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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Zoning By-Law 2495A, as amended, is repealed.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

- a) Anyone contravening a provision of this by-law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine:
 - i) For a first infraction: a minimum of \$100 and a maximum of \$1,000 if the offender is a physical person and a minimum of \$100 and a maximum of \$2,000 if the offender is a moral person;
 - ii) For a repeat infraction: a minimum of \$200 and a maximum of \$2,000 if the offender is a physical person and a minimum of \$200 and a maximum of \$4,000 if the offender is a moral person.
- 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.

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"](#).
- 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.

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, 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:

- 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
- 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.

Chapter 1

DECLARATORY, INTERPRETIVE AND ADMINISTRATIVE PROVISIONS

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