female gender;
5. the singular includes the plural and vice-versa;
6. the use of verbs in the present tense includes the future.

The table of contents and the titles of the chapters, divisions and sections of this By-Law are given to improve comprehension of the text. In the event of a discrepancy between the text and the title(s) concerned or the table of contents, the text prevails.

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The plans, maps, appendices, tables, charts and symbols and any form of expression other than the actual text and content in this By-Law form an integral part hereof for all legal purposes. In the event of a discrepancy between a table, a chart and the text, the data in the table or the chart prevail.

In the event of a discrepancy between the specifications schedule, the text and the zoning plan, the specifications schedule or the more restrictive provision prevails;

In the event of a discrepancy between the English version and the French version of this By-Law, the French version shall prevail.

The dimensions, areas and other measurements stated in this By-Law are expressed in the international system of units.

### **1.2.3 : Terminology**

Unless specifically indicated otherwise or unless otherwise indicated by the context, the expressions, terms and words have the meaning and the application assigned by the *By-Law on the Administration of Urban Planning By-Laws and the Issue of Permits and Certificates*.

## **Division 1.3 : Zoning plan**

### **1.3.1 : Division of the territory into zones**

For the purposes of regulation, the territory of the Town of Baie d'Urfé is divided into zones on the *zoning plan* in Appendix 1 of this By-Law. These zones are identified with a code made up of capital letters that specifies the land use intended for the zone in order to make it easier to understand the plan. A series of numbers follow the capital letter (e.g. H-1) and identify the specific zone.

For the purposes of identifying the intended land uses that apply to the zones:

Table 1 Zone Identification

Prefix	Principal Allocation or Intended Use of Land
C	Commercial
H	Residential
I	Industrial
P	Public
R	Recreational

### **1.3.2 : Interpretation of the zone boundaries**

Unless otherwise indicated, the boundaries of the zones shown in the *zoning plan* coincide with the centre line of the street right-of-ways or other thoroughfare right-of-ways, railway right-of-ways or an infrastructure, the centre line of watercourses or lakes, the boundaries of the lots or the boundaries of the territory of the Town of Baie-D'Urfé.

Where a boundary does not coincide with any of these elements and there is no measurement indicated, the distances shall be based on the scale of the plan. In such cases, it shall be assumed that the exact boundary of the zone is located in the centre of the line separating it from its neighbour.

### **1.3.3 : Landsite Included in more than one zone**

In the event that the provisions prescribed in the specifications schedule for a landsite included in more than one zone are incompatible, the following rules apply:

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1. The use of each part of the landsite or each part of a building shall comply with the uses authorized in the specifications schedule for the zone in which the part of the landsite or the part of the building is located;
2. In the case of an existing building, the provisions of the specifications schedule for the zone where the building is located apply.

## **Division 1.4 : Specifications schedule**

### **1.4.1 : General**

This By-Law provides a specifications schedule applicable to each zone, which contains the authorized uses and the specific provisions that apply thereto.

The specifications schedules are presented in Appendix "2" of this By-Law.

### **1.4.2 : Structure of the specifications schedules**

A specifications schedule is a table containing 11 sections: "Use Groups and Classes," "Principal Building Siting," "Principal Building Characteristics," "Subdivision Standards," "Specific Provisions," "Accessory Uses to Residential Use," "Additional Zone Information," "Specifically Authorized Use(s)," "Specifically Prohibited Use(s)," "Notes" and "Amendments."

The "Use Groups and Classes," "Specifically Authorized Use(s)" and "Specifically Prohibited Use(s)" sections identify the classes or codes for the uses that are authorized in each of the zones appearing in the zoning plan, while the "Principal Building Siting" and "Principal Building Characteristics" sections establish the principal building siting standards and dimensions that must be observed for each permitted use.

The "Specific Provisions" section includes permissions or prescriptions that must be interpreted in accordance with the provisions of this By-Law. These sections of the schedule form an integral part of this By-Law.

The "Subdivision Standards," "Additional Zone Information," "Notes" and "Amendments" sections include information that may aid in the administration of this By-Law and any other by-law in relation to the zoning and subdivision by-laws in force;

A specifications schedule is composed of columns and lines and corresponds to one zone. Each column includes the normative provisions applicable to a use or a type of siting or structure, and each line corresponds to a standard.

### **1.4.3 : General Interpretation of the schedules**

To determine the permitted uses in the various zones, the following rules apply:

1. For each zone in the zoning plan, there is a corresponding specifications schedule that forms an integral part of this By-Law;
2. In a given zone, only those uses specifically listed in the specifications schedule for this zone are permitted;

3. Where a specific use is authorized, a more general use including such specific use is not permitted;
4. A figure or a number between parentheses that follows a dot ( • ) is the reference specified in another section of the specifications schedule, such as the "Specifically Authorized Use(s)" or "Specifically Prohibited Use(s)" or "Notes" sections;

#### **1.4.4 : Rules of interpretation for the “Use groups and classes” section**

The “Use Groups and Classes” section shall be interpreted based on the following rules:

1. The “Use Groups and Classes” section specifies the authorized uses in each zone. The permitted uses are identified by use group or by use code. The use groups, classes and codes are defined in the chapter concerning the classification of uses in this By-Law. The specific uses shall be interpreted as defined in this By-Law or, where such interpretation is impossible, according to their usual meaning;
2. A dot ( • ) or any other similar symbol in the box of one or more uses indicates that these uses are permitted in this zone as a principal use, subject to specifically authorized uses and specifically prohibited uses. The absence of a dot ( • ) or any other similar symbol means that the use class is not authorized for the zone.

#### **1.4.5 : Rule of interpretation for the “Specifically authorized use(s)” and “Specifically prohibited use(s)” sections**

The “Specifically Authorized Use(s)” and “Specifically Prohibited Use(s)” sections shall be interpreted based on the following rules:

1. The “Specifically Authorized Use(s)” section specifies the specifically authorized uses in the zone based on the use code assigned to it in this By-Law. This means that the use included in the use class in which it is found is specifically authorized. Where a specific use is authorized, the other uses in the same class are prohibited.
2. The “Specifically Prohibited Use(s)” section specifies the specifically prohibited uses in the zone based on the use code assigned to it in this By-Law. This means that the use included in the use class in which it is found is specifically prohibited, but the other uses in the same class are nevertheless authorized.

#### **1.4.6 : Rules of interpretation for the “Principal building siting” section**

The "Principal Building Siting" section is divided into two sub-sections: “Siting Method” and “Setbacks.”

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The "Siting Method" sub-section shall be interpreted according to the following terms and conditions:

1. When a dot ( • ) appears on the same line as the "detached" method, this implies that the principal building must be sited using the detached method;
2. When a dot ( • ) appears on the same line as the "semi-detached" method, this implies that the principal building must be sited using the semi-detached method;
3. When a dot ( • ) appears on the same line as the "contiguous" method, this implies that the principal building must be sited using the contiguous method;

The "Setbacks" sub-section specifies the distances that must be observed for the siting of principal buildings. The following setbacks are expressed in metres. The rules of interpretation are the following:

1. Front setback: The figure indicates the minimum front setback;
2. Side setbacks: The first figure indicates the minimum side setbacks and the second figure indicates the total minimum side setbacks;
3. Rear setback: The figure indicates the minimum rear setback;
4. Where a figure or a number is missing, no setback is applicable.

**1.4.7 : Rules of interpretation for the "Principal building characteristics" section**

The "Principal Building Characteristics" section is divided into four sub-sections: "Building Height," "Dimensions," "Site Coverage Ratio" and "Number of Dwellings per Building."

The "Building Height" sub-section shall be interpreted according to the following terms and conditions:

1. In storeys: The first figure indicates the minimum height in storeys that the principal building shall attain and the second figure indicates the maximum height in storeys that the principal building may attain;
2. In metres: The first figure indicates the minimum height in metres that the principal building shall attain and the second figure indicates the maximum height in metres that the principal building may attain;

The "Dimensions" sub-section shall be interpreted according to the following terms and conditions:

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1. Minimum site coverage area: This is the minimum site coverage area that the principal building shall attain. This area is expressed in square metres;
2. Building width: The figure indicated on this line is the minimum width that the principal building shall respect. This width is expressed in metres.

The "Site Coverage Ratio" sub-section specifies the maximum site coverage ratio, expressed as a percentage, for the principal building based on the terms and conditions established in this By-Law. The area of a private detached garage must be included in this "Site Coverage Ratio".

The "Number of Dwellings per Building" sub-section specifies the maximum number of dwellings that may be found inside the same building. This provision is applicable exclusively to the "Multi-Family (H4)" and "Group Living (H5)" residential use classes.

#### **1.4.8 : Rules of interpretation for the "Subdivision standards" section**

The "Subdivision Standards" section includes the minimum subdivision standards (landsite area, width and depth) for a landsite and refers to the subdivision by-law in force.

The section shall be interpreted according to the following terms and conditions:

1. The subdivision standards are determined on the basis of the use that occupies the landsite or on the basis of the use planned for said landsite as well as on the basis of the siting method for the principal building;
  - a) Lot area – m<sup>2</sup> (min) (2);
  - b) Lot frontage – m (min) (2);
  - c) Lot width – m (min) (2);
  - d) Lot depth – m (min) (2).
2. The standards specified in the specifications schedules are standards for a serviced property located outside of a riparian corridor. In the other cases, the applicable standards concerned can be found in the subdivision by-law in force.

#### **1.4.9 : Rules of interpretation for the "Specific provisions" section**

The "Specific Provisions" section includes the specific provisions that may apply to one or more uses. The section shall be interpreted according to the following terms and conditions:

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1. When a dot ( • ) appears on the same line as "Mixed Use," this implies the possibility of carrying out a mixed method of use with residential use, in accordance with the provisions of this By-Law;
2. When a dot ( • ) appears on the same line as "Multiple Uses," this implies the possibility of carrying out multiple methods of use with uses other than residential use, in accordance with the provisions of this By-Law;
3. When a figure or a number appears on the "Residential Density" line, this implies that the minimal and/or maximum net residential density applies to the landsite. This density is expressed in dwellings per hectare (dwell/ha) and applies only to residential uses. Some exceptions may be found in this By-Law;
4. When a dot ( • ) appears on the same line as "Integrated Project," this implies the possibility of siting principal buildings in the form of an integrated project, in accordance with this By-Law. When a zone includes more than one use belonging to different use groups, it is then possible to carry out a mixed integrated project, in accordance with this By-Law.

**1.4.10 : Rules of interpretation for the "Notes," Additional zone information" and "Amendments" sections**

The "Notes," "Additional Zone Information" and "Amendments" sections include the following information:

1. Additional zone information:

When a dot ( • ) appears on the same line as "specific SPAIP, this implies that the zone located in a subject area by the site planning and architectural integration program by-law "SPAIP" in force. Where no dot ( • ) appears, this indicates that the zone is not located in any of these areas. It should be noted that a landsite may be located, in whole or in part, outside of such an area.

2. Additional information:

When a dot ( • ) appears on the same line as "Specific CDP", this indicates that the zone is located in an area covered by the "CDP" comprehensive development plan by-law in effect. The absence of a dot ( • ) indicates that the zone is not located in any of these sectors. Note that a lot may be located, in whole or in part, outside such a sector.

3. Notes:

A figure between parentheses placed opposite of the "Notes" box corresponds to a specific provision conveyed in this section of the schedule. Said provision is then

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compulsory and prevails over any other applicable provision of this By-Law. It may also refer to specific provisions of a given chapter;

A specific standard may be imposed on a given zone in addition to the general standards. In such a case, the standard is specified in the specifications schedule;

To make it easier to refer to a general standard that specifically applies to a zone, such standard may be indicated in the specifications schedule. The number indicated, where applicable, corresponds to the section of the applicable by-law that shall be applied.

4. Amendments:

The specifications schedules have an "Amendments" section for each zone that indicates the number and the date of the amending by-law which introduced the amendments in the zone concerned.

## **Division 1.5 : Administrative provisions**

### **1.5.1 : Administration and application of the by-law**

This By-Law shall be administered and applied by the competent authority.

The duties and powers of the competent authority are defined in the *Regulation on the Administration of Urban Planning By-Laws and the Issue of Permits of Certificates* of the Town of Baie d'Urfé.

### **1.5.2 : Activities covered**

After this By-Law has come into force, any activity (new construction, renovation, expansion, reconstruction, demolition, or move) on a structure, undertaking or landsite (or a part thereof) shall be carried out in compliance with this By-Law.

A structure or landsite (or a part thereof) shall be occupied and used in compliance with this By-Law, including the extension or replacement of a use.

The requirement of compliance with this By-Law also applies when no permit or certificate is required.

The conditions for the issue of permits and certificates are defined in the permits and certificates by-law in force.

### **1.5.3 : Offences and penalties**

Whoever violates, tolerates or allows a violation of the provisions of this By-Law commits an offence.

An offence against this By-Law shall render the offender liable to the following fines (in all cases, the costs of the proceedings are in addition):

	Natural Person		Legal Person	
	Minimum	Maximum	Minimum	Maximum
<b>First fine</b>	\$100	\$2,000	\$200	\$4,000
<b>Second fine</b>	\$300	\$2,000	\$600	\$4,000
<b>Repeat offence</b>	\$600	\$2,000	\$1,200	\$4,000

The deadlines for paying the fines and fees charged under this By-Law, and the consequences for failing to pay the said fines and fees by the prescribed deadlines shall be established in accordance with the *Code of Penal Procedure of Quebec* (R.S.Q., c. C-25.1).

If an offence lasts longer than a day, the offence committed on each of the days shall constitute a separate offence and the penalties issued for each offence may be imposed for each day that the offence endures, in accordance with this Section.

#### **1.5.4 : Offences, penalties, sanctions and remedies for felling trees**

Whoever violates the provisions of this By-Law with respect to tree felling commits an offence.

An offence against this By-Law in connection with tree felling renders the offender liable to a minimum fine of \$2,500 in addition to (in all cases, the costs of the proceedings are in addition):

1. in the case of a felling in an area smaller than 1 hectare, a minimum fine of \$500 and a maximum fine of \$1,000 per illegally felled tree, up to \$15,000;
2. in the case of a felling in an area of 1 or more hectares, a minimum fine in the amount of \$15,000 and a maximum fine in the amount of \$100,000 per hectare deforested, in addition to, for each fraction of hectare deforested, an amount determined in accordance with the previous sub-paragraph;

The amounts stipulated in the previous subparagraphs are doubled in the case of a repeat offence.

Any offence for unauthorized tree felling shall be met with the obligation of planting a deciduous tree that is at least 0.15 metres in diameter measured at 0.30 metres above ground or a conifer that is at least 1.5 metres high, within 10 months of the offence.

The deadlines for paying the fines and fees charged under this By-Law, and the consequences for failing to pay the said fines and fees by the prescribed deadlines shall be established in accordance with the *Code of Penal Procedure of Quebec* (R.S.Q., c. C-25.1).

#### **1.5.5 : Civil remedies**

In addition to penal remedies, the Town may exercise all civil remedies at its disposal before the courts to ensure that the provisions of this By-Law are observed.

## **Division 1.6 : Provisions respecting the contribution for parks, playgrounds or natural areas for a principal building redevelopment or construction project**

### **1.6.1 : General provisions**

When applying for a building permit or a certificate of authorization, the following operations are subject to the provisions of this Division with respect to the contribution for parks, playgrounds or natural areas:

1. the installation of a new principal building on a landsite for which no subdivision permit has been issued under registration as a separate lot by reason of the fact that the registration resulted from a cadastral renewal;
2. The immovable is the subject of a redevelopment plan.

### **1.6.2 : Determination of the contribution**

A building permit or a certificate of authorization may not be approved, unless the owner, at the discretion of the Town Council:

1. transfers, free of charge, to the Town a landsite that represents 10% of the total area of the immovable concerned and that is located at a site which the Council considers suitable for the establishment or enlargement of a park or playground or the maintenance of a natural area.
2. pays to the Town an amount of money that shall represent 10% of the value entered on the assessment roll for the immovable concerned;
3. transfers to the Town a landsite contemplated in the first sub-paragraph and pays to the Town an amount contemplated in the second sub-paragraph. The value of the landsite assigned free of charge and the amounts of money paid shall represent 10% of the total value of the immovable concerned.

### **1.6.3 : Location of landsites to be transferred**

The landsite transferred free of charge by the owner under section 1.6.2 may be a landsite other than the immovable concerned, provided it is located in the territory of the Town of Baie-D'Urfé.

### **1.6.4 : Rules of computation**

Within the meaning of this By-Law, the total value of the immovable concerned is considered on the date when the Town receives the complete permit or certificate application deemed compliant with the urban planning by-laws and is established based on the value entered in the assessment roll of the Town.

If on the date contemplated in the first paragraph, an immovable, including the site (all of the lots included in the redevelopment plan), for which a value is to be established constitutes a unit of assessment entered on the roll or a part of such a unit of assessment whose value is entered on the roll separately, its value for the purposes of this By-Law is the product of the value entered on the roll for the unit or part thereof corresponding to the landsite whose value must be established, as the case may be, multiplied by the factor of the roll established in accordance with section 264 of the *Act respecting Municipal Taxation* (R.S.Q., c. F-2.1).

In the event that the conditions listed in the second paragraph are not met, the value shall be established, at the expense of the owner, by a chartered appraiser hired by the Town, according to the principles applicable to expropriation.

Any transfer or any payment made for a previous cadastral operation in respect of all or part of the immovable concerned shall be credited to the owner under the rules of computation.

The Council may decide to modify the method of contribution in subsequent phases of the plan or when a new permit or certificate application is submitted for the immovable concerned.

#### **1.6.5 : Notarized agreement**

The cost of the notarized land transfer agreement for a park, playground or natural area shall be borne by the transferor, including, where appropriate, the technical description.

## **CHAPTER 2 : PROVISIONS RESPECTING THE CLASSIFICATION OF USES**

### **Division 2.1 : General provisions**

#### **2.1.1 : Rule of interpretation**

For the purposes of this By-Law, the uses are classified by group and by class. A use may belong to only one class or one group. Where a use is assigned to a given class or group, it is automatically excluded from all other classes or groups, which means:

The only uses permitted in a zone are those expressly authorized in it;

An authorized use in one zone is prohibited in all other zones unless it is expressly authorized in them;

Where a use is not specifically defined in a group or a class, the competent authority searches for the use that comes closest to the desired use (similar use given its characteristics, its nature, its activities and its impacts).

#### **2.1.2 : Principal use**

The following provisions apply to a principal use:

1. One principal use is authorized per landsite, except where otherwise stated in a provision of this By-Law;
2. A principal building shall be located on the landsite to carry out a principal use. However, this provision does not apply to extensive recreational uses;

The provisions of this Section do not apply to an integrated project whose conditions are stated in chapter 10 of this By-Law.

#### **2.1.3 : Mixed use**

Notwithstanding the previous section, the following provisions apply in the case of a building accommodating mixed uses:

1. Where such is indicated in the corresponding specifications schedule, a principal building may accommodate class "C1" residential and commercial uses. The number of dwellings is set in the specifications schedule;
2. The commercial use shall be located on the ground floor of the building but not above a dwelling;

3. Dwellings in the basement are prohibited;
4. The entire ground floor is reserved for commercial purposes;
5. The dwelling shall have a separate entrance for the business;
6. The number of parking spaces required shall be calculated separately based on each use accommodated by the building;
7. The parking areas reserved for residential use shall be separate from those reserved for commercial use;
8. The provisions that apply to the case of a building with mixed uses in terms of land use and development shall be the most restrictive of those that apply to the uses accommodated inside the immovable.

#### **2.1.4 : Multiple uses**

Notwithstanding the provisions of this By-Law, the following provisions apply in the case of a building accommodating multiple uses:

Where such is specified in the corresponding specifications schedule, a principal building may accommodate two principal uses in addition to the "Commercial (C)," "Industrial (I)," and "Recreational (R)" use groups'

In the event that a single use class or code is authorized in the zone, the principal building shall accommodate solely those uses authorized in the specifications schedule.

In an industrial zone, for multiple uses, a maximum number of occupants is established on the basis of the building's area as follows:

1. A building with a surface area of 10,000 m<sup>2</sup> or less may be occupied by no more than two (2) occupants;
2. A building with a floor area of more than 10,000 m<sup>2</sup> but not more than 14,000 m<sup>2</sup> may be occupied by not more than three (3) occupants;
3. A building with a floor area of more than 14,000 m<sup>2</sup>, but no more than 18,000 m<sup>2</sup>, may be occupied by no more than four (4) occupants;
4. A building with a floor area of more than 18,000 m<sup>2</sup> may be occupied by up to five (5) occupants.

Several companies are deemed to constitute one and the same occupier, under the following conditions:

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1. They share reception areas, cafeterias and washrooms;
2. The uses they carry out belong to the same class of use authorized in the zone concerned.

By way of exception, companies that do not necessarily share the same class of use or facilities may also be considered as a single occupant if they can demonstrate that they are closely linked by their corporate structure:

1. When one company holds the majority of the capital of the other; or
2. When several companies are subsidiaries of the same group or parent entity.

The City may require any appropriate documentation to establish this corporate link.

### **2.1.5 : Use groups and classes**

The classification of uses stipulated in this By-Law is divided into use groups, use classes and use codes. For example:

<b>Use Group</b>	<b>Use Class</b>	<b>Use Code</b>
Commercial (C)	C1	C101, C102, C103, etc.
	C2	C201, C202, C203, etc.

### **2.1.6 : Authorized uses within the limits of the town**

The following uses are authorized within the limits of the Town, in all zones without any minimum standard in relation to the dimensions of buildings, unless otherwise specified in this By-Law:

1. parks, playgrounds, beaches, paths, bicycle paths and other green spaces under the responsibility of a public body, including service buildings (washrooms, changing rooms, entrance booths) and outdoor sports facilities (soccer, baseball, etc.) ;
2. wildlife habitat protection, conservation and development activities, including watercourse maintenance and development work;
3. boat landings, launching ramps and washing services under the responsibility of a public body, including service buildings (washrooms, changing rooms, entrance booths, meeting rooms, etc.) ;
4. water supply, sewer, gas, electricity, telephone and cable network distribution lines, including wells, water intake structures and sources, water reservoirs,

pumping or metering stations and facilities and other public utility services. Electrical equipment required for underground networks (pad-mounted transformers, disconnect enclosures, etc.) are also included; (does not concern telecommunication towers and antennas);

5. urban furniture and public works of art;
6. road and railway infrastructures;
7. water and sewer infrastructures;
8. public parking areas managed by the Town;
9. facilities for capturing, treating and distributing water;
10. telephone booths;
11. Post Canada mailboxes and postal boxes;
12. public transportation stations and terminals;
13. public bus shelters.

#### **2.1.7 : Prohibited uses within the limits of the town**

The following uses are prohibited within the limits of the Town, in all zones without any minimum standard in relation to the dimensions of buildings, unless otherwise specified in this By-Law:

short-term rentals within a residence other than a principal residence of a period lasting not more than 31 consecutive days.

## **Division 2.2 : Classification of principal uses**

### **2.2.1 : “Residential (H)” use group**

The use classes in the “Residential (H)” group are the following:

1. Class "H1" includes: single-family housing, i.e. buildings with only one dwelling;
2. Class "H2" includes: bi-family housing, namely buildings containing two dwellings arranged vertically or horizontally on a single landsite;
3. Class "H3" includes: tri-family housing, namely buildings containing three dwellings arranged vertically or horizontally on a single landsite.
4. Class "H4" includes: multi-family housing, namely buildings containing four or more dwellings arranged vertically or horizontally on a single landsite. The maximum number of dwellings in a building is specified in the specifications schedule;
5. Class "H5" includes: group living housing composed mainly of rooms or dwellings with one bedroom and which dedicate 10% of their space exclusively to resident use (lounges, recreational areas, onsite meal preparation and consumption). This use class specifically includes private residences for seniors, residential centres, student residences, etc. As ancillary service, the residence may include accessory uses that are necessary for residents, such as a cafeteria, laundry facilities, or a communal hall.

### **2.2.2 : “Commercial (C)” use group**

The use classes in the “Commercial (C)” group are the following:

1. Class "C1" (Local Commerce and Services) includes commercial establishments that offer personal goods and services required by the population on a regular or semi-regular basis. These uses are mainly carried out inside a building.

Table 2 - Classification of Class "C1" Uses

<b>Use Code</b>	<b>Description</b>
C101	Convenience stores.
C102	General and specialized food stores: grocery stores, food markets, pastry shops, bakeries, butcher shops, seafood shops, fruit stores, natural food stores, wine and spirit stores.  Onsite food production activities are authorized provided they occupy less than 30% of the floor area.

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Use Code	Description
C103	Specialty stores: stationers, office supply stores, bookstores, decoration stores, arts and crafts stores (creation and sale), antique stores, small pet stores, music stores, jewelry stores, pharmacies, florists, gift stores.
C104	Stores offering specialized products and services such as sports, leisure and recreational articles, equipment and accessories (sale and rental).
C105	Furniture, household appliance and electronics stores.
C106	Clothing, shoe and fashion accessory stores.
C107	Department stores, sales of various products.
C108	Specialized service stores: video stores, laundromats, hair, beauty or body care salons, tanning studios, photography studios, frame stores, travel agencies, costume rental services, caterers (no consumption on site or at the counter), grooming services.
C109	Specialty shops and studios: sewing shops, cleaners, tailors, shoemakers, upholsterers, repair services for radios, televisions and other small household or electronic appliances.
C110	Banking and financial services: banks, credit unions, financial and insurance services, brokerage offices (securities and real estate).
C111	Professional offices, such as architecture firms, urban planning firms, doctor's offices, engineering firms, etc.
C112	Business offices that do not have customer traffic on site, such as decentralized information technology services, call centres, etc.
C113	Veterinary clinics. As an ancillary service, animal boarding facilities are authorized provided they make up less than 30% of the floor area of the establishment.
C114	Medical and healthcare services: healthcare professional offices, medical clinics.
C115	Private education schools and training centres such as: music, dance, martial arts (and other sports and physical activities not requiring physical fitness equipment), personal growth, crafts, driving schools.

- Class "C2" (Arterial Trade) includes commercial establishments offering goods and services required for the exceptional needs of the population, establishments related to industrial, construction and wholesale services. These uses are mainly related to the inside of the principal building.

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Table 3 - Classification of Class "C2" Uses

Use Code	Description
C201	Commercial establishments selling funerary monuments and tombstones.
C202	Plumber and electrician companies.
C203	Commercial establishments selling pools, hot tubs, sheds and other outdoor objects.
C204	Renovation centres and hardware stores.
C205	Commercial establishments that specialize in selling materials for construction, electrical appliances and equipment, plumbing, heating, air conditioning and other mechanical systems (without outdoor storage, heavy vehicle parking).
C206	Commercial establishments that sell or rent tools (excluding machinery).

3. Class "C3" (Entertainment Establishment) includes the following entertainment establishments whose principal use shall be mainly carried out inside the principal building.

Table 4 - Classification of Class "C3" Uses

Use Code	Description
C301	Establishments where the principal activity is the presentation of cultural shows, such as movie theatres, interpretation and exhibition centres, dance halls, theatres and museums, and where restaurant service or food and drink consumption (alcoholic or not) is only incidental.
C302	Meeting rooms and function rooms.
C303	Artist or craft studios and workshops, art and craft galleries.
C304	Commercial indoor recreation establishments such as physical fitness centres, arenas, pools, tennis courts, curling clubs, bowling alleys, pool halls.
C305	Mini-golf courses (indoors or outdoors).
C306	Establishments where the principal activity is serving beverages (alcoholic or not), such as bars and discotheques.

4. Class "C4" (Commercial Food Service and Lodging Establishment) includes food service and lodging establishments whose use is mainly carried out inside a building.

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Table 5 - Classification of Class "C4" Uses

Use Code	Description
C401	Establishments where the principal activity is serving meals and beverages (alcoholic or not) for consumption on site, such as restaurants, cafes, dairy bars, bistros and taverns (full-service food service establishments).
C402	Establishments where the principal activity is the over-the-counter service of food prepared for quick consumption at the counter, including establishments with a drive-in or drive-through service (partial-service food service establishments).
C403	Inn-type lodging establishments with 25 rooms or less.
C404	Hotel-type lodging establishments (hotels, motels, inns with over 25 rooms) and resort complexes.

5. Class "C5" (Commercial Establishments with Impacts) includes commercial activities that cause impacts due to the material or machinery that is stored, the machinery that is used to carry out operations, the imposing structures of the buildings or due to the major traffic flow resulting from this type of use.

Table 6 - Classification of Class "C5" Uses

Use Code	Description
C501	Establishments that sell, rent and repair mechanical, construction site or road equipment (machinery, tractor) and heavy vehicles.
C502	Building construction and maintenance-related offices and services (excavation contractors, general construction contractors, specialized construction contractors, plumbers, electricians, landscaping, etc.), including parking or storage of commercial vehicles, heavy vehicles, tool vehicles and all other work or service vehicles.
C503	Excavator, snow removal or road maintenance offices and services, including parking or storage of commercial vehicles, heavy vehicles, tool vehicles and all other work or service vehicles.
C504	Storage (outdoor or indoor), sales and distribution activities for construction materials and various other materials (in bulk or not).
C505	Storage (outdoor or indoor) activities for various goods and products (recreational vehicles, buildings or temporary structures, etc.).
C506	Carpentry, machining, welding or electrical shops.

