



City of Pointe-Claire Zoning By-Law

PROVINCE OF QUEBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER PC-2775

BY-LAW RESPECTING ZONING

In force on March 1st, 2011

AT THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE HELD AT THE CITY HALL,
451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC, ON **NOVEMBER 15, 2010** AT 7:30 P.M.

PRESENT:

His Worship the Mayor Bill McMurchie and Councillors P. Bissonnette, R. Geller, J.-P. Grenier, A. Iermieri, J.R. Labbé, D. Smith, E. Sztuka and M. Trudeau, being all members of Council.

AMONGST OTHER BUSINESS TRANSACTED AT SAID MEETING, WAS THE
FOLLOWING:

BY-LAW NUMBER: PC-2775

Resolution number: 2010-633

PROPOSED BY COUNCILLOR TRUDEAU

SECONDED BY COUNCILLOR SZTUKA

AND RESOLVED:

*Modified June 1, 2011 By-Law PC-2775-2
Modified September 14, 2011 By-Law PC-2775-1
Modified September 14, 2011 By-Law PC-2775-3
Modified March 7, 2012 By-Law PC-2775-4
Modified December 26, 2012 By-Law PC-2775-5
Modified May 22, 2013 By-Law PC-2775-6
Modified July 10, 2013 By-Law PC-2775-7
Modified July 10, 2013 By-Law PC-2775-9
Modified August 28, 2013 By-Law PC-2775-8
Modified August 28, 2013 By-Law PC-2775-10
Modified February 12, 2014 By-Law PC-2775-11
Modified February 12, 2014 By-Law PC-2775-12
Modified April 9, 2014 By-Law PC-2775-13
Modified May 14, 2014 By-Laws PC-2775-14 and PC-2775-15
Modified June 11, 2014 By-Law PC-2775-16
Modified July 9, 2014 By-Law PC-2775-17
Modified January 21, 2015 By-Laws PC-2775-18, 19 and 20
Modified April 15, 2015 By-Law PC-2775-22
Modified May 20, 2015 By-Laws PC-2775-21 and 23
Modified June 24, 2015 By-Laws PC-2775-24 and 25
Modified September 16, 2015 By-Law PC-2775-26*

*Modified December 17, 2015 By-Law PC-2775-27
Modified July 13, 2016 By-Law PC-2775-28
Modified September 7, 2016 By-Law PC-2775-29
Modified December 21, 2016 By-Law PC-2775-30
Modified January 25, 2017 By-Law PC-2775-31
Modified February 22, 2017 By-Law PC-2775-32
Modified July 19, 2017 By-Laws PC-2775-35, 36, 37 and 38
Modified September 6, 2017 By-Law PC-2775-33
Modified April 26, 2017 By-Law PC-2775-34
Modified September 27, 2017 By-Law PC-2775-40
Modified February 2, 2018 By-Laws PC-2775-39 and PC-2775-41
Modified April 18, 2018 By-Law PC-2775-42
Modified February 28, 2018 By-Law PC-2775-44
Modified May 9, 2018 By-Law PC-2775-45
Modified August 3, 2018 By-Law PC-2775-43
Modified September 19, 2018 By-Laws PC-2775-46
Modified September 19, 2018 By-Laws PC-2775-49
Modified October 17, 2018 By-Law PC-2775-48A
Modified December 12, 2018 By-Law PC-2775-51
Modified February 6, 2019 By-Law PC-2775-53.1
Modified February 13, 2019 By-Law PC-2775-54*

*Modified April 17, 2019 By-Law PC-2775-53.2
Modified May 15, 2019 By-Law PC-2775-52
Modified June 10, 2019 By-Law PC-2775-55
Modified July 10, 2019 By-Law PC-2775-58
Modified August 21, 2019 By-Law PC-2775-56
Modified September 18, 2019 By-Law PC-2775-59
Modified October 9, 2019 By-Law PC-2775-57
Modified November 13, 2019 By-Law PC-2775-60
Modified May 13, 2020 By-Law PC-2775-61
Modified December 9, 2020 By-Law PC-2775-62
Modified March 17, 2021 By-Law PC-2775-63
Modified May 12, 2021 By-Law PC-2775-65
Modified June 9, 2021 By-Law PC-2775-66
Modified June 9, 2021 By-Law PC-2775-67
Modified July 2, 2021 By-Law PC-2775-64
Modified April 8, 2021 By-Law PC-2775-68
Modified April 8, 2021 By-Law PC-2775-69
Modified April 8, 2021 By-Law PC-2775-70
Modified December 12, 2022 By-Law PC-2775-71
Modified September 13, 2023 By-Law PC-2775-72*



City of Pointe-Claire Zoning By-Law

By-Law number PC-2775
In force on March 1st, 2011

Chapters:

1. <i>DECLARATORY, INTERPRETIVE AND ADMINISTRATIVE PROVISIONS</i>	3
2. <i>PROVISIONS GOVERNING LAND USE</i>	8
3. <i>PROVISIONS GOVERNING LOT SIZE, LOCATION OF PRINCIPAL BUILDINGS, AND SETBACKS</i>	16
4. <i>PROVISIONS GOVERNING BUILDING ARCHITECTURE, CLADDING MATERIALS AND DIMENSIONS</i>	24
5. <i>PROVISIONS GOVERNING THE TREATMENT AND USE OF OUTDOOR AREAS</i>	35
6. <i>PROVISIONS GOVERNING ANCILLARY BUILDINGS</i>	74
7. <i>PROVISIONS GOVERNING PARKING AND LOADING AND UNLOADING FACILITIES</i>	77
8. <i>PROVISIONS GOVERNING SIGNS, POSTERS AND BILLBOARDS</i>	89
9. <i>PROVISIONS CONCERNING THE PROTECTION OF THE ENVIRONMENT</i>	101
10. <i>SPECIFIC PROVISIONS PERTAINING TO GAS STATIONS, SERVICE STATIONS AND CAR WASHES</i>	113
11. <i>NON-CONFORMING STRUCTURES AND USES</i>	115

Appendixes:

1. Definitions
2. Zoning Plan
3. Particular Provisions Table
4. Classification of Uses
5. Development guidelines near railway operations

DECLARATORY, INTERPRETIVE AND ADMINISTRATIVE PROVISIONS

Table of contents

1.1	Title and coming into force
1.2	Repeals
1.3	Amendment Procedure
1.4	Persons and areas subject to the application of this by-law
1.5	Compliance with other laws, regulations or servitudes
1.6	Violations, penalties and recourse
1.7	Interpretation
1.8	Adoption in parts
1.9	Activities covered
1.10	Permits and Certificates
1.11	Zoning Plan
1.12	Particular Provisions Table

1.1 Title and coming into force

- a) This by-law shall be the "Zoning By-Law of the City of Pointe-Claire".
- b) This by-law shall come into force according to law.

1.2 Repeals

Zoning By-Law 2495A, as amended, is repealed. However, this by-law shall nevertheless remain in force and shall be applied in full with respect to any case in which any natural or legal person is in violation of one or more provisions of this by-law on the date that the present by-law comes into force.

Furthermore, the repeal of the aforementioned by-law shall not affect the permits and certificates legally issued under its provisions, nor shall it affect acquired rights existing prior to the present by-law coming into force.

1.3 Amendment Procedure

This by-law may be amended only by means of the adoption of another by-law approved, where applicable, in accordance with the law.

1.4 Persons and areas subject to the application of this by-law

Compliance with the provisions of this by-law is incumbent on both natural and legal persons under public or private law and this by-law shall apply to the entire area within the limits of the City of Pointe-Claire.

1.5 Compliance with other laws, regulations or servitudes

Compliance with this by-law shall not diminish the obligation of complying with any other law, regulation or servitude in force including, in particular, the [Civil Code of Québec](#) and the [by-laws of Transport Canada governing the surroundings of the Montréal-Pierre Elliott Trudeau International Airport in Dorval](#).

The responsibility for being aware of all other applicable laws, regulations and servitudes and for complying with them fully belongs to the persons subject to these other laws, these other regulations and these servitudes.

1.6 Violations, penalties and recourse

- a1) Anyone contravening a provision of chapter 2 respecting land use, of article 4.6, paragraph 4.10 f) and paragraphs 4.11 a) to d) respecting cladding materials, or of paragraph 5.8 b) respecting protection of trees, or tolerating or permitting such a contravention, commits an infraction and is liable, in addition to costs, to the following fine:
- i) For a first infraction: a minimum of \$500 and a maximum of \$1 000 if the offender is a natural person and a minimum of \$1 000 and a maximum of \$2 000 if the offender is a legal person;
 - ii) For a repeat infraction: a minimum of \$1 000 and a maximum of \$2 000 if the offender is a natural person and a minimum of \$2 000 and a maximum of \$4 000 if the offender is a legal person.
- a2) Anyone contravening paragraph 5.8 a) of this by-law respecting the felling of trees, or tolerating or permitting such a contravention, commits an infraction and is liable, in addition to costs, to the fine contemplated in section 233.1¹ of the Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1);
- a3) Anyone contravening any other provision of this by-law, or tolerating or permitting such a contravention, commits an infraction and is liable, in addition to costs, of a fine:
- i) For a first infraction: a minimum of \$250 and a maximum of \$1 000 if the offender is a natural person and a minimum of \$500 and a maximum of \$2 000 if the offender is a legal person;
 - ii) For a repeat infraction: a minimum of \$500 and a maximum of \$2 000 if the offender is a natural person and a minimum of \$1 000 and a maximum of \$4 000 if the offender is a legal person.
- Amendment PC-2775-6, May 22, 2013
- b) In addition to obtaining recourse by imposing penalties, the City may, before the courts entertaining jurisdiction, exercise any legal recourse against any natural or legal person, owner, tenant, occupant or contractor, to enforce compliance with the provisions of this by-law for the purposes, among others, of preventing or halting the use of land or buildings or the building of structures not compliant with the provisions of this by-law or, if necessary, procuring the demolition of any structure built in violation of the present by-law.
- c) Any violation that is continuous shall constitute a violation on each calendar day the violation continues to exist. Amendment PC-2775-6, May 22, 2013

1.7 Interpretation

- a) Unless specifically stated otherwise or unless the context indicates a different interpretation, the expressions, terms and words defined in Appendix "1" of this by-law shall be given the meaning and application assigned to them in Appendix "1".

¹ Section 233.1 of the Act Respecting Land Use Planning and Development provides that felling trees in contravention of a regulatory provision adopted under either sub-paragraphs 12 or 12.1 of the second paragraph of section 113 of said Act shall be sanctioned by a minimum fine of 500 \$ plus:

- 1° For felling trees on less than one hectare of land, an amount varying from \$100 to \$200 per tree illegally felled, up to a total of \$5 000, or;
- 2° For felling trees on one or more hectare of land, a fine varying from \$5 000 to \$15 000 per hectare so deforested, in addition to an amount determined in accordance with sub-paragraph 1° for each fraction of an hectare;

The specified amounts shall be doubled for a second or subsequent offence.

- b) Irrespective of the tenses employed in any of the provisions contained in this by-law, such provisions shall be considered to have effect during any period or under any circumstances in which they may apply.
- c) In this by-law, use of the masculine shall include the feminine unless otherwise indicated by the context in which it is used.
- d) In this by-law, use of the singular shall include the plural unless the context indicates otherwise.
- e) All dimensions and measures employed herein are given in the international (metric) system, accompanied at times with their equivalents in imperial dimensions and measures indicated between parentheses; equivalences in imperial dimensions and measures are given for purposes of information only; dimensions or measures of the metric system shall prevail (except in the case of a typographical error) in the event of any contradiction between the two systems. Whenever this by-law shows a measure with only one digit after the period, it shall be read as if there was a second digit which is zero (0).
- f) All plans, appendices, tables, charts, diagrams, graphs, symbols and all forms of expression other than the text proper and contained herein shall form an integral part of this by-law, with the exception of the Table of Contents and the text headings.
- g) In the event of a contradiction between the English and French versions of this by-law, the French version shall prevail.

1.8 Adoption in parts

The Council hereby declares that it adopts this by-law part by part, 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 part contained herein.

1.9 Activities covered

No structures shall be erected, moved, repaired, modified, enlarged or demolished; the use of properties or structures shall not be changed; no dwelling units shall be subdivided; no properties shall be developed; no soil shall be excavated; no docks, no pools, hot tubs, mechanical equipment, outdoor tanks or decks shall be installed; no trees shall be planted or felled; no fences, walls or retaining walls shall be erected; no hedges shall be planted; no posters, signs or billboards shall be mounted or modified; no antennas shall be installed; and no trailers or mobile homes shall be placed anywhere within the limits of the City of Pointe-Claire unless they conform to the provisions of this by-law.

1.10 Permits and Certificates

Some of the activities listed in article 1.9 above are subject to the issuance of a Permit or Certificate of Authorisation by the Director. The conditions governing the issuance of permits and certificates are stipulated in the Permits and Certificates By-Law of the City of Pointe-Claire.

1.11 Zoning Plan

- a) Division of the area into zones

For the purposes of this by-law, the area contained within the limits of the City of Pointe-Claire is divided into zones and sectors as indicated on the "Zoning Plan" appended hereto as Appendix "2" and forming an integral part hereof.

The "Landscape Units Map", appended to the Village Code as Appendix "1" forming an integral part thereof, also forms an integral part of the "Zoning plan". Each landscape unit shall be considered a zone pursuant to the Act Respecting Land Use Planning and Development.

Amendment PC-2775-43 (August 3, 2018)

b) Interpretation of zone boundaries

Unless otherwise indicated, the boundaries of the zones and sectors shown on the Zoning Plan shall coincide with the centreline of the rights of way of thoroughways, roads, streets, and other thoroughfares and railways and with cadastral lot lines and municipal boundaries. Where zone boundaries do not coincide with any such feature and where no measurement is indicated, distances shall be measured to scale on the Plan; in this event, it shall be presumed that the exact boundary of the zone follows the centre of the line separating it from the adjacent zone.

c) When a land site overlaps the limit of a zone or the limit of a zone sector, the particular provisions that apply to the principal building are those of the zone or zone sector in which the majority of the main building's footprint is located; however, the provisions governing the treatment and use of outdoor areas shall be respected on the respective territory of each zone or each zone sector no matter where the main building is located. For example, if a land site and the building on it are mainly located in an industrial zone, but a portion of this land is situated in a park zone, the building must comply with the provisions of the industrial zone for the use in the building, the minimum setbacks, the lot coverage and the maximum heights; however, industrial activities such as outdoor storage, truck parking and manoeuvring areas, and even sections of the building, are not allowed in the part of the land site located in a park zone since industrial activities are not authorised in such a zone. Nevertheless, green space, recreational spaces and parking spaces for automobiles are authorised in the portion of the landsite situated in the park zone.

d) Identification of zones

For purposes of identification and reference, with the exception of zones identified in the "Landscape Units Map" appended to the Village Code as Appendix "1", each zone is designated by a code consisting of letters and a number to which the various provisions of this by-law may be referred. The letters identify the main land use intended for the entire zone: Amendment

PC-2775-43 (August 3, 2018)

- Ra: Residential, single-family detached dwellings
- Rb: Residential, single-family semi-detached dwellings
- Rc: Residential, single-family townhouses (contiguous houses)
- Rd: Residential, duplex, triplex or quadruplex
- Re: Residential, apartment buildings and multi-family buildings (row of townhouses situated on a single property)
- Rf: Residential, mixed-use complexes (combination of single-family dwellings, apartment buildings and multi-family buildings)
- C: Service and retail businesses
- Cb: Offices and services
- Cv: Village businesses and dwelling
- Mu: Mixed-use area Amendment PC-2775-39 (February 2, 2018)
- N: Industrial
- Pa: Parks
- Pb: Public uses
- Pc: Cemeteries
- G: Golf courses
- U: Public utilities

1.12 Particular Provisions Table

Some of the provisions of this by-law that are particular to each of the zones or zone sectors are indicated by means of the Particular Provisions Table appended hereto as Appendix "3" and forming an integral part hereof.

Each property shall comply with the particular provisions of the zone or zone sector in which it is located.

The provisions applicable to each landscape unit of the Village Code are identified in the "Guidelines and standards sheets" included as chapters 4 to 13 in the Village Code. Amendment

PC-2775-43 (August 3, 2018)

PROVISIONS GOVERNING LAND USE

Table of contents

- 2.1 Landsite (property)**
 - a) Minimum dimensions
 - b) Acquired rights
 - c) Distinct property
 - d) Office buildings, shopping centres and mixed-use buildings
 - e) Campus type developments
 - f) Residential complexes
- 2.2 Conveying of land for parks**
 - a) Cadastral reform
 - b) Redevelopment project
 - c) Definition of a redevelopment project
 - d) Subdivision for co-ownership
- 2.3 Principal uses**
 - a) Particular Provisions Table
 - b) Classification of uses
 - c) Prohibition
 - d) Uses authorised everywhere
- 2.4 Complementary uses**
- 2.5 Accessory seasonal activities**
- 2.6 "Circus" and "amusement park" uses**
- 2.7 "Intermediate resource and family-type resource" uses**
- 2.8 Addition of a complementary dwelling (in-law suite)**
- 2.9 Non-authorised activities**
- 2.10 Organic matter treatment facility**
- 2.11 Transport of hydrocarbons by pipeline**
- 2.12 Land uses sensitive to noise and vibrations**
- 2.13 Provisions particular to mixed-use zones (Mu)**
 - a) Multiple uses
 - b) Dominant use
 - c) Dominance of residential use
 - d) Seasonal activities and uses related to urban lifestyle
 - e) Land use sensitive to noise and vibrations

2.1 Landsite (property)

a) Minimum dimensions

The area and dimensions of the lots or landsites are specified, per category of construction or per use and per zone, in the "Particular Provisions Table" of the present by-law, in the Village Code and in the Subdivision By-Law of the City of Pointe-Claire. When a landsite has been subject to a subdivision permit for a given category of construction or use, it can only be used for the category of construction or use for which the requirements, as regards dimensions or lot area, are equal or smaller. Amendment PC-2775-43 (August 3, 2018)

b) Acquired rights

Any use for which a provision of the Subdivision By-Law regarding acquired rights for minimal dimensions of a lot must be invoked in order to issue a Certificate of Authorisation or a Building Permit, shall nonetheless comply with all other provisions of this by-law and, in particular, with reference to setbacks.

c) Distinct property

Only one principal use or building is permitted per property; no principal use, whether residential or other, may be built or established on a property which is already occupied by a building or a principal use.

d) Office buildings, shopping centres and mixed-use buildings

The provisions of paragraph c) shall not be interpreted to disallow office buildings occupied by several tenants, nor, when permitted in the Particular Provisions Table or the Village Code, shopping centres and mixed-use buildings with commercial establishments on the ground floor and office or dwelling units on the upper floors.

Amendment PC-2775-43 (August 3, 2018)

e) Campus type developments

The provisions of paragraph c) shall not be interpreted to disallow in a village sector and in commercial, industrial and public zones, when permitted in the Particular Provisions Table, campus type developments where two or more buildings or blocks of a single establishment or complex are detached from one another, but sited on the same property, even if, in the case of multiple tenants, these buildings or blocks are horizontally or vertically subdivided in a co-ownership formula.

Amendment PC-2775-32 (February 22, 2017)

Amendment PC-2775-43 (August 3, 2018)

f) Residential complexes

The provisions of paragraph c) shall not be interpreted to disallow in a village sector and in “Re” and “Rf” residential zones, when permitted in the Particular Provisions Table, residential complexes where two or more buildings are sited on the same property, even if these buildings or dwellings units that they house are horizontally or vertically subdivided in a co-ownership formula.

Amendment PC-2775-43 (August 3, 2018)

2.2 Conveying of land for parks

a) Cadastral reform

No building permit can be issued for an existing or proposed principal building on a landsite for which no subdivision permit was issued for its registration as a distinct lot, due to the fact that a new lot number resulted from the cadastral reform, unless the owner complies with the provisions of the Subdivision By-Law, in particular with respect to the transfer of land for parks and playgrounds purposes, under the same condition as though it was a subdivision.

b) Redevelopment project

i) To promote the establishment, maintenance and improvement of parks and playgrounds and the preservation of natural areas, no building permit can be issued as part of a redevelopment project unless the owner transfers, free of charge to the City, a parcel of land or pays an amount of money or, as chosen by Council, transfers a parcel of land and pays an amount of money, in accordance with the provisions of article 2.3 of the Subdivision By-Law, which forms an integral part of this by-law as if it were repeated here.

ii) The provisions of sub-paragraph i) apply even if the landsite is formed out of one or more separate lots and has already been subject to a transfer of land or payment at the issuance of the subdivision permit.

iii) If the landsite is subject to a new subdivision permit as a prerequisite condition for the issuance of the building permit referred to in sub-paragraph i), the land to be transferred or the payment required in accordance with sub-paragraph i), is considered as fulfilling the requirements of article 2.3 of the Subdivision By-Law.

c) Definition of a redevelopment project

i) For the purposes of paragraph b), any development project or construction project on a landsite built, used or occupied by a residential, commercial, industrial or public use, or that was built, used or occupied in the past for such uses, that results in an increase in the

number of dwelling units (of more than 10% for a landsite that is already residential) constitutes a redevelopment project, even if this landsite is formed out of one or more separate lots.

- ii) For the purposes of the foregoing, the act of detaching a separate lot in order to build on it a single-family dwelling, from a landsite formed of several separate lots occupied or meant to be occupied by a single-family dwelling, does not constitute a redevelopment project.
- d) Subdivision for co-ownership
For the purposes of paragraph b), the act of vertically subdividing an existing building to form a co-ownership does not constitute a redevelopment project if there is no increase in the number of dwelling units.

2.3 Principal uses

- a) Particular Provisions Table and Guidelines and Standards sheets
The various uses permitted in each of the zones are identified in the "Particular Provisions Table".
The various uses permitted in each landscape unit of the village sector are identified in the "Guidelines and Standards Sheets" included as chapters 4 to 13 in the Village Code.
- b) Classification of uses
For the purposes of the particular provisions and of the Village Code, certain uses are grouped by class. The classification of uses is given in Appendix "4" of this by-law to form an integral part hereof. Unless specifically included in more than one class, a given use is limited to one class only: its inclusion in any one class automatically excludes it from any other class.
- c) Prohibition
The only uses or classes of use permitted in a given zone are those explicitly permitted in the particular provisions or the Village Code; any use which does not satisfy this requirement is automatically prohibited in the zone.
- d) Uses authorised everywhere
Notwithstanding the provisions of paragraph c), the following uses are permitted in all zones (i.e. anywhere within the limits of the City of Pointe-Claire), irrespective of minimum lot or building size:
 - i) Municipal parks, playgrounds and green spaces, under the aegis of the City of Pointe-Claire;
 - ii) Bus shelters under the aegis of a public transport authority or of the City of Pointe-Claire;
 - iii) Telephone booths;
 - iv) Gaz Metro and Hydro-Québec electric power distribution system components and equipment, and the conduits for cable distribution and telecommunication networks;
 - v) Postal boxes of Canada Post, subject to approval of their location by the Director;
 - vi) Pumping, metering, distribution or collector stations for water supply or sewage systems, provided that they serve only the area falling under the jurisdiction of the City of Pointe-Claire or of the Agglomeration of Montréal.

Amendment PC-2775-43 (August 3, 2018)

2.4 Complementary uses

The permitting of a principal use automatically means that the uses normally complementary to it are also permitted insofar as they conform to all provisions of this by-law. For the purposes of this by-law, any use of buildings or land which is ancillary to and which serves to facilitate or improve the principal use is considered to be complementary.

- a) Complementary uses to a residential dwelling are those that serve to improve the residential functions or render them pleasant. Uses particularly complementary to the residential function

- are swimming pools, tennis courts, gardens, docks, garages, garden sheds, greenhouses and other ancillary buildings.
- b) A home childcare service, as recognized by the [Educational Childcare Act](#), is considered a complementary use to the residential function.
 - c) Where permitted according to the Particular Provisions Table, a multi-family building or a residential complex can include on the ground floor, as complementary uses to the residential function: restaurants and support services for residents, such as small convenience or food stores, cafés, dry cleaners, estheticians and hair salons, small physical conditioning studios and video stores with a total floor area for all these services that does not exceed the percentage of the floor area of such a building or complex that is indicated for that purpose in the Particular Provisions Table.
 - d) Principal uses other than the residential function can also include complementary uses; the latter are considered as such by this by-law provided that they are a normal and logical extension of the functions of the main use. For example, the following uses are considered to be complementary to a commercial or industrial use: warehouses, cafeterias, training rooms, daycares and other facilities for staff; those considered to be complementary to a hotel: theatres, reception rooms, bars, restaurants and indoor recreational equipment.
 - e) The "multi-player game centre" use shall be permitted as a complementary use to a restaurant provided that the floor area occupied by the "multi-player game centre" is equal to or less than 40% of the total floor area of the establishment.
 - f) Within any zone where a "restaurant" use is permitted as an authorised main or complementary use, but where a "bar" use is not permitted as an authorised main use, a "bar" use will be permitted as a complementary use to a "restaurant" use, subject to the following conditions:
 - i) The maximum occupancy load of such complementary "bar" use shall be equal to or less than 10% of the maximum occupancy load as established by the Construction By-Law of the City of Pointe-Claire;
 - ii) The total occupancy load of both the "bar" and the "restaurant" shall be equal to or less than the maximum occupancy load which would be established for the "restaurant" use only should the total considered area be used solely for that purpose;

2.5 Accessory seasonal activities

- a) The following uses are considered as accessory seasonal activities permitted according to the present by-law, subject to the following provisions of this article:
 - i) External temporary garden centres selling plants, flowers, trees, hedges, bagged earth, tools and other landscaping or gardening materials;
 - ii) The sale of natural Christmas trees;
 - iii) The sale of pumpkins.
- b) Such seasonal activities are permitted as a complementary use for a class "B" commercial use and for a class "B" Public use. Amendment PC-2775-1, September 14, 2011
- c) Accessory seasonal activities must take place on a landsite occupied by a principal structure.
- d) The accessory seasonal activity may encroach on parking spaces in an area equal to or less than the smallest of:
 - i) 20% of parking spaces;
 - ii) 28 parking spaces.
- e) No temporary structure serving an accessory seasonal activity shall be located less than 3 metres (9.8 feet) from any boundary of the landsite and from the principal building.

- f) The sale of bulk landscaping and gardening materials is prohibited: earth, soil, compost, gravel, mulch, sand and any other products of that type must be offered and sold in bags or in individual containers.
- g) A fence with a maximum height of 2.45 metres (8 feet), without any barbed wire, may be temporarily installed to protect the accessory seasonal activity which is permitted by virtue of the present article. Such a fence shall not be installed for a period extending longer than the period for which the accessory seasonal activity is to be carried out. The installation of this fence shall not be interpreted as to allow outdoor storage in zones where outdoor storage is not permitted.

2.6 "Circus" and "amusement park" uses

In any zone where they are permitted according to the Particular Provisions Table, the uses "circus" and "amusement park" shall only be carried out under the following conditions:

- a) Each of these uses shall be permitted once per calendar year, between June 1 and August 31, for a limited period of 7 consecutive days, including the time necessary to set-up and dismantle the installations.
- b) These uses shall be carried out outside provided that the conditions which are set pursuant to the provisions of Chapter 7 governing parking are respected.
- c) These uses may be authorised only if they are in full compliance with the applicable requirements of the Fire Prevention By-Law of the City of Pointe-Claire.

2.7 "Intermediate resource and family-type resource" uses

Intermediate and family-type resources, as defined and governed by the [Act respecting health services and social services](#), are authorised anywhere within the limits of the City according to the provisions applicable to each zone, notwithstanding the uses authorised in these zones.

2.8 Addition of a complementary dwelling (in-law suite)

For every zone in which "residential single-family" dwellings comprised of only one dwelling, identified hereafter as the "principal" dwelling, are authorised, one complementary dwelling per principal dwelling may be built in such building to be occupied by persons referred to in paragraph a).

- a) Only persons who are or were related by blood or allied, including through a de facto spouse, to the owner or occupant of the principal dwelling, their spouse and their dependants, other than the owner or occupant of the principal dwelling, may occupy the complementary dwelling (in-law suite).
- b) Building or occupying a complementary dwelling (in-law suite) shall be subject to the following conditions:
 - i) The principal dwelling and the complementary dwelling shall be built so as to allow the occupants to move freely from one dwelling to the other from the inside of the building;
 - ii) The building of a complementary dwelling is only allowed in a habitable floor area, in accordance with article 4.10. g) i) of this by-law;
 - iii) Access to both dwellings shall be at least from the main front door of the building;
 - iv) A single civic address shall identify the property, and only one water meter and one electricity meter are installed;
 - v) When the complementary dwelling ceases to be occupied by one or more persons who are or were related by blood or allied to the owner or occupant of the principal dwelling, the complementary dwelling cannot be occupied by persons other than those identified in paragraph a) above and shall be modified and converted so as to be reinstated to the main dwelling. The home remains a class "A" single-family dwelling and can in no way be equated with a class "B" two-family home.

2.9 Non-authorised activities

Except for special events specifically authorised by a resolution of Council, the following activities shall be prohibited everywhere within the limits of the City of Pointe-Claire:

- a) All activities involving the on-site disposal of used material or products, garbage or waste, and all activities involving the parking, storing, cleaning or maintenance of vehicles or equipment used to collect, store or transport garbage or waste; Amendment PC-2775-34 (April 26, 2017)
- b) Any activity involving the extraction, handling, storing, refining and/or transformation of superficial deposits such as top-soil, sand and/or gravel pits, stone quarries and transformation activities normally linked with these activities, such as cement, concrete or asphalt manufacturing, whether the raw materials are quarried on-site or trucked-in;
- c) Automobile scrap-yards and other activities to recycle motor vehicles (automobiles, trucks, trailers, tractors, motorcycles, etc.), wrecked vehicles, or parts of vehicles;
- d) Storage on a vacant landsite;
- e) Any outdoor storage of loose material, except for municipal purposes;
- f) Stockyards, breeding facilities for livestock or poultry, bee-keeping, or any other type of breeding;
- g) The sale or service of alcoholic beverages likely to be consumed outside of an establishment's premises or of a terrace adjoining a restaurant, or the distribution of soft drugs.

2.10 Organic matter treatment facility

All land uses other than industrial uses and "Pa" (parks) use are prohibited within 500 metres of an organic matter treatment facility (biogas plant, composting facility, or household waste pre-treatment facility).

The 500 metre distance must be calculated from the boundaries of the lot intended for the construction of such a treatment facility, unless the section of the operation that emits odours has already been sited, in which case the distance must be calculated from the chimney of that section.

Notwithstanding the preceding paragraph, any other use deemed compatible by the ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) may be authorised within a 500 metre radius of an organic matter treatment facility.

Amendment PC-2775-27, Dec. 17, 2015

2.11 Transport of hydrocarbons by pipeline

No new hydrocarbon transport pipeline may be installed within 300 metres of one of the sensitive land uses listed in paragraph a) of Article 2.12.

Amendment PC-2775-27, Dec. 17, 2015

2.12 Land uses sensitive to noise and vibrations

The provisions of this Article relating to noise and vibrations apply where indicated by a note to that effect in the Particular Provisions Table.

- a) The following uses are considered sensitive land uses within the meaning of this Article:
 - i) Residential use
 - ii) Any of the following community and institutional facilities:

- Library;
- Long-term care and residential facility
- Child and youth protection facility;
- Rehabilitation centre;
- Health and social services facility;
- Hospital;
- School;
- Worship establishment such as a church or convent;
- Daycare.

b) Occupation of a landsite adjacent to a main railway line

On a lot or portion of a lot adjacent to the right-of-way of the main railway line (CN and CP along Highway 20), the sensitive uses listed in paragraph a) cannot take place within 75 metres of the railway right-of-way if the vibration level within the building or portion of the building used for that purpose is greater than 0.14 mm/s.

The noise level inside a building designated for a sensitive use listed above, which is located within 30 metres of the railway right-of-way, may not exceed 40 dBA Leq (24h).

In addition, any construction project on a lot adjacent to a railway line must meet certain criteria intended to protect land development projects and constructions on this lot. To assess these criteria, the project developer must submit an assessment in accordance with Appendix 5 of this By-law and a noise and vibration study in accordance with Chapter 9 of the Permits and Certificates By-law PC-2788."

c) Occupation of a landsite adjacent to a major thoroughfare

On a lot or portion of a lot adjacent to the right-of-way of Sources Boulevard, Hymus Boulevard, St-Jean Boulevard, or a highway, the sensitive uses listed in paragraph a) cannot take place within 30 metres of said right-of-way, if the noise level within the building or portion of the building used for that purpose is greater than 40 dBA Leq (24h).

d) Occupation of a landsite adjacent to a highway

A lot or portion of a lot adjacent to the right-of-way of a highway cannot be occupied, within 300 metres of said right-of-way, by:

- i) any of the sensitive uses listed in paragraph a) if the noise level within the building or portion of the building used for that purpose is greater than 40 dBA Leq (24h);
- ii) an outdoor rest area located at ground level, if the noise level at this location is greater than 55 dBA Leq (24h).

e) Occupation of a landsite in the vicinity of Pierre Elliot Trudeau International Airport

On a lot or portion of a lot newly occupied by one of the sensitive land uses listed in paragraph a) and located inside the limit of a noise level area - NEF (Noise Level Exposure) of 25 to 30, the sound level within the building must not exceed 50 dBA Leq (24h).

Amendment PC-2775-27, Dec. 17, 2015

2.13 Provisions particular to mixed-use zones (Mu)

a) Multiple uses

In mixed-use zones, all uses that are permitted by the Particular Provisions Table can occupy together the same building, the same landsite or several buildings on the same landsite.

b) Dominant use

In mixed-use zones, when uses are permitted in the Particular Provisions Table with the mention: "Dominant", one or more of these uses must occupy at least 66% of the total floor area of a building or group of buildings located on the same property.

The uses that are permitted in the Particular Provisions Table with the mention “Second.” are considered secondary uses and cannot occupy more than 34% of the total floor area of a building or group of buildings located on the same property.

The floor area of a parking structure cannot be counted as a floor area in the calculation to determine a dominant use, except in the case of a parking lot or structure permitted as a Class F-7 commercial use. In such a case, only the parts of the parking structure that are covered with a roof shall be included in the calculation of the floor area.

c) Dominance of residential use

When indicated by a note to that effect in the Table of Particular Provisions, the residential use must be dominant in all buildings located within 50 metres (164 feet) of Brunswick Boulevard right-of-way.

d) Seasonal activities and uses related to urban lifestyle

The following complementary uses are permitted in all mixed-use zones. They do not have to be associated with a principal use, nor do they have to be located on a distinct lot or property.

- Seasonal sale of flowers, plants, trees, fruits and vegetable;
- Fresh produce, craftsmen or local trade market;
- Pop-up shop;
- Small restaurant or food stand, café, outdoor terrace;
- Park or recreation pavilion.

Provisions governing the construction and development of open space for those uses are established in Chapters 4 and 5, in the sections particular to mixed-use zones.

e) Land use sensitive to noise and vibrations

In mixed-use zones, the sensitive uses listed in paragraph a) of article 2.12 cannot take place within 100 metres (329 feet) of Trans-Canada Highway or its service road right-of-way, nor within 30 metres (98 feet) of Saint-Jean Boulevard right-of-way, if the noise level within the building or portion of the building used for that purpose is greater than 40 dBA Leq (24h).

An outdoor rest area located at ground level, associated with one of the abovementioned sensitive uses, cannot be located within 50 metre (164 feet) of the Trans-Canada Highway or its service road right-of-way if the noise level at this location is greater than 55 dBA Leq (24h).”

Amendment PC-2775-39 (February 2, 2018)

PROVISIONS GOVERNING LOT SIZE, LOCATION OF PRINCIPAL BUILDINGS, AND SETBACKS

Table of contents

- 3.1 Building types**
 - 3.2 Reclaimed Land**
 - 3.3 Lot coverage**
 - 3.4 Floor space index and net density factor**
 - 3.5 Minimum setbacks**
 - a) Definition
 - b) Setback measurement
 - c) Corner lots or lots bounded by more than one street
 - d) Permanence of minimum setbacks
 - e) Views on adjacent properties and roof gutters
 - 3.6 Provisions particular to residential zones**
 - a) Minimum setbacks
 - b) Addition of a garage
 - c) Access to a future garage
 - d) Encroachments in the minimum setbacks
 - e) Balconies abutted on the principal building
 - f) Basements, cellars and cold rooms
 - g) Underground constructions and emergency exits
 - h) Encroachment of emergency exits in the minimum setbacks
 - i) Landings
 - 3.7 Provisions particular to commercial, industrial and public zones**
 - a) Shopping centres and multi-tenant buildings
 - b) Minimum setbacks
 - c) Encroachments in the minimum setbacks
 - d) Floor space index and parking structure
 - 3.8 Provisions particular to mixed-use zones (Mu)**
 - a) Minimum residential density
 - b) Floor space index and parking structure
 - c) Building distance from major thoroughfares
 - d) Minimum setbacks
 - e) Encroachment in the minimum setbacks
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3.1 Building types

The various building types permitted in each zone are identified in the “Particular Provisions Table” and in the Village Code. For the purposes of this by-law, the various types of buildings which may be permitted in any given zone are defined as follows: Amendment PC-2775-43 (August 3, 2018)

- a) A detached building is one which is situated in such a way that it is set back from the lateral lot lines and is exposed on all sides;
- b) A semi-detached building is one which is situated on one of the lateral lot lines so that it shares a common wall with another building located similarly on the adjacent lot and which is exposed on at least three of its sides;
- c) A contiguous (terrace or row) building is one which is situated on both lateral lot lines, sharing walls with two buildings similarly located on the adjacent lots on either side (except at the end of a row) and which is exposed on at least two of its sides.

3.2 Reclaimed Land

- a) Be it public or private property, any landsite or part of, located between the original shore line of Lake Saint-Louis and the present natural high-water line, as defined in Appendix “1” of this by-law, is considered as reclaimed land, i.e. land obtained by the filling of the littoral of Lake Saint-Louis.
- b) No building or part thereof can be built on, or encroach on, reclaimed land if said reclaimed land does not form an integral part of the property as per the land register.
- c) No reclaimed land can be included in the measurement of the area or the dimensions of a landsite for the purposes of this by-law, if said reclaimed land does not form an integral part of the property as per the land register.
- d) No reclaimed land can be included in the calculation of setbacks if said reclaimed land does not form an integral part of the property as per the land register.

