

CITY OF BEACONSFIELD

BY-LAW 720

ZONING BY-LAW

CONSOLIDATED

Warning: This consolidated version of the by-law was prepared for convenience of the reader and has no official value. No warranty is given as to the accuracy of the text. For all legal purposes, the reader should consult the official version of the by-law and each of its amendments.

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**(720-95 – Sheet H203, H207, C209, H212, H219,
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(720-98) (Zoning plan – P357) 2013-11-18

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(720-115) 2019-12-16
(720-116) 2020-01-27
(720-117) 2020-06-22

CHAPTER 1 DECLARATORY PROVISIONS

1.1 NAME OF THE BY-LAW

This by-law shall be referred to as the "Zoning by-law" of *la Ville de Beaconsfield*.

1.2 BY-LAW APPLICABILITY

Compliances with the provisions of this by-law are incumbent on both physical and legal persons.

(By-law 720-83, sec.1)

1.3 SCOPE OF APPLICATION

The following elements shall meet the provisions of this by-law:

- a) Any landsite, or portion thereof;
- b) Any building, or portion thereof, to be erected or used;
- c) Any structure or portion thereof, to be erected or used.

(By-law 720-83, sec. 2)

1.4 VALIDITY

The Council enacts this by-law in its entirety, as well as chapter by chapter, section by section, paragraph by paragraph, and subparagraph by subparagraph so that the repeal or the declaration of nullity of any chapter, section, paragraph, or subparagraph, or part thereof, shall not affect the validity of other chapters, sections, paragraphs or subparagraphs of this by-law.

(By-law 720-83, sec. 3)

1.5 ATTACHED DOCUMENTS

The following documents form an integral part of this by-law:

- a) The specification schedules, including its amendments, as Annex A;
- b) The zoning plan, including its amendments, as Annex B;
- c) The bio-retention system, as Annex C;

(By-law 720-83, sec. 4, by-law 720-94-1 sec.1)

1.6 CONFORMITY TO ALL APPLICABLE BY-LAWS

The issuance of a permit or a certificate, approved plans and specifications and inspections carried out by the officer in charge shall not release the owner or the applicant from the obligation to execute, or have the work executed, in conformity with the requirements of this by-law or with all other applicable by-laws.

(By-law 720-83, sec. 5)

1.7 PRECEDENCE OVER OTHER BY-LAWS

The provisions of this by-law shall take precedence over:

- a) Any similar provisions contained in any other by-laws regarding zoning; and
- b) Any provisions of any other by-laws, which are inconsistent with the provisions of the by-law.

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1.8 REPEAL OF CERTAIN BY-LAWS

By-laws no. 159, 166, 201, 212, 215, 241, 250, 255, 260, 279, 287, 288, 290, 302, 306, 324, 325, 326, 333, 343, 348, 353, 354, 380, 440, 444, 449, 488, 507, 550, 561, 565, 569, 582, 590, 599, 600, 601, 608, 630, 632, 641, 671, 680, 680-1, 688, 701, 704, 705, 715 and 718 are hereby repealed.

(By-law 720-94-1, sec. 2)

1.9 COMING INTO FORCE (Repealed by-law 720-94-1, sec. 3)

1.10 INTERPRETATIVE PROVISIONS

The present rules of interpretation apply to this by-law:

- a) Regardless of the verb tense used in this by-law, every provision is held to be in force during every time period and in all circumstances;
- b) The singular shall extend to several people or things of the same nature, each time that the context allows for this extension;
- c) The masculine form includes the feminine, unless the context indicates otherwise;
- d) Between the French version and the English version, the French version prevails;
- e) The use of the verbal auxiliary "shall" indicates an absolute obligation, while the verbal auxiliary "may" indicates a choice;
- f) The authorization to do something includes all the powers necessary to this end.

(By-law 720-83, sec. 6)

1.11 PLANS, TABLES, GRAPHS, SYMBOLS, ANNEXES, SPECIFICATION SCHEDULES AND ALL OTHER MEANS OF EXPRESSION

Beside the text itself, plans, tables, graphs, symbols, annexes, Specification schedules and all other means of expression included in this by-law shall form an integral part thereof.

(By-law 720-83, sec. 6, by-law 720-94-1 sec. 4)

1.12 INTERPRETATION IN CASE OF A CONFLICT

In case of a conflict between provisions in this by-law, unless otherwise provided, the following rules apply:

- a) Between the text and a title, the text prevails;
- b) Between the text and the Specification schedules, the Specification schedules prevails;
- c) Between the text and any other means of expression, except the Specification schedules, the text prevails;
- d) Between a table and a graph, the table prevails;
- e) Between the Specification schedules and the Zoning Plan, the Specification schedules prevails;

(By-law 720-83, sec. 6)

1.13 INTERPRETATION OF GENERAL AND SPECIFIC PROVISIONS

In case of a conflict between provisions in this by-law, or between this by-law and another by-law, the specific provision shall prevail over the general provision.

When a restriction or a prohibition prescribed by this by-law or any one of its provisions conflicts with, or is inconsistent with, any other by-law or another provision of this by-law, unless otherwise stated, the more restrictive or prohibitive provision shall apply.

(By-law 720-83, sec. 6)

1.14 UNIT OF MEASURE

All dimensions specified in this by-law shall refer to the International System of Units (SI).

(By-law 720-83, sec. 6)

1.15 TERMINOLOGY

For the purpose of interpreting this by-law, unless the context indicates otherwise, any word or expression has the meaning and the significance attributed to it in the Terminology Index, attached to the current by-law as Chapter 11. If a word or a term is not specifically indicated in this index, it is used in its commonly attributed meaning.

(By-law 720-83, sec. 6, by-law 720-94-1, sec. 5)

CHAPTER 2 (TITLE REPEALED)

(By-law 720-83, sec. 7)

2.1 ADMINISTRATIVE RESPONSIBILITY

The responsibility for the administration and application of this by-law is incumbent to the Director of the Urban Planning and Municipal Patrol Department of the City of Beaconsfield, under the title of officer in charge.

Any employee of the Urban Planning and Municipal Patrol Department and of the Public Works Department of the City of Beaconsfield, any employee of the City of Montreal *Service de Sécurité Incendie* (Fire Security Department) and of the Police Service is considered as an assistant to the Director of the Urban Planning and Municipal Patrol Department of the City of Beaconsfield.

The Council may, by resolution, appoint other natural or legal persons, in addition to those mentioned in the present section, for the application of the current by-law.

(By-law 720-83, sec. 7 to sec. 10)

2.2 FUNCTIONS AND POWERS OF THE OFFICER IN CHARGE

The officer in charge and his assistants may exercise all powers conferred upon them under this by-law, such as:

- a) Issue the permits and certificates provided for in this by-law;
- b) Visit and examine, at any reasonable hour and presenting an identity card, any immovable property, including the interior and exterior of the buildings or structures, to ascertain if this by-law is complied with or to require the owner to provide assistance with the inspection of the property, building or structure;
- c) Issue to the owner, tenant, occupant or any other person in charge, a notice requiring the correction of a dangerous situation or any situation contravening this by-law;
- d) Recommend to Council any measure necessary to put an end to any situation in breach of this by-law;
- e) Order that tests be carried out on the materials, devices or mechanisms, methods of construction, functional or structural elements of the construction, or on the condition of the foundations, where proof of their compliance with the specifications of this by-law, as well as the Permits and Certificates by-law and Construction by-law is required;
- f) Order that the work be stopped when test results demonstrate that the specifications of this by-law or any other by-law are contravened;
- g) Order the execution of any repair work that seems appropriate for the safety of the structure and recommend to Council all emergency measures;
- h) Order the temporary evacuation of any building that could put any person's life in danger;
- i) Order that a fence be erected on any land representing a danger for the public;

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- j) Order the closing of any thoroughfare, or part of a thoroughfare, for as long as the danger persists;
- k) Order the owner, tenant, occupant or any other person in charge to suspend any dangerous work or the exercise of a usage that is in breach of this by-law;
- l) Require that a signed and sealed report attesting to the conformity of the work be submitted by the appropriate professional;
- m) Recommend that Council take any measure necessary to put an end to any construction, occupation, or use of a lot, landsite, building or structure, or any part of a lot, landsite, building, or structure that contravenes all municipal by-laws;
- n) Recommend that Council take any measure necessary to put an end to a breach of this by-law or the Permits and Certificates by-law;
- o) Order the interruption of work or usages;
- p) In case of emergency or if the offence endangers the public, the officer in charge may, if the offender does not immediately comply with the notice, order that the work be stopped, as soon as possible.
- q) Furthermore, if the offender refuses to comply, the officer in charge may order remedial work to be carried out to ensure public safety. The cost of this work is at the offender's expend;
- r) Undertake legal action in the name of the City, in case of a breach of this by-law;
- s) Issue a statement of offence to the owner, tenant, occupant or any other person in charge;
- t) Advise the owner of a property in breach of this by-law of the nature of the offence and compel him to comply with this by-law and, if necessary, to restore the premises, landsites or buildings to their condition before the breach;
- u) In all other cases, if the offender does not comply with the above mentioned order within seven (7) days, the officer in charge may take any necessary legal action to enforce the application of this by-law.

(By-law 720-83, sec. 7 to sec. 10; By-law 720-94-1, sec. 6)

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2.3 BREACH OF THIS BY-LAW

Commits an infraction any person that:

- a) Occupies or uses a lot, landsite, building or structure, or part of a lot, landsite, building, or structure, in breach of this by-law;
- b) Authorizes the occupation or use of a lot, landsite, building or structure, or part of a lot, landsite, building or structure, in breach of this by-law;
- c) Erects or permits the erection of a structure in breach of this by-law;
- d) Refuses to allow the officer in charge to visit and examine, at any reasonable hour and on presentation of an identity card, an immovable property of which he is the owner, tenant, or occupant to ascertain if this by-law and other municipal by-laws are respected;
- e) Does not comply with an order issued by the officer in charge.

(By-law 720-83, sec. 7 to sec. 10)

2.4 ISSUANCE OF A STATEMENT OF OFFENCE

The Director of Urban Planning and Municipal Patrol, the Division head of Urban Planning and Permits, the technical agent in Urban planning, the Urban Planning and Municipal patrol inspector, the Municipal patrol agents, any other employee of the Urban Planning Department, the Public Works foremen and inspectors, the members of the City of Montreal Police Department and of the *Service de Sécurité Incendie* (Fire Security Department) are authorized to issue a statement of offence regarding any offence under this by-law.

(By-law 720-83, sec. 7 to sec. 10)

2.5 FINES

Any person who contravenes any of the provisions of this by-law commits an offence and is liable to a minimum fine, for a first offence, of two hundred dollars (\$200) plus costs if the offender is a natural person and four hundred dollars (\$400) plus costs if the offender is a legal person.

For a second offence, the minimum fine is three hundred dollars (\$300) plus costs if the offender is a natural person and six hundred dollars (\$600) plus costs if the offender is a legal person.

In case of subsequent offences, the minimum applicable fine is four hundred dollars (\$400) plus costs if the offender is a natural person and six hundred dollars (\$600) plus costs if the offender is a legal person.

If the offence is continuous, each day constitutes a separate offence and the penalty imposed for this offence may be imposed for each day that the offence is not corrected.

(By-law 720-83, sec. 7 to sec. 10)

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2.6 Repealed

(By-law 720-83, sec. 7 to sec. 10; By-law 720-113, sec. 1, By-law 720-114, sec.1; By-law 720-117, sec. 1)

2.6.1 Repealed

(By-law 720-101, sec. 5; By-law 720-113, sec. 2, By-law 720-114, sec. 2)

2.6.2 Repealed

(By-law 720-101, sec. 5; By-law 720-114, sec. 2)

2.6.3 Repealed

(By-law 720-101, sec.5; By-law 720-114, sec. 2)

2.7 TRANSITIONAL PROVISION

The repeal of previous provisions in no way invalidates previously acquired rights, previous infractions committed, previous penalties imposed, or proceedings already instituted.

(By-law 720-83, sec. 7 to sec. 10)

CHAPTER 3 GENERAL PROVISIONS

(By-law 720-94-1, sec. 7, By-law 720-100, sec. 1)

3.1 NOMENCLATURE OF ZONES

(By-law 720-94-1, sec. 8)

The classification of main uses is based on a number system established in the **most recent** Manuel d'évaluation foncière¹ published by the *ministère des Affaires municipales*.

(By-law 720-36, sec. 3)

Uses have been classified in five (5) large groups according to common characteristics such as construction volumes, ground area of structures nuisances and impacts.

Each large group is divided into sub-groups composed of uses identified by two (2), three (3), or four (4) digits.

3.1.1 Division of territory into zones

For purposes of regulating standards and uses over its whole territory, the City of Beaconsfield is divided into zones, as shown in the zoning map, hereinafter designated as the "Zoning Map".

Each zone bears an identification code and is considered a sector used as a polling unit, under sections 131 to 137 of An Act respecting land use planning and development (R.S.Q., chapter A-19.1)

(By-law 720-94-1, sec. 9)

3.1.2 Identification of zones

Each of the zones shown on the zoning map is identified by a letter indicating the predominant use of the zone, according to the following table:

¹Manuel d'évaluation foncière, volume 3A, Ministère des affaires municipales, direction générale de l'évaluation.