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Use Code	Description
C507	Establishments related to product transportation, logistics and distribution.
C508	Parking lots, including heavy vehicle parking areas.
C509	Flea markets, second-hand stores, auction sales, and auction sites for new or used products.
C510	Commercial nurseries, garden centres and greenhouses.
C511	Wholesale commercial establishments, including the sale of agricultural products (seeds, fertilizers, mash).
C512	Versatile warehouses intended for lease (mini-warehouses).
C513	Animal rescue centres and shelters that hold a MAPAQ permit and carry out their operations inside. As an ancillary service and as part of the operations of the rescue centre or shelter only, the establishment may provide adoption services and veterinary care.

### 2.2.3 : “Industrial (I)” use group

The use classes in the “Industrial (I)” group are the following:

1. Class “I1” (High Technology Industry) includes research, (excluding scientific or pharmaceutical research on animals), technology development, data processing, technical and professional assistance, coordination and planning establishments. The architectural quality of the buildings and outdoor designs are of high quality.

Due to the nature of their activities, these establishments do not cause any customer traffic or, on a regular basis, heavy goods vehicle traffic.

Table 7 - Classification of Class "I1" Uses

Use Code	Description
I101	Research, development and test centres.
I102	Software or software package industries.
I103	Electronic or computer hardware industries.
I104	Pharmaceutical product and medicine industries.
I105	Medical, orthopedic, ophthalmic or surgical device industries.

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Use Code	Description
I106	Medical laboratories.
I107	Data processing centres.

2. Class "I2" (Low-Impact Industry) includes establishments that manufacture products by processing, assembling or remodeling materials and other pre-fabricated or partially pre-fabricated products, whose use is mainly carried out inside a building.

Due to the nature of their activities, these establishments cause few disadvantages for their neighbourhood (limited impacts).

These establishments may engage in, as ancillary activities, the repair and maintenance, distribution and sale of products normally manufactured by the establishment, and their transportation to points of sale or for processing. Furthermore, these establishments may include related activities such as packaging.

Table 8 - Classification of Class "I2" Uses

Use Code	Description
I201	Door and window, kitchen cabinet, furnishing and furniture industries and other related activities or manufacturing operations.
I202	Clothing and other textile material manufacturing industries (various fabrics and household linens).
I203	Sign and display industries.
I204	Sports equipment, toy and game manufacturing industries.
I205	Jewelry and silversmithing industries.
I206	Printing, publishing and related activity industries.

3. Class "I3" (High-Impact Industry) includes establishments that manufacture products by processing, assembling or remodeling materials. This use class excludes the primary processing of materials. The use is mainly carried out inside a building.

Due to the nature of their activities, these establishments are likely to cause nuisance to their neighbourhood (noise, odours, smoke, vibrations, flashing lights, dust, etc.) and have major impacts as a result.

These establishments may engage in, as ancillary activities, the repair and maintenance, distribution and sale of products normally manufactured by the

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establishment, and their transportation to points of sale or for processing. Furthermore, these establishments may include related activities such as packaging.

Table 9 - Classification of Class "I3" Uses

Use Code	Description
I301	Plastic and rubber material industries.
I302	Metal and metal product industries.
I303	Transportation equipment and machinery-related industries.
I304	Vehicle-on-frame design, manufacturing and processing industries, including trailers and watercraft.

#### 2.2.4 : “Public (P)” use group

The use classes in the public and institutional group are the following:

1. Class "P1" (Public and Institutional) includes institutional, government and public uses and services (and for private purposes in some cases):

Table 10 - Classification of Class "P1" Uses

Use Code	Description
P101	Health and social services establishments, such as local community service centres, hospital centres, hospitals, protection centres for children and youth, health and social services centres, long-term care and housing centres (public or private), local rehabilitation centres and shelters.  Intermediate resources, in the meaning of the <i>Act respecting Health Services and Social Services</i> (R.S.Q., c. S-4.2), are also included in this use code provided the use is not carried out on dwelling premises.
P102	Childcare and day care centres in the meaning of the <i>Educational Childcare Act</i> (R.S.Q., c. S-4.1.1).
P103	Education and training centres, except for college and university education institutions. The latter are however authorized if they are connected to a specific resource in the vicinity, such as a training centre on wildlife or for interpreting the natural environment.
P104	Local government and para-governmental services.
P105	Municipal services (city hall, cultural and community centres, libraries, road network and public works, and other municipal buildings) and public safety services (police, firefighters).

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Use Code	Description
P106	Tourism information booths.
P107	Places of worship, cemeteries.
P108	Non-profit organizations.
P109	Public outdoor or indoor markets where the main activity is the sale of food products.

2. Class "P2" (Public Utility) includes the following uses related to public utility services (and for private purposes in some cases):

Table 11 - Classification of Class "P2" Uses

Use Code	Description
P201	Depots, distribution (service) and maintenance centres for electric, telephone or gas companies or other public services, including generating stations and substations.
P202	Wastewater treatment or purification plants, including wastewater lagoons and aerated ponds, and drinking water filtration plants.
P203	Operations related to waste processing and recycling (ecocentres).
P204	Retention basins.
P205	Telecommunication antennas and telephone lines.
P206	Windmills.
P207	Power lines.
P208	Public parking.
P209	Natural gas and oil pipelines.

### 2.2.5 : "Recreational (R)" use group

The "Recreational (R)" use group includes extensive recreational activities of a public or private nature. These uses include recreational and leisure activities that are usually performed in vast outdoor areas, but require only light developments and/or a few accessory buildings.

Table 12 Classification of "Recreational (R)" Group Uses

Use Code	Description
R101	Multifunctional paths, including bicycle paths, hiking paths, horse riding paths, cross-country skiing and backcountry cross-country skiing trails, interpretation trails or trails for outdoor sports such as rock climbing, forest adventure courses (e.g. zip lines, suspended bridges, swings), and mountain climbing activities.
R102	Nature interpretation centres or centres connected to a resource on site (historical, archeological, ecological, and recreational).
R103	Nature conservation and preservation activities.
R104	Activities related to the practice of nautical activities such as kayaking or canoeing, including beaches.
R105	Other sports and outdoor activities that require large unbuilt spaces and basic developments.

## **Division 2.3 : Complementary uses to the residential group**

### **2.3.1 : Authorized complementary uses**

Authorized complementary uses to a principal use in the Residential group are those that are specifically authorized in this Division according to the conditions stated herein.

Where there is no specific authorization, the complementary use is prohibited.

### **2.3.2 : Home-based practices**

A complementary home-based practice use corresponds to a professional, artistic, artisanal or service activity practiced inside a home by its occupant and described in the following table. The table also prescribes the use class of the Residential group in which the complementary use is authorized to be carried out.

Table 13 Complementary Home-Based Practice Use

<b>Authorized Complementary Home-Based Practice Use</b>	<b>Principal Use Class of the (H) Group where the Complementary Use Is Authorized</b>
Professional services or services to businesses (real estate, legal, administration, business management, investment, insurance, financial management, travel, marketing, photography, graphic artist, architecture, urban planning, engineering, environment, accounting, advertising, information and computer technology, media, translation, etc.)	Classes H1, H2, H3 Class H4, without client traffic
Art or artisanal practices, including the sale of artwork or objects produced on the premises (sculptor, painter, ceramicist, weaver, etc.)	Classes H1, H2, H3 Class H4, without client traffic
Teaching through private lessons, such as those given to one person at a time (homework assistance, singing and music, art and crafts)	Classes H1, H2, H3
Health-related individual counselling services (physiotherapy, occupational therapy, chiropractic, psychology, hair or beauty salon, etc.).	Classes H1, H2, H3
On-site food production (artisanal bread bakeries and confectioneries). Caterers and country tables	Classes H1, H2, H3
A home childcare service as defined in the <i>Educational Childcare Act (CQLR, c. S-4.1.1)</i>	Classes H1, H2, H3

### **2.3.3 : Conditions of practice**

The following conditions apply to the complementary home-based practice use:

1. One (1) complementary home-based practice use is authorized per principal dwelling ;
2. Less than 25% of the floor area of the dwelling is used for this practice, up to a maximum of 40 square metres;
3. The practice is operated by the occupants of the dwelling and one (1) other person from the outside may work there;
4. No window or other display is visible from the outside;
5. The practice shall be operated inside the principal building;
6. No external identification is authorized except for a non-illuminated identification sign that complies with the provisions of section 8.2.1 of this By-Law;
7. The practice shall not give rise to any exterior storage;
8. The home-based practice shall never constitute a source of nuisance (noise, odour, flashing lights, dust, smoke, excessive traffic) for the neighbourhood and shall never cause any prejudice to the natural environment;
9. The home-based practice may not entail retail sales, except in the case of products made on site, such as artisanal products or products that are linked to the use that is carried out there;
10. The complementary use shall not give rise to any architectural alteration of the building that is visible from the outside;
11. Any home-based practice shall not require the development of an additional off-street parking space or the storage of commercial vehicles.

### **2.3.4 : Room rental**

Where authorized in the specifications schedule, rooms may be rented as an ancillary activity to housing carried out as a principal use. The conditions for establishing and carrying out the rental of rooms are the following:

1. The rental of at most two rooms by one single occupant per room is authorized;
2. The maximum area occupied by the rooms for rent is set at 25% of the gross habitable floor area of the principal building, but shall not exceed an area of 40 m<sup>2</sup>;

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3. The height from the finished floor to the finished ceiling of any room for rent shall be at least 2.3 m;
4. All rooms for rent shall be connected by a communal access to the principal dwelling. This communal access shall be provided in a habitable room, inside the housing;
5. The rental of rooms shall not give rise to any architectural alteration of the building that is visible from the outside;
6. A separate civic number may not be assigned to a room for rent;
7. Kitchen appliances are not authorized in a room for rent, except for a refrigerator and a coffeemaker.



## Division 2.4 : Complementary uses to the commercial group

### 2.4.1 : Authorized complementary uses

Unless otherwise indicated that a use is specifically prohibited in the classification of uses or in the schedule of uses and standards for the zone concerned, authorized complementary uses to a principal use in the Commercial group are:

1. the Commercial group uses that are authorized in the schedule of uses and standards for the zone concerned;
2. the specific complementary uses listed in this Division. Where said complementary uses are specifically authorized, the authorization granted in the previous sub-paragraph shall be excluded.

Table 14 Complementary Uses to a Commercial Group Use

Authorized Complementary Use	Principal Use Class of the (C) Group where the Complementary Use Is Authorized
Sale of horticultural and vegetable products on a maximum floor area of 200 m <sup>2</sup>	Class C1 (C102)
Tasting space with furnishings to accommodate a maximum of 10 clients, where alcohol is not served.	Class C1 (C102)
Restaurant, bar.	Classes C3 (304), C4 (C403, C404)
Reception room	Classes C3 (304), C4 (C403, C404)
Auditorium	Classes C4 (C403, C404)
Store specialized in selling products related to the use	Classes C3 (304), C4 (C403, C404)
Health and spa centre	Classes C4 (C403, C404)

### 2.4.2 : Conditions of operation

The following conditions apply to the complementary use to the Commercial group use:

1. The number of complementary uses is not limited;
2. The floor area of the complementary uses may not exceed 25% of the floor area of the principal use;
3. No parking space is required to carry out the complementary use. However, to calculate the parking spaces in relation to the principal use, the floor area of the principal use and complementary uses shall be considered;

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4. A complementary commercial use to the commercial use shall be carried out inside of the same premises as the principal use and shall not give rise to any outdoor storage;
5. A separate address or separate entrance shall not be added to indicate or demonstrate the presence of a complementary commercial use;
6. The complementary commercial use shall have the same opening hours as the principal use;
7. The complementary uses may be carried out under a separate corporate name from the corporate name of the principal use.



## **Division 2.5 : Complementary uses to the industrial group**

### **2.5.1 : Authorized complementary uses**

All “Commercial (C)” group uses are authorized as a complement to a principal use in the “Industrial (I)” group.

### **2.5.2 : Complementary commercial activities to a principal industrial use**

Where a schedule of uses and standards refers to this Section, all “Commercial (C)” group uses are authorized on the following conditions, as a complement to a principal use in the “Industrial (I)” group:

1. The complementary “Commercial (C)” group use shall provide a service or goods to workers and clients of businesses located in the area assigned to an industrial use;
2. The total area occupied and used by complementary uses of a commercial nature may not be greater than 20% of the total area of the landsite;
3. The activity shall be carried out inside the principal building;
4. It is prohibited to store anything outdoors in the front yard, in the secondary front yard or in a side yard;
5. When the activity involves outdoor storage, all stored merchandise or material shall be located within a storage area located in the rear yard and surrounded by a fence in accordance with the provisions of the section 2.8.3.

## **Division 2.6 : Complementary uses to the public group**

### **2.6.1 : Authorized complementary uses**

Unless authorized indicated that a use is specifically prohibited in the classification of uses or in the schedule of uses and standards for the zone concerned, authorized complementary uses to a principal use in the Public group are:

1. the Recreational group uses that are authorized in the schedule of uses and standards for the zone concerned;
2. the specific complementary uses listed in this Division.

Table 15 Complementary Uses to a Public Group Use

<b>Authorized Complementary Use</b>	<b>Principal Use Class of the (P) Group where the Complementary Use Is Authorized</b>
Restaurant	Class P (P101, P104, P105)
Reception room	Class P (P103, P104, P105)
Community centre	Class P (P101, P104)
Store specialized in selling and leasing products related to the use	Class P (P106)

### **2.6.2 : Conditions of operation**

The following conditions apply to the complementary use to the Public group:

1. The number of complementary uses is not limited;
2. The floor area of the complementary uses may not exceed 25% of the land area of the principal use;
3. No parking space is required to carry out the complementary use. However, to calculate the parking spaces in relation to the principal use, the floor area of the principal use and complementary uses shall be considered.

## **Division 2.7 : Complementary uses to the recreational group**

### **2.7.1 : Authorized complementary uses**

Unless authorized indicated that a use is specifically prohibited in the classification of uses or in the schedule of uses and standards for the zone concerned, authorized complementary uses to a principal use in the Recreational group are:

Table 16 Complementary Uses to a Recreational Group Use

<b>Authorized Complementary Use</b>	<b>Principal Use Class of the (R) Group where the Complementary Use Is Authorized</b>
Restaurant	Class R (R104)
Bars	Class R (R104)
Reception room	Class R (R104)
Community centre	Class R (R104)
Washroom, cloakroom, entrance booth, shelter	Class R (R101)
Store specialized in selling and leasing products related to the use	Class R (R104)

### **2.7.2 : Conditions of operation**

The following conditions apply to the complementary use to the Recreational group:

1. The number of complementary uses is not limited;
2. The floor area of the complementary uses may not exceed 25% of the land area of the principal use;
3. No parking space is required to carry out the complementary use. However, to calculate the parking spaces in relation to the principal use, the floor area of the principal use and complementary uses shall be considered.

## **Division 2.8 : Other complementary uses**

### **2.8.1 : Parking and storing vehicles other than recreational vehicles**

The parking and storage of vehicles other than recreational vehicles are subject to the following conditions:

1. A vehicle may be parked inside a parking area;
2. Notwithstanding the foregoing, the parking and storage of a heavy vehicle, such as a tractor, a bus, a snow removal truck, a grader or a truck with more than 1 tonne of loading capacity is prohibited on a landsite whose principal use is residential;
3. A heavy vehicle may be parked or stored solely in a side or rear yard, at a minimum distance of 2 m from any landsite line;
4. A vehicle may not be parked or stored on a vacant landsite, except if this use is carried out in accordance with this By-Law, as a principal use;
5. Only one single motor vehicle per landsite occupied by a principal residential use may be stored, if the vehicle is registered and in good working condition.

### **2.8.2 : Outdoor storage**

1. Heavy vehicles:
  - e) The regular storage or parking of any heavy vehicle such as a tractor, bus, snowplow, grader or truck with a loading capacity of more than one (1) tonne, or the construction of garages, sheds or other structures for this purpose, is prohibited everywhere except for commercial, public and industrial uses, subject to the provisions of Chapter 11;
  - f) the storage or parking of heavy vehicles is prohibited on vacant lots.
2. The following uses are authorized in all zones, on condition that the objects stored are located at a minimum distance of 30.48 metres (100 feet) from the centre line of any street; otherwise, on condition that they are stored in the rear setback or lateral setbacks, and are concealed by a fence, structure or planting so as not to be visible from the street:
  - a) For any residential use, the storage or parking of recreational vehicles or equipment such as caravans, trailers, tent trailers, boats and snowmobiles; living in such equipment is strictly prohibited;
  - b) The storage of firewood, but only for the needs of the main use and never more than ten (10) cords at a time;

- c) The storage of garbage containers.
3. Notwithstanding the provisions of the preceding paragraph, the following uses are permitted in all zones in the front setback or side setbacks without the objects in question being screened in accordance with the above requirements:
- a) For any residential use, the parking of recreational equipment such as caravans, trailers, tent trailers, boats and snowmobiles subject to a maximum period of four (4) consecutive days at a time;
  - b) For any residential use, parking of other vehicles (including cars and motorcycles), provided they are currently registered with the Société de l'assurance automobile du Québec or another regulatory authority and must be in proper working order.
4. Outdoor storage
- a) Outdoor storage is authorized only in certain industrial zones, subject to the provisions of the present by-law.

### **2.8.3 : Outdoor storage**

Outdoor storage is subject to the following conditions:

- 1. Only the outdoor storage of finished or semi-finished products, equipment parts and construction materials in a zone that is mainly intended for industrial (I) use is authorized;
- 2. The outdoor storage shall be directly related to the use carried out in the principal building;
- 3. Any outdoor storage shall be located on the same landsite as the principal use it serves;
- 4. An outdoor storage area is authorized exclusively in a rear yard;
- 5. All outdoor storage areas shall be enclosed by an opaque fence that complies with this By-Law;
- 6. The minimum distance between an outdoor storage area and a landsite line is set at 3 m;
- 7. The maximum height of the products or materials stored is set at 3 m, without being less than the height of the fence enclosing the storage area. Notwithstanding the foregoing, the height of the storage may be increased by 1 m for each 1 m added to the minimum distance required between an outdoor storage area and a landsite line, up to 10 m of height.

## **CHAPTER 3 : PROVISIONS RESPECTING PRINCIPAL BUILDINGS**

### **Division 3.1 : Siting and characteristics of principal buildings**

#### **3.1.1 : Number of principal buildings**

One (1) single principal building is authorized per landsite, except in the following cases:

1. on a landsite where a use in public (P) zones and recreational (R) zones is carried out;
2. for buildings that are part of an integrated project.

#### **3.1.2 : Division and subdivision of a dwelling**

The division or subdivision of a dwelling is authorized provided the total number of dwellings is consistent with the total number of dwellings authorized per building.

#### **3.1.3 : Siting method**

The authorized siting methods in each of the zones are determined in the specifications schedules.

#### **3.1.4 : Number of buildings sited using the contiguous method**

Unless otherwise indicated in the specifications schedules, a minimum of three buildings and a maximum of six buildings may be sited using the contiguous method for all uses.

For the purposes of calculating the number of buildings sited using the contiguous method, buildings that are located at the ends and share only one party wall are considered to be contiguous.

#### **3.1.5 : Site coverage area**

The minimum site coverage area of a building is specified in the specifications schedule.

### **3.1.6 : Building height**

The height of buildings, in metres and in storeys, is determined in the specifications schedules. Notwithstanding the foregoing, no building may exceed the height of Mount Royal.

The floor of any dwelling or part of a dwelling in the basement shall not be more than 1.5 m below the average grade of the adjacent ground.

### **3.1.7 : Orientation of the principal facade**

Within the limits of the Town, the principal facade of a principal building shall be erected parallel to the public thoroughfare adjacent to the landsite occupied by the building. However, where the building is sited more than 50 m from the front boundary of the landsite, located outside the urban perimeter and hidden from the street by a strip of woodland of a minimum depth of 20 m, the principal facade may be sited at a maximum angle of 90 degrees in relation to the public thoroughfare adjacent to the landsite occupied by the building so as to maximum the sunlighting.

Buildings sited within an integrated project or being used for recreational and tourist lodging purposes are not concerned by this provision.

### **3.1.8 : Photovoltaic roofing**

Photovoltaic roofing intended to collect solar energy is authorized.

### **3.1.9 : Green roofs**

A green roof is authorized for all structures.

### **3.1.10 : Elevator shafts and staircases leading to the roof**

An elevator shaft and a staircase are part of the principal building and may be installed above the height limit for a roof on the following conditions:

1. An elevator shaft or a staircase shall be installed so that it is recessed from the front façade and the recess shall be equal to at least 2 times its height and a minimum distance of 2 metres from other walls;
2. An elevator shaft or a staircase shall be not more than 3 metres high.

### **3.1.11 : Underground structures**

Only the following underground structures are authorized outside the perimeter of the principal building:

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1. Fully underground structures that accommodate a parking lot serving “H-4” and “H-5” use classes, a Residential use group or a use in the Commercial use group may encroach on the prescribed setbacks up to the landsite boundaries. The height of the finished outside top of the structure may exceed the level of the street centre by a maximum of 0.60 metres provided the plans relating to the development have been approved pursuant to the *Site Planning and Architectural Integration Program By-Law*;
2. underground structures serving single-family, bi-family or tri-family housing, but not exceeding 20% of the site coverage area of the principal building.

The area of the underground structure is not calculated in the site coverage ratio if it is possible to plant trees with an intermediate or large spread in that area.

### **3.1.12 : Floor area ratio**

The total floor area of a main building shall not exceed 24% of the total area of the lot. This provision applies only to lots within Use Class H1.

### **3.1.13 : Maximum diagonal on deep lot**

For lots deeper than 45 meters, the maximum length of a main building may not exceed 65 % of the total depth of the lot. This provision applies only to lots within Use Class H1.

### **3.1.14 : Maximum horizontal dimension**

The maximum permissible horizontal distance between any two (2) points on the exterior surface of a building (excluding eaves) is determined by the smaller of the following values:

1. 27 meters, or ;
2. 0.72 multiplied by the square root of the lot area in square meters.

This provision applies only to lots within Use Class H1.

## **Division 3.2 : Setbacks and yards**

### **3.2.1 : Compliance with minimum setbacks**

The setback requirements established under this By-Law shall remain compulsory on an ongoing basis and prevail for the duration of the use for which they are enacted.

Except in the case of expropriation or transfer of a landsite for public purposes or a specification contrary to this By-Law, any change made to a landsite that renders the structure non-conforming and involves a reduction in a setback below the required minimum is prohibited.

The minimum front, side and rear setbacks are established in the specifications schedules.

### **3.2.2 : Setback and yard boundaries**

For each landsite, front, side and rear yards are established. The yard includes the established setback and may be larger when the principal building is sited further back from the setbacks specified in this By-Law.

### **3.2.3 : Calculation of setbacks**

The following provisions apply to the calculation of setbacks:

1. Setbacks are calculated from the lines of the lot or landsite where the structures are sited;
2. Setbacks are calculated from the landsite line up to the exterior facade of the outside wall of the principal building;
3. In the event that the exterior facade of the outside wall is composed of one or more recesses or projections, the setbacks are calculated from the wall or the point that is closest to the landsite line concerned;
4. The prescribed setbacks also apply to all habitable underground structures.

### **3.2.4 : Front setback in the case of a landsite adjacent to more than one street**

In the case of a landsite adjacent to more than one street (corner or through landsite), the front setback applies to each street on which the landsite fronts.

### **Division 3.3 : Architectural standards**

#### **3.3.1 : Prohibited shapes and features**

The following is prohibited within the limits of the Town:

1. the use of vehicles (functional or not), railroad cars, buses, containers, trailers or other similar vehicles or parts of vehicles, as a principal or accessory building, with or without wheels;
2. the use of a trailer for other than recreational purposes on a landsite reserved for that purpose;
3. a building in the shape of a human being, an animal, a plant, a cone or any other product for sale;
4. the erection of permanent or temporary inflatable structures (excluding games for children and structures used temporarily during events);
5. the erection, construction or siting of removable, retractable and other similar types of structures (excluding games for children, structures used temporarily during events and awnings);
6. accessory buildings that are made of metal, canvas or plastic and have an egg, rounded or igloo shape for residential uses;
7. with the exception of multi-family housing and semi-detached or contiguous housing, the construction of two identical principal buildings located less than 150 m from one another. Two buildings that have the same characteristics, but inversed, are also considered identical buildings.

#### **3.3.2 : Prohibited exterior cladding materials**

The following exterior cladding materials (walls and roof), whether permanent or temporary, are prohibited for principal and accessory buildings in all zones unless otherwise indicated:

1. tar paper and asphalt paper that imitates brick, stone or any other natural material;
2. sheet metal, whether worked or not, which is not prepainted or prebaked at the plant and not anodized or processed in any equivalent way;
3. galvanized sheet metal;
4. paints and mortar or stucco plasters that imitate or attempt to imitate any natural material;

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5. plain concrete blocks;
6. cardboard and fiber paper, whether tarred or not;
7. exposed particle board or plywood board;
8. rigid or other insulation material (including polyurethane spray or other foam);
9. polyethylene;
10. wood that has not been painted, whitewashed or treated to prevent darkening, with the exception of cedar or hemlock shingles;
11. any material imitating brick or stone, with the exception of artificial stone composed of concrete aggregate that has a minimum width of 8.9 cm (3.5 in.) and whose pieces are not manufactured to create the appearance of repeated patterns;
12. flat or corrugated asbestos, fiberglass, polycarbonate or PVC sheets or boards, with the exception of transparent or tinted panels that are used exclusively as an exterior cladding material for the roof of a gallery or for the construction of a greenhouse;
13. vinyl panels or siding on any facade facing a public thoroughfare.

**3.3.3 : Authorized exterior cladding materials (existing buildings)**

Only the following exterior cladding materials are authorized for a principal building when the building exists:

Table 17 Authorized Types of Exterior Cladding on Principal Buildings (Existing Buildings)

Exterior Cladding Classes	Authorized Materials
Class A	Marble and slate
	Clay or concrete bricks that are a minimum of 40 mm thick and installed with mortar
	Natural or concrete stone that is a minimum of 40 mm thick and installed with mortar
	Architectural concrete panel
	Ribbed, ground, bush-hammered or architectural concrete block
	Insulated metal panel

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Exterior Cladding Classes	Authorized Materials
	Curtain walls made of glass and/or anodized aluminium
	Glass (for solariums only)
Class B	Fibre cement profiled sheets
	Factory-painted or prefinished engineered wood
	Real, painted or treated wood
	Cedar shingles
	Acrylic (stucco) on insulating board
Class C	Acrylic cement stucco on concrete panels
	Aggregate stucco
	Acrylic cement stucco on insulation
	Clay or concrete bricks that are a minimum of 40 mm thick and installed without mortar
	Glass (block glass and curtain wall)
	Ceramic
Class D	Factory-prepainted and prefinished aluminium
	Vinyl
	Factory-prepainted and prefinished steel sheets, prefinished metal siding, prefabricated metal panels

**3.3.4 : Authorized exterior cladding materials (new buildings)**

Only the following exterior cladding materials are authorized for a principal building when the building is new:

Table 18 Authorized Types of Exterior Cladding on a Principal Building (New Buildings)

Exterior Cladding Classes	Authorized Materials
Class A	Marble and slate
	Clay or concrete bricks that are a minimum of 40 mm thick and installed with mortar

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Exterior Cladding Classes	Authorized Materials
	Natural or concrete stone that is a minimum of 40 mm thick and installed with mortar
	Architectural concrete panel
	Ribbed, ground, bush-hammered or architectural concrete block
	Insulated metal panel
	Curtain walls made of glass and/or anodized aluminium
	Glass (for solariums only)
Class B	Fibre cement profiled sheets
	factory-painted or prefinished engineered wood
	Factory-painted or prefinished wood wool
	Real, painted or treated wood
	Cedar shingles
	Acrylic (stucco) on insulating board
Class C	Acrylic cement stucco on concrete panels
	Aggregate stucco
	Acrylic cement stucco on insulation
	Clay or concrete bricks that are a minimum of 40 mm thick and installed without mortar
	Glass (block glass and curtain wall)
	Ceramic
Class D (1)	Factory-prepainted and prefinished aluminium
	Vinyl
	Factory-prepainted and prefinished steel sheets, prefinished metal siding, prefabricated metal panels

1: Class D materials, including vinyl, are permitted only as supplementary materials on non-visible facades. They cannot be used to meet the minimum percentages of cladding materials required (Table 19)

### 3.3.5 : Minimum percentages required for exterior cladding materials

Unless otherwise indicated in this By-Law, the use of exterior cladding materials authorized for a principal building is subject to compliance with the provisions stipulated in the following table:

Table 19 Minimum Percentages of Exterior Cladding

Use Groups/Classes	Authorized Exterior Cladding Classes	Minimum Percentages
"H1"	A, B and C	<ul style="list-style-type: none"> <li>- For a principal building with only one floor, 75% of the exterior walls, except for the openings, must be covered with class A and B cladding materials;</li> <li>- For a principal building with two or more floors, 60% of the exterior walls, except for the openings, must be covered with class A and B cladding materials;</li> </ul>
"H2" "H3" "H4" "H5"	A and B	<ul style="list-style-type: none"> <li>- 75% of the exterior walls, except for the openings, must be covered with class A cladding materials;</li> </ul>
"C1" "C3" "C4"	A and B	<ul style="list-style-type: none"> <li>- For a principal building with only one floor, 75% of the exterior walls, except for the openings, must be covered with class A cladding materials;</li> <li>- For a principal building with two or more floors, 60% of the exterior walls, except for the openings, must be covered with class A cladding materials;</li> </ul>
"C2" "C5"	A, B and C	<ul style="list-style-type: none"> <li>- 75% of the exterior walls, except for the openings, facing a public thoroughfare must be covered with class A cladding materials;</li> </ul>

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Use Groups/Classes	Authorized Exterior Cladding Classes	Minimum Percentages
Industrial (I)	A, B and C	- 50% of the exterior walls, except for the openings, facing a public thoroughfare must be covered with class A cladding materials;
Public (P)	A, B and C	- 75% of the exterior walls, except for the openings, must be covered with class A cladding materials;
Recreational (R)	A, B and C	- 75% of the exterior walls, except for the openings, must be covered with class A cladding materials;

**3.3.6 : Specific provisions respecting exterior cladding materials in zones mainly intended for residential (H) use**

Unless otherwise indicated in this By-Law, the exterior cladding that is authorized for principal and accessory buildings in zones mainly intended for residential (H) use are subject to the following specific provisions:

1. For a principal building: Except for multi-family housing and semi-detached or contiguous buildings, exterior cladding on a principal building may not be identical to an exterior cladding affixed onto another principal building located less than 50 m away from it. Brick, stone, clapboard, cedar shingles and stucco of the same colour are considered identical exterior cladding;
2. For an accessory building: A maximum of two types of materials that blend with the principal building, including at least one found on the latter, shall cover the building.