3.3 Lot coverage

- a) The lot coverage is the ratio of the ground area of all of the buildings (including a future garage as required by article 4.10 h) to the area of the lot on which they are located. However, the following are not considered as buildings for the purposes of the present paragraph:
 - i) Provided there is no roof: decks, landings and patios, at ground level or raised, attached to a building or not;
 - ii) Pools;
 - iii) Pool-pump sheds;
 - iv) Garden sheds and gazebos of less than 12 square metres (129.2 square feet) in area.
- b) The ground area of a building is the area within the limits of the building on the ground, including porticos, verandas, and ventilation and lighting shafts, but not including decks and patios, steps, cornices, fire ladders, outdoor ramps and stairs, and uncovered loading docks.
- c) Where regulated, the lot coverage is stipulated in the particular provisions.

3.4 Floor space index and net density factor

- a) The floor space index is the ratio of the total above-ground floor area of the principal building to the area of the lot on which it is built.
- b) The total above-ground floor area is the floor area of all floors of a building measured from the outside of exterior walls or from the centreline of party walls. The total floor area excludes

mezzanines, as defined by the Québec Construction Code, mechanical rooms and staircases, but includes: Amendment PC-2775-48A (October 17, 2018)

- The floor area of basements, if more than half of their floor-to-ceiling height is out of the ground;
 - The floor area of attics with a floor-to-ceiling height of 2.1 metres (6.9 feet) or more, or which are accessible by permanent stairs.
- c) The minimum and maximum floor space indexes for buildings are stipulated in Chapter 4, in the Particular Provisions Table and in the Village Code. The floor area of an existing building that is non-conforming due to the fact that it does not respect the minimum floor space index can only be reduced if the reduction is less than 5% of the total floor space that the building possessed prior to the coming into force of the present by-law. Amendment PC-2775-43 (August 3, 2018)
- d) The net density factor is the ratio of the area of the lot on which a multi-family building is located to the number of dwellings of this building. Where applicable, the net density factor indicates the minimum lot area (in square metres) per dwelling.

3.5 Minimum setbacks

a) Definition

The setback is the horizontal distance between the principal building and the limit of the landsite on which it is situated; there are front, side and rear setbacks. Where the by-law specifies a minimum dimension for a given setback, this dimension is the minimum required distance between the principal building and the corresponding limit of the lot on which it is built or intended to be built.

b) Setback measurement

The setback of a building must be measured from its foundation at ground level.

A protrusion of cladding materials of 10 centimetres (3.9 inches) or less from the foundation is not taken into account in the measurement of a setback; However, if the protrusion of cladding material is greater than 10 centimetres (3.9 inches) from the foundation, or if the structure is built on posts, on piles or is cantilevered, the setback is measured from the vertical surface created by the wall.

When a semi-detached or row structure is authorised, the dimension specified for the minimum side setback applies to the lateral walls of the structure that are not joined to another building. That is to say that a structure that is not adjoining another similar structure located on the adjacent property shall respect the minimum side setback established in the Particular Provisions Table.

When part of the lot is subject to an expropriation, the setback is measured from the new limit created by this expropriation.

c) Corner lots or lots bounded by more than one street

In the case of land sites located at the intersection of two streets or land sites bounded by more than one street, the minimum front setback shall apply to every street. When two dimensions are specified for the minimum front setback, the second one applies to the secondary front setback.

The front setback is the setback bounded by:

- The main front facade of the building (where one generally finds the main entrance) and its imaginary extension to the property line, following a course parallel to the street;
- The property line of the adjacent lot;
- The property line at the street on which a side facade of the building faces;
- The property line at the street on which the front facade of the building faces.

The secondary front setback is the setback bounded by:

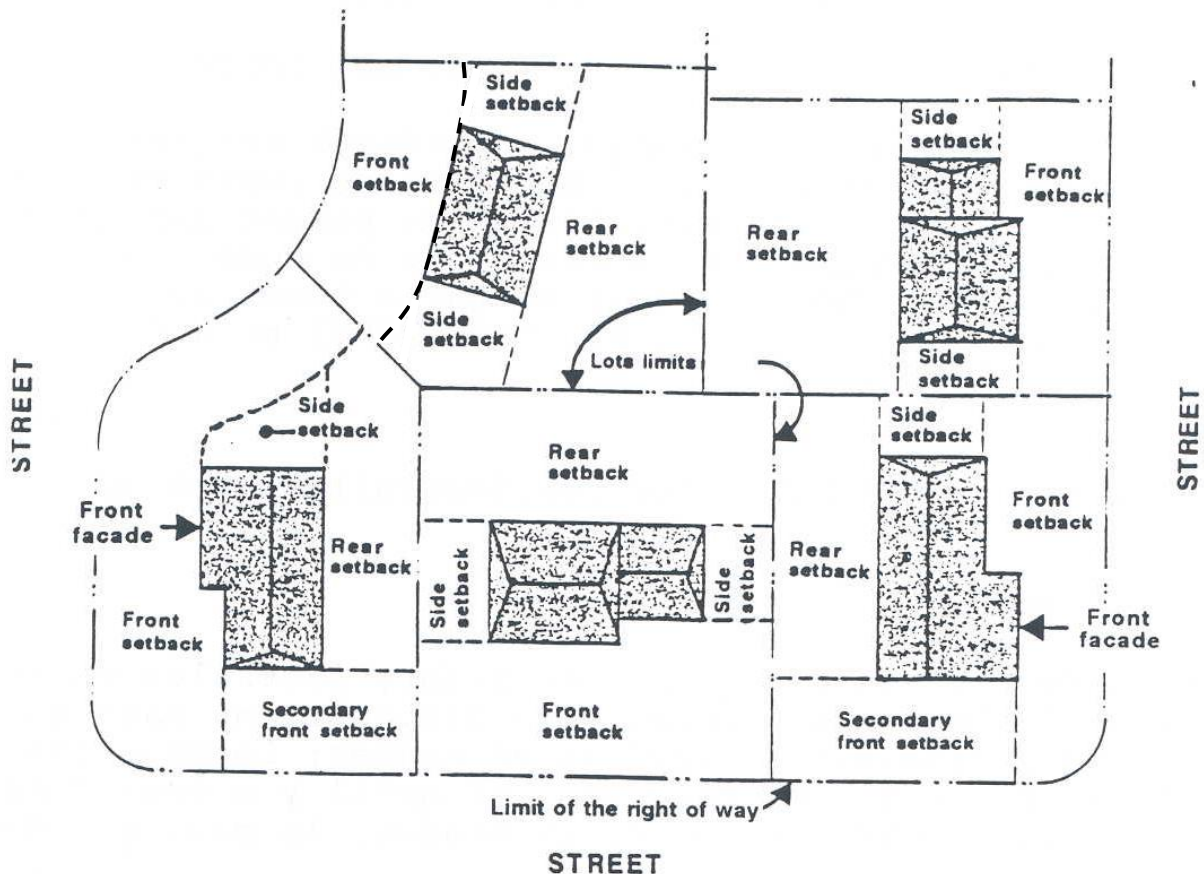
- The side facade of the building which faces a street and its imaginary extension to the adjacent lot's property line, following a course parallel to the street;
- The property line at the street on which this side facade of the building faces;
- The property line of the adjacent lot;
- The front setback.

The rear setback is the setback bounded by:

- The rear facade of the building (opposite to the main front facade) and its imaginary extension to the adjacent lot's property line;
- The front setback on the street on which a side facade of the building faces, i.e., the secondary front setback;
- The limits of the landsite.

The side setback (which is established after the front and rear setbacks) is the setback bounded by:

- The front setback on the street on which the front facade of the building faces;
- The side facade of the building;
- The rear setback, as defined in the preceding paragraph;
- The limit of the landsite.



d) Permanence of minimum setbacks

The minimum setback requirements established by this by-law are mandatory on an on-going basis and shall prevail for the duration of the use to which they apply; except in cases of expropriation

for public purposes, any transaction resulting in reductions of setbacks to less than the required minimum shall constitute a violation and render the contravening party liable for penalties and other recourse provided for in this by-law; furthermore, no Building Permit or Certificate of Authorisation shall be issued for a proposed use or a proposed extension of use, which require a landsite or part of a landsite which has been the subject of such a transaction.

e) Views on adjacent properties and roof gutters

Provisions of this by-law permitting setbacks of less than 2 metres (6.6 feet) or permitting an encroachment into a minimum setback, shall not relieve anyone of the obligation to comply with the provisions of the [Civil Code of Québec](#), in particular with respect to "views on neighbouring property" and "roof gutters", for which the owner is entirely responsible.

3.6 Provisions particular to residential zones

a) Minimum setbacks

For each zone, the minimum front, side and rear setbacks are stipulated in the Particular Provisions Table with the exact dimensions specified in metres.

b) Addition of a garage

It is prohibited to add a garage to a house which does not already have one if the structure thus formed does not conform to the minimum setbacks applicable to the zone in which it is located.

c) Access to a future garage

Notwithstanding the minimum setbacks stipulated in the particular provisions, at least one of the two side setbacks of any house without a garage built after February 21st, 1991, must have a width of 2.4 metres (7.87 feet) free from any encroachment in order to allow access to a future garage subject to construction in the rear setback.

d) Encroachments in the minimum setbacks

Certain components of an otherwise conforming principal building, or one that benefits from acquired rights, may encroach in the minimum setbacks according to the provisions of the following table:

Amendment PC-2775-11 (February 12, 2014)			
	Maximum additional depth of the encroachment in the minimum setback (1, 4)	Maximum width of the encroachment in the minimum setback	Maximum footprint of the encroachment in the minimum setback (1, 4)
May encroach in any setback:			
Roof overhangs and cornices	0.6 m (2 ft)		
Balconies	1.6 m (5.2 ft)		
Chimneys	1 m (3.3 ft)		2 m ² (21.5 ft ²)
Canopies and awning (2)	1.5 m (4.9 ft)		
Party walls	0.6 m (2 ft)		
Ramps or access structures			
May encroach in the front and rear setbacks only:			
Bow or bay windows (5)	1 m (3.3 ft)	3 m (9.8 ft)	
Cantilevered or suspended constructions (3)	1 m (3.3 ft)		
Porticos	1.6 m (5.2 ft) (6)		6 m ² (64.6 ft ²)
Porches	1.6 m (5.2 ft) (6)		6 m ² (64.6 ft ²)
Landings	1.6 m (5.2 ft) (6)		6 m ² (64.6 ft ²)
Verandas	2 m (6.6 ft)		

Chapter 3
PROVISIONS GOVERNING LOT SIZE, LOCATION OF PRINCIPAL BUILDINGS, AND SETBACKS

Amendment PC-2775-11 (February 12, 2014)

	Maximum additional depth of the encroachment in the minimum setback (1, 4)	Maximum width of the encroachment in the minimum setback	Maximum footprint of the encroachment in the minimum setback (1, 4)
Steps			

Notes:

1. *The most restrictive provision shall prevail*
2. *Above openings (doors and windows) only*
3. *Not supported by columns*
4. *For a principal building otherwise conforming or that has acquired rights*
5. *Maximum of two windows per facade*
6. *If there is a portico, a porch and a landing, or a combination of two of these elements, the depth of the total combined encroachment of these elements from the wall of the main building cannot exceed the combined depth permitted for two of these elements.*

e) Balconies abutted on the principal building

A balcony can be constructed on the roof of a porch, a portico, a canopy, or a veranda, as well as on the roof of a part of the main building provided the structure on which the balcony is built complies with the requirements for setbacks and encroachments.

f) Basements, cellars and cold rooms

A part of a basement, a cellar or a cold room can be built under a landing, a porch, a portico, a veranda, or a deck, provided the structure under which the part of this basement, cellar or cold room is constructed, complies with the requirements pertaining to setbacks, heights and encroachments.

g) Underground constructions and emergency exits

Notwithstanding the provisions of paragraph d) above, completely underground constructions may encroach in the minimum setbacks, without any limit as to their area. Moreover, for a given property, a maximum of two emergency exits from such underground constructions, enclosed or not, may be located entirely or in part, in the minimum setbacks; however, the area of any such exits is not to exceed 11.5 square metres (123.8 square feet). A garage door for vehicles may not encroach in a minimum setback.

h) Encroachment of emergency exits in the minimum setbacks

Notwithstanding the provisions of paragraph d) above, emergency exit landings with a maximum area of 1 square meter (10,7 square feet) [or of the minimal area required by the Quebec Construction Code regarding emergency exits] and abutting stairs, which are required for the safety of a building, may encroach in a minimum side setback.

i) Landings

The area of a landing shall not exceed the lesser of the following dimensions:

- 9.3 square metres (100 square feet);
- 5% of the footprint area of the main building. Amendment PC-2775-21 (May 20, 2015)

3.7 Provisions particular to commercial, industrial and public zones

a) Shopping centres and multi-tenant buildings

In zones where this formula is permitted under the particular provisions, a building or group of buildings on a single landsite may be subdivided among two or more establishments. This is called a shopping centre or, in the case of industrial buildings, a multi-tenant building.

Shopping centres and multi-tenant buildings shall not be considered to be a grouping of semi-detached or contiguous buildings, but rather a single building subdivided into two or more

establishments, even should these establishments be further subdivided to form distinct properties (condominiums).

In industrial zones where multi-tenant structures are authorised, the Particular Provisions Table specifies the minimum floor space of each establishment and the minimum average floor space per establishment¹.

b) Minimum setbacks

For each zone, the minimum front, side and rear setbacks are given in the Particular Provisions Table with the exact dimensions specified in metres.

c) Encroachments in the minimum setbacks

No components of the principal building may encroach in any minimum setback except as follows:

- i) Ramps or access structures for persons with mobility impairment may encroach in the minimum setbacks.
- ii) Completely underground constructions may encroach in the minimum setbacks, without any limit as to their area. Moreover, for a given property, a maximum of two emergency exits from such underground constructions, enclosed or not, may be located entirely or in part, in the minimum setbacks; however, the area of any such exit is not to exceed 11.5 square metres (123.8 square feet).
- iii) In the case of an underground parking area encroaching in a minimum setback, the garage door for vehicles may not encroach in a minimum setback adjacent to a landsite located in a residential zone.
- iv) Except in the perimeters defined on the Zoning Plan as "Village Sectors", cantilevered constructions may encroach up to 1 metre (3.3 feet) in a minimum front or rear setback.
- v) Roof overhangs and cornices may encroach up to 0.6 metres (2 feet) in a minimum setback.
- vi) In commercial and public zones only, awnings and stairs may encroach up to 1.5 metres (4.9 feet) in a minimum setback.

d) Floor space index and parking structure

In commercial zones, the floor area of vehicle parking structures shall not be included in the calculation of the Floor Space Index. *Amendment PC-2775-65 (May 12, 2021)*

3.8 Provisions particular to mixed-use zones (Mu)

a) Minimum residential density

For each of the mixed-use zones, in addition to the Floor Space Index, the minimum residential density is indicated in the Particular Provisions Table with a minimum number of dwellings that should be built on a given area of the landsite in square metres (for example: 1 log./140 m²). This minimum density is required for all buildings, or groups of buildings located on the same property, that are dominantly residential.

For the application of the present paragraph, when there is no required dominance of use for a given zone in the Table of Particular Provisions, a building, or group of buildings located on the same property, is considered as being dominantly residential when 70% or more of its floor area is occupied by residential uses.

For all buildings or groups of buildings located on the same property that are not dominantly residential but contain one or more dwelling units, the minimum residential density to be respected is one (1) dwelling unit per 280 m² of landsite.

b) Floor space index and parking structure

The floor area of an above-ground multi-level parking structure shall be included in the calculation of the Floor Space Index of a building, excluding the parts of the structure that are not covered with a roof, when said parking structure is integrated into the building envelope or is contiguous to it.

c) Building distance from major thoroughfares

All principal and ancillary buildings must respect the following distances from the right-of-way of the following thoroughfares:

- 22 metres from the Trans-Canada Highway and its service road right-of-way;
- 10 metres from Saint-Jean Boulevard right-of-way;
- 5 metres from Brunswick Boulevard right-of-way;
- 10 metres from the right-of-way of the future Jacques-Bizard Boulevard.

d) Minimum setbacks

To ensure that the built environment along the streets and around the public spaces contributes in defining a dynamic urban space and creating a sense of place, the minimum setbacks that apply to the principal buildings are as follow:

- Front setback: 1 metre
- Side setback: 0 m or 1.5 metres
- Rear setback: 0 m or 1.5 metres
- Distance between two buildings on the same landsite: 0 m or 1.5 metres

The same distances apply to structures and pavilions that shelter the seasonal activities and uses related to urban lifestyle, as well as to parking gatehouses.

e) Encroachment in the minimum setbacks

Certain components of a principal building may encroach in the minimum setbacks.

Ramps and universal access installations, completely underground constructions with their exit structures and garage doors as well as aerial overpasses may encroach in the minimum setbacks without restrictions, and in the minimum distances to the major thoroughfares indicated in paragraph c).

The elements in the table below may encroach in a minimum setback or distance to a major thoroughfare up to a depth indicated in the table below:

Roof overhang, cornice:	0.6 m (2')
Bow or bay window:	1 m (3.3')
Balcony:	1.6 m (5.2')
Entrance canopy, awning:	no maximum
Landing, porch:	1.6 m (5.2')
Stairs:	1.6 m (5.2')

Amendment PC-2775-39 (February 2, 2018)

PROVISIONS GOVERNING BUILDING ARCHITECTURE, CLADDING MATERIALS AND DIMENSIONS

Table of contents

- 4.1 Prohibited shapes**
 - 4.2 Trailer-homes, trailers and mobile homes**
 - 4.3 Temporary buildings and structures**
 - 4.4 Mechanical equipment**
 - 4.5 Outdoor stairways and screening**
 - 4.6 Cladding materials**
 - 4.7 Floor height and number**
 - 4.8 Width of building facades**
 - 4.9 Storage areas for recycling, composting and garbage bins**
 - 4.10 Provisions particular to residential zones**
 - a) Level of the ground floor
 - b) Cellar or basement dwellings
 - c) Number of units per row of townhouses (contiguous houses)
 - d) Width of dwelling facades
 - e) Maximum floor area for detached single-family dwelling
 - f) Cladding materials
 - g) Minimum habitable floor space for dwellings
 - h) Garages and carports
 - 4.11 Provisions particular to commercial and industrial zones**
 - a) Cladding materials
 - b) Cladding materials in certain commercial zones
 - c) Cladding materials in industrial zones
 - d) Cladding materials for equipment shelters and ancillary buildings
 - e) Minimum glazed surface area
 - f) Mechanical equipment
 - 4.12 Provisions pertaining to flat roofs (slope 2: 12)**
 - 4.13 Provisions particular to mixed-use zones (Mu)**
 - a) Basement dwellings
 - b) Façade width of dwelling units
 - c) Cladding materials
 - d) Use of flat roofs
 - e) Habitable floor space per dwelling
 - f) Pavilions and ancillary buildings for seasonal activities and uses related to urban lifestyle
 - g) Height and number of floors
-

4.1 Prohibited shapes

The following are prohibited throughout the territory of the City of Pointe-Claire:

- a) The use of railway cars, buses or other vehicles of this type, as principal or ancillary buildings;
- b) Any principal or ancillary buildings shaped in the form of a human being, animal, fruit, vegetable or any other similar object;
- c) Except for municipal purposes, buildings which are semi-circular in shape (arches, domes or other), prefabricated or otherwise, constructed of galvanised sheet metal or any other material.

4.2 Trailer-homes, trailers and mobile homes

Mobile homes, trailer-homes or trailers of any kind are not permitted other than as temporary buildings for the purposes mentioned in article 4.3 and shall not be used for purposes of housing.

4.3 Temporary buildings and structures

- a) Temporary carports and any temporary shelters and canopies made of plastic are prohibited throughout the area within the municipal limits of the City of Pointe-Claire.
- b.1) authorized temporary building is one which is needed for an accessory seasonal activity or which is a worksite building, as contemplated under paragraph 4.3 b.3) below or which is a real estate sales office, as contemplated under paragraph 4.3 b.4) below; such building shall not be used for housing purposes.
- b.2) building that is needed for an accessory seasonal activity shall be removed within 5 days following the cessation of the accessory seasonal activity.
- b.3) building or a trailer is authorized as a temporary building on a worksite to be used as worksite office, as premises for workers or as storage for materials or tools;

Whenever the worksite implies the construction of a building with a total floor area of more than 10 000 m², such temporary building may also shelter catering services for the employees.

There is no limit as to the number of temporary buildings on a worksite.

The temporary building may be installed on the landsite as soon as the building permit or the certificate of authorization has been issued for work to start.

The temporary building shall be installed at a minimum distance of 3 metres from a street boundary and at a 1.5 metres from any side or rear limit.

A worksite building must be used solely for the worksite where it is installed.

It shall be removed within 30 days following the end of the works or the expiration of the permit or of the certificate, whichever comes first.

- b.4) building is authorized as a temporary building to be used as a real estate sales office on a landsite being part of a real estate project. Such building shall service only the real estate project where it is installed.

The temporary building may be installed further to the issuance of a certificate of authorization by the director. The director may issue such certificate as soon as the project is the object of a favourable decision by council or as soon as a building permit has been issued for the work of the real estate project to start.

The temporary building must be installed at a minimum distance of 3 metres from any street boundary and at 1.5 metres from any side or rear property line.

The authorization to install a temporary building to be used as a real estate sales office shall remain valid until such time that the realization of the real estate project has been completed.

The temporary building shall be removed either:

- i) Within 30 days following the end of the work; or
- ii) Within 30 days following the expiration of the last building permit issued; or
- iii) When 95% of the landsites of the real estate project have been built; or
- iv) When 95% of the landsites of the approved phase have been built."

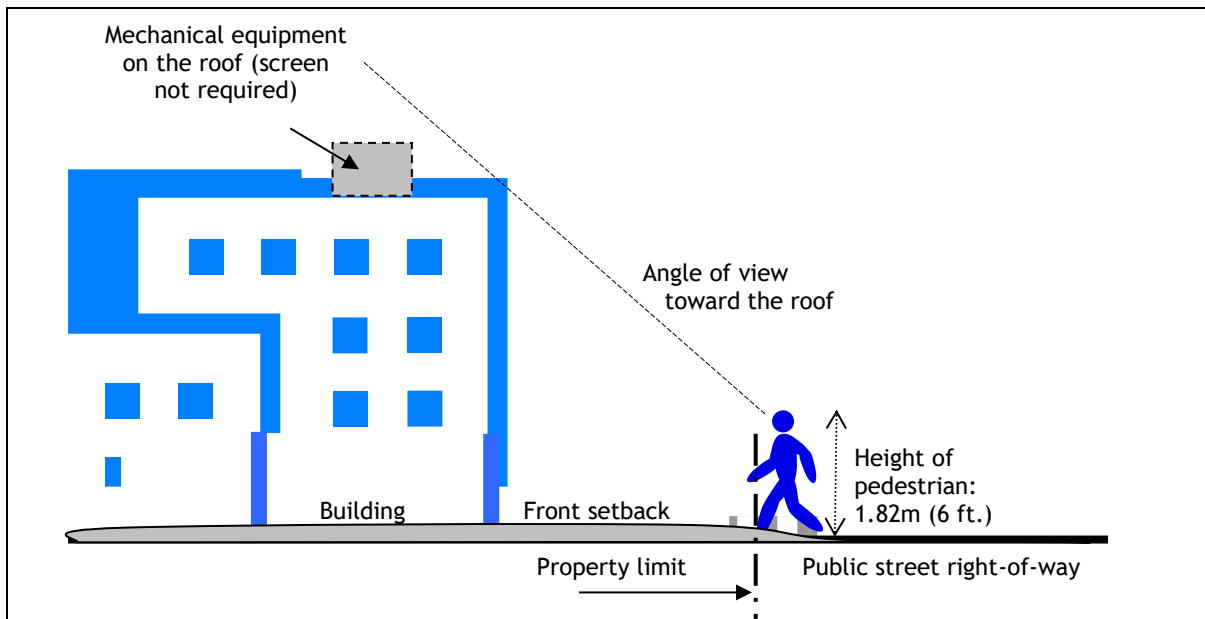
Amendment PC-2775-40 (September 27, 2017)

- c) In industrial zones only, temporary structures are permitted to enclose or shelter operational mechanical equipment between October 15 and April 15 of each year.

4.4 Mechanical equipment

- a) Unless otherwise indicated in the particular provisions, no reservoirs, air flues, ventilation ducts or other mechanical equipment shall be visible from public streets. All mechanical equipment situated on the roof shall be completely hidden by a screen, from view of any person measuring 1.82 metres (6 feet) in height and located on a property limit adjacent to any public thoroughfare, as illustrated on the sketch below.

All mechanical equipment shall be properly maintained.



- b) The provisions of the first section of paragraph a) shall not apply to the following:
- Air conditioning equipment designed to be installed in windows;
 - Wall air conditioners integrated into the cladding material and that have a maximum area of 0.4 square metres (4.3 square feet);
 - Solar panels or solar walls installed on a wall or a roof;
 - Solar water heater systems.

4.5 Outdoor stairways and screening

- a) Within the limits of the City, except in the perimeters defined on the Zoning Plan as "Village Sectors", outdoor stairways are permitted only to provide access to the main floor of a building or to a lower level. Amendment PC-2775-1, September 14, 2011
- b) In the "Village Sectors", outdoor stairways providing access to floors or to parts of floors more than 1.5 metres (4.9 feet) above or below the average adjacent ground level are prohibited on the front facade of the building (both facades in the case of a corner lot) and, when built on a side facade of the building, they shall not encroach into the front setback.
- c) Within the limits of the City, except in the perimeters defined on the Zoning Plan as "Village Sectors", the maximum height of any single flight of outdoor stairs is limited to 1.5 metres (4.9 feet). Any outdoor stairway providing access to floors or to parts of floors more than 1.5 metres (4.9 feet) above or below the average adjacent ground level shall be divided in sections and landings; the maximum height of each section cannot exceed 1.5 metres (4.9 feet).
- d) Unless it gives access to a door or a window, the space underneath any part of a floor or a stairway which height above the average adjacent ground level is between 60 centimetres (2 feet) and 1.5

metres (4.9 feet) shall be surrounded by a screen comprised of either:

Amendment PC-2775-

39 (February 2, 2018)

- Lattice or another material, in order to achieve an opacity of 75% or greater;
or
- A landscape design of evergreen shrubs, provided that the entire perimeter underneath the floor or the stairway is covered and that the height of the shrubs attains the height of the floor.

4.6 Cladding materials

- a) Use of the following is prohibited anywhere within the limits of the City as permanent or temporary exterior cladding or finishing materials for both principal and ancillary buildings as well as for fences:
 - i) Fibreboard, tarred or otherwise;
 - ii) Any type of unfinished particleboard, chipboard or plywood;
 - iii) Tarpaper and paper coated with aggregate or similar materials;
 - iv) Insulation, rigid or otherwise (including sprayed urethane or other);
 - v) Imitation brick or stone coatings;
 - vi) Imitation brick or stone panels;
 - vii) Wood which is not painted, lime-treated or treated against blackening, excluding cedar shakes;
 - viii) Plain concrete blocks;
 - ix) Corrugated or flat asbestos boards, fiberglass, PVC or polycarbonate panels except in the cases contemplated in paragraph d) hereafter; Amendment PC-2775-34 (April 26, 2017)
 - x) Polyethylene;
 - xi) Galvanised or other sheet metal which has not been factory-baked or enamelled, except for the roofs of known heritage buildings and metal flashings used for roof copings;
 - xii) Wall sheathing materials considered as such by the Quebec Construction Code.
- b) Exterior cladding and finishing materials shall be maintained so as to preserve their original appearance. It is prohibited to paint brick or stone.
- c) Resin, composite wood or plastic shall be authorized only for parking gatehouses and ancillary buildings with an area of less than 12m² (129 ft²). Amendment PC-2775-34 (April 26, 2017); Amendment PC-2775-39 (February 2, 2018)
- d) Notwithstanding sub-paragraph a) ix), it is permitted, in side and rear setbacks, to use polycarbonate panels for the roof of a landing, a balcony, a veranda, steps, a gazebo, a domestic greenhouse or a solarium. Amendment PC-2775-34 (April 26, 2017)

4.7 Floor height and number

- a) When applicable, the minimum height, the maximum height or, in certain cases, the minimum number and maximum number of floors of main buildings are stipulated in the Particular Provisions Table and in the Village Code. Amendment PC-2775-43 (August 3, 2018)
- b) For the purposes of calculating the number of floors, basements and cellars shall not be considered as floors, nor mezzanines as defined by the Quebec Construction Code, nor attics with a floor-to-ceiling height of less than 2.1 meters (6.9 feet) and not accessible by permanent stairs. In the case of split-levels, the number of floors is calculated by combining the various floor areas into a minimum of planes occupying the total interior perimeter of the building.
- c) The minimum number of floors required as per the Particular Provisions Table, is considered to be in compliance with the particular provisions provided that one of the following conditions is met:

- i) The floor area of an upper floor shall not be less than 60% of the floor area of the ground floor;
- or
- ii) The total floor area of all upper floors shall not be less than 70% of the total floor area of the building.
- d) Provided that they constitute a principal use or that they are required for exercising the principal use, the following uses may exceed the specified maximums:
 - i) Churches, bell towers and belfries;
 - ii) Radio, television or telecommunications antennas;
 - iii) Flagpoles;
 - iv) Residential chimneys.
- e) On flat-roof buildings only, provided that they occupy no more than 25% of the roof area, mechanical rooms may exceed the height of the top of the roof parapet by no more than 4 metres (13.1 feet); mechanical rooms shall not be considered when counting the number of floors, nor be included in the building height.

4.8 Width of building facades

Where regulated, the widths of building facades are subject to particular provisions. In the case of a facade with salients or recesses, the width of the facade is the total sum of the widths obtained by orthogonal projection of each component of the building to the front property line.

4.9 Storage areas for recycling, composting and garbage bins

Throughout the limits of the City, any new building comprised of five (5) dwelling units or more must have sufficient indoor space reserved for the storage of bins used for the weekly collection of recyclable materials, green and food waste and garbage.

4.10 Provisions particular to residential zones

- a) Level of the ground floor²
Everywhere within the limits of the City, all buildings shall be constructed in such a way that the level of the ground floor is above the average crown of the street on which the property fronts.
- b) Cellar or basement dwellings
No apartment shall be located in a cellar, and in a multi-family building, no apartment shall be located in a basement.
- c) Number of units per row of townhouses (contiguous houses)
No individual row of single-family townhouses (contiguous houses) shall contain fewer than three (3) units or greater than eight (8) units.
- d) Width of dwelling facades
Where regulated, the minimum width of dwelling facades is stipulated in the Particular Provisions Table with the exact dimensions specified in metres.

In the case of detached single-family homes, on a landsite that have a frontage width of 19.5 metres (64 feet) or more, when measured at 6 metres (19.7 feet) inside the landsite, the width of a house that has only one floor cannot exceed 75% of the frontage width of the landsite; and the width of a house that has more than one floor, even partially, cannot exceed 70% of the frontage width of the landsite. Amendment PC-2775-12 (February 12, 2014)

e) Maximum floor area for detached single-family dwelling

The floor area above ground of a detached single-family dwelling can in no case exceed the smallest of the following limitations: Amendment PC-2775-4 (March 7, 2012)

- i) The floor area obtained when applying the Floor Space Index stipulated in the Particular Provisions Table;
- ii) The floor area corresponding to the total area of the landsite in the table below:

<u>Landsite area</u>	<u>Maximum above ground floor area</u>
Less than 500 m ² (5,387 ft ²)	300 m ² (3,229 ft ²)
Between 501 m ² and 670 m ² (5,388 ft ² and 7,227 ft ²)	335 m ² (3,606 ft ²)
Between 671 m ² and 900 m ² (7,228 ft ² and 9,693 ft ²)	360 m ² (3,875 ft ²)
Between 901 m ² and 1,200 m ² (9,694 ft ² and 12,917 ft ²)	384 m ² (4,133 ft ²)
More than 1,200 m ² (12,917 ft ²)	384 m ² (4,133 ft ²) plus 10% of the landsite area exceeding 1,200 m ² (12,917 ft ²)

f) Cladding materials

The only authorised cladding materials are the following:

- i) For a Class A, Class B or Class C (horizontally arranged dwelling units) use:
 - Stone or reconstituted stone of a different size from that of traditional concrete blocks ($\pm 20 \times 40$ cm); Amendment PC-2775-34 (April 26, 2017)
 - Brick;
 - Stained or natural cedar shakes (or imitation); Amendment PC-2775-1, September 14, 2011
 - Wood;
 - Plain stucco, with or without wood ornaments;
 - Wood, imitation wood, metal, or vinyl clapboard.
- ii) For a Class C use (vertically arranged dwelling units):
 - Stone or reconstituted stone of a different size from that of traditional concrete blocks ($\pm 20 \times 40$ cm); Amendment PC-2775-34 (April 26, 2017)
 - Brick;
 - Precast concrete panels.

g) Minimum habitable floor space for dwellings

- i) For the purposes of this by-law, any floor or part thereof, with a floor-to-ceiling height of at least 2.3 metres (7.5 feet), with finished inside surfaces, insulated where adjacent to an outdoor surface, and which satisfies the requirements of the Quebec Construction Code regarding minimum areas of glazing for the rooms of a dwelling, shall be considered as habitable.
- ii) Floor spaces defined as habitable, but which also satisfy the definition of a basement or a cellar under the present by-law, shall not be included when calculating habitable floor space.
- iii) Common spaces in a building that is comprised of more than one dwelling units are not included in the calculation of habitable floor space of dwellings. Amendment PC-2775-1, September 14, 2011

- iv) The minimum habitable floor space of dwellings is stipulated in the Particular Provisions Table by one or two of the following conditions :
- A fixed minimum floor area per dwelling, in the case of residential buildings of four (4) dwellings and less;
 - A minimum average floor area per dwelling, in the case of multi-family buildings and mixed-use complexes;
 - An asterisk (*) which refers to the minimum floor area per dwelling or per building as indicated in the table below:

Class A Residential (single-family)	
Detached:	110 m ² per dwelling unit
Semi-detached or contiguous:	100 m ² per dwelling unit
Class B Residential (2 to 4 dwellings)	
Detached duplex/triplex:	180 m ² per building
Semi-detached duplex /triplex:	170 m ² per building
Quadruplex:	225 m ² per building
Class C Residential (multi-family)	
Detached or semi-detached:	60 m ² per dwelling unit

h) Garages and carports

- i) Except when permitted by particular provisions, the construction or the replacement of a carport is prohibited throughout the territory of the City of Pointe-Claire.

ii) Obligatory Garage

Except in the village sector of Pointe-Claire, any new single-family dwelling must have a garage with inside dimensions sufficient to accommodate one (1) automobile, as stipulated in article 7.6 of this by-law.

The construction of said garage can be postponed sine die if the following conditions are met:

- The garage is shown on the implantation plan submitted with the application for a building permit;
- Access to the garage is secured by an alley measuring at least 2.4 metres (7.87 feet) in width and free of any building, structure, construction or encroachment of any kind.

iii) Addition of a garage

A new garage, which may be integrated into the main building or detached from it, shall be at least 3.5 metres (11.5 feet) in width and 6.10 metres (20 feet) in depth, as measured from the door (inside dimensions).

iv) Conversion or demolition of an existing garage

The conversion or demolition of an existing garage is subject to the following conditions:

- a It is prohibited to convert for habitable space, or to demolish, the garage of a single family townhouse (contiguous house).
- b In the case of an existing garage integrated into a principal building constructed after February 21, 1991 (other than a single-family townhouse), it can be converted or

demolished only upon presentation of an application for a building permit indicating the location of a future garage in accordance with the provisions of sub-paragraph ii).

- v) Level of a garage floor integrated into the principal building Amendment PC-2775-1, September 14, 2011

Except for buildings possessing more than four (4) dwellings, the level of the floor of a garage shall not be lower than the level of the crown of the street at its centre line.

Notwithstanding the foregoing, if the average natural elevation of the land is at least 1 metre (3.3 feet) lower than the elevation of the centre of the crown of the street, the elevation of the garage floor shall not be more than 40 centimetres (1.3 feet) lower than the elevation of the centre of the crown of the street.

For the purposes of this article, the average natural elevation of the land is calculated by adding the highest natural elevation of the land to the lowest natural elevation of the land and dividing the value obtained by two (2).

- vi) Double or multiple garages with doors facing a street

The doors of a double or multiple garage³ attached to a residential building and facing a street, shall not protrude by more than 2 metres (6.6 feet) from the main part of the facade of the building, including a veranda, the whole measured from the part of the facade wall adjoining the garage.

Furthermore, the width of the facade of a garage wall is limited to 6.7 metres (22 feet).

- vii) Maximum floor area of garages

The floor area of a garage that is attached to the principal building of a single family or two-family home shall not exceed the lesser of the two following dimensions:

- 75 square metres (807,3 square feet)
- The habitable floor area of the home's ground floor;

Amendment PC-2775-11 (February 12, 2014)

- viii) Vehicle access

Any garage, be it attached to or detached from the principal building, must be accessible from the public thoroughfare by a vehicular access lane, built in accordance with the sections 5, 6 and 7.5 of the present bylaw. Amendment PC-2775-34 (April 26, 2017)

4.11 Provisions particular to commercial and industrial zones

- a) Cladding materials

For the purposes of controlling the cladding materials in commercial and industrial zones, materials are divided into two classes:

- i) Class "A" cladding materials include:

- Stone or reconstituted stone of a different size from that of traditional concrete blocks ($\pm 20 \times 40$ cm); Amendment PC-2775-34 (April 26, 2017)
- Brick;
- Glass;
- Precast concrete panels;
- Aluminium curtain panels with a minimum thickness of 0.3175 centimetres (1/8 inches);
- In commercial zones only, white, grey, cream, brown or beige coloured stucco or acrylic finish.

- ii) Class "B" cladding materials include:

- Architecturally treated poured concrete;
- Factory-painted metal panels;
- Architectural concrete blocks.

b) Cladding materials in certain commercial zones

- i) In commercial zones, other than “Cv” zones, only class “A” cladding materials are permitted on any façade of a building.
- ii) When a rear wall has one or more loading docks, its cladding materials can be a combination of architectural concrete blocks and factory-painted metal panels, provided that said rear wall is not visible from a public thoroughfare and does not face a residential zone.

When architectural concrete blocks are used around loading docks, the blocks shall extend from ground level to at least 60 centimetres (2 feet) above the top of the dock doors.