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<u>Predominant use</u>	<u>Letter corresponding</u>
Housing	H
Commercial	C
Institutional and recreational	INST
Park and public spaces	P
Public utilities, communication and transportation	U

Each zone is identified by a code composed of one or many letters followed by a three-figure number. This letter indicates the predominant use for the zone for ulterior reference only.

The usages classes authorized for each zone are also indicated on the zoning map in the appropriate zone. Any zone identified by a unique combination of numbers and letters constitutes a distinct zone from, and independent of, any other zone.

(By-law 720-94-1, sec. 9)

3.1.3

Zone boundaries

A zone boundary appearing on the zoning map normally coincides with 1 or more of the following lines:

- a) The centre line or the extension of the centre line of existing, reserved or proposed public streets, lanes or pedestrian paths;
- b) The centre line of a watercourse or a body of water;
- c) The centre line or the extension of the centre line of public utilities right-of-ways;
- d) A lot, landsite or land line, or their extension
- e) The boundaries of the City's territory.

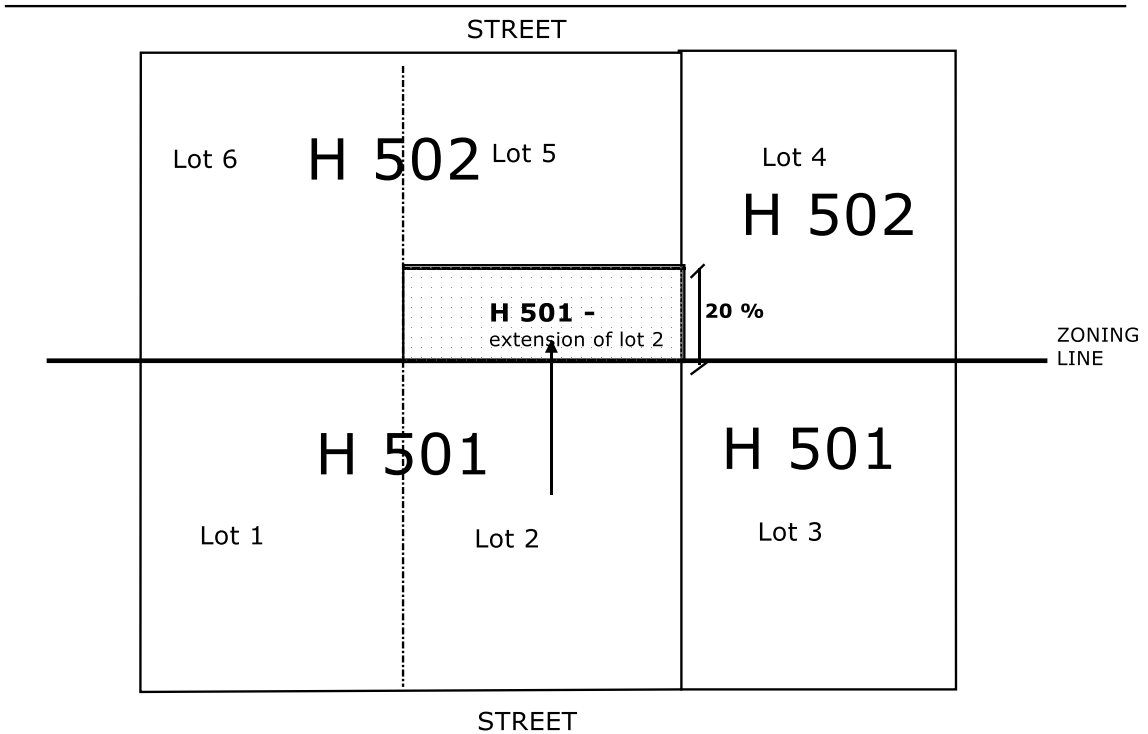
When the limit does not coincide or does not seem to coincide with an above-mentioned line, calculations shall be done to scale on the zoning map. When the delineation of an existing or proposed street, which constitutes a zone limit, is modified, the zone limit corresponds to the new delineation. In no circumstances must the depth of a zone be less or more than the minimum or maximum lot depth specified in the specification schedule for each zone.

Any zone having a proposed road as its limit may be modified to follow the delineation of the street, as approved at the cadastral renewal.

When the limit of a zone follows the landsite line and this landsite line is moved, the limit of the zone can be moved to respect the landsite line thus modified as much as the moving of that limit of a zone is permissible only for a maximum of 20% of the line that is modified. That same limit can be moved more than once until it reaches 20% of the limit of the land doing the object or the modification. Moving the landsite line, however, should not make the lot changed not comply with the current by-law. (See the following illustration)

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Illustration 1



(By-law 720-94-1, sec. 9)

3.2 THE SPECIFICATION SCHEDULE

(By-law 720-94-1, sec. 10)

3.2.1 General provisions

The specification schedule as presented at the Annex B describes the provisions applicable to each zone. Anyone wishing to erect a building or occupy a landsite must comply with these specifications as well as with the provisions of this by-law.

If more than 1 column of the specification schedule applies to a specific zone, the combination of groups or sub-groups of authorized usages, the sitting standards, the types of buildings and modifications must be in conformity with 1 column only.

(By-law 720-47, sec. 2, by-law 720-50, sec. 2, by-law 720-94-1, sec. 11)

3.2.2 Predominant use

The schedule of specifications contains a "Predominant use" section. Each zone is identified in the schedule of specifications by one or many letters. This identification constitutes the predominant use of the zone in accordance with the urban plan.

(By-law 720-94-1, sec. 12)

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3.2.3. Zone number

The schedule of specifications contains a section “zone number” for each zone, which identifies by one or many letters and a series of numbers the zone in question.

(By-law 720-94-1, sec. 13)

Sections 3.2.3.1 to 3.2.3.6 are repealed. (By-law 720-94-1, sec. 14)

3.2.4 Group of permitted usages

The group of permitted norms and usages of the specification schedule are defined in Chapter 4 of the present by-law. A dot next to a group or sub-group means that only the usages within this group or sub-group are permitted in this zone, with the exception of specifically permitted usages or of specifically prohibited usages.

When a predominant use is permitted, the accessory usages that derive from it are systematically permitted, provided that the principal maintains its vocation and function, and also that it is used on the same landsite.

(By-law 720-94-1, sec. 15)

Sections 3.2.4.1 to 3.2.4.3 are repealed. (By-law 720-94-1, sec. 16)

3.2.5 SPECIFICALLY AUTHORIZED USAGES

The specification schedules contains a section named "Specifically permitted usages" that indicates the only permitted usages to the exclusion of all other usages included in the same classification of usages for a zone. The number indicated corresponds to a section or part of a section of the by-law that applies.

When a number appears in the "Specifically permitted usages" section, it refers to a condition in the « Notes » section, which thus constitutes an applicable condition.

(By-law 720-94-1, sec. 17)

Sections 3.2.5.1 to 3.2.5.8 are repealed. (By-law 720-94-1, sec. 18)

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3.2.6 SPECIFICALLY PROHIBITED USAGES

The specification schedule contains a section named of “Specifically prohibited usages” which indicates that a use is prohibited even if it is within an authorized classification of usages for this zone. The number indicated corresponds to a section, or part of a section, of the by-law that applies.

When a number appears in the "Specifically permitted usages" section, it refers to a condition in the « Notes » section, which thus constitutes an applicable condition.

(By-law 720-94-1, sec. 19)

3.2.7 BUILDING STRUCTURE

The various main building structures permitted are as follows:

- a) single
- b) semi-detached
- c) attached
- d) integrated project

The only main building structures permitted in a specific zone are those indicated by a « dot » in the appropriate section.

(By-law 720-94-1, sec. 19)

3.2.8 ERECTION OF A BUILDING

The various main building structures permitted are the following:

- a) number of floors (minimum and maximum)
- b) maximum height (sloped roof / flat roof) (minimum and maximum)

The norms relating to building construction are listed in the appropriate section.

(By-law 720-94-1, sec. 19)

3.2.9 RATIO

The ratio between a main building and a landsite are governed by the following ratios:

- a) Minimum and maximum floor area ratio (FAR)
- b) Maximum landsite coverage

(By-law 720-94-1, sec. 19)

3.2.10 SETBACK

The setback of a building in relation to the landsite on which it is erected is governed according to the following setbacks. These setbacks are indicated in meters in the schedule of specifications.

The prescribed setback must be measured:

- a) To the exterior face of the foundation wall.
- b) To the exterior face of the outside wall of the building, if this wall of the building projects beyond the foundation wall.
- c) To the exterior face of the columns supporting the roof, when the wall is open.

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- d) To the centre of a party wall.

An outside wall of a building is not considered as projecting beyond the foundation wall if only the exterior cladding of the outside wall projects beyond the foundation wall and provided that this projection does not exceed 0.15 m.

(By-law 720-94-1, sec. 19, By-law 720-100, sec. 2)

3.2.11 MAXIMUM NUMBER OF DWELLING UNITS PER BUILDING

This standard sets the maximum number of dwelling units permitted per building.

(By-law 720-94-1, sec. 19)

3.2.12 LANDSITE AREA

The minimum and maximum dimensions of a landsite for each authorized building in a zone are indicated by a unit of measure:

- a) minimum area – in square meters
- b) maximum area – in square meters
- c) minimum width – in meters
- d) minimum depth – in meters

(By-law 720-94-1, sec. 19)

3.2.13 STANDARDS AND ENVIRONMENTAL CONSTRAINTS

Standards and environmental constraints relating to the environment may apply to certain zones in virtue of the specification schedule. When a section number is indicated next to the applicable standard and environmental constraint, it refers to a section or part of a section of the present by-law.

(By-law 720-94-1, sec. 19)

3.2.14 NOTES

The “Notes” section indicates, by referring to a section of a by-law (zoning, subdivision, and construction) or a special prescription, a particular standard that must apply.

(By-law 720-94-1, sec. 19)

3.3 EXCLUSIONS (Repealed by-law 720-94-1, sec. 20)

CHAPTER 4 CLASSIFICATION OF USAGES

(By-law 720-94-1, sec. 21)

4.1 CLASSIFICATION OF USAGES

The usages are divided in 5 groups of usages according to their common characteristics. Each group of usages is associated to 1 or more classes of usages. Each class of usages is associated 1 or more establishments or equipments.

The groupings of usages and classes of usages are as follows:

<u>GROUPS OF USAGES</u>	<u>CLASSES OF USAGES</u>
Housing (H)	Single family residence (h1) Two families residence (h2) Multifamily residence (h3) Communal residence (h4) Residential Mix (housing and commercial) (h5)
Commercial (C)	Retail and Service businesses (c1) Commercial recreation (c2) Restaurant Services (c3) Superstores and commercial centre (c4) Lodging Services (c5) Gasoline Services (c6)
Institutional and public (INST)	Institutional and administrative recreation (inst1) Public Recreation (inst2)
Park and public space (P)	Park (p1) Conservation (p2) Public Parking lot (p3)
Public Utilities, Transportation and Communication (U)	Public Utility (u1) Transportation (u2) Communication (u3)

(By-law 720-94-1, sec. 22)

Sections 4.1.1 to 4.1.3 are repealed. (By-law 720-94-1, sec. 23, 24 & 25)

4.2 PERMITTED USAGES

The permitted usages are those enumerated hereinafter. They are classified according to their group of usages and their class of usages.

(By-law 720-94-1, sec. 26)

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4.2.1 Usages groups « Housing » (H)

This group of usages is composed of the permitted usages shown in the following list:

a) Single family residence (h1)

The class of usages « Single family house (h1) » is composed of residences containing only 1 dwelling.

b) Duplex residence (h2)

The class of usages « Duplex house (h2) » is composed of housing containing a maximum of 2 dwellings.

c) Multifamily residence (h3)

The class of usages « Multifamily house (h3) » is composed of housing containing 3 dwellings or more.

d) Communal residence (h4)

Residence designed to house persons having similar characteristics, requiring or not requiring care, treatment or social rehabilitation as the case may be, under the Act respecting health services and social services (1977 RSQ, Chapter S-5). The building categories included in this definition may, for example, be designated under various names, such as:

- Nursing home
- Private convalescence centre
- Foster home
- Home for the elderly
- Rest home
- Furnished apartment for the elderly
- Residence for retired people
- Guest home

e) Residential Mix (Multifamily residence or communal and commercial) (h5)

The class of usages « Residential Mix (h5) » is composed of housing of the type « Multifamily residence (h3) » or « Communal residence (h4) » and commercial usages included in the class of usages "Retail and service businesses (c1) and the usage "restaurant-café" of the class of usages "Restaurant services (c3)". The commercial usages are located on the ground floor of the residential mix building."

The combined floor area occupied by the commercial usage may not exceed the total floor area of the multifamily usage.

(By-law 720-94-1, sec. 27)

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4.2.2 Usages group « Commercial (C) »

The group « Commercial (C) » is composed of 6 classes of usages, linked by their nature, area of occupation and building occupation.