**3.3.7 : Authorized number of exterior cladding materials**

Unless otherwise indicated, a maximum of three separate exterior cladding materials may be used on a principal building, excluding materials for foundations, roofing, openings and decorative elements.

Exterior cladding on all principal buildings that are sited using a semi-detached or contiguous method shall be of the same type and have a homogenous architectural appearance.

### **3.3.8 : Elevation of the ground floor level**

The maximum height of the ground floor is set at 1.5 m, except where it is necessary for the height to be greater in order to flood-proof a structure in a flood-prone zone. The height is calculated from the threshold of the door to the grade of the ground adjacent to the facade of the building. This provision also applies to the height of posts or piles even if the space under the ground floor is open.

### **3.3.9 : Use of the space under the foundations composed of posts or piles**

When the principal building or part thereof is erected on posts or piles, the free space between the average grade of the ground and the floor level of the ground floor may be used to store domestic material or material related to the authorized principal use. The space shall be closed by a lattice, a fence or an exterior cladding material authorized in this By-Law so that the stored content is hidden from any public thoroughfare.

### **3.3.10 : Maintenance of cladding materials**

The owner shall keep his principal buildings and his landsite in good condition. The exterior cladding or finishing materials shall be maintained so as to preserve their original appearance, and the exterior wooden surfaces of any building shall be provided with adequate protection (paint, varnish, oil, etc.) against the elements. This prescription does not apply to cedar shingles, which may remain natural.

### **3.3.11 : Brick painting**

With the exception of buildings covered in brick that is already painted when this By-Law comes into force, brick may not be painted. However, brick may be dyed with products specifically intended to cover them, where authorized under the *Site Planning and Architectural Integration Program By-Law*.

## **Division 3.4 : Specific architectural standards for housing**

### **3.4.1 : Space below the roof**

The attic may be converted into a habitable space but may not be counted as an additional floor.

### **3.4.2 : Private garage attached to a principal building**

Where a private garage is attached to a principal building, the garage is an integral part of the principal building. To be considered attached, at least 20% of a wall of the private garage shall be incorporated into the principal building. In addition, a direct passage between the principal building and the private garage shall be located inside the latter.

A private attached garage is not an accessory building and is therefore not included in the calculation of the area of authorized accessory buildings.

A private attached garage is authorized on the following conditions:

1. The number of private garages attached to the principal building is set at one per landsite;
2. A habitable space may be located above an attached garage;
3. A private attached garage shall meet the siting standards that apply to the principal building;
4. The height of the private garage may not exceed the height of the principal building (to the roof peak), except when a habitable space is located above it;
5. The height of the garage door may not exceed a height of 3.05 m, when it is located on the principal facade of the building;
6. The total site coverage area of a private attached garage and an attached carport, where applicable, shall not exceed 50% of the total site coverage area of the principal building including the area of the private attached garage and the attached carport;
7. The total width of a private attached garage and an attached carport, where applicable, shall not exceed 50% of the total width of the principal building, including the width of the private attached garage and the attached carport;
8. Where specific provisions respecting exterior cladding on the principal facade apply, said provisions also apply to the principal facade of the garage;
9. A private garage may be converted into a habitable space. However, the garage door shall be removed and filled by fenestration and identical exterior cladding to the that present on the principal facade;

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10. A private attached garage shall be built on a foundation in accordance with the provisions of the building by-law in force.

### **3.4.3 : Carport attached to a principal building**

When a carport is attached to a principal building, the garage is an integral part of the principal building. To be considered attached, one side of the carport shall be incorporated into the principal building on at least 50% of its area.

An attached carport is not an accessory building and is therefore not included in the calculation of the surface area of authorized accessory buildings.

An attached carport is authorized under the following conditions:

1. The number of carports attached to the main building is set at one per lot;
2. An attached carport is prohibited when a private garage, whether integrated, attached or detached, already exists on the lot;
3. Attached carports must comply with the siting standards applicable to the main building;
4. The height of the carport may not exceed that of the main building (at the roof peak);
5. The total surface area of an attached carport and attached private garage, if any, must not exceed 50% of the total surface area of the main building, including that of the attached carport and attached private garage;
6. The total width of an attached carport and attached private garage, if any, must not exceed 50% of the total width of the main building, including that of the attached carport and attached private garage;

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**CHAPTER 4 : PROVISIONS RESPECTING YARDS AND SETBACKS FOR PROJECTIONS AND ARCHITECTURAL FEATURES OF PRINCIPAL BUILDINGS, AS WELL AS ACCESSORY USES, EQUIPMENT, STRUCTURES, ACCESSORY BUILDINGS AND SITE DEVELOPMENTS**

**Division 4.1 : General provisions**

**4.1.1 : General standards**

Unless otherwise indicated in this By-Law, any accessory use to a principal use is authorized.

Specific provisions apply to certain accessory uses in this Chapter in the event that an accessory structure, accessory equipment, site development or parking is required to carry out the use;

1. An accessory structure may not be semi-detached or arranged vertically over another, except where expressly authorized;
2. An accessory structure shall be sited outside of a public utility servitude;
3. A basement or a floor may not be built for an accessory building;
4. A habitable space may not be developed above or inside a detached accessory structure;
5. A building or an accessory structure may never be used as a seasonal or permanent residence;
6. For a use in the "Residential (H)" use group:
  - a) An accessory structure that houses or covers an inground or an aboveground pool is not authorized, unless it is incorporated into the principal building, in which case it shall be considered a part of the principal building for the purposes of this By-Law;
  - b) An accessory structure may not contain a combustion heating or cooking system.

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**4.1.2 : Projections and architectural features of principal buildings, accessory equipment, accessory structures, accessory buildings, site developments in yards and setbacks**

The tables in this Division identify, for projections and architectural features, accessory equipment, accessory structures, accessory buildings and site developments:

1. their authorization on a landsite based on the use groups (Residential, Commercial, Industrial, Public and Recreational);
2. their authorization in the front, secondary front, side and rear yards of a landsite with the word "yes";
3. their prohibition in the front, secondary front, side and rear yards of a landsite with the word "no";
4. for information purposes, a reference to a specific applicable provision (e.g. "see section X");
5. the maximum encroachment authorized in the setback prescribed in the schedule of uses and standards ("Max. setback encroachment") along with the identification of the setback or setbacks where the encroachment is authorized (e.g. in the front setback), the maximum authorized encroachment (e.g. 2 m) or the distance to where the structure, equipment, site development may come (e.g. up to 0.6 m from the landsite boundary). Where none is specified, this means that encroachment on the setback is prohibited, unless otherwise provided in this By-Law;
6. the minimum distance from a landsite line.
7. Where a use, equipment, accessory structure, accessory building or site development is not identified in the tables in this Division, this means that it is prohibited in yards. This Chapter authorizes, where applicable, an accessory structure, accessory equipment and site development on a landsite, the walls or the roof of a building.

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Table 20 Projections and Architectural Features of Principal Buildings, Accessory Equipment, Accessory Structures, Accessory Buildings and Site Developments in Yards and Setbacks

	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
<b>PROJECTIONS AND ARCHITECTURAL FEATURES OF PRINCIPAL BUILDINGS</b>				
1. Elevating machines*	YES	YES	YES	YES
Max. setback encroachment *Only authorized in industrial (I) zones	In the side and rear setback: 2 m without being located less than 0.6 m from a landsite boundary			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
2. Awnings, canopies, porches, porticos	YES	YES	YES	YES
Max. setback encroachment	In the front setback 1.5 m In the side setback: 2 m In the rear setback 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
3. Roof overhangs	YES	YES	YES	YES
Max. setback encroachment	In the front setback: 1 m In the side setback: 1 m In the rear setback: 1 m			
Minimum distance from a landsite line	3.5 m	3.5 m	3.5 m	3.5 m
4. Balconies (See section 4.2.1)	YES	YES	YES	YES
Max. setback encroachment	In the front setback: 1.5 m In the side setback: 2 m In the rear setback: 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
5. Chimneys (See section 4.2.2)	YES	YES	YES	YES
Max. setback encroachment	In the front setback: 1.5 m In the side setback: 2 m In the rear setback: 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
6. Outdoor stairs that provide access to the ground floor	YES (1)	YES (1)	YES	YES
Max. setback encroachment	In the front setback: 1.5 m In the side setback: 2 m In the rear setback: 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
7. Outdoor stairs that provide access to the basement or a floor above the ground floor	YES (2)	YES (2)	YES	YES
Max. setback encroachment	In the front setback: 1.5 m In the side setback: 2 m In the rear setback: 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
8. Bay (oriel) windows	YES	YES	YES	YES
Max. setback encroachment	In the front setback: 1.5 m In the side setback: 2 m In the rear setback: 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
9. Galleries, stoops, verandas and terraces (See section 4.2.2)	YES	YES	YES	YES
Max. setback encroachment	In the front setback: 1.5 m In the side setback: 2 m In the rear setback: 2 m			
Minimum distance from a landsite line	4.5 m	4.5 m	4.5 m	4.5 m
<b>ACCESSORY STRUCTURES</b>				
10. Firewood shelters (See section 4.3.1)	NO	NO	NO	YES
Max. setback encroachment				
11. Areaways	NO	NO	YES	YES

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
Max. setback encroachment	In the rear setback : 1 m			
12. Visual barriers (See section 4.3.2)	NO	YES	YES	YES
Max. setback encroachment	In the secondary front, side and rear setback: 2 m without being located less than 0.6 m from a landsite boundary. In the side yard as an extension of a party wall: up to the zero line			
13. Playsets (See section 4.3.3)	NO	YES	YES	YES
Max. setback encroachment	In the side and rear setback: 2 m without being located less than 2 m from a landsite boundary			
14. Patios	YES	YES	YES	YES
Max. setback encroachment	In the front setback: 2 m			
Minimum distance from a landsite line	1.5 m	1.5 m	1.5 m	1.5 m
15. Swimming pools, including equipment, platforms and enclosures (See section 4.4)	NO	YES	YES	YES
Max. setback encroachment				
16. Security guard posts	YES	YES	YES	YES
Max. setback encroachment *Only authorized in industrial (I) zones				
Minimum distance from a landsite line	1.5 m	1.5 m	1.5 m	1.5 m
17. Docks (See section 4.3.4)	YES	YES	YES	YES
Max. setback encroachment				

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
18. Access ramps or elevators for persons with reduced mobility	YES	YES	YES	YES
Max. setback encroachment	In the front and secondary front setback: up to the zero line In the side and rear setback: 2 m			
19. Hot tubs (See section 4.3.5)	NO	NO	NO	YES
Max. setback encroachment	In the rear setback: 2 m without being located less than 0,6 m from a landsite boundary			
<b>ACCESSORY BUILDINGS</b>				
20. Accessory buildings connected to a principal use in the Residential (H) group (See division 4.6)	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: details in section 4.6.1			
21. Accessory buildings for a principal use in a group other than residential (See division 4.7)	NO	YES	YES	YES
Max. setback encroachment				
22. Detached carports and private garages (See section 4.6.1)	NO	YES	YES	YES
Max. setback encroachment				
23. Garden pavilions, gazebos, pergolas and saunas (see section 4.6.2)	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: 2 m without being located less than 2 m from a landsite boundary			
24. Sheds (see section 4.6.3)	NO	YES	YES	YES
Max. setback encroachment				
Minimum distance from a landsite line	3 m	3 m	3 m	1 m(2)
25. Domestic greenhouses (See section 4.6.4)	NO	NO	YES	YES

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
Max. setback encroachment				
<b>MECHANICAL ACCESSORY EQUIPMENT AND SIMILAR EQUIPMENT</b>				
26. Air conditioning, ventilation and heat pump units or any other similar mechanical equipment for a principal use in the Residential group (See section 4.8.1)	NO	YES	YES	YES
Max. setback encroachment	In the side and rear setback: 0.6 m without being located less than 2 m from a landsite boundary			
27. Air conditioning, ventilation and heat pump units or any other similar mechanical equipment for a principal use in a group other than Residential (See section 4.8.2)	NO	YES	YES	YES
Max. setback encroachment	In the side and rear setback: 0.6 m without being located less than 2 m from a landsite boundary			
28. Telecommunication antennas (See section 4.8.3)	NO	YES	YES	YES
Max. setback encroachment	In the secondary front, side and rear setback: 0.6 m			
29. Storage box for household goods (excluding temporary PODS : <i>Portable On-Demand Storage</i> ) (3)	YES	YES	YES	YES
Max. setback encroachment	In the side and rear setback: The encroachment shall allow for a minimum distance of 0.6 m to be maintained from a landsite boundary			
30. Electric charging stations	YES	YES	YES	YES
Max. setback encroachment	In the front and secondary front setback : The encroachment shall allow for a minimum distance of 2 metres to be maintained from a landsite boundary In the side and rear setback: The encroachment shall allow for a minimum distance of 1.2 m to be maintained from a landsite boundary			
31. Solar collectors (See section 4.8.4)	YES	YES	YES	YES

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
Max setback encroachment				
32. Domestic composters	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: The encroachment shall allow for a minimum distance of 0.6 m to be maintained from a landsite boundary			
33. Pipes and ducts (See section 4.8.5)	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: 0.6 m			
34. Semi-buried residual matter containers (See section 4.8.6)	NO	YES	YES	YES
Max. setback encroachment	In all setbacks: 2 m without being located less than 2 m from a landsite boundary			
35. Devices used to dry clothes (ropes, lines, etc.)	NO	NO	NO	YES
Max. setback encroachment	In the rear setback: up to the zero line			
36. Outdoor fireplaces and cooking equipment (See section 4.8.7)	NO	NO	YES	YES
Max. setback encroachment	In the rear setback: The encroachment shall allow for a minimum distance of 3 m to be maintained from a landsite boundary			
37. Patio heaters (See section 4.8.8)	NO	NO	YES	YES
Max. setback encroachment	In the rear setback: The encroachment shall allow for a minimum distance of 3 m to be maintained from a landsite boundary			
38. Generators (See section 4.8.10)	NO	NO	NO	YES

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
Max. setback encroachment	In the side and rear setback: The encroachment shall allow for a minimum distance of 3 m to be maintained from a landsite boundary			
39. Garden furnishings	YES	YES	YES	YES
Max. setback encroachment	In the rear and side setback: The encroachment shall make it possible to keep a minimum distance of 2 metres from a landsite boundary			
40. Reservoirs or tanks (See section 4.8.10)	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: The encroachment shall allow for a minimum distance of 2 m to be maintained from a landsite boundary			
41. Bicycle racks	YES	YES	YES	YES
Max. setback encroachment	In all setbacks: up to 0.6 m from the landsite boundary			
42. Pad-mounted electric transformers	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: The encroachment shall allow for a minimum distance of 0.6 m to be maintained from a landsite boundary			
<b>SITE DEVELOPMENTS (Chapter 6)</b>				
43. Ponds	YES	YES	YES	YES
Max. setback encroachment	In the front and secondary front setback: The encroachment shall allow for a minimum distance of 4 metres to be maintained from a landsite boundary. In the side and rear setback: 2 m without being located less than 2 m from a landsite boundary.			
44. Fences (See section 6.5.2)	NO	YES	YES	YES
Max. setback encroachment	In the side and rear setback: up to the zero line			

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
45. Underground pipes and overhead lines	YES	YES	YES	YES
Max. setback encroachment	In all setbacks up to the zero line			
46. Cords of firewood (See section 6.7.1)	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: The encroachment shall allow for a minimum distance of 1.2 m to be maintained from a landsite boundary			
47. Hedges (See section 6.5.9)	YES	YES	YES	YES
Max. setback encroachment	In the front and secondary front setback: 0.6 m In the side and rear setback: up to the zero line			
48. Geothermal facilities	YES	YES	YES	YES
Max. setback encroachment				
49. Low walls, retaining walls and banks (See section 6.5.8)	YES Except for banks	YES	YES	YES
Max. setback encroachment	In the front and secondary front setback: The encroachment shall allow for a minimum distance of 0.6 m to be maintained from a landsite boundary. In the side and rear setback: up to the zero line.			
50. Plants and landscaping	YES	YES	YES	YES
Max. setback encroachment	In all setbacks: without being located less than 0.6 m from a landsite boundary			
51. Vegetable gardens (in the ground or in a box)	NO	NO	YES	YES

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	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
Max. setback encroachment	In all setbacks: up to the zero line			
52. Storage sites for residual matter containers on pickup days	NO	YES	YES	YES
Max. setback encroachment	In the front, secondary front, and side setback: up to the zero line			
53. Sports fields (See division 6.6)	NO	NO	YES	YES
Max. setback encroachment	In the side and rear setback: details in division X.X			
54. Sidewalks, alleys and pavement	YES	YES	YES	YES
Max. setback encroachment	In all setbacks: up to the zero line			

1: Where visible from a thoroughfare, any space located under the structure shall be surrounded by a screen with an opacity of at least 75%. This screen may also be made from wooden lattice or landscaping (shrubs and plants), if the height of the landscaping is at least equal to the height of the gallery floor.

2: Authorized in the secondary front yard only.

3: Temporary PODS containers are prohibited, except where specifically authorized by a temporary permit.

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## **Division 4.2 : Projections and architectural features of principal buildings**

### **4.2.1 : Balconies**

The following provisions apply to balconies:

1. Notwithstanding the tables in section 4.1.2 concerning authorized structures in setbacks and yards, a balcony located on a corner landsite may encroach on the secondary front setback provided it is located at a minimum distance of 4.5 metres from the sidewalk or the curb.
2. A visual barrier is prohibited on a balcony.

### **4.2.2 : Galleries, Stoops, Verandas and Terraces**

The following provisions apply to galleries, stoops, verandas and terraces:

1. A gallery, a stoop, a veranda and a terrace attached to a principal building shall be built on a continuous foundation, on concrete piles or posts;
2. A visual barrier shall be installed on a terrace located at the zero side boundary of the party wall side. The barrier shall be a minimum of 1.5 metres high and a maximum of 1.85 metres high calculated from the terrace floor;
3. A gallery, a stoop, a veranda and a terrace attached to a principal building may be covered by a roof overhang if no pergola or gazebo is installed on the gallery, stoop, veranda and terrace.

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### **Division 4.3 : Accessory structures**

#### **4.3.1 : Firewood shelters**

In addition to all other provisions stipulated in this Chapter, firewood shelters are subject to the following specific conditions:

1. One single firewood shelter is authorized per landsite;
2. A firewood shelter may be detached from or attached to a principal or accessory building;
3. The maximum height of a firewood shelter is set at 2.5 m;
4. The firewood shelter may not be enclosed by walls or a lattice;
5. The storage of wood shall serve exclusively the purposes of personal use;
6. The firewood shall be arranged in cords.

#### **4.3.2 : Visual barriers**

The following provisions apply to pergolas and gazebos:

1. A visual barrier may be installed on a gallery or a terrace. The maximum height of the barrier is 1.85 metres measured from the floor of the gallery or terrace.

#### **4.3.3 : Playsets**

The following provisions apply to playsets:

1. Its site coverage area may not exceed 10 m<sup>2</sup>;
2. Its height may not exceed 3 metres from the average adjacent grade;
3. The upper part may not be used as a terrace.

#### **4.3.4 : Docks**

In addition to all other provisions stipulated in this Chapter, docks are subject to the following specific conditions:

1. The dock shall be floating and have an "I," "L," or "T" shape only;

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2. The maximum area of a dock is set at 20 m<sup>2</sup>;
3. The maximum length of a dock is set at 10 m;
4. Only the following materials are authorized for a dock:
  - a) treated wood;
  - b) aluminium;
  - c) stainless steel;
  - d) galvanized metal;
  - e) composite.

#### **4.3.5 : Hot tubs**

Hot tubs installed outside of a building shall comply with the following provisions:

1. A hot tub with a capacity that does not exceed 2,000 litres shall be equipped with a lockable cover;
2. A hot tub with a capacity that does not exceed 2,000 litres shall be installed at 0.60 or more metres from the landsite boundary;
3. A motor that is not included in the structure of a hot tub shall be installed in a shed;
4. A hot tub with a capacity that exceeds 2,000 litres shall be installed in accordance with the provisions respecting residential swimming pools in the next division.

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## **Division 4.4 : Residential swimming pools**

### **4.4.1 : Scope**

The provisions of this Division apply to residential outdoor swimming pools. This Division also includes provisions from the *Residential Swimming Pool Regulation* (CQLR, S-3.1.02, r.1). Where a provision contradicts the provincial regulation, the most restrictive provision prevails.

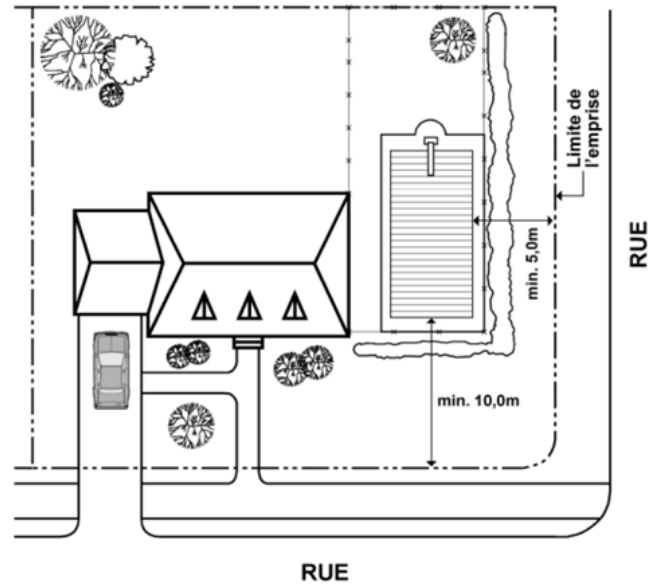
An indoor swimming pool is considered part of the principal building. It is the responsibility of the owner or occupant to ensure safe access to the swimming pool.

### **4.4.2 : Siting a residential swimming pool**

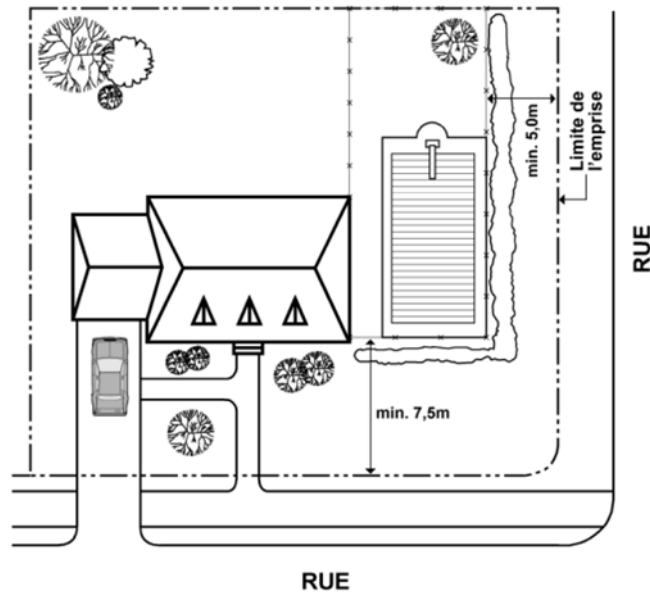
The following provisions apply to the installation of a residential swimming pool:

1. Swimming pools are authorized in the rear setback. They must maintain a minimum distance of 3.0 m (9.8') from any property line;
2. Pools are authorized in the front setback under the following conditions:
  - a) In-ground pools must respect a minimum distance of 30 m (98.4') from the right-of-way of the public thoroughfare and 3 m (9.8') from any lateral property line;
  - b) Safety fences surrounding swimming pools must respect a minimum distance of 25 metres (82.02') from the right-of-way limit of the public thoroughfare and 3 metres (9.8') from any side lot line.
3. Swimming pools are authorized in the side setback. They must respect a minimum distance of 3.0 m (9.8') from any property line and a distance of 10 m (32.8') from the right-of-way limit of the public thoroughfare;
4. In-ground swimming pools may be located in the secondary front setback. They must respect a minimum distance of 10 metres (32.8') from the right-of-way limit of the public thoroughfare parallel to the building's main façade, and be less than 5 metres (16.4') from the right-of-way limit of the other public thoroughfare, as illustrated in the sketch below:

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In the secondary front setback, safety fences surrounding swimming pools must be located at least 7.5 m (24.6') from the right-of-way limit of the public thoroughfare parallel to the building's main façade and less than 5 m (16.4') from the right-of-way limit of the other public thoroughfare, as shown in the sketch below:



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#### **4.4.3 : Siting a platform for a swimming pool**

A platform that allows access to a residential aboveground swimming pool is authorized on the following conditions:

1. The platform has a maximum area of 6 m<sup>2</sup>;
2. The platform shall comply with the following minimum distances:
  - a) 2 metres from any landsite boundary;
  - b) 3 metres from any street right-of-way boundary.
3. It is surrounded by railing whose height complies with the building code in force. The railing shall be made of vertical balusters or smooth panels that prevent climbing and meet the standards for controlling access to a swimming pool provided in section 4.4.5.

#### **4.4.4 : Location of equipment for a swimming pool**

Accessory equipment or equipment required to operate a swimming pool, such as a filtering apparatus, water heater, or other equipment, shall be located more than 2 metres from any landsite boundary.

#### **4.4.5 : Controlling access to a swimming pool**

The siting of a swimming pool shall comply with the following provisions:

1. A swimming pool shall have a ladder or steps that make it possible to enter and leave the water;
2. Subject to section 4.4.10, a swimming pool shall be surrounded by an enclosure that protects access to it;
3. A swimming pool may not be filled with water before a compliant security enclosure has been put in place;
4. If an enclosure must be temporarily dismantled, temporary measures shall be implemented to control access to the swimming pool.

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#### **4.4.6 : Swimming pool enclosures**

A swimming pool shall be provided with an enclosure that controls access to it in accordance with the following provisions:

1. The enclosure shall be fixed and not have any removable section;
2. The enclosure shall prevent the passage of a spherical object that is 0.10 metres in diameter;
3. The enclosure shall be installed so as to prevent the passage of a spherical object that is 0.10 metres in diameter between the enclosure and the ground;
4. The enclosure shall be at least 1.2 metres high;
5. The enclosure shall be installed 0.60 metres or more from the water line around an inground swimming pool for which a building permit is obtained after the date on which this By-Law comes into force;
6. The enclosure shall be composed of the authorized materials specified in section 6.5.2 for fences or of tempered glass panels and sturdy wire panels;
7. The enclosure shall not include any fixture, projection or open parts that enable it to be climbed;
8. Where the enclosure is formed by a chain link fence, the mesh must have a maximum width of 30 mm. However, if slats are inserted in the mesh, their width may be greater than 30 mm, but they may not allow the passage of a spherical object of more than 30 mm in diameter;
9. The enclosure may be formed by a wall, provided it does not have any opening that allows entry into the enclosure. However, such a wall may have a window if the window is located over 3 metres from the ground on the inside of the enclosure, or if its maximum opening does not allow the passage of a spherical object of more than 0.10 metres in diameter;
10. Hedges or bushes may not constitute an enclosure;
11. A gate forming part of an enclosure shall have the features described in subparagraph 3 and be equipped with a self-closing and self-latching passive security device. The device may be installed on the inside of the enclosure in the upper part of the gate or on the outside of the enclosure at a minimum height of 1.5 metres from the ground.