Amendment PC-2775-1, September 14, 2011

c) Cladding materials in industrial zones

In industrial zones, the following provisions apply:

- i) Any facade facing a street, a road or a highway shall be comprised of class “A” cladding materials, or of a combination of such materials. In such a front facade, one or more recess(es) is considered part of said front facade and a wall of this recess or these recesses should be faced with class “A” cladding materials. Amendment PC-2775-2, June 1st, 2011
- ii) The same class “A” cladding material, or combination of materials used on a front façade, shall wrap around the front part of the lateral walls, or of the rear wall in the case of a secondary front facade, on the entire height of the wall and on at least 20% of the width of said wall.
- iii) At least 50% of a lateral façade of a building shall be of class “A” cladding materials or of a combination of such materials; the rest of the facade may be of class “B” cladding materials.

For the purpose of applying the present paragraph, a wall facing a thoroughfare that is recessed at least 20 metres (65.6 feet) behind the main facade of the building with an area that is less than 30% of the area of the main façade, is treated as part of the lateral facade, or of the rear facade in the case of a secondary front façade.

- iv) A rear facade shall be faced with class “A” or class “B” cladding materials.

Notwithstanding the forgoing, a rear facade facing a street, a road or a highway, or adjacent to a residential zone, shall be comprised of class “A” cladding materials, or of a combination of such materials.

- v) For the extension of an existing building, a façade can be extended with the same proportion of class « A » cladding materials that it possessed prior to the extension, or by increasing said proportion; However, a façade facing a street can never be faced with less than 75% of class “A” cladding materials.
- vi) When architectural concrete blocks are used around loading docks, the blocks shall extend from ground level to at least 60 centimetres (2 feet) above the top of the dock doors.

d) Cladding materials for equipment shelters and ancillary buildings

The cladding materials authorised for mechanical equipment rooms on a roof are class “A” and class “B” materials as defined in paragraph a) above.

If visible from a public street, the cladding materials authorised for ancillary buildings and equipment shelters (public utilities and telecommunications) are class “A” materials as defined in paragraph a) above, otherwise class “B” materials are permitted as defined in paragraph a) above.

e) Minimum glazed surface area

For any industrial building, at least 10% of the facade facing a street, a route or a highway shall be glazed.

f) Mechanical equipment

In any industrial or commercial zone, the location of mechanical equipment, such as air conditioning, ventilation and heating systems, or other, as well as stacks and chimneys, shall be limited to the roof or to the rear setback. Whether they are located on the roof or in the rear setback, mechanical equipment and mechanical components of the building shall at no time exceed the roof line of the building by more than 3 metres (9.8 feet) and with the exception of stacks or chimneys, they shall be completely hidden from view of any person measuring 1.82 metres (6 feet) in height and located on a property limit adjacent to any public thoroughfare, by an approved screen properly maintained, and acoustically insulated from any adjacent residential property located in a residential zone.

4.12 Provisions pertaining to flat roofs (slope 2: 12)

For any roof with a slope of less than 2 vertical units per 12 horizontal units (2:12) or 16.7% (flat roof), other than a portion of the roof occupied by mechanical equipment or a patio, only the following coatings are permitted:

- i) A green roof (that conforms to the requirements of the Quebec Building Code);
- ii) A material that is white in colour, painted white, or covered with a white reflective coating or ballast;
- iii) A material with a solar reflectance index (SRI) of at least 78 as certified by the manufacturer's specifications or the opinion of a professional;
- iv) A combination of the coatings described in paragraphs i), ii), and iii).

Amendment PC-2775-27, Dec. 17, 2015

4.13 Provisions particular to mixed-use zones (Mu)

a) Basement dwellings

No dwelling unit shall be in a cellar or in a basement.

b) Façade width of dwelling units

A minimum façade width per dwelling may be indicated in the Particular Provisions Table with a dimension in metres. It corresponds to the minimum width that an exterior wall of a dwelling unit should have, a wall that should give on a public thoroughfare, on a public space or on a side or rear yard.

c) Cladding materials

The cladding materials authorized in a mixed-use zone are the following:

- The materials indicated in paragraph f) of Article 4.10, for building which dominant use is residential;
- The materials indicated in paragraph a) of Article 4.11, for mixed-use buildings without a dominant use and for buildings which dominant use is commercial or public;
- Steel, aluminum copper and zinc panels and exposed beams;
- Torrefied wood
- Glass and glass curtain.

All the above cladding materials are also permitted for buildings sheltering seasonal activities and uses related to urban lifestyle described in Article 2.13 d).

d) Use of flat roofs

Leisure and recreational areas, gardens and terraces as well as recreation equipment such as a swimming pool, can be installed on a building's flat roof.

e) Habitable floor space per dwelling

The minimum habitable floor space for all dwellings is 37 square metres (398 square feet).

f) Pavilions and ancillary buildings for seasonal activities and uses related to urban lifestyle

The maximum floor area of a building designated to shelter a seasonal activity or use related to urban lifestyle as defined in Article 2.13 d) is 100 square metres (1076 square feet) per floor, and 180 square metres (1938 square feet) in total.

g) Height and number of floors

- i) The buildings which dominant use is residential or commercial (retail, services, bars, restaurants) shall have at least two (2) floors.
- ii) Cultural and institutional buildings, large recreational facility and interior public markets shall have at least two (2) floors or a minimum height of 8 metres (26.2 feet).
- iii) The buildings which dominant use is office and hotels shall have at least three (3) floors.
- iv) Permanent and temporary pavilions, stands and buildings mentioned in preceding paragraph f) may have one (1) or two (2) floors.

Amendment PC-2775-39 (February 2, 2018)

PROVISIONS GOVERNING THE TREATMENT AND USE OF OUTDOOR AREAS

Table of contents

- 5.1 Compulsory treatment of unoccupied areas**
- 5.2 Elevation of a landsite in relation to a thoroughfare**
- 5.3 Retaining walls**
 - a) Work to increase land elevation that requires a retaining wall
 - b) Presence of a stream or a drainage ditch
 - c) Setback of retaining walls less than 60 centimetres (2 feet) in height
 - d) Vehicular access ramps
 - e) Maintenance of retaining walls
- 5.4 Use of the public street right-of-way**
- 5.5 Visibility on public thoroughfares**
 - a) Triangle of visibility
 - b) Visibility and planting
- 5.6 Vehicular accesses**
- 5.7 Burying of electrical or telecommunications wires**
- 5.8 Trees**
 - a) Preservation
 - b) Protection
- 5.9 Fences, walls and hedges**
 - a) Types of fences permitted
 - b) Razor wire and barbed wire
 - c) Location of fences and hedges
 - d) Measurement of the height of a fence or a wall
 - e) Maintenance of fences, walls and hedges
- 5.10 Pool**
 - 5.10.1 General dispositions
 - 5.10.2 Location of a pool
 - 5.10.3 Control of access
 - 5.10.4 Pool operating devices
 - 5.10.5 Diving board
 - 5.10.6 Other equipment and fixed structures
 - 5.10.7 Water level in the pool
- 5.11 Water Gardens**
- 5.12 Rain Gardens**
- 5.13 Tennis courts**
 - a) Mandatory fence
 - b) Minimum distances
- 5.14 Ancillary buildings**
- 5.15 Public utility buildings**
 - a) Class "D" public utility buildings
- 5.16 Antennas**
 - a) Antennas limited to ancillary uses
 - b) Number of antennas permitted
 - c) Antenna locations
 - d) Antenna heights
 - e) Antennas of Class "D" public utilities
 - f) Signs on antennas
 - g) Lights on antennas
- 5.17 Decks**
 - a) Lot coverage
 - b) Height
 - c) Screening underneath decks
 - d) Shadowing

- e) Roofs
- f) Conversion
- g) Setbacks
- h) Deck screen or wall (detached dwellings)
- 5.18 Outdoor storage**
- 5.19 Heavy Vehicles - Prohibition of storage or parking**
- 5.20 Keeping of animals**
- 5.21 Provisions particular to residential zones**
 - a) Use of front setback
 - b) Use of secondary front setbacks
 - c) Properties with a backyard bordered by a street (through lots)
 - d) Use of side setbacks
 - e) Use of rear setbacks
 - f) Vehicular access
 - g) Recreational spaces
 - h) Fences and hedges
 - i) Heat pumps and air-conditioning systems, excluding devices connected to the operation of a pool
 - j) Other mechanical equipment for domestic purposes, excluding those related to the operation of a pool
 - k) Outdoor storage
 - l) Storage of recycling, composting and garbage bins
- 5.22 Provisions particular to commercial zones**
 - a) Use of front setbacks
 - b) Use of lateral and rear setbacks
 - c) Parking, loading and unloading areas in a front setback
 - d) Vehicular access
 - e) Landscaping and green spaces
 - f) Fences and hedges
 - g) Outdoor display
 - h) Drive-through and drive-in services
 - i) Commercial terraces
 - j) Commercial storage of propane containers
 - k) Outdoor storage and display - class "G-1" big-box type home renovation centres and "G-2" nurseries
 - l) Storage of recycling, composting and garbage bins
 - m) Installation of used clothing donation boxes
- 5.23 Provisions particular to industrial zones**
 - a) Use of outdoor areas
 - b) Vehicular access and garage doors
 - c) Landscaping
 - d) Fences and hedges
 - e) Outdoor display
 - f) Outdoor storage
 - g) Storage of recycling, composting and garbage bins
- 5.24 Provisions particular to public zones (Pb)**
 - a) Landscaping
 - b) Fences and hedges
- 5.25 Provisions particular to mixed-use zones (Mu)**
 - a) Use of front and secondary front setbacks
 - b) Use of side and rear setbacks
 - c) Fences and hedges
 - d) Recreational space and landscaping
 - e) Residual waste management
 - f) Vehicular access
 - g) Commercial terraces

- h) Outdoor display
 - i) Outdoor storage
 - j) Drive-through and drive-in services
-

5.1 Compulsory treatment of unoccupied areas

Those parts of properties remaining unpaved or unbuilt, or not intended for paving or building shall be graded and seeded or sodded with grass within 24 months after the first construction permit has been issued.

Where the alignment of the construction and the layout of public property so permit, sufficient space must be reserved in the front yard to plant a tree and allow it to grow to maturity. This planting requirement must be met within the year following the completion of the construction or extension of a building or parking area.

Particular or additional planting and landscaping requirements are stipulated in the applicable provisions for each use. Amendment PC-2775-27, Dec. 17, 2015

5.2 Elevation of a landsite in relation to a thoroughfare

The elevation of a landsite in relation to a thoroughfare shall be determined by the elevation of the highest point of such landsite as observed in relation to the average elevation of the centre of the crown of any street to which such landsite is adjacent.

The elevation of a landsite may be raised by no more than 30 centimetres (1 foot) above the average elevation of the centre of the crown of any street to which such landsite is adjacent.

No landscaping, grading or earth moving works shall result in raising the elevation of a landsite by more than 30 centimetres (1 foot) above the average elevation of the centre of the crown of any street to which such landsite is adjacent, unless:

- i) The ground elevation of the landsite, on the date when a certificate or permit application is submitted, is already higher than 30 centimetres (1 foot) above the average elevation of the centre of the crown of any street to which the landsite is adjacent, in which case it can not be raised higher;
- ii) The layout of a berm at a higher elevation is required pursuant to any other provision of this by-law or of any other by-law, or in accordance with a resolution that pertains to any provision of this by-law or of any other municipal by-law;
- iii) The landscaping, grading or earth moving work is necessary for the construction or installation of an access ramp to be built or installed for the benefit of disabled persons using wheelchairs.
- iv) The act of raising the landsite in excess of 30 centimetres (1 foot) will result in a slope of the land that is more than 1%, in order to permit the drainage of rainwater towards a street, a waterway or a ditch.

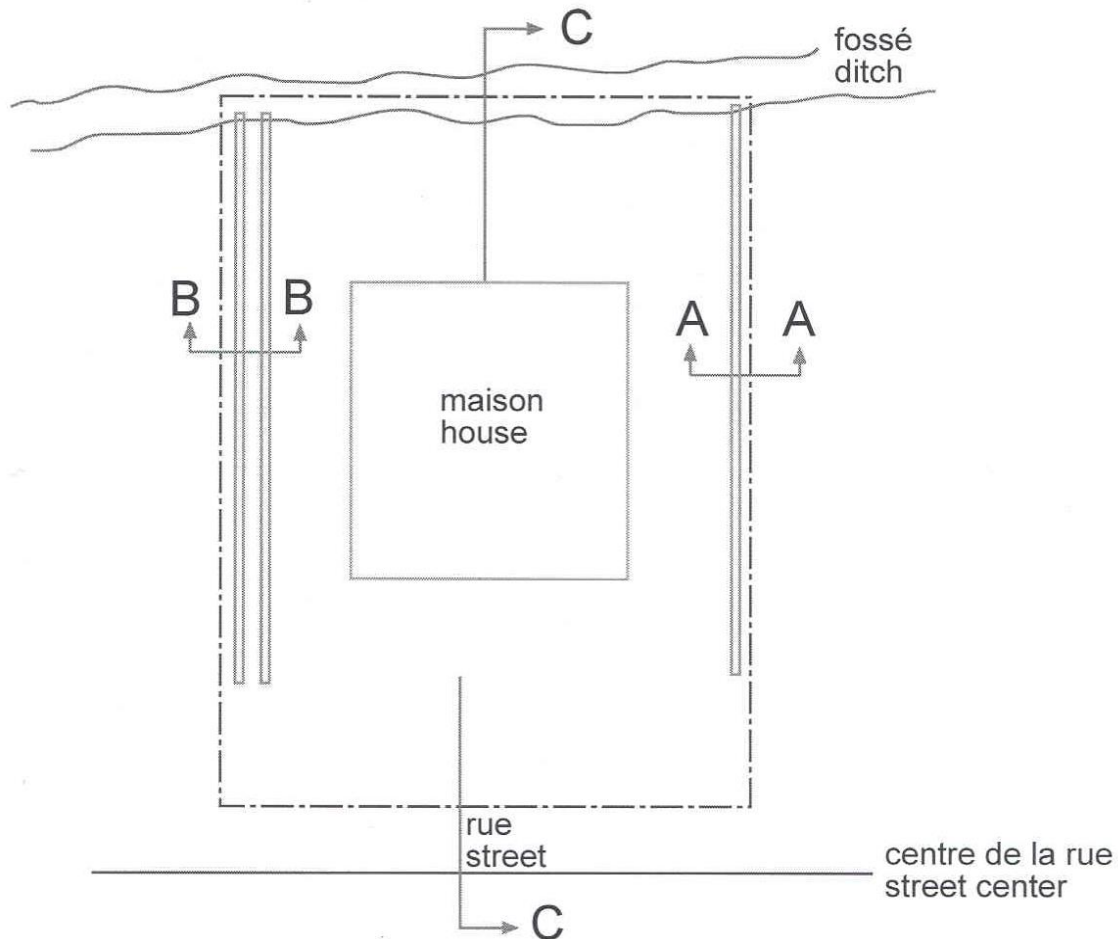
The average elevation of the crown of any street shall be established by adding the highest elevation of the centre of the crown of the street to which a landsite is adjacent, to the lowest elevation of the centre of the crown of such street and by dividing by two (2).

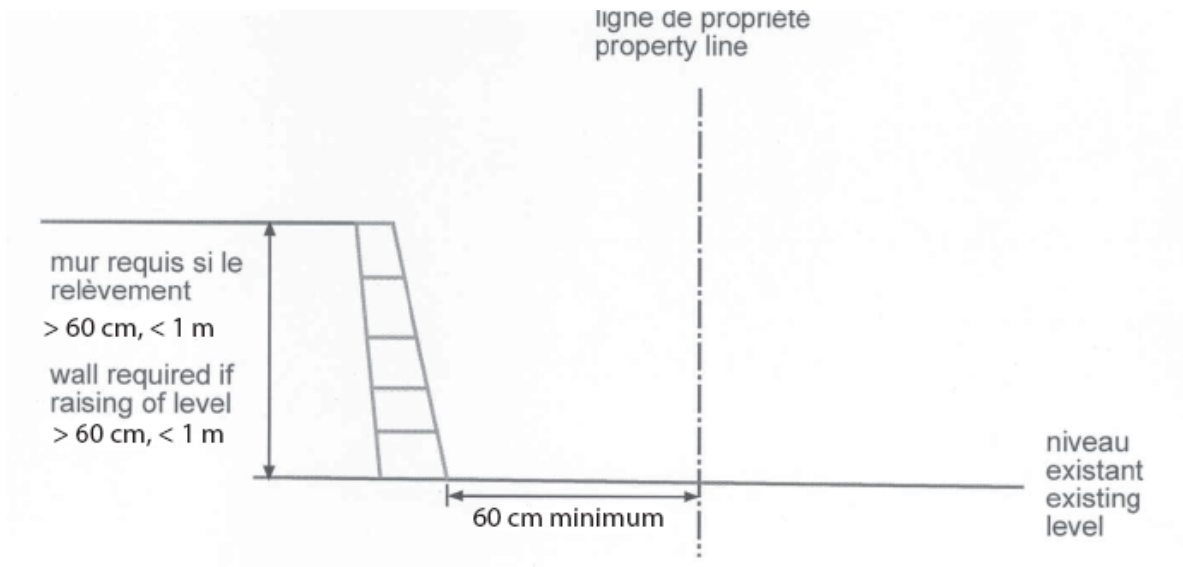
5.3 Retaining walls

- a) Work to increase land elevation that requires a retaining wall

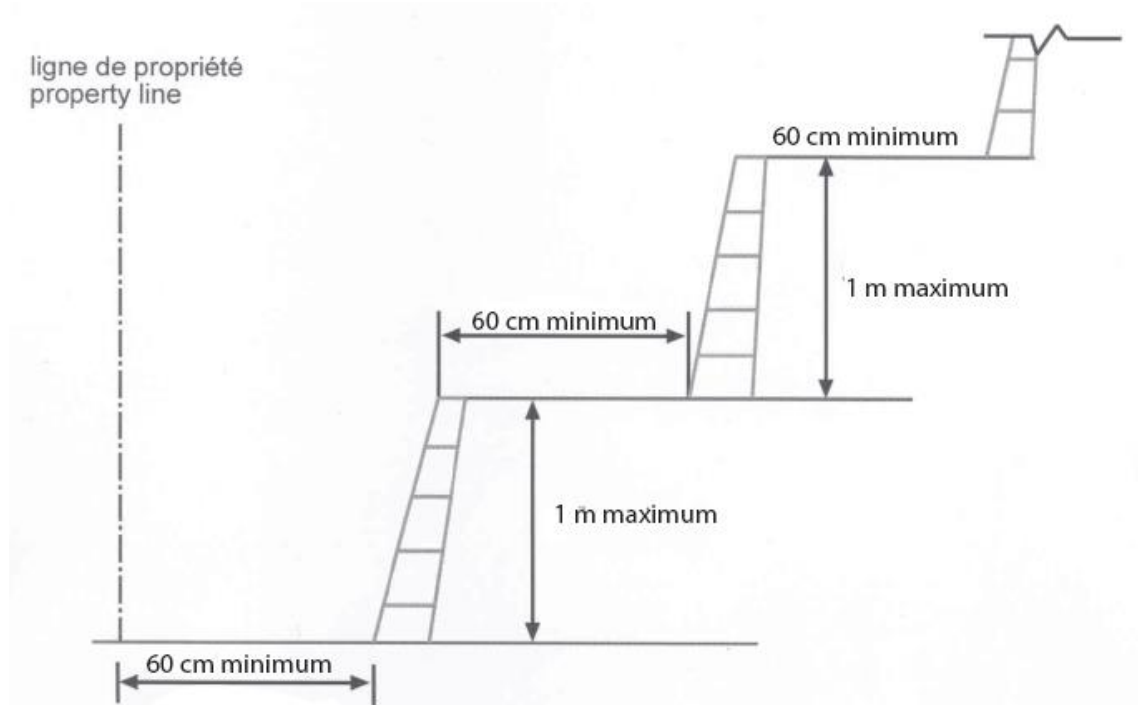
Whenever the topography of a landsite is such that the carrying-out of earth moving, grading or landscaping work thereon, in accordance with the provisions of article 5.2, results in the landsite having an increase in elevation of 60 centimetres (2 feet) or more than that of any neighbouring property, it is mandatory to build or erect a retaining wall parallel to the property line so as to protect the lower property from the dangers of a rock fall or a landslide.

Retaining walls of 60 centimetres (2 feet) or more shall be located at least 60 centimetres (2 feet) from the property line within the landsite on which it is erected, as illustrated in cross-section A-A hereafter. Should the earth moving, grading or landscaping work result in a variation of more than 1 metre (3.3 feet) between the elevation of two neighbouring properties, a second retaining wall must be built on the property on which such works are taking place; the second retaining wall must be recessed at least 60 centimetres (2 feet) from the first wall, the whole as illustrated in cross-section B-B hereafter.





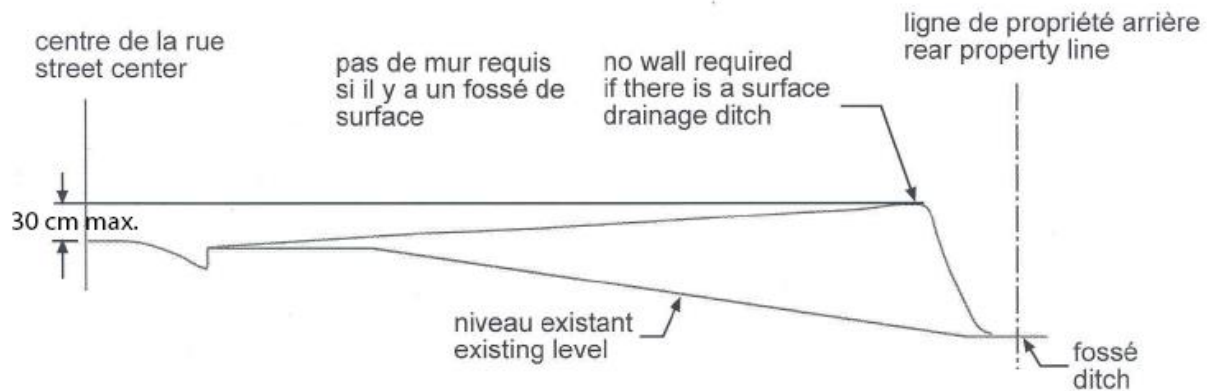
Cross Section A-A



Cross Section B-B

b) Presence of a stream or a drainage ditch

Notwithstanding the foregoing, the construction or the erection of retaining walls shall not be required if two properties are separated by a stream or a drainage ditch, the whole as illustrated on cross section C-C hereafter.

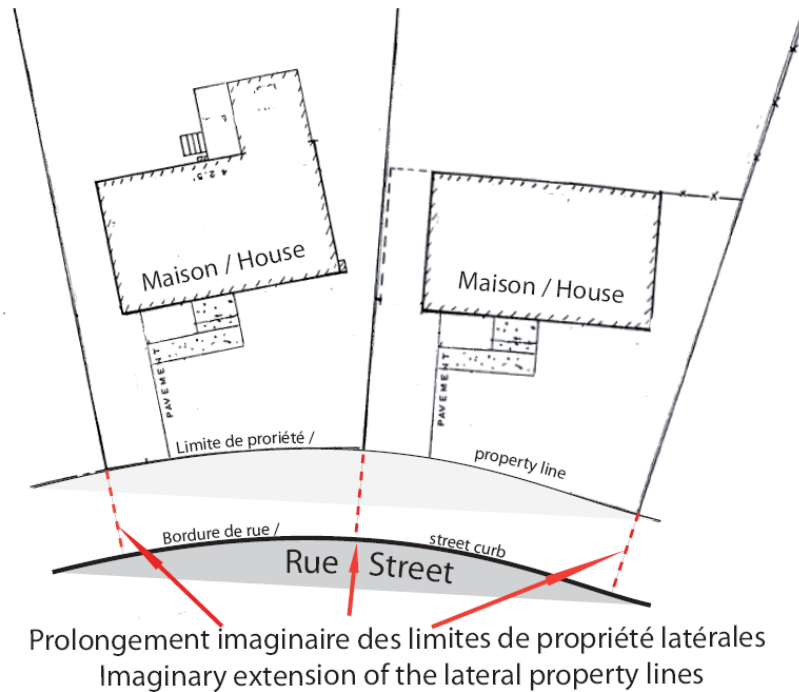


Cross Section C-C

- c) Setback of retaining walls less than 60 centimetres (2 feet) in height
A retaining wall lower than 60 centimetres (2 feet) in height can be erected up to 5 centimetres (2 inches) inside the property line.
- d) Vehicular access ramps
Preceding paragraphs a), b) and c) shall not apply to a retaining wall required for the installation of a vehicular access ramp to a garage with a floor level situated below the level of the street.
- e) Maintenance of retaining walls
A retaining wall must be maintained in good condition, in order to prevent any risk of land subsidence and in order to fulfill the function for which it was installed. Amendment PC-2775-4 (March 7, 2012)

5.4 Use of the public street right-of-way

Use of the public street right-of-way for the construction of vehicular or pedestrian accesses or for private landscaping work (grass or flowers) is limited, for any given property, to the part of the street right-of-way facing this property and that is situated between the imaginary extension of the lateral property lines up to the edge of the street, the curb or the sidewalk.

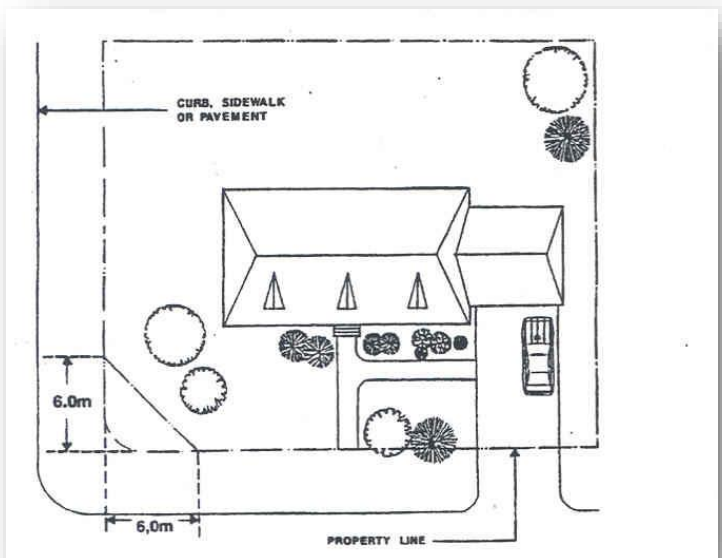


5.5 Visibility on public thoroughfares

a) Triangle of visibility

On any lot located at the intersection of two streets, and within a triangle whose sides (corresponding to the edges of the rights-of-way of the public streets and their imaginary extension in the case of a curve) are 6 metres (19.7 feet) in length, as illustrated in the sketch below:

- i) No structures, fences, hedges or other objects or treatments shall exceed 91 centimetres (3 feet) in height as measured relative to the centre of the street;



- ii) No sign shall be erected in a manner that might reduce the visibility of drivers, pedestrians and cyclists;
- iii) No parking area shall be created.

b) Visibility and planting

- i) As of January 21, 2015, any new planting of trees, shrubs or hedges is prohibited inside the triangle of visibility.
- ii) When one or more trees (or shrubs) are already located inside the triangle of visibility, no foliage or branches may be found along the trunk of the tree or shrub from a height of 1 to 3 metres (3.3 to 9.8 feet), measured from the level of the public street (see Figure 1).
- iii) Trees and shrubs that are not located inside the triangle of visibility must in no case interfere with visibility or traffic. The following minimum clearance distances - areas where no foliage or branches may be found -- are required above the public street right-of-way, and must be maintained at all times for all public or private trees and shrubs (see Figure 2):
 - a 4 metres (13.1 feet) above the paved surface of the street right-of-way;
 - b 2.5 metres (8.2 feet) above the unpaved surface (usually grass) of this right-of-way (see Figure 2).
- iv) In the situation contemplated under paragraph b), when the tree that is located within the triangle of visibility is an ash tree, any and all foliage or branch that must be removed must be so removed in accordance with the provisions of chapters III and IV of the by-law no. PC-2817, regarding the fight against the spread of the emerald ash borer on the territory of the City of Pointe-Claire.
- v) In the same fashion, the maintenance of the minimum required clearance, pursuant to paragraph iii), must be ensured in accordance with the provisions of chapters III and IV of the by-law no. PC-2817, regarding the fight against the spread of the emerald ash borer on the territory of the City of Pointe-Claire.

Amendment PC-2775-18 (January 21, 2015)

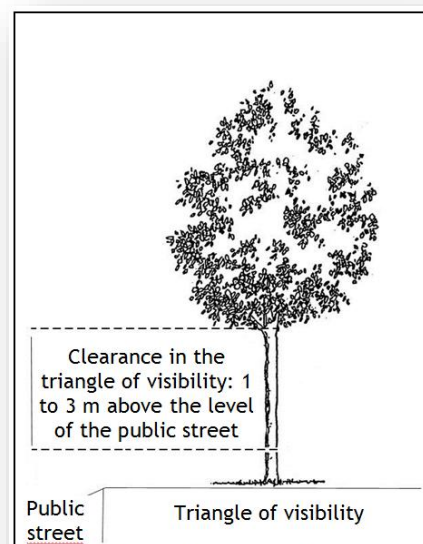


Figure 1: Required clearance for the trees and shrubs located in the triangle of visibility.

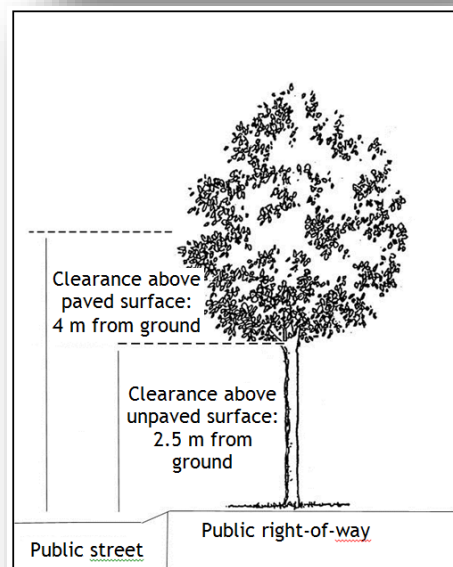


Figure 2: Required clearance in the public right-of-way, for public or private trees and shrubs located elsewhere than in the triangle of visibility.

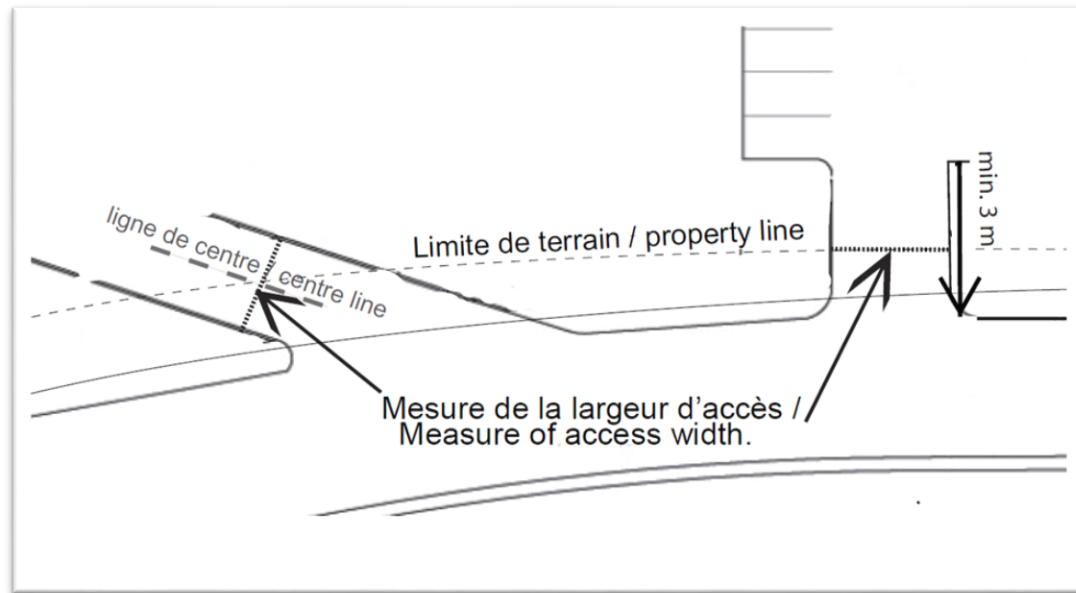
5.6 Vehicular accesses

- a) The maximum number of vehicular accesses to a landsite that can be created in the public right-of-way, and the maximum authorised width for each of these accesses are specified in the applicable provisions for each use.
- b) The width of a vehicular access is perpendicular to its length. It is measured where its centre line intersects the limit of the street right of way, as illustrated on the sketch below.
- c) The location of the vehicular access must be in line with or located within the depression in the curb or sidewalk, in the street right-of-way. Amendment PC-2775-34 (April 26, 2017)
- d) The width of a vehicular access lane must be constant on a distance corresponding to the greatest of the following distances:

- 3 metres (9.8 feet) from the curb or sidewalk, or
- from the curb or sidewalk, up to 60 centimetres (2 feet) inside the property line.

The access lane cannot be widened in this section closer to the public thoroughfare, but its width can be reduced.

Amendment PC-2775-4 (March 7, 2012) and PC-2775-27, 2015



- e) Any vehicular access that slopes downwards from street level, must be built in such a way as to prevent the overflow of rainwater from the street toward the landsite, either by constructing a ridge in the asphalt at the junction of the street pavement, or by the installation of a rainwater collection system approved by the Engineering and Water Treatment Plant Department.

5.7 Burying of electrical or telecommunications wires

When specified in the Particular Provisions Table, the conduits for electricity distribution, cable distribution and telecommunication networks must be laid entirely underground and at no point may be installed aboveground on poles.

5.8 Trees

a) Preservation

In order to ensure the protection of the forest cover and promote sustainable development, anywhere within the limits of the City, all trees must be preserved and maintained so as to prolong their life. Article 9.6 sets out the rules governing tree preservation, tree felling and planting.

Except in the case of an ash tree for which the felling is subject to the conditions that are set forth in sections 4 to 8 of the by-law no. PC-2838 regarding the fight against the spread of the emerald ash borer on the territory of the City of Pointe-Claire, it is prohibited to fell a tree 10 cm (4 inches) or more in trunk diameter, measured at 1 metre (3.3 feet) from ground level, other than for the reasons listed in article 9.6.1 c), and without first obtaining a certificate of authorisation or a building permit. Amendment PC-2775-34 (April 26, 2017)

b) Protection

Within the limits of the City, any tree that could be damaged on a construction site must be protected by applying the measures described in article 9.6.3.

Amendment PC-2775-18 (January 21, 2015)

5.9 Fences, walls and hedges

a) Types of fences permitted

- i) Only masonry walls and fences of wood, metal, PVC or aluminum shall be permitted as fences;
- ii) No fence, or part thereof, shall be made of a material prohibited according to article 4.6 of this by-law;
- iii) *Repealed* Amendment PC-2775-34 (April 26, 2017)
- iv) In the case of a fence made of wood or PVC, the structural elements on which the planks are affixed shall be on the interior side of the fence, within the property that it encloses, or on which it is installed.

b) Razor wire and barbed wire

Razor wire is prohibited anywhere within the limits of the City. Barbed wire shall be permitted only on the top of steel chain-link fences of at least 2.15 metres (7 feet) in height, and only in the following cases:

- i) Around outdoor storage areas where outdoor storage is permitted, except in residential zones;
- ii) Around Class "A" public uses;
- iii) Around public utility services if the nature of the use poses a hazard, or if the use of barbed wire is necessary for the security of the facility;
- iv) In industrial zones.

The maximum height of fences is specified in the applicable provisions for each use.

c) Location of fences and hedges

Unless otherwise stipulated in another provision of the present by-law:

- i) Any fence or hedge shall be situated on or inside the property line;
- ii) Any hedge in a front setback or in a secondary front setback must be situated inside the property lines at a minimum distance of 60 centimetres (2 feet) from any street right of way.

d) Measurement of the height of a fence or a wall

Unless otherwise stipulated in article 5.10 d) ii) which governs the required height of a fence surrounding a pool, the height of a fence or a wall is measured from the adjacent ground level within the property that it encloses, or on which it is installed.

If a fence or a wall is installed on the property line and the level of the land on either side of the fence or wall differs, the measurement is taken from the adjacent ground level on the side with the highest land level.

e) Maintenance of fences, walls and hedges

Fences and walls must be maintained on a regular basis. This also applies to all hedges that are planted in a front setback or in a secondary front setback.

5.10 Pool

Amendment PC-2775-72 (September 13, 2023)

5.10.1 General dispositions

No pool or associated enclosure, equipment or structure shall be located within a flood risk area in accordance with the provisions of Chapter 9.

5.10.2 Location of a pool

A pool cannot be installed in a front setback, but it can be installed in the extension of the rear setback of a secondary front setback. A pool may also encroach into a secondary front setback.

All pools including certain constructions accessories must respect the minimal distances defined in the following table.

Minimal Distances to respect	In ground or natural pool	Semi-in ground, above ground or demountable pool	Spa or hot tub ⁽¹⁾	Deck, sun deck attached to a pool or spa ⁽²⁾
Property lines				
• Back	1.52 m	1.52 m	1.52 m	2.0 m
• Lateral	1.52 m	1.52 m	1.52 m	Annexe 3
• Secondary front	2.5 m ⁽³⁾	4.5 m	4.5 m	4.5 m ⁽⁴⁾
Main building	1.52 m ⁽⁵⁾	1.52 m	0 m ⁽⁶⁾	1.52 m
Deck detached from the main building	1.0 m	1.0 m	Aucune norme	Aucune norme
Ancillary building or construction	1.0 m	1.0 m	1.0 m	1.0 m
Fence	1.0 m	1.0 m	1.0 m	1.0 m
Spa or hot tub	1.0 m	1.0 m		1.0 m

(1) : Any spa or hot tub of less than 2,000 liters must be screened from the street by a visual barrier or 4-season landscaping.

(2) : Any deck or sun deck attached to a pool, spa or hot tub may not encroach in the front setback.

(3) : This distance is increased to 4.5 meters if the extension of the secondary front yard is located on Du Bord-du-Lac-Lakeshore Road.

(4) : Despite this setback distance, the structure may encroach up to 3.0 meters into the secondary front setback, provided a minimum distance of at least 4.5 meters is maintained from the street right-of-way.

(5) : In ground pools must be set back a minimum of 1.52 meters from the deck when the deck is attached to the main building.

(6) : Shall not be located in front of a door in such a way as to prevent its safe and functional use.