(By-law 720-47, sec. 3, by-law 720-94-1, sec. 28)

4.2.2.1 Retail and Service Businesses (c1)

This class of usages includes establishments whose main activity consists of selling merchandise or services directly to consumers. The permitted usages are the following:

a) The sale of food products such as:

- i. Supermarket with a total floor area of 500m² or less
- ii. Butcher shop
- iii. Fruits and vegetables
- iv. Bakery
- v. Candy shop
- vi. Cookie shop
- vii. Pastry shop
- viii. Liquor store
- ix. Deli meats
- x. Dairy products
- xi. Caterer
- xii. Convenience store
- xiii. Public market

b) The sale of dry products such as:

- i. Florist
- ii. Newspapers/magazines/publications
- iii. Tobacco shop
- iv. Hardware
- v. Bookstore
- vi. Stationary store
- vii. Pharmacy
- viii. Framing
- ix. Jewellery
- x. Clothing
- xi. Shoe store
- xii. Antiques
- xiii. Musical instruments
- xiv. Repealed (**By-law 720-107, section 1a**)
- xv. Pet food and supplies without retail sale of animals (**By-law 720-107, section 1b**)
- xvi. Sports equipment
- xvii. Camping equipment
- xviii. Automobile parts without installation services
- xix. Furniture
- xx. Household appliances

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c) Professional and specialized services such as:

- i. All Professional Orders indicated at the Schedule 1 of the Quebec Professional Code (R.S.Q. c. C-26)
- ii. Osteopathy
- iii. Chiropractic
- iv. Massage therapy
- v. Kinesiology
- vi. Physiotherapy
- vii. Sports medicine clinic
- viii. Denture mechanics
- ix. Audiology
- x. Clothing designer
- xi. Photographer
- xii. Graphic artist
- xiii. Publicity
- xiv. Insurance
- xv. Computer scientist/information technology
- xvi. Business offices
- xvii. Private teaching
- xviii. Paramedic service

d) Personal services such as:

- i. Union professional association and non profit association
- ii. Financial services
- iii. Dry cleaners
- iv. Beauty salon
- v. Aesthetician
- vi. Laundry
- vii. Shoe maker and repair
- viii. Tailor
- ix. Travel agency
- x. Real estate agency
- xi. Dance studio
- xii. Art studio
- xiii. Repair of electric and electronic accessories, small household appliances
- xiv. Post office
- xv. Animal grooming without retail sale of animals (**By-law 720-107, section 1c**)
- xvi. Daycare

4.2.2.2.1 Commercial Recreation (c2)

This class of usages is composed of business establishments where the main activity is the operation of sport, recreational or leisure facilities. Included in the permitted usages are the following:

- a) Racquet sports
- b) Sports centre

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- c) Gymnastics
- d) Lawn bowling
- e) Curling
- f) Bowling
- g) Swimming pool
- h) Billiard hall with less than 5 tables
- i) Cinema
- j) Theatres
- k) Health club

Restaurant Services (c3)

This class of usages is composed of establishments where the main activity consists in providing restaurant services. Included in the permitted usages are the following:

- a) Restaurants
- b) Restaurant-cafés
- c) Fast-food services
- d) Reception halls

4.2.2.3 Superstore and Commercial Centre (c4)

This class of usages is composed of establishments where the main activity is the sale of products and services directly to the consumer. These commercial usages may require the use of a heavy truck for merchandise delivery. Included in the permitted usages are the following:

- a) Retail store of more than 500 m²
- b) Shopping centres including usages in class of usages c1, c2 and c3.

4.2.2.4 Lodging Services (c5)

This class of usages is composed of establishments where the main activity consists in providing lodging services. Included in the permitted usages are the following:

- a) Inn
- b) Hotel

4.2.2.5 Gasoline Services (c6)

This class of usages is composed of establishments where the main activity consists in the sale of fuel. Included in the permitted usages the following:

- a) Service station without mechanical service
- b) Service station with mechanical service, excluding body shop service
- c) Gas bar station / convenience store
- d) Car mechanical service, excluding body shop service

(By-law 720-94-1, sec. 29)

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4.2.3 Use group “Institutional and recreational” (INST)

The group of usages «Institutional and recreational (INST) » unites 2 classes of usages, linked by their nature, area of occupation and building occupation.

(By-law 720-94-1, sec. 30)

4.2.3.1 Institutional and Administrative (inst1)

This class of usages is composed of all establishments used for the purpose of education, culture, health and well-being, public administration and worship. Included in the permitted usages are the following:

- a) Educational institution and an institution’s administrative office
- b) City Hall
- c) Community centre
- d) Library
- e) Non-profit organization recognized by the City
- f) Museum
- g) Hospital
- h) Place of worship
- i) Convent, monastery, residence attached to a place of worship
- j) Cemetery
- k) Presbytery

4.2.3.2 Recreation (inst2)

This class of usages is composed of all establishments and equipment for the practice of sports and games, recreation, leisure, culture and education. Included in the permitted usages are the following:

- a) Arena
- b) Amphitheatre
- c) Sports centre
- d) Nautical club and Marina

(By-law 720-94-1, sec. 31)

4.2.4 **USE GROUP “PARK AND PUBLIC SPACES (P)”**

The group of usages « Parks and public spaces (P) » unites 3 classes of usages, linked by their nature and by the occupation of their space.

(By-law 720-94-1, sec. 32)

4.2.4.1 Park (p1)

This group of usages includes all activities, designed areas and recreation equipment for the practice of sports and games, recreation and outdoor leisure. Included in the permitted usages are the following:

- a) Play park (with or without equipment)

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- b) Leisure park, a square, a vegetation islet or a natural park
- c) Communal garden
- d) Beach
- e) Belvedere
- f) Picnic area

4.2.4.2 Conservation (p2)

This group of usages includes all territory that, because of its patrimonial value, its beauty, the beauty of the area and the scenery, the fragility of the natural area, the protection of the ecosystems that takes place on it, its rich natural potential, deserves to be maintained in its natural state or restored to its original state. Included in the permitted usages are the following:

- a) Woods and fallow land
- b) Interpretation centre or a welcome office
- c) Historic site and heritage site
- d) A walkway or a hiking trail
- e) A listed or classified heritage building
- f) An observation station, a lookout or a kiosk
- g) A service facility with or without a storage yard
- h) A parking area and access aisles
- i) A picnic, leisure or play area

4.2.4.3 Public parking (p3)

This group of usages includes all public parking off the street. The permitted use is:

1. A public parking lot owned by a private owner or by a municipal, provincial or federal government.

(By-law 720-94-1, sec. 33)

4.2.5 **USE GROUP "PUBLIC UTILITIES, TRANSPORTATION AND COMMUNICATION (U)"**

The use of group « Public utilities, transport and communication (U) unites 3 classes of usages, linked by their nature. »

(By-law 720-94-1, sec. 34)

4.2.5.1 Public Utilities (u1)

This class of usages is composed of establishments or equipment used for the public work services, fire protection, civil protection and protection of the person. Included in the permitted usages are the following:

- a) Fire station
- b) Police station
- c) Public works service

(By-law 720-94-1, sec. 35)

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4.2.5.2 Transportation (u2)

This class of usages is composed of establishments or equipment used for transport of goods and persons. Included in the permitted usages are the following:

- a) Bus terminus
- b) Train station

(By-law 720-94-1, sec. 35)

4.2.5.3 Communication (u3)

This class of usages is composed of establishments or equipment used for the production and transmission of energy. Included in the permitted usages are the following:

- a) Telecommunication antenna and Telecommunication equipment shelter
- b) Electric transformer station

(By-law 720-94-1, sec. 35)

4.2.6 Special standards (Repealed by-law 720-94-1, sec. 36)

4.3 PROHIBITED USAGES IN ALL ZONES

The following usages are specifically prohibited in all zones:

- a) Any commercial establishment engaging in an activity that is related to the sale or use of billiards hall 5 tables and more, gambling, electronic games, arcades and shooting galleries;
- b) Any commercial establishment where the main activity, whether permanent or not, consists in the sale, preparation or the service of wine, beer or spirits or other alcoholic beverages and which hold 1 or the other of the following liquor permits, as defined in the Act on liquor permits (RSQ, chapter P-9-1):
 - i. Brewery permit
 - ii. Bar permit
- c) Any commercial establishment engaging in an activity related to acts of a sexual nature;
- d) Massage parlours and similar establishments (excluding massage therapy);
- e) Scrap yards and refuse dumps;
- f) Mobile homes;

(By-law 720-94-1, sec. 37)

- g) Retail sale of animals,

(By-law 720-107, section 2)

**CHAPTER 5 GENERAL PRESCRIPTIONS APPLICABLE TO ALL
USAGES AND ALL STRUCTURES IN ALL ZONES**

(By-law 720-83, sec. 11, by-law 720-94-1, sec. 38)

5.1 SCOPE OF APPLICATION

The present chapter applies to all usages and all structures in all zones.

5.2 GENERAL MEASURES

A single (1) principal building may be erected on land except in the case of buildings that are part of an integrated project.

5.3 DIMENSION OF THE FRONT, LATERAL AND REAR SETBACKS

The dimension of front, lateral and rear setback is indicated in the specification schedule for all zones and all types of usages and principal buildings.

5.3.1 FRONT SETBACK

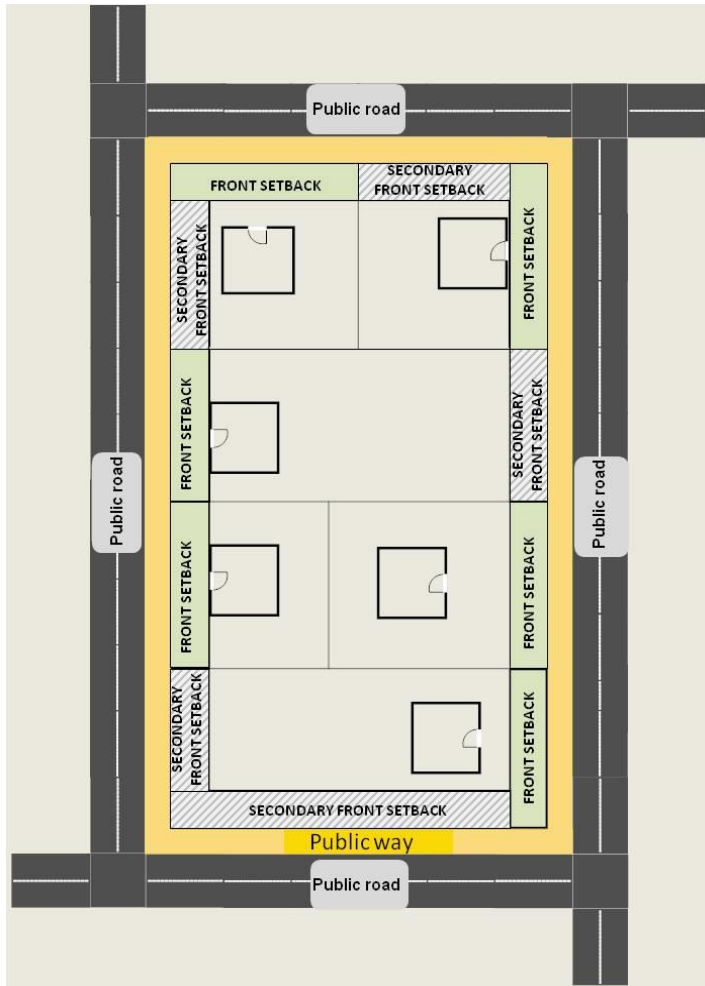
The front setback, as indicated in the specification schedule, is located along a street. (See the following illustration 2)

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5.3.2 SECONDARY FRONT SETBACK

In the case of a corner landsite, a through interior landsite or a through corner landsite, the dimension of the secondary front setback is the one prescribed in the specification grid for the front setback. (See Illustration 2 below)

Illustration 2



(By-law 720-100, sec. 3)

5.3.3 LATERAL SETBACK

The lateral setback is the one indicated in the specification grid. (See Illustration 3 below)

5.3.4 OVERALL LATERAL SETBACK

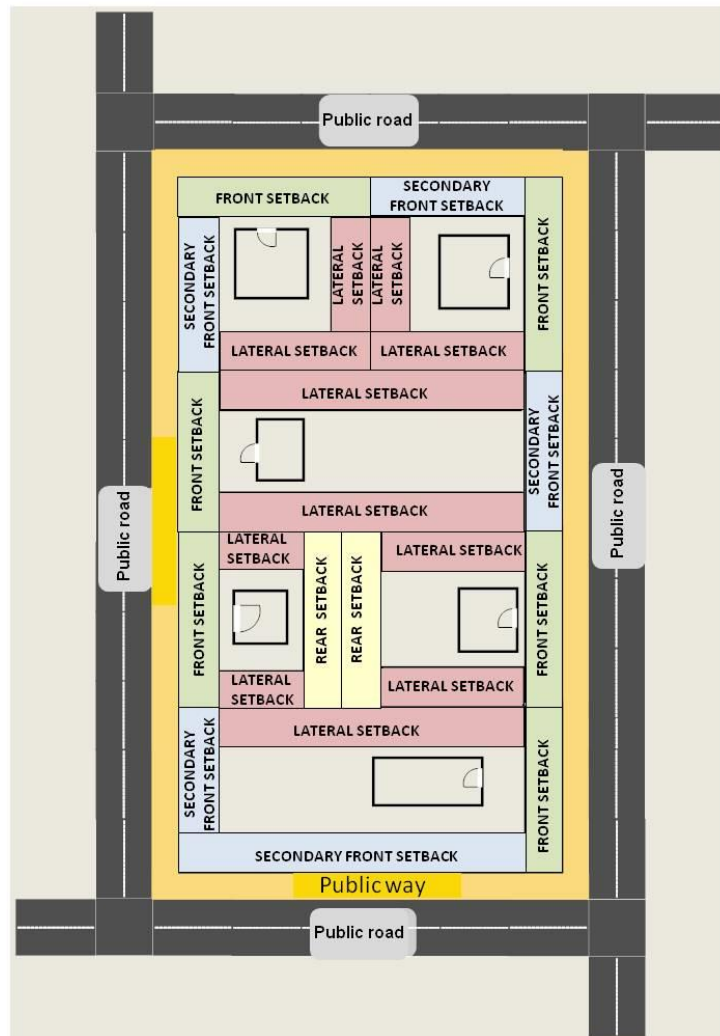
The overall lateral setback corresponds to the calculation of two (2) lateral setbacks as indicated in the specification grid. (See Illustration 3 below)

5.3.5 REAR SETBACK

The rear setback is the one indicated in the specification grid. (See Illustration 3 below)

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Illustration 3



Emprise publique = Right-of-way

(By-law 720-100, sec 4)

5.4 BUILDING ARCHITECTURE

5.4.1 CONSTRUCTION OR EXTENSION SUBJECT TO THE SPAIP APPROVAL PROCEDURE

Any new construction or extension facing a public street in the front, side or back yard of a residential or commercial building is subject to the approval procedure for Site Planning and Architectural Integration Programs (SPAIP), as decreed in the Site Planning and Architectural Integration Programs (SPAIP) By-law in force on the City of Beaconsfield's territory.