#### **4.4.7 : Distance of swimming pool equipment**

Swimming pool equipment shall comply with the following provisions:

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1. All equipment related to the operation of a swimming pool shall be installed more than one (1) metre from the inside pool wall or, as the case may be, the enclosure;
2. The pipes linking the equipment to the swimming pool shall be flexible and not be installed in such a way that they facilitate climbing the swimming pool wall or, as the case may be, the enclosure;
3. Notwithstanding the first sub-paragraph, equipment may be located less than one (1) metre from the swimming pool or enclosure, when it is installed:
  - a) under a structure that is at least 1.2 metres high and prevents access to the swimming pool from the equipment but does not have any of the features that make it easy to climb;
  - b) inside an enclosure with the characteristics described in section 4.4.6;
  - c) in a shed.
4. A structure or fixed equipment that is likely to be used to climb over the wall or the enclosure of a swimming pool shall be installed more than one metre from the wall of the swimming pool or, as the case may be, the enclosure.

**4.4.8 : Distance from a window less than 3 metres high**

A window located less than 3 metres from the ground shall be more than one metre from the wall of the swimming pool or the enclosure, unless its maximum opening does not allow the passage of a spherical object that is more than 0.10 metres in diameter.

**4.4.9 : Compliant safety measures**

All installations intended to allow or prevent access to the swimming pool shall be kept in good working order.

The provisions of sections 4.4.1 to 4.4.8 apply starting on the date on which this By-law comes into force, notwithstanding the provisions of section 4.4.10.

**4.4.10 : Exemption for enclosure installations**

An aboveground swimming pool with a wall height of at least 1.2 metres from the average adjacent grade at any point or a portable swimming pool with a wall height of 1.4 or more metres is not required to be surrounded by an enclosure when the swimming pool can be accessed by one or more of the following ways:



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1. a ladder equipped with a self-closing and self-latching safety gate preventing its use by children;
2. a ladder or a platform access which is protected by an enclosure with the features described in section 4.4.6;
3. a patio attached to the residence and laid out so that the part providing access to the swimming pool is protected by an enclosure with the features described in section 4.4.6.

**4.4.11 : Diving boards**

Swimming pools with a diving board shall be installed in accordance with BNQ Standard 9461-100 in force at the time of installation to prevent cervical spinal cord injuries resulting from diving from a diving board.

**4.4.12 : Lighting**

The swimming pool area shall be appropriately lit and the lighting system shall be arranged so as to avoid direct lighting on a neighbouring property. All power circuits for lighting fixtures installed under the water level shall be insulated.

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## **Division 4.5 : Accessory buildings**

### **4.5.1 : General provisions**

The following general provisions apply to accessory buildings:

1. Except for "Public (P) group and "Recreational (R)" group uses, an accessory building may not be sited on a vacant landsite or a landsite not occupied by a principal building;
2. For a Residential group use, authorized accessory buildings are a detached garage, a carport, a domestic greenhouse, a shed, a garden pavilion, a sauna, etc.;
3. For a use in the Commercial, Industrial, Public and Recreational groups, authorized accessory buildings are buildings required to carry out the use, such as a storage building or a building accommodating visitors;
4. An accessory building that houses or is intended to house a swimming pool is prohibited in a residential zone.

### **4.5.2 : Siting**

Unless otherwise indicated, the siting of a structure or an accessory building shall comply with the following provisions:

1. The minimum distance between an accessory building and a lot line is 3 metres;
2. The minimum distance between an accessory building and a lot line is set at 1 metre when the surface area of the accessory building is 11.5 square metres or less;
3. No roof of an accessory building may be less than 2.5 m from any lot line;
4. The minimum distance between an accessory building and a main building is set at 3 m, unless it is attached to the main building;
5. The minimum distance between an accessory building and any other accessory construction is set at 1.5 m;
6. Notwithstanding any provisions of the present article, the minimum distance between an accessory building serving a place of worship or a cemetery and a lot line is set at 1.5 m;



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7. Except in the case of a provision to the contrary in the present by-law, an accessory building may not be erected less than 1 m from another accessory building.

#### **4.5.3 : Total area**

Unless otherwise indicated, the area of an accessory building is subject to the following conditions:

1. The total floor area of accessory buildings may not exceed the site coverage of the principal building or 5% of the landsite area, with the more restrictive standard being applicable;
2. Notwithstanding sub-paragraph 1, the maximum cumulative site coverage area of any accessory building on a landsite is set at 10% of the landsite area for a "Commercial (C)" group use;
3. Notwithstanding sub-paragraph 1, the site coverage area of an accessory building for a "Public (P)" group use may not exceed 70 m<sup>2</sup>;
4. Notwithstanding sub-paragraph 1, the site coverage area of an accessory building for a place of worship or a cemetery may not exceed 25 m<sup>2</sup>.

#### **4.5.4 : Maximum height**

Unless otherwise indicated, the height of an accessory building is subject to the following conditions:

1. For a "Residential (H)," "Commercial (C)" and "Public (P)" group use, the maximum height of an accessory building is set at 4.5 m and may not exceed the height of the principal building that it serves;
2. For an "Industrial (I)" and "Recreational (R)" group use, the maximum height of an accessory building is the height prescribed in the specifications schedule for a principal building.

#### **4.5.5 : Prohibited shapes**

Within the limits of the Town, the following are prohibited:

1. the use of railroad cars, streetcars, aircraft, buses or other vehicles of the same type as an accessory building, except where they are used as an attraction in parks and playgrounds and in fairs on a municipal landsite;

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2. an accessory building in the shape of a human being, an animal, a fruit, a vegetable, a reservoir or any other similar object.

#### **4.5.6 : Authorized exterior cladding materials**

The exterior cladding materials on an accessory building shall comply with the following provisions:

1. One (1) single cladding material is authorized per accessory building or 2 if the second is identical masonry cladding to the cladding on the principal building;
2. The authorized cladding materials for accessory buildings that are detached from the principal building are wood, composite clapboard materials, fiberboard, clapboard fiber cement more than 6 mm wide, architectural metal cladding, stone and brick;
3. An accessory building that is attached to the principal building shall have the same masonry cladding as the principal building or where there is no masonry, the same cladding that is present on the principal building and authorized in this By-Law;
4. The accessory building may in all cases have a green roof;
5. For greenhouses and accessory buildings required for the Public Service and Utilities use group, glass, polyethylene and polycarbonate are permitted;
6. Photovoltaic roof coverings designed to collect solar energy are authorized.

For the purposes of this Section, concrete, door and window glass and roofing are not considered cladding.

#### **4.5.7 : Maintenance of cladding materials**

The owner shall keep his accessory buildings and his landsite in good condition. The exterior cladding or finishing materials shall be maintained so as to preserve their original appearance, and the exterior wooden surfaces of any building shall be provided with adequate protection (paint, varnish, oil, etc.) against the elements. This prescription does not apply to cedar, which may remain natural.

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**Division 4.6 : Specific provisions for accessory buildings related to a principal use in the residential group**

**4.6.1 : Carports and private detached garages**

In addition to all other provisions set forth in this Chapter, carports and private detached garages are subject to the following specific conditions:

1. One single private detached garage or one single detached carport is authorized per landsite;
2. The maximum area is set at 70 m<sup>2</sup> for single-family housing and at 30 m<sup>2</sup> per dwelling for all housing with two or more dwellings or 10% of the landsite area, with the more restrictive standard being applicable;
3. A carport shall comply with the minimum front and rear setbacks of the principal building;
4. A carport shall be installed at a minimum distance of 2 metres from the side boundary;
5. Notwithstanding any other provision set forth in this By-Law, the maximum height of a detached garage is 4.5 metres;
6. The maximum height of a wall or a column, up to the beginning of the roof soffit, is set at 3 m;
7. The maximum height of a garage door is set at 3,05 m;
8. The maximum width of a garage door is set at 5 m;
9. The roof slope of a carport or a private detached garage may not exceed the roof slope of the principal building;
10. A driveway shall be laid out so that a motor vehicle can access the carport or garage.

**4.6.2 : Garden pavilions, gazebos, pergolas and saunas**

In addition to all other provisions stipulated in this Chapter, a garden pavilion, a gazebo, a pergola or a sauna is subject to the following specific conditions:

1. One (1) garden pavilion, gazebo, pergola or sauna is authorized per landsite;
2. The garden pavilion, gazebo or pergola may include a sauna;

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3. The garden pavilion, gazebo, pergola or sauna shall be erected on the ground;
4. A garden pavilion, gazebo, pergola or sauna may be detached from or attached to a principal or accessory building;
5. The site coverage area of the garden pavilion, gazebo, pergola or sauna may not exceed 15 m<sup>2</sup>;
6. No window shall be installed on a wall located less than 2 metres of distance from a landsite line.
7. Saunas with fire boxes, fireplaces or wood stoves are strictly prohibited.

#### **4.6.3 : Sheds**

The following provisions apply to sheds:

1. The number of sheds is limited to two (2) per one principal use in the Residential (H) group;
2. The site coverage area of the shed may not exceed 20 m<sup>2</sup>.

#### **4.6.4 : Domestic greenhouses**

In addition to all other provisions stipulated in this Chapter, domestic greenhouses are subject to the following specific conditions:

1. One (1) single domestic greenhouse is authorized per landsite;
2. A domestic greenhouse shall be installed at a minimum distance of 3 metres from the side boundary;
3. The site coverage area of the greenhouse may not exceed 15 m<sup>2</sup> or 5% of the landsite area, with more restrictive standard being applicable;
4. The maximum height of a domestic greenhouse is set at 3 m;
5. Only the following materials are authorized for a domestic greenhouse:
  - a) polycarbonate;
  - b) Plexiglas;
  - c) glass;
  - d) aluminium;



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- e) factory prepainted and prefinished sheet metal;
  - f) wood that has been painted, whitewashed or treated to prevent darkening, with the exception of cedar or hemlock.
6. The structure of a domestic greenhouse may not be composed of the structure of a temporary car shelter.

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**Division 4.7 : Specific provisions for accessory buildings related to a principal use in a group other than residential**

**4.7.1 : General provisions**

The following provisions apply to a landsite serving a Commercial or Industrial group use:

1. A landsite serving a use other than residential use may have a maximum of 3 accessory buildings;
2. An accessory building with a different use than residential use may not be sited less than 5 metres from a residential landsite located in a residential or mixed zone;
3. The height of an accessory building may not exceed 1 storey or 5 metres and 6 metres for a greenhouse;
4. The total floor area of accessory buildings may not exceed twice the site coverage of the principal building or 10% of the landsite area, with the more restrictive standard being applicable;
5. The accessory building shall comply with the setbacks prescribed in the specifications schedule for a principal building;
6. The height of the accessory building may not exceed the height of the principal building.

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## **Division 4.8 : Mechanical accessory equipment and similar equipment**

### **4.8.1 : Air conditioning, ventilation and heat pump units, or any other similar mechanical equipment for a principal use in the residential group**

The following provisions apply to air conditioning, ventilation or heat pump units for a Residential group use:

1. A maximum of 2 units are authorized per dwelling, excluding a unit intended to heat a swimming pool;
2. The height from the average adjacent grade may not exceed 1.85 metres, except for an air conditioning unit to be installed in a window or fastened to a wall in a side or rear yard;
3. The vertical arrangement of units is authorized solely from the ground and shall not exceed 2 metres in height;
4. Except for a unit intended to be installed in a window or fastened to a wall, a unit shall be hidden from the street by cedar hedges, evergreen shrubs or by a visual barrier that is a maximum of 1.85 metres high so as not to be visible from the thoroughfare;
5. For multi-family housing with 4 to 12 dwellings (H4), only air conditioning units and heat pumps on the roof and on a balcony abutting a side or rear wall are authorized. Said units and heat pumps shall not be visible from the street and shall comply with the provisions on shed roofs or barriers in this Chapter;
6. For multi-family housing with more than 12 dwellings (H4) and group living housing (H5), only air conditioning units and heat pumps on the roof are authorized. Said units and heat pumps shall not be visible from the street and shall comply with the provisions on shed roofs or barriers in this Chapter.

### **4.8.2 : Air conditioning, ventilation and heat pump units, or any other similar mechanical equipment for a principal use in a group other than the residential group**

The following provisions apply to an air conditioning, ventilation or heat pump unit for a use other than residential use:

1. These units may not be sited less than 2 metres from a landsite boundary and when they are installed on a roof, they shall be installed in accordance with the provisions of this Chapter on shed roofs or barriers;

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2. An air conditioning, ventilation or heat pump unit shall be installed on the roof of a building with a flat roof, except where there is a technical constraint, in which case it may be installed on the ground or fastened to the wall in the rear yard;
3. The height from the average adjacent grade may not exceed 1.85 metres, except in the case of a unit intended to be fastened to a wall in a rear yard;
4. A unit on the ground shall be hidden by a cedar hedge, evergreen shrubs or a visual and acoustic barrier that is a maximum of 1.85 metres high so as not to be visible from the thoroughfare.

#### **4.8.3 : Telecommunication antennas**

The following provisions apply to telecommunication antennas for a Residential group use:

1. One (1) antenna is authorized per dwelling;
2. The maximum area of an antenna and the maximum height of its mount are:
  - a) for a parabolic antenna: a maximum area of 0.65 m<sup>2</sup> measured from above and from the side and a maximum height of 0.3 metres for its mount;
  - b) for a non-parabolic antenna: a maximum area of 0.33 m<sup>2</sup> measured from above and from the side and a maximum height of 0.3 metres for its mount;
3. The antenna shall be located on:
  - a) one of the side walls of a principal building, provided the wall does not face the street;
  - b) the rear wall of a principal building;
  - c) the flat roof of a principal building. In the case of a building with 3 or fewer stories, the antenna shall be located more than 2 metres from the front facade;
  - d) the rear roof slope, provided this slope does not face the street and the height of the antenna and its mount do not exceed the height of the roof peak.
4. Any other location is prohibited for the antenna unless the applicant shows that it is impossible to receive emissions at any of the locations authorized in this Paragraph;

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5. Electric or electronic equipment to which an antenna is connected shall be located inside the building or structure where it is fastened;
6. A telecommunication antenna, including the antenna mount, shall, in terms of its dimensions, location, shape and colour, be harmoniously incorporated into the immediate physical environment.

The following provisions apply to telecommunication antennas for a use other than a Residential group use:

1. One (1) antenna is authorized per principal building erected on the landsite;
2. The maximum area of an antenna and the maximum height of its mount are:
  - a) for a parabolic antenna: a maximum area of 1.5 m<sup>2</sup> measured from above and from the side and a maximum height of 1.5 metres for its mount;
  - b) for a non-parabolic antenna: a maximum area of 1 m<sup>2</sup> measured from above and from the side and a maximum height of 1.5 metres for its mount;
  - c) for an establishment whose principal use requires the use of an antenna, such as a broadcaster, the area of the antenna may be increased to 5 m<sup>2</sup>, measured from the top and from the side. The maximum height of the mount is 1.5 metres.
3. The antenna shall be located on:
  - a) the flat roof of a principal building. In the case of a building with 3 or fewer stories, it shall be located more than 3 metres from the front façade.
4. Any other location is prohibited for the antenna unless the applicant shows that it is impossible to receive emissions at any of the locations authorized in this Paragraph;
5. Electric or electronic equipment to which an antenna is connected shall be located inside the building or structure where it is fastened;
6. A telecommunication antenna, including the antenna mount, shall, in terms of its dimensions, location, shape and colour, be harmoniously incorporated into the immediate physical environment.

#### **4.8.4 : Solar collectors**

Solar collectors shall comply with the following provisions:

1. A solar panel is only authorized on the roof of a principal or accessory building in a residential zone (H);



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2. A solar panel on a sloped roof shall have a similar colour to the roofing of a principal building;
3. The maximum projection of the roof is set at 0.60 metres and at 0.10 metres on the street-facing facade of a principal building;
4. Its installation on the building shall not require the architecture of the building to be altered;
5. It shall be approved by the Canadian Standards Association (CSA) or the Bureau de normalisation du Québec (BNQ);
6. Any electrical wire connected to the solar panel shall be hidden so that it is not visible from the street.

**4.8.5 : Pipes and ducts**

The following provisions apply to (electrical, ventilation and other) pipes and ducts:

1. Pipes and ducts detached from a building are prohibited;
2. Pipes and ducts attached to the building are authorized solely if they cannot be installed inside the building due to a technical constraint;
3. Pipes and ducts shall be hidden by being incorporated into the architecture of the building;
4. Pipes and ducts may be installed in a building, on a flat roof or on a wall in the rear yard.

**4.8.6 : Residual matter containers**

In addition to all other provisions stipulated in this Chapter, waste containers are subject to the following specific conditions:

1. A residual matter container is authorized solely for multi-family housing including more than five dwellings and for a "Commercial (C)," "Industrial (I)," "Public (P)" and "Recreational (R)" group use;
2. The maximum height of a residual matter container is set at 2.5 m;
3. A residual matter container shall be accessible through an access lane that provides access to a street;
4. All residual matter containers shall be surrounded by an architectural screen or an opaque fence that is a minimum of 2 m high.

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#### **4.8.7 : Outdoor fireplaces and cooking equipment**

The following provisions apply to outdoor fireplaces and outdoor cooking equipment:

1. Outdoor fireplaces and cooking equipment must be powered exclusively by gas (natural or propane) ;
2. They shall be located more than 0.6 m from a building.

#### **4.8.8 : Patio heaters**

The following provisions apply to outdoor patio heaters;

1. A distance of at least one (1) metre between each object / piece of furniture shall be observed.

#### **4.8.9 : Generators**

In addition to all other provisions stipulated in this Chapter, generators are subject to the following specific conditions:

1. One (1) generator is authorized per landsite;
2. Except in the case of a residential use in class "H5" and for a public immovable required for emergency measures, a generator shall be installed inside an accessory building, surrounded by an acoustic barrier, or be designed with an envelope so that it meets the acoustic standards set forth in the Town by-laws.

#### **4.8.10 : Reservoirs and tanks**

In addition to all other provisions stipulated in this Chapter, reservoirs and tanks are subject to the following specific conditions:

1. A maximum of 2 propane tanks per landsite is authorized;
2. A propane tank shall be hidden by a cedar hedge, evergreen shrubs or a visual barrier that is a maximum of 1.85 metres high so as not to be visible from the thoroughfare;
3. Their siting shall be in keeping with the government standards in force;
4. One single gas or oil reservoir or one single gas or oil tank used to heat the principal building is authorized per landsite;

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5. Where installed in a side yard, the reservoir or tank shall be hidden by landscaping so that it is not visible from the thoroughfare.

#### **4.8.11 : Oil tanks**

An oil tank used for heating purposes is prohibited.

In the event that an oil tank is already installed inside the principal building at the time when this By-Law comes into force, it may be kept and used provided it is not moved or replaced.

#### **4.8.12 : Air outlets of commercial-grade hoods**

The following provisions apply to the air outlets of commercial-grade hoods:

1. An air outlet shall be installed on the roof of the building that it serves;
2. An air outlet shall be installed so that the provisions of this Chapter on shed roofs or barriers are observed.

#### **4.8.13 : Mechanical equipment and similar equipment**

Mechanical equipment or similar equipment installed on a roof shall meet the following conditions:

1. The equipment does not occupy more than 25% of the roof area;
2. The equipment is in a shed roof or hidden by a visual and acoustic barrier not exceeding the height of the equipment it hides by more than 1 metre. The shed roof or barrier shall be composed of authorized materials such as exterior cladding material or fence materials;
3. The wall of a shed roof or barrier facing a street is located at a minimum distance of 3 metres from this facade, and a minimum distance of 2 metres from the other walls;
4. The height of equipment, a shed roof or a barrier measured from the average grade of the part of the roof where it is located does not exceed 3 metres.

#### **4.8.14 : Structures and developments authorized on the roof of a building with a class H1, H2 and H3 residential group use**

A terrace and a vegetable garden are authorized on the roof of a building with a residential group use (H1, H2 and H3) on the following conditions:

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1. The development shall be located on the roof of a second storey;
2. The development shall be set back 2 metres from the side walls and set back 3 metres from the front facade;
3. The terrace shall include plant boxes.

The setbacks prescribed in this Section shall be measured from the outer edges of the roof.

**4.8.15 : Structures and developments authorized on the roof of a building with a commercial group and a class H4 and H5 residential group use**

The following are authorized on the roof of a building with a Commercial group use and a building with a Residential group use (Classes H4 and H5) of two or more storeys:

1. terraces, swimming pools, hot tubs, outdoor cooking equipment and vegetable gardens on the following conditions:
  - a) Terraces and vegetable gardens shall be set back 2 metres from the side and rear walls and set back 3 metres from the front facade;
  - b) The terrace shall include plant boxes;
  - c) A terrace may not have any audio equipment or accommodate a means of displaying art or screening films.
2. greenhouses and gazebos on the following conditions:
  - a) One (1) greenhouse or one (1) gazebo is authorized per roof level;
  - b) A greenhouse shall be a maximum of 4 m high;
  - c) A gazebo shall be a maximum of 3 m high;
  - d) The structure shall be sited at a minimum distance equal to 2 times its height in relation to the front facade;
  - e) The structure shall be sited at a minimum distance equal to one time its height in relation to a side and rear wall;
  - f) The structure shall have a maximum site coverage area of 25% of the area of the part of the roof where it is found, or it will be considered a floor.

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The setbacks prescribed in this Section shall be measured from the outer edges of the roof.

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## **Division 4.9 : Structure moving and demolition**

### **4.9.1 : Moving a structure**

A structure may be moved to a different location on the same landsite if the new siting complies with this By-Law.

A structure may be moved to a different landsite, subject to the *By-Law concerning the Demolition of Immovables*, in which case the move is prohibited if an authorization has not been issued pursuant to said by-law.

If a foundation is required under the *Building By-Law*, it shall be erected before the structure is moved.

### **4.9.2 : Demolition of a structure**

A structure may be demolished, subject to the *By-Law concerning the Demolition of Immovables*, in which case the demolition is prohibited if an authorization has not been issued pursuant to said by-law.

Except where otherwise indicated in the decision of the demolition committee, during the demolition, all parts of the building must be removed, including the foundations. The space shall be developed in accordance with this By-Law within 30 days of the removal or demolition. If the demolition takes place between November 1 of a year and April 30 of the following year, the development shall be carried out at the latest on June 30.

## **CHAPTER 5 : PROVISIONS RESPECTING TEMPORARY USES, EQUIPMENT AND STRUCTURES**

### **Division 5.1 : Temporary uses**

#### **5.1.1 : Authorized temporary uses**

Unless otherwise indicated in this By-Law, authorized temporary uses are those identified in this Chapter. A temporary structure may be authorized if the temporary use is authorized.

Specific provisions apply to certain accessory uses in this Chapter in the event that a temporary structure, temporary equipment, site development or parking is required to carry out the use.

Notwithstanding the foregoing, all of the following temporary uses are also authorized unconditionally:

1. Festivals, fairs or similar events may be authorized for a maximum of 15 consecutive days, subject to obtaining a temporary permit issued by the Town. Special conditions may be imposed;
2. Outdoor shows or sports events lasting a maximum of 15 consecutive days, except in zones that are mainly intended for residential (H) use;

## **Division 5.2 : Temporary structures**

### **5.2.1 : Trailers and mobile homes**

Trailers and mobile homes are authorized only as temporary buildings and may not be used as housing.

### **5.2.2 : Temporary buildings**

Authorized temporary buildings are the following:

1. a temporary building required for a construction site or to execute public works on the following conditions:
  - a) It may be used only as offices or to store tools or materials;
  - b) It shall be installed on the premises of the construction site no earlier than 7 days before the beginning of the construction work and be removed within 14 days of the end of the construction work.
2. temporary storage of materials required for a construction site or to execute public works on the following conditions:
  - a) The storage may begin no earlier than 7 days before the beginning of the construction work and be removed within 3 days of the end of the construction work.
3. a temporary building required for cultural, sports, community or educational events lasting a limited period of time and authorized in accordance with the Town by-laws on the following conditions:
  - a) The maximum duration of the event is 6 months;
  - b) It shall be removed within 48 hours of the end of the event or at the latest on the expiry date of the certificate;
  - c) The period of time in clause a) does not apply to the occupancy of the temporary building by temporary classes and educational institutions.
4. a temporary building required for the purposes of school classes, which is subject to following conditions:
  - a) The temporary building is authorized solely for an elementary or secondary education institution;
  - b) In addition to a certificate of authorization, an authorization by resolution of the Council must be obtained for the temporary building;

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- c) The temporary building may not be sited in the front yard of the principal building;
- d) The siting of the temporary building is deemed satisfactory by the Council, by resolution;
- e) The maximum area of the temporary building is set at 200 m<sup>2</sup>, but may not exceed 10% of the area of the principal building;
- f) The temporary building may not be installed for more than two consecutive school years and shall be removed, at the latest, on September 1 after the final school year of its use;
- g) The temporary building shall comply with all other provisions of this By-Law, as if it was a principal building.

### **5.2.3 : Temporary shelters**

Temporary carports, snow shelters, shelters for smokers or other temporary shelters are prohibited within the limits of the Town of Baie d'Urfé.

Notwithstanding the foregoing, a circus top or a tent is authorized during an event held by the Town, a community organization and for a temporary use authorized in this By-Law.

### **5.2.4 : General provisions respecting terraces where food is consumed**

The following general provisions apply to a terrace where food is consumed:

1. A terrace where food is consumed is authorized as a temporary use and structure for the following principal or complementary uses:
  - a) a food service business;
  - b) a restaurant;
  - c) a dairy bar;
  - d) a tasting space.
2. A terrace where food is consumed may be used from March 1 to November 1 of the same year;
3. Notwithstanding sub-paragraph 2), the structure of the terrace where food is consumed may remain in place between November 1 of a year and March 1 of the following year in the private domain. The structure may not prevent the snow removal operations of the Town;

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4. Notwithstanding sub-paragraph 2), outdoor furniture may remain in place in the private domain between November 1 of a year and March 1 of the following year if the terrace where food is consumed is open to customers. The structure and furniture may not prevent the snow removal operations of the Town;
5. The hours of operation of a terrace where food is consumed are from 7 a.m. to 11 p.m.;
6. Exterior signage and displays are prohibited;
7. No additional parking space is required for the layout of a terrace where food is consumed;
8. It is prohibited to cook meals on terraces where food is consumed;
9. Dances, theatrical or cinematographic performances, concerts, shows and the use of audio equipment are prohibited on terraces where food is consumed;
10. Terraces where food is consumed shall have containers for sorting residual matter.

**5.2.5 : Provisions respecting the siting of terraces where food is consumed**

Terraces where food is consumed shall meet the following siting standards:

1. A terrace where food is consumed may be sited in the front, secondary front, rear and side yards and setbacks and on the roof of a building accommodating the use served;
2. The terrace where food is consumed shall be located more than 5 metres from a residential zone;
3. The siting of the terrace where food is consumed shall not obstruct pedestrian traffic, access to business establishments and access to public services;
4. A terrace where food is consumed shall respect the sight triangle.

**5.2.6 : Dimension and height of terraces where food is consumed**

Terraces where food is consumed shall meet the following layout standards:

1. The floor area of the terrace where food is consumed shall not exceed 50% of the floor area of the principal use or may not provide more than 10 places for a complementary use of the tasting space;
2. Except for a terrace where food is consumed that is installed on the roof of a building or in the public domain, the following provisions apply:

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- a) If the floor of the terrace where food is consumed is not at the same level as the public sidewalk, it shall be a minimum distance of 0.60 metres from the public sidewalk;
- b) The floor of the terrace where food is consumed may be a maximum of 0.30 metres high if it is at a distance of 3 metres or less from the public sidewalk;
- c) The floor of the terrace where food is consumed may be a maximum of 0.60 metres high if it is at a distance of more than 3 metres from the public sidewalk.

**5.2.7 : Layout and materials of terraces where food is consumed**

The layout and materials of terraces where food is consumed shall meet the following standards:

- 1. Where sited in the front yard, the ground of a terrace where food is consumed shall be covered with washable materials such as interlocking brick pavement, wood or concrete blocks;
- 2. The perimeter of a terrace where food is consumed shall be clearly demarcated. Authorized materials for demarcating a terrace where food is consumed are wood, cord, rope and ornamental metal fences;
- 3. Where sited in the front yard, a terrace where food is consumed shall be demarcated by plant boxes or planters installed within the structure composed of a material authorized in sub-paragraph 2 of this Section;
- 4. The terrace where food is consumed may contain parasols or awnings made of removable or retractable canvas;
- 5. Where the terrace is adjacent to a residential use, it shall have a 1-metre strip of evergreens or other shrubs with permanent foliage.

**5.2.8 : Community yard sales**

Community yard sales are authorized as a temporary use for a residential use and are subject to the following conditions:

- 1. Two (2) community yard sales are authorized per year, i.e. the 2nd weekend in June and Labour Day weekend in September. These dates may be changed and others may be added by the Town.

### **5.2.9 : Residential yard sales**

Residential yard sales are authorized as a temporary use for a residential use and are subject to the following conditions:

1. One (1) residential yard sale is authorized per dwelling per year;
2. The sale may take place on Saturday between 8 a.m. and 4 p.m. and, in case of rain, may be postponed until the next day;
3. During the sale, only used household objects from the residential property where the sale takes place may be sold;
4. No yard sale shall take place or encroach on the public domain.

