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Bienvenue à  
*Baie-D'Urfe!*

**COMPREHENSIVE  
DEVELOPMENT PLAN BY-  
LAW N ° 1114**

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## DECLARATORY, INTERPRETATIVE AND ADMINISTRATIVE PROVISIONS

### Section 1.1 : Declaratory provisions

#### CHAPITRE 1 :

##### Title of the By-Law

This by-law is entitled *Comprehensive development plans by-law* and is numbered  
1.1.1 : 1114.

##### Applicable territory

1.1.2 : The provisions of this by-law apply to the zones identified in this by-law.

##### Scope of the By-Law

1.1.3 :

When one or more owners wish to develop one or more properties located in one of the zones covered by the present by-law, they must prepare a comprehensive development plan (CDP), prior to any modification of the current urban planning by-laws, all in compliance with the provisions defined by the present by-law.

1.1.4 :

##### Compliance with Other Regulations, By-Laws or Laws

Compliance with this by-law does not exempt a person from the obligation to comply with any other provincial or federal government law or regulation, or any other municipal by-law applicable.

Any request for a permit or certificate to which the present by-law applies must comply with the provisions of the planning by-laws.

In the event of incompatibility between the provisions of the present by-law and the provisions of the municipality's planning by-laws, the latter take precedence.

### **Plans and appendix**

The appended documents form an integral part of these regulations.

#### **1.1.5 : Returns**

All references to other regulations contained in the regulations are open. In others words, they extend to any changes that may be made to the regulations referred to,

1.1.6 : subsequent to the entry into force of the present regulations.

### **Part by part adoption**

1.1.7 The municipal council of the Town of Baie-D'Urfé hereby declares that it adopts the present by-law chapter by chapter, section by section and article by article, paragraph by paragraph, paragraph by paragraph so that, if a part of the present by-law were to be declared null and void by a court of law, such a decision would have no effect on the other parts of the present by-law except in the case where the meaning and scope of the by-law or of one of its provisions would be altered or modified.

## **Section 1.2 : Interpretative provisions**

### **Regulation structure**

The numbering system used in these regulations is as follows (when the text of an article does not contain a numbering system for a paragraph or sub-paragraph, it is

1.2.1 : referred to as an indent):

1. Chapter

1.1 Section

1.1.1 Article

Alinéa

1. Paragraph

a) Sub-paragraph

1.2.2 : **Interpretation of provisions**

When two (2) standards or provisions of the present by-law apply to a use, building, lot or other object governed by the present by-law, the following rules apply:

1. The standard or specific provision takes precedence over the general provision;
2. The most restrictive provision prevails.
3. Unless the context indicates otherwise, it is agreed that :
4. The use of the verb "MUST" indicates an absolute obligation;
5. The use of the verb "MAY" indicates an optional meaning, except in the expression "CAN'T" which means "MUST NOT";
6. The word "PERSON" includes any natural or legal person;
7. The masculine gender includes the feminine gender;
8. Singular includes plural and vice versa;
9. The present tense includes the future.

CHAPTER 1: DECLARATORY, INTERPRETATIVE AND ADMINISTRATIVE  
PROVISIONS

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The table of contents and the titles of the chapters, sections and articles of these regulations are given to improve understanding of the text. In the event of any contradiction between the text and the title(s) concerned or the table of contents, the text shall prevail.

Plans, appendices, tables, graphs and symbols and any form of expression other than the text proper and contained in this by-law form an integral part of it for all purposes. In the event of any contradiction between the text and the tables, figures and other forms of expression, the text shall prevail.

In the event of any contradiction between the French and English versions of these rules, the French version shall prevail.

The dimensions, areas and other measurements set out in the regulations are expressed in units of the international system.

### **Terminology**

#### **1.2.3 :**

Unless otherwise specified or the context indicates otherwise, expressions, terms and words have the meaning and application attributed to them by the *By-law concerning the administration of planning by-laws and the issuance of permits and certificates*.

With the exception of the expressions, terms and words listed in the *By-law concerning the administration of planning by-laws and the issuance of permits and certificates*, all words used in this document retain their usual meaning.

The acronym "CDP" stands for "Comprehensive Development Plans".

## **Section 1.3 : Administrative provisions**

### **Administration and applicable of regulations**

- The application, supervision and control of this by-law are the responsibility of the Urban planning direction and of any official designated by resolution of the council of
- 1.3.1 : the Town of Baie-D'Urfé. The Urban planning direction and its authorized representatives, as well as the designated officials, therefore constitute the competent authority.

### **Powers of the competent authority**

- 1.3.2 : The powers of the competent authority are set out in the *By-law concerning the administration of planning by-laws and the issuance of permits and certificates*.

### **Agreements**

- 1.3.3 : Subject to any applicable provisions of other planning by-laws, any person who fails to comply with any of the conditions or makes a false declaration or produces erroneous documents as provided for in this by-law commits an offence.