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5.4.2 PROHIBITED FORMS

The following architectural forms are prohibited throughout the territory of the City of Beaconsfield for a main or ancillary building:

- a) The use of railway cars, buses or other such vehicles, or a container;
- b) The form of a human being, animal, fruit, vegetable or other similar object;
- c) Except for municipal purposes, buildings in a semi-circular form (arch, dome or others), whether prefabricated or not, in galvanized sheet metal or any other material.

5.4.3 ROOF SHAPE

To promote harmonization with respect to the architecture of buildings, the roof of a single-family residence must be sloped.

5.4.4 FLAT ROOF

Notwithstanding any provision in the present by-law and in the Site Planning and Architectural Integration Programs (SPAIP) By-law, a flat roof for a building other than a detached single-family residence, i.e., with a slope less than 2:12, may be accepted on condition that its design meets the criteria for an eco-roof as presented in section 5.5.5 of the present by-law.

5.4.5 MECHANICAL EQUIPMENT

Unless otherwise indicated, no storage tank, ventilation shaft or other mechanical equipment should be visible from the public road. All mechanical equipment on the roof must be hidden by a screen that is well-maintained at all times. This measure does not apply to an air-conditioning unit installed in a window for residential usage.

5.4.6 SOLAR PANELS

Notwithstanding section 5.4.5 and in addition to the provisions of section 9.6.2, a mechanical device such as a solar panel must be installed on the roof of a building and meet the following conditions:

- a) The panels must be placed flat on the roof;
- b) The panels must be installed following the same slope as the roof;
- c) The panels must be kept in good condition at all times.

5.4.7 TRAILERS, SEMI-TRAILERS AND MOBILE HOMES

Mobile homes, trailers and semi-trailers are not authorized except as temporary buildings serving as sales or rental offices for buildings under construction or about to be, or serving as warehouses or shelters for construction sites, as decreed in the present by-law. At no time may these buildings serve as residences.

5.5 EXTERIOR CLADDING AND ROOFING MATERIALS

5.5.1 PROHIBITED EXTERIOR MATERIALS FOR BUILDINGS

The following materials must not be used to clad the exterior walls of any building:

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- a) Any sheet materials or panelling imitating or attempting to imitate brick or stone;
- b) Brick or stone anchored with screws or glue;
- c) Aluminum or steel siding, except when designed to imitate wooden clapboard or wood panelling;
- d) Vinyl siding for all new construction or extension that covers more than 50% of the existing surface of each of the existing walls;
- e) Galvanized sheet metal, except for pre-painted panels with an enamel finish;
- f) Non-architectural cement block;
- g) Concrete wall panels poured in situ, unless they have a decorative finish;
- h) Wood siding, unless it is treated to withstand the weather;
- i) Logs, whether treated or not;
- j) Asphalt paper, felt paper, tar paper or any exposed material that appears unfinished;
- k) Panels and shingles of asbestos cement;
- l) Large-surface asphalt roofs covered in mineral aggregate on a mineral powder base;
- m) Any material not designed for exterior cladding.

5.5.2 CLADDING MATERIALS AUTHORIZED FOR A MAIN BUILDING FOR ALL USAGES

Only authorized materials may be used for exterior cladding.

A cladding material must be used in equal proportions on all walls.

Cladding materials must be maintained so as to preserve their original appearance.

5.5.3 MAXIMUM NUMBER OF MATERIALS AUTHORIZED

It is prohibited to use more than 2 cladding materials above the foundation, not including the materials used to clad doors and windows. Soffits, verandas, balconies and other similar components are not taken into account when calculating the authorized number of exterior cladding materials.

5.5.4 PROHIBITED MATERIALS FOR AN ANCILLARY STRUCTURE

Prohibited cladding materials for exterior walls and roofs of main buildings, except for vinyl siding, are also prohibited for ancillary structures.

5.5.5 FLAT-ROOF MATERIALS FOR AN ECO-ROOF

An eco-roof for a building must be covered with one of the materials below:

- a) Vegetation covering (green roof), i.e., roofing material that allows the growth of vegetation including, minimally, a watertight layer, a growing medium and a layer of vegetation;
- b) White material, material painted white, or covered with a white coating or white gravel;
- c) A combination of the materials described above.

(By-law 720-100, sec. 5)

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5.6 AUTHORIZED BUILDINGS, STRUCTURES AND ANCILLARY EQUIPMENT FOR ALL USAGES

5.6.1 ANCILLARY STRUCTURES

Ancillary structures are only permitted if deemed complementary to a main building and they must be situated on the same landsite as the main building.

5.6.2 ANCILLARY BUILDINGS, STRUCTURES AND EQUIPMENT AUTHORIZED WITHIN SETBACKS AND YARDS

Ancillary buildings, structures and equipment authorized within setbacks and yards are those listed in the following table, when the word "YES" appears on the line identifying the ancillary building, structure or equipment, provided that the standards described in the table are respected. Unless otherwise indicated in the present by-law, when a building, structure or equipment is not listed in the table, it is considered to be prohibited throughout the territory.

Authorized ancillary buildings, structures and equipment	Front yard and front setback	Side yard and lateral setback	Rear yard and rear setback
1- Sidewalk, road, access ramp for physically handicapped individuals, access corridor, bicycle rack, and planting beds and other landscaping	Yes	Yes	Yes
2- Clothes line	No	No	Yes
3- Playground equipment for non-commercial usages, except a tree house	No	Yes	Yes
4- Tree house a) Distance from landsite lines (m) b) Maximum height (m)	No	No	Yes 3 4.5
5- Off-season storage of recreational equipment such as snowmobiles, trailers, camping trailer, boats and recreational vehicles. (By-law 720-100, sec. 6 – I.)	No	Yes	Yes
6- Eaves, gables, cornices, canopies, balconies and projections for architectural purposes a) Maximum encroachment on the setback (m)	Yes 1.2	Yes 1.2	Yes 1.2
7- Projecting window with a maximum width of 2.5 meters a) Maximum encroachment on the setback (m)	Yes 0.75	Yes 0.75	Yes 0.75

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8- Cantilevered awnings over entranceways a) Maximum encroachment on the setback (m)	Yes 1.2	Yes 1.2	Yes 1.2
9- Exterior staircase a) Up to a height of 1.2 meters i. Maximum encroachment on the setback (m) b) Between 1.2 meters and 3 meters in height i. Maximum encroachment on the setback (m) c) More than 3 meters in height	Yes 3 No No	Yes 1.5 No No	Yes 3 Yes 0 No
10- Gallery, porch a) Up to 1.2 meters in height i. Maximum encroachment on the setback (m) b) More than 1.21 meters in height i. Maximum encroachment on the setback (m)	Yes 1.2 0	Yes 1.2 0	Yes 3 0
11- Veranda a) Maximum encroachment on the setback	No	Yes 0	Yes 0
12- Detached garage and permanent car shelter (sections 5.6.5, 5.6.12, 5.6.13 and 5.6.14) a) Maximum floor area (m ²) b) Distance from the main building (m) c) Distance from any landsite line (m) d) Maximum height (m)	No	Yes 40 2 0.60 4.5	Yes 40 2 0.60 4.5
13- Temporary winter car shelter (sect. 5.6.9)	No	No	No

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<p>14- Garden shed and pool shed* (sect. 5.6.9)</p> <p>* The pool shed is permitted only if a pool is or will be installed. (By-law-720-100, sec. 6 – II.)</p> <p>a) Maximum number per landsite (1 per type)</p> <p>b) Maximum floor area per landsite</p> <p style="padding-left: 20px;">i. One (1) shed on the landsite (m²) (By-law 720-115, sec. 1, a))</p> <p style="padding-left: 20px;">ii. Two (2) sheds on the landsite (total m²) (including the pool shed) (By-law 720-115, sec. 1, b))</p> <p>c) Minimum distance from the main building (m)</p> <p>d) Distance from any landsite line (m)</p> <p>e) Maximum height (m)</p>	No	Yes	Yes
		2	2
		23	23
		23	23
		2	2
		0.60	0.60
		3.2	3.2
<p>15- Pavilion, pergola (sect. 5.6.5)</p> <p>a) Maximum floor area (m²)</p> <p>b) Minimum distance from any landsite line (m)</p> <p>c) Maximum height (m)</p>	No	Yes	Yes
		16	16
		2	2
		3.2	3.2
<p>16- Outdoor swimming pool including accessories (sect. 5.6.5 and 5.6.15)</p> <p>a) Minimum distance from side and rear landsite lines (m)</p> <p>b) Minimum distance from main building (m)</p>	No	Yes	Yes
		2	2
		2	2
<p>17- Deck around pool (sect. 5.6.15)</p> <p>a) Minimum distance from landsite lines (m)</p>	No	Yes	Yes
		3	3
<p>18- Hot tub (Spa) (sect. 5.6.15)</p> <p>a) Minimum distance from any landsite line (m)</p>	No	Yes	Yes
		3	3
<p>19- Shelter for pool or hot tub (sect. 5.6.17)</p>	No	Yes	Yes

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20- Heat pump, heating equipment for main building and pool, and air conditioning other than in a window (sect. 5.6.15 and 5.6.21) a) Maximum distance from main building (m) b) Minimum distance from any landsite line (m)	No	Yes 2 2	Yes 2 2
21- Domestic greenhouse (sect. 5.6.5) a) Minimum distance from any landsite line (m) b) Maximum height (m) c) Maximum floor area (m ²)	No	Yes 0.60 3.2 16	Yes 0.60 3.2 16
22- Tennis court a) Minimum distance from any landsite line (m)	No	Yes 2	Yes 2
23- Fence or fence around a tennis court (sect. 5.9)	No	Yes	Yes
24- Pressurized gas tank a) Above-ground pressurized gas tank (sect.5.6.8) Minimum distance from any landsite lines (m) b) Pressurized gas tank entirely buried underground Minimum distance from any landsite lines (m) (By-law 720-109, section 3)	No Yes 2,0	Yes 2,0 Yes 2,0	Yes 2,0 Yes 2,0
25- Exterior wood fireplace	No	No	No
26- Exterior gas fireplace	No	Yes	Yes
27- Storage of firewood (sect. 5.6.22)	No	Yes	Yes
28- Composter a) Minimum distance from any landsite line (m) b) Encroachment on setback (m) c) Maximum number d) Maximum size / composter (m ³)	No	Yes - 0 3 2.85	Yes 1 - 3 2.85

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29- Garbage container larger than 360 liters (sect. 6.2.5.4) a) For residential usages h1 and h2 b) For all other usages	No No	No No	No Yes
30- Satellite and vertical antennae (sect. 5.6.18 and 5.6.19)	No	Yes	Yes
31- Windmill	No	No	No
32- Rainwater barrel a) Maximum capacity (litres/barrel) b) Maximum number	No	Yes 200 4	Yes 200 4
33- Acoustic wall (section 5.18) a) with embankment: Minimum distance from rear landsite line (m) Maximum height (m) b) without embankment: Minimum distance from rear landsite line (m) Maximum height (m) (By-law 720-97, sec. 1)	No No	No No	Yes 5.0 3.0 Yes 0.3 4.5