### **5.2.10 : Yard sales by non-profit organizations or local institutions**

Yard sales are authorized on an ad hoc basis, by non-profit organizations or local institutions, on public, institutional or community property, subject to a temporary certificate of authorization from the Town.

Their maximum frequency is 2 events per year.

Their maximum duration is 3 consecutive days.

## **CHAPTER 6 : PROVISIONS RESPECTING SITE DEVELOPMENT**

### **Division 6.1 : General provisions**

#### **6.1.1 : Compulsory treatment of unoccupied areas**

In all zones, except for outdoor storage areas where outdoor storage is permitted, portions of the lot not used or intended to be used for paved or built development shall be landscaped and seeded and all outdoor areas shall be maintained at all times.

#### **6.1.2 : Treatment period**

In the case of a Residential or Commercial group use, the landsite shall be made compliant with the provisions respecting unoccupied spaces, green spaces and required plantings set forth in this Chapter within 12 months of the occupation of the building or buildings or within 24 months of the issue of the certificate of authorization or building permit, whichever occurs first.

For a use other than Residential or Commercial group uses, the landsite shall be made compliant with the provisions respecting unoccupied spaces, green spaces and required plantings set forth in this Chapter within 3 frost-free months of the end of the construction work on the building or buildings or of the occupation of the building or buildings, whichever occurs first.

#### **6.1.3 : Landscape strip requirement**

On any landsite with a use other than residential use that is adjacent to a residential zone, a 1-metre landscape strip measured from the boundary of said residential landsite on the landsite concerned shall be planted to create an opaque barrier of conifers or bushes that are a minimum of 1.85 metres high and include a fence that is a minimum of 1.85 metres high, within the periods of time prescribed for the treatment of said landsite.

#### **6.1.4 : Fire hydrant clearance**

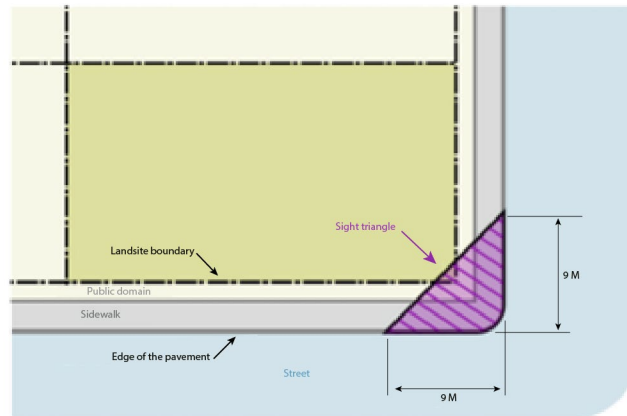
No shrub, bush, hedge or fence may be installed less than 1.5 metres from a fire hydrant.

#### **6.1.5 : Sight triangle**

On a corner landsite, any structure, fence, hedge or other development more than 0.75 metres high is prohibited inside the sight triangle.

The sight triangle is, in each corner of two intersecting streets, the triangle on the ground whose two sides are formed by the segments of the intersecting edges of pavement; the length of these two sides is 9 metres measured from their point of intersection (imaginary when the corner is rounded), as illustrated in the following figure:

Figure 1 Sight Triangle



### 6.1.6 : Municipal right-of-the-way

A municipal right-of-way adjacent to a private

immovable shall be developed and maintained by the owner who holds the legal title to said immovable.

No part of the right-of-way other than the section required for the authorized driveway or driveways may be covered with asphalt gravel, pavement, concrete or any other material except for grass or any other vegetation accepted by the Town.

### 6.1.7 : Artificial surfaces

Artificial surfaces and artificial turf are prohibited, except for sports grounds and play areas for children.

### 6.1.8 : Ponds

Access to an outdoor pond deeper than 0.60 metres shall be controlled in accordance with the provisions respecting residential swimming pools in division 4.4 of this By-Law.

### **6.1.9 : Decorative garden elements**

The maximum height of decorative elements in a garden, such a bird bath, an arbour, a statue and other similar decorative elements, is 2.5 metres in the side and rear yard or 1.5 metres in the front yard.

### **6.1.10 : Land level and earthwork**

Earthwork is authorized on the following conditions:

1. The height or depth of the earthwork must be less than 0.3 metres from the natural ground level;
2. The surface area of the earthwork must be less than 50 square metres;
3. The first 0.6 metres measured from the sidewalk or curb shall be left at the same level as the sidewalk and the curb and be free of any hedge, fence, sign, bank or other structure or development;
4. The earthwork shall be performed so that the natural topography of the land (slope, difference in level from the street and adjoining landsites) is preserved.
5. The earthwork on the landsite shall not have the effect of altering the natural flow of water on the landsite;
6. The earthwork on the landsite may not cause a structure to have a non-conforming height;
7. The earthwork may not cause a structure with a non-conforming height to become conforming;
8. The earthwork shall be performed with earth that is free of construction materials or debris, tree stumps or contaminated materials.

The meaning of the term "earthwork" is that given in the current by-law on the administration of urban planning by-laws and the issue of permits and certificates;

### **6.1.11 : Fill**

All operations that exceed the grade level authorized by this By-Law are considered to be filling operations. Filling operations are authorized on the following conditions:

1. The height of the backfill must be greater than 0.3 metres above the initial ground level, without exceeding 1 metre from the natural ground level. If earthwork is required, the height of the earthwork is included in the maximum authorized backfill height;
2. The surface area of the embankment must be greater than 50 square metres;

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3. Filling operations are authorized where the physical conditions of the landsite allow the authorized structure to be built. The necessity of a filling operation shall be demonstrated in a report by a qualified professional. The professional shall determine the measures that should be taken to reduce the required height as much as possible and to manage water;
4. The work shall be carried out in successive levels to avoid violating the 1-metre height limit on the landsite;
5. The first 0.6 metres measured from the sidewalk or the curb shall be left at the same level as the sidewalk or the curb and be free of any hedge, fence, sign, bank or other structure or development;
6. Filling shall be performed so that the natural topography of the land (slope, difference in level from the street and adjoining landsites) is preserved;
7. The fill on the landsite shall not have the effect of altering the natural flow of water on the landsite;
8. The fill on the landsite may not cause the height of a structure to become non-conforming;
9. The earthwork on the landsite may not cause a structure with a non-conforming height to become conforming;
10. The materials to be used for the fill and the work method (level, compaction, stability, etc.) shall be identified in the professional's report.

The meaning of the term "fill" is that given in the current by-law on the administration of urban planning by-laws and the issue of permits and certificates.

### **6.1.12 : Excavation**

Excavation operations on the slope of a hill aimed at erecting a structure inside said excavation shall not exceed 20% of the site coverage area of the structure.

All excavation operations shall be carried out so as to prevent any landslide, rockfall, erosion or other natural phenomenon. Control measures shall be set up during and after the operations, where applicable. In addition, all excavation operations shall be performed in such a way that the natural flow of runoff water is not disrupted and this water is not directed toward a neighbouring landsite or a public domain.

The meaning of the term "excavation" is that given in the current by-law on the administration of urban planning by-laws and the issue of permits and certificates;

### **6.1.13 : Excavation and fill operations related to the erection of a structure or an undertaking**

Fill and excavation operations are authorized for all structures and undertakings authorized in accordance with this By-Law in the planned structure and undertaking area, except where otherwise stated in a provision of this By-Law.

The construction area of a structure, a building or an undertaking corresponds to the perimeter occupied by the construction, in addition to a 1.5-metre-wide strip around the perimeter of the foundations.

However, excavation operations on the slope of a hill aimed at erecting a structure inside this excavation shall not exceed 20% of the site coverage area of the structure.

Fill and excavation operations shall be carried out in successive levels or layers with a maximum thickness of 1 m. This provision does not apply to the excavations authorized in the second paragraph of this Section.

Filling with construction material or debris, tree stumps or other artificial objects or products is prohibited.

All fill and excavation operations shall be carried out so as to prevent any landslide, rockfall, erosion or other natural phenomenon. Control measures shall be set up during and after the operations, where applicable. In addition, all fill and excavation operations shall be performed in such a way that the natural flow of runoff water is not disrupted and this water is not directed toward a neighbouring landsite or a public domain.

### **6.1.14 : Excavation and fill operations not related to the erection of a structure or an authorized undertaking**

Fill operations are solely authorized when they concern the development of a site, the correction of slopes or the drainage of the site on the following conditions:

1. The fill may not be more than 30 cm thick;
2. The maximum area to be filled may not exceed 300 m<sup>2</sup> or 10% of the surface area of the landsite;
3. The earth used for filling may not contain construction or demolition debris and residue, materials or components that are endemic to the earth used and shall in no case contain oil or other types of contaminants.

Where the fill operation does not comply with the provisions of sub-paragraphs 1 and 2 of the previous paragraph, additional documents and information are required in the permits and certificates by-law in force.

### **6.1.15 : Storage of earth or materials**

On a landsite where a principal building is erected, the storage of earth or any other material for the purposes of developing unoccupied spaces is authorized for a maximum period of 15 days in the front yard and 30 days in the other yards.

On a vacant landsite or a landsite not occupied by a principal building, the storage of earth or any other material for the purposes of developing unoccupied spaces is authorized for a maximum period of 15 days.

## **Division 6.2 : Required green space**

### **6.2.1 : Compulsory area of green space**

The minimum area required in this Division shall be compulsory on an ongoing basis. Consequently, a permit or certificate may not be issued if the structure causes the existing area to be reduced to a smaller area than the area required by this Division, except in the case of a certificate concerning the development or alteration of a parking area required under this By-Law.

### **6.2.2 : Green space composition**

Green spaces shall be composed of one or more of the following elements:

1. grass;
2. flowers;
3. ground cover plants;
4. shrubs;
5. trees planted in accordance with the provisions of this By-Law;
6. a vegetable garden with or without boxes on the ground;
7. a pond;
8. a green roof.

### **6.2.3 : Minimum area of green space for a use in the residential (H) group**

For a landsite occupied by a Residential group use, the minimum area of required green space is stated in the following table. The minimum area, prescribed as a percentage, is determined according to the method of siting of the principal building and the area of the yard on the landsite where the building is erected.

Table 21 Minimum Area of Green Space for a Use in the Residential (H) Group

Siting Type	Required Green Space in the Front Yard and Secondary Front Yard	Required Green Space in Side Yards	Required Green Space in the Rear Yard
Detached	60%	40%	45%
Semi-Detached or Contiguous	33%	40% for a semi-detached siting	45%
At the zero line	33%	40% for a semi-detached siting	45%

The green space may not, in whole or in part, be asphalted or used for parking unless it is covered with grass paver.

Maximum area of impermeable surfaces

1. Notwithstanding the minimum percentages of green space required per yard, the total impermeable surface area of a lot occupied by a use from the Residential group may not exceed 30% of the total lot area.
2. The following are considered impervious surfaces: any surface covered with materials that prevent water from infiltrating into the ground, thereby generating direct runoff. This includes, but is not limited to: roofs, driveways, parking areas, patios, terraces, asphalt or concrete surfaces, standard pavers, compacted stone dust, as well as any built or compacted surface that does not meet the permeability criteria defined in Article 1.2.3 of By-law 1109.

However, elevated structures, openwork surfaces, or installations (e.g., slatted wooden decks, pergolas without an impermeable floor, etc.) that allow water to infiltrate directly into the natural ground below are not considered impervious, provided that the underlying ground is neither compacted nor rendered impermeable.

3. Permeable mineral surfaces, as defined in Section 1.2.3 of By-law 1109, are not counted as impermeable surfaces, provided they fully comply with the technical requirements and are certified by a qualified professional.

Minimum area of vegetated surfaces

1. For any lot occupied by a use from the Residential group, at least 60% of the total lot area must be developed as vegetated surface, in accordance with the definition in Section 1.2.3 of By-law 1109.
2. A green roof may be counted towards this requirement up to a maximum of 50% of the required vegetated surface area, provided it includes a growth

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substrate and a functional plant cover (e.g., sedum, ground cover, grasses, etc.).

3. A parking area covered with grass pavers (or turf pavers) may be counted up to a maximum of 50% of the required vegetated surface area, provided it is installed on a draining base and allows infiltration equivalent to that of an unsaturated grassed surface, in accordance with the criteria defined in Section 1.2.3 of By-law 1109.

Maximum allowable area of permeable mineral surfaces

1. Permeable mineral surfaces, as defined in Section 1.2.3 of By-law 1109, may be counted toward the required vegetated surface area, up to a maximum of 10% of the total lot area.
2. Any portion of permeable mineral surface exceeding this 10% limit is considered impermeable for the purposes of applying this by-law.

Floor area shall be calculated in accordance with the definition provided in by-law on the administration of urban planning by-laws and the issue of permits and certificates.

**6.2.4 : Minimum area of green space for a commercial (C) and industrial (I) group use**

For a landsite occupied by a Commercial and Industrial group use, the minimum area of required green space is stated in the following table. The minimum area, prescribed as a percentage, is determined according to the area of the yard on the landsite where the building is erected or, where applicable, according to the area of the roof on the building (in this case, the green space shall be developed on the roof).

Table 22 Minimum Area of Green Space (%) for a Commercial (C) and Industrial (I) Group Use

Use Group	Required Green Space in the Front Yard and Secondary Front Yard	Required Green Space in Side Yards	Required Green Space in the Rear Yard	Required Green Space on the Roof
Commercial	60%	15%	15%	n/a
Industrial	50%	15%	15%	n/a
Residential and Mixed Commercial	50%	40%	45%	50%

A green roof surface may be counted in the calculation of the green space for one or more yards in a maximum proportion of 50%. This does not apply when the preceding

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table requires a green space on the roof, unless the area developed is larger than the area prescribed. In such a case, the additional area may be counted in the calculation of the green space for one or more yards in a maximum proportion of 50%.

The green space may not, in whole or in part, be asphalted or used for parking unless it is covered with grass paver. However, a surface occupied by a parking area covered with grass paver may represent a maximum of 50% of the required green space.

When a terrace where food is consumed is authorized by this By-Law, the area of green space may be used as a terrace where food is consumed, subject to the provisions of this By-Law.

## **Division 6.3 : Provisions respecting the protection and planting of trees**

### **6.3.1 : General provisions**

It is prohibited to plant the following tree species less than 15 m from a principal building, a street line, an infrastructure and an underground public utility conduit or a sanitary facility, due to their invasive root system:

1. Silver maple (*Acer saccharinum*);
2. Manitoba Maple (*Acer Negundo*);
3. Poplars (*Populus spp.*);
4. White poplar (*Populus alba*);
5. Eastern cottonwood (Canadian) (*Populus deltoides*);
6. Lombardy Poplar (*Populus nigra*);
7. Willows (*Salix spp.*);
8. Bay Willow (*Salix alba pentandra*);
9. Weeping Golden Willow (*Salix alba tristis*);
10. European Aspen (*Populus tremula*);
11. Chinese Elm (*Ulmus parvifolia*);
12. American Elm (*Ulmus americana*);
13. Ash (*Fraxinus sp.*);

Unless proof of a pest-control treatment is presented, the following tree species are not authorized for planting or replanting, due to a widespread pest problem affecting them:

1. Ashes;
2. Beeches;
3. Elms;
4. White Walnuts.

### **6.3.2 : Authorized tree felling**

Felling is authorized provided the certificate of authorization required under the *By-law concerning the Administration of Urban Planning By-Laws and the Issue of Permits and Certificates* in force is obtained and solely in the following cases:

1. The tree is dead or in a state of irreversible blight;
2. The tree is located in the siting area or at least 3 m from the siting area of a structure or a planned retaining wall. However, a tree located between 3 m and 5 m from the siting area may be felled provided that it is replaced. For the purposes of this sub-paragraph, a sign is not considered to be a structure;
3. The tree is located in the siting area of a swimming pool or, in the front yard, in the siting area of an accessory parking area or a path providing access to a building, only if no other space is available elsewhere on the landsite for such arrangements;
4. The tree shall be felled on the basis of a study by an arboriculture expert due to an irreversible situation caused by disease, a structural deficiency affecting its sturdiness or serious damage that it causes to property. Serious damage does not include normal disadvantages linked to the presence of a tree, such as the falling of twigs, leaves, flowers or fruits, the presence of roots on the surface of soil, the presence of insects or animals, shade, unpleasant odours, the secretion of sap or honeydew or the release of pollen;
5. The tree shall be felled if there is a risk that it will spread a disease or an invasive alien species and shall be replaced in such case;
6. The tree shall be felled in order to create a 5-metre-wide opening on the bank of a body of water that provides access to said body of water, provided the bank slope is less than 30%.

### **6.3.3 : Tree protection during work**

During excavation, fill or construction work, any tree at least 10 cm in diameter, measured at 1.3 m from the ground, and at least 15 cm in diameter, measured at a maximum of 15 cm from the ground, likely to be damaged shall be subject to protection measures. For the purposes of this Section, a tree is considered likely to be damaged when it is located sufficiently close to the work area to the extent that its roots could encroach on a space that needs to be excavated, its trunk could be damaged by construction vehicles or equipment, construction vehicles or equipment could travel over its root system, or materials could be stored on the root system.

Any tree likely to be damaged during excavation, fill or construction work shall be protected as follows:

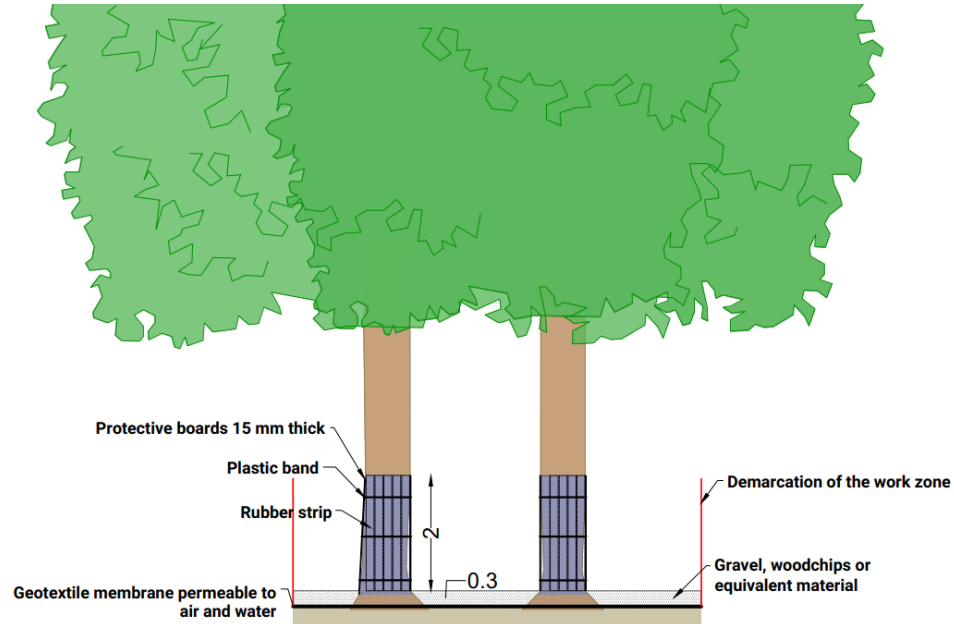
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1. The tree shall be covered, up to a height of at least 2 m, by boards that are at least 15 mm wide and retained by at least two plastic or steel bands. Strips made of rubber or an equivalent material shall be placed between the boards and the tree bark;
2. For work performed inside the demarcated zone, a layer of non-compressive material, such as uniform coarse gravel, woodchips or similar material, which is at least 30 cm thick, must be spread across the entire surface area of the area concerned by the work. This material shall be spread over a geotextile membrane permeable to air and water;
3. In the case of a stand of trees, the stand shall be surrounded by a fence that is a minimum of 1.2 m high, in good condition and remains in place throughout the duration of the work;
4. Materials may not be stored, machinery may not circulate and vehicles may not be parked inside the protection area;
5. Branches likely to be damaged shall be protected or pruned, according to best practices. Despite these precautions, branches damaged during the work shall be pruned rapidly;
6. Roots of more than 5 cm in diameter that are uncovered during the excavations shall be neatly cut with a sharp tool.

The protection of trees, including isolated trees, is also governed by the applicable provisions of By-law respecting building construction, occupancy and maintenance, and Site planning and architectural integration program By-Law.

Figure 2 Tree Protection Measures during Work



### 6.3.4 : Minimum canopy coverage to be respected

To encourage sustainable landscaping adapted to large lots, the following provisions apply to new construction or building extensions, or to the development or redevelopment of a parking area:

1. For a residential use:
  - a) A minimum canopy coverage equivalent to 30% of the total lot area must be maintained or achieved through tree planting, while taking existing mature trees into account.
2. For non-residential use:
  - a) A minimum canopy cover equivalent to 15% of the total lot area must be maintained or achieved by tree planting.
3. Front yard:
  - a) A minimum of 40% of the front yard area must contribute to the canopy, via the preservation or planting of suitable trees.
4. Favoring tree species:
  - a) The planting of wide-spreading trees and noble species is strongly encouraged. A list of recommended species will be drawn up by the Town

of Baie d'Urfé, including local species adapted to the climate and soil conditions.

5. Canopy calculation:
  - a) Canopy coverage is calculated on the basis of the ground projection of the crowns of mature trees or trees in planned growth.
6. Complementary planting:
  - a) Where the required minimum canopy coverage is not achieved, it is mandatory to plant trees so as to meet these requirements.
7. Adapted and resilient species:
  - a) Planted species must promote biodiversity, be adapted to the local climate and resistant to common diseases and pests.
8. Accepted data and calculation methods:
  - In the absence of a municipal mapping system, canopy coverage can be assessed from:
  - INSPQ urban canopy mapping (accessible via the Géoportail de santé publique du Québec);
  - Open data available on the Données Québec portal;
  - Or any other method validated by a competent professional (urban planner, landscape architect, geomatician, certified arborist).

The City reserves the right to refuse any application if the data or methods submitted do not allow for a credible and verifiable assessment of canopy cover.

### **6.3.5 : Minimum dimensions of trees to be conserved**

Trees that must be planted or conserved pursuant to this By-Law shall have a stalk that is a minimum of 10 cm in diameter, measured at 1.3 m from the ground, and be a minimum of 1.5 m high when it is planted.

### **6.3.6 : Siting a tree to be planted**

Planting trees is prohibited less than 1.5 m from a front property line.

### **6.3.7 : Compliance with the requirement to plant a tree**

Compliance with planting requirements must be verified within one year of completion of the work. Once planted, trees must be maintained in good condition and replaced if necessary.

## **Division 6.4 : Fences, low walls, retaining walls, hedges and banks**

### **6.4.1 : Maintenance**

Low walls, retaining walls, fences and hedges shall be maintained and kept in good condition. Fences shall be painted as needed and hedges shall be trimmed and pruned.

### **6.4.2 : Fences**

A fence is authorized under the following conditions:

1. Minimum transparency and translucency:
  - a) For fences bordering a front yard or visible from the street, the fence must be openwork over at least 50% of its surface to ensure better transparency and harmonious integration into the urban landscape;
  - b) For fences located in a rear or side yard, the minimum opening percentage remains set at 5%.
2. The fence is made of the following materials:
  - a) Natural, treated, painted, stained or varnished wood;
  - b) Ornamental metal;
  - c) Aluminum;
  - d) Composite material;
  - e) Plant fencing (bamboo or willow branches);
  - f) Vinyl-coated or enamelled wire mesh without PVC strips;
  - g) Vinyl-coated or enamelled wire mesh with PVC strips in backyard only;
  - h) Tempered glass panel.
3. Siting and setback:
  - a) Fences located in the front yard must be set back a minimum of 1 meter from the main facade line of the building or a detached garage, to avoid their alignment in continuity with the front walls of the building. This allows for better aesthetic integration and a smoother transition to the public space.
4. Maximum front yard height:

The maximum height of front-yard fences is limited to 1.2 m in order to preserve visibility and openness to the immediate environment;

#### **6.4.3 : Prohibited types of fences**

Within the limits of the Town, the following fence materials are prohibited:

1. barbed wire;
2. fences with fibreglass paneling;
3. for residential, commercial or mixed zones, chain link fences not coated with vinyl.

#### **6.4.4 : Fire hydrant clearance**

No fence, low wall, retaining wall or hedge may be installed or located less than 1.5 metres from a fire hydrant.

#### **6.4.5 : Provisions applicable to fences for certain uses and activities**

Notwithstanding any other provision stipulated in this By-Law, fences that are not more than 3 metres high and are installed 0.6 or more metres from the edge of the sidewalk or, if there is no sidewalk, the edge of the curb or, if there is no sidewalk or curb, from the edge of the pavement are permitted in the following cases:

1. around Public and Recreational group uses, if the very nature of the use may pose a danger or if the fence is essential to the safety of the facilities;
2. around outdoor storage areas wherever outdoor storage is permitted, except in a front yard;
3. around construction sites;
4. Furthermore, a fence that is not higher than 1.85 metres and is installed 0.6 or more metres from any boundary of a street right-of-way is permitted around cemeteries.

#### **6.4.6 : Fence installation requirement**

A fence shall be installed in the following cases:

1. A fence shall be installed on a landsite occupied by a commercial or industrial use along the entire section of its common perimeter with a residential landsite located in a residential zone;

2. A fence shall be installed on a landsite occupied by multi-family housing (class H4 and H5) with more than 12 dwellings along the entire section of its common perimeter with a landsite occupied by single-family, bi-family or tri-family housing (class H1, H2 and H3);
3. The fence required under the preceding sub-paragraphs shall be a minimum of 1.85 metres high and a maximum of 2 metres high. If the fence has openings, a dense hedge that is at least 1.8 metres high shall be installed next to it.

#### **6.4.7 : Snow fences**

A snow fence, stakes and other markers are authorized where they are used to protect landscaping, during the period from October 15 of a year to April 15 of the following year. They shall be located at a minimum of 0.6 metres from the sidewalk or the street curb.

Notwithstanding the preceding paragraph, in zones without a sidewalk or curb, flexible markers may be installed directly on the edge of the street pavement during the same period.

#### **6.4.8 : Low walls and retaining walls**

Low walls and retaining walls shall be covered with bricks or stones.

In the case of retaining walls, they may be made of concrete when a report, including a plan, is signed by an engineer and certifies that such a wall is required. In such a case, the concrete wall shall be partially covered with vegetation if the space that is adjacent to it allows vegetation to be planted and the presence of such vegetation does not affect the stability of the wall.

#### **6.4.9 : Hedges**

Hedge height :

1. The height of hedges is not subject to any limit, except in the following cases:
  - a) Within the minimum front setback, the maximum permitted height is 1.2 meters.

Visibility:

1. All hedges must comply with the visibility triangle requirements set out in this regulation.

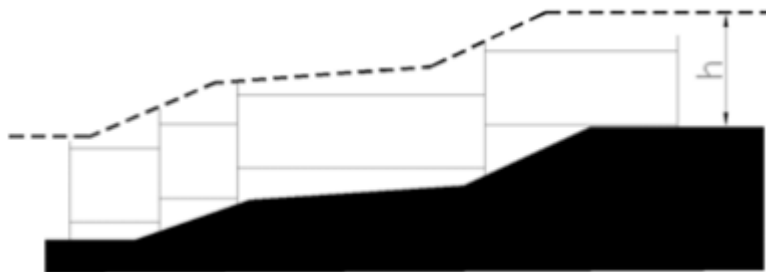
Location:

1. Hedges must be planted entirely on private property.
2. The overhang of branches and foliage onto public property is permitted within the following limits:
  - a) Up to a maximum distance of 2 meters from the edge of the sidewalk;
  - b) In the absence of a sidewalk, up to 2 meters from the edge of the curb;
  - c) In the absence of both sidewalk and curb, up to 3 meters from the edge of the pavement.

#### **6.4.10 : Calculation of the height of fences, low walls and retaining walls**

For the purposes of interpreting this Division, the maximum height established for a fence, a low wall and a retaining wall is the vertical distance between the ground and a hypothetical surface with the same configuration as the underlying ground and parallel to it.

Figure 3 Height of Fences, Low Walls and Retaining Walls



#### **6.4.11 : Height of fences, low walls and retaining walls**

Where authorized in yards and setbacks in chapter 5, fences, low walls and retaining walls shall have the following maximum heights:

1. 1.85 metres in the case of a fence located in the secondary front yard, side yard or rear yard;
2. 0.9 metres in the case of a low wall composed of bricks or stones calculated from the adjacent grade;
3. 0.9 metres in the case of a retaining wall. Notwithstanding the foregoing, the height of a retaining wall may exceed 0.9 metres when a report, including a plan, is signed by an engineer and certifies that such a wall is required. If the retaining wall is required for a driveway leading to an underground parking area, the height may not exceed 1.85 metres.

### **6.4.12 : Banks**

Where authorized in yards and setbacks in chapter 4, banks shall comply with the following conditions:

1. A bank may be a maximum of 1 metre high, calculated from the level of the sidewalk or public curb;
2. A bank shall be located on private property, covered with grass and landscaped;
3. If the distance between the principal building and the bank is more than 30 metres or if the landsite is vacant, the bank may be a maximum of 1.30 metres high, provided it is set back a minimum of 4.5 metres from the edge of the sidewalk or curb;
4. A hedge may be planted on a bank, provided the combined height of the hedge and the bank does not exceed 1.5 metres measured from the level of the sidewalk or curb.