### **Penalties**

Any natural person who commits an offence is liable to a fine, with or without costs, of not less than \$300.00 and not more than \$1,000.00 and, in the event of a repeat offence within one year, to a fine of not less than \$600.00 and not more than \$2,000.00.

Any legal person who commits an offence is liable to a fine, with or without costs, of not less than \$600.00 and not more than \$2,000.00 and, in the event of a repeat offence within one year, to a fine of not less than \$1,200.00 and not more than \$4,000.00.

Failure to pay the fine or the fine and costs may result in seizure of seizable property.

If the offence continues, it constitutes a separate offence, day by day, and the fine laid down for this offence may be imposed for each day that the offence continues.

Where the fine or fine and costs are incurred by a corporation, association or society recognized by the Act, such fine or fine and costs may be levied by way of seizure and sale of property and effects of the corporation, association or society under a writ of execution issued by the Municipal Court.

The seizure and sale of goods and effects are carried out in the manner prescribed for seizures and executions in civil matters.

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The Town may, for the purposes of enforcing the provisions of this by-law, exercise cumulatively or alternatively, with those provided for in this by-law, any other appropriate recourse of a civil or penal nature and, without limitation, the Town may exercise all the recourses provided for in articles 227 to 233 of the *Act respecting land use planning and development* (R.S.Q., c.A-19.1).

**Issuance of a statement of offence**

The competent authority may issue a statement of offence and institute penal proceedings for and in the name of the Town against a person who contravenes the present by-law.

## **PROCEDURES AND GENERAL PROVISIONS FOR PAE APPLICATIONS**

### **Section 2.1 : General provisions**

#### **Application for approval of a PAE**

- 2.1.1 : Any person wishing to obtain an amendment to the planning by-laws in a zone covered by the present by-law and for an object covered by the present by-law must submit, in writing, an application for approval of an EAP.

#### **Board authorization**

- 2.1.2 : Approval of a comprehensive development plan covered by this by-law is subject to approval by the municipal council.

#### **2.1.3 : Sending a request**

An application for approval of an EAP must be forwarded by the applicant or his authorized agent to the competent authority. It must be signed by the applicant or his authorized agent and accompanied by the information and documents required in this by-law.

## **Section 2.2 : Procedure and processing of a request**

### **Plans, documents and information required for an application for approval under the EAP By-law**

In addition to the requirements for documents and plans required for an application for 2.2.1 à permit or certificate of authorization by the by-law respecting the administration of planning by-laws and the issuance of permits and certificates, the following documents and plans in digital format (PDF) are required for an application subject to the present by-law, if necessary:

#### **1. A document containing the following information:**

- a) The identification, address and telephone number of the owners concerned and of any professionals retained;
- b) A table showing the owners, lot numbers or parts of lots and the total surface area of land owned by each;
- c) A description of the proposed uses;
- d) A table showing the total area occupied by each use and by public spaces, including streets;
- e) A brief description of the proposed number of parking spaces and their location (interior, front yard, side yard, etc.);
- f) A summary table specifying, by development phase, the area of land per use and their relative importance in relation to the total area of the phase and land, the number of dwellings, the gross residential density and the number of residential units per type of dwelling;
- g) An estimate of the investments planned by the applicant for each phase of the project;
- h) Timetable for completion of infrastructure and buildings;
- i) The regulatory standards and specific development measures proposed to ensure that the objectives of this by-law are achieved and respected;
- j) Any other useful information concerning the project's realization, its economic benefits for the City and the approximate costs that the City must consider in connection with the implementation of the EAP.

#### **2. A site plan covering the entire EAP area and showing the following information about the existing situation:**

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- a) Date, title, astronomical north and scale;
  - b) Cadastral and property boundaries;
  - c) Servitudes, rights of way and other encumbrances on each plot;
  - d) A topographical survey using contour lines no more than 0.5 meters apart;
  - e) A survey of buildings, infrastructure and amenities, in particular building layout, street right-of-way, parking areas, wooded areas, landscaping, power transmission and telecommunications lines;
  - f) The natural high-water mark of any lake, watercourse or wetland and the course of any existing drainage ditch;
  - g) Any other constraint or potential constraint on the site, including the site's natural features and their locations (wetlands, surface rocks, flood zones, etc.). In this respect, the ecological characterization of the site must be carried out in accordance with MDDELCC requirements, and include the location and description of forest stands, wetlands, trees of particular interest due to their size or age, specific wildlife habitats and any other relevant information required.
3. **A comprehensive development plan covering the entire EAP area and showing the following information:**
- a) Projected layout of streets, paths, sidewalks and bike lanes;
  - b) Location of driveways and walkways providing access to the project;
  - c) The location, if any, of conservation lands, including any land transfers required by the MDDELCC or MFFP;
  - d) The proposed parcelling of land;
  - e) Projected or approximate location of equipment and infrastructure within the project, illustrating any connections to existing networks;
  - f) The proposed location of parks and other public spaces (specifying spaces to be divested in accordance with natural areas, parks or playgrounds);
  - g) Identification of the intended use of each lot, including the number of dwellings, if any;
  - h) The location on the ground of the proposed buildings, their storey height and, approximately, their footprint and floor area;

- i) The proposed layout of the power transmission and telecommunications networks, as well as the easements and rights-of-way to be established with respect to the land;
  - j) Identification of natural constraints;
  - k) Identification of any modification to a natural constraint or drainage ditch;
  - l) The location of a buffer zone;
  - m) Development phases.
4. **Sketch and descriptive plans required to explain the modifications to be made to proposed street intersections that connect with existing or previously approved streets.**
  5. **Preliminary, professionally executed architectural sketches of the main buildings.**
  6. **A plan illustrating vehicular manoeuvring areas**
  7. **Where applicable, a traffic study demonstrating the impact of the project on current traffic conditions and identifying, if necessary, the proposed means of mitigation.**
  8. **Where applicable, a study of the potential for water and sanitary sewer infrastructure.**

### **Competent authority review of EAP application**

The competent authority examines the application and checks that all the information and documents required by these regulations have been supplied.

- 2.2.2 :** If the information and documents required by these regulations are incomplete or imprecise, examination of the application is suspended until the necessary information and documents have been supplied by the applicant. The application is then deemed to have been received on the date of receipt of the additional information and documents.

When all the necessary information and documents have been provided by the applicant, the competent authority forwards the application to the Planning Advisory Committee within 30 days of receipt.

### **Review by the Planning Advisory Committee**

- 2.2.3 :** The Planning Advisory Committee reviews the application and verifies that it meets the applicable criteria of this by-law. The Planning Advisory Committee must adopt a resolution setting out its recommendations.

The Planning Advisory Committee may request additional information from the applicant, if deemed necessary.

**2.2.4 :**

### **Transmission to the municipal council**

Within 30 days of forwarding the request to the Planning Advisory Committee, the Committee's secretary forwards the resolution setting out its recommendations to

- 2.2.5 :** Council.

### **City Council review**

Within 30 days following transmission of the request by the Planning Advisory Committee to Council, the latter must grant or refuse the request for approval of the comprehensive development plan submitted to it in accordance with this by-law.

The Board may also require, as a condition of approval, that the owner bear the cost of certain elements of the application, such as infrastructure or equipment, complete the project within a set timeframe, or provide financial guarantees.

### **Council decision**

Following receipt of the Planning Advisory Committee's resolution, the Municipal Council approves or rejects the submitted project by means of a resolution. If City Council's decision is negative, the resolution must explain the reasons for this decision.

The Municipal Council may, if it deems it appropriate, decree that an application filed under the present by-law be submitted to a public consultation, in accordance with the provisions of the Act respecting land use planning and development (R.S.Q., c. A-19.1).

In addition, the Municipal Council may require, as a condition of approval of an EAP application, that the owner :

1. Bear the cost of certain elements of the plans submitted, in particular infrastructure or equipment;
2. Completes the project within a given timeframe;
3. Provide financial guarantees in the form of an irrevocable bank letter of guarantee or a refundable deposit in the form of a certified cheque.

### **2.2.7 : Modification of urban planning bylaws following approval of the PAE**

Following approval of the master development plan by the municipal council, a by-law must be drafted to amend the urban planning by-laws to include all the provisions required to implement the master development plan.

The Municipal Council then adopts the by-law in accordance with the provisions of the Act respecting land use planning and development (R.S.Q., c. A-19.1).

### **Modification of the approved master plan**

Once approved by the municipal council, a comprehensive development plan can only be modified by following the procedure set out in the present by-law.

### **Validity period**

If the municipal council does not amend the planning by-laws within 24 months of the adoption of the resolution approving the comprehensive development plan, the resolution becomes null and void. This resolution is also null and void if the by-laws

BY-LAW CONCERNING COMPREHENSIVE DEVELOPMENT PLANS  
NO. 1114  
TOWN OF BAIE-D'URFÉ

CHAPTER 2: PROCEDURES AND GENERAL PROVISIONS FOR PAE  
APPLICABTIONS

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amending the urban planning by-laws are not approved by those eligible to vote, as the case may be.

In such cases, a new application for approval of a comprehensive development plan may be submitted in accordance with the procedure set out in these regulations.

## **PROVISIONS APPLICABLE TO THE PAE-01 SECTOR: PLAZA BAIE-D'URFÉ (ZONE C-1)**

### **CHAPITRE 3 : Section 3.1 : General provisions**

#### **Application area**

3.1.1 The provisions of this section apply to zone C-1, as shown on the zoning map of current zoning by-law number 1110.

#### **Applicable uses**

3.1.2 In the zone in question, the following uses are eligible for assessment:

1. Housing group (H4) Multi-family;
2. Housing group (H5) Group housing;
3. Commerce group (C1) Local and services ;
4. Groupe Commerce (C3) Entertainment ;
5. Groupe Commerce (C4) Restaurants and lodging

3.1.3 Groups, classes and codes are those defined in current zoning by-law number 1110.

#### **Applicable density**

3.1.4 In this zone, the prescribed minimum density is 60 dwellings per hectare (gross density).

#### **Development vision**

The requalification and development of these areas aims to transform the site into a mixed, sustainable space, where functionality and quality of life meet. By integrating residential units and integrated retail, the aim is to create a truly vibrant community, where residents and visitors can benefit from a diverse, accessible and user-friendly range of services. The design features inviting public plazas, conceived as places to meet, exchange and relax, while ensuring smooth, fluid circulation through peripheral

parking. This organization limits the nuisance associated with vehicular traffic at the heart of the project, while providing pleasant and safe living spaces for users.

The proximity of Highway 20 and the location at the entrance to the city make architecture a key element of the project, reflecting a strong and distinct urban identity, while integrating acoustic protection solutions into the building, as well as noise walls and buffer zones. These elements will ensure harmonious cohabitation between residential and commercial activities and the surrounding infrastructure. The organization of loading and unloading areas will be optimized to avoid any impact on neighboring neighborhoods, thus ensuring a peaceful and respectful living environment for residents. By adopting high-quality architectural standards, this project becomes a model of sustainable development, responding to today's challenges while providing an attractive and functional living environment for future generations.

### Evaluation criteria

#### 3.1.5 :

#### Environment

1. **Environmental sustainability:** Use of sustainable materials and environmentally-friendly technologies, such as stormwater management and energy efficiency.
2. **Noise management:** Acoustic attenuation solutions, such as noise barriers and buffer zones, to reduce noise pollution from the freeway.
3. **Green spaces:** Integration of green spaces, such as parks or community gardens, to improve quality of life and enhance the sustainability of the project.
4. **Resilience to climate change:** Adoption of strategies to strengthen resilience to climatic hazards, such as greening roofs and spaces to absorb rainwater.

#### Social

1. **Functional mix:** Integration of residential and commercial units to ensure smooth cohabitation between different urban functions.
2. **Accessibility for pedestrians:** Design to encourage pedestrian traffic, with safe paths for pedestrians and inviting meeting spaces.
3. **Designing public plazas:** Public spaces should encourage encounters, exchanges and rest, while being functional and aesthetically pleasing.
4. **Privacy:** Guarantee residents' privacy, especially in areas close to commercial spaces or public places.

#### Economical

1. **Quality of services:** Diversity and accessibility of services to meet the needs of residents and attract visitors.

2. **Loading and unloading zones:** Organization of delivery areas to minimize impact on residential areas and ensure logistical efficiency.
3. **Harmonious coexistence:** Residential and commercial uses must coexist without conflict, to ensure a balance between tranquility and commercial activity.
4. **Infrastructure integration:** Transportation and utility networks must be well integrated, without overloading local infrastructures.

#### **Urban design and landscape architecture**

1. **Architecture and urban design:** The architecture must reflect a strong urban identity, with a high level of visual and material quality, adapted to the town's entrance and proximity to the freeway.
2. **Peripheral parking:** Parking should be located on the periphery to avoid nuisance from vehicles and preserve the quality of pedestrian spaces.
3. **Traffic management:** Design of access roads to ensure smooth traffic flow and reduce congestion around the site.
4. **Planting of urban spaces:** integration of a variety of plantings, including wide-spreading trees, shrubs and native plants to enhance biodiversity and neighborhood aesthetics.
5. **Reducing heat islands:** Use of permeable materials and vegetated surfaces (green roofs, green walls) to reduce urban heat islands.
6. **Continuity of green spaces:** Creation of ecological corridors and green paths linking public spaces, plazas and community gardens, promoting biodiversity and the well-being of users.
7. **Ecological stormwater management:** landscaped retention basins, filter ditches and other green infrastructure to effectively manage stormwater and reduce the risk of flooding.
8. **Spaces for contemplation and relaxation:** Landscaped areas dedicated to relaxation, with benches, water features and shaded areas to promote the well-being of residents and visitors.

## FINAL PROVISIONS

### Section 4.1 : Entry into force

#### CHAPITRE 4 :

#### Entry into force

These regulations come into force in accordance with the law.

#### 4.1.1 :

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Heidi Ektvedt, Mayor

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Marie-Hélène Brunet, Clerk



## APPENDIX A