5.6.3 AUTHORIZED ANCILLARY BUILDINGS, STRUCTURES AND EQUIPMENT IN FRONT YARDS

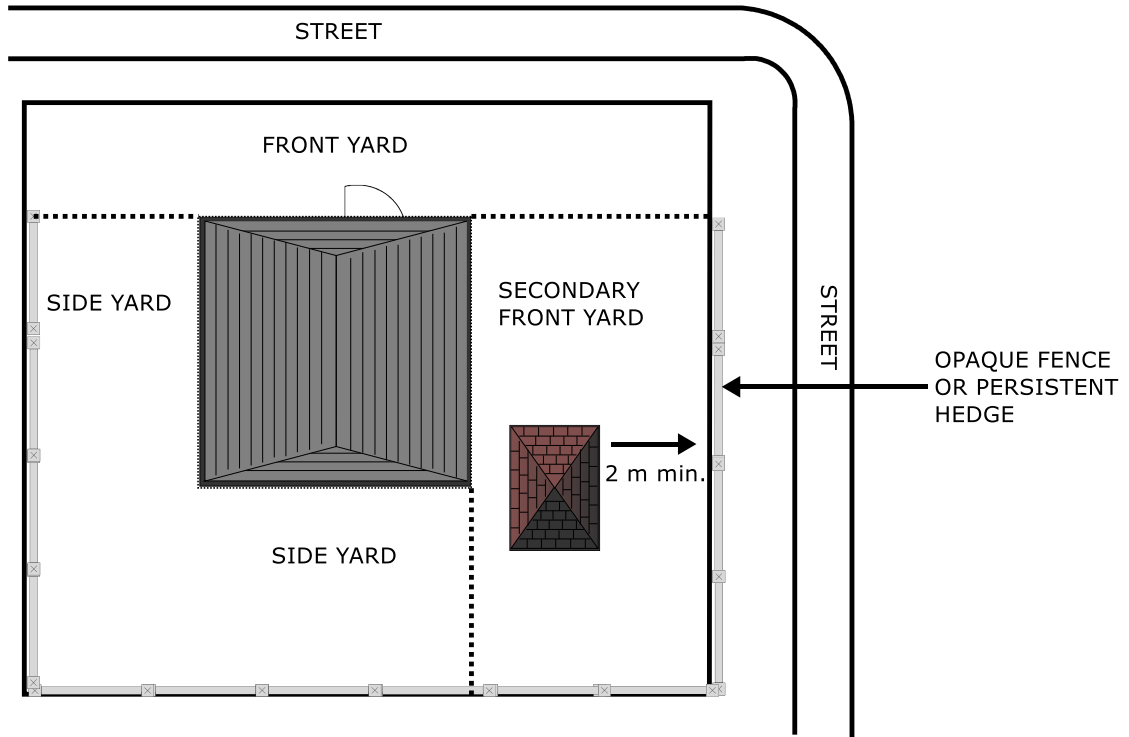
An ancillary building, structure or equipment is authorized in a front yard at a distance of at least 15 meters from the front landsite line.

5.6.4 AUTHORIZED ANCILLARY BUILDINGS, STRUCTURES AND EQUIPMENT IN A FRONT SECONDARY YARD

An ancillary building, structure or equipment authorized in a side yard is automatically authorized in a secondary front yard. However, an ancillary building, structure or equipment over 1.8 meters in height must be located at least 2 meters from the front secondary landsite line and must be screened from view by an evergreen hedge or an opaque fence. (See Illustration 4 below)

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Illustration 4



5.6.5 NUMBER OF ANCILLARY STRUCTURES PER LANDSITE

Of the following structures, only 1 ancillary structure of the same type is authorized per landsite:

- a) Garage and car shelter (detached and attached)
 - i. An attached garage and a detached garage are considered as the same type of structure.
 - ii. An attached car shelter and a detached car shelter are considered as the same type of structure.
- b) Shed
- c) Pool shed
- d) Pool
- e) Hot tub (spa)
- f) Greenhouse
- g) Pavilion or pergola

Notwithstanding any provision in this by-law, in the case of a communal residence, no more than 2 pavilions, pergolas or other garden structures per landsite are authorized.

5.6.6 DISTANCE BETWEEN ANCILLARY STRUCTURES

The distance between 2 ancillary structures is 2 meters minimum. However, there is no minimum distance between a pool and a spa.

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5.6.7 OUTDOOR OIL OR GASOLINE TANK

An outdoor gasoline or oil tank is specifically prohibited in a residential zone.

5.6.8 PRESSURIZED GAS TANK

A pressurized gas tank located in a side yard must be hidden by an opaque screen or a screen of vegetation, and must be located at a distance of at least half the length of the side wall, measured from the front wall.

5.6.9 TEMPORARY SHELTER FOR A MOTOR VEHICLE

A temporary shelter for a motor vehicle is prohibited throughout the territory of the City of Beaconsfield.

5.6.10 TEMPORARY BUILDING

The only authorized temporary buildings are those necessary for construction sites. They may not serve as residences and must be removed within 15 days following the end of the construction work.

5.6.11 LATERAL SETBACK FOR A PERMANENTLY ATTACHED CARPORT

Unless otherwise indicated and without limiting the generality of the rules in the present by-law, the lateral setback for permanent carport, attached to the main building may be reduced to 1.8 meters from the side landsite line, provided that:

- a) The reduced lateral setback applies to an attached carport only. Said carport must be built only on 1 side of the main building;
- b) The lateral setback prescribed for the main building in the specification grid is 4.5 meters.

5.6.12 LATERAL SETBACK FOR A GARAGE ATTACHED TO THE MAIN BUILDING

Unless otherwise indicated and without limiting the generality of the rules in the present by-law, the lateral setback for a garage attached to the main building may be reduced to 1.80 meter from the side landsite line, provided that:

- a) The reduced lateral setback applies to the attached garage only. The garage must be built only on 1 side of the main building;
- b) The lateral setback prescribed for the main building in the specification grid is 4.5 meters.

5.6.13 ACCESS TO A DETACHED GARAGE

For a detached garage located in the rear yard, the section of driveway located in the rear yard should be paved with honeycomb blocks, or paved along the wheel paths only.

5.6.14 BELOW-GRADE GARAGE DETACHED FROM THE MAIN BUILDING FOR A SINGLE-FAMILY RESIDENCE

For a single family residence, a detached garage may be built below grade level subject to the following conditions:

- a) The access ramp is not visible from the public road.
- b) An exterior drain the same width as the garage door must be installed at the bottom of the slope so that storm water is directed towards it;

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- c) The bottom of the garage door must be 0.75 cm above the top of the exterior drain cover;
- d) A speed bump must be installed at the top of the slope of the access ramp.

5.6.15 POOL

A pool may be in ground, semi-inground or above-ground.

For the purposes of the present by-law, a whirlpool or hot tub (spa) with a capacity greater than 2000 litres is considered a pool.

An above-ground pool that can be disassembled, or an inflatable pool, deeper than 60 cm is considered to be an above-ground pool.

The installation of a pool must comply with the provisions in the present by-law.

5.6.15.1 Installation

In addition to the norms prescribed in section 5.6.2, the installation of pool must respect the following conditions:

a) Location

The distance must be measured from the edge of the water surface of the pool to the landsite lines or the edge of the building;

b) Filling the pool

A pool may only be filled if a permanent fence is installed in conformity with the present by-law;

c) Filtration system

The water filtration system of a pool must be installed in an ancillary building in conformity with the regulations in force under the present by-law.

d) Overhead cables

A pool must not be placed under any electrical wires or lines;

e) Heat pump for the pool and its equipment

A heat pump for pool and its equipment must be located at least 2 meters from a landsite line and within 2 meters of the shed.

5.6.15.2 Controlling access to an in ground or semi-inground pool

All in ground and semi-inground pools must be equipped with a ladder or steps used to enter or exit the water.

To restrict access from the house or the yard, an in ground or semi-inground pool must at all times be surrounded by an enclosure at least 1.5 meters in height. However, if the landsite on which the pool is located is surrounded by a fence at least 1.5 meters high, then the height of the enclosure surrounding the pool may be a minimum of 1.2 meters.

For the purposes of this section an enclosure having due height of less than 1.50 meters may consist of a flexible fence. (By-law 720-106, sec. 2)

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The enclosure must be installed at least a meter (1m) from the edge of the water surface.

It must have no fixtures, projections or open parts enabling it to be climbed.

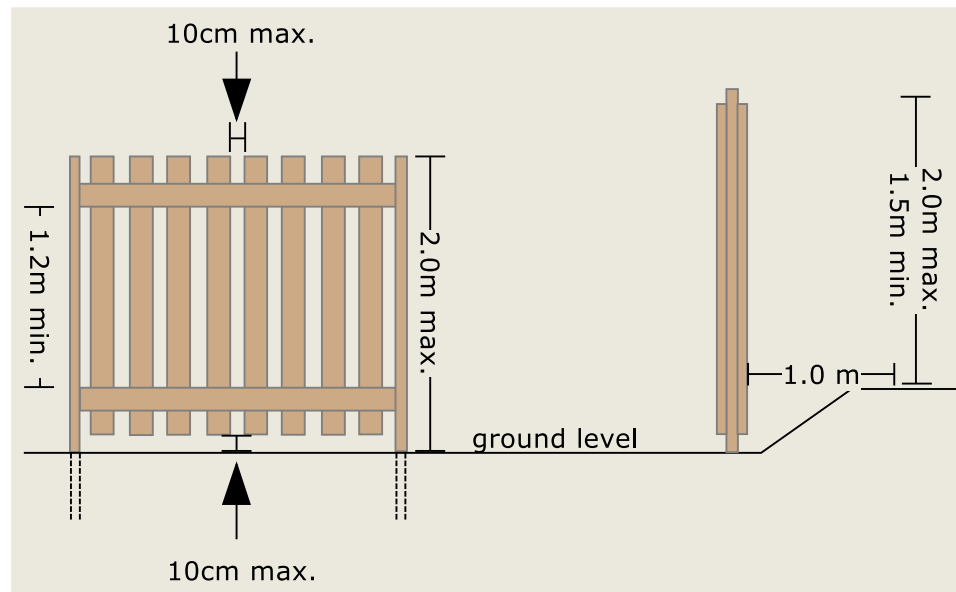
A wall forming part of an enclosure must not have any opening to enable passage through the enclosure. However, this rule does not apply for openings located on the second floor of a single-family residence.

The gate forming part of an enclosure must be equipped with a self-closing/self-locking security mechanism installed on the inside of the enclosure on the upper part of the gate.

The enclosure must not have any openings large enough to allow the passage of spherical objects ten (10) cm or more in diameter. Moreover, the distance between the bottom of the fence and the grade level must not exceed ten (10) cm.

The planks or bars of the fence must be rigid and installed vertically. There must be a gap of at least 1.2 meters between the horizontal support bars. These bars must be located on the pool side of the fence. (See Illustration 5 below)

Illustration 5



Under no circumstances may a hedge, shrubs or trees be considered a fence.

Any installation intended to provide or deny access to a pool or spa must be maintained in good working order.

(By-law 720-100, sec. 7)

5.6.15.3 Controlling access to an above-ground pool

An above-ground pool with a wall height of at least 1.21 meters above grade level, or a pool that can be dismantled with a wall height of at least 1.4 meters,

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does not have to be surrounded by an enclosure when the pool is accessed in any of the following ways:

- 1^o By means of a ladder fitted with a self-closing/self-locking mechanism to prevent its use by a child. Also, the ladder for an above-ground pool must be raised and locked to prevent access when not in use;
- 2^o By means of a ladder or from a deck to which access is protected by a fence fitted with a self-closing/self-locking security mechanism on the gate to prevent its use by a child;
- 3^o From a patio attached to the house and installed so that the portion opening onto the pool is protected by a fence fitted with a self-closing/self-locking security mechanism on the gate to prevent its use by a child.

Notwithstanding the first subparagraph of the current section, a landsite on which is located an above-ground pool or a pool that can be dismantled, must be surrounded by a fence with a minimum height of 1.5 meters. The specifications listed in section 5.6.15 of the present by-law must be respected.

The height prescribed for the fence must be measured at a distance of one (1) meter from the fence, on the inside or outside, whichever offers the higher grade level. (See Illustration 5 above)

The fence must be installed at least one (1) meter from the edge of the water surface.

The fence must have no fixtures, projections or open parts to facilitate climbing.

The gate forming part of an enclosure must be equipped with a self-closing/self-locking security mechanism installed on the inside of the enclosure on the upper part of the gate that allows the gate to close and lock automatically.

5.6.15.4 Temporary fence

In the case where a permanent fence is not yet installed, an impenetrable temporary fence at least 1.5 meters in height and solidly attached to the ground must be installed around the pool to guarantee protection around the excavation site.

5.6.15.5 Deck around an above-ground pool

If the above-ground pool is surrounded in whole or part by a deck, this must be fitted with a railing.

A deck around an above-ground pool must respect the following rules:

- a) No encroachment onto a front setback is authorized;
- b) The floor of the deck must not be higher than the exterior wall of the pool;
- c) When the deck floor is more than 1.2 meters above grade level, the deck must be protected by a fence installed in accordance with the provisions in the Québec Construction Code - Chapter 1, Building.

5.6.15.6 Equipment close to the pool

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To prevent children from climbing up to access the pool, any device connected to its operation must be installed at more than one meter from the edge of the water surface or, as appropriate, from the fence.