Notwithstanding sub-paragraphs 1 and 3, a bank used as an impact wall built on the edge of a railway may be higher than 1 metre if it meets the standards of the Federation of Canadian Municipalities (FCM).

## **Division 6.5 : Sports grounds**

### **6.5.1 : Minimum distances**

The development of sports grounds such as tennis, badminton, volleyball or basketball courts is authorized for Public and Recreational group uses, the Commercial Recreation Establishment use class (C-304), and Multi-Family Residential use classes (class H4 and H5) with more than 12 dwellings.

The layout of sports grounds shall comply with the following provisions:

1. The minimum distances that must be observed, calculated from the screen or backstop, the end of the court or the fence, are established as follows:
  - a) 2.5 metres from any side boundary of a landsite;
  - b) 1.5 metres from any rear boundary of the landsite;
  - c) 4.5 metres from any street right-of-way boundary;
  - d) 2 metres from the principal building.
2. A lighting system may not be installed on a sports ground located in a residential zone.

### **6.5.2 : Screens and backstops**

Notwithstanding any provision contrary to this By-Law, a tennis court shall be surrounded by a screen or a fence that is a minimum of 3 metres high and a maximum of 3.75 metres high to prevent balls from leaving the court.

In addition, on sports fields or other sports facilities, nets of sufficient height to stop balls are authorized wherever safety warrants.

## **Division 6.6 : Cords of firewood**

### **6.6.1 : General provisions**

A cord of firewood is authorized on the landsite of a property in the Residential use group of class H1, H2 and H3 on the following conditions:

1. Said wood shall serve solely the needs of the principal use and never comprise more than 4 cords at a time, which shall be neatly piled not higher than 1.5 metres;
2. The wood shall be located at least 3 metres from the structures of neighbouring properties and may be kept in a shelter composed of poles and a roof that is 4 cords wide and high.

## **CHAPTER 7 : PROVISIONS RESPECTING PARKING AREAS AND LOADING AND UNLOADING AREAS**

### **Division 7.1 : Requirement of providing parking areas**

#### **7.1.1 : General provisions**

This Division applies to any building, principal use and change or extension of an existing use and is compulsory on an ongoing basis.

During any change or extension of a use that requires a higher number of areas than previously, the additional number of areas required for the new occupancy or extension of the existing use in relation to the previous situation and their points of access shall comply with the provisions of this By-Law.

If an activity has the effect of changing the area of a building, the number of required spaces shall be automatically modified in order to comply with the provisions of this By-Law, where applicable.

If a building encompasses different types of uses, the required number of parking spaces shall be calculated as if all of these uses were considered individually, in accordance with the standards prescribed by this By-Law.

Snow storage during the winter period may not have the effect of reducing the minimum number of parking spaces required under this By-Law.

The requirements of this Chapter do not apply to parking areas for vehicles that are for sale or lease or to parking areas for vehicles used for commercial purposes, such as by passenger and cargo transportation companies. Such uses are considered outdoor storage and the parking standards apply in addition.

#### **7.1.2 : Off-street parking**

To be authorized, all uses or buildings shall provide a sufficient number of off-street parking spaces, in accordance with the standards prescribed by this By-Law. These parking areas shall not be arranged to the detriment of the green spaces required under this By-Law. This requirement applies equally to an alteration or expansion of the principal building as well as to a new use.

Vehicles shall be parked in the parking spaces provided for that purpose.

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A principal building may not be built or expanded and a change of use or an extension of the area occupied by a use may not be carried out without off-street parking spaces being provided for that purpose in accordance with the provisions of this By-Law.

**7.1.3 : Recognition of a parking space**

To be recognized as a parking space and meet the minimum requirements, a parking space shall always be accessible and not require another vehicle to move in order to enter or leave it, except for spaces serving a use in class “H1” or “H2.”

**7.1.4 : Minimum number of required parking spaces**

The required number of parking spaces is established hereinafter according to the use classes and codes defined in chapter 2 of this By-Law. It is set based on the uses provided within the building served.

Where the required number of spaces is set according to the floor area, the gross floor area shall be used.

Where the immovable served accommodates several uses, the required number of parking spaces shall be calculated cumulatively for all uses carried out within the building.

Any fraction of a parking space shall be considered to be an additional space.

Table 23 - Minimum Number of Parking Spaces Required per “Residential (H)” Group Use

“Residential (H)” Group	Minimum Number of Required Parking Spaces
H1, H2, H3 and H4	1 space per dwelling.
H5	1.5 spaces per dwelling for the first six dwellings; 0.5 spaces per dwelling for each dwelling after the first six dwellings.

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Table 24 - Minimum Number of Parking Spaces Required per "Commercial (C)" Group Use

"Commercial (C)" Group	Minimum Number of Required Parking Spaces
C101, C102, C103, C104, C105, C106, C107, C108, C109, C201, C203, C204, C205, C206, C501, C509, C510, C511	1 space per 20 m <sup>2</sup> of floor area used as a sales space
C110, C111, C113, C114, C115, C202, C502, C503, C506, C513	1 space per 35 m <sup>2</sup> of floor area.
C112	1 space per 40 m <sup>2</sup> of floor area.
C301, C302, C303, C304, C305, C306, C401, C402	1 space per 4 seating spaces, chairs or stools, calculated on the basis of eligible occupancy load.
C403	1 space per bedroom, plus 2 spaces.
C404	1 space per bedroom for the first 40 bedrooms and 1 space per 2 additional bedrooms, plus 10 spaces.
C504, C505, C507, C512	1 space per 100 m <sup>2</sup> of floor area, plus the spaces required for the needs of the business.

Table 25 - Minimum Number of Parking Spaces Required per "Industrial (I)" Group Use

"Industrial (I)" Group	Minimum Number of Required Parking Spaces
For any use	1 space per 200 m <sup>2</sup> of floor area for the first 5,000 m <sup>2</sup> of floor area, plus 1 space per 500 m <sup>2</sup> of additional floor area.  These ratios apply to office uses only.

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Table 26 - Minimum Number of Parking Spaces Required per “Public (P)” Group Use

“Public (P)” Group	Minimum Number of Required Parking Spaces
P101	1 space per 120 m <sup>2</sup> of floor area.
P102	1 space per 55 m <sup>2</sup> of floor area.
P103	2 spaces per class. The surface area required to park school buses is in addition.
P104, P105, P108 and P109	1 space per 40 m <sup>2</sup> of floor area.
P106	5 spaces
P107	1 space per 6 seats for places of worship. 5 spaces for cemeteries.
P2	The number of spaces required to park the vehicles of employees present on a full-time basis.

Table 27 - Minimum Number of Parking Spaces Required per “Recreational (R)” Group Use

“Recreational (R)” Group	Minimum Number of Required Parking Spaces
R101	10 spaces.
R102	1 space per 10 seats or 1 space per 35m <sup>2</sup> of floor area when the hall or room does not have any seats.
R103	None.
R104 and R105	1 space per 150 m <sup>2</sup> of area occupied by the use.



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**7.1.5 : Maximum number of parking spaces in a 500-metre radius from the Baie-D'Urfé train station**

A use other than residential use located within a 500-metre radius of the Baie-D'Urfé train station is subject to the following provisions:

1. The maximum number of parking spaces that a use may include is set at 1.5 times the minimum number established in this By-Law;
2. The provisions of this Section apply during the construction of a new principal building, the expansion of an existing principal building or a change in use of an existing principal building.

**7.1.6 : Minimum number of parking spaces required for persons with reduced mobility**

In addition to the requirements specified in section 7.1.4, a minimum number of parking spaces required for persons with reduced mobility is established, hereinafter, according to the groups and classes of uses defined in chapter 2 of this By-Law.

Table 28 Minimum number of spaces required for persons with reduced mobility depending on the group or class of uses and the floor area or number of dwellings

Use Group or Class	Floor Area or Number of Dwellings	Required Number of Parking Spaces
H4 and H5	8 to 25 dwellings	1
	26 or more dwellings	1 per 25 dwellings
Commercial (C) and Recreational (R)	300 to 1,500 m <sup>2</sup>	1
	1,501 m <sup>2</sup> to 10,500 m <sup>2</sup>	3
	10,501 m <sup>2</sup> and more	5
Industrial (I)	300 to 10,000 m	2
	10,001 m <sup>2</sup> and more	4
Other uses requiring parking (except the uses of classes H1, H2, H3 and H6)	300 to 2,000 m <sup>2</sup>	1
	2,001 to 5,000 m <sup>2</sup>	2
	5,001 to 10,000 m <sup>2</sup>	4
	10,001 m <sup>2</sup> and more	5

**7.1.7 : Spaces dedicated to electric vehicles**

For all uses other than residential use, the following provisions apply to the layout of spaces dedicated to electric vehicles:

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1. The layout of parking spaces dedicated to electric vehicles shall comply with the minimum ratio of one space dedicated to electric vehicles for every section of 20 parking spaces required under this By-Law;
2. A minimum of one space dedicated to electrical vehicles shall be provided;
3. The spaces shall be located as closely as possible to the principal entrance of the buildings, but not closer to the principal entrance than the parking spaces for persons with reduced mobility. Any fraction of a parking space shall be considered to be an additional space.

**7.1.8 : Electric charging stations**

Any parking area included within a landsite that has a total of forty-eight (48) or more off-street parking spaces shall include an electrical network that supports the installation of a minimum number of electric charging stations equal to 25% of the spaces.

## **Division 7.2 : Provisions respecting the location and layout of Off-street parking spaces**

### **7.2.1 : General provisions**

The following provisions apply to all off-street parking spaces:

1. The parking spaces shall be located on the same landsite as the use served, or on a landsite located less than 150 m from said landsite, provided that this other landsite is located in the same zone or in a zone with the same intended principal use and belongs to the same owner or a third party that authorizes the use of its landsite expressly by registered servitude;
2. An off-street parking space may be located inside a private garage that is attached to or incorporated into the principal building, or in a private detached garage;
3. The lighting of an off-street parking space shall in no case constitute a nuisance to neighbouring properties, due to its intensity or brightness.

### **7.2.2 : Location of off-street parking areas for a residential use**

The following provisions apply to an off-street parking area for a landsite occupied by a residential use:

1. Each off-street parking area shall provide direct passage to a street;
2. For a landsite occupied by a class "H1" use, parking is permitted in all yards. On this same landsite, the parking area may not encroach on more than 25% of the space located in front of the principal facade of the principal building, excluding private attached garages and attached carports;
3. Notwithstanding the previous sub-paragraph, for a class "H1" use with a semi-detached or contiguous siting method, a parking area may encroach on the portion of the landsite located in front of the principal facade of the principal building, but may not attain the maximum encroachment and exceed a width of 5.5 m and 50% of the width of the landsite;
4. For a class "H2," "H3," "H4," and "H5" use, the parking area shall be located in the side or rear yard. Notwithstanding the foregoing, a parking area serving a class "H2" or "H3" use may be located in the front yard, provided it does not encroach on any space in front of the principal facade of the principal building;
5. An off-street parking area, with the exception of a curb cut and an access lane leading to the parking area, shall be located at a minimum distance of 1 m from a side or rear line of a landsite and 3 m from a front line of a landsite, except for a parking area serving single-family housing.

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**7.2.3 : Location of off-street parking areas for a use other than residential use**

The following provisions apply to off-street parking areas for uses other than residential use:

1. Each off-street parking area shall provide direct passage to a street;
2. Parking is permitted in all yards, unless otherwise indicated in this By-Law;
3. An unoccupied space between the parking area and any landsite line shall be sodded with grass and planted with trees and shrubs;
4. An off-street parking area, with the exception of a curb cut and an access lane leading to the parking area, shall be located at a minimum distance of 1 m from a side or rear line of a landsite and 3 m from a front line of a landsite.

**7.2.4 : Shared off-street parking areas**

Off-street parking areas with shared parking spaces and access lanes may be developed in accordance with the following provisions:

1. A servitude registered in accordance with the law and binding upon the applicants concerned shall be filed with the Town. The certificate of occupancy is then valid only for the period specified in the said agreement;
2. Where it is demonstrated that the parking needs of each use are not simultaneous, the total number of required spaces is equal to the greatest number of spaces required by the uses that simultaneously use the parking area.

**7.2.5 : Minimum dimensions of off-street parking spaces and access lanes**

The minimum dimensions of off-street parking spaces and access lanes are subject to the following standards:

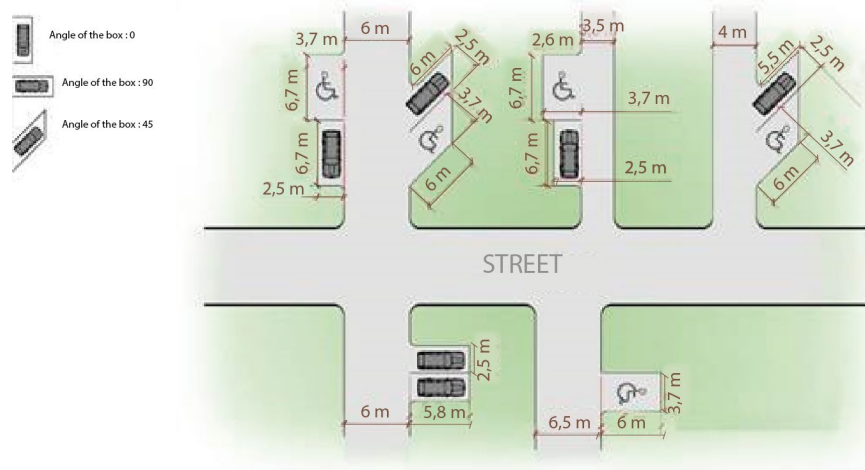
Table 29 Minimum Dimensions of Off-Street Parking Spaces and Access Lanes

Angle of the Spaces (in Degrees)	Width of the Access Lane between the Spaces		Space Width	Space Length
	One-Way	Two-Way		
0	3.5 m	6 m	2.5 m	6.7 m
30	3.5 m	6 m	2.5 m	4.6 m
45	4 m	6 m	2.5 m	5.5 m

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60	5.5 m	6 m	2.5 m	5.8 m
90	6 m	6.5 m	2.5 m	5.8 m

Figure 4 Dimensions of Off-Street Parking Spaces and Access Lanes



**7.2.6 : Minimum dimensions of off-street parking spaces for persons with reduced mobility**

Where required, an off-street parking space for persons with reduced mobility shall be a minimum of 3.7 m wide and a minimum of 6 m long, unless the dimensions required under section 7.2.5 are greater. Said space shall be located as close as possible to the principal entrance of the building and be clearly identified with a standard pictogram painted on the ground and a sign placed in the ground in front of the space.

**7.2.7 : Access lane layout**

All access lanes shall be laid out according to the following provisions:

1. The minimum width of a two-way access lane is set at 6 m and the maximum width is set at 9 m;
2. The minimum width of a one-way access lane is set at 3.5 m and the maximum width is set at 7 m;
3. An access lane may never be used for parking;
4. An access lane shall be designed so as to allow access to parking spaces without forcing another vehicle to move;

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5. A parking area with more than five spaces shall be arranged so that vehicles may enter and leave them in forward gear;
6. The maximum grade of an access lane is set at 8%. The grade shall begin more than 1 m from the street right-of-way and be located more than 6 m from the intersection of the right-of-way lines of two public streets;
7. An access lane shall be separated from a street right-of-way by a space that is a minimum of 3 m wide, except where said access lane is perpendicular to the street and leads to a curb cut. Said space shall be greened and planted with trees and shrubs;
8. The entrances and exits of a parking area shall be indicated by signage that complies with this By-Law and shall be arranged perpendicularly to the public thoroughfare where possible.

**7.2.8 : Layout of off-street parking areas**

All off-street parking areas shall be laid out and maintained according to the following provisions:

1. All surfaces serving parking areas shall be covered with asphalt, concrete, pavement, grass paver, hollow concrete slabs, natural stone slab, porous asphalt, porous concrete, permeable concrete paver or high-albedo asphalt, compacted river stone, or pavement made of recycled materials;
2. A parking area that occupies an area of more than 465 m<sup>2</sup> shall be provided with a surface drainage system so that the surface water is not drained toward the street. An infiltration and retention facility shall be designed and installed on the landsite. The selected facility shall take into account the volume of water to be filtered, the line of flow, the type of terrain and the sensitivity of the receiving environment;

During the development or redevelopment of a parking area for a “Commercial (C)” or “Industrial (I)” group use, at least one tree for each 5 linear metres, along the front line, and at least one tree for each 10 linear metres, along the side and rear lines of a landsite, shall be planted on the edge of the parking area. The quantity of trees shall always be rounded up to the higher unit. Priority shall be given to planting the trees in the front yard. Where it is impossible to do so, the trees shall be planted in a side or rear yard. The trees required under this Section shall be deciduous, have large spreads and not be prohibited in the territory.

**7.2.9 : Layout of off-street parking areas with more than six spaces**

In addition to the provisions stipulated in section 7.2.8, the following provisions apply to off-street parking areas with more than six spaces:

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1. All vehicle manoeuvres shall be executed within the parking area on the landsite;
2. Where there is no fence, the parking area shall be surrounded by a concrete, asphalt or treated wood curb that is at least 15 cm high;
3. Where the parking area is adjacent to a landsite located in a zone that is mainly intended for residential (H) use, it shall be separated from this landsite by a screen of conifers or a dense hedge that is at least 1.5 m high;
4. Each parking space shall be demarcated by an outline on the ground or an identification plate;
5. One green island shall be installed within the parking area for every 15 spaces that the parking area contains. The island shall be planted with grass and shrubs that are resistant to abrasive elements. A pedestrian access lane may also be installed on the green island;
6. Green islands and the outskirts of the parking area shall be planted with deciduous trees with a large spread that complies with the canopy index of 20% of the mineral surface of the parking area;
7. The parking area shall be designed so that rainwater is directed toward the green islands whose layouts reduce the flow toward the municipal rainwater management network and retain the water in situ.

#### **7.2.10 : Layout of off-street parking areas for bicycles**

The following provisions apply to off-street bicycle parking for new buildings, extensions or changes of use:

1. No permit for the construction, extension or change of use of a building may be issued unless a bicycle parking space has been provided;
2. The bicycle parking area shall be located on the same landsite as the use for which it is required.
3. The bicycle parking area shall be laid out so that it does not impede pedestrian or motor vehicle traffic;
4. The minimum capacity of a bicycle parking area is set at one space for every ten vehicle parking spaces required in this By-Law;
5. All bicycle parking areas shall be equipped with an installation that supports the bicycles and allows them to be secured with an anti-theft system;
6. On all landsites, a minimum anchoring system for two (2) bicycles shall be installed for each section of ten (10) off-street parking spaces required.



### **7.2.11 : Parking area construction period**

Parking areas shall be built and installed at the same time as work is executed on the principal building or the change in use is carried out.

However, where weather conditions prevent the immediate construction or development of parking areas, the occupancy of the building or the use may be authorized provided the construction or development work on the parking areas is completed within a period of 18 months from the issue of the permit or certificate of authorization.

## **Division 7.3 : Provisions respecting loading and unloading areas**

### **7.3.1 : Development requirement**

All new buildings intended for a “Commercial (C)” or “Industrial (I)” group use shall be supplied with areas for loading and unloading transportation vehicles in a sufficient number and size for their needs so that no loading or unloading operation has to be carried out from the street. A use may not begin before the loading and unloading areas have been developed.

In a zone that is mainly intended for commercial (C) use, a lane that is at least 6 m wide shall be provided behind the principal building, where the facilities required for loading and unloading shall be located.

A change in use or purpose may not be authorized unless the loading and unloading areas have been developed for the new use, in accordance with the provisions of this Division.

An expansion or transformation of the principal building may not be authorized unless the loading and unloading areas that apply to the portion of the principal building being transformed or expanded have been provided in accordance with the provisions of this Division.

### **7.3.2 : Location of loading and unloading areas**

A loading and unloading area is authorized in side and rear yards only, at a minimum distance of 2 m from any landsite line.

An access lane leading to the loading and unloading area is authorized in all yards at a minimum distance of 1 m from the side or rear lines of the landsite.

The access lane leading to the loading and unloading area shall be located on the same property as the use served and be accessible at all times. All manoeuvres by a vehicle entering or leaving a loading or unloading area shall be executed off the street.

### **7.3.3 : Street access**

All loading and unloading areas shall have access to the street. No access to a loading and unloading area shall be located less than 7.5 m from a street intersection. Said access may be shared with an off-street parking area on the same landsite.

#### **7.3.4 : Location of loading and unloading dock doors**

The doors of loading and unloading docks shall be located on the side walls of or behind the principal building.

Loading and unloading dock doors shall be installed so as to keep all trailers or semi-trailer trucks parked in front of such doors from encroaching on the front yard.

#### **7.3.5 : Surface coating**

All loading and unloading areas intended for transportation vehicle parking, including the access lanes, shall be covered with asphalt, concrete, concrete pavement, stone pavement or another certified coating for hard surfaces.

## **Division 7.4 : Provisions respecting curb cuts**

### **7.4.1 : Number and configuration of driveways**

1. Number of authorized driveways:
  - a) Only one driveway is authorized for a lot less than 25 metres wide.
  - b) For a lot wider than 25 metres, a maximum of two driveways is permitted, even if the lot is located at the corner of two streets (corner lot).
2. Maximum width of driveways:
  - a) The maximum width of a driveway is set at 6 metres.
  - b) When two driveways are authorized on the same lot, they may be paired to form a double driveway with a maximum width of 9 metres.
  - c) Widening of driveways at their junction with the street is permitted in industrial zones to facilitate vehicle maneuvering, while complying with road safety provisions.
3. Configuration and geometry of driveways:
  - a) Semicircular or similar configurations are permitted in residential or commercial zones only if the intersection points of the two accesses with the street respect a minimum spacing of 10 metres, measured in a straight line between the two closest points.

### **7.4.2 : Curb cut location**

The location of a curb cut shall comply with the following provisions:

1. In the case of a corner landsite, a curb cut may not be located less than 6 m from the point where the lines of the street right-of-ways intersect;
2. For a use other than residential use, the minimum distance between a landsite line, other than a street line, and a curb cut is set at 3 m;
3. Curb cuts shall be located according to the provisions respecting the location of access lanes.

### **7.4.3 : Curb cut development**

All curb cuts shall be covered with asphalt, concrete, concrete pavement, stone pavement or a certified coating for hard surfaces.

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## CHAPTER 8 : PROVISIONS RESPECTING SIGNAGE

### Division 8.1 : General provisions

#### 8.1.1 : Application

Within the limits of the Town, the construction, installation, maintenance, alteration and preservation of any public notice, sign or billboard shall comply with the provisions of this Chapter.

The provisions of this Chapter apply to all signs, including the structure (casing, frame, panel, etc.) required to install and maintain the sign.

Unless otherwise specified in a provision, all public notices, signs and billboards require a certificate of authorization.

#### 8.1.2 : Authorized signs not requiring a certificate of authorization

Unless otherwise indicated, in the case of a sign mentioned in the table of this Section:

1. The sign is permitted in all zones, without a certificate of authorization;
2. The sign is permitted notwithstanding any specific provision in this Chapter prohibiting or restricting signs in a zone;
3. Except in the case of a public notice in a display case, the sign is not counted in the calculation of the number or the area of the signs installed on a landsite or building;
4. The sign may not be luminous;
5. The sign shall comply with the applicable provisions set forth in the table and in any other provision of this Chapter.

Table 30 Authorized Signs Not Requiring a Certificate of Authorization

Type of Sign	Applicable Provisions
1. Signs emanating from a public authority or required by a law or a regulation, including those referring to the <i>Highway Safety Code</i> (R.S.Q., c. C-24.2);	No provision.
2. Signs indicating public or government services (telephone, postal, fire hydrant and others of the same type);	No provision.
3. Community signs.	- Method of installation: flat only:



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Type of Sign	Applicable Provisions
	- Maximum area: 0.5 m <sup>2</sup> .
4. Flags of civic organizations or government authorities.	- One single flag per landsite.
5. Flags of countries, provinces or regions.	No provision.
6. Historical inscriptions or commemorative plaques	No provision.
7. Signs referring to an election or a public consultation held under a provincial or federal law.	- May be installed at the earliest 60 days before the date of vote; - Must be removed at the latest 10 days after the date of the vote.
8. Temporary signs for real estate purposes (sales, rentals, etc.).	-Residential zones (H): maximum authorized area of 0.56 m <sup>2</sup> .  -Commercial or industrial zones (C / I): maximum authorized area 3 m <sup>2</sup> .
9. Signs announcing a construction or occupancy project, including the professionals involved in the project.	-Single-family residential zone (H): only 1 temporary sign authorized, with a maximum area of 0.56 m <sup>2</sup> .  -Multi-residential, commercial or industrial zones (C / I): Up to 3 temporary signs authorized, each with a maximum area of 4 m <sup>2</sup> .
10. Signs announcing a temporary sale of a product or a service on the landsite.	- One single authorized attached sign and one single authorized detached sign per landsite; - Maximum area: 2 m <sup>2</sup> per sign; - Maximum duration of the public notice: 14 days; - Must be made of a material that resists the elements and be solidly anchored in the ground.
11. Signs announcing a yard sale.	- One single authorized detached sign per landsite; - Maximum area: 0.6 m <sup>2</sup> ; - May be installed at the earliest four days before the yard sale is held; - Must be removed immediately, when the yard sale is finished.
12. Signs announcing a temporary outdoor sale of garden products.	- One single authorized sign attached to the stand and one single authorized detached sign per landsite; - Maximum area: 3 m <sup>2</sup> per sign; - Maximum height, including its structure: 2 m; - Minimum distance from a landsite line, other than a street line: a) 3 m for a detached sign; b) 0.9 m for a sign attached to the stand.

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Type of Sign	Applicable Provisions
	<ul style="list-style-type: none"> <li>- Minimum distance from a street line: 1 m;</li> <li>- May be installed at the earliest four days before the sale begins;</li> <li>- Must be removed at the latest three days after the sale ends.</li> </ul>
<p>13. Signs indicating the menu of a food service establishment, opening hours or the hours of religious services.</p>	<ul style="list-style-type: none"> <li>- Maximum area: 0.3 m<sup>2</sup>;</li> <li>- Minimum distance from a landsite line: 1 m;</li> <li>- For a food service establishment: a single sign installed flat or on a post located near to the entrance of the food service establishment, along a sidewalk or a concrete curb.</li> </ul>
<p>14. Directional signs intended to guide vehicles, cyclists and pedestrians and ensure the safety or convenience of clients on a landsite occupied by a "Commercial (C)" or "Industrial (I)" group use.</p>	<ul style="list-style-type: none"> <li>- Method of installation: flat or on a post, pedestal or low wall only;</li> <li>- Maximum area: 1 m<sup>2</sup>;</li> <li>- Maximum height, including its structure: 2.3 m;</li> <li>- Minimum distance from a landsite line: 1 m;</li> <li>- The content of the sign must be limited to the logo and the name of the business, and the area occupied by these messages may not exceed 50% of the display area.</li> </ul>
<p>15. Signs indicating a civic number on a building or the part of the building concerned.</p>	<ul style="list-style-type: none"> <li>- Maximum area: 0.2 m<sup>2</sup>;</li> </ul>
<p>16. Streamers</p>	<ul style="list-style-type: none"> <li>- One single authorized streamer;</li> <li>- May not encroach on the right-of-way;</li> <li>- Maximum height, including its structure: 3 m;</li> <li>- Maximum width: 1.2 m.</li> </ul>

### 8.1.3 : Prohibited signs

The following signs are prohibited:

1. Signs designed to resemble an indication, a road or traffic sign or signal, other than those authorized in the application of the *Highway Safety Code*, as well as signs that cause a glare for drivers;
2. Signs that, due to their shape, colour or brightness, may be confused with a traffic light or another automobile traffic control or regulating device;
3. Signs whose outline copies or recalls an ordinary object, a human shape or an animal shape, unless the shape enables the provision of information about the product or service offered by the establishment;
4. Flashing signs, signs with blinking lights and animated signs, excluding signs that show the time, temperature or other similar information;

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5. Signs with a rotating light or a similar type of device;
6. Signs with a laser or neon filigree;
7. Signs that rotate, gyrate, oscillate or move in another similar type of way or have a similar type of mechanism, except for a rotating barber shop sign;
8. Billboards;
9. Mobile, portable or removable signs, including "sandwich"-type signs;
10. Signs in the shape of a banner or streamer made from fabric or another non-rigid material, except in the case of temporary signs;
11. Signs painted directly on a structure;
12. Signs projected using audio-visual, electronic or light equipment, except for community electronic panels installed by the Town;
13. Signs or other devices that are suspended in the air or inflatable;
14. Signs with content that is obscene or counter to public morality.