5.10.3 Control of access

A control of access is mandatory for the following installations:

- An in-ground pool.
- A semi-in-ground pool.
- An above-ground pool.
- A demountable pool.
- A spa, whirlpool, or hot tub over 2,000 liters, with or without a padlocked cover.
- An in-ground spa integrated in whole or in part into a deck, patio, sun deck or any other structure that is not equipped with a rigid cover and locking system.

- A spa attached to a deck or raised patio that is not equipped with a rigid cover and locking system.
- A spa that is not equipped with a rigid cover accompanied by a locking system when the separating distance between the spa and a deck, patio, sun deck or any other structure is equal to or less than 1.0 meter.

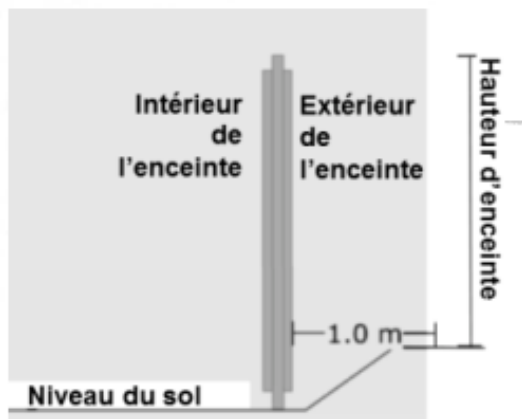
Notwithstanding the foregoing, access controls do not apply to a spa of less than 2,000 liters when it is placed on a surface such as a patio, deck or on the ground. In all cases, the spa must be fitted with a rigid cover.

Any installation, mechanism, equipment, or construction intended to allow or prevent access to the pool must be maintained in good working order.

5.10.3.1 The enclosure

An enclosure may include a fence, door, wall, or part of a wall and must comply with the following provisions:

- a) All main enclosures must be at least 1.52 meters high. This height is determined from the highest ground level located at a minimum lateral distance of one meter from the perimeter of said enclosure.



- b) A secondary enclosure, as applicable, may be added to the main enclosure. With a minimum height of 1.2 meters, this enclosure serves mainly to isolate the elements listed in article 5.10.3 from the openings of the main building. Any guardrail installed on an above-ground pool may also be considered as a secondary enclosure when the total above-ground height of the pool, including the guardrail, is greater than 1.2 meters.
- c) In all cases, the enclosure must be rigid, permanent, and anchored. Notwithstanding the foregoing, a non-removable flexible fence may be authorized as a secondary enclosure provided it complies with and is installed in accordance with the standard "ASTM F2286-16 - Standard Design and Performance Specification for Removable Mesh Fencing for swimming Pools, Hot Tubs, and Spas".
- d) A pool enclosure shall be free of any fasteners, projections or open areas that may facilitate climbing.
- e) All fencing forming an integral part of an enclosure must be in good condition, safe and comply with the following:

1. It must be made of wood (treated, oiled, painted or varnished) or composite wood, PVC, metal or tempered laminated or wired glass panels.
 2. It may be adjoining and form part of a continuous fencing system, provided that the fencing system protecting the pool complies with the provisions of this by-law.
 3. It must be designed and maintained to prevent the passage of any spherical object with a minimum diameter of 10.0 centimeters. Chain link fences must have a maximum mesh width of 30.0 millimeters. Where mesh widths exceed 30.0 millimeters, slats must be inserted in such a way as not to allow the passage of a spherical object larger than 30.0 millimeters.
 4. Any replacement of a fence or part of a fence must comply with the present provisions.
 5. Hedges, shrubs, or trellis may not be incorporated into or form part of an enclosure.
- f) To form part of an enclosure, any wall or part of a wall must not include windows allowing entry into the enclosure except in the following cases:
1. The window is located at a minimum height of 3.0 meters above ground level.
 2. The window is located at less than 3.0 meters from ground level, but its design does not allow the passage of a spherical object larger than 10.0 centimeters.
 3. The window is located at less than 3.0 meters from ground level and is surrounded by an enclosure positioned at a distance of at least one meter from the window.
- g) Any door built or forming part of an enclosure, excluding those incorporated into a wall, must comply with the following:
1. Be at least 1.52 meters high when incorporated into the main enclosure, or 1.2 meters high in the case of a secondary enclosure.
 2. Be designed to prevent the passage of a spherical object over 10.0 centimeters in diameter. When the door is made of chain link, the links must have a maximum width of 30.0 millimeters. Where mesh widths exceed 30.0 millimeters, laths must be inserted to prevent the passage of a spherical object larger than 30.0 millimeters.
 3. Be designed or installed in such a way that it cannot be climbed over. This also applies to any openwork portion as well as to any fastener or projection forming an integral part of said access door.
 4. Be equipped with a passive safety device enabling the door to close and lock automatically. This device must be located at a minimum height of 1.52 meters from ground level when located outside the main enclosure, and 1.2 meters when used to enter a secondary enclosure. This device must be in the upper part of the door when it is located on the inside of the enclosure. An alarm system installed on a door does not meet the requirements of a passive system.
- h) Any door incorporated into a wall forming part of an enclosure must comply with the following conditions:
1. The latch on the inside of the building must be located at a minimum height of 1.2 meters and an enclosure at least 1.2 meters high must be built to prevent direct access to the pool.

5.10.3.2 Access to a pool

All in ground and semi-in ground pools must be equipped with a ladder or staircase for entering and exiting the water.

Any access to an above ground or demountable pool, whether by means of a stairway, sun deck or deck attached to a building, must be enclosed in accordance with the provisions of the present by-law.

When access is via a ladder located outside the pool, the ladder must be equipped with a safety door that closes and locks automatically.

No equipment, construction or fixed structure that can be climbed may be located within one meter of the perimeter of such an above ground or demountable pool.

5.10.4 Pool operating devices

- a) No pool equipment may be located less than 4.57 meters from any front or secondary front property line without being concealed by a visual screen or landscaping that conceals said installation over 4 seasons.
- b) No pool equipment may be located less than 1.52 meters from any lateral or rear property line.
- c) All pool equipment must be installed more than one meter from the pool or outside the enclosure. Notwithstanding the foregoing, the latter may be installed less than one meter from the pool or enclosure in the following cases:
 - The equipment is installed inside the enclosure.
 - The equipment is installed under a structure at least 1.2 meters high that cannot be climbed or that prevents access to the pool from the said equipment.
 - The device is installed inside an accessory building.
- d) A fixed pool equipment may not be located less than one meter from a window when the latter is located less than 3.0 meters from ground level unless the maximum permissible opening of such an opening does not allow the passage of a spherical object more than 10.0 centimeters in diameter.
- e) Ducts connecting the equipment to the pool must be flexible and installed in such a way as not to allow climbing over the pool wall or enclosure.

5.10.5 Diving board

- a) Any pool equipped with a diving board must be installed in compliance with BNQ Standard 9461-100 - Residential Swimming Pools Equipped With a Diving Board - Minimum Water Envelope to Prevent Cervical Spinal Cord Injuries Resulting From Diving From a Diving Board.
- b) Any pool equipped with a diving board must be equipped with underwater lighting.

5.10.6 Other equipment and fixed structures

No structure or fixed equipment such as a house for pet or animal, children's play module, retaining wall or stairway leading to a platform where said stairway is not equipped with a fence may be installed within one meter of the pool or enclosure where it is likely to be used to climb the walls of the pool or enclosure.

5.10.7 Water level in the pool

At all times, the maximum depth of water permitted in a pool whose enclosure does not comply with the provisions of article 5.10 must be less than 60.0 centimeters (24 inches). *Amendment PC-2775-72 (September 13, 2023)*

5.11 Water Gardens

No water garden may be built:

- Less than 1.52 meters from building foundations.
- Less than 1.52 meters from the rear and side setbacks of a lot.
- Less than 3.0 meters from the front setback of a lot.

When the walls of the water garden have a slope greater than 1:2 and the depth of the basin is greater than 60.0 centimeters, the said water garden must be surrounded by an ornamental fence. The fence must be located at a minimum distance of one meter from the walls of the water garden and must be at least one meter high.

Amendment PC-2775-72 (September 13, 2023)

5.12 Rain Gardens

No rain garden may be built in the front yard of a residential building, except for those built within the limits of the public road right-of-way.

The maximum depth of a rain garden within a residential complex is a maximum of 30.0 centimeters with a slope no greater than 1:2.

Amendment PC-2775-72 (September 13, 2023)

5.13 Tennis courts

a) Mandatory fence

All tennis courts shall be surrounded by a fence to prevent tennis balls from leaving the court. The height of said fence shall not be measure less than 3 metres (9.8 feet) nor exceed 4 metres (13.1 feet).

b) Minimum distances

The following minimum distances shall be observed between any tennis court and the various lot lines or limits of the principal building:

- i) The greater of the following two distances from any street right-of-way:
 - 5 metres (16.4 feet), or
 - The minimum front setback;
- ii) From any lot line other than a street right-of-way: 1.5 metres (4.9 feet);
- iii) From the principal building: 2 metres (6.6 feet);

These minimum distances are measured from the fence surrounding the tennis court.

5.14 Ancillary buildings

Anywhere within the limits of the City, the only ancillary buildings permitted are buildings accessory to residential, commercial, industrial or public uses, as governed by Chapter 6 of this by-law relating to ancillary buildings.

5.15 Public utility buildings

a) Class "D" public utility buildings

When a Class "D" public utility use is authorised as per the Particular Provisions Table, a building used solely to shelter equipment for this use is permitted, subject to the following conditions:

- i) The height of such building shall not exceed 4.5 metres (14.7 feet);
- ii) Any access road to such building shall not exceed 15 metres (49.2 feet) in width and shall be laid in concrete, asphalt or interlocking paving stone;
- iii) The antenna and its building shall be enclosed with a fence that conforms to the provisions of article 5.9;

- iv) The immediate area around the antenna and the building shall not exceed 100 square metres (1076.4 square feet);
- v) Landscaping shall be developed in the immediate proximity of the fence surrounding the building, so as to create an opaque screen to camouflage the building as best as possible;
- vi) Every tree with a diameter exceeding 10 centimetres (4 inches), felled to permit the erection of the building, shall be replaced with another tree.

5.16 Antennas

a) Antennas limited to ancillary uses

With the exception of Class "D" public utilities (antennas for telecommunication companies), antennas shall not constitute a principal use in themselves or be installed on a lot where there is no principal building. An antenna must be complementary to a principal use.

b) Number of antennas permitted

Only one (1) antenna, dish-type or other, shall be permitted per property. This limitation shall not apply to dish-type antennas with a diameter of 60 centimetres (2 feet) or less.

c) Antenna locations

With the exception of dish-type antennas with a diameter of 60 centimetres (2 feet) or less, an antenna may only be placed in a rear setback or on a flat roof (but not on the roof of a single-family dwelling, a duplex, triplex or a quadruplex) and in compliance with the following distances:

- vii) In residential zones, it must be at least 2 metres (6.6 feet) from any property line;
- viii) In zones other than residential zones, it must be at least 7.5 metres (24.6 feet) from any property line.

d) Antenna heights

i) In residential zones:

- a The maximum height for any dish-type antenna with a diameter exceeding 60 centimetres (2 feet) and installed on a flat roof, as measured from the roof level immediately underneath, shall not exceed 2 metres (6.6 feet) including the supporting structure for the antenna;
- b The maximum height for any dish-type antenna with a diameter exceeding 60 centimetres (2 feet), as measured from the natural ground level immediately underneath, shall not exceed 2 metres (6.6 feet) including the supporting structure for the antenna.

ii) In zones other than residential zones:

- a The maximum height for any dish-type antenna installed on a flat roof, as measured from the roof level immediately underneath, is 3 metres (9.8 feet) including the supporting structure for the antenna;
- b The maximum height for a dish-type antenna with a diameter exceeding 60 centimetres (2 feet) and installed in the rear setback, as measured from the natural ground level immediately underneath and including the supporting structure for the antenna, shall not exceed the lesser of the following two dimensions:
 - 4.6 metres (15 feet);
 - the height of the principal building.

- iii) The total maximum height of any antennas, other than those mentioned in the preceding sub-paragraphs, shall not exceed the smaller of the following two dimensions:
 - 4.6 metres (15 feet) higher than the height of the buildings served by this antenna;

- 13.7 metres (45 feet) as measured from the natural ground level immediately underneath the antenna.

e) Antennas of Class "D" public utilities

Notwithstanding the provisions of paragraphs a) to d) above, antennas serving a Class "D" public utility use may be installed:

- iv) On any building of eight (8) storeys or more;
- v) In all zones where it is specifically authorised according to the Particular Provisions Table.

In the cases described in this paragraph, neither the height of the antenna, nor the number of antennas shall be limited, and off-street parking shall not be required for such a use.

f) Signs on antennas

Anywhere within the City limits, the installation of any signs, posters or billboards on antennas, at any height whatsoever, is prohibited.

g) Lights on antennas

Anywhere within the City limits, the installation of any lights, other than the safety lights required by Transport Canada, is prohibited on all antennas.

5.17 Decks

a) Lot coverage

Subject to article 3.3 a), a deck shall not be included in the calculation of the lot coverage of the principal building.

b) Height

The maximum height of a deck shall not exceed 1.5 metres (4.9 feet) above grade.

c) Screening underneath decks

If the distance between the floor of the deck and the ground level exceeds 60 centimetres (2 feet), the space underneath the deck shall be surrounded by a screen that is:

- Made of lattice, or another material, in order to achieve an opacity of 75% or greater; or
- A landscape design of evergreen shrubs, provided that the entire perimeter underneath the floor and stairway is covered and that the height of the shrubs attains that of the floor.

d) Shadowing

It shall be permitted to cover the deck area with a trellis roof or a retractable awning (without support posts) so as to provide relief from the sun.

e) Roofs

When a deck is covered with a roof other than those authorised in paragraph d) above, it must meet the requirements of this by-law for a principal building, particularly with respect to setbacks and heights, and its footprint shall be included in the calculation of the lot coverage.

When a deck covered with a roof is detached from the principal building, it must meet the requirements for ancillary buildings as stipulated in Chapter 6 of this by-law.

A gazebo may be built on a deck that is attached to the principal building provided that it meets the minimum setbacks for a deck, as well as the required minimum distance from the principal

building and the maximum height permitted in Chapter 6 of this by-law, relating to ancillary buildings.

f) Conversion

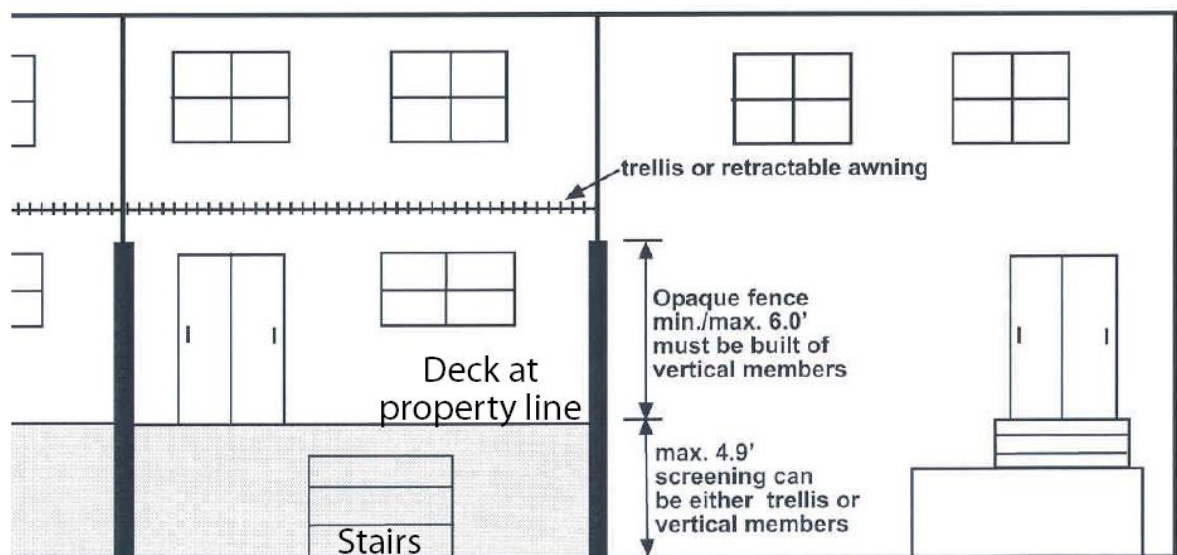
A deck may be converted into an extension of the principal building provided that it meets all requirements of this by-law that are applicable to a principal building, particularly with respect to setbacks, lot coverage and floor space index.

g) Setbacks

The setbacks of a terrace shall be measured at the edge of its floor

- i) No deck shall encroach into any front setback, except on corner lots, where it may encroach a maximum of 3 metres (9.8 feet) into the minimum secondary front setback, provided it is no closer than 4.5 metres (14.8 feet) from the property line;
- ii) No deck shall be closer than 2 metres (6.6 feet) from any rear property line;
- iii) All decks must comply with the minimum lateral setbacks applicable to the principal building in the zone in which it is located.
- iv) In the case of a semi-detached or contiguous building, a deck may be constructed up to the lateral property line on the side of a common wall, or at less than 2 metres from said lateral property line. To ensure the privacy of properties on both sides of the property line, and as illustrated on the following diagram, an opaque fence measuring a minimum height of at least 1.83 metres (6 feet) must be incorporated into the deck on the side corresponding to the common wall. The combined height of the deck and the opaque fence must be equal to or less than:
 - 3.33 metres (10.9 feet), for any part of the deck projecting 3.7 metres (12 feet) or less from the wall of the principal building;
 - 2.43 metres (8 feet), for any part of the deck projecting more than 3.7 metres (12 feet) from the wall of the principal building.

An opaque fence is a vertical construction that prohibits all visual contact and ensures privacy between neighbouring properties.



h) Deck screen or wall (detached dwellings)

If a wall, a fence, a screen or a vertical trellis is installed on the deck, the combined height of the deck and said vertical structure must be equal to or less than:

- i) 3.33 metres (10.9 feet), when the vertical structure respects the minimum setbacks applicable to the principal building; or
- ii) 2.43 metres (8 feet), for any part of the vertical structure that encroaches into a minimum setback applicable to the principal building.

5.18 Outdoor storage

Outdoor storage is permitted only in those zones specifically identified in the Particular Provisions Table, and only under the conditions specified for each use.

5.19 Heavy Vehicles - Prohibition of storage or parking

The storage or parking of heavy vehicles is prohibited everywhere other than on lots occupied by uses in which the principal activity involves the employment of such vehicles and provided that the use in question is permitted in the zone, or that it benefits from acquired rights. This condition also applies to the construction of garages, sheds or other facilities for storing or parking such vehicles.

Amendment PC-2775-19 (January 21, 2015)

5.20 Keeping of animals

Anywhere within the limits of the City, with the exception of ~~for~~ pet shops and veterinary clinics, all buildings or facilities designed to keep animals (other than those normally kept inside houses, dwellings or apartments) are prohibited.

5.21 Provisions particular to residential zones

a) Use of front setback

Subject to any other provisions stipulated in this by-law, the uses permitted in front setbacks are limited to the following:

- i) Sidewalks, plantings and other landscaping;
- ii) Signs, subject to the provisions of chapter 8;
- iii) Hedges and fences, subject to the conditions of paragraph h) below;
- iv) Heat pumps and air conditioning systems, subject to the provisions of paragraph i) below;
- v) [Driveways leading to carports, garages or to parking spaces located in the lateral or rear setbacks;](#) Amendment PC-2775-27, Dec. 17, 2015
- vi) Parking areas for Class "C" residential uses only. When indicated in the Particular Provisions Table or in the Village Code, a minimum distance shall be left between the parking area and the public street right-of-way. This required partition shall be planted with trees, shrubs or flowers; Amendment PC-2775-43 (August 3, 2018)
- vii) Parking of a single recreational vehicle (such as a trailer, tent-trailer, motor home, a boat less than 7 metres (22.9 feet) long, or a snowmobile) between April 15th and November 15th, for Class "A" and "B" residential uses only, on a paved area in accordance with the present sub-paragraph v, and provided that said vehicle belongs to an occupant of the residential building. It is prohibited, at all times, to use as living quarters, a vehicle thus parked.

Amendment PC-2775-49 (September 19, 2018)

Except in a case contemplated in the third sub-paragraph, the utilization of the front setback for the uses mentioned in this article shall not reduce the area covered with grass or planted with trees, shrubs or flowers to less than 50% of the total area of the front setback (33% in the case of contiguous or row dwellings).

In the case of a single-family home on a lot with a frontage width of 13 meters or less, the green space in the front setback may be reduced to 40% provided that a high branching tree, in addition to the tree that is required pursuant to Paragraph 9.6.1 d), be planted and maintained in the front setback. Amendment PC-2775-41 (April 15, 2020)

b) Use of secondary front setbacks

In the case of corner lots, structures, treatments and uses permitted in the front setback are also permitted in a secondary front setback according to the same conditions. In the portion of the secondary front setback that is the extension of the rear setback, the following uses are permitted:

- i) Swimming pools and hot tubs, providing they are only in the extension of the rear setback, in accordance with the provisions of article 5.10;
- ii) A deck subject to the provisions of article 5.15;
- iii) Mechanical equipment used for domestic purposes, subject to the provisions of paragraphs i) and j) below.

c) Properties with a backyard bordered by a street (through lots)

A front setback, located on the opposite side of the front facade of a building where one finds the main entrance and the civic address, is deemed to be a rear setback and the uses, structures and treatments that are authorised there are the same as those authorised in the rear setback.

d) Use of side setbacks

Subject to any other provision stipulated in this by-law, uses permitted in lateral setbacks are limited to the following:

- i) Structures, treatments and uses permitted in front setbacks and secondary front setbacks, according to the same conditions, but without a minimum requirement with respect to sodded or planted areas;
- ii) Parking areas, subject to the provisions of article 7.5 and to the Village Code; Amendment PC-2775-43 (August 3, 2018)
- iii) Recreational uses and equipment which are complementary to a principal use, such as tennis courts, play structures, swimming pools and hot tubs;
- iv) Clotheslines and other devices used for drying laundry;
- v) Propane containers installed in accordance with the “CAN/CSA-B149.2-10 - Propane storage and handling code” standard and provided that they are screened with trellis-type fencing or with evergreens, provided that such screen is not entirely opaque; Amendment PC-2775-13 (April 9, 2014)
- vi) The storage of recycling, composting and garbage bins, subject to the provisions of paragraph l) below;
- vii) The storage of no more than two (2) recreational vehicles (such as trailers, tent-trailers, motor homes, boats less than 7 metres (22.9 feet) in length, motorcycles and snowmobiles). It is not required to pave the area used for such storage. It is prohibited to use as living quarters any vehicle thus stored or parked. Amendment PC-2775-19 (January 21, 2015)
- viii) Ancillary buildings, including detached garages, subject to the provisions of Chapter 6;
- ix) A seasonal garden gazebo made of canvas or netting and measuring less than 16 square metres (172.2 square feet), exclusively from April 1st to December 1st.

For single-family homes constructed after February 21st, 1991, the uses stipulated in this article can in no case encroach onto space reserved for a future garage (including the area required to access the future garage), if the dwelling does not already possess a garage.

e) Use of rear setbacks

Subject to any other provision stipulated in this by-law, uses permitted in rear setbacks are limited to the following:

- i) Structures, treatments and uses permitted in lateral setbacks, provided that vegetative cover (grassed or planted with flowers, bushes or trees) is kept on at least 30% of the area of the rear setback; Amendment PC-2775-11 (February 12, 2014)
- ii) The storage of no more than five (5) cords of firewood, limited to the needs of the principal use. The stacked firewood shall not exceed 1.25 metres (4.1 feet) in height;
- iii) An antenna, in accordance with the provisions of article 5.14.

For single-family homes constructed after February 21st, 1991, the uses stipulated in this article can in no case encroach onto space reserved for a future garage (including the area required to access the future garage), if the dwelling does not already possess a garage.

f) Vehicular access

- i) Properties located in Ra, Rb, Rc and Rd residential zones shall be limited to one (1) vehicular access point if they measure 21 metres (68.9 feet) or less in frontage width, and to two (2) vehicular access points if they measure more than 21 metres (68.9 feet) in frontage width, even when a property fronts more than one street (corner lots or through lots); For a property located in a Re or Rf residential zone, for any given street on which the property fronts, the maximum number of vehicular accesses is one (1) if the property frontage is less than 50 metres (164 feet) and two (2) if the frontage is 50 metres (164 feet) or more. Amendment PC-2775-48A (October 17, 2018)
- ii) The width of one vehicular access, or the combined width of both accesses, shall be limited to 6.1 metres (20 feet), except for class “C” residential uses where the maximum width for each vehicular access is 7.3 metres (24 feet).

In the case of a multifamily residential complex where 2 or more buildings are sited on the same property, the permitted width of a vehicular access is 11 metres (36.1 feet). The width may be increased up to a maximum of 13.5 metres (44.3 feet) if it is divided in two (entrance/exit) with landscape island measuring at least 2.5 metres (8.2 feet) in width.

Amendment PC-2775-48A (October 17, 2018)

This maximum width shall include all paved surface that is continuous and at the same level, which is designed for pedestrian and vehicular circulation.

For a driveway that is curved or has an irregular shape, the width of the aisle is perpendicular to its length. Amendment PC-2775-27, Dec. 17, 2015

- iii) No vehicular access point or lane can be situated closer than 1 metre (3.3 feet) from any public equipment such as a fire hydrant, a lamp post, an electrical or telecommunications pole or equipment, stationary mail boxes, a bus shelter, or other;
- iv) Vehicular accesses on corner lots shall not be located less than 6 metres (19.7 feet) from the point at which the street rights-of-way (projected if rounded) intersect.

g) Recreational spaces

Except within a village sector, all multiple-family buildings shall be provided with outdoor recreational spaces equivalent to 20% of the total area of the property. These spaces shall be located elsewhere than in the minimum front setback, but may be situated in a secondary front setback. Amendment PC-2775-43 (August 3, 2018)

h) Fences and hedges

The maximum height of fences and hedges is established as follows:

- i) In the front setback:
 - The maximum height of a fence is 1 metre (3.3 feet);
 - The maximum height of a hedge is 1.52 metres (5 feet);
 - In the area defined as the triangle of visibility (see article 5.5), the height of fences and hedges shall not exceed 91 centimetres (3 feet) as measured relative to the centre of the street;

- ii) In the secondary front setback, the maximum height of a fence or hedge is 1.82 metres (6 feet); Amendment PC-2775-4 (March 7, 2012)
- iii) Elsewhere on the property, including a front setback situated opposite the front facade of a building where one finds the main entrance and the civic address, the height of a fence shall not exceed 2.45 metres (8 feet), whereas there is no height restriction for hedges.

Barbed wire of any kind is prohibited in any residential zone.

- i) Heat pumps and air-conditioning systems, excluding devices connected to the operation of a pool
Amendment PC-2775-72 (September 13, 2023)

- i) The maximum permitted height for any heat pump or air conditioning system installed at ground level is limited to 1.5 metres (4.9 feet) when located in the front or secondary front setback and 2 metres (6.6 feet) when located in the rear or lateral setback;
- ii) Any heat pump or air conditioning system shall be installed at least 4.57 metres (15 feet) away from any street limit. There shall be no minimum distance required from the lateral or rear property lines;
- iii) Any heat pump or conditioning system, when visible from a street, shall be concealed by an opaque screen made of wood or PVC, or by a hedge with a height that conforms to the provisions of paragraph h) above.

- j) Other mechanical equipment for domestic purposes, excluding those related to the operation of a pool
Amendment PC-2775-72 (September 13, 2023)

- i) The maximum permitted height of any other mechanical equipment used for domestic purposes and installed at ground level is limited to 1.5 metres (4.9 feet) when located in the secondary front setback and 2 metres (6.6 feet) when located in the rear or lateral setback;
- ii) Any mechanical equipment used for domestic purposes shall be installed at least 4.57 metres (15 feet) away from any street limit and at a distance equivalent to the minimum lateral setback required in the zone (as established in the Particular Provisions Table) from any lateral and rear property lines;
- iii) Any mechanical equipment used for domestic purposes, when visible from a street, shall be concealed by an opaque screen made of wood or PVC, or by a hedge whose with a height that is conforming to the provisions of paragraph h) above.

- k) Outdoor storage

With the exception of those outdoor uses permitted in paragraphs a) to e) of this article, all other types of outdoor storage are not permitted in residential zones.

- l) Storage of recycling, composting and garbage bins

In residential zones, recycling, composting and garbage bins shall be stored as follows between successive weekly collections:

- i) For Class “A” and “B” residential dwellings, containers shall be stored in the rear set-back, in the side set-backs or against the principal building in the front set-back;
- ii) In the case of multi-family buildings of eight (8) dwelling units or less, garbage bins shall be stored in the rear setback in an opaque enclosure, or in a structure made of treated wood, or of another material permitted as cladding for a principal building. Recycling and composting bins must be stored, between collections, in the rear set-back, in the side set-backs or against the principal building in the front set-back;
- iii) In the case of multi-family buildings of more than eight (8) dwelling units constructed after the coming into force of the present by-law, recycling, composting and garbage bins shall be stored inside.

For multi-family buildings of more than eight (8) dwelling units constructed before the coming into force of the present by-law, if they can not be stored inside the building, recycling, composting and garbage bins shall be stored, between collections, in the rear set-

back, in the side set-backs or against the principal building in the front set-back.

Amendment PC-2275-34 (April 26, 2017)

In no case shall any recycling, composting or garbage bin be stored less than 1.5 metres (4.9 feet) from any property line. All installations for the storage of residual waste shall be properly maintained at all times.

5.22 Provisions particular to commercial zones

a) Use of front setbacks

Uses permitted in front setbacks are limited to the following:

- i) Sidewalks and pathways for pedestrians;
- ii) Vehicular accesses leading to parking areas and to manoeuvring areas required for loading and unloading;
- iii) Lawns and areas planted with flowers and shrubs;
- iv) Masts and signs mounted on posts or pedestals, in accordance with the provisions of Chapter 8 of this by-law;
- v) Parking, loading and unloading areas, subject to the provisions of paragraph c) of this article;
- vi) Outdoor displays, subject to the provisions of paragraph g) below;
- vii) Hedges, subject to the conditions of paragraph f) below. Amendment PC-2775-4 (March 7, 2012)

b) Use of lateral and rear setbacks

Uses permitted in lateral and rear setbacks are limited to the following:

- i) Those permitted in the front setback;
- ii) Parking areas and areas for manoeuvring transport vehicles;
- iii) Ancillary buildings;
- iv) Outdoor storage, where permitted according to the Particular Provisions Table;
- v) Propane containers installed in accordance with the “CAN/CSA-B149.2-10 - Propane storage and handling code” standard and provided that they are screened with trellis-type fencing or with evergreens, provided that such screen is not entirely opaque. Amendment PC-2775-13 (April 9, 2014)

c) Parking, loading and unloading areas in a front setback

- i) When authorised in the Particular Provisions Table or in the Village Code, parking, loading and unloading areas in the front setback shall be designed to ensure that manoeuvring is entirely within the property and not in the public street right-of-way, making it possible to both enter and leave the parking, loading and unloading area in a forward direction;
- ii) When parking, loading and unloading areas are permitted in the front setback, the minimum distance between said areas and the public street right-of-way is stipulated in the Particular Provisions Table or in the Village Code. This minimum required partition shall be sodded and landscaped with trees, shrubs or flowers, according to sub-paragraph e)ii)c below.

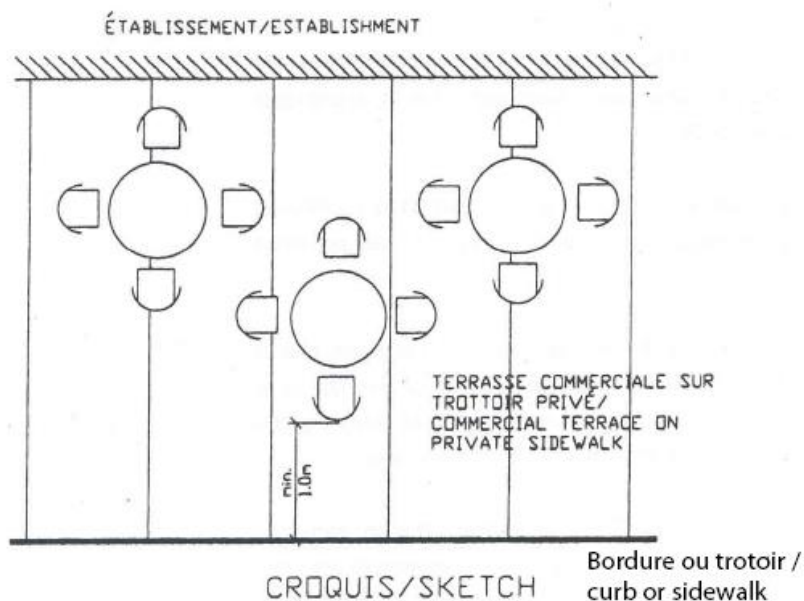
Amendment PC-2775-43 (August 3, 2018)

d) Vehicular access

- i) For any given street on which a property fronts, the maximum number of vehicular accesses is one (1) if the frontage of the property is less than 50 metres (164 feet) and two (2) if the frontage is 50 metres (164 feet) or more;
- ii) The minimum distance between any two (2) vehicular accesses to the same property is 6 metres (19.7 feet);
- iii) The maximum width of any vehicular access is 11 metres (36.1 feet). The width may be increased to a maximum of 13.5 metres (44.3 feet) if it is divided in two (entrance/exit) with a landscaped island measuring at least 2.5 metres (8.2 feet) in width;

- iv) No vehicular access or lane can be situated closer than 3 metres (9.8 feet) from any public equipment such as a fire hydrant, a lamp post, an electrical or telecommunications pole or equipment, stationary mail boxes, a bus shelter, or other;
 - v) In the case of corner lots, no vehicular access shall be located less than 6 metres (19.7 feet) from the point at which the street rights-of-way intersect;
 - vi) In order to facilitate vehicle manoeuvres, it is permitted to have a curvature with a maximum radius equal to the distance between the property line and curb or sidewalk, in the street right-of-way.
- e) Landscaping and green spaces
- i) Within "C" and "Cb" commercial zones, for any new construction or addition to an existing building, a minimum of 0.5 square metres (5.38 square feet) of landscaped green space shall be provided for every 10 square metres (107.64 square feet) of floor area constructed or added, and this in addition to the minimum mandatory parking partition described in paragraph c)ii) above.
 - ii) Within "C" and "Cb" commercial zones, a landscaping plan prepared by a landscape architect shall be submitted with any application for a building permit for the construction of a new building or for an extension of more than 30% of the lot coverage of an existing building.
 - a All outdoor areas shall be landscaped with the exception of those portions which are left in their natural wooded state. All outdoor areas and all wooded areas shall be properly maintained at all times;
 - b Landscaping of all outdoor areas shall be completed within three (3) frost-free months following the construction or the extension of the building;
 - c All front setbacks shall be planted with at least one (1) tree for every 100 square metres (1,076 square feet) of lot area that is not used for vehicular accesses or parking. Each of these trees shall be planted as far as possible from the street right-of-way and, when planted, shall be at least 3 metres (9.8 feet) high, or be at least 8 centimetres (3 inches) in diameter, as measured at 30 centimetres (11.8 inches) above ground level. In total, at least 10% of the area of the front setback shall be planted with trees and shrubs (with a minimum of 50% being coniferous) and flowers, and landscaped with decorative rocks or another type of vegetation cover.
- f) Fences and hedges
- i) In the front setback, fences are prohibited and the height of hedges shall not exceed 1.52 metres (5 feet), subject to the provisions of article 5.5 on the visibility triangle;
 - ii) The height of fences in the lateral and rear setbacks is limited to 2.45 metres (8 feet) and, where outdoor storage is permitted, 3 metres (9.8 feet) around outdoor storage areas;
 - iii) Any rear setback of a commercial use must be fenced on the entire perimeter adjacent to a residential property located in a residential zone. The minimum height of said fence shall be 2 metres (6.6 feet). This fence shall either be solid or lined with a dense hedge of evergreens measuring at least 2 metres (6.6 feet) in height;
 - iv) No fence shall be installed any closer than 3.3 metres (9.8 feet) from any curb or sidewalk.
- g) Outdoor display
- i) The outdoor display of passenger vehicles, offered for sale by an automobile dealer, is authorised on a property occupied by a Class "F-4" commercial use, subject to the following conditions:
 - a Only passenger vehicles shall be displayed, and no more than five (5) at a time;
 - b Outdoor display shall be on private property and no closer than 6 metres (19.7 feet) from the right-of-way of the public street;
 - c The space between the right-of-way and the display area shall be entirely covered with lawn and planted with flowers and shrubs;

- d No advertisement shall be displayed in, or on, the vehicles.
- e Outdoor display shall not take place on a green space or on the grass. Amendment
PC-2775-4 (March 7, 2012)
- ii) The outdoor display of fruits and vegetables offered for sale is authorised only in zones where Class "B-2" commercial use is permitted. This display area shall be on private property and located at least 1 metre (3.3 feet) from the street right-of-way.
- iii) Newspaper vending machines are not authorised outside a principal building.
- h) Drive-through and drive-in services
Drive-through and drive-in facilities, other than drive-through bank machine services, are prohibited.
- i) Commercial terraces
 - i) It shall be permitted to set up, as a complementary use to a restaurant, to a brasserie, to a bar, to a café or to an ice-cream parlour, a commercial terrace exclusively for a "D-1" commercial restaurant use.
 - ii) When a commercial terrace is permitted, its operation and its set up are subject to the following conditions:
 - a A commercial terrace may be operated exclusively between April 1st and November 15th of each year. The tables, chairs and parasols used to operate such terrace must be stored indoors between November 16th and March 31st of each year.
 - b A commercial terrace may be located at ground level, on a raised platform, or on a rooftop.
 - c When the commercial terrace is not located on a rooftop, said terrace must be located directly adjacent to the establishment for which it is a complementary use.
 - d When a commercial terrace is located, in whole or in part, on a private sidewalk that is parallel to the establishment for which such terrace is a complementary use, a minimum width of 1 metre (3.3 feet), as measured from the outside edge of such sidewalk, must be kept clear of any obstruction as illustrated on the sketch below.



- e Any permanent structure used in the setting up of a commercial terrace shall be deemed a part of the main building and shall comply with all the provisions of this by-law and of any other by-law which applies to a main building.