The pipes connecting the equipment to the pool must be flexible and must not facilitate children climbing up or over the pool wall or the fence.

Notwithstanding the first subparagraph of the current section, any equipment may be located less than 1 meter from the pool or the fence, when installed:

- 1^o Inside the enclosure when the specifications listed in section 5.6.15.2 (Controlling access to an in ground or semi-inground) pool) are respected;
- 2^o Beneath a structure that prevents access to the pool from the equipment;
- 3^o Inside a shed.

5.6.16 HOT TUB (SPA) WITH A CAPACITY NOT EXCEEDING 2000 LITRES

In addition to the standards prescribed in section 5.6.2, a hot tub with a capacity not exceeding 2000 litres must meet the following conditions:

- a) It must be installed in a side, rear or secondary front yard;
- b) It must be equipped with a cover that is kept closed whenever it is not in use;
- c) Repealed (By-law 720-106, sec. 1);
- d) If the spa is installed inside an ancillary building, the door of this building must be fitted with an automatic self-closing / self-locking mechanism.

A hot tub with a capacity in exceed of 2000 litres must respect the same standards as an in ground or semi-inground pool.

5.6.17 POOL SHELTER

In addition to the standards prescribed in section 5.6.2, a pool shelter is authorized on condition that it will not visible from a public street. Also, the height of the shelter must be lower than the height of the fence. The shelter may not be considered as a fence for the purposes of the present by-law.

5.6.18 SATELLITE DISH

In addition to the standards prescribed in section 5.6.2, a satellite dish is authorized under the following conditions:

- a) It may be installed only on a side or rear wall, or on the roof, of a main building;
- b) If installed on a side wall, it must be located at least 2 meters from the front façade wall;
- c) If installed on a roof, it must be fixed on the back half of the roof;
- d) The satellite dish must not exceed 1 meter in diameter;
- e) The maximum number is 2 dishes per dwelling unit.

5.6.19 VERTICAL ANTENNA FOR THE RECEPTION AND BROADCASTING OF RADIO OR TELEVISION SIGNALS

In addition to the norms prescribed in section 5.6.2, a vertical antenna is authorized under the following conditions:

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- a) Whether it is erected on the ground or the roof of a building, the vertical antenna must not rise more than 5 meters above the highest point of the main building, excluding the chimney;
- b) The vertical antenna must not exceed 20 meters in height, measured from grade level;
- c) If the antenna is installed on the roof of the main building, it must be installed on the back half of the roof;
- d) If the antenna is fixed to the building, it must be fixed on the rear wall of the main building or on the side wall 2 meters away from the front façade wall. Under no circumstances may the antenna be fixed to a building's front façade wall;
- e) If the antenna is installed on the ground, it may not be installed in the front or the secondary front yard and must be placed at least 4.5 meters from the side and rear landsite lines; in addition, the antenna must be solidly anchored to the ground.

5.6.20 TELECOMMUNICATIONS ANTENNA TOWER

A telecommunications antenna tower with a diameter at the base greater than 50 centimeters is considered to be a main structure in the "Communication and Public Utility Service (U)" group of usages. The communications antenna tower must be accompanied by a service building.

a) Location

A telecommunications antenna tower is authorized in Zone U300 only.

b) Maximum number of telecommunications antenna towers

- i. A maximum of 3 telecommunications antenna towers is authorized in Zone U300 only.
- ii. A minimum distance of 1 kilometer is required between telecommunications antenna towers.

c) Height of a telecommunications antenna tower

The height of a commercial telecommunications antenna tower must not exceed 50 meters, measured from the ground where it is erected.

d) Service building

A service building, ancillary to a telecommunication tower antenna, is authorized subject to the following conditions:

- i. Its maximum height is 4 meters;
- ii. Its maximum floor area is 15 square meters;
- iii. Only heavy masonry is authorized as an exterior cladding material for the service building.

5.6.21 HEAT PUMP AND OTHER MECHANICAL EQUIPMENT

In addition to the norms prescribed in section 5.6.2, the installation of a heat pump or other mechanical equipment is authorized subject to the following conditions:

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- a) The intensity of the noise resulting from the separate or combined operation of a heat pump, heating, air conditioning or ventilation equipment, a pool filter, a generator or any other such equipment, must not exceed 55dBA, calculated at a height of one (1) meter along any landsite line where the heat pump or other mechanical equipment is installed. This level of noise intensity must be calculated using the A.R.I. 270 standard or equivalent.
- b) A heat pump or mechanical equipment must be placed in the rear or side yard. For a corner landsite or through corner landsite, the heat pump or mechanical equipment may be installed in the secondary front yard.

When installed in a yard adjacent to a street, a heat pump and/or any mechanical equipment must be hidden by an opaque fence, an evergreen hedge or a screen, if visible from the street.

5.6.22 EXTERIOR STORAGE OF FIRE WOOD

In addition to the norms prescribed in section 5.6.2, it is permitted to store firewood for domestic purposes outside, provided that:

- a) The firewood is exclusively for the use of the occupant and will not be sold; and
- b) The wood is stacked and secured appropriately in the rear or side yard or on the porch.

5.6.23 WINDMILL

Windmills are prohibited on the territory of the City of Beaconsfield.

5.6.24 COMPOSTER

- 6 In addition to the requirements stipulated in section 5.6.2, a composter is permitted provided it is designed to prevent animals from accessing the organic matter.

(By-law 720-100, sec. 8)

5.7 FENCE

5.7.1 REQUIREMENT TO INSTALL A FENCE

Exercising a usage or carrying out authorized construction in conformity with this by-law requires the installation of a fence in the following cases:

- a) Outdoor storage
- b) Installation of an in-ground or above-ground pool
- c) Installation of a hot tub
- d) Construction or excavation presenting a risk to public safety.

5.7.2 FENCE LOCATION

A fence must be situated on the same landsite as the main building.

For all usages, with the exception of the “Institutional and public recreation,” “Park,” and “Public Utility service” groups and classes of usages, no fence, except a wall of 1.2 meter high, may be erected on the front yard of a building, unless the fence is erected at least 15 feet from the front landsite line.

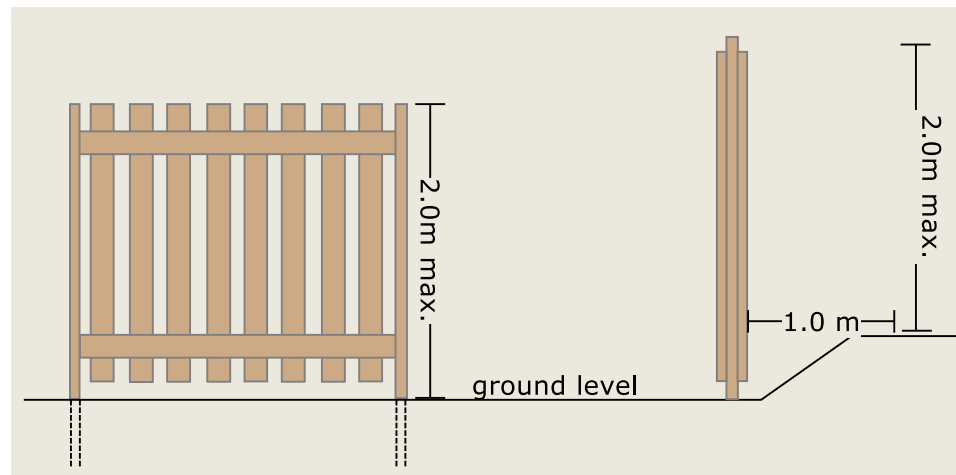
5.7.3 FENCE HEIGHT

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For all usage classes, with the exception of “Institutional and public recreation,” “Park,” and “Public Utilities”, a fence may not be higher than 2 meters, measured at a distance of 1 meter from this fence, on the inside or outside, whichever has the higher grade level. (See Illustration 6 below)

Notwithstanding the first paragraph, the maximum height for a fence located in the back yard adjacent to the highway 20 is 3 meters.

Illustration 6



5.7.4 MATERIALS PROHIBITED FOR A FENCE

The following materials are prohibited for a fence:

- a) Chicken wire;
- b) Plywood or particle board;
- c) Snow fencing;
- d) Barbed wire;
- e) Chain link fences without a vinyl coating for residential usage.

(By-law 720-96, sec. 1)

- f) Chain link fences coated with vinyl located in a place other than along the rear and side property lines for a residential use.

(By-law 720-96, sec. 2)

5.7.5 FENCE ADJACENT TO ST-CHARLES BOULEVARD

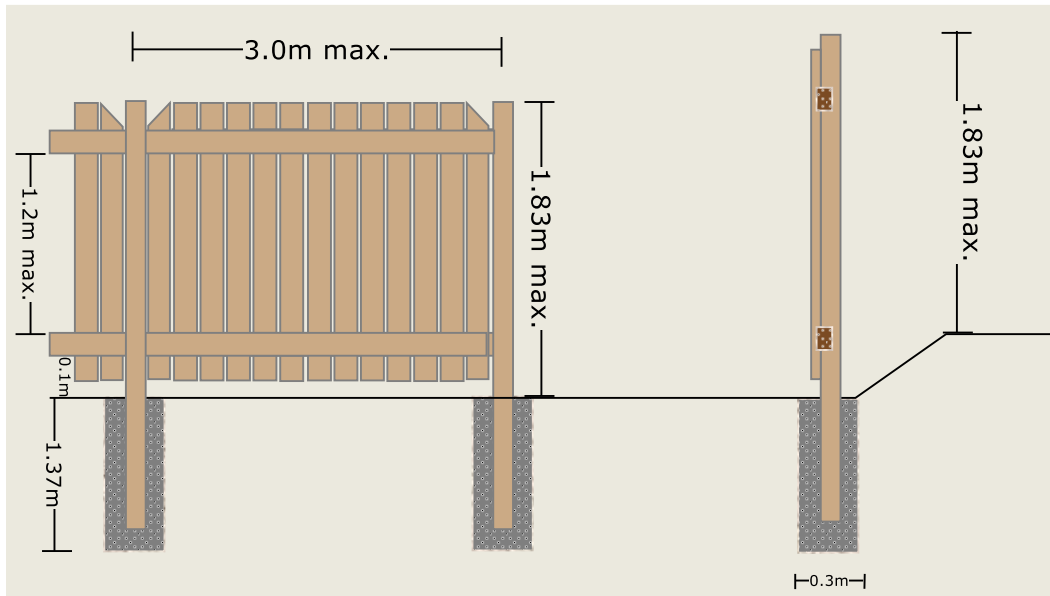
A fence adjacent to St-Charles Boulevard must be built as follows (see Illustration 7 below):

- a) Height is 1.83 meters measured from the level of the sidewalk;
- b) It must be built with treated wood, left in its natural state on the City side;
- c) Board width is 15 centimeters with no spaces between the boards;
- d) Horizontal rails must be installed on the private landsite side;
- e) The fence must be made up of sections approximately 3 meters in width;
- f) Section must have 10cm X 10cm posts at either end;

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- g) Posts must be installed in concrete or stone dust;
- h) Post must be buried to a depth of 1.2 meters;
- i) Rust-proof nails must be used when constructing the fence.

Illustration 7



5.7.6 FENCE CONSTRUCTION

A fence must be solidly constructed and fixed to the ground.

5.7.7 FENCE MAINTENANCE

A fence must be properly maintained and kept braced and level at all times.

5.8 DECORATIVE FENCE

A decorative fence is authorized as an ancillary structure under the following conditions:

- a) It must be situated on the same landsite as the main building;
- b) It may be erected in all the yards;
- c) Its height may not exceed 1.20 meters. The height is measured at the location where the fence is installed;
- d) Materials prohibited for a decorative fence are the same as those prohibited for a fence;
- e) It must be solidly constructed and fixed to the ground;
- f) It must be properly maintained and kept braced and level at all times.

5.9 FENCE AROUND A TENNIS COURT

A fence around a tennis court in a residential zone must meet the following requirements:

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- a) It must be no higher than 4 meters;
- b) It may not be located in a front yard or in a secondary front setback;
- c) It must be a vinyl-clad chain link fence or a wrought iron fence.

5.10 PARKING

5.10.1 REQUIREMENT FOR AND PERMANENCE OF A PARKING SPACE

Parking requirements are obligatory, continuous and prevalent for all usages and in all zones as long as the usages for the parking spaces continue.

Requirements for parking necessarily apply to all new building construction work, work to enlarge a main building, a change in the group of usages and the landscaping of the landsite. In the case of an extension, these norms only apply to the extension itself.

5.10.2 COMMERCIAL CONTAINER, TRACTOR AND TRAILER IN A RESIDENTIAL ZONE

Containers, tractors, trailers, or additional tools or equipment normally used or meant to be used for industrial or commercial purposes are not authorized in a residential zone.

5.10.3 PARKING OF ANY RECREATIONAL VEHICLE, TRAILER OR BOAT FOR DOMESTIC USE IN A RESIDENTIAL AND COMMERCIAL ZONE

The parking of any recreational vehicle, trailer or boat for domestic use in residential and commercial zones is authorized in the side and rear yards only, except during the season in which they are in use, when parking may be authorized in the driveway.