**8.1.4 : Places where signs may not be installed**

Unless otherwise indicated in this By-Law, signs may not be installed in the following places:

1. in front of a window or a door or in a manner that conceals or obstructs, in whole or in part, a window or a door, except for a sign in a display window;
2. above an awning or a canopy if it is attached to the awning or canopy, unless the canopy is provided for the purpose;
3. on a roof;
4. on, in front of or in a manner that conceals or obstructs, in whole or in part, a balcony, a gallery, a stoop, a stairway, a ramp or an elevating machine for disabled persons;
5. on or above an accessory structure or equipment, except on an accessory building located on a landsite without a principal building;
6. on a roof-top structure, a chimney or equipment installed on the roof;
7. on a fence;
8. on a post that was not erected exclusively to hold or support a sign;

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9. on a tree or a shrub;
10. inside a sight triangle, as defined in this By-Law, for any sign exceeding 0.9 m in height.
11. on a lamppost or a public service post that was not erected for signage purposes;
12. at a place that masks or hides in whole or in part a traffic light, a road or traffic sign or signal or any other sign under the *Highway Safety Code* (R.S.Q., c. C-24.2);
13. in the public domain or above the public domain, unless otherwise indicated in a provision of this By-Law;
14. on an existing sign.

**8.1.5 : Authorized materials**

Authorized materials for signs are:

1. prepainted or dyed worked wood;
2. prepainted or painted worked metal;
3. bronze;
4. glass;
5. sturdy synthetic materials;
6. self-adhesive plastic materials for a sign in a display case only;
7. fabric and canvas for authorized temporary signs.

**8.1.6 : Siting**

All signs shall be installed on the landsite or the building where the product or service is offered, except where otherwise indicated in a provision of this By-Law.

A sign may not be installed on a facade or in a rear or side yard that does not face a street, except for directional signs.

The siting of an attached sign is subject to the following conditions:

1. The facade of the sign shall be parallel or perpendicular to the wall of the building or the canopy on which it is installed;

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2. The minimum clearance of a projecting sign in relation to the average grade of the ground is set at 3 m;
3. The maximum projection of the sign is set at 25 cm, except for a projecting sign where the maximum projection is set at 1.5 m;
4. Notwithstanding any provision to the contrary in this By-Law, where a projecting sign is installed on a building sited less than 1.5 m from a street line, the sign may encroach upon the right-of-way, provided it is located above a sidewalk and does not exceed 0.75 m.

The siting of a detached sign is subject to the following conditions:

1. A sign that is detached from a building shall hang from, be supported by or be installed on a post, a pedestal or a low wall. It may never be installed otherwise from the ground;
2. A detached sign, including its structure, shall be located at a minimum distance of 3 m from a street line;
3. Unless otherwise provided in this By-Law, a detached sign, including its structure, shall be located at a minimum distance of 1.5 m from a landsite line, other than a street line;
4. The minimum distance between a detached sign, including its structure, and a building is set at 1.5 m.

### **8.1.7 : Sign area calculation**

The area of a sign corresponds to the area of the sign, excluding its structure.

In the case of a sign with a display that is visible on two sides, only one side is calculated in the maximum authorized area, provided the two sides are separated by a maximum distance of 0.3 m and the two sides are identical.

In the case of signs that are formed by letters, symbols or detached elements and affixed directly on the facade of a building without framing (flat signs), on glass or on an awning, the area of these signs corresponds to the smallest right-angled polygon that can be formed around the letters or symbols affixed on the building, the glass or the awning.

### **8.1.8 : Permanence of messages on signs**

The message on a sign shall be set and permanent. A sign may not be equipped with a system by which the message on the sign can be automatically or manually changed or designed in such a way that a letter, a number or a part of the message may be removed or changed at will.

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However, the provisions of the first paragraph do not apply to the following signs and messages:

1. the display of the price of fuel at a gas station;
2. the display of the program on a sign installed on the canopy or the facade of a movie theatre, theatre or auditorium;
3. the display of the menu of a food service establishment;
4. the display of the temperature, time or other similar type of information;
5. a sign installed for municipal information purposes.

### **8.1.9 : Lighting**

The lighting of a sign is subject to the following conditions:

1. Only lighting by reflection is authorized;
2. Notwithstanding the previous paragraph, a lighted sign is authorized in a zone mainly intended for commercial (C) or industrial (I) use, or where erected by the Town on grounds involving traffic, safety or any other ground in favour of the public interest;
3. Where a sign is lit by reflection, the light source shall be positioned so that it does not create glares for anyone on a neighbouring property or in the public domain;
4. A temporary sign may not be lit;
5. The power supply of a detached sign shall be underground.

### **8.1.10 : Foundations of detached signs**

Except for temporary signs, the structure supporting a detached sign shall rest on a foundation that is impervious to the freezing of the ground.

The pedestal or post supporting the sign shall be made of wood or metal that has been treated so that it is protected against corrosion. A low wall supporting a sign shall be composed of masonry.

### **8.1.11 : Landscaping**

Except for directional signs, detached signs shall be installed in a landscaped area with the following characteristics:

1. The minimum area of the landscaped area is set at 2.5 m<sup>2</sup>;
2. The landscaped area shall be maintained regularly.

### **8.1.12 : Maintenance**

All signs and their structures must be maintained and kept in good condition and shall not pose any danger to public safety.

Where a part of the sign is broken or damaged, it shall be repaired within a maximum of seven days.

### **8.1.13 : Cessation or abandonment of an activity**

All signs linked to an activity or an establishment that no longer exists shall be removed, including their structures, within 30 days of the date on which the activity ceased, the establishment closed or the business was abandoned at that location.

An establishment is presumed to be permanently closed if it has remained closed for a period of one or more years.

## Division 8.2 : Specific provisions that apply to signs depending on the use

### 8.2.1 : Standards that apply to a “Residential (H)” group use

The following table identifies the signs that are authorized for a “Residential (H)” group use. Signs shall comply with the applicable provisions set forth in the following table and the provisions of this Chapter.

Unless otherwise indicated, the provisions of this Division apply to a principal use and a complementary use to the principal use.

Table 31 Standards that Apply to Signs for a “Residential (H)” Group Use

Standards	Attached Sign	Detached Sign
Type of sign permitted	Identification sign	Not authorized
Method of installation permitted	Flat	
Maximum number	Only one per building	
Maximum area	0.3 m <sup>2</sup>	
Maximum height	None	

### 8.2.2 : Standards that apply to a “Commercial (C)” group use

The following table identifies the signs that are authorized for a “Commercial (C)” group use. Signs shall comply with the applicable provisions set forth in the following table and the provisions of this Chapter.

Unless otherwise indicated, the provisions of this Division apply to a principal use and an accessory use to the principal use.

Table 32 Standards that Apply to Signs for a “Commercial (C)” Group Use

Standards	Attached Sign	Detached Sign
Type of sign permitted	<ol style="list-style-type: none"> <li>1. Collective signs;</li> <li>2. Commercial signs;</li> <li>3. Identification signs;</li> <li>4. Directional signs.</li> </ol>	
Method of installation permitted	<ol style="list-style-type: none"> <li>1. Flat signs;</li> <li>2. Projecting signs;</li> <li>3. Display case signs;</li> <li>4. Awning signs;</li> <li>5. Window signs.</li> </ol>	<ol style="list-style-type: none"> <li>1. Signs mounted on a post;</li> <li>2. Signs on a pedestal;</li> <li>3. Signs on a low wall.</li> </ol>

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Standards	Attached Sign	Detached Sign
Maximum number	Unlimited	One sign per yard facing a street.
Maximum area	5% of the area of the facade on which the signs are affixed.	5% of the area of the facade directly behind the sign.
Maximum height	May not exceed the roof or the height and width of the wall or the gable on which it is installed.	5 m, including its structure.

**8.2.3 : Standards that apply to an “Industrial (I)” group use**

The following table identifies the signs that are authorized for an “Industrial (I)” group use. Signs shall comply with the applicable provisions set forth in the following table and the provisions of this Chapter.

Unless otherwise indicated, the provisions of this Division apply to a principal use and an accessory use to the principal use.

Table 33 Standards that Apply to Signs for an "Industrial (I)" Group Use

Standards	Attached Sign	Detached Sign
Type of sign permitted	<ol style="list-style-type: none"> <li>1. Collective signs;</li> <li>2. Commercial signs;</li> <li>3. Identification signs;</li> <li>4. Directional signs.</li> </ol>	
Method of installation permitted	<ol style="list-style-type: none"> <li>1. Flat signs;</li> <li>2. Projecting signs;</li> <li>3. Display case signs;</li> <li>4. Awning signs;</li> <li>5. Window signs.</li> </ol>	<ol style="list-style-type: none"> <li>1. Signs mounted on a post;</li> <li>2. Signs on a pedestal;</li> <li>3. Signs on a low wall.</li> </ol>
Maximum number	Unlimited	One sign per yard facing a street.
Maximum area	5% of the area of the facade on which the signs are affixed.	5% of the area of the facade directly behind the sign.
Maximum Height	May not exceed the roof or the height and width of the wall or the gable on which it is installed.	5 m, including its structure.

**8.2.4 : Standards that apply to a “Public (P)” group use**

The following table identifies the signs that are authorized for a “Public (P)” group use. Signs shall comply with the applicable provisions set forth in the following table and the provisions of this Chapter.

Unless otherwise indicated, the provisions of this Division apply to a principal use and an accessory use to the principal use.

Table 34 Standards that Apply to Signs for a "Public (P)" Group Use

Standards	Attached Sign	Detached Sign
Type of sign permitted	1. Collective signs; 2. Community signs; 3. Identification signs; 4. Directional signs.	
Method of installation permitted	1. Flat signs; 2. Projecting signs; 3. Display case signs; 4. Awning signs; 5. Window signs.	1. Signs mounted on a post; 2. Signs on a pedestal; 3. Signs on a low wall.
Maximum number	Unlimited	One sign per yard facing a street.
Maximum area	10% of the area of the facade on which the signs are affixed.	10% of the area of the facade directly behind the sign.
Maximum height	May not exceed the roof or the height and width of the wall or the gable on which it is installed.	5 m, including its structure.

**8.2.5 : Standards that apply to a “Recreational (R)” group use**

The following table identifies the signs that are authorized for a “Recreational (R)” group use. Signs shall comply with the applicable provisions set forth in the following table and the provisions of this Chapter.

Unless otherwise indicated, the provisions of this Division apply to a principal use and an accessory use to the principal use.

Table 35 Standards that Apply to Signs for a "Recreational (R)" Group Use

Standards	Attached Sign	Detached Sign
Type of sign permitted	1. Collective signs; 2. Community signs;	

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Standards	Attached Sign	Detached Sign
	3. Identification signs; 4. Directional signs.	
Method of installation permitted	1. Flat signs; 2. Projecting signs; 3. Display case signs; 4. Awning signs; 5. Window signs.	1. Signs mounted on a post; 2. Signs on a pedestal; 3. Signs on a low wall.
Maximum number	Unlimited	One sign per yard facing a street.
Maximum area	10% of the area of the facade on which the signs are affixed.	10% of the area of the facade directly behind the sign.
Maximum height	May not exceed the roof or the height and width of the wall or the gable on which it is installed.	5 m, including its structure.

## **CHAPTER 9 : PROVISIONS RESPECTING THE PROTECTION AND THE DEVELOPMENT OF THE ENVIRONMENT**

### **Division 9.1 : General provisions**

#### **9.1.1 : Fight against heat islands in industrial and commercial zones**

In industrial and commercial zones, the combined area of mineral surfaces and non-reflective roofs may not exceed 60% of the total area of the landsite. A permit for expanding a building on a landsite that does not comply with this maximum percentage may be issued only on the following conditions:

In the case of a building expansion, the roofing shall be of a colour that has a solar reflectance index of at least 78 or the roof is a green roof;

In the case of the expansion of a mineral surface, the site plan provides for at least 10% of the additional area to be covered with vegetation and planted with high-growing deciduous trees or an equivalent area on the landsite.

## **Division 9.2 : Provisions respecting lakeshores, riverbanks and littoral zones**

### **9.2.1 : General provisions**

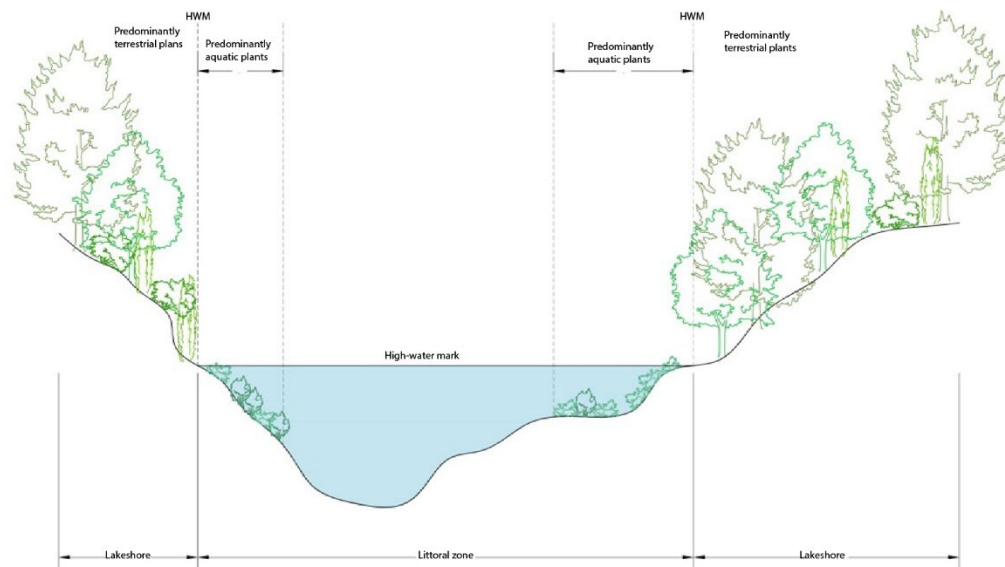
The *Regulation respecting the Regulatory Scheme Applying to Activities on the Basis of their Environmental Impact* (CQLR, Q-2, r. 17.1), the *Regulation respecting Activities in Wetlands, Bodies of Water and Sensitive Areas* (CQLR, c. Q-2, r.0.1), as well as any provincial regulation respecting lakeshores, riverbanks and littoral zones have precedence over all incompatible provisions in this Division.

### **9.2.2 : Permit or certificate of authorization requirement**

A permit or a certificate of authorization is required for all structures, undertakings and works on the lakeshore, riverbank or littoral zone of a watercourse or a lake.

This requirement does not apply to structures, undertakings or works related to forest management activities on public domain lands that are carried out subject to the *Sustainable Forest Development Act* (R.S.Q., c. A-18.1).

Figure 5 Lakeshore, Riverbank and Littoral Zone Boundaries



### **9.2.3 : Lakeshore and riverbank width**

Lakeshores and riverbanks are at least 10 m wide where the slope is less than 30% or where the slope is greater than 30% with a bank less than 5 m high.

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Lakeshores and riverbanks are at least 15 m wide where the slope is continuous and greater than 30%, or where the slope is greater than 30% with a bank over 5 m high.

The width of lakeshores and riverbanks is measured horizontally from the boundary of the littoral zone extending inland.

The following diagrams are provided for information purposes only:

Figure 6 - Lakeshore and Riverbank Boundary Based on a Slope of 30% or Less

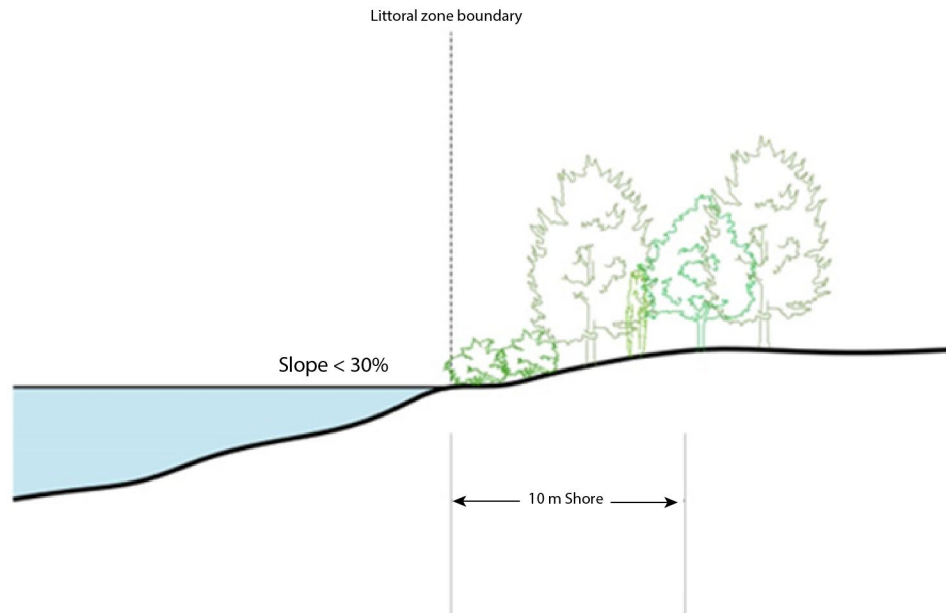
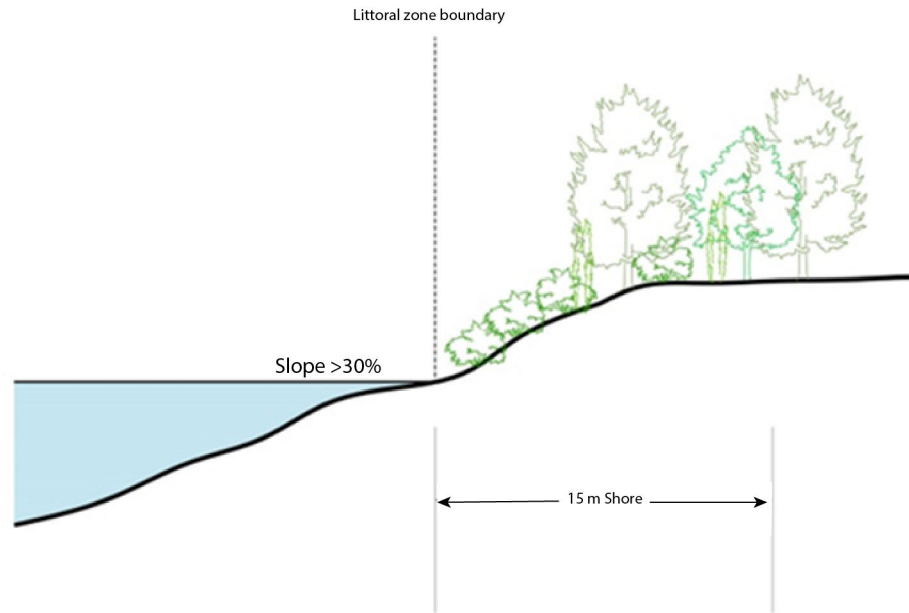


Figure 7 - Lakeshore and Riverbank Boundary Based on a Slope of 30% or More



#### 9.2.4 : Authorized structures, undertakings and works on lakeshores or riverbanks

All structures, undertakings and works are prohibited on lakeshores and riverbanks. However, the following structures, undertakings and works may be permitted, provided they are not executed in an incompatible manner with other protection measures recommended for floodplains:

1. the maintenance, repair and demolition of existing structures and undertakings used for purposes other than municipal, commercial, industrial, public or public access purposes;
2. structures, undertakings and works for municipal, commercial, industrial, public purposes or for public access purposes, including their maintenance, their repair and their demolition, if an authorization must be obtained under the *Environmental Quality Act* (R.S.Q., c. Q-2);
3. the construction or expansion of a principal building for purposes other than municipal, commercial, industrial, public or public access purposes provided that:
  - a) the size of the landsite does not allow for the construction or expansion of the principal building once the buffer strip has been established, and the construction or expansion cannot reasonably take place elsewhere on the land;

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- b) the land was subdivided before the coming into force of the *Interim Control By-Law of the former Urban Community of Montreal (By-Law 65)* on December 21, 1983;
  - c) the lot is not located in a high-risk erosion or landslide area identified in the Land Use and Development Plan of the Montreal Urban Agglomeration;
  - d) a buffer of a minimum of 5 m is maintained in its current state, or preferably returned to its former natural state;
4. the construction or siting of an accessory building such as a garage, shed or swimming pool on the part of a lakeshore or riverbank that is no longer in its natural state on the following conditions:
- a) The size of the lot does not allow the construction or the expansion of the accessory building once the buffer strip has been established;
  - b) The landsite was subdivided before the coming into force of the *Interim Control By-Law of the former Urban Community of Montreal (By-Law 65)* on December 21, 1983;
  - c) A buffer strip of a minimum of 5 m is maintained in its natural state, or preferably returned to its former natural state;
  - d) The accessory building is sited without excavation or fill.
5. the following vegetation-related undertakings or works:
- a) sanitation cutting;
  - b) the harvest of trees made up of 50% stems that are 10 or more centimetres in diameter, provided at least 50% of the forest cover is preserved in private woods used for agricultural purposes and located inside of an agricultural zone within the meaning of the APAAA;
  - c) felling required for an authorized structure or undertaking;
  - d) felling required to create a 5-metre-wide access to a body of water whose shore or bank has a slope of less than 30%;
  - e) pruning and trimming required to create a 5-metre-wide view window if the slope of the lakeshore or riverbank is greater than 30%, or to create a trail or stairs providing access to the body of water;
  - f) for the purpose of restoring permanent and sustainable vegetation cover, the seeding or planting of plants, trees or shrubs, and the related work involved;

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- g) the cultivation of the soil for farming operations inside the agricultural zone within the meaning of the APAAA, provided a minimum vegetation strip of 3 metres, whose width is measured from the high-water mark, is preserved. Furthermore, where there is a bank and the top of the bank is less than 3 metres from the high-water mark, the width of the vegetation strip to be preserved shall include a minimum of one metre on the top of the bank;
6. the following undertakings or works:
- a) the installation of fencing;
  - b) the installation or creation of outlets for sub-surface and surface drainage systems and pumping stations;
  - c) the creation of water crossings for fording, culverts and bridges and the related access roads;
  - d) all septic installations that comply with the regulation concerning waste water disposal systems for isolated dwellings made under the *Environment Quality Act* (R.S.Q., c. Q-2);
  - e) where the slope, soil type and site conditions prevent the restoration of vegetation cover and the return of a lakeshore or riverbank to its natural state, undertakings or works to stabilize the soil using vegetation or mechanical means such as riprap, gabions or retaining walls. Preference should be given to the technique most likely to promote the eventual establishment of natural plant growth;
  - f) groundwater withdrawal facilities used for other than municipal, commercial, industrial, public purposes or for public access purposes, and installed in accordance with the *Water Withdrawal and Protection Regulation* (R.S.Q. c Q 2, r. 35.2);
  - g) reconstruction or widening of an existing road;
  - h) undertakings and works required for the structures, undertakings and works authorized in littoral zones, in accordance with this By-Law.

**9.2.5 : Authorized structures, undertakings and works in littoral zones**

All structures, undertakings and works are prohibited in littoral zones. However, the following structures, undertakings and works may be permitted, provided they are not executed in an incompatible manner with other protection measures recommended for floodplains:

- 1. wharves, shelters or docks on pilings or made of floating platforms;
- 2. creation of water crossings for fording, culverts and bridges;

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3. surface water withdrawal facilities installed in accordance with the *Water Withdrawal and Protection Regulation* (R.S.Q. c Q-2, r. 35.2), except facilities composed of inlet and diversion channels intended for non-agricultural purposes;
4. encroachment on the littoral zone that is required for works authorized on the lakeshores or riverbanks;
5. cleanup and maintenance in watercourses, without disturbing the bed, carried out by a municipal authority pursuant to the powers and duties assigned to it by law;
6. structures, undertakings and works for municipal, industrial, commercial, or public purposes or public access purposes, including their maintenance, repair and demolition, for which an authorization must be obtained under the *Act respecting the Conservation and Development of Wildlife* (R.S.Q., c. C-61.1), the *Watercourses Act* (R.S.Q., c. R-13) or any other law;
7. maintenance, repair and demolition of existing structures and works that are not used for municipal, industrial, commercial, public or public access purposes.



## **Division 9.3 : Provisions respecting flood-prone areas**

### **9.3.1 : General provisions**

The *Regulation respecting the Regulatory Scheme Applying to Activities on the Basis of their Environmental Impact* (CQLR, Q-2, r. 17.1), the *Regulation respecting Activities in Wetlands, Bodies of Water and Sensitive Areas* (CQLR, c. Q-2, r.0.1), as well as any provincial regulation respecting flood-prone areas have precedence over all incompatible provisions in this Division.

### **9.3.2 : Permit or certificate of authorization requirement**

A permit or certificate of authorization is required for any construction, work or undertaking in a floodplain that is likely to alter the water regime, interfere with the free flow of water during flood periods, disturb wildlife or plant habitats, or jeopardize the safety of people or property.

### **9.3.3 : Structures, undertakings and works permitted in the high-velocity zone**

All structures, undertakings and works are prohibited in the high-velocity zone of a floodplain and in floodplains where high-velocity zones are not distinguished from low-velocity zones. Notwithstanding the foregoing, the following structures and undertakings may be allowed in those zones, provided they are consistent with the protection measures that apply to lakeshores, riverbanks and littoral zones:

1. works to maintain land in good condition, to maintain, repair, modernize or demolish existing structures and undertakings, provided the flood-prone area of the land does not increase as a result of the works; however, when work is carried out to modernize or reconstruct infrastructures associated with a public thoroughfare, the flood-prone area of the undertaking may be increased by 25% for public safety reasons or to bring the infrastructure into conformity with the applicable standards; in all cases, major work on a structure or an undertaking shall entail flood-proofing the entire structure or undertaking;
2. works, structures or undertakings for public access purposes or for municipal, industrial, commercial or public purposes that are essential to port activities, navigation or shipbuilding, such as wharves, breakwaters, canals, locks and fixed navigation aids and their equipment and accessories. Appropriate flood-proofing measures shall be applied to the parts of the undertakings located under the flood level of the 100-year flood elevation;
3. linear, underground public utility facilities such as pipelines, power lines, telephone lines, water mains and sewers that have no service entrance for structures or undertakings located in the high-velocity zone;

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4. construction of underground waterworks or sewer systems in built-up areas not supplied by services with a view to supplying the structures and undertakings on the date on which the first municipal by-law comes into force prohibiting the new constructions;
5. septic installations for existing structures or undertakings; the planned installation shall comply with the regulation concerning waste water disposal systems for isolated dwellings made under the *Environment Quality Act* (R.S.Q., c. Q-2);
6. alteration or replacement, for the same use, of an existing water withdrawal facility, as well as the installation of surface water withdrawal facility below ground level, in accordance with the *Water Withdrawal and Protection Regulation*;
7. an open-air undertaking, other than a golf course, intended for recreational purposes and that does not require filling or the removal of fill. However, fill spreading is authorized provided the overall topography of the land remains unchanged;
8. reconstruction of an undertaking or structure destroyed by a disaster other than a flood. All reconstructed undertakings and structures shall be flood-proofed in accordance with the provisions of section 9.3.4 of this By-Law;
9. development of wildlife habitats that does not require filling and development of wildlife habitats that requires filling, but in the latter case, only if an authorization must be obtained under the *Environment Quality Act* (R.S.Q., c. Q-2);
10. agricultural land drainage works;
11. agricultural activities that do not require filling or the removal of fill.

**9.3.4 : Provisions respecting the low-velocity zone**

In the low-velocity zone of a flood plain, the following are prohibited:

1. all structures and all undertakings that are not flood-proofed;
2. filling work other than the work required to flood-proof authorized structures and undertakings.

**9.3.5 : Flood-proofing measures that apply to structures, undertakings and works carried out in a floodplain**

Authorized structures, undertakings and works shall comply with the following flood-proofing standards, adapted to the specific context of the infrastructure concerned:

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1. No opening (window, cellar window, door, garage, etc.) may be lower than the level of the 100-year flood elevation;
2. No ground floor is allowed at a level that is lower than the 100-year flood elevation;
3. Drains must have a non-return valve.

For any structure or part of a structure built below the 100-year flood level, a study must be prepared by a member of the Ordre des ingénieurs du Québec demonstrating the structure's resistance to flooding and must include calculations relating to:

1. waterproofing;
2. structural stability;
3. the necessary reinforcement;
4. seepage water pumping capacity; and
5. resistance of the concrete to compression and tension.

The filling of land shall be restricted to protecting the area immediately around the structure or undertaking concerned and shall not extend to the entire landsite; the average slope downward from the top of the fill next to protected structure or undertaking shall not be less than 33 1/3% (vertical to horizontal ratio of 1:3).

### **9.3.6 : Structures, undertakings and works eligible for an exemption**

In the high-velocity zone of a floodplain, the following structures, undertakings and works are eligible for an exemption, provided they are consistent with other protection measures applicable to lakeshores, riverbanks and littoral zones:

1. any project to widen, raise, create an entrance or exit, bypass or to realign along their present axis existing thoroughfares including railroads;
2. thoroughfares crossing bodies of water and their access roads;
3. any project to construct new aboveground public utilities such as pipelines, power lines, telephone lines, and infrastructures connected with water mains and sewers, with the exception of new thoroughfares;
4. the installation of a groundwater withdrawal facility in accordance with the *Water Withdrawal and Protection Regulation*;
5. the installation of a surface water withdrawal facility below ground level in accordance with the *Water Withdrawal and Protection Regulation*;

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6. waste water treatment plants;
7. flood protection works undertaken by governments or government departments or bodies, or by municipalities, to protect areas already built-up, and special flood prevention undertakings designed to protect existing structures and undertakings used for public, municipal, industrial, commercial, agricultural or public access purposes;
8. flood prevention works designed to protect zones bounded by land having an elevation higher than the 100-year flood elevation and that are flooded only by the backing up of water mains;
9. any undertaking to:
  - a) expand an agricultural, industrial, commercial or public facility;
  - b) enlarge a structure and its dependencies without changing the zoning typology;
10. development of land for recreational purposes or for agricultural or forest management activities that requires filling or the removal of fill, involving undertakings such as roads, footpaths and bicycle paths. However, flood protection undertakings and golf courses are not eligible for an exemption;
11. development of wildlife habitats that requires filling, and for which an authorization need not be obtained under the EQA;
12. dams used for municipal, industrial, commercial or public purposes, for which an authorization must be obtained under the EQA.

**9.3.7 : Criteria for determining the eligibility of application for an exemption**

An application for an exemption can only be assessed for eligibility if it is accompanied by the appropriate supporting documents. This application shall provide a detailed cadastral survey of the site for which a works, undertaking or structure is planned and should show that the works, undertaking or structure satisfies the following criteria:

1. Human safety is ensured and private and public property is protected because suitable flood-proofing and protection measures have been integrated;
2. Natural streamflow is not impeded. The probable changes in the hydraulic regime of a watercourse must be identified and specific information relating to impediments to ice movement, reduction in flow area, potential erosion risks and risk of an increase in the flood level upstream that may be caused by a works, structure or undertaking must be given;



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3. The integrity of the territories is maintained by avoiding filling and by demonstrating that the proposed works, undertakings and structures cannot be reasonably located somewhere other than in the floodplain;
4. The quality of the water, the plants and wildlife representative of wetlands and their habitats, and in particular threatened or vulnerable species, is protected to preclude damage. The potential environmental impacts of a structure, undertaking or works must be assessed taking into account the characteristics of the materials used for flood-proofing;
5. Public interest for a works, undertaking or structure has been demonstrated.



## **Division 9.4 : Provisions respecting the protection of the environment**

### **9.4.1 : Provisions that apply to wetlands**

No undertaking, structure or works are authorized in a wetland, unless the applicant has obtained a certificate of authorization from the Ministère de l'Environnement et de la Lutte contre les changements climatiques, pursuant to section 22 of the *Environment Quality Act* (R.S.Q., c. Q-2).

All structures, all undertakings, all drainage works and all works are prohibited in a wetland, except for the following:

1. structures, undertakings and works that are intended for municipal, commercial or public access purposes and are strictly conceived as an extensive recreational or conservation initiative to develop the distinctive ecological characteristics, plants or animals in the wetland;
2. sanitation cutting.

### **9.4.2 : Prohibition on encroaching on a wetland and its protection area**

In a wetland of interest to be protected or restored and in its protection area, identified in Appendix "4" – Natural and anthropogenic constraints plan, any use of the land, any construction including reconstruction and expansion, any work, any activity of excavation, backfilling or movement of humus or non-invasive native plants are prohibited except:

1. For the purpose of widening an existing traffic lane;
2. For the purpose of establishing an electricity, gas, telecommunications, cable television network, a water or sewer service, or a railway;
3. For the purposes of implementing a major road project or public transportation infrastructure projected in the Plan or a facility of metropolitan interest projected in the Metropolitan Land Use and Development Plan of the Communauté métropolitaine de Montréal or of agglomeration interest projected in the Plan;
4. For the purposes of implementing infrastructure or equipment that was the subject of an agreement before December 21, 2023;
5. For the purposes of maintaining, restoring or creating a wetland or a protected area;
6. A use, construction or work relating to the observation of nature and the interpretation of the environment, under the following conditions:

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- a) In a wetland environment, the constructions and works are built above ground, on stilts and excavation or backfilling activities are authorized for ground anchoring elements;
  - b) In the protection area, the paths are a maximum width of 4 meters and, as for other constructions or works on the ground, are made with a permeable coating;
  - c) In the protection area, the buildings are built without foundations and in such a way as to allow the free circulation of water;
7. A fence or hedge separating a property or part of it from another property under the following conditions:
- a) The fence or hedge must be located outside the wetland, unless it separates the property or part of it from a traffic lane or public space;
  - b) The fence must be openwork and allow the free flow of water;
  - c) Excavation or filling activities are authorized for ground anchoring elements;
8. The reconstruction or expansion of a main building existing on December 21, 2023, provided that there is no additional encroachment into the protected area and the wetland. Excavation or backfilling activities are authorized, but must be limited to what is required for the reconstruction or expansion of the building;
9. Construction including the reconstruction and expansion of a building accessory to a main building existing on December 21, 2023, under the following conditions:
- a) The building or its expansion must be built without foundations and allow the free circulation of water;
  - b) The building or its expansion must be located more than 10 metres from the wetland;
10. The reconstruction of a vehicular access road or an outdoor parking area serving a main building existing on December 21, 2023, provided that it is made of permeable materials. Excavation or filling activities are permitted, but must be limited to what is required for the reconstruction of the vehicular access road or outdoor parking area.

In the protection area of a wetland of interest to be protected or restored indicated in Appendix "4" – Natural and anthropogenic constraints plan, the riparian side of a constructed building that does not encroach on a wetland must be fenced without openings or access to it.

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Despite the foregoing, for land located outside a wetland of interest to be protected or restored indicated in Appendix "4" – Natural and anthropogenic constraints plan, and upon demonstration that the land is legally occupied and developed in its entirety, a new land use, a new work and a new construction, including any reconstruction and any expansion are authorized in the protection area.

#### **9.4.3 : Encroachment in a wetland protection area**

Despite the previous article, for undeveloped land, a land use, a construction, a structure and an activity of excavation, backfilling or moving humus or non-invasive native plants are authorized to encroach on the protection area if the following conditions are met:

1. The cadastral delimitation is prior to December 21, 2023;
2. The rate of implantation of buildings on the entire land must be less than 25%;
3. The buildings must allow the free circulation of water;
4. A vehicular access road and an outdoor parking, loading or unloading area serving a main building must be made of permeable materials;
5. Excavation, backfilling or moving of humus or non-invasive native plants must be limited to what is required for the installation of a main building, a vehicular access route and, if no other space is available elsewhere on the land, an outdoor area for a use accessory to the main use, in particular an outdoor parking area and a relaxation area.

#### **9.4.4 : Provisions that apply to heterogeneous fill**

In the heterogeneous fill area, all structures and developments are subject to the following conditions:

1. A geotechnical survey shall be performed by a qualified professional to determine and identify the presence of underground gas, the potential for soil compaction, soil aggressiveness caused by the presence of sulphates, or the presence of hazardous substances;
2. After the surveys are performed in accordance with the previous subparagraph, recommendations shall be provided on the appropriate measures to be taken to make the site suitable for building.
3. The recommendations issued in connection with the geotechnical survey shall be applied;
4. A copy of the proposed project and report relating to the geotechnical surveys must be provided to the hazardous substances department of the Ministère du

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Développement Durable, de l'Environnement et de la Lutte contre les changements climatiques du Québec, de la Faune et des Parcs so that written permission from the Deputy Minister may be obtained in accordance with section 65 of the *Environment Quality Act* (R.S.Q., c. Q-2).

#### **9.4.5 : Provisions relating to invasive species**

Within a 100-metre strip of a natural environment that is protected or in the process of being protected, a local park containing natural environments of interest, a wetland to be protected or restored or a wetland of interest, either identified in Appendix "4" - Plan of natural and anthropic constraints, or located in a neighbouring municipality, the planting of the following plant species is prohibited:

1. *Alliaria officinalis* (*Alliaria petiolata*);
2. Reed canary grass (*Phalaris arundinacea*);
3. Wood thrush (*Anthriscus sylvestris*);
4. Giant hogweed (*Heracleum mantegazzianum*);
5. *Butomus ombellatus* (*Butomus ombellatus*);
6. Water chestnut (*Trapa natans*);
7. Cynanche de Russie or Dompte-venin de Russie (*Cynanche rossicum*);
8. Black cynanch (*Cynanchum louiseæ*);
9. Podagrarian egopod (*Ægopodium podagraria*);
10. Hemlock maple (*Acer Negundo*);
11. Norway maple (*Acer platanoides*);
12. Mollugin bedstraw (*Galium Mollugo*);
13. *Glyceria aquatica* (*Glyceria maxima*);
14. Hydrocharide grenouillette (*Hydrocaris morsus-ranæ*);
15. Glandular Impatiens (*Impatiens glandulifera*);
16. Iris faux-acore (*Iris pseudacorus*);
17. Common Miscanthus (*Miscanthus sacchariflorus*);
18. Chinese Miscanthus (*Miscanthus sinensis*);

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19. Eurasian watermilfoil (*Myriophyllum spicatum*);
20. Buckthorn (*Frangula alnus*);
21. European buckthorn (*Rhamnus cathartica*);
22. Siberian elm (*Ulmus pumila*);
23. Periwinkle (*Vinca minor*);
24. White poplar (*Populus alba*);
25. Bohemian knotweed (*Fallopia X bohemica*);
26. Sakhalin knotweed (*Fallopia sachalinensis*);
27. Japanese knotweed (*Fallopia japonica*);
28. Black locust (*Robinia pseudoacacia*);
29. Amphibious ragweed (*Rorippa amphibia*);
30. Common reed (*Phragmites australis*);
31. Multiflora rose (*Rosa multiflora*);
32. Rough rose (*Rosa rugosa*);
33. Purple loosestrife (*Lythrum salicaria*).

## **CHAPTER 10 : PROVISIONS RESPECTING ANTHROPOGENIC CONSTRAINTS**

### **Division 10.1 : Provisions respecting buffer zones**

#### **10.1.1 : Scope**

This Division applies to the entire territory of the Town of Baie-D'Urfé.

A buffer zone shall be developed in accordance with this Division for all landsites that are occupied by a use in the "Commercial (C)," "Industrial (I)" or "Public (P)" use group and are adjacent to a landsite occupied by one of the following uses:

1. A residential use ;
2. A library;
3. A long-term care facility;
4. A child and youth protection center;
5. A rehabilitation center;
6. A health and social services center;
7. A hospital;
8. A school ;
9. A cultural establishment, such as a place of worship or a convent;
10. A daycare centre.

The development of a buffer zone, in accordance with this Division, is also required on any landsite adjacent to a railway.

#### **10.1.2 : Layout standards**

The required buffer zone shall be laid out according to the following conditions:

1. The buffer zone shall be located on the edge of the boundary with the adjacent landsite occupied by a residential use or a railway and its width shall be measured from said boundary;
2. The minimum width of the buffer zone is set at 3 m;
3. The buffer zone shall be greened and made up of a minimum of 60% conifers;

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4. When developing the buffer zone, the trees planted shall reach a minimum height of 2.5 m and be arranged so that three years after they have been planted, they form a continuous screen, except for spaces reserved for vehicle and pedestrian traffic;
5. Spaces not occupied by plants shall be sodded with grass and maintained;
6. The buffer zone may be located in an existing wooded area, if said area has the percentage of conifers required by this Section;
7. The buffer zone shall be completed within 12 months of the issue of the permit or the certificate of authorization.



## **Division 10.2 : Provisions respecting sensitive uses**

### **10.2.1 : Scope**

For the purposes of applying this Division, the following uses are considered to be sensitive:

1. residential uses;
2. the following community and institutional facilities:
  - a) libraries;
  - b) residential and long-term care centres;
  - c) child and youth protection centres;
  - d) rehabilitation centres;
  - e) health services and social services centres;
  - f) hospital centres;
  - g) schools;
  - h) cultural establishments such as places of worship and convents;
  - i) day care centres.

### **10.2.2 : Occupation of land adjacent to a main railroad line or rail yard**

A landsite or part of a landsite located less than 30 m from the limit of the right-of-way of a main railroad line or a rail yard, and adjacent to these rights-of-way, may not be occupied by a sensitive use if the sound level inside the building or the part of the building where the use is carried out is higher than 40 dBA Leq (24h).

A landsite or a part of a landsite located less than 75 m from the right-of-way of a main railroad line or a rail yard, and adjacent to these rights-of-way, may not be occupied by a sensitive use if the vibration level inside the building or the part of the building where the use is carried out is higher than 0.14 mm/s.

Any construction project intended for a sensitive use must comply with certain criteria designed to promote safe development and construction on this land, such as:

1. The installation of acoustic screens to reduce external rail noise by 5 to 15 dBA ;

2. The location, orientation and layout of the building's rooms:
  - a) The use of plinths ;
  - b) The construction of enclosed balconies;
  - c) Planting of trees and shrubs;
  - d) Use of brick, concrete or other heavy materials for walls;
  - e) Use of suitable windows and doors for optimum sound insulation;
3. The implementation of measures to attenuate vibrations;
4. Installation of safety barriers;
5. Efficient runoff and drainage management systems.

In order to assess these criteria, the proponent of the construction project must submit, in support of its project, an assessment in accordance with the Guidelines for New Development Near Railway Operations of the Federation of Canadian Municipalities and the Railway Association of Canada, 2013.

### **10.2.3 : Occupation of a landsite adjacent to a highway or rapid transit route**

A landsite or a part of a landsite zoned for building and located less than 300 m from the right-of-way of a highway or a rapid transit route and adjacent thereto may not be occupied by:

1. a sensitive use if the sound level inside the building or part of the building where the use is carried out is higher than 40 dBA Leq (24h);
2. a ground-level recreational area located outside the building if the sound level outside the building is higher than 55 dBA Leq (24h).

### **10.2.4 : Sectors located within a 500-Metre radius of an organic matter processing centre**

Only industrial and park uses are authorized within a 500-metre radius of an organic matter processing centre (biomethanation, composting or household waste pre-treatment facility).

The 500-metre distance shall be calculated from the boundaries of the landsite proposed for the installation of an organic matter processing centre, unless the section of the operation that generates odours has already been located, in which case the distance shall be calculated from the chimney of that section.

### **10.2.5 : Installation of pipelines for transporting hydrocarbons**

No pipelines for transporting hydrocarbons may be installed less than 300 m from a sensitive use.

## **CHAPTER 11 : SPECIFIC PROVISIONS RESPECTING CERTAIN PROJECTS, CERTAIN USES OR CERTAIN ZONES**

### **Division 11.1 : Provisions respecting integrated residential projects**

#### **11.1.1 : Scope**

Where authorized in the specifications schedule, integrated residential projects are authorized on the conditions provided in this Division. Where a provision is incompatible with any other provision in this By-law, the provisions of this Division have precedence.

#### **11.1.2 : General provisions**

In an integrated residential project, "Residential (H)" group uses and their accessory uses are permitted.

An integrated project shall be located on a landsite that may be constituted by one or more landsites designated as private or common portions.

An integrated project shall include a minimum of four principal buildings whose use is residential, be served by one or more private driveways and have one or more amenity areas. For application purposes, two semi-detached housing units or a group of contiguous housing units are considered to be one single building.

#### **11.1.3 : Subdivision standards and location dimensions**

The subdivision standards apply to landsites intended to accommodate an integrated project. However, each location where a principal building will be erected shall have a minimum area corresponding to the site coverage area of the building plus 5% of this area.

For the purposes of this Section, a location corresponds to the part of the landsite intended to accommodate a principal building and that will be deemed a private portion within the framework of an integrated project.

#### **11.1.4 : Siting method**

The following siting standards apply to all principal buildings:

1. The side and rear setback is set at 8 m;

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2. The minimum applicable front setback is the one prescribed in the specifications schedule;
3. The minimum distance from any other principal building is set at 6 m;
4. A minimum distance of 1 m shall be observed between a principal building and any driveway.

#### **11.1.5 : Principal buildings**

The following layout standards apply to all principal buildings:

1. The maximum site coverage ratio of the group of principal buildings located within the same integrated project is the one prescribed in the specifications schedule;
2. The number of floors and the minimum and maximum height authorized are those prescribed in the specifications schedule.

Notwithstanding any provision to the contrary, principal buildings may be oriented in such a way that they do not face a street. The facade facing the street shall nevertheless comply with the provisions that apply to the principal facades of buildings.

#### **11.1.6 : Accessory buildings and structures**

The following layout standards apply to all accessory buildings:

1. One single shed and one single detached garage are authorized per principal building;
2. The maximum area of a shed is set at 20 m<sup>2</sup>;
3. The maximum site coverage ratio of the group of accessory buildings is set at 20% of the total area of the landsite;
4. The maximum height of a shed is set at 4 m;

Notwithstanding any provision to the contrary, more than one swimming pool may be installed on a landsite occupied by an integrated residential project, subject to their compliance with all standards respecting their siting provided in this By-Law.

#### **11.1.7 : Driveways and parking areas**

The following layout standards apply to all driveways and parking areas:

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1. All driveways and all parking areas shall be covered with asphalt, concrete, concrete pavement, stone pavement or a certified coating for hard surfaces;
2. All parking areas shall comply with the provisions set forth in chapter 7 of this By-Law;
3. All driveways shall be a minimum of 6 m wide;
4. All driveways shall be bordered by pedestrian paths;
5. A private vehicular driveway may terminate in a parking area, provided that a sufficient maneuvering area is provided to allow access and turning movements for emergency vehicles;
6. All driveways shall allow the passage of emergency vehicles;
7. Parking areas are authorized in side and rear yards only.

#### **11.1.8 : Site development**

Site development is subject to the following provisions:

1. Site development of the landsite is subject to the provisions of the chapter 6 of the By-Law;
2. Pedestrian paths shall connect parking areas and access lanes leading to principal buildings;
3. Where the integrated project is adjacent to a landsite occupied by a "H1," "H2" or "H3" class use, a dense hedge or an opaque fence shall be installed along the landsite line.

#### **11.1.9 : Ecological management of water runoff**

Vegetated ditches, vegetated swales and/or retention basins or ponds shall be developed to manage runoff water in situ.

#### **11.1.10 : Amenity areas**

Amenity areas shall be developed on the landsite according to the following conditions:

1. The minimum area of all amenity areas present on the landsite is set at 25% of the gross cumulative floor area of all principal buildings that constitute the integrated project;
2. Each amenity area shall constitute at least 5% of the gross cumulative floor area of all principal areas that constitute the integrated project.

Notwithstanding the previous paragraph, a communal terrace and private balconies may be counted in the area required for the development of the amenity areas, even if their area does not reach at least 5% of the gross cumulative floor area of all principal buildings that constitute the integrated project.

#### **11.1.11 : Water supply and waste water removal**

All integrated residential projects shall meet the requirements of the *Regulation respecting Waste Water Disposal Systems for Isolated Dwellings* (R.S.Q., c. Q-2, r. 22) or be connected to municipal water supply and sewer services.

#### **11.1.12 : Waste storage**

All integrated residential projects shall include a place where collected waste, recyclable materials and compostable materials are deposited. The area reserved for that purpose shall be easily accessible to the trucks that collect the materials and waste and be hidden by landscaping or a low wall.

## **Division 11.2 : Provisions respecting cohabitation between municipalities**

### **11.2.1 : Specific provisions respecting construction or expansion projects on a landsite adjacent to or facing another municipality**

Notwithstanding any provision contrary to this By-Law:

1. Where a building construction or expansion project is carried out on a landsite facing or adjacent to another municipality, the project shall be compatible with the buildings or the provisions in effect in the other municipality as concerns the height, the alignment, the siting method, the landscaping of the front yard, the location of entrances, the parking areas, the siding and the signs;
2. Where a building construction or expansion project is carried out on a landsite adjacent to a municipal boundary, the project shall strive to have the same impact on sunlighting as a project one and a half times the height permitted on the landsite located in the other municipality, if only residential use is authorized on that landsite.

### **Division 11.3 : Provisions respecting mosaics of natural habitats**

#### **11.3.1 : Provisions respecting building construction and expansion projects or site development projects**

The siting of any building construction or expansion project and any site development project located in a mosaic of natural habitats identified in the Appendix 4 of the Zoning By-law, shall be designed and carried out so that it maximizes, in view of their ecological value, the conservation, enhancement and integration of woods or wetlands located in the mosaic into the project and increases their biodiversity.

Construction or building expansion projects, as well as land development projects within a mosaic of natural environments or on land adjacent to this mosaic, must not compromise the water supply of the natural environment.

## **Division 11.4 : Provisions relating to the cohabitation of certain uses**

### **11.4.1 : Provisions relating to a use adjacent to a residential lot**

When a non-residential use can be assigned to a property adjacent to or facing a property with a residential vocation, inconveniences related to the emission of dust, odours, fumes, vibrations, light or noise and the effects of vehicle traffic, inherent to this non-residential use, must be limited.

Non-residential uses must comply with the following conditions:

1. No direct light is permitted beyond the lot line;
2. Noise, measured at a property boundary, may not exceed 60 dBA ;
3. No smoke, odour or dust may be generated or emanate from the non-residential activity;
4. No vibrations may be perceived outside the property limits;
5. Vehicle access to the lot must be designed in a safe manner;
6. Vehicle circulation areas must be designed to reduce their visual impact from adjacent properties and the roadway;
7. On-site parking areas must be laid out in such a way as to avoid the need for additional manoeuvring. There must be sufficient space for vehicles to enter, exit and manoeuvre in the parking area smoothly.

## **Division 11.5 : Prohibition of Heavy or Commercial Vehicle Parking in Residential Zones**

### **11.5.1 : Parking of Heavy or Commercial Vehicles**

It is prohibited to park or store a heavy or commercial vehicle, including any trailer or semi-trailer, on a lot located in a zone whose principal use is residential, on private property, except during periods necessary for delivery, moving, or maintenance operations.

For the purposes of this section, a heavy or commercial vehicle is any road vehicle that meets the following criteria:

1. has a gross vehicle weight rating (GVWR) exceeding 4,500 kilograms and is designed, modified, or used for commercial, industrial, or institutional purposes, including but not limited to:
  - a) straight trucks (e.g., cube vans, box trucks),
  - b) vehicles identified with a business name or logo,
  - c) work or transport trailers (open or enclosed),
  - d) construction vehicles or vehicles used to transport materials,
  - e) buses, minibuses, and motor coaches,
  - f) road tractors,
  - g) etc.
2. Not included:
  - a) vans or SUVs not exceeding the permitted weight limit;
  - b) recreational or pleasure trailers, provided they comply with the applicable provisions regarding their parking;
  - c) The vehicles permitted under this by-law.

## **CHAPTER 12 : PROVISIONS RESPECTING NON- CONFORMING USES AND STRUCTURES**

### **Division 12.1 : General provisions**

#### **12.1.1 : Scope**

This Chapter applies to non-conforming structures and uses protected by acquired rights.

For the purposes of interpretation, the expression "non-conforming" means lots, landsites, uses, undertakings and buildings that do not comply with the municipal urban planning by-laws in force.

Any structure or part of a structure or any use, in a structure or on a landsite or in part of a structure or on part of a landsite, which does not comply with one or more of the provisions of the zoning by-law or the building by-law in force is considered to be a non-conforming structure or use.

The non-conforming use is protected by acquired rights, if the use complied with the by-law in force at the time it was sited, carried out or constructed.

All non-conforming structures erected before this By-Law comes into force, in accordance with the by-law that applied at the time of their erection, are considered to be protected by acquired rights.

The non-conforming use shall not cause the structure in which it is carried out to become non-conforming and the non-conforming building shall not cause the use that is carried out in this building to become non-conforming.

#### **12.1.2 : Extinction of acquired rights**

Unless otherwise provided, an acquired right for a non-conforming use or structure ceases to be recognized in one or more of the following cases:

1. The carrying out of a non-conforming use protected by acquired rights shall end if said use has been abandoned, has ceased or has been interrupted for a period of 12 consecutive months;
2. The non-conforming use protected by acquired rights has been replaced by a use that complies with the provisions of this By-Law;
3. The total demolition, in one single phase or in successive phases, of a non-conforming structure, other than following a disaster resulting from a fortuitous

event, causes all the acquired rights of said structure to be lost with respect to any applicable by-law.

The use of material recovered from the demolition of a non-conforming structure may not, in any case, give rise to the recognition of an acquired right.

### **12.1.3 : Extinction of acquired rights in the case of a tourist residence operation**

Notwithstanding any provision to the contrary, an acquired right for the operation of a tourist residence expires if certification has not been obtained from the Corporation de l'industrie touristique du Québec (CITQ) within six months of this By-Law coming into force.

## **Division 12.2 : Provisions respecting non-conforming uses protected by acquired rights**

### **12.2.1 : Replacement of non-conforming uses protected by acquired rights**

A non-conforming use protected by acquired rights may not be replaced by another non-conforming use.

Notwithstanding the content of this Section, a non-conforming use protected by acquired rights may be replaced by another non-conforming use on the following conditions:

1. The new use shall belong to the same group of uses under chapter 2 of this By-Law;

The disadvantages (storage, parking, nuisances, noise, etc.) caused by the characteristics of the new use shall be equal to or less than those of the use that benefitted from acquired rights.

### **12.2.2 : Extension of a non-conforming use protected by acquired rights inside a conforming structure**

Any extension of a non-conforming use protected by acquired rights inside a conforming building is permitted up to an increase of 50% of the floor area occupied by the non-conforming use protected by acquired rights inside the building.

### **12.2.3 : Extension of a non-conforming use protected by acquired rights outside**

Unless otherwise provided in this By-Law, any non-conforming use carried out outside on a landsite may be extended, up to an increase of 50% of the landsite area occupied by the non-conforming use protected by acquired rights.

A non-conforming use may not be expanded onto a different landsite than the one where it is carried out when this By-Law comes into force.

## **Division 12.3 : Provisions respecting non-conforming structures**

### **12.3.1 : Repair and maintenance**

A non-conforming structure protected by acquired rights may be repaired, altered and the maintained.

Where the cladding materials for a structure are non-conforming and protected by acquired rights, the structure may be repaired, altered or maintained, provided the repair, alteration or maintenance respects the original exterior cladding materials or any other material that complies with the provisions of this By-Law.

### **12.3.2 : Expansion of non-conforming structures protected by acquired rights**

A non-conforming structure protected by acquired rights may be expanded on the following conditions:

1. The expansion complies with the urban planning by-laws in force;
2. The expansion does not have the effect of exacerbating the non-conformity;
3. The increase may not exceed 50% of the building site coverage at the time when the building became non-conforming;
4. The expansion may be carried out in one single step only;

In the case of a structure whose siting is non-conforming, the expansion (site coverage area) of the structure may be carried out solely on a part of the landsite where the siting complies with the by-laws in force.

Notwithstanding the provisions of this Section, the expansion of a non-conforming structure may not, in any case, have the effect of encroaching on the shore of a lake or on the bank of a watercourse.

### **12.3.3 : Reconstruction or repair of destroyed or dangerous buildings or buildings that have lost at least half of their value**

The reconstruction or repair of a non-conforming principal building protected by acquired rights that is destroyed, has become dangerous or has lost at least half of its value entered in the property assessment roll, following a disaster resulting from a fortuitous event, shall be performed in accordance with the by-laws that apply at the time of the reconstruction or repair.

Notwithstanding the foregoing, the reconstruction or repair of a non-conforming principal building is permitted in non-compliance with the applicable siting standards, provided the building is rebuilt at the same place.

#### **12.3.4 : Moving non-conforming structures protected by acquired rights**

A principal building whose siting is non-conforming and protected by acquired rights may be moved on the landsite that it occupies, provided it does not exacerbate the non-conformity or create a new non-conformity under the standards in force.

## **Division 12.4 : Provisions respecting non-conforming signs protected by acquired rights**

### **12.4.1 : Moving, altering, expanding and rebuilding non-conforming signs protected by acquired rights**

All non-conforming signs protected by acquired rights may be moved, altered, expanded or rebuilt only in accordance with the provisions of this By-Law.

### **12.4.2 : Replacement of non-conforming signs protected by acquired rights**

Except in the cases of exemption provided in this Division, the replacement of a non-compliant sign protected by acquired rights is authorized exclusively if this replacement has the effect of bringing the sign into compliance with this By-Law.

### **12.4.3 : Loss of acquired rights by non-conforming signs**

The acquired rights of non-conforming signs expire in the following cases:

1. Subject to the provisions in this Division, where the sign is altered, replaced or rebuilt after the date on which this By-Law comes into force, such that it becomes conforming;
2. Where the sign announces an establishment that has been abandoned, has ceased, or has interrupted its operations during a period of more than six consecutive months;
3. Where the sign is destroyed or moved;
4. Where there is a change of use.

### **12.4.4 : Signs on landsites where a change of use is carried out**

All non-conforming signs protected by acquired rights located on a landsite where a change of use is carried out shall be altered or replaced in order to comply with the provisions of this By-Law or any other applicable by-law.

## **CHAPTER 13 : FINAL PROVISIONS**

### **Division 13.1 : Effective date**

#### **13.1.1 : Effective date**

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

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Heidi Ektvedt, Mayor

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Marie-Hélène Brunet, Town Clerk

## Appendix 1: Zoning Plan

## **Appendix 2: Specification Schedules**

**Appendix 3: Plan of the archaeological areas of interest**

## **Appendix 4: Natural and anthropogenic constraints plan**