- f No commercial terrace may be set up less than 1 metre (3.3 feet) inside the property line and less than 25 metres (82 feet) from the property line of a landsite occupied by a residential use in a residential zone.
 - g A commercial terrace shall not be set up any closer than 5 metres (16.4 feet) from any street right-of-way, except in "Cv" zones, where it can be set up 1 metre (3.3 feet) from a street right-of-way.
 - h The space occupied by a commercial terrace shall not exceed the greater of the two following options:
 - 40 square metres (430.6 square feet) or;
 - The number of seats equal to half of the capacity of the restaurant, the bar, the brasserie, the café or the ice-cream parlour for which it serves as a complementary use.
 - iii) In "Cv" zones only, it is permitted to set up, as a complementary use to a Class "B" commercial use, a commercial terrace on which only a "D-1" commercial restaurant use is permitted, subject to the conditions set out in the preceding paragraph, but with an area not exceeding 40 square metres (430 square feet).
 - iv) A temporary roof, built in wood, in canvas, or of a variety of awning, may cover all or part of an open space set up as a commercial terrace, provided that it is in compliance with the following conditions :
 - a The roof and the walls, if applicable, are of lattice (open weave) construction;
 - b The height of the roof shall not exceed 5.5 metres (18 feet);
 - c The commercial terrace is set up on only one (1) floor;
 - d The roof, as well as any walls or supporting poles, shall not bear any signage;
 - e The roof, as well as any walls or supporting poles, shall be stored indoors from November 16th to March 31st of each year.
 - v) In the case of an establishment where the number of parking spaces, the number of exits and the number of washrooms meet the requirements of the Quebec Construction Code and all other applicable standards relating to the maximum total indoor and outdoor capacity, a temporary roof and walls built of wood, of canvas-type material and/or of plastic, may be erected above and around an open area set up as a commercial terrace and temporary sources of heating may be installed in compliance with the conditions set forth under subparagraphs iv)b to iv)e.
 - j) Commercial storage of propane containers

The outdoor storage, for sale purposes, of propane containers intended for recreational barbecues shall be authorised only at gas stations, service stations and retail stores.

The storage shall be done in accordance with either one of the two following options:

 - i) By being enclosed in a fence that respects the following parameters:
 - a To be at least 1.8 m (6 feet) high on its perimeter and may include, at the top, 3 strands of barbed wire, spaced 100 millimetres (4 inches) apart;
 - b to be at least 300 millimetres (12 inches) higher than the height of the highest tank to be stored in such enclosure;
 - c to be built of metal wire of at least 3.7 millimetres (no. 9 swg) and have openings that shall not exceed 50 millimetres X 50 millimetres (2 inches X 2 inches);
 - d the containers to be stored shall be located no closer than 1.25 metre (4 feet) from the fence;
 - or;
 - ii) By being enclosed in a storage cabinet to be installed in accordance with the following parameters:

- a To be at least 1.8 metre (6 feet) high above grade level, unless it is equipped with metal top cover;
 - b to be built of sheet metal;
 - c to be equipped with at least one 50 millimetres X 50 millimetres (2 inches X 2 inches) opening on at least 2 sides, in the bottom and at the top, to ensure proper ventilation;
 - d To be securely anchored in an upright position. Amendment PC-2775-13 (April 9, 2014)
- k) Outdoor storage and display - class “G-1” big-box type home renovation centres and “G-2” nurseries

The outdoor storage and display of products offered for sale are authorised on a landsite, subject to the following conditions:

- i) Storage shall be limited to finished materials and good. Storage excludes all bulk materials such as soil, gravel and chemicals, waste materials, and out-of-service machinery, tools or vehicles;
- ii) Outdoor storage areas shall only be located in lateral or rear setbacks;
- iii) Storage areas shall not occupy more than 50% of the area of the lateral or rear setback and shall be enclosed;
- iv) The height of stored material shall not exceed 3 metres (9.84 feet) or the height of the vertical dimension of one (1) unit of such stored material;
- v) Storage areas shall be completely concealed from any public street by a masonry wall or an opaque fence, in accordance with paragraph f) above, and with landscaping. Deciduous shrubs or evergreens of at least 1 metre (3.3 feet) high shall be planted at every 1.5 metres (5 feet) along the wall or fence at no more than 1.5 metres (5 feet) from said wall or fence so as to provide a vegetative screen.

The outdoor display of products offered for sale is subject to the following conditions:

- vi) Outdoor display is limited to residential renovation materials and products normally offered in outdoor garden centres, such as plants, Christmas trees, pumpkins, bagged earth, tools, and other landscaping or gardening materials for private residential properties. The sale of bulk construction, gardening and grading materials is prohibited;
 - vii) Outdoor display may take place exclusively between April 1st and January 1st of each year. Any structure, fence or facility used for outdoor displays shall be stored indoors between January 2nd and March 31st of each year;
 - viii) The outdoor display may be situated immediately adjacent to the establishment for which it is complementary, or in a separate seasonal enclosure situated no less than 3 metres (9.8 feet) from the property line. A fence measuring a maximum height of 2.45 metres (8 feet) may be installed to delimit this space;
 - ix) The maximum total area that may be occupied by the outdoor display is indicated in the Particular Provisions Table at the line “Treatment of outdoor areas”, and the outdoor display may encroach onto parking spaces; Amendment PC-2775-1, September 14, 2011
 - x) The space authorised for outdoor displays may be divided into a maximum of two (2) areas on the property;
 - xi) When a display is located on a private sidewalk that is parallel to the establishment for which it is complementary, a minimum width of 1 metre (3.3 feet), as measured from the outside edge of such sidewalk, must be kept clear of any obstruction.
- l) Storage of recycling, composting and garbage bins
- i) In commercial zones, recycling, composting and garbage bins shall be stored between successive weekly collections in the lateral or rear setbacks and against the principal building.

This article is presently under revision by the Planning Department and the Environment Department of the City of Pointe-Claire

- ii) Recycling, composting and garbage bins shall be placed within an opaque enclosure or inside a structure made of treated wood, or any other material permitted as cladding for a principal building.

This article is presently under revision by the Planning Department and the Environment Department of the City of Pointe-Claire

- iii) In the case of a shopping centre, if there is no rear or lateral setback, recycling, composting and garbage bins shall be placed against the principal building, within an opaque enclosure or inside a building, either of which must be constructed of the same cladding material as the principal building, and situated at least 60 metres (196.7 feet) from any public street right-of-way.

- iv) All installations for the storage of residual waste shall be properly maintained at all times.

m) Installation of used clothing donation boxes

In commercial zones, the installation of a used clothing donation box shall be authorized subject to the following conditions:

- i) It must be installed in a front setback, a secondary front setback or in front of the main building front façade;
- ii) The used clothing donation box shall be installed at least 60 centimetres (2 feet) and at most 5 metres (16.4 feet) away from a parking area or a vehicular access;
- iii) The used clothing donation box cannot encroach on a parking space or on a vehicular access unless such parking space or access is not necessary in order to comply with any provision of the Zoning By-Law respecting the minimum number of required parking spaces;
- iv) The used clothing donation box must not obstruct traffic flow to a parking space, to an access, to an area reserved to firefighting vehicles or to a loading area and it shall not impede with any pedestrian access to a building;
- v) Repealed - Amendment PC-2775-40 (September 27, 2017)
- vi) The cap/door of the used clothing donation box shall be yellow or painted yellow;
- vii) The used clothing donation box must be installed in a well-lit location;
- viii) The access to the used clothing donation box must be paved or made out of concrete and it must be partially surrounded by an hedge or shrubs;
- ix) The used clothing donation box and its surroundings must be kept clean at all times;
- x) No deposit of used clothing or of any other object shall be permitted otherwise than within the used clothing donation box;
- xi) A sign to be affixed on the used clothing donation box must indicate that it is forbidden to leave any object outside the donation box;
- xii) The number of the municipal certificate of authorization issued for the installation of the box shall be affixed on the cap/door of the used clothing donation box;

- xiii) No other signage shall be installed on a used clothing donation box except as regards to the following information related to the collection service; name, logo, telephone number and charity number of the organization in favour of which a certificate of authorisation will have been issued, applicable fines in case of contravention. This information must appear on the donation box yellow cap, as shown on the following illustration:
- xiv) The installation of the organization of “used clothing donation box” shall be authorized only in favour of a charity organization that is registered as such by the Canada Revenue Agency.



Cap/door for clothing donation box

Amendment PC-2775-30 (December 21, 2016)

5.23 Provisions particular to industrial zones

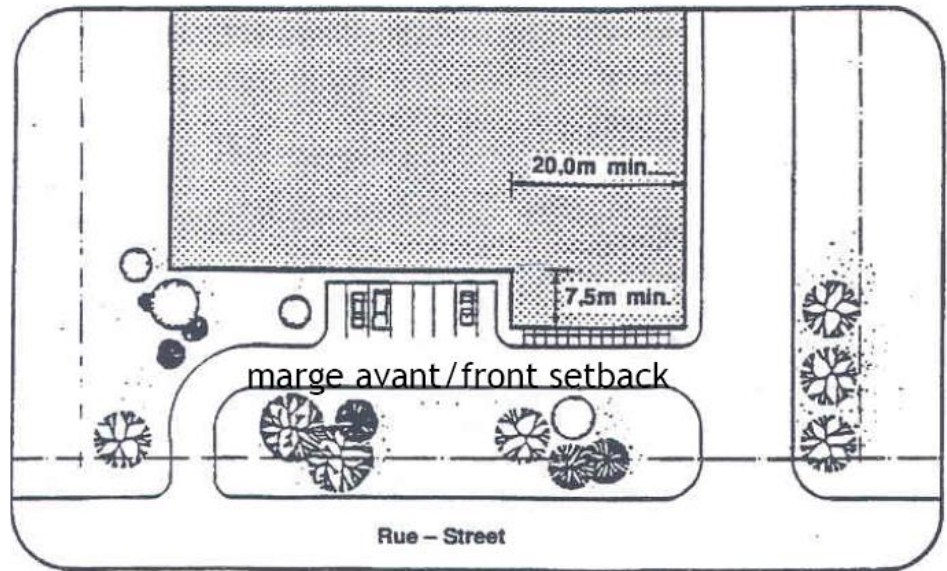
a) Use of outdoor areas

For the purposes of establishing specific provisions pertaining to the use of outdoor areas, the particular provisions set out two classes of standards. The standard applicable to a given zone is provided in the Particular Provisions Table on the line entitled “Development Standards”.

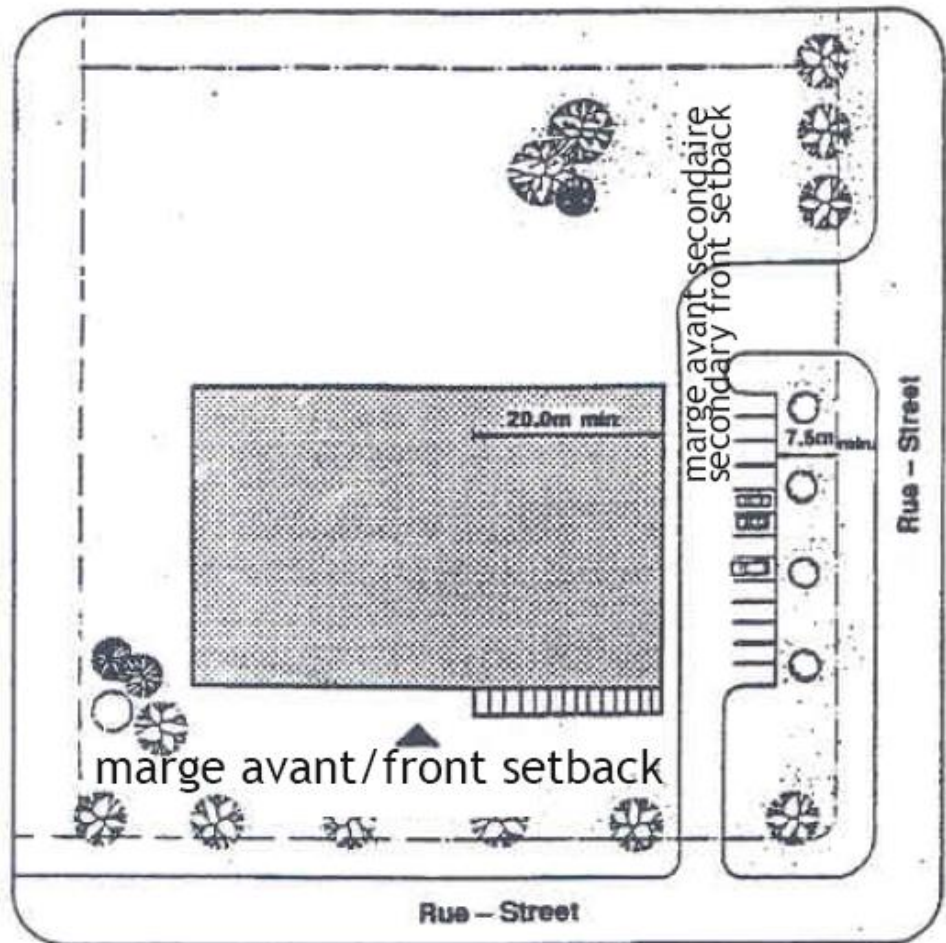
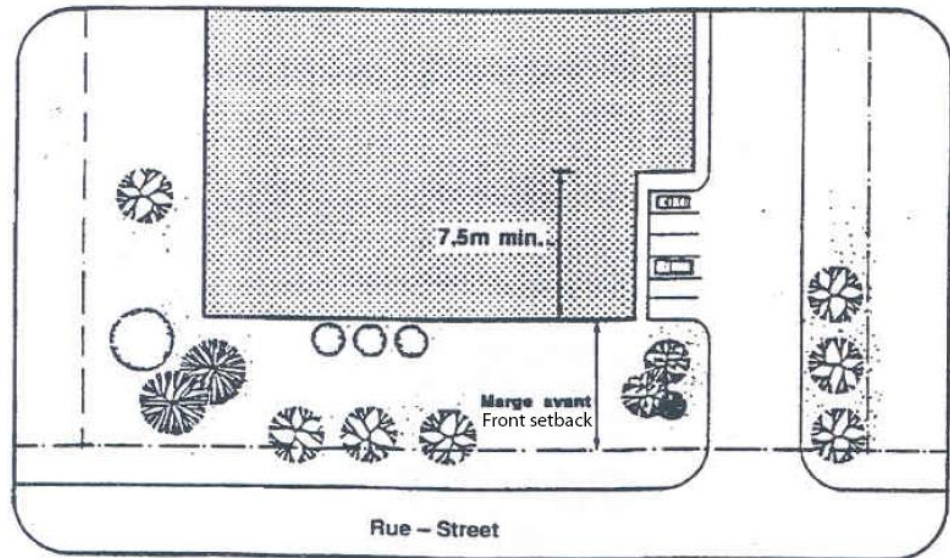
i) Where Class “A” standards apply:

a Uses permitted in front setbacks are limited to:⁴

- Lawns and areas planted with flowers and shrubs;
- Hedges, subject to the conditions of paragraph d) below; Amendment PC-2775-4 (March 7, 2012)
- Sidewalks and pathways for pedestrians;
- Vehicular accesses leading to parking and to manoeuvring areas required for loading and unloading;
- Masts and signs on posts or pedestals;
- Parking areas reserved for the vehicles of visitors, customers and employees, excluding transport vehicles and other commercial vehicles, provided that these areas are located in the part of the front setback which is not the minimum front setback, and provided that they are within a 7.5-metre (24.6-foot) or more recess in the front facade of the building, as illustrated on diagrams A and B that follow;
- Parking areas reserved for the vehicles of visitors, customers and employees, excluding transport vehicles and other commercial vehicles, provided that these areas are located in the part of the secondary front setback which is at least 7.5 metres (24.6 feet) from the public street right-of-way and that they occupy 75% or less of the total area of the secondary front setback, including all access lanes, as illustrated on diagram C that follows.



A



C

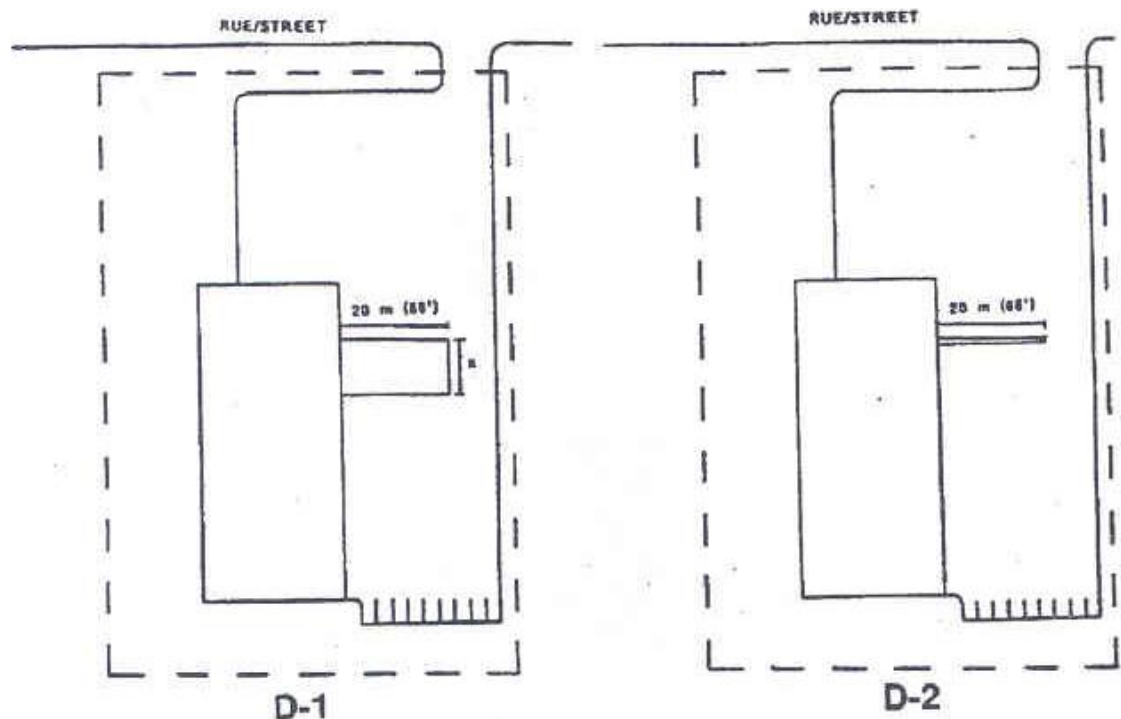
For the purpose of applying the present paragraphs, in a principal front setback, any area located behind a screen wall, that is attached to the building and is at least 20 metres (65.6 feet) in length and recessed at least 20 metres (65.6 feet) behind the main facade of the building, is considered a lateral setback. Said wall must have a minimum height of 5 metres (16.4 feet).

A screen wall shall not be included in the calculation of the minimum building width and must be constructed with the same material as the building façade.

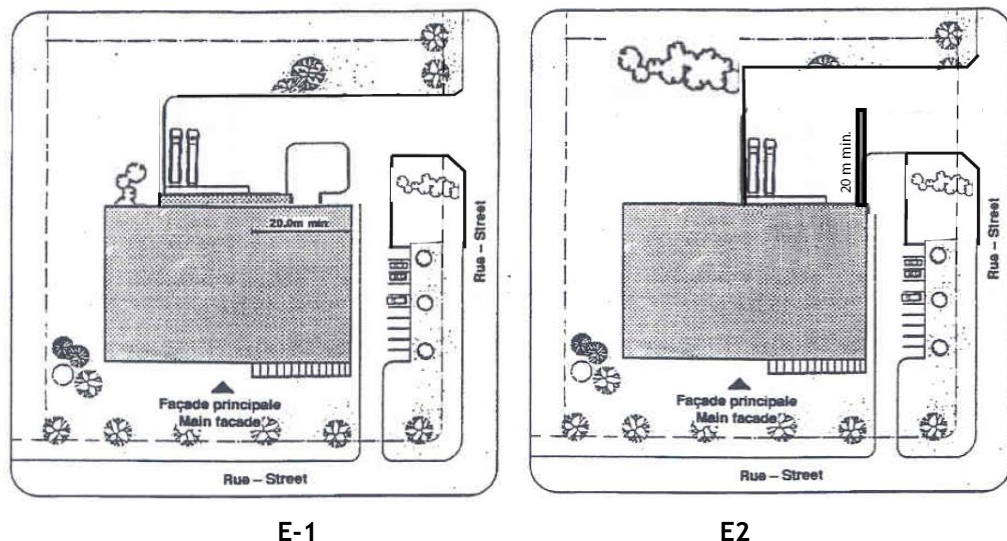
- Landscaping arrangements, rest areas and outdoor furniture, as well as decks built in accordance with sub-paragraphs 5.15 a) to f). Amendment PC-2775-48A (October 17, 2018)

b Uses permitted in lateral setbacks are limited to:

- Those permitted in the front setback;
- Fences and hedges, subject to the provisions of paragraph d) below;
- Parking areas for transport and commercial vehicles (excluding machinery);
- Ancillary buildings;
- Loading and unloading docks, provided that they are hidden from the street by a projection of the front part of the building measuring at least 20 metres (65.6 feet) in length, as illustrated on diagram “D-1” below, or by a screen wall attached to the building and measuring at least 20 metres (65.6 feet) in length, as illustrated on diagram “D-2” below. A screen wall shall have a minimum height of 5 metres (16.4 feet), shall not be included in the calculation of the minimum building width and is not required to respect the minimum setbacks. The projection or the screen wall must be constructed with the same material as the building façade;
- Propane containers installed in accordance with the “CAN/CSA-B149.2-10 - Propane storage and handling code” standard and provided that they are screened with trellis-type fencing or with evergreens, whereas such screen is not entirely opaque;
- Gas reservoirs, other than propane, provided that they are hidden by a dense vegetal screen, making them non visible from the street. Amendment PC-2775-13 (April 9, 2014)



- c Uses permitted in rear setbacks are limited to:
- Uses permitted in the front and lateral setbacks;
 - Loading and unloading docks;
 - In the case of a corner lot, loading and unloading docks are only permitted if they are recessed at least 20 metres (65.6 feet) from the secondary front façade of the building, or provided that they are hidden from the street by a projection of the building, or by a screen wall attached to the building measuring at least 20 metres (65.6 feet) in length, as illustrated on diagrams "E-1" and "E-2". A screen wall shall be constructed with the same material as the façade, shall have a minimum height of 5 metres (16.4 feet), and is not required to respect the minimum setbacks;
 - Electrical transformer stations and other electrical or mechanical equipment;
 - Outdoor storage, where permitted according to the Particular Provisions Table.



ii) Where Class “B” standards apply:

a Uses permitted in front setbacks are limited to:

- Uses permitted in front setbacks according to class “A” standards;
- In the case of a corner lot, on the secondary facade of the building, loading and unloading docks, provided that they are recessed at least 20 metres (65.6 feet) from the secondary front facade of the building and that they are screened from the public street by a berm measuring 1 metre (3.3 feet) in height, landscaped and planted with trees in accordance with paragraph c)iv) below, as illustrated on diagram “F” that follows.

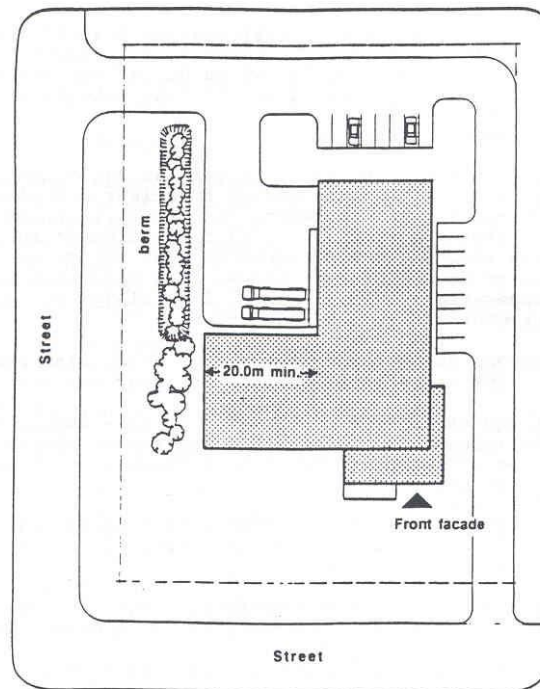


Diagram F

b Uses permitted in lateral setbacks are limited to:

- Those permitted in the front setback;
- Fences and hedges, subject to the provisions of paragraph d) below;
- Parking areas for transport and commercial vehicles (excluding machinery);
- Ancillary buildings;
- Loading and unloading docks, provided that they are recessed at least 20 metres (65.6 feet) from the main facade of the building;
- Propane containers installed in accordance with the “CAN/CSA-B149.2-10 - Propane storage and handling code” standard and provided that they are screened with trellis-type fencing or with evergreens, whereas such screen is not entirely opaque;
- Gas reservoirs, other than propane, provided that they are hidden by a dense vegetal screen, making them non visible from the street. Amendment PC-2775-13 (April 9, 2014)

c Uses permitted in rear setbacks are limited to:

- Uses permitted in the front and lateral setbacks;

- Loading and unloading docks;
 - Electrical transformer stations and other electrical or mechanical equipment;
 - Outdoor storage, where permitted according to the Particular Provisions Table.
- b) Vehicular access and garage doors
- i) The number of accesses permitted for automobiles and trucks is limited to two (2) per street on which the property fronts, regardless of the frontage width;
 - ii) The maximum width of any vehicular access is 11 metres (36.1 feet) if it is intended for trucks, 7.3 metres (24 feet) if it is intended for automobiles;
 - iii) No vehicular access or lane can be situated closer than 3 metres (9.8 feet) from any public equipment such as a fire hydrant, a lamp post, an electrical or telecommunications pole or equipment, stationary mail boxes, a bus shelter, or other;
 - iv) In the case of corner lots, no vehicular access shall be located less than 10 metres (32.8 feet) from the point at which the street rights-of-way intersect;
 - v) In order to facilitate vehicle manoeuvres, it is permitted to have a curvature with a maximum radius equal to the distance between the property line and curb or sidewalk, in the street right-of-way.
 - vi) A garage door cannot be installed on the wall of a building that faces a street unless under the following conditions:
 - It is installed on a part of the facade wall that is recessed at least 20 metres (65.6 feet) behind the part of the facade wall that is closest to the street right of way, and
 - Landscaping comprised of a berm and plantations is provided to hide this door from the public street. *Amendment PC-2775-10 (August 28, 2013)*
- c) Landscaping
- i) *In all industrial zones, a landscaping plan must be submitted with any application for a building permit or certificate of authorisation for a new construction, for an extension or for land development:*
 - a Said plan must be prepared by a landscape architect if the permit application pertains to the construction of a new building or an extension of more than 50% of the lot coverage of an existing building;
 - b In all other cases, it is not necessary for the landscaping plan to be prepared by a landscape architect, but said plan must confirm that the requirements of this article are respected; *Amendment PC-2775-27, Dec. 17, 2015*
 - ii) All outdoor areas shall be landscaped with the exception of those portions which are left in their natural wooded state. All outdoor areas and all wooded areas shall be properly maintained at all times;
 - iii) Landscaping of all outdoor areas shall be completed within three (3) frost-free months following the construction or the extension of the building;
 - iv) All front setbacks shall be planted with at least one (1) tree for every 100 square metres (1,076 square feet) of the lot area that is not being used for vehicular accesses, parking or manoeuvring. Each of these trees shall be planted as far as possible from the street right-of-way and, when planted, shall be at least 3 metres (9.8 feet) high or be at least 8 centimetres (3 inches) in diameter, measured at 30 centimetres (11.8 inches) from ground level. In total, at least 10% of the area of the front setback shall be planted with trees and shrubs (with a minimum of 50% being coniferous) and flowers, and landscaped with decorative rocks or another type of vegetative cover.

d) Fences and hedges

In all industrial zones:

- i) In the front and secondary front setbacks, fences are prohibited and the height of hedges shall not exceed 1,52 metres (5 feet), subject to the provisions of article 5.5 relating to the triangle of visibility;
- ii) In the lateral and rear setbacks, the following are permitted: hedges, wood, metal or prefabricated concrete fences, walls of masonry, stone or brick. The use of chain-link fences topped with barbed wire shall be limited to outdoor storage areas, in accordance with article 5.9;
- iii) Any industrial landsite where either a class “G-4” commercial use or exterior storage are permitted, and which is adjacent to a “Pa” zone of the category “Utility green bands and areas”, must be fenced along the entire perimeter adjacent to said “Pa” zone. The minimum height of said fence shall measure 2.4 metres (8.7 feet). This fence shall be opaque and lined with a dense hedge of evergreens measuring at least 2 metres (6.6 feet) in height;
- iv) The maximum height of a wall or fence, in a lateral or rear setback is 3 metres (9.8 feet).

e) Outdoor display

In any industrial zone, no outdoor display of any kind shall be permitted.

f) Outdoor storage

Where permitted according to the Particular Provisions Table, outdoor storage shall be allowed in the rear setback only, provided that the storage is limited to production materials and finished products, excluding bulk materials (such as soil, gravel and chemicals), waste materials, and out-of-service machinery, tools or vehicles, and subject to the following conditions:

- i) Outdoor storage areas shall not occupy more than 50% of the rear setback;
- ii) Storage areas shall be enclosed and shall be paved, asphalted, laid in concrete or covered otherwise in order to prevent any raising of dust or forming of mud;
- iii) The height of stored material shall not exceed 3 metres (9.84 feet) or the height of the vertical dimension of one unit of the stored material.

Authorisation for outdoor storage includes silos, containers and other storage reservoirs, subject to the following conditions:

- iv) Their ground coverage does not exceed 10% of the ground coverage of the principal building;
- v) Their height does not exceed the maximum permitted height for the principal building;
- vi) They are located at more than 10 metres (32.8 feet) from any property line. Amendment PC-2775-13 (April 9, 2014)

g) Storage of recycling, composting and garbage bins

- i) In industrial zones, recycling, composting and garbage bins shall be stored between successive weekly collections in the lateral or rear setbacks, against the principal building;
- ii) Recycling, composting and garbage bins shall be placed within an opaque enclosure or inside a structure made of treated wood or any other material permitted as cladding for a principal building;
- iii) All installations for the storage of residual waste shall be properly maintained at all times.

5.24 Provisions particular to public zones (Pb)

a) Landscaping

A landscaping plan, prepared by a landscape architect, shall be submitted with any application for a permit or a certificate of authorisation for a new building, an extension, or for the development of a landsite. Said plan must indicate that the requirements of this article will be respected.

- i) On built lots, all outdoor areas shall be landscaped, with the exception of those portions which are left in their natural wooded state. All outdoor areas and all wooded areas shall be properly maintained at all times;
 - ii) Landscaping of all outdoor areas shall be completed within three (3) frost-free months following the construction or extension of the building;
 - iii) All front setbacks shall be planted with at least one (1) tree for every 100 square metres (1,076 square feet) of the lot area that is not being used for vehicular access, parking or manoeuvring. Each of these trees shall be planted at least 5 metres (16.4 feet) from the street right-of-way and, when planted, shall be at least 3 metres (9.8 feet) high or be at least 8 centimetres (3 inches) in diameter, measured at 30 centimetres (11.8 inches) from ground level. In total, at least 10% of the area of the front setback shall be planted with trees and shrubs (with a minimum of 50% being coniferous) and flowers, and landscaped with decorative rocks or another type of vegetative cover.
- b) Fences and hedges
- The maximum height of fences and hedges is established as follows:
- i) With the exception of schoolyards, daycare centres and playgrounds, in the front and secondary front setbacks, the maximum height of fences is 1 metre (3.3 feet) and the maximum height of hedges is 1.52 metres (5 feet), except in the area defined as the triangle of visibility (see article 5.5), where the height of fences and hedges shall not exceed 91 centimetres (3 feet), as measured with reference to the centre of the street;
 - ii) Elsewhere on the property, the maximum height of fences is 2.45 metres (8 feet);
 - iii) Fences surrounding schoolyards and playgrounds must respect a maximum height of 4 metres (13.1 feet).

5.25 Provisions particular to mixed-use zones (Mu)

- a) Use of front and secondary front setbacks
- Uses permitted in front setbacks are limited to the following:
- i) Sidewalks, plantings and other landscaping,
 - ii) Hedges and fences, subject to the conditions of paragraph c) below,
 - iii) Vehicular accesses,
 - iv) Masts and signs mounted on posts or pedestals, in accordance with the provisions of Chapter 8 of this by-law,
 - v) Parking, loading and unloading areas, subject to the provisions of paragraph d) of this article,
 - vi) Outdoor displays, subject to the provisions of paragraph h) below,
 - vii) Mechanical equipment, subject to the conditions of Article 4.4.
- b) Use of side and rear setbacks
- Uses permitted in side and rear setbacks are limited to the following:
- i) Uses permitted in the front setbacks,
 - ii) Recreational uses and installations,
 - iii) Ancillary buildings,
 - iv) Propane containers installed in accordance with the “CAN/CSA-B149.2-10 - Propane storage and handling code” standard and if they are screened with trellis-type fencing or with evergreens, provided that such screen is not entirely opaque.
- c) Fences and hedges
- i) Except for schoolyards, daycare centres and playgrounds, in the front and secondary front setbacks, the maximum height of fences is 1 metre (3.3 feet),

- ii) In the area defined as the triangle of visibility (see Article 5.5), the height of fences and hedges shall not exceed 91 centimetres (3 feet), as measured with reference to the centre of the street;
 - iii) Elsewhere on the property, the maximum height of fences is 1.82 metres (6 feet);
 - iv) Elsewhere on the property, there is no maximum height for hedges;
 - v) Fences surrounding schoolyards and playgrounds must respect a maximum height of 4 metres (13.1 feet).
- d) Recreational space and landscaping
- A landscaping plan, prepared by a landscape architect, shall be submitted with any building permit application for a new building, for an extension of more than 30% of the floor area of an existing building, or for the development of a landsite.
- i) On built lots, all outdoor areas shall be landscaped, except for those portions which are left in their natural wooded state. All outdoor areas and all wooded areas shall be properly maintained always;
 - ii) Landscaping of all outdoor areas shall be completed within three (3) frost-free months following the construction or extension of the building;
 - iii) All front setbacks shall be planted with at least one (1) tree for every 100 square metres (1,076 square feet) of the lot area that is not being used for vehicular access, parking or manoeuvring. Each of these trees shall be planted at least 5 metres (16.4 feet) from the street right-of-way and, when planted, shall be at least 3 metres (9.8 feet) high or be at least 8 centimetres (3 inches) in diameter, measured at 30 centimetres (11.8 inches) from ground level. In total, at least 10% of the area of the front setback shall be planted with trees and shrubs (with a minimum of 50% being coniferous) and flowers, and landscaped with decorative rocks or another type of vegetative cover;
 - iv) When a parking area is located in a front setback, a grassed strip of land at least two metres wide, between the street and the parking area must be landscaped and planted with trees.
- e) Residual waste management
- If they are of a different type than the semi-buried containers, recycling, composting and garbage bins shall be stored between weekly collections in one of the following locations:
- Inside the building,
 - In a side or rear setback, along the principal building and not visible from the street,
 - In an opaque enclosure or inside a structure made of treated wood, or any other material permitted as cladding for a principal building,
 - Or if there is not rear or side setback, in an opaque enclosure or inside a structure, either of which must be constructed of the same cladding material as the principal building.
- All installations for the storage of residual waste shall be properly maintained at all times.
- f) Vehicular access
- i) For any given street on which a property fronts, the maximum number of vehicular accesses is one (1) if the frontage of the property is less than 50 metres (164 feet) and two (2) if the frontage is 50 metres (164 feet) or more;
 - ii) The minimum distance between any two (2) vehicular accesses to the same property is 6 metres (19.7 feet);
 - iii) The maximum width of any vehicular access is 11 metres (36.1 feet). The width may be increased to a maximum of 13.5 metres (44.3 feet) if it is divided in two (entrance/exit) with a landscaped island measuring at least 2.5 metres (8.2 feet) in width;
 - iv) No vehicular access or lane can be situated closer than 3 metres (9.8 feet) from any public equipment such as a fire hydrant, a lamp post, an electrical or telecommunications pole or equipment, stationary mail boxes, a bus shelter, or other;

- v) In the case of corner lots, no vehicular access shall be located less than 6 metres (19.7 feet) from the point at which the street rights-of-way intersect;
 - vi) In order to facilitate vehicle manoeuvres, it is permitted to have a curvature with a maximum radius equal to the distance between the property line and curb or sidewalk, in the street right-of-way.
- g) Commercial terraces
- It shall be permitted to set up a commercial terrace:
- Where a Class "D-1" commercial use (restaurant) can be operated as a complementary use to a commercial or public use;
 - Where a Class "E-2" commercial use (bar) can be operated as a complementary use to a commercial recreation use (Class E),
- in accordance with the following conditions:
- i) A commercial terrace may be located at ground level, on a raised platform, or on a rooftop.
 - ii) When a commercial terrace is located, in whole or in part, on a private sidewalk along a building, a minimum width of 1.5 metres (4.9 feet), as measured from the outside edge of such sidewalk, must be kept clear of any obstruction.
 - iii) Any permanent structure used in the setting up of a commercial terrace shall be deemed a part of the main building and shall comply with all the provisions of this by-law and of any other by-law which applies to a main building.
 - iv) A temporary roof, built in lattice wood, canvas, or an awning, may cover all or part of an open space set up as a commercial terrace, and it shall not bear any signage.
 - v) a temporary roof and walls built of lattice wood, canvas or plastic, may be erected, and temporary sources of heating may be installed, where the number of exits and the number of washrooms meet the requirements of the Quebec Construction Code and all other applicable standards relating to the maximum total indoor and outdoor capacity of the establishment to which the terrace is complementary.
- h) Outdoor display
- Outdoor display of produce and goods offered on sale, associated with a seasonal activity or use related to urban lifestyle, is authorized at least 1 metre (3.3 feet) from the limit of the street right-of-way or the property limit of a public space.
- i) Outdoor storage
- i) Commercial storage of propane containers for sale purposes is authorized in conformity with Articles 5.22 j).
 - ii) Outdoor storage and display of goods by a big-box type home renovation centre authorized or existing with acquired rights are authorized in conformity with Article 5.22 k). The total maximum area that outdoor display can occupy is 3 255 square metres (35 037 square feet), and one third of such area can be on the adjoining shopping centre landsite.
- j) Drive-through and drive-in services
- Drive-through and drive-in facilities, other than drive-through bank machine services and areas set up for pick-up of commercial delivery, are prohibited.

PROVISIONS GOVERNING ANCILLARY BUILDINGS

Table of contents

- 6.1 General conditions pertaining to the erection of ancillary buildings
 - 6.2 Location of ancillary buildings in residential zones
 - 6.3 Location of ancillary buildings in zones other than residential zones
 - 6.4 Ancillary buildings for residential uses
 - 6.5 Ancillary buildings for uses other than residential
 - 6.6 Dimensions and areas of ancillary buildings
 - 6.7 Height of ancillary buildings
 - 6.8 Flat roofs
 - 6.9 Habitable space in ancillary buildings
 - 6.10 Keeping of animals, stables and hives
 - 6.11 Parking gatehouse in a parking area
-

6.1 General conditions pertaining to the erection of ancillary buildings

- a) With the exception of public uses, no ancillary buildings shall be erected on a lot unless it is occupied by a principal building.
- b) Ancillary buildings shall conform to the provisions contained within this by-law with respect to the use of outdoor areas.
- c) With the exception of sheds and gazebos with an area less than 12 square metres (129.2 square feet), the ground area of any ancillary building shall be included in the lot coverage calculation.

6.2 Location of ancillary buildings in residential zones

In any residential zone, no ancillary building may be attached to a principal building, nor can it be located in a front setback or in a secondary front setback. Ancillary buildings shall be located in compliance with the following minimum distances:

- a) 1 metre (3.3 feet) from any property line;
- b) 1 metre (3.3 feet) from any other ancillary building;
- c) 2 metres (6.6 feet) from the principal building or a deck, a porch, a balcony or stairways attached to the principal building;
- d) 3 metres (9.8 feet) behind the main front facade of the principal building. This measurement is taken from the corner of the front façade on the side where the ancillary building will be erected and is taken from the corner of a veranda or a portico if said structure is located at the corner of the front façade of the principal building;
- e) For roof overhangs of ancillary buildings: 60 centimetres (2 feet) from any property line;
- f) In the case of a gazebo integrated into a deck, the applicable location standards are those established in paragraph g) of article 5.15 pertaining to decks.

6.3 Location of ancillary buildings in zones other than residential zones

- a) In commercial zones, no ancillary building shall be located less than:
 - i) 3 metres (9.8 feet) from any property line;
 - ii) 3 metres (9.8 feet) from any other ancillary building;
 - iii) 8 metres (26.2 feet) from any main building.
- b) In industrial and public zones, any ancillary building must be considered as a main building with respect to its location and shall therefore comply with the following minimum distances:
 - i) The minimum setbacks established in this by-law for main buildings;

- ii) 1 metre (3.3 feet) from any other ancillary building;
- iii) 8 metres (26.2 feet) from any main building.

6.4 Ancillary buildings for residential uses

- a) Ancillary buildings permitted for residential uses are limited to detached garages, gazebos, domestic greenhouses, solariums, and sheds.
- a.1) In the case of any residential multifamily use, ancillary buildings shall be permitted provided that they are not intended for the exclusive use of a single dwelling unit. Amendment PC-2775-14 (May 14, 2014)
- b) A dwelling, whatever its class, shall only have one detached garage and one gazebo, one greenhouse or solarium, one garden shed and one pool shed.
- c) A building of four (4) dwellings or less shall have only one garage ; consequently, a detached garage shall not be built on the lot of a dwelling if this dwelling already has a garage or a carport attached to the main building or abutted to it.
- d) The use of a garage, or of an existing carport, of a dwelling shall be limited to the storage of vehicles or recreational equipment such as boats, trailers, tent-trailers, snowmobiles, etc.
- e) A garden shed or a pool shed on which a garage door that opens vertically is installed, and possessing an area that meets the minimum dimensions for a garage as required by article 4.10 h) iii), will be considered a garage.

6.5 Ancillary buildings for uses other than residential

A commercial, industrial or public building is allowed to have ancillary buildings.

6.6 Dimensions and areas of ancillary buildings

- a) The minimum inside dimensions of a garage are 3.5 metres (11.5 feet) in width by 6.10 metres (20 feet) in depth, as measured from the door.
- b) The maximum dimensions and areas for the ancillary buildings of residential constructions of four (4) dwellings or less are as follows:
 - i) The floor area of a pool shed shall not exceed 10 square metres (107.6 square feet);
 - ii) The floor area of a gazebo shall not exceed 20 square metres (215.3 square feet); Correction minutes (August 20, 2012)
 - iii) The floor area of a garden shed, greenhouse or solarium shall not exceed the lesser of the following dimensions:
 - 45 square metres (484.4 square feet);
 - 5% of the lot area;and its depth shall not exceed two times its width or vice versa;
 - iv) The floor area of a garage shall not exceed the lesser of the following dimensions:
 - 55 square metres (592 square feet);
 - 10% of the lot area.
- c) The total floor area of ancillary buildings for multi-family constructions of five (5) dwellings or more shall not exceed the lesser of the following dimensions:
 - The total floor area of the main building;
 - 10% of the lot area.
- d) For any use other than residential, the total floor area of all ancillary buildings shall not exceed the lesser of either the total floor area of the main building or 10% of the lot area.

6.7 Height of ancillary buildings

- a) In residential zones, the maximum height is established as follows:
 - Garage: 4.5 metres (14.7 feet);
 - All other ancillary buildings: 3.7 metres (12.1 feet).
- b) In industrial zones, the maximum height is established as follows:
 - Guard house: 4 metres (13.1 feet);
 - All other ancillary buildings: height prescribed for the main building.
- c) In village commercial zones (Cv), the maximum height of any ancillary building is 4.5 metres (14.7 feet).
- d) In all other zones, the maximum height for ancillary buildings is the maximum height prescribed for the main building.

6.8 Flat roofs

Ancillary buildings with flat roofs are prohibited within residential zones and village commercial zones (Cv).

6.9 Habitable space in ancillary buildings

No habitable space shall be established within an ancillary building.

6.10 Keeping of animals, stables and hives

Other than for pet shops, any building or facility designed to keep animals other than domestic animals, is prohibited within the limits of the City of Pointe-Claire.

6.11 Parking gatehouse in a parking area

Parking gatehouses with a maximum area of 12 square metres (129 square feet) are permitted in parking areas with more than 40 parking spaces, following a ratio of one (1) gatehouse for every 40 parking spaces, up to a maximum of four (4) gatehouses per property.

The maximum height of a parking gatehouse is 4 metres (13.1 feet).

Amendment PC-2775-39 (February 2, 2018)

PROVISIONS GOVERNING PARKING AND LOADING AND UNLOADING FACILITIES

Table of contents

7.1	Compulsory off-street parking
7.2	Location of the parking area
7.3	Parking on a vacant lot
7.4	Parking layout
7.5	Building of parking areas
7.6	Number of spaces required
a)	Dwellings
b)	Village businesses and dwellings
c)	Businesses and services
d)	Industries
e)	Public uses
f)	Maximum number of spaces
g)	Mixed-use “Mu” zones
7.7	Acquired rights
7.8	Parking for disabled persons
7.9	Loading and unloading areas
7.10	Bicycle parking

7.1 Compulsory off-street parking

- a) No use or building shall be permitted unless a sufficient number of off-street parking spaces are provided for the use subject to the request. This requirement applies both to the modification or extension of the use and to a new use. Furthermore, unless deferring is permitted in accordance with Article 7.5 i), the use shall not commence until the required parking spaces are usable.
Amendment PC-2775-39 (February 2, 2018)
- b) The parking requirements established in this by-law shall remain compulsory, on an on-going basis and prevail for the duration of the use they serve and as long as the use for which the property serves requires parking spaces in accordance with the provisions of this by-law. It is therefore prohibited to reduce in any way whatsoever, the parking spaces required by this by-law. It is also prohibited for any natural or legal person to occupy, without complying with the provisions of this article, a building or a lot which, due to a modification undertaken or due to a subdivision of the lot, does not possess the required parking spaces.

7.2 Location of the parking area

- a) Unless indicated otherwise in paragraph c), the parking area shall be located on the same lot as the use for which it is required.
Amendment PC-2775-39 (February 2, 2018)
- b) Parking is permitted only on an area laid out for this purpose in accordance with the provisions of this chapter; it is particularly prohibited to park on a green space or on the grass.
Amendment PC-2775-4 (March 7, 2012)
- c) In mixed-use zones, in the village sectors or if indicated by a footnote to that effect in the Table of Particular Provisions, the off-street parking spaces required for a given use, according to Article 7.6, can be located on a landsite other than the one on which this use is located.
They can be located on a landsite amongst the following:
 - i) On a landsite directly adjacent to the landsite of the use for which the parking is required;
 - ii) On a landsite located across the street from said use, in front of it or in diagonal from it;

- iii) In a parking lot or parking structure authorised as a Class F-7 commercial use, if this site is within a radius of 200 metres of the landsite where the use is located, and if the two sites are not separated from each other by a highway or a boulevard;

In order for the parking required in accordance with Article 7.6, or part of it, to be permitted on a landsite other than the landsite on which the use is located, a servitude must be ceded by the property where the parking is located, in favor of the property where the use is located, and in favor of the City of Pointe-Claire, procuring the rights of access and the right of occupancy of the parking spaces. Amendment PC-2775-39 (February 2, 2018)

7.3 Parking on a vacant lot

Except for municipal purposes or if Class F-7 commercial use is permitted as per the Particular Provisions Table, no parking area shall be located on a vacant lot anywhere within the limits of the City. Amendment PC-2775-39 (February 2, 2018)

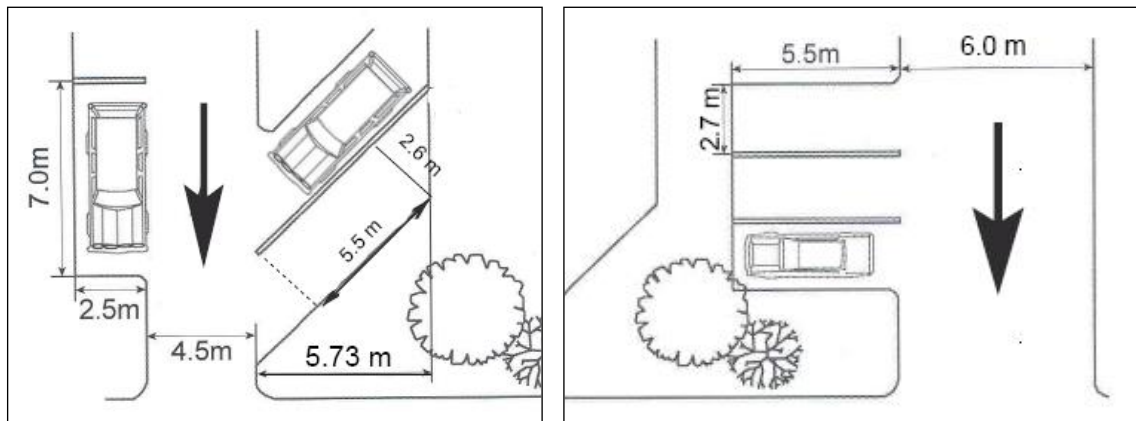
7.4 Parking layout

In order to be considered a parking space:

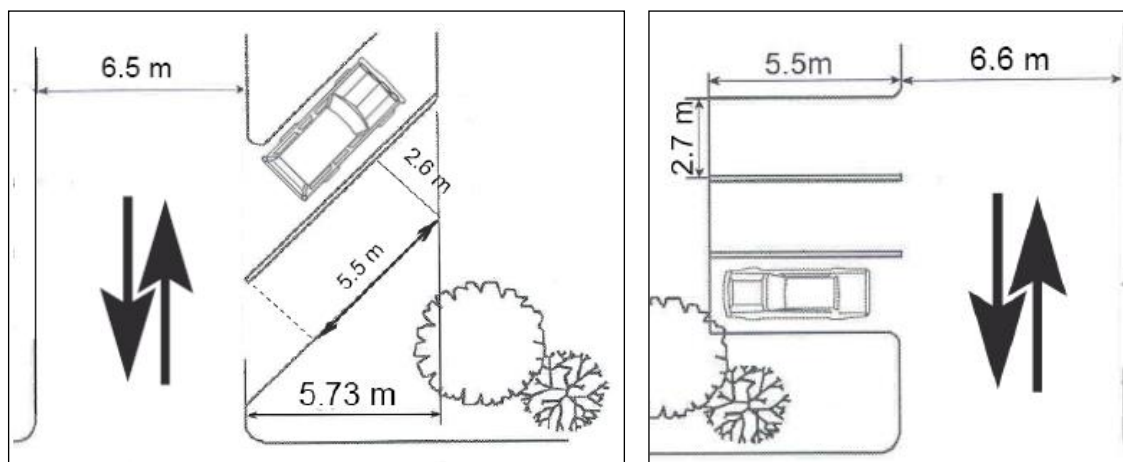
- The parking space may be in a garage, outdoors, or under an existing carport;
- The space must be accessible at all times;
- Except in the case of a single-family dwelling, parking shall not necessitate the moving of another vehicle in order to gain access to it, or to leave it;
- Except in the case of a residential building of four (4) dwellings or less and except in the case of condo-townhouses, located elsewhere than in zone Re27, the parking spaces shall be laid out so that no vehicle is obligated to back into the right-of-way of the public street in order to enter or leave it; Amendment PC-2775-48A (October 17, 2018)
- Except in the case of a single-family dwelling, parking areas shall be laid out so that they conform to the minimum dimension requirements shown in the diagram below.

Parking Angle (in relation to the direction of the circulation)	Parking Space		Circulation Aisle Minimum Width	
	Minimum Width	Minimum Length	One Way	Two Ways
0 degrees	2.5 metres	7 metres	4.5 metres	6 metres
45 degrees	2.6 metres	5.5 metres per space and 5.73 metres in width perpendicular to the aisle	4.5 metres	6.5 metres
90 degrees	2.7 metres	5.5 metres	6 metres	6.6 metres

One-way



Two-ways



7.5 Building of parking areas

- a) Outdoor parking areas and access lanes must be covered with one or more of the following materials:
 - i) Porous concrete, pervious paving, open-grid pavement or grass pavers;
 - ii) An inert material, other than non-stabilized gravel or pebbles, with a solar reflectance index of at least 29, as certified in accordance with the manufacturer's specifications of the material;
 - iii) Asphalt, concrete, paving stones or interlocking brick.

Amendment PC-2775-55 (June 10, 2019)

- b) The surfacing of the circulation aisles and parking must be done within the following timeframes:
 - i) Within 24 months after the street has been paved or after the first building permit has been issued, whichever is the latest in the case of residential buildings.
 - ii) Within six (6) months after the street has been paved or after the first building permit has been issued, whichever is the latest in the case of buildings other than those described in sub-paragraph i).
 - iii) Notwithstanding sub-paragraphs i) and ii), in the case where a permit or certificate involving parking areas is issued subsequent to the first building permit, the timeframe prescribed in

each respective subparagraph will apply from the date that the permit or certificate was issued.

- c) All ground level parking areas of six (6) spaces or more shall be bordered by a concrete curb at least 15 centimetres (6 inches) high and located at least 60 centimetres (2 feet) from the adjacent lot lines. [This curb can be discontinued to allow the rainwater to flow towards the surrounding natural surfaces.](#) It shall be solidly anchored and properly maintained.

Amendment PC-2775-39 (February 2, 2018)

- d) Parking areas of six (6) spaces or more serving a use other than residential and which are adjacent to a property located in a residential zone, shall be separated from such property by a fence or dense hedge at least 1 metre (3.3 feet) high, unless the parking areas are located at least 1.2 metres (3.9 feet) below the level of the property located in the residential zone, as measured at the lot line immediately adjacent.
- e) The layout of a ground level, non-covered parking area with twenty (20) or more parking spaces must include vegetation landscaping elements covering at least 10% of its surface.

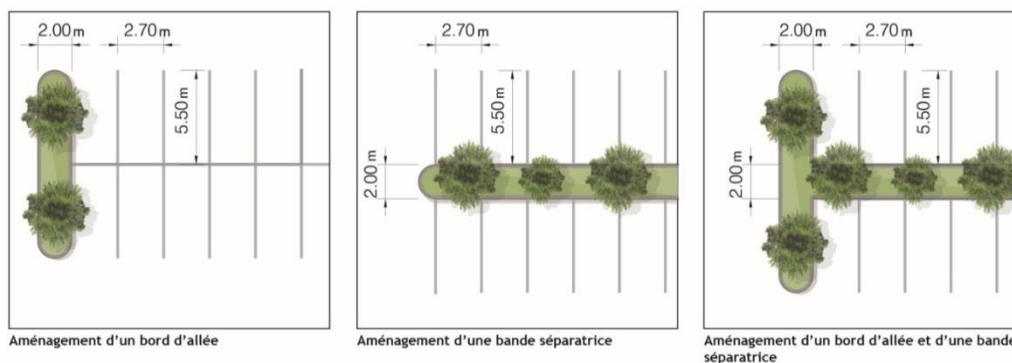
However, if the parking area is covered, in whole or in part, with a material identified in sub-paragraphs i. and ii of the present article, the vegetalized landscaped area may be reduced to 5%, in proportion to the parking area that is covered with a material that is identified under either of sub-paragraphs i. or ii. of paragraph 7.5 a).

Furthermore, the parking lot area must include one or both of the following 2 features:

- i) A border at least 2 metres wide;
- ii) A median with a minimum width of 2 metres.

In a border or a median, a deciduous tree with a minimum diameter of 5 centimetres and a minimum height of 1 metre above the ground or a coniferous tree with a height of at least 2 metres at the time of planting must be planted every 8 metres within this grassy or otherwise landscaped strip.

Amendment PC-2775-55 (June10, 2019)



- f) Any parking area of more than 465 square metres (5,005 square feet) must be equipped with a rainwater drainage and retention system in accordance with the provisions of the Construction By-Law of the City of Pointe-Claire.
- g) The intensity or brightness of parking lot lighting shall at no time create a nuisance for the neighbouring properties.
- h) All parking areas shall be laid out in a manner to facilitate the removal and piling of snow and where applicable, the storage of recycling, composting and garbage bin, without reducing their capacity to below the minimum number of spaces required by article 7.6 of this by-law, [and](#)

without affecting or damaging existing trees or those planted in accordance with the present by-law.

i) Timeframe for the creation of parking spaces

For any use for which the number of required parking spaces exceeds twenty (20) according to article 7.6 below, notwithstanding the provisions of paragraph a), the paving, asphaltting or laying in concrete of part of the parking area may be postponed sine die, if the following conditions are met:

- i) For industrial uses, a minimum of twenty (20) parking spaces and the required circulation aisles for these spaces shall be paved or laid in concrete and provided with the required rainwater drainage and retention system, according to the timeframes stipulated in paragraph a) of the present article;
- ii) For commercial, public and multi-family residential uses, the greater of twenty (20) parking spaces or 75% of the required number of parking spaces according to article 7.6 below, as well as the circulation aisles required for these spaces, shall be paved or laid in concrete and provided with the required rainwater drainage and retention system; all in accordance with the timeframes stipulated in paragraph a) of the present article;
- iii) The space planned for parking areas and for which construction will be deferred, must be grassed, landscaped and maintained at all times. It shall not be used for storage, parking or any other unauthorised use. Furthermore, said area cannot be considered as a green space in the calculation of the area of green space and landscaping required in accordance with Chapter 5;
- iv) An implantation plan must be submitted indicating all the parking spaces and circulation aisles required according to this by-law. This plan must illustrate the parking spaces and circulation aisles to be constructed immediately, as well as the parking spaces which are to be deferred;
- v) Plans, prepared and signed by a civil engineer, providing for a complete rainwater drainage and retention system, in accordance with the provisions of paragraph d) above (basin and pipes), must be submitted and approved. The retention calculations for this system must be based on the total number (100%) of parking spaces required in article 7.6 of this by-law;

Notwithstanding paragraph i) above, circulation aisles and street accesses not paved in accordance with this paragraph are considered non-conforming and not in use; consequently, the corresponding depression in the curb or the sidewalk in the street right-of-way must be removed, and the curb or the sidewalk must be re-constructed.

[Amendment PC-2775-27, Dec. 17, 2015](#)

7.6 Number of spaces required

Unless otherwise specified, if the result of a calculation contains a first decimal number that is greater than or equal to 5, the number is rounded to the next whole number.

a) Dwellings

- i) All single-family dwellings in the village sector of Pointe-Claire and all single-family dwellings built before February 21, 1991, shall have one parking space at least 3.5 metres (11.5 feet) in width and 6.10 metres (20 feet) in depth.
- ii) All new single-family dwellings, and all single-family dwellings built after February 21, 1991, except in the village sector of Pointe-Claire, shall have a garage or an area sufficient to allow for the construction of a garage that is at least 3.5 metres (11.5 feet) in width and 6.10 metres (20 feet) in depth, measured from the door (inside dimensions). Furthermore, in the absence of a garage, a parking space must be provided that measures at least 3.5 metres (11.5 feet) in width and 6.10 metres (20 feet) in depth.

- iii) Any duplex shall have at least three (3) off-street parking spaces.
- iv) Any triplex shall have at least five (5) off-street parking spaces.
- v) Any quadruplex and multi-family building of five (5) dwellings or more shall have at least:
 - a One (1) parking space per bachelor- or loft-type dwelling, or by dwelling unit, if in the City Centre Sector, as delimited on the Zoning Plan;
 - b One-and-a-half (1.5) parking spaces per any other type of dwelling;
 - c One (1) parking space per 45 square metres (484.4 square feet) of floor area of support services or businesses, as described in article 2.4 c). These parking spaces shall be identified as being reserved for visitors;
 - d For multi-family buildings or complexes of twelve (12) dwelling units or more, additional visitor parking shall be provided at a rate of:
 - one (1) parking space per four (4) condo-townhouses (contiguous) townhouses;
 - one (1) space per five (5) dwelling units, for properties located in the City Centre Sector, as delimited in the zoning plan;
 - One (1) parking space per ten (10) dwelling units, for other properties.

These parking spaces shall be located outside the building and identified as being reserved for visitors. Amendments PC-2775-48A (October 17, 2018) & PC-2775-64 (July 2, 2021)
 - e For C-2 residential uses as defined in Appendix 4 (centres, homes and residences for the elderly): 0.5 spaces per bed.

Amendment PC-2775-39 (February 2, 2018)

b) Village businesses and dwellings

In commercial "Cv" zones, all uses shall be supplied with a minimum number of parking spaces established in accordance with the standards that follow. The rental floor area is the floor area intended for use by shops, stores and offices, excluding all halls, corridors, tunnels, stairs or elevators, public restrooms, loading docks, common space for heating, ventilation and air conditioning, and all common space in general. In the calculation of the number of parking spaces, storage areas and, in the case of a restaurant, kitchens, are also excluded:

- i) One (1) space per 35 square metres (376.7 square feet) of rental floor area of offices, businesses and services;
- ii) For commercial "D" restaurant uses and commercial "E" recreational uses, the number of spaces is stipulated in sub-paragraphs c)iv) and c)v) below;
- iii) One (1) space per bachelor- or loft-type dwelling;
- iv) One-and-a-half (1.5) spaces per any other type of dwelling.

c) Businesses and services

All other commercial uses shall be supplied with a minimum number of parking spaces established in accordance with the standards that follow. The rental floor area is the floor area intended for use by shops, stores and offices, excluding all halls, corridors, tunnels, stairs or elevators, public restrooms, loading docks, common space for heating, ventilation and air conditioning, and all common areas in general. In the calculation of the number of parking spaces, storage areas and, in the case of a restaurant, kitchens, are also excluded:

- i) Class "A": Office buildings and any Class "A" uses: One (1) space per 35 square metres (376.7 square feet) of rental floor area.
- ii) Class "B":

Group of Class "B" establishments (shopping centre) totalling more than 1,000 square metres of rental floor area: One (1) space per 20 square metres (215.3 square feet) of rental floor area, even if the shopping centre contains restaurants, bars and movie theatres.

Class "B" establishments outside of a shopping centre: One (1) space per 25 square metres (269.1 square feet) of rental floor area.

- iii) Class "C": Hotels and motels: One (1) space per room or suite for the first fifty (50) rooms or suites and one (1) space per two (2) rooms or suites for the number of units exceeding the first fifty (50).
- iv) Class "D": Restaurants, cafés, dining rooms, cafeterias, fast-food counters and reception halls : One (1) space per three (3) places of the maximum capacity established in accordance with the Construction By-Law of the City of Pointe-Claire.
- v) Class "E":

Movie theatres, auditoriums and theatres: One (1) space per three (3) places of the maximum capacity established in accordance with the Construction By-Law of the City of Pointe-Claire.

Nightclubs, bars, lounges, taverns and brasseries: One (1) space per three (3) places of the maximum capacity established in accordance with the Construction By-Law of the City of Pointe-Claire.

Large indoor and outdoor recreational facilities such as arenas, swimming pools, tennis courts and others: One (1) space per 15 square metres (161.5 square feet) of interior floor space.

Bowling alleys: Five (5) spaces per alley.

Marinas and boat clubs: One (1) space per berth.

- vi) Class "F":

Gas stations: Three (3) spaces per establishment.

Service stations: Two (2) spaces plus two (2) spaces per service bay, but never less than five (5) spaces.

Car washes: the minimum length of the off-street waiting line shall be equal to four (4) times the length of the washing track.

Motor vehicle sales, rental or maintenance establishments: One (1) space per 50 square metres (538.2 square feet) of floor space, plus, where applicable, the areas for storing vehicles to be sold, rented or serviced.

- vii) Class "G":

Big box-type home renovation centres and swimming pool sales establishments: One (1) space per 40 square metres (430.5 square feet) of rental floor area.

Construction material sales establishments, flea markets, auction sites and nurseries: One (1) space per 150 square metres (1,614.7 square feet) of the total area of the land.

Other Class "G" uses: One (1) space per five (5) employees plus all spaces necessary to park the commercial vehicles belonging to the company.

- d) Industries

The calculation of the number of off-street parking spaces for industrial uses is established as follows:

One (1) space per 30 square metres (322.9 square feet) of floor area occupied by offices, laboratories, or sales or repair counters.

One (1) space per 100 square metres (1,076.4 square feet) of floor area occupied by manufacturing activities, or receiving, handling, packaging, shipping, warehousing or distribution activities.

For an industrial building, the number of parking spaces shall be calculated as if 25% of the floor area were occupied by office space and 75% of the floor area were occupied by manufacturing activities, unless the office area is known to be greater than 25%, in which case the calculation is made according to the actual floor area occupied by office uses.

Amendment PC-2775-34 (April 26, 2017)

- i) Repealed Amendment PC-2775-34 (April 26, 2017)
- ii) Repealed Amendment PC-2275-34 (April 26, 2017)

e) Public uses

All public and public utility uses shall be provided with the minimum number of parking spaces established in accordance with the following calculations:

- i) Offices: One (1) space per 35 square metres (376.7 square feet) of floor area;
- ii) Childcare and daycare centres : One-and-a-quarter (1.25) spaces per ten (10) children and a drop-off area suitable for two (2) cars;
- iii) Elementary and secondary schools: Two (2) spaces per classroom; for schools served by more than five (5) buses, one (1) space of at least 40 square metres (430.6 square feet) per bus;
- iv) CEGEP and colleges: One (1) space per teacher and staff member and one (1) space per two (2) students;
- v) Churches: One (1) space per three (3) seats;
- vi) Hospitals and convalescent homes: Two (2) spaces per bed;
- vii) Chronic-care centre: One (1) space per three (3) beds;
- viii) Other public and public utility uses: an adequate number of parking spaces for the personal vehicles of employees and, where applicable, of residents, but a minimum of at least one (1) space per 100 square metres (1,076.5 square feet) of floor area.

The required number of parking spaces for a property where two (2) or more different public uses are carried out, shall be established according to the use which requires the greater number of parking spaces, provided that said public uses are not carried out simultaneously. Amendment PC-2775-5 (December 26, 2012)

f) Maximum number of spaces

For zones located within a radius of 1,000 metres from a commuter train station, identified in the Particular Provisions Table by a note to that effect, the maximum number of parking spaces authorized upon the construction, expansion, or change of use of a multifamily residential, commercial, industrial, or public building shall be equivalent to 150% of the minimum number of parking spaces required under Article 7.6. Amendment PC-2775-27, Dec. 17, 2015

g) Mixed-use “Mu” zones

In mixed-use “Mu” zones, notwithstanding the provisions of the preceding paragraphs, the following shall apply:

- i) One (1) space per dwelling unit;
- ii) One (1) space per 70 square metres (753.5 square feet) of rental floor area of offices;
- iii) One (1) space per 35 square metres (376.7 square feet) of rental floor area of commercial businesses and services, restaurant, bar, theater, cinema;
- iv) One (1) space per room or suite for hotels, for the first fifty (50) rooms or suites;
- v) No space is required for the seasonal activities and uses related to urban lifestyle described in Article 2.13 d):

- vi) For any other use not mentioned here, the number of spaces stipulated in paragraphs c), d) or e) above;

When more than one uses or groups of uses described in preceding sub-paragraphs i) to vi) are combined on a same landsite, only those parking spaces for the use or group of uses that requires the highest number of parking spaces must be provided; except for dwelling units and hotel rooms or suites, where the requirements must be added together.

The rental floor area is the floor area intended for use by shops, stores and offices, excluding all halls, corridors, tunnels, stairs or elevators, public restrooms, loading docks, mechanical rooms, and all common areas in general. Storage areas and, in the case of a restaurant, kitchens, are also excluded.

Amendment PC-2775-39 (February 2, 2018)

7.7 Acquired rights

- a) If a use that existed at the time this by-law came into force and that did not have the number of parking spaces required by this by-law, is replaced by another use, the number of spaces that the use lacked is considered to be an acquired right and shall be deducted from the number of required spaces that are established for the new use, according to the provisions of this by-law. In the event that the new use requires fewer spaces than the previous use, the acquired right shall not be transferred to another use or property.
- b) The acquired rights as described under paragraph a) are valid upon the extension of an existing use.

However, no extension shall be permitted unless a sufficient number of additional off-street parking spaces are provided, in accordance with the requirements of the present by-law, in regards with any such extension.

Amendment PC-2775-48A (October 17, 2018)

- c) For the purpose of paragraph a), the fact that a building or a locale, for which the owner is actively searching for a new tenant or buyer, remains vacant for more than six (6) consecutive months, does not constitute an abandonment, a cessation, nor an interruption of use resulting in the termination of acquired rights for parking.

7.8 Parking for disabled persons

All parking lots serving a commercial, industrial, public or Class "C" residential building must have parking spaces reserved for vehicles of disabled persons according to the following standards:

Amendment PC-2775-2, June 1st, 2011

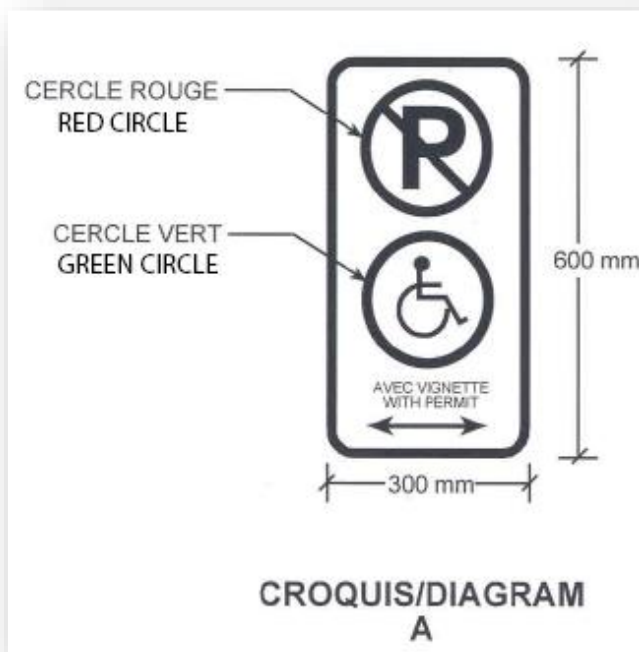
- a) For industrial uses, the minimum number of parking spaces shall be established as follows:

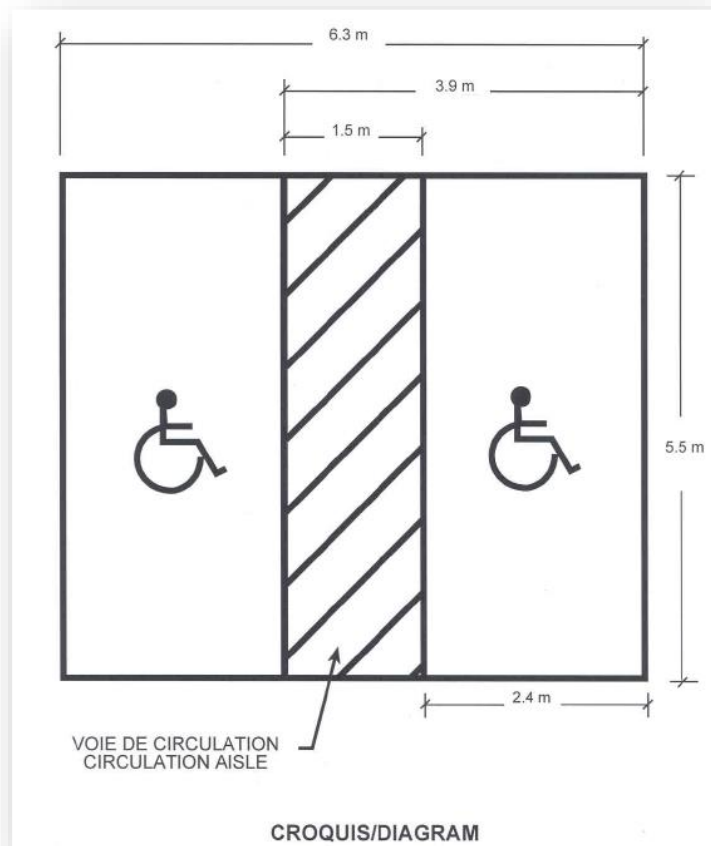
Total number of spaces required	Minimum number of spaces reserved for disabled persons
1 to 5	0
6 to 30	1
31 to 99	2
100 and more	3

- b) For public, commercial and residential Class "C" uses, the minimum number of parking spaces shall be established as follows:

Total number of spaces required	Minimum number of spaces reserved for disabled persons
1 to 5	0
6 to 14	1
15 to 49	2
50 to 99	3
100 to 199	4
200 to 299	5
300 to 399	6
400 and more	7 + 1 per 100 or fraction of 100 additional spaces

- c) The reserved parking spaces must be chosen from those closest to the main entrance of the building or group of buildings served by the parking lot.
- d) The reserved parking spaces must be identified by a sign, placed in front of each space, and on which appears the standardized pictogram for disabled persons. The same pictogram shall be painted in blue in the middle of the area of each parking space.
- e) This pictogram must comply with the features illustrated on diagram "A" that follows.
- f) At each parking lot entrance, a sign illustrating the standardized pictogram, plus one or more appropriate arrows, must indicate the existence and location of the reserved spaces for vehicles of disabled persons.
- g) The minimum dimensions for a parking space reserved for disabled persons are:
- Minimum width: 3.9 metres (12.8 feet).
 - Minimum length: 5.5 metres (18 feet).
- h) A circulation aisle at least 1.5 metres (4.9 feet) in width, parallel to the parking space for its entire length, is required. The circulation aisle may be shared between two adjoining parking spaces. Said aisle must be clearly marked as indicated on diagram below.





7.9 Loading and unloading areas

- a) All new buildings intended for commercial or industrial use shall be provided with adequate loading and unloading facilities for transport vehicles, in both number and space, to ensure that no loading or unloading operations take place from the street; Moreover, no use shall take effect until the loading and unloading spaces have been provided.
- b) All buildings intended for an industrial use by a single establishment shall be provided with at least one loading and unloading dock. The dock must be bordered by a sufficient area to allow a 15.2-metre (50-foot) truck to manoeuvre without using required parking spaces or the street right-of-way.
- c) The construction of one (1) loading and unloading dock and of the manoeuvring area for an industrial building occupied by an establishment not involved in any handling of products or goods (such as an office dispensing professional services) may be postponed sine die as long as the space necessary to provide them is reserved in the event that the building is occupied in the future by an establishment which may require such a dock and manoeuvring area.
- d) Each establishment in any industrial building intended for more than one establishment shall be provided with a loading and unloading dock together with sufficient area to allow a 15.2-metre (50-foot) truck to manoeuvre without using the required parking spaces or the street right-of-way. A manoeuvring area may serve more than one dock or more than one service entrance.
- e) All areas intended for transport vehicle parking and manoeuvring for loading and unloading, including their entrance drives, shall be paved; said areas which are greater than 400 square

metres (4, 305.5 square feet) shall be drained by means of a drainage system connected to the storm sewers.

- f) Notwithstanding the provisions of the previous paragraphs, in the event that a use, which existed when this by-law came into force and which did not have the loading and unloading spaces required by this by-law, is replaced by another use, the absence of such loading and unloading spaces is considered to be an acquired right provided that the available space to provide such areas is inadequate.

7.10 Bicycle parking

The minimum number of bicycle parking units required is:

- i) For multifamily residential uses:
 - 0.5 units per dwelling
- ii) For non-residential uses:
 - 1 unit per 1000 m² of floor space with a minimum of 2 units per building.
- iii) For a mixed commercial or other/residential building: the total number of spaces required under each of the 2 paragraphs above.

The bicycle parking area must be located on the same site as the land use that it serves and must meet the following standard:

The bicycle parking unit must include a metal support, embedded in the ground or mounted on a building, that allows the bicycle to be kept in its normal position on two wheels or suspended by one wheel.

For residential uses, the parking installations can be located inside the building.

Amendment PC-2775-27, Dec. 17, 2015

PROVISIONS GOVERNING SIGNS, POSTERS AND BILLBOARDS

Table of contents

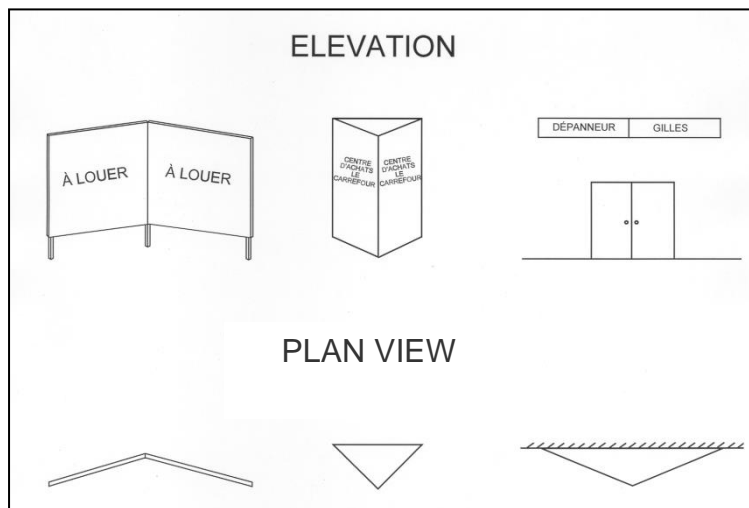
- 8.1 Prohibited signs
 - 8.2 Billboards
 - 8.3 Signs permitted in all zones
 - 8.4 Installation of signs
 - 8.5 Dimensions and general characteristics of signs
 - 8.6 Heights of detached signs
 - 8.7 Information on signs
 - 8.8 Calculation of sign areas
 - 8.8.1 Signs in display windows of commercial establishments
 - 8.9 Lighting and maintenance
 - 8.10 Non-conforming signs
 - 8.11 Permitted signs by type of use
 - a) Single-family home
 - b) Multi-family building
 - c) Commercial or public establishments as sole occupants of detached buildings
 - d) Buildings occupied by more than one commercial establishment
 - e) Large shopping centres
 - f) Commercial establishments in a village zone
 - g) Detached signs for shopping centres
 - h) Car dealers
 - i) Office buildings with three or more storeys
 - j) Hotels (including motels and inns)
 - k) Service stations and gas stations
 - l) Industrial uses
 - m) Public or utility establishments
-

8.1 Prohibited signs

Except for signs belonging to a municipal authority and except for occasional events authorised by a resolution from Council, the following are prohibited everywhere within the limits of the City:

- a) Signs made of paper, cardboard, polystyrene foam or any other non-rigid material posted anywhere other than on notice boards or behind a window, except for elections or public consultations, or for garage sales.
- b) Portable signs such as "sandwich boards" or similar types, as well as mobile signs or signs installed, mounted or formed on a moving vehicle, trailer or other mobile device or apparatus; however, this provision shall not be interpreted to disallow the identification of trucks, automobiles or other commercial vehicles unless the truck, trailer or other vehicle bearing commercial identification is parked with the obvious intent of employing it as a sign.
- c) Illuminated signs of a colour or shape that can be confused with traffic lights are prohibited within an area bounded by a circle of 53 metres (173.8 feet) in radius, whose centre is the point at which 2 street axes intersect.
- d) Flashing signs and signs with flashing lights, and particularly those imitating the revolving lights usually installed on police cars, ambulances, City vehicles and fire trucks.
- e) The placement of objects for advertising purposes on one or more posts or on building roofs.
- f) Balloons or any other inflatable objects for publicity purposes.

- g) Electronic billboards, except for those that solely indicate time, temperature, or public service announcements and that have an area of less than 2 square metres (21.5 square feet).
- h) Flags, banners, and streamers, other than those authorised in article 8.3b) below.
- i) Any kind of decoration, signage or other means of drawing attention to vehicles offered for sale outside a building.
- j) Any assembly of neon lighting and any neon lightning used to emphasize the lines of a structure, or of one or many of its components.
- k) Signs painted directly on a building, roof, mansard or cornice, or integrated into the cladding material.
- l) V-shaped or angle signs similar to those shown on the diagram below.



8.2 Billboards

Billboards are permitted only if they belong to a municipal authority, or relate to an election or public consultation in relation to a law passed by the government legislature, provided they are removed within ten (10) days following the election or public consultation, and provided their area does not exceed 5 square metres (53.8 square feet).

8.3 Signs permitted in all zones

The following are authorised everywhere within the City:

- a) Municipal signs.
- b) Flags, banners or emblems of political, civic, philanthropic, educational or religious organizations. On a residential property or on a multi-dwelling property, there shall be no more than two (2) such flags, banners or emblems, and the area of each flag shall not exceed 1.5 square metres (16.1 square feet). On a commercial or industrial property, there shall be no more than three (3) such flags, banners or emblems, and the area of each flag shall not exceed 2.3 square metres (24.8 square feet). It is prohibited to install a flag, banner or emblem on top of a building, and the maximum height of masts is 10 metres (32.8 feet) as measured from ground level.
- c) Signs announcing a future development project in Pointe-Claire and signs erected on a construction site for a housing, commercial or industrial development project and identifying the future occupants, developer, contractors, sub-contractors and professionals responsible for the project, subject to the following conditions:
 - i) There shall be no more than one (1) such sign per street onto which the property fronts, up to a maximum of two (2) signs per property or project;
 - ii) The area of the sign shall not exceed 18.6 square metres (200 square feet);

- iii) The sign shall be located at least 6 metres (19.7 feet) from any street right-of-way;
- iv) The sign shall be set firmly into the ground and not held in place with concrete blocks laid on a wooden structure, or with any other similar arrangement;
- v) The sign shall be removed within thirty (30) days following the completion of work, or within twelve (12) months following the issuance of the Certificate of Authorisation for such sign, if the work has not yet commenced by that date.

Notwithstanding the provisions of the first paragraph, in the case of a housing development project, the developer may, instead of availing himself of the provisions of this paragraph, enter into a partnership agreement with the City on this matter. Said agreement may include provisions pertaining to the number of signs, their area, their location as well as the duration of their installation. The provisions of this agreement shall take precedence over the provisions of the first paragraph. *Amendment PC-2775-9 (July 10, 2013)*

No sign announcing a project outside of Pointe-Claire shall be installed anywhere within the limits of the City.

- d) Signs indicating that a property, building or premises is for sale or rent, subject to the following conditions:
 - i) There shall be no more than one (1) such sign per street onto which the property fronts, without exceeding two (2) signs;
 - ii) The area of the sign shall not exceed 0.60 square metres (6.5 square feet) in the case of a building of four (4) dwellings or less;
 - iii) In all other cases, its area shall not exceed 3 square metres (32.3 square feet); however, for properties with frontage on the Trans-Canada Highway, the area of the sign shall not exceed 9.3 square metres (100 square feet).
- e) Directional signs indicating the location of parking areas, delivery entrances or any other information meant for orientation or safety, provided that they bear no commercial content other than the logo and/or name of the establishment or shopping centre and with an area not exceeding 0.5 square metres (5.4 square feet);

In addition to the above, for any principal industrial building situated along a service road of the Trans-Canada Highway, one such sign is permitted with an area not exceeding 2.32 square metres (25 square feet) and must include the civic number of the property.
- f) Temporary signs for an election or for a public consultation provided they are removed within ten (10) days following the election or public consultation.
- g) Temporary signs authorised by a resolution from Council and announcing a recreational, sporting, cultural, religious or civic event, provided that they are not installed more than two (2) weeks prior to the event and that they are removed within three (3) days following the event.
- h) Credit card, Loto-Québec or STM posters, and signs with business hours with an area not exceeding 0.1 square metres (1.1 square feet) each.
- i) Restaurant menus and show times, with an area not exceeding 0.38 square metres (4 square feet) and limited to one (1) per establishment.
- j) Theatre and cinema bills with an area not exceeding 1.2 square metres (12.9 square feet) and limited to one (1) per auditorium.
- k) *Repealed* *Amendment PC-2775-20 (January 21, 2015)*
- l) Temporary signs for garage sales, with an area not exceeding 0.5 square metres (5.4 square feet), provided there are no more than two (2) such signs per garage sale and provided they are removed on the day of the garage sale, after the sale is finished.

8.4 Installation of signs

- a) Any detached sign shall be installed on the same property as the use to which the sign refers and any wall sign shall be affixed to a facade of the part of the building that houses the establishment to which it refers.
- b) The signs may either be affixed flat against the wall of the building's façade; or affixed flat against a sign band or the vertical sides of a canopy on the façade; or printed on an awning; or detached from the building and located on a pedestal, on a monument, or one or more posts in the front setback, according to the type of establishment that they identify, and in accordance with the provisions of article 8.11 below.
- c) All signs (other than flags) attached to a building shall be located entirely under the roof level or in the case of a mansard roof, under the mansard part of a roof. If the facade on which the sign is affixed has a parapet, the sign can encroach onto the parapet provided that no part of the sign encroaches beyond the limit of the parapet, or more than 45 centimetres (17.7 inches) beyond the level of the roof behind the parapet.
- d) On any building with two (2) or more storeys, any sign installed above the level of the floor of the second storey shall display only the logo of the establishment and/or detached letters (without a frame).
- e) A sign detached from the building and located on a pedestal, on a monument or on one or more posts (except directional signs) shall not be closer than:
 - i) 1 metre (3.3 feet) from any street right-of-way on a landsite located in a public or residential zone, or a "C" or a "Cb" commercial zone; Amendment PC-2775-4 (March 7, 2012)
 - ii) 2 metres (6.6 feet) from any street right-of-way on a land site located in a "Cv" commercial zone;
 - iii) A distance equivalent to half of the minimum front setback from any street right-of-way for any landsite located in an industrial "N" zone;
 - iv) 6 metres (19.7 feet) from any intersection of two street right-of-ways ;
 - v) 15 metres (49.2 feet) from any intersection of a street right-of-way with a railroad right-of-way .
- f) Any sign which is detached from the building shall be installed either perpendicular or parallel to the street right-of-way, unless it is installed at the intersection of two public streets.
- g) For any sign installed on a pedestal, on a monument, or on one or more posts, the space surrounding the base of the sign shall be landscaped and planted with flowers and shrubs on an area at least equal to the area of the sign.

8.5 Dimensions and general characteristics of signs

- a) Any sign which is detached from the building is limited to two (2) sides, and these two sides shall be parallel.
- b) The maximum length of a monument designed for signs shall be 10 centimetres per metre of length of the building facade.
- c) The maximum depth of signs affixed flat against a wall, a sign band integrated into the building, or on a canopy, shall be 30.5 centimetres (12 inches).

8.6 Heights of detached signs

- a) The total height of signs mounted on posts shall not exceed 4.6 metres (15 feet).
- b) The total height of a sign installed on a pedestal or on a monument shall not exceed 2.5 metres (8.2 feet).

8.7 Information on signs

- a) Signs may display only the following components:
 - i) The logo of the establishment and/or the name of the establishment;
 - ii) The logo and/or the name of the parent company of the establishment, or of one or several divisions of the establishment, but not both, provided the information displayed has a smaller area than that of the identification of the Pointe-Claire establishment;
 - iii) The types of products or services offered by the establishment, but no trademarks of such services or products;
 - iv) A telephone number, an address or a group of telephone numbers and addresses, up to a maximum of 10% of the sign area;
 - v) Certification logos of certain recognized standards (ISO, etc.).
- b) Except in the case of a detached sign where the same message may appear on each of the two faces of the sign, no group of words or logo shall be repeated on a same sign.

8.8 Calculation of sign areas

- a) When a sign installed on a pedestal, on a monument or on one or more posts can be read on two sides and when the two sides are identical, the area which shall be considered is that of one of the two sides, provided the average thickness of the sign between these two sides does not exceed 30.5 centimetres (12 inches).
- b) In the case of signs made of a frame or a box in which a panel is inserted, the area of the frame or box shall be included in the calculation of the area of the sign.
- c) In the case of irregularly shaped signs or signs made up of detached letters, or of several elements, the area which shall be considered is that of the smallest rectangle within which the entire sign can fit.
- d) For a sign installed on an awning or a canopy, the area which shall be considered is that of the smallest rectangle within which the entire sign can fit.
- e) Where the permitted area of a sign is established according to the area of the facade of a building, this area is measured on the elevation of the building as seen from the property line.

8.8.1 Signs in display windows of commercial establishments

Non rigid and non-illuminated adhesive patterns and posters can only be installed in a display window of a commercial establishment that is located on the ground floor of a building, and under the following conditions:

- a) For depanneurs, grocery stores and pharmacies, the total maximum area of such signage is 40% of the area of the display window where it is installed;
- b) For all other uses and offices, the total maximum area of such signage is 20% of the area of the display window where it is installed. Amendment PC-2775-20 (January 21, 2015)

8.9 Lighting and maintenance

- a) When signs are illuminated by reflection, the light source shall be arranged so as not to disturb anyone on nearby properties or public streets.
- b) All signs shall be kept neat and clean and properly maintained and shall present no hazard.
- c) Burned out lightbulbs and defective or non-functioning fluorescent tubes and neon filaments shall be replaced.

8.10 Non-conforming signs

- a) Signs may be non-conforming with respect to this by-law by virtue of their construction (dimensions, height, installation, materials, lighting or any other physical parameter), by virtue of their message, or by their very existence (by exceeding the number of signs permitted). A non-conforming sign shall not benefit from acquired rights unless it either:
 - i) Existed before the date that any sign by-law in the City of Pointe-Claire came into effect; or
 - ii) A permit was legally issued for it under a sign by-law pre-dating this by-law.
- b) Signs which are non-conforming by virtue of their construction shall not be modified other than with respect to their information. As long as they are not removed, they may be maintained, in other words repainted and repaired, and their lightbulbs may be replaced, but they shall not be renovated or restored other than to render them fully conforming to this by-law. None of their physical components, other than the panels on which the information is printed, shall be replaced, even on the pretext that such replacements would make the signs less non-conforming.
- c) Signs which are non-conforming due to their information shall not be modified except to render their information fully conforming to this by-law.
- d) Signs which are non-conforming by virtue of their existence shall not be modified nor replaced, with respect to both their construction and their information; however, it is permitted to modify the information relating to the tenants on a detached sign identifying a multi-tenant industrial or commercial building.
- e) When one of the following changes occurs, the signage must be rendered compliant with this by-law:
 - Changes to the use (industrial, commercial, public, residential);
 - Changes to the building type (detached, semi-detached or contiguous);
 - Change to the grouping type of the establishment (sole occupant in a detached building, multi-tenant building or shopping center);
 - Changes to the number of occupants in a building.
- f) When a change in the occupancy of a multi-tenant building or of a shopping center leads to an increase or decrease in the area of the wall corresponding to the occupancy of an establishment, and that the dimensions, location or even the existence of a sign becomes non-conforming due to this fact, any sign thus affected must be rendered conforming to this by-law before any new establishment can obtain authorisation to occupy the building, or before renovation works can be authorised.

8.11 Permitted signs by type of use

In addition to signs permitted under article 8.3, the following signs are authorised, provided that the use for which they are required conforms to this by-law or provided that it has acquired rights as a non-conforming use. The permitted signs are subject to the following provisions in terms of number and area:

a) Single-family home

One (1) sign with a maximum area of 0.18 square metres (1.9 square feet) identifying the occupant of a single-family home;

Only one (1) sign of a maximum area of 0.25 square metres (2.7 square feet) affixed flat on the wall and relating to the conforming use of a home-based professional service .

Only one (1) sign of a maximum area of 0.4 square metres (4.3 square feet) affixed flat on the wall and relating to a class “C-2” commercial use – tourist rooms, tourist houses and bed & breakfasts.

Amendment PC-2775-43 (August 3, 2018)

b) Multi-family building

Signs with a maximum area of 2.5 square metres (26.9 square feet) displaying the name of a multi-family building, or of a centre or a residence for seniors, and limited to one (1) per property.

c) Commercial or public establishments as sole occupants of detached buildings

- i) This type of establishment is entitled to one (1) sign per facade of the building that fronts a street provided that each of these facades do not face the same street, in which case only one (1) sign shall be permitted for each group of facades facing the same street;
- ii) In the case of an establishment facing three or more streets, a maximum of two (2) signs shall be installed, one on each of two facades fronting a distinct street, as so chosen by the occupant and/or property owner;
- iii) The sign may either be affixed flat against the wall of the façade of the building or affixed flat against a sign band or the vertical sides of a canopy on the façade, or printed on an awning, or detached from the building;
- iv) The maximum area of a sign affixed flat on a wall is 10% of the area of the facade on which it is installed, up to a maximum of 18.6 square metres (200 square feet);
- v) The maximum area of a sign printed on an awning is 1.5 square metres (16.1 square feet);
- vi) The maximum area of a sign detached from the building and installed on a pedestal, on a monument, or on one or more posts is 10% of the total area of the front facade of the building, up to a maximum of 18.6 square metres (200 square feet). The sign shall be installed in the front setback of the facade whose area is used to calculate the maximum area of the sign.

d) Buildings occupied by more than one commercial establishment

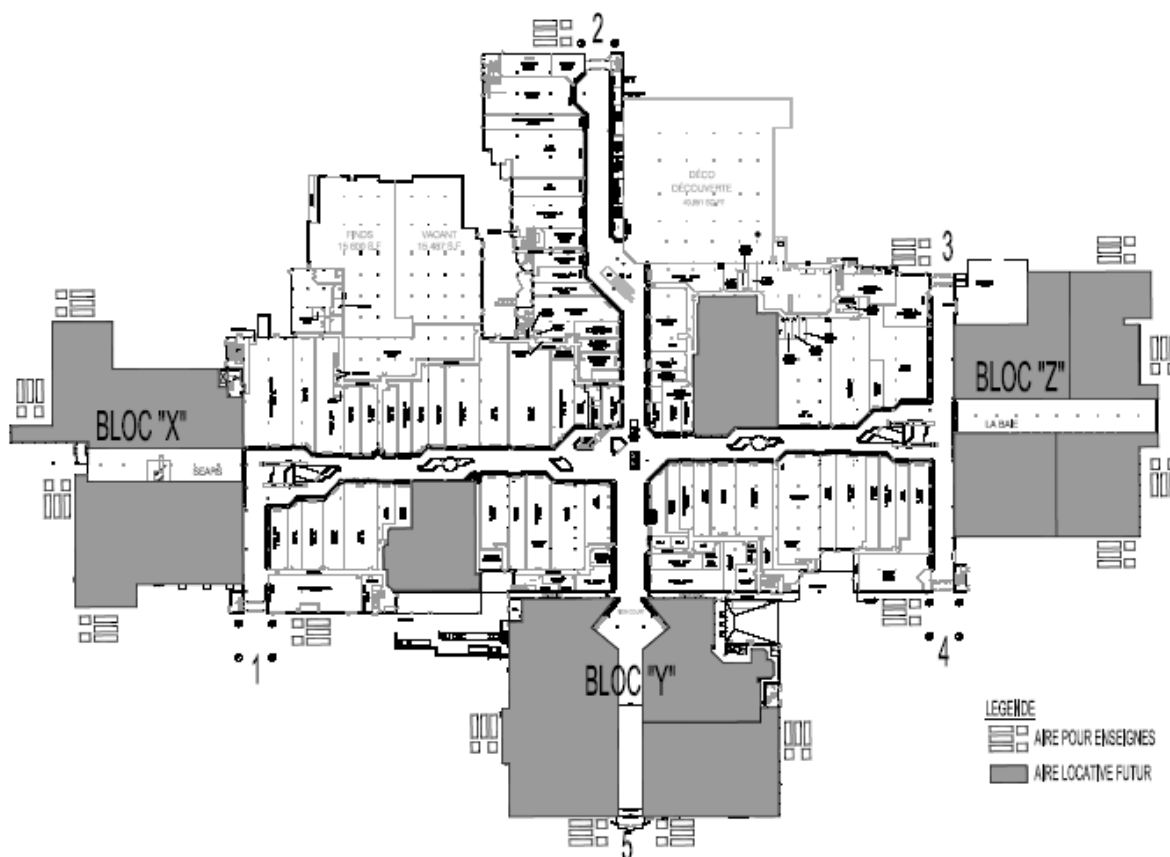
- i) Except in the case of an office building with three or more storeys that is not integrated to a shopping centre, a sign is allowed for an establishment which has at least one entrance leading directly outside and that is not a common entrance shared between more than one establishment. Amendment PC-2775-20 (January 21, 2015)
- ii) The sign can be affixed flat on the wall of the building, on a sign band integrated into the building, on an awning or on a canopy, but it must be installed on the façade where the establishment's main entrance is found.
- iii) The maximum area of such a sign is 10% of the area of the wall on which it is affixed (only the portion of the wall that corresponds to the location occupied by the establishment), up to a maximum of 18.6 square metres (200 square feet). For a sign printed on an awning, the maximum area of the sign shall be 1.5 square metres (16.1 square feet).
- iv) In the case of an establishment facing more than one street, a second sign may be installed on another facade of the establishment; its maximum area shall be 10% of the area of the wall on which it is affixed (only the portion of the wall that corresponds to the location occupied by the establishment), up to a maximum of 18.6 square metres (200 square feet).

e) Large shopping centres

- i) "Plaza Pointe-Claire" shopping centre located in zone "C1" can install, in addition to the signs already permitted according to the preceding paragraph d), additional signs on a sign band integrated into the building for this purpose and subject to the following conditions:
 - a Each of these signs must respect the dimensions of 92 centimetres x 3.66 metres (3 feet x 12 feet);
 - b Each of these signs must be comprised of a panel inserted into a rectangular box of the dimensions specified above;
 - c Each sign must be inserted into the sign band, in a continuous horizontal line on the façade of the shopping centre.
- ii) "Mega Centre Des Sources" shopping centre located in zone "C8" can install, in addition to the signs already permitted according to the preceding paragraph d), a maximum of four (4)

additional signs on the south side wall of the building with the civic addresses of 2345 to 2395 Trans-Canada Highway, subject to the following conditions: Amendment PC-2775-1, September 14, 2011

- a The additional sign can only be comprised of the establishment's logo and/or detached letters (without a frame);
- b The maximum area of each additional sign shall be 11.6 square metres (125 square feet);
- c The additional sign can only identify an establishment that occupies a space on the property of the shopping centre.



- iii) "Fairview Pointe-Claire" shopping centre in zone "MU1" can install, in addition to the signs already permitted according to the preceding paragraph d), additional signs on each facade of each of the shopping centre's three wings, limited to six (6) signs on the west wing (Block X), six (6) signs on the east wing (Block Z) and eight (8) signs on the south wing (Block Y), as shown in the plan below and according to the following conditions:

- a A maximum of four (4) additional signs can be affixed to any of the exterior walls of the same facade of one of the wings of the building ;
- b An additional sign can only identify an establishment that occupies a rental area of at least 1,200 square metres (12,917 square feet) inside the shopping centre and that does not possess an entrance leading directly outside the shopping centre;
- c The sign can only be comprised of the establishment's logo and/or detached letters (without a frame);
- d The maximum area of each additional sign shall be 11.6 square metres (125 square feet);
- e When two of these signs are affixed to the same wall, they must be installed one above the other.

Moreover, the “Fairview Pointe-Claire” shopping center can install, in addition to the signs already permitted according to the paragraph g), additional signs according to the following conditions: Amendment PC-2775-58 (July 10, 2019)

- f a sign affixed to the marquee located on the west façade of the shopping centre. The sign can only be comprised of the “Cadillac Fairview” company logo and/or the name of the shopping centre in detached letters (without a frame) and cannot exceed 1.8 square metres (19.4 square feet);
- g a sign affixed to the south façade of the shopping centre. The sign can only be comprised of the “Cadillac Fairview” company logo and/or the name of the shopping centre, in detached letters (without a frame) and cannot exceed 17.5 square metres (188.4 square feet);
- h for each of the five entrances to the shopping centre, three signs affixed to the façade of each of the entrances according to the following conditions:
 - A sign comprised of the “Cadillac Fairview” company logo. The sign cannot exceed 10 square metres (107.6 square feet);
 - A sign comprised of the name of the shopping centre in detached letters (without a frame). The sign cannot exceed 3.2 square metres (34.4 square feet);
 - A directional sign indicating the number of the entrance. The sign cannot exceed 2.86 square metres (30.8 square feet).

f) Commercial establishments in a village zone or sector

The provisions of this paragraph shall apply to all “Cv” zones and village sectors and shall prevail over any less restrictive provision, except in the case of service stations.

Amendment PC-2775-43 (August 3, 2018)

- i) A sign is allowed for a ground floor establishment which has an entrance leading outside, even if this entrance is a common entrance shared between more than one establishment.
 - ii) The total area for signs calculated in accordance with paragraph c) or d) above, according to the case, may be divided between two (2) signs, i.e., a sign affixed flat against the wall and a sign attached to the wall so that it projects perpendicular to the building, provided that the area of the projecting sign does not exceed the lesser of the following:
 - 60% of the area calculated according to paragraph c) or d) above, according to the case;
 - 0.5 square metres (5.4 square feet).
 - iii) Signs shall not project more than 1.5 metres (4.9 feet) from the building; signs or parts thereof shall not project more than 1 metre (3.3 feet) over the edge of a public street and no part of the projection shall be less than 2.5 metres (8.3 feet) above the level of the sidewalk or street immediately underneath. Amendment PC-2775-45 (May 9, 2018)
 - iv) In the case of a corner lot or of a lot fronting on more than one street, thoroughfare or public square, in addition to the signs permitted according to paragraph c) or d) above, an additional sign shall be permitted provided it has a maximum area of 1 square metre (10.7 square feet).
 - v) No sign or part thereof shall be more than 5 metres (16.4 feet) above the level of the centre of the street.
 - vi) Self-illuminated signs are prohibited.
- g) Detached signs for shopping centres

Shopping centres grouping several establishments within the same building or complex, or on the same lot, are entitled to signs identifying the centre, detached from the building, either installed on a pedestal, on a monument, or on one or more posts. There can be as many of these signs as there are entrances/exits, and they can be self-illuminated but only under the following conditions:

- i) The identification on these signs shall be limited to the name of the shopping centre or grouping and shall display no mention of any establishment or trademark of the products or services offered;
 - ii) The area of such detached signs shall not exceed 2 square metres (21.5 square feet);
 - iii) The height of such signs, including their structure, shall not exceed 3 metres (9.8 feet);
 - iv) Such signs shall be located only at street accesses (entrance/exit) of the shopping centre;
 - v) Such signs shall be located at a minimum of 1 metre (3.3 feet) from any street right-of-way.
- h) Car dealers
- The provisions of this paragraph apply to any car dealer that occupies a detached building and shall prevail over any other less restrictive provision.
- i) A car dealer has the right to a total of three (3) signs which can be installed on any façade;
 - ii) The total area of all of these signs combined cannot exceed 18.6 square metres (200 square feet);
 - iii) The signs can either be installed flat against a vertical surface of the building or detached from the building: on a pedestal, on a monument, or on one or more posts;
 - iv) In addition to the information components authorised under article 8.7a), a car dealer can identify the logo of the manufacturer and/or brand of vehicle in the signage space authorised under paragraph ii) above;
 - v) A maximum number of three (3) directional signs can each have a maximum area of 0.93 square metres (10 square feet). They can only serve to indicate the entrance to one of the services offered by the concession holder (parts, services, sales, or other similar service) and must be affixed flat against a vertical surface of the building.
- i) Office buildings with three or more storeys
- i) A sign is authorised to identify the name of the building;
 - ii) The sign shall be affixed to the wall of the building, at the first floor level or at the highest floor level, completely under the level of the roof;
 - iii) The sign shall include only the logo and/or name of the establishment, in detached letters (without a frame);
 - iv) The maximum area of the sign shall be 18.6 square metres (200 square feet); however, this area can be divided between two (2) signs. Only one of which can be affixed at the highest floor level;
 - v) In the case of a building that is not integrated to a shopping centre, a maximum of four (4) additional signs can be affixed on the ground floor level of the building to identify some of the building's occupants, under the following conditions:
 - a A sign identifying any of the establishments that occupy the building shall have an area not exceeding 5% of the area of the ground floor wall of the building facade where it is affixed; there shall not be more than two (2) signs per building facade;
 - b A sign identifying a ground floor occupant which has its main entrance directly from the outside can be affixed on the part of the façade that is occupied by said establishment where the main entrance is located; it shall have an area not exceeding 10% of the area of that part of the building's facade that is occupied by the establishment;
 - c Those additional signs shall only be formed of detached letters and symbols (without a frame);
 - d Those additional signs cannot be affixed on a glass surface or on a curtain wall; they can only be installed on a sign band or on a horizontal structure which is integrated to the architecture and intended for signage.

Amendment PC-2775-20 (January 21, 2015)

- j) Hotels (including motels and inns)
- i) A hotel with two storeys or less is entitled to two (2) signs meeting the following requirements:
 - a The signs shall be affixed to the wall or detached from the building;
 - b Only one (1) sign shall be installed per facade of the building;
 - c The maximum area of a sign shall be 10% of the area of the facade on which it is installed, up to a maximum of 18.6 square metres (200 square feet);
 - d Signs affixed to a wall may be ~~affixed~~ installed higher than the level of the second floor, but shall be completely under the level of the roof and include only the logo and/or name of the hotel in detached letters (without a frame).
 - ii) A hotel with three storeys or more is entitled to three (3) signs meeting the following requirements:
 - a The signs shall be affixed to the wall or detached from the building;
 - b Only one (1) sign shall be installed per facade of the building;
 - c The maximum area of each sign shall be 18.6 square metres (200 square feet);
 - d Signs affixed to a wall may be installed higher than the level of the second floor, but shall be completely under the level of the roof and include only the logo and/or name of the hotel, in detached letters (without a frame).
 - iii) In addition to the signs authorised above, the principal entrance of the hotel may be identified by a sign affixed above the main door, or on the canopy extending over the main door, and the sign shall have a maximum area of 2 square metres (21.5 square feet);
 - iv) When the hotel contains one or more complementary uses that have their main entrance in the lobby, each of these complementary uses with a floor area greater than 150 square metres (1,615 square feet) may be identified with a sign affixed flat against one of the facades of the building; such signs shall have a maximum area of 1.5 square metres (16.1 square feet);
 - v) When the main entrance of one of the complementary uses located inside the hotel leads directly outside, and is not shared with another establishment, paragraph d) applies.
- k) Service stations and gas stations
- i) A service station and a gas station are entitled to:
 - a One (1) sign affixed flat against the main facade of the building, with a maximum area not exceeding 5% of the area of the main facade of the building;
 - b In the case of a corner lot, in addition to the sign affixed flat against the main facade, a sign affixed flat on the secondary facade of the building, with a maximum area not exceeding 5% of the area of the secondary façade;
 - c One of the following:
 - A sign on one or more posts that shall have a maximum area of 7.4 square metres (80 square feet);
 - Two (2) monument or pedestal signs located outside the triangle of visibility as defined in article 5.5, and at least 1 metre (3.3 feet) from any street right-of-way; the maximum area of each sign shall be 2 square metres (21.5 square feet), and their maximum height shall be 2 metres (6.6 feet).
 - ii) For a service station or a gas station with a car wash, the area of the car wash sign shall not exceed 5% of the total area of the facade of the building;
 - iii) The identification of oil companies on the pumps shall not exceed 0.2 square metres (2.15 square feet) per pump and is not included in the calculation of the total area for signs;
 - iv) In addition to the other signs permitted, a sign with a maximum area of 1 square metre (10.8 square feet) displaying a trademark of specialized products distributed by the establishment

(or, where authorised, a vehicle rental franchise) is also permitted. The latter is not included in the calculation of the total area for signs.

- l) Industrial uses
 - i) Any establishment, whatever the type of building it occupies, is entitled to only one (1) sign;
 - ii) Repealed - Amendments PC-2775-4 (March 7, 2012) & PC-2775-17 (July 9, 2014)
 - iii) Repealed - Amendment PC-2775-4 (March 7, 2012)
 - iv) The sign shall be affixed flat against the facade of the building;
 - v) The area of the sign shall not exceed the lesser of the following areas:
 - 10% of the facade of the portion of the building occupied by the establishment;
 - 27.9 square metres (300 square feet).
- m) Public or utility establishments
 - i) The maximum number of signs permitted is one (1);
 - ii) Signs may be either affixed flat against the main facade of the building or detached from the building and mounted on a pedestal, on a monument, or on one or more posts;
 - iii) The maximum area of any sign either affixed against the facade of the building or detached from the building, shall not exceed 10% of the area of the facade.

PROVISIONS CONCERNING THE PROTECTION OF THE ENVIRONMENT

Table of contents

- 9.1 General standards regarding methods and processes**
 - a) Area of application, application for permit and burden of proof
 - b) Other laws and by-laws
 - c) Control and verification
 - d) Obligatory and continuous nature of the standards
 - 9.2 Prohibited nuisances**
 - 9.3 Explosive, inflammable, radioactive or toxic substances**
 - a) Explosives
 - b) Inflammable materials
 - c) Radioactive substances
 - d) Hazardous or toxic materials
 - 9.4 Protection of shores and riverbeds of waterways**
 - a) Operations prohibited on the riverbank or the riverbed of a waterway
 - b) Exceptions on the riverbank
 - c) Exceptions for the riverbed
 - 9.5 Floodplain**
 - a) Definition
 - b) Actions prohibited in the floodplain
 - c) Exceptions
 - d) Flood-proofing precautionary standards
 - e) Exceptions in the 100-year floodplain
 - 9.6 Trees**
 - 9.7 Natural habitat mosaics**
 - a) Biodiversity
 - b) Water supply
-

9.1 General standards regarding methods and processes

- a) Area of application, application for permit and burden of proof

Any application to locate a new establishment, or enlarge or modify an existing establishment other than a residential establishment, shall be submitted to the City of Pointe-Claire, accompanied by:

- i) Documents necessary for a proper understanding of the project, prepared by recognized professionals, such as drawings and specifications for construction and development and a description of the industrial processes, in order to enable the City to ensure that the standards are observed;
- ii) A certification signed by the applicant stating that the standards in effect at the time of the application are being, and will be, observed.

The burden of proof with respect to the compliance with standards rests with the applicant, and it shall be at the discretion of the City to require, as deemed appropriate, such proof in order to ensure that the standards are observed at all times.

- b) Other laws and by-laws

Prior approval from the City procured by the applicants, as required by paragraph a), shall not relieve applicants of their responsibility for obtaining any permits that may be required under other federal, provincial or municipal laws and regulations.

- c) Control and verification

The City of Pointe-Claire is authorised to take all necessary measures required to verify that any establishment being built or in operation, conforms to the standards, including:

- i) Visiting the establishment;
 - ii) Installing monitoring instruments;
 - iii) Taking samples inside or outside the establishment.
- d) Obligatory and continuous nature of the standards
- The standards are compulsory and continuous in nature with respect to their application and shall apply irrespective of any change in owner, tenant, occupant or use.

9.2 Prohibited nuisances

All outdoor industrial activity is prohibited in all zones and for all uses and establishments.

In all zones and for all uses and establishments, no use or activity shall create any of the following nuisances beyond the limits of the property:

- i) Ground vibrations;
- ii) Emission of heat or vapour from industrial processes;
- iii) Smoke, dust, ash or soot;
- iv) Emission of toxic substances;
- v) Emission of unpleasant odours capable of being perceived by the human olfactory system ;
- vi) Flashes of light;
- vii) Constant or intermittent noise louder than 50 decibels.

The prohibited nuisances described in this article apply, in particular, to collection or recycling establishments, rubber processing plants and plants manufacturing oilcloth or tar; factories making soap, chemical fertilizer, creosote products, or alcoholic beverages; distillation plants; foundries, tanneries and refineries; plants where decomposing animal matter is processed; establishments where coal, firewood or other fuels are stored or sold; and depots of petroleum products.

9.3 Explosive, inflammable, radioactive or toxic substances

In all zones and for all uses or establishments:

- a) Explosives
- The use of explosives is permitted only for construction work in compliance with the safety code of the Commission de la Santé et de la Sécurité du Travail and provided it can be shown that it causes no nuisance to neighbouring uses and activities.
- b) Inflammable materials
- The production or processing of highly inflammable or explosive materials is prohibited.
- c) Radioactive substances
- The production of radioactive substances is prohibited. The storage and use of radioactive substances shall comply with the standards of the Atomic Energy Control Board of Canada and is limited to that normally required to operate measurement and detection instruments.
- d) Hazardous or toxic materials
- Chemical industries with outdoor facilities are prohibited, as well as chemical industries whose principal activity consists of producing, storing or distributing significant quantities of industrial chemicals that could be hazardous or toxic; and manufacturing plants, depots and sites for the disposal, recycling or burying of toxic products or products that can in any way pose a hazard to the health or well-being of the population, in particular any use involving the destruction, recycling, processing, use or storage of polychlorinated biphenyls (PCB), or any hazardous material as defined in [Quebec's Regulation respecting hazardous materials](#) or with properties characteristic of hazardous materials as defined in article 3 of the aforementioned regulation.

9.4 Protection of shores and riverbeds of waterways

This article applies to all waterways with a constant or intermittent flow; however, ditches as defined in Appendix "1" are not considered waterways.

a) Operations prohibited on the riverbank or the riverbed of a waterway

In any area defined as "riverbank" in Appendix "1" of this by-law, as well as in any area defined as "riverbed" in this by-law, the following is prohibited:

- i) Any construction;
- ii) Any structure;
- iii) Any work.

b) Exceptions on the riverbank

i) Notwithstanding the provisions of paragraph a), the following operations are authorised on the riverbank:

- a Maintenance, repair and demolition of existing constructions or structures used for residential purposes;
- b Fence installation (masonry walls are not permitted);
- c Aboveground constructions such as balconies and cantilevered or suspended constructions;
- d Vegetation clearing to create an opening 5 metres (16.4 feet) wide with a path or stairway that provides access to the water and laid out in a manner that prevents erosion; limited to one (1) such opening per land site;
- e Municipal undertakings or structures used as public access points and in accordance with the requirements of the [Environment Quality Act](#);
- f Shore restoration projects and projects for the restoration of a permanent and sustainable vegetation cover, i.e. the planting or seeding of plant species, trees or shrubs, as well as any work to scarify, level and add arable soil that is required for these purposes;
- g Structures and mechanical or vegetal stabilization work such as ripraps, gabions or retaining walls, with priority to the technique most likely to facilitate a future natural vegetation establishment, upon acceptance by the City of a report prepared by a professional, demonstrating that the slope, nature of the soil and conditions of the landsite are not favourable to the reestablishment of the vegetation cover and the natural aspect of the shore by means described in sub-section "f" above;
- h Undertakings and works required for any building, structure, or work authorised on the riverbed in accordance with paragraph c) below;
- i With regards to tree felling, only sanitation cutting.

ii) Additional exceptions to the riverbank of a waterway other than Lake Saint-Louis

In addition to the exceptions referred to in the preceding paragraph, the following actions are permitted on the riverbank of a waterway other than Lake Saint-Louis, such as the Terra Cotta Park, Denis and St. James Streams:

- a The construction or extension of a main building for residential purposes under the following conditions:
 - The dimensions of the lot no longer allow for the construction or extension of the main building following the coming into force of the riverbank protection measures applicable to the waterways, and the construction or extension cannot be reasonably created elsewhere on the property;

- The allotment was created before December 21, 1983, date of the coming into force of the Interim Control By-Law of the Montreal Urban Community (By-Law 65);
 - A protective strip of land of a minimum of 5 metres (16.4 feet) shall be kept in its current state or returned to its natural state.
- b** The construction or erection of a swimming pool, of a deck, of a shed, or of a detached garage or other ancillary building, only on the part of the riverbank that is no longer in a natural state and under the following conditions:
- The dimensions of the lot no longer allow for the construction or erection of a swimming pool, of a deck or of an ancillary building, following the coming into force of the riverbank protection measures applicable to the waterways;
 - The allotment was created before December 21, 1983, date of the coming into force of the Interim Control By-Law of the Montreal Urban Community (By-Law 65);
 - A protective strip of land of a minimum of 5 metres (16.4 feet) shall be kept in its current state or returned to its natural state ;
 - The ancillary building shall rest on the landsite and no excavation or filling shall be undertaken.
- c)** Exceptions for the riverbed
- Notwithstanding the provisions of paragraph a), the following operations are authorised in the riverbed:
- i) Docks built of floating platforms, of a maximum area of 20 square metres (215 square feet);
 - ii) Docks constructed on piles or on posts and serving marinas situated in public 'Pa' zones;
 - iii) Water intakes, limited to the installation of a pump and a screen, without any dredging or backfilling work or the creation of a ledge;
 - iv) Encroachments on the riverbed required to carry out the work authorised on the riverbank;
 - v) Buildings, structures and work for municipal purposes or for purposes of public access, including their maintenance, repair and demolition, subject to obtaining authorisation under the applicable laws.

9.5 Floodplain

a) Definition

A floodplain is the area occupied by a lake or a waterway during floods. It corresponds to the geographical area of flooded sectors. For Lake Saint-Louis, its boundaries correspond to the following elevations:

- i) Geodesic elevation of 21.99 metres for the 2-year floodplain;
- ii) Geodesic elevation of 22.75 metres for the 20-year floodplain;
- iii) Geodesic elevation of 23.2 metres for the 100-year floodplain;

The above was established in a study undertaken by the Ministère du Développement Durable, de l'Environnement et des Parcs for the Saint-Lawrence River, which includes Lake Saint-Louis (technical report number MH-85-03 published in 1985).

b) Actions prohibited in the floodplain

The following actions are prohibited in the 20-year and 100-year floodplains:

- i) Any construction;
- ii) Any structure;
- iii) Any well and septic installation;

- iv) Any filling or excavation work other than that required as flood-proofing precautionary standards to authorised buildings and structures.
Any excavation followed by filling of the same volume in order to strengthen the ground and improve its carrying capacity does not constitute filling under this section.
- c) Exceptions
Notwithstanding the provisions of paragraph b), the following operations are authorised in the floodplain:
 - i) Work that is intended to keep the land in good condition or to maintain, repair, modernize or demolish existing buildings and structures, provided that such work does not increase the area of the property exposed to flooding.
However, during upgrade or reconstruction work to an infrastructure related to a public thoroughfare, the area of the structure exposed to flooding may be increased by 25% for public safety reasons or to make the infrastructure compliant with applicable standards.

In the case of the reconstruction of foundations on existing buildings and structures, flood-proofing precautionary standards must be applied to the entire building or structure;
 - ii) Work, buildings or structures intended for public access or for municipal purposes;
 - iii) Linear underground public utility facilities such as electrical lines and telephone lines, as well as water mains and sewer lines with no service connection for buildings or structures located below the 20-year floodplain;
 - iv) An open space facility for recreational purposes, other than a golf course, that can be created without excavation or filling work;
 - v) Pools and spas, without any increase in the level of the land level through backfilling.
- d) Flood-proofing precautionary standards
For the principal constructions authorised under the preceding exceptions, the flood-proofing precautionary standards established in the Construction By-Law for constructions in certain floodplains shall apply.
- e) Exceptions in the 100-year floodplain
Principal constructions that meet the flood-proofing precautionary standards referred to in the Construction By-Law for constructions in certain floodplains are permitted in the floodplain located between the 20-year floodplain elevations and the 100-year floodplain elevations.

9.6 Trees

9.6.1 Preservation

- a) Anywhere within the limits of the City, all trees must be preserved and maintained so as to prolong their life.
- b) The following actions on trees are prohibited:
 - i) poisoning a tree;
 - ii) girdling a tree.
- c) It is prohibited to fell a tree other than for the following reasons:
 - i) The tree is dead or in such condition that it will be dead within a year;
 - ii) The tree is infested with an insect or an incurable disease and poses a risk of infestation or disease outbreak for other trees;

- iii) In the case of an ash tree infested by the emerald ash borer, the felling shall be subject to the conditions that are set forth pursuant to chapters III and IV of the by-law regarding the fight against the spread of the emerald ash borer on the territory of the City of Pointe-Claire;
- iv) The tree is a danger to people or property because of the risk of falling branches, and pruning or guying would not make the tree safe;
- v) The tree is a nuisance for the growth and well-being of a neighbouring tree in better structural and physiological condition;
- vi) There is an absolute requirement to fell the tree in order to carry out public utility works;
- vii) There is an absolute requirement to fell the tree in order to carry out projects authorised by the City, such as construction, installing permanent recreational equipment, laying out pavement or putting in underground infrastructure. This does not apply when such work could reasonably be carried out elsewhere on the property while allowing the preservation of the tree;
- viii) The tree trunk is located less than 1.5 metre (4.9 feet) from the vertical projection of a building's roof, or less than 1 metre (3.3 feet) from a paved area (interlocking block, asphalt or concrete) or swimming pool;
- ix) The tree trunk is located above an underground sewer or water main pipe;
- x) The tree causes damage by its roots to public or private property, damage which is serious and substantiated in a report prepared by an engineer, member of a Quebec professional order;
- xi) In a case where the tree canopy covers more than 75% of the rear yard area, the felling of one or more trees will be authorised so as to achieve a cover of 50%, this in order to improve sunlight on the property, with preference given to the trees with the best structural and physiological conditions.

The following are not considered to be nuisances, damage or reasons for felling a tree: normal inconveniences related to the presence of a tree, such as falling twigs, leaves, flowers or fruit; presence of roots on the ground; presence of animals or insects; shade; unpleasant smells; exudate of sap or honeydew or release of pollen.

- d) There must always be at least one tree in the front yard of any landsite.
- e) The trimming of trees is authorised inasmuch as it is carried out in a way that does not harm the trees' health and safety. The trimming of trees must be done in accordance with the most recent version of standard NQ 0605-200 published by the Bureau de normalisation du Québec.
- f) Pollarding a tree is prohibited, except if this operation is the only way to make the tree safe, and insofar as otherwise, the tree would be considered a danger to people or property.
- g) In the case of an ash tree, pruning and/or pollarding activities, as the case may arise, shall be authorized only to the extent permitted in accordance with the conditions contemplated under sections 9 to 13 of the by-law regarding the fight against the spread of the emerald ash borer on the territory of the City of Pointe-Claire.

9.6.2 Planting

- a) Obligation to plant

Whenever a tree is felled whose trunk diameter is 10 cm (4 inches) or more, measured 1 metre (3.3 feet) from ground level, this tree must be replaced by a new tree within the year that follows the issuance of the certificate of authorisation to fell a tree, or at the end of the construction work, unless The Director judges and rules in writing that no new plantation can be made because

of a lack of space. The planting must be done in accordance with the provisions of the present section.

b) Replacement trees

Replacement trees required as per the preceding paragraph must be chosen among the following genera: *Acer*, *Amelanchier*, *Carya*, *Catalpa*, *Celtis*, *Cercidiphyllum*, *Fagus*, *Gleditsia*, *Ginkgo*, *Gymnocladus*, *Juglans*, *Larix*, *Malus*, *Phellodendron*, *Picea*, *Pinus*, *Prunus*, *Quercus*, *Sorbus*, *Tilia*, *Ulmus*.

c) Replacement of trees on residential properties

When planted, replacement trees must have the following characteristics in terms of size:

- i) If it is a deciduous tree, at the time it is planted, it must have a trunk diameter of at least 30 mm (1¼ inch), measured 30 cm (1 foot) above ground level, and a total height of at least 2 metres (6.6 feet), measured from the base of the trunk to the tip of the highest branch;
- ii) If it is a coniferous tree, at the time it is planted, it must have a total height of at least 1 metre (3.3 feet), measured from the base of the trunk to the tip of the highest branch.

Every new tree that is planted in accordance with the above sub-paragraphs, following the felling of another tree, must be replaced under the same conditions if it dies or is felled before reaching a height of 4 metres (13.1 feet) or a trunk diameter of 10 cm (4 inches), measured 1 metre (3.3 feet) above ground level.

d) Replacement of trees on commercial, industrial and institutional properties

When planted, replacement trees must have the following characteristics in terms of size:

- i) If it is a deciduous tree, at the time it is planted, it must have a trunk diameter of at least 5 cm (2 inches), measured 30 cm (1 foot) above ground level, and a total height of at least 3 metres (9.8 feet), measured from the base of the trunk to the tip of the highest branch;
- ii) If it is a coniferous tree, at the time it is planted, it must have a total height of at least 1.75 metre (5.7 feet), measured from the base of the trunk to the tip of the highest branch.

Every new tree that is planted in accordance with the above sub-paragraphs, following the felling of another tree, must be replaced under the same conditions if it dies or is felled before reaching a height of 4 metres (13.1 feet) or a trunk diameter of 10 cm (4 inches), measured 1 metre (3.3 feet) above ground level.

e) Planting distances

Whenever a tree is planted, the following minimum distances must be observed:

- i) 1.5 metre (4.9 feet) from the vertical projection of the roof of a building;
- ii) 1 metre (3.3 feet) from a paved area;
- iii) 1 metre (3.3 feet) from any property limit, including street right-of-way limits;
- iv) 2 metres (6.6 feet) from an underground sewer or water main pipe;
- v) 5 metres (16.4 feet) from another tree;
- vi) Planting shall also be done in such a way that it does not hinder the visibility on public thoroughfares or in the triangle of visibility, in accordance with article 5.5 of this by-law.

f) Prohibited tree species

Planting of the following tree species is prohibited throughout the territory of the City, except in public parks:

- i) Weeping willow (*Salix alba*);
- ii) Laurel willow (*Salix laurifolia* or *Salix pentandra*);
- iii) Black willow (*Salix nigra*);
- iv) Any other species of high branching willow (*Salix spp.*);
- v) White poplar (*Populus alba*);
- vi) Cottonwood (*Populus deltoides*);
- vii) Lombardy poplar (*Populus nigra var. italica*);
- viii) Any other species of high branching poplar (*Populus spp.*);
- ix) All species of ash trees (*Fraxinus*);
- x) Silver Maple (*Acer saccharinum*).

9.6.3 Protection during construction work

a) Protection outside of work perimeter

During construction work, any tree that is located outside the work perimeter for constructing or laying out buildings, alleys, parking areas, or any other structure or infrastructure must be protected and preserved in good condition. The work perimeters for the various structures and infrastructures are as follows (see Figure 1):

- i) Main building: 4 metres (13.1 feet);
- ii) Driveway access and parking: 3 metres (9.8 feet);
- iii) Swimming pool: 4 metres (13.1 feet);
- iv) Underground connection of public utilities (water main, sewer, electricity, gas, telecommunications): 2 metres (6.6 feet);
- v) Other structures: 1.5 metres (4.9 feet).

b) Protection in the perimeter of the tree canopy's projection on the ground

When the following types of work are carried on outside a work perimeter, but within the area formed by a tree canopy's projection on the ground (see Figure 2):

- i) Work involving soil excavation;

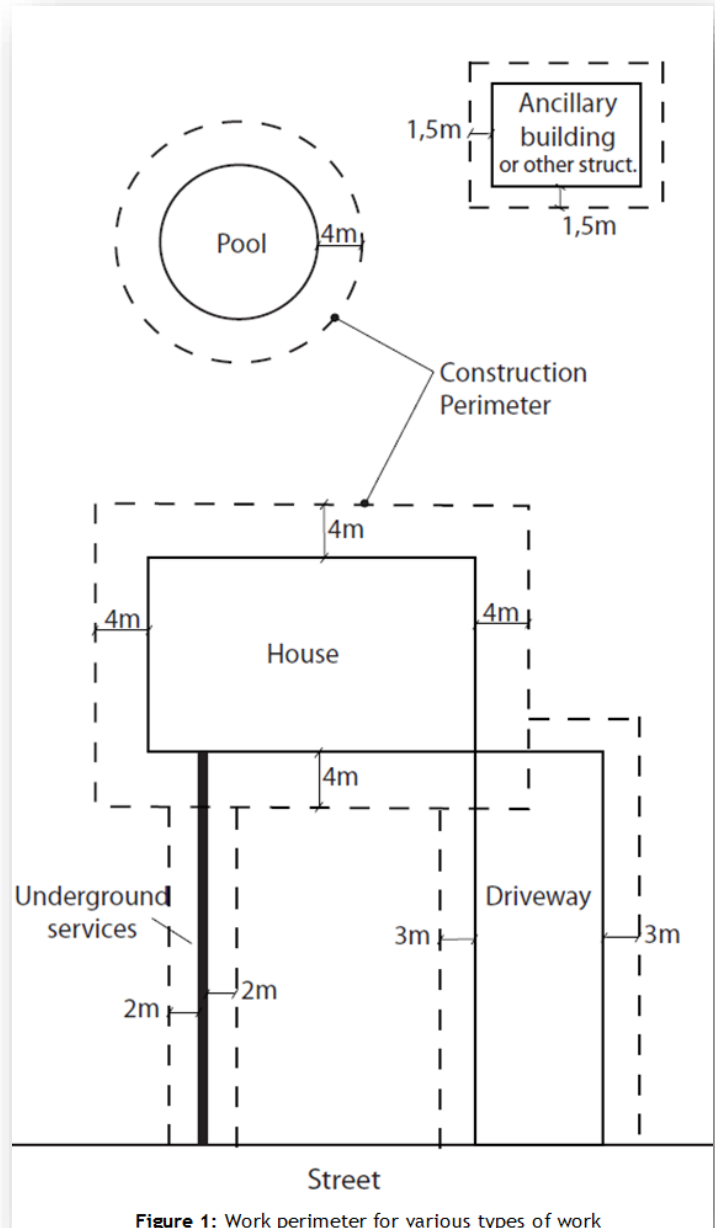
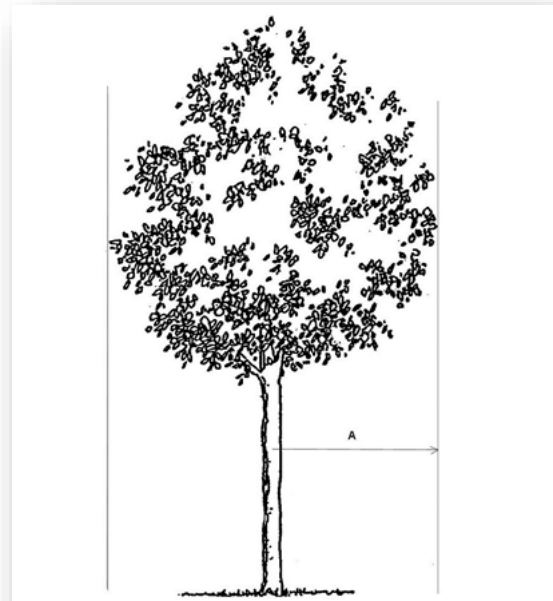


Figure 1: Work perimeter for various types of work

- ii) Work resulting in raising the ground level 15 cm (6 inches) or more above the natural ground level;
- iii) Work involving the use of vehicles or temporary storage of materials of any kind;

The following protective measures must be implemented and maintained for the duration of the work, and this for any public tree that is 4 cm (1½ inches) or more in trunk diameter and any private tree that is 10 cm (4 inches) or more in trunk diameter:

- a A solid protection fence (metal fence or plywood boards) at least 1.2 metres (4 feet) in height must be installed at the work area boundary and kept in place throughout the duration of the work;
- b Movement of machinery, equipment and workers, and storage, even temporary, of materials of any type (including excavated soil or infill material), and waste of any sort are prohibited at any time outside the protection fence;
- c Any damage to trees, whether physical or chemical in nature, is prohibited, as well as altering the physicochemical properties of the soil located under the tree canopy (see Figure 2);
- d If materials must be moved or stored, even temporarily, measures to protect the soil and the trees must be taken:
 - the soil around trees where an encroachment is required must be protected against packing (or compaction); to do this, a geotextile membrane permeable to air and water must be placed directly on the ground and covered with a 40-cm (15-inch) layer of wood chips - when the work is to be completed in 15 days or less - or 0-19 mm (0-¾ inch) crushed stone when the work is to take longer than 15 days;
 - the trunks of trees that are near or in the area where an encroachment is required must be protected against physical damage; to do this, the tree trunks must be covered with planks of wood at least 15 mm (½ inch) thick, attached from the outside by two strips of plastic or steel, and two rubber strips must be placed between the planks and the trunk (see Figure 3).



A = Minimum protection radius for the tree
= Distance between the trunk centre and the projection of the tree canopy on the ground

Figure 2: Minimum distance for tree protection

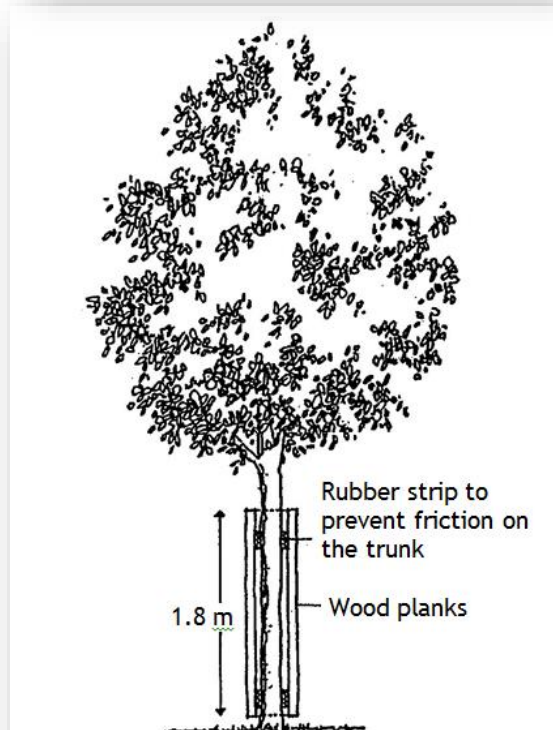


Figure 3: Protective measures against physical damage to the trunk.

c) Protection of the roots

Before the excavation begins, roots that reach the edge of the excavation must be pre-cut to make sure they are not torn from the ground outside the excavation zone. First, the grass must be removed manually or with a compressed air machine. A stump grinder, a concrete saw or a sharp tool (cutter, chainsaw) must be used to cut the roots directly in the ground in a frank manner (straight cut) to a minimum depth of 40 cm (16 inches) to make sure that the root system does not rot. Roots must not be torn. If roots more than 5 cm (2 inches) in diameter are found at a depth of more than 40 cm (16 inches), they must be carefully cleared and cut with a sharp tool (cutter, chain saw).

d) Permanently lowering or raising the ground level

When work is done that will permanently raise or lower the natural ground level, the measures described and illustrated below must be applied to minimise loss of roots:

i) *Lowering the natural ground level less than 30 cm (1 foot)*

In such a case, gradual grading must be carried out and care must be taken to preserve roots 5 cm (2 inches) or more in diameter.

ii) *Lowering the natural ground level more than 30 cm (1 foot)*

In such a case, the ground must be held by a retaining wall or embankment installed as far as possible from the trunk, but never less than 2 metres (6.6 feet) away from it (see Figure 4).

All parts of roots 5 cm (2 inches) in diameter and more that are exposed to air must be cut straight and clean using a sharp tool along the excavation line, to a depth of 45 cm (18 inches) below grade.

iii) *Raising the natural ground level less than 15 cm (6 inches)*

When the ground level is raised in this way within 6 metres (19.7 feet) or less of the tree trunk, the ground must be aerated within a radius of 6 metres (19.7 feet) around the trunk, using an auger 8 cm (3 inches) or less in diameter to make holes 75 cm (30 inches) apart from each other. No hole shall be dug less than 1 metre (3.3 feet) from the tree trunk. The holes must be filled with vermiculite, perlite, coarse sand or equivalent material. The texture of the infill material must be coarser than the natural soil in place.

iv) *Raising the natural ground level between 15 and 40 cm (6 and 16 inches)*

When the ground level is raised in this way in the area in which a tree's canopy is projected on the ground (see Figure 2), the following measures shall be applied.

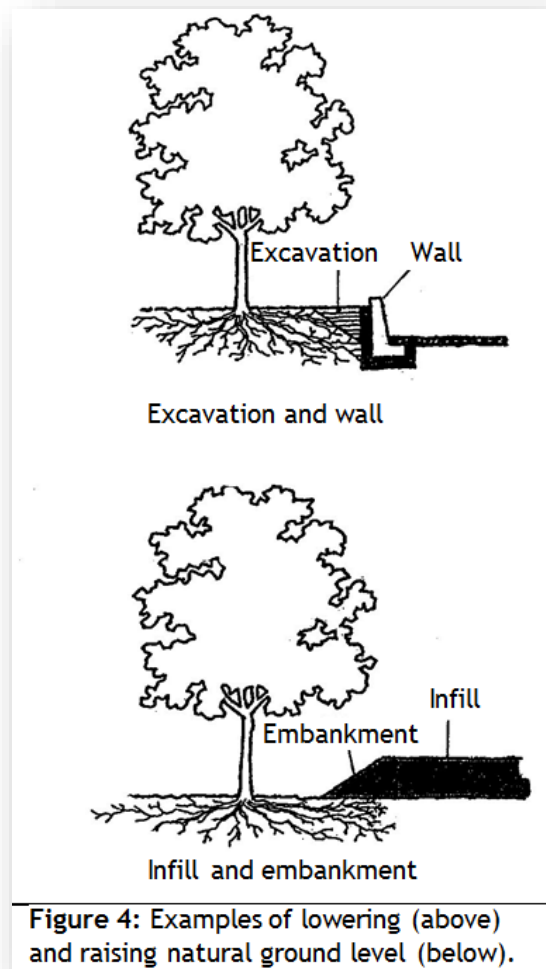


Figure 4: Examples of lowering (above) and raising natural ground level (below).

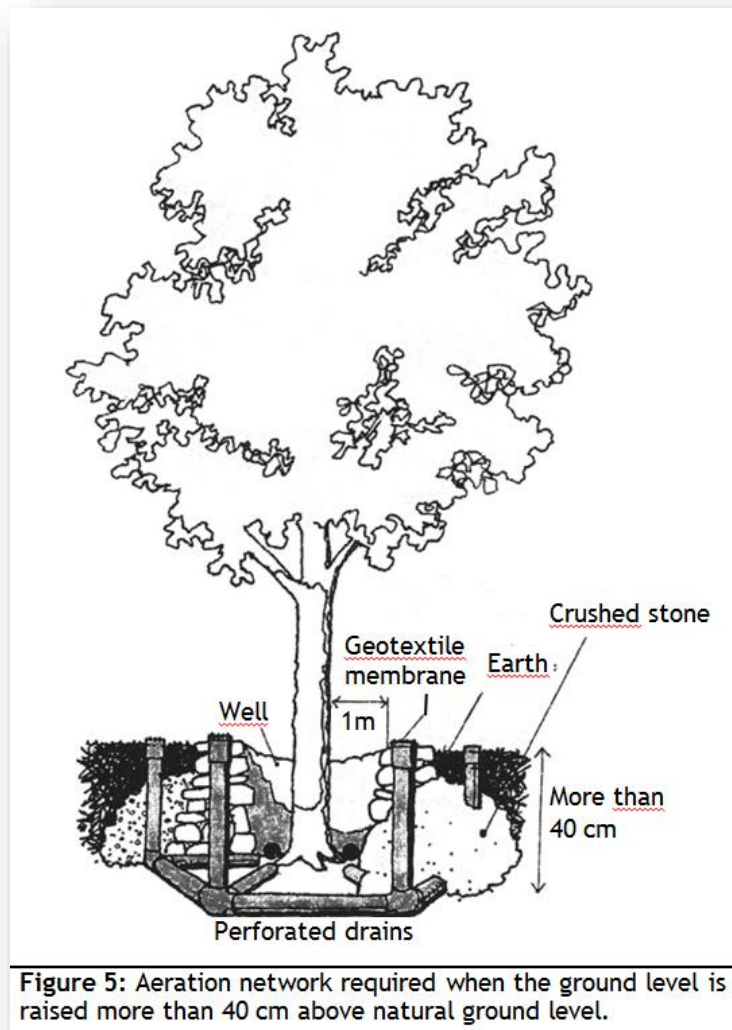
In the area in which a tree's canopy is projected on the ground, a geotextile membrane permeable to air and water must be placed directly on the ground and covered with a 10-cm (4-inch) layer of crushed stone 20 to 50 mm (1 to 2 inches) in diameter. This crushed stone layer must be covered with a second geotextile membrane permeable to air and water. Furthermore, a 5-cm (2-inch) layer of washed sand must be laid on the second geotextile membrane before laying the final layer of the appropriate backfill soil.

v) *Raising the natural ground level more than 40 cm (16 inches)*

When the ground level is raised in this way in the area in which the tree's canopy is projected on the ground (see Figure 2), the following measures shall be applied.

The trunk must remain free of any infill within a radius never less than 50 cm (20 inches) around the trunk. The radius is measured from the outer edge of the trunk.

In the area in which the tree's canopy is projected on the ground (see Figure 2), a geotextile membrane permeable to air and water must be placed directly on the ground and covered with a 10-cm (4-inch) layer of crushed stone 20 to 50 mm (1 to 2 inches) in diameter. This crushed stone layer must be covered with a second geotextile membrane permeable to air and water. Furthermore, a 5-cm (2-inch) layer of washed sand must be laid on the second geotextile membrane before laying the final layer of the appropriate backfill soil. Crushed stone must be cut through by at least six perforated drains with a diameter of 10 to 15 cm (4 to 6 inches) arranged in the form of a wagon wheel. Horizontal drains must be connected together horizontally by the same type of drains. Horizontal drains must also be connected to vertical drains leading up to the final grade level of the area laid out with crushed stones, in the area where the tree's canopy is projected on the ground. Vertical drains must then be filled with crushed stone 20 to 50 mm (1 to 2 inches) in diameter, up to 15 cm (6 inches) below the final grade level (see Figure 5).



Amendment PC-2775-18 (January 21, 2015)

Figure 5: Aeration network required when the ground level is raised more than 40 cm above natural ground level.

9.7 Natural habitat mosaics

a) Biodiversity

Any project for the construction or extension of a building or the development of a lot located in one of the natural habitat mosaics in zone Mu2, and Pa37 must be designed and carried out in such a way as to maximise preservation of a forested area or wetland located therein, enhance it and integrate it with the project, taking into account its ecological value, and emphasize its biodiversity. *Amendment PC-2775-65 (May 12, 2021)*

b) Water supply

Any project for the construction or extension of a building or the development of a lot located in a one of the natural habitat mosaics in zones Mu2, and Pa37 or on a lot adjacent to these zones must not compromise the natural water supply. *Amendments PC-2775-27 (December 17, 2015) / Amendment PC-2775-65 (May 12, 2021)*

SPECIFIC PROVISIONS PERTAINING TO GAS STATIONS, SERVICE STATIONS AND CAR WASHES

Table of contents

- 10.1 Area of application
 - 10.2 Permitted activities
 - 10.3 Minimum lot sizes
 - 10.4 Building
 - 10.5 Location of building and pumps
 - 10.6 Use of outdoor areas
 - 10.7 Street access
-

10.1 Area of application

The provisions of this chapter shall apply to all gas stations, service stations and car washes in all zones and shall prevail over all other provisions of either a general or specific nature.

10.2 Permitted activities

For the purposes of applying this by-law, gas stations, service stations and car washes shall be limited to the following activities:

- i) Sale of gasoline, oil, grease, batteries, tires and other automobile accessories;
- ii) Tire repair, excluding retreading;
- iii) Diagnosis of mechanical problems;
- iv) Replacement of defective parts not requiring major repairs;
- v) Washing of automobiles;
- vi) Lubrication of automobiles;
- vii) Minor emergency repairs;
- viii) The sale of portable barbecue propane containers.

The term "repair" excludes all bodywork, vehicle dismantling or assembly, welding, sanding and painting.

10.3 Minimum lot sizes

Notwithstanding the provisions of article 3.1, gas stations, service stations or car washes shall not be established on properties less than 1,000 square metres (10,765 square feet) in area and with less than 30 metres (98.4 feet) of frontage on any adjacent or bordering street.

10.4 Building

- a) Only one (1) building shall be permitted on the property occupied by a gas station, service station or car wash.
- b) The building shall consist of only one (1) floor: its minimum height shall be 4.5 metres (14.8 feet) and its maximum height 8 metres (26.2 feet).
- c) Flat roofs are not authorised on the main building. Such a roof shall have a slope of more than 3/12.
- d) The minimum building area is 100 square metres (1,076.5 square feet) for service stations and 42 square metres (452.1 square feet) for car washes or gas stations. The maximum area shall in no case exceed 235 square metres (2,529.8 square feet).

- e) The minimum width of the building facade is 10 metres (32.8 feet) for service stations and 6.5 metres (21.3 feet) for car washes or gas stations.

10.5 Location of building and pumps

- a) The minimum front setback for a building is 12 metres (39.4 feet); the minimum lateral and rear setbacks are 3 metres (9.8 feet), or 6 metres (19.7 feet) when adjacent to any residential property located in a residential zone.
- b) The first 5 metres (16.4 feet) of the front setback, measured from the public street right-of-way, shall be left free of any structure with the exception of posts supporting signs or lights, provided that none of these posts is located less than 3 metres (9.8 feet) from any public street right-of-way and provided they do not interfere with circulation.
- c) Pumps shall be located at least 5 metres (16.4 feet) from the street right-of-way and at least 6 metres (19.7 feet) from any other property limit. The pumps may be covered by a flat roof or other type of canopy; however, this canopy shall not be closer than 5 metres (16.4 feet) to the street right-of-way.
- d) Pumps may be provided with a collection booth, the floor area of which shall not exceed 10 square metres (107.6 square feet), the height of which shall not exceed 3 metres (9.8 feet) and provided that said booth is no closer than 6 metres (19.7 feet) to any street right-of-way. Said booth shall not be considered a building for the purposes of article 10.4.

10.6 Use of outdoor areas

- a) The permanent display of products or accessories or any other goods for sale outside the building is prohibited, with the exception of portable barbecue propane containers.
- b) The display of new or used automobiles or any other motor vehicles for purposes of sale is prohibited.
- c) Any outdoor storage is prohibited, particularly the storage of automobiles which have been in accidents or which are not in working order, along with debris or automobile parts.

10.7 Street access

Street access for automobiles shall conform to the provisions of this by-law pertaining to vehicular accesses. In addition, no street entrances shall be located less than 4.5 metres (14.8 feet) from the lateral lot lines, less than 9 metres (29.5 feet) from any intersection of street rights-of-ways, and less than 6 metres (19.7 feet) from any other entrance to this same property.

NON-CONFORMING STRUCTURES AND USES

Table of contents

- 11.1 Non-conforming structures
 - 11.2 Non-conforming uses
 - 11.3 Acquired rights
 - 11.4 Repairs or improvements to non-conforming structures
 - 11.5 Extensions to non-conforming structures
 - a) Non-conforming minimum height or minimum number of storeys
 - b) Non-conforming encroachment in a minimum setback
 - c) Single-family homes on a corner lot
 - 11.6 Repair, improvement or extension of a non-conforming use
 - a) Repairs or improvement
 - b) Extension
 - 11.7 Modification or replacement of a non-conforming use
 - 11.8 Termination of acquired rights pertaining to non-conforming structures
 - 11.9 Termination of acquired rights applying to non-conforming uses
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11.1 Non-conforming structures

A non-conforming structure shall be considered to be any structure which contravenes one or more of the provisions of this by-law, but which either:

- i) Existed when this by-law came into effect; or
- ii) For which a construction permit, in conformity with the provisions of the by-law repealed in article 1.2, had been issued prior to this by-law coming into force, provided that such permit remains valid and that the work is completed within the allotted time.

11.2 Non-conforming uses

A non-conforming use is considered to be any use of a property or structure, whether or not the structure is itself non-conforming to the present by-law, which contravenes one or more provisions of this by-law, but :

- i) Was existing or effective at the time this by-law came into force; or
- ii) For which a construction or occupancy permit, in conformity with the provisions of the by-law repealed in article 1.2, had been issued prior to this by-law coming into force, and provided that such permit remains valid and that the work is completed within the allotted timeframe.

11.3 Acquired rights

- i) A non-conforming structure has acquired rights provided that a permit had been legally issued for it under a zoning by-law pre-dating this by-law, or that it was erected prior to February 25, 1972, the date that Zoning By-Law 1608 came into force.
- ii) A non-conforming use has acquired rights provided that a permit had been legally issued for it under a zoning by-law pre-dating this by-law, or that it existed prior to December 1, 1952, the date that the first zoning by-law of the City of Pointe-Claire came into force, and provided that it still existed within the timeframe specified in article 11.9.

11.4 Repairs or improvements to non-conforming structures

A structure which is non-conforming to this by-law may be repaired or improved, but may not be modified to render it more non-conforming in terms of the present by-law.

11.5 Extensions to non-conforming structures

Provided that it complies with all the other provisions of this by-law, a non-conforming structure can be extended only in the cases and under the conditions that follow:

a) Non-conforming minimum height or minimum number of storeys

A structure which is non-conforming due to the fact that it does not respect the minimum required height or the minimum number of storeys, may be extended up to a maximum of 25% of the footprint it occupied at the coming into force of the present by-law.

b) Non-conforming encroachment in a minimum setback

Except when it is located on [a lot that borders Lake Saint-Louis]⁵, a building which is non-conforming due to an encroachment in a minimum setback, may be extended in height, and therefore in volume, on the portion that encroaches in the minimum setback, provided that there is no increase in the footprint.

c) Single-family homes on a corner lot

On any corner lot, a single-family home already in existence at the coming into force of the present by-law, whether it encroaches or not in a minimum front setback or in a minimum secondary front setback, can be extended with an encroachment in the minimum rear setback, but only under the following conditions :

- i) The extension shall respect a minimum rear setback (from the rear property line, opposite the main front façade of the house) that is equal to the minimum lateral setback established in the Particular Provisions Table (the larger of the two, in the case where two numbers are indicated);
- ii) The house, including the extension referred to in sub-paragraph i), shall respect a minimum lateral setback equal to the minimum rear setback established in the Particular Provisions Table;

11.6 Repair, improvement or extension of a non-conforming use

a) Repairs or improvement

A non-conforming use may be repaired or improved.

The provisions pertaining to the zones of a same use class as that of a non-conforming use apply to any property where such non-conforming use, benefiting of acquired rights, is operated.

Amendment PC-2775-34 (April 26, 2017)

b) Extension

- i) A non-conforming use can not be extended, except when specifically authorised in the Particular Provisions Table by the letters “d.a.”, in which case it may be extended by no more than 10% of the total area it occupied on the date of the coming into force of the present by-law⁶.

When a percentage is indicated at the intersection of the line of a use and the column of a zone with the letters “d.a.”, the use (only if it is existing and has acquired rights) may be extended by a maximum area equal to the percentage indicated, and applied to the area occupied by the use on the date of the coming into force of the present by-law.

- ii) Any extension or modification of a non-conforming use must take place on the same landsite, or on the landsite immediately adjacent, provided that the owner was the same owner of the non-conforming use on the date that the present by-law came into force and provided that all other provisions of the present by-law and any other law or regulation in force are respected.
- iii) No extension of a non-conforming use may serve a non-conforming use other than the one in existence on the date of the coming into force of the present by-law.
- iv) A non-conforming use of a setback can not be extended.

11.7 Modification or replacement of a non-conforming use

A non-conforming use shall not be replaced by another use which does not conform to this by-law.

11.8 Termination of acquired rights pertaining to non-conforming structures

- a) Should a structure non-conforming to this by-law be burned, demolished or damaged in any other way to the point that it has lost more than 50% of the value ascribed to it by the evaluation roll or of its market value as established by a chartered appraiser, it shall not be rebuilt other than in conformity with this by-law. Amendment PC-2775-10 (August 28, 2013)

However, a building which served for one or more non-conforming uses before the fire or the demolition does not have to respect the required minimum floor space index.

- b) Notwithstanding the provisions of paragraph a), a structure that is totally or partially non-conforming to this by-law and that has been intentionally or otherwise burned, demolished or damaged in any other way, may be rebuilt in accordance with the following conditions:
- i) If it is non-conforming due to the fact that it encroaches in a setback or on a riverbank and:
 - a Its foundation is not demolished, the structure can be rebuilt on the same foundation, providing it respects the same volume and height that it had prior to the fire, disaster or demolition;
 - b Its foundation is demolished, the structure shall be relocated in compliance with the minimum setbacks and without encroaching on the riverbank. If this is not possible, the structure shall be relocated in such a way as to reduce its non-conformity as much as possible, while respecting the same volume and height that the encroachment had prior to the fire, disaster or demolition.
 - ii) If it is non-conforming due to the fact that it does not respect the required minimum facade width and:
 - a Its foundation is not demolished, it can be rebuilt while respecting the same facade width it had prior to the fire, disaster or demolition;
 - b The structure and its foundation are demolished, it shall be rebuilt while respecting the minimum required facade width. If this is not possible due to the frontage width of the landsite and the minimum required setbacks, it must be rebuilt to respect the largest possible facade width and the minimum required setbacks.
 - c) A structure that is non conforming due to the fact that it encroaches in a minimum setback or on a riverbank, or due to the fact that it does not respect the required minimum facade width, can be raised and installed on new foundations while maintaining the same siting and footprint.
 - d) A non-conforming structure which has been modified to render it conforming shall not be rendered non-conforming again. Amendment PC-2775-1, September 14, 2011

11.9 Termination of acquired rights applying to non-conforming uses

In the event that a non-conforming use has been abandoned, ceased to function or has been interrupted for a period of six (6) consecutive months, or in the event that it is replaced by a conforming use, the owner of the acquired right pertaining to this non-conforming use shall be presumed to have relinquished said acquired right. Any subsequent use of the same property or structure shall conform to this by-law.

11.10 The present by-law shall come into force according to the law.

Bill McMurchie, Mayor

Lucie Tousignant, City Clerk