A maximum of 2 vehicles is authorized at any time of year on the same landsite. Moreover, notwithstanding the current paragraph, a trailer may be authorized in addition to the 2 vehicles if the trailer is not used to hold equipment. In that case, the trailer will be considered as an integral part of the equipment.

5.10.4 NUMBER OF PARKING SPACES

Minimum standards for parking must be respected at all times.

The minimum number of parking spaces is calculated according to the total area of floor space, or according to a specific parameter.

When the number obtained is a fraction equal to or greater than 0.5, this fraction represents a whole parking space.

A gross leasable floor area shall be equivalent to 80% of the gross floor area of a building.

- a) For residential use
 - i. Single-family housing and two-family housing: 1 space per dwelling.
 - ii. Multi-family housing: 1.2 parking space per dwelling plus 10% for visitors.
 - iii. Communal residence: 1 parking space per 4 units plus 10% for visitors;
 - iv. Nursing home: 1 parking space per 2 rooms
- b) For commercial use

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- i. Retail business, personal and professional services: 1 parking space per 30 m² of gross leasable area.
- ii. Business with premises larger than 500 m²: 1 parking space per 25 m² of gross leasable area.
- c) Shopping centre:
 - i. Less than 10,000 m² of total gross floor area: 1 parking space per 25m² of gross floor area.
 - ii. 10,000 m² or more of gross floor area: 1 space per 20 m² of gross floor area.
- d) Restaurant business: 1 space per 4 seats or 1 space per 10 m² of gross leasable area (the greater of the 2 applies).
- e) Beaurepaire commercial sector (Zone C131):
 - i. 1 space per 45 m² of gross leasable floor area.
- f) Recreation business: 1 parking space per 25 m² for a space without accessible public seating. For a space with seats, 1 parking space per 5 seats should be added.
- g) Lodging services: 1 parking space per 2 rooms
- h) Day care and day care centre:
 - i. 0.30 parking space per child
- i) Wholesale business and warehousing:
 - i. 1 parking space per 75m² of gross floor area.
- j) Gas station: Minimum of 3 parking spaces per landsite
 - i. With auto repair services: 7 additional parking spaces for the garage section.
 - ii. With a convenience store: 1 additional parking space / 40 m² of gross floor area.
- k) Institutional and administrative:
 - i. School: 1 parking space per classroom plus 5 parking spaces for administrative services.
 - ii. Place of Worship: 1 parking space per 7 places.
- l) Other usages: For usages not previously mentioned, the number of spaces is determined by considering the requirements described in the current section for a comparable use.

5.10.5 LOCATION OF PARKING SPACES FOR RESIDENTIAL USE

- a) All vehicles must park in the place planned for this purpose;
- b) For residential use, parking space must be situated on the same landsite as the building that it serves.

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- c) For detached or semi-detached single-family homes or for communal residences housing less than 15 people or non-autonomous or semi-autonomous seniors, the parking space may be indoors or outdoors. If an outdoor parking area is created, this may be located in a front or side yard, and in the case of a detached garage, in the rear yard, in a driveway or access aisle.
- d) For multifamily dwellings, communal residences housing 15 or more people, and integrated residential projects for multi-family dwellings, parking must be indoors. However, parking spaces for visitors may be created outdoors.
- e) A maximum of 40% of the front yard may be used for outdoor parking, including the driveway or access aisle. Moreover, in the case of a corner landsite, a maximum of 20% of the front yard may be devoted to outdoor parking, including the driveway or access aisle. Motor vehicles may be parked only in designated parking spaces and in the driveway or access aisle.
- f) Single-family row houses and integrated residential projects with single-family row houses must offer at least 1 indoor parking space per home. Parking is permitted in the access aisle.

5.10.6 LOCATION OF PARKING SPACES FOR OTHER USAGES

For usages other than residential, the layout of parking spaces must respect the following requirements:

- a) The spaces must be situated in the place planned for this purpose and on the same landsite as the building that they serve.
- b) The spaces must be situated in all the yards, provided that no parking space is situated less than 1 meter from any landsite line.

5.10.7 SIZE OF A PARKING SPACE AND A CIRCULATION AISLE

The minimum dimensions of a parking space are as follows:

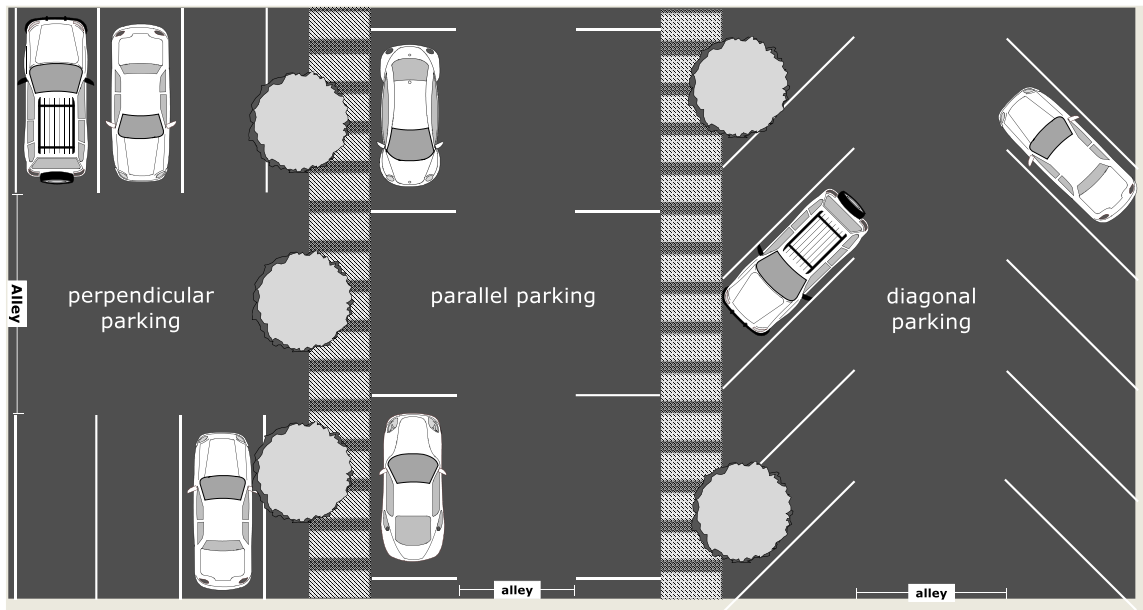
- a) Length: 5.50 m
- b) Width: 2.5 m

Depending on the angles of the spaces, the minimum width of a circulation aisle must conform to the following table:

<u>Angle of the space</u>	<u>Width of the circulation aisle (meters)</u>
0°	3.5
30°	4.5
45°	4.5
60°	6.0
90°	6.5

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Illustration 8



5.10.8 ACCESS POINTS AND CIRCULATION AISLES

- a) For residential use, the number of access points is limited to 1 per landsite, with the exception of St-Charles Boulevard, Beaconsfield Boulevard, Woodland Street, Sherbrooke Street, Windermere Street, Montrose Street and Lakeshore Road where the maximum number of access points is 2;
- b) For a residential use, a minimum distance of 7.0 meters between 2 access points on the same landsite is required;
- c) For commercial use, the number of access points is limited to 1 per 30 meters;
- d) The width of a single access point used for both the entry and departure of vehicles must be between 5 meters and 7.5 meters, except for non-residential usages, in which case the maximum width is 10 meters;
- e) In a case where the landsite has more than 1 access point, the width of the access aisle must be between 3 meters and 5 meters;
- f) The circulation and access aisles may not be used as parking areas except for a residential usage;
- g) The layout of parking areas with more than 3 spaces must allow vehicles to enter and exit without the drivers having to move another vehicle;
- h) The slope of an access ramp may not exceed 8%. For parking spaces below street level, preventive measures must be taken to avoid surface water from the public road from flowing onto private landsite.
- i) Notwithstanding subsection a) hereinabove, the number of access for a residential use of a corner landsite is limited to a maximum of two, providing that they do not allow a vehicular link between the two accesses and that they are not located on the same street.

(By-law 720-100, sec. 9)

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5.10.9 MINIMUM DISTANCE FROM AN INTERSECTION

The access aisle or driveway to a residential landsite must be at least 6 meters from the intersection of 2 street lines and must be at least 10 meters from the intersection of 2 street lines for all other usages.

5.10.10 INSTALLATION OF A PARKING AREA OF MORE THAN 465 M²

The installation of a parking area of more than 465 m² must meet the following requirements:

- a) It must be equipped with a rainwater drainage and retention system in accordance with the provisions of the City of Beaconsfield's Construction By-law;
- b) It must be laid out in such a manner as to facilitate the removal and piling of snow without reducing its parking capacity to below the minimum number of space required by section 5.10.4 of the present by-law;
- c) It must be laid out in such a manner as to create a bio-retention system, by installing strips of green space and by creating openings to direct runoff as show in Appendix C of the present by-law;
- d) Plans, prepared and signed by a civil engineer, providing for a complete rainwater drainage and retention system, in accordance with the provisions of subparagraph a) above, must be submitted and approved. The retention calculations for this system must be based on the total number (100%) of parking spaces required in section 5.10.4 of the present by-law.

5.10.11 MAINTENANCE OF A PARKING LOT

A parking lot must be installed and maintained in conformity with the following provisions:

- a) Except for a single-family usage, the parking area must be asphalted or covered by a permeable surface.
- b) With the exception of a parking space created for single-family and two-family use, the parking area must be surrounded by a cement border of a minimum height of 15 centimeters. This border may not be situated less than 1 meter from a landsite line or a building.
- c) A fence that is 80% opaque or a dense hedge must divide a commercial parking lot from an adjacent residential landsite. The height of this fence must be between 1.5 meters and 2 meters. The prescribed height must be measured from a point situated 1 meter from this fence, inside or outside, whichever has the higher grade level.
- d) The owner must, on one or a number of sides of the landsite facing a street line, plant and keep in good condition a strip of grass, flowerbeds or bushes at least 1 meter wide along the entire width of the landsite, between the landsite and the street, with the exception of the access aisles leading from the parking area to this street.

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5.11 BICYCLE PARKING AREA

An area for bicycle parking must be planned for all usages in the “Commercial” and “Institutional and public recreation” groups of usages, and for the usage “Train station”.

Standards for this parking area apply not only to construction for a new usage, but also to any enlargements.

5.11.1 LOCATION OF A BICYCLE PARKING AREA

The bicycle parking area must be situated near the building’s entrance or the platform of a train station.

5.11.2 LAYOUT OF A BICYCLE PARKING AREA

The parking area for bicycles must be visible and accessible and provide adequate lighting. Furthermore, on the platform of a train station, a bicycle parking area must be in an area sheltered from the weather.

5.11.3 NUMBER OF BICYCLE STANDS

The standards relative to the required number of bicycle stands must be respected at all times.

The minimum number of bicycle stands is 5% of the number of parking spaces required for this type of usage.

5.12 PARKING SPACE RESERVED FOR INDIVIDUALS WITH DISABILITIES

Any parking space for individuals with disabilities must be installed and maintained according to the provisions in sections 5.12.1 to 5.12.6, unless otherwise indicated in the present by-law.

5.12.1 OBLIGATION TO PROVIDE PARKING SPACES FOR INDIVIDUALS WITH DISABILITIES

All usages in the “Commerce”, “Institutional and public recreation” and “Communal residence” groups of usages, and the “Public works” and “Train station” usage classes, must provide parking spaces reserved for the motor vehicles of individuals with disabilities.

5.12.2 SIZE OF PARKING SPACES

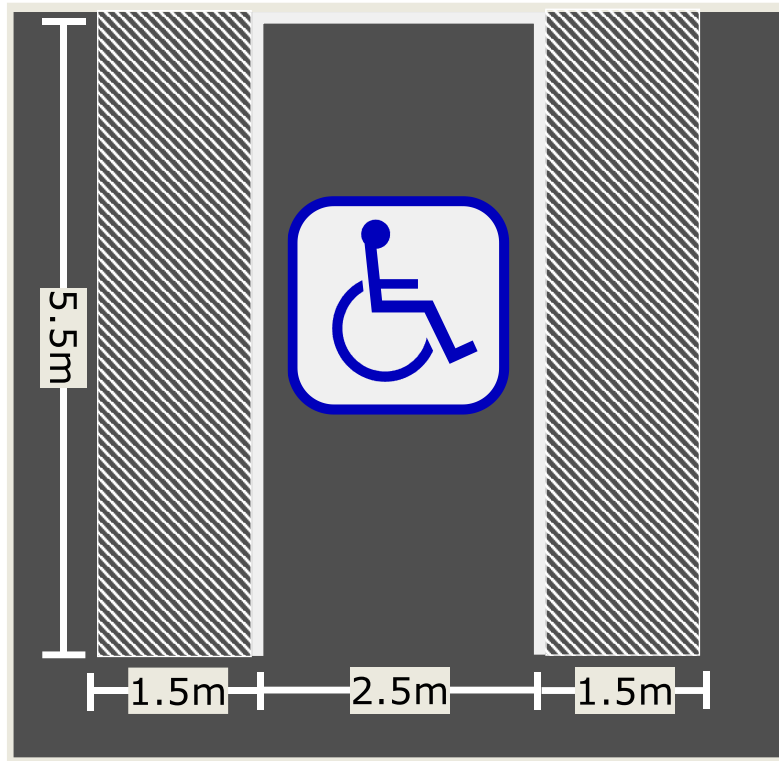
Each parking space reserved for the motor vehicles of individuals with disabilities must have the following minimal dimensions:

- a) Length: 5.50 meters
- b) Width: 2.50 meters

5.12.3 CLEARANCE AROUND PARKING SPACES RESERVED FOR INDIVIDUALS WITH DISABILITIES

Each parking space reserved for individuals with disabilities must have a side access aisle at least 1.50 meter wide along the length of the space, on both sides of the space. (See Illustration 9 below)

Illustration 9



This side access aisle may be shared by two adjacent spaces if the angle of the space is at 90° to the circulation aisle.

5.12.4 NUMBER OF REQUIRED PARKING SPACES

For all usages in the “Commerce” and “Collective equipment and public services” groups of usages, and the “Train station” class of usages, a minimum of 1 parking space per group of 25 parking spaces must be installed and reserved for individuals with disabilities.

5.12.5 LOCATION OF PARKING SPACES

The location of any parking space reserved for individuals with disabilities must meet the following standards:

- a) Be situated on the same landsite as the building that it serves;
- b) Be situated as close as possible to an entrance with access for individuals with disabilities. The path to the door must be free of obstacles.

5.12.6 LAYOUT OF PARKING SPACES

The layout of parking spaces reserved for individuals with disabilities must respect the following standards:

- a) Each parking space must be clearly delineated on the ground and identified by the international symbol of accessibility for parking spaces reserved for individuals with disabilities, as illustrated below, and painted in blue:

Illustration 10



- b) A designated parking space for the disabled must be identified by a panel recognized in the Highway Safety Code (R.S.Q., c. C-24.2) and in the Regulation respecting road signs (R.Q., c. C 24, r.28). The panel must be fixed to the top of a post installed at the front end of every designated parking space for the disabled. When a space is less than 1 m from the wall of a building, the panel may be fixed to this wall. In all cases, the top of the panel must be at a height of between 2.1 m and 3 m.

5.13 LOADING AREAS

For a usage in the “Commercial” group of usages, a loading area must be provided for each commercial establishment.

5.13.1 LOCATION OF LOADING AREA

The loading area must be entirely situated on the landsite that it serves. It is authorized only in the side and rear yards of the landsite.

In the case of a corner landsite and a through corner landsite, a loading area may be situated in the secondary front yard on condition that this loading area is entirely concealed by a wall comprised of the same material as the main building.

5.13.2 MANOEUVRING AREA

The manoeuvring area must be entirely situated on the landsite that it serves. The loading area must be surrounded by a manoeuvring area large enough that vehicles can access it and change direction without blocking the public road.

In the case of a corner lot and a through corner lot, a manoeuvring area may be situated in the secondary front yard on condition that it is entirely concealed by a wall comprised of the same material as the main building.

5.13.3 MINIMUM NUMBER OF LOADING AREAS REQUIRED

A minimum of 1 loading area is required for a usage in the “Commercial” group of usages.

However, in the case of a commercial usage where the total area exceeds 465 m², a loading bay is also required.

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5.13.4 DIMENSIONS OF A LOADING AREA WITH A LOADING BAY

The minimum dimensions of a loading area with a loading bay are as follows:

- a) Length: 9 m
- b) Width: 3 m
- c) Free height: 4 m

5.14 EXTERIOR LANDSCAPING

Unless otherwise indicated, the standards contained in the present section apply to all zones and all usages.

5.14.1 LANDSCAPING OF FREE RESIDUAL SPACES OF A BUILT LANDSITE

Around a building, all free residual space of a landsite must be levelled and covered with grass or vegetation. This space must be kept in good condition at all times.

5.14.2 LANDSCAPING OF THE FRONT YARD

The front yard must be landscaped naturally except for access and parking aisles.

The construction of a new residential building must include landscaping and trees in the front yard.

Each tree planted must have a minimum diameter of 5 cm measured at 1.5 meters from grade level. However, a conifer must have a minimum height of 2 meters.

5.14.2.1 LANDSCAPING OF A YARD OTHER THAN A FRONT YARD FOR HOUSING USAGE GROUP

A strip of a minimum width of 2 metres along the property limit of the back yard, the side yard, and, in the case of a corner lot, the secondary front yard, of a single-family residence must be preserved and maintained with grass, vegetation, crushed stone or river stone.

Notwithstanding the preceding paragraph, only the following constructions or landscape can impede in the strip:

- pool sidewalk not exceeding 2 metres in width
- pool
- shed or pool house
- detached garage
- domestic greenhouse
- retaining wall
- pressurized gas tank
- fence
- acoustic wall
- sidewalk with a maximum width of 1 metre located between the wall of an attached garage and a lateral line of a property
- vehicular access aisle located in a lateral yard leading to an attached garage, in which case a minimum strip of 1 metre is required.

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A green strip is not required along the shared lot line of semi-detached and attached single-family dwellings.

(By-law 720-109, section 1)

5.14.3 LANDSCAPING OF A VACANT LOT

All landsite left vacant following the demolition of a main building must be levelled to the same level as the natural ground.

In the case where construction work for a new building on this landsite is not planned in the 6 months following demolition, the landsite left vacant must be covered in grass and regularly maintained by the owner.

5.14.4 LANDSCAPING OF A RIGHT-OF-WAY ON A PUBLIC THOROUGHFARE

A right-of-way on a public thoroughfare must be maintained at all times by the owner or occupant of the adjacent landsite.

A right-of-way on a public thoroughfare must be grass-covered except for the access to a parking space, in which case it must be paved.

All such turfing of a right-of-way, located at least 45 centimeters from the inside edge of the sidewalk, the curb or the edge of the pavement, must be at least 5 centimeters lower than the sidewalk, the edge of the street or the edge of the pavement.

Any automatic sprinkler system must be installed at least 1 meter from the inside edge of the sidewalk, the curb or the edge of the pavement.

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5.14.5 MANAGEMENT OF A DITCH ADJACENT TO A PUBLIC THOROUGHFARE

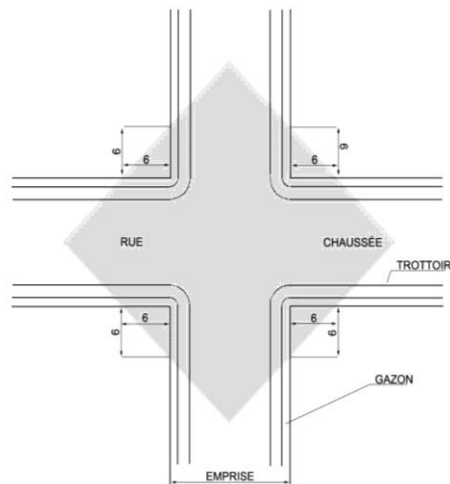
Ditches must be covered with a layer of natural ground material and maintained at all times by the owner of the adjacent landsite. The ditch may not be closed in.

5.14.6 VISIBILITY AT INTERSECTIONS AND CURBS

For properties situated at the intersection of two streets, a triangle of visibility free from any obstacle higher than 1 meter measured from street level must be respected.

This triangle must be 6 meters away from the side of each intersection; this is measured from the point of intersection of the two street lines or their extensions. (See Illustration 11 below)

Illustration 11



Translation:

RUE = STREET

CHAUSSEE = ROADWAY or PAVEMENT

TROTTOIR = SIDEWALK

GAZON = GRASS

EMPRISE = RIGHT-OF-WAY

5.15 INSTALLATION OF A PROTECTIVE SCREEN

5.15.1 OBLIGATION TO INSTALL A PROTECTIVE LANDSCAPING SCREEN

The installation of a protective landscaping screen is required in the following situations:

- a) Any new residential usage adjacent to a commercial or industrial usage must include the installation of a protective landscaping screen on the residential landsite where the new construction is to take place, between the residential landsite and the commercial or industrial landsite;

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- b) Any new commercial usage adjacent to a residential usage must include a protective landscaping screen on the commercial landsite where the new construction is to take place, between the commercial landsite and the residential landsite.

5.15.2 GENERAL PROVISIONS FOR INSTALLING A PROTECTIVE SCREEN

When required by Section 5.15.1 of the present by-law, a protective screen must consist of 1 of the 3 following types of screen:

- a) Planting of vegetation

All vegetation planted during the installation of a protective screen must be maintained and tended in perpetuity.

- b) Fence, hedge and line of trees

This type of protective screen must be composed of 1 of the following 2 protective elements:

- i. A fence that is 80% opaque, the height of which must be in conformity with the provisions in section 5.7.3 of the present by-law, or a dense hedge;
- ii. A row of trees along this fence or hedge. The distance between the trees must not exceed 5 meters. The trees must be 2 meters high, measured from the ground up, and the bushes must measure at least 1 meter from the ground up.

- c) Embankment in the case of a residential zone adjacent to a commercial or industrial zone.

This type of protective screen must be comprised of the three following elements:

- i. An embankment (backfilled material possibly supported by a retaining wall) at least 1.5 meters in height;
- ii. An average of 1 tree per 8 linear meters as a protective screen. At least 30% of these trees must be mature conifers. Each conifer must be at least 1 meter in height measured from the ground up, and the other trees must be at least 1.5 meters in height measured from the ground up;
- iii. A continuous hedge at least 1 meter in height.

5.16 VEGETATION

5.16.1 PROTECTION OF TREES AND PLANTS ON A PUBLIC RIGHT-OF-WAY

It is forbidden to damage, trim or cut down any tree, bush or cultivated plant on public property.

5.16.2 PROTECTION OF A FIRE HYDRANT, SERVICE ENTRANCE, LAMP POST OR TRAFFIC SIGN

No tree may be planted within 3 meters of the edge of a road, a public utility underground conduit (sewer, aqueduct, catch basin or water valve) or a lamp post on public property.

An area of 1.2 m² must be kept completely clear around a fire hydrant.

No tree, part of a tree or bush may obscure a traffic sign.

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5.16.3 PROHIBITED TREE SPECIES

Under no circumstances may an ash tree be planted within the boundaries of the City.

(By-law 720-101, sec. 3)

The species listed below may not be planted within 20 meters of the main building, a right-of-way for the passage of water supply or sewer infrastructures, or a landsite line, except along Lake St. Louis:

- a) Poplars
- b) High-growing species of willows
- c) Silver maples
- d) Any other species with creeping roots

5.16.4 PROTECTION OF TREES

No tree may be cut down on a private landsite without first obtaining a certificate of authorization.

Notwithstanding the first paragraph, a certificate of authorization is not required when the stump of a tree to be cut down is less than fifteen (15) centimetres in diameter.

(By-law 720-116, sec. 1 b))

A certificate of authorization may be issued in the following circumstances only:

- a) The tree is dead or suffering from an incurable illness;
- b) The tree is dangerous for citizens' health or safety;
- c) The tree is causing landsite damage;
- d) The tree is impeding construction or development authorized in the present by-law. However, with the aim of protecting trees wherever possible, the certificate of authorization will only be issued if the construction or development cannot be located anywhere else in the yard.
- e) The tree is having a negative effect on the growth and development of neighbouring trees;
- f) The tree must be cut down in the course of public works operations.

In all these cases, the applicant must justify this request.

Any tree cut down must be replaced anywhere on the landsite except in the case where, in accordance with the present by-law, the necessary minimum number of trees has already been attained.

However, in a case where the front yard contains no tree, the replacement tree must be planted in the front yard.

Landsite owners are responsible for the maintenance of trees on their landsite and on the grass-covered, unused portion of any adjacent public right-of-way. The maintenance work must not shorten the life of any tree and must be done in accordance with best practices.

5.16.4.1 Special provisions applicable to Zone H 131

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Notwithstanding any other provision in this by-law, no person may cut down more than two trees with diameters greater than 0.2 m measured at a height of 1.5 meters above grade level, in Zone H 131.

In the case of construction or enlargement requiring the felling of trees, 50% of the trees with a diameter greater than 0.20 m measured at a height of 1.5 meters above grade level may not be felled.

5.16.4.2 TREE FELLING

Other than the usual meaning, the following are deemed to be tree felling operations:

- Removal of more than 50% of the living crown;
- Severing, by pruning or cutting, of more than 50% of the root system;
- Covering the root system with an excessive backfill layer of 20 cm or more
- Any other action having a causal link with the death of a tree that involves, in particular, the use of a toxic product to kill a tree, destroying a tree or creating lesions or having lesions created, more or less all around the trunk of a tree, in the bark, in the secondary phloem or in the wood

(By-law 720-102, sec. 1)

5.16.5 MINIMUM NUMBER OF TREES REQUIRED

The front yard of a main building with a depth of 3 meters or more must include the following minimum number of trees: 1 tree for every ten meters and any fraction of 10 meters of linear length of the front landsite line.

The side yard of a main building, 5 meters or more wide, must have the following minimum number of trees: 1 tree per 10 meters and any fraction of 10 meters of linear length of the side landsite line.

The rear yard of a main building with a width of 10 meters or more must include the following minimum number of trees: 1 tree per 10 meters and any fraction of 10 meters of linear length of the rear landsite line.

Each tree planted must have a diameter of at least 5 cm measured at 1.5 meters from grade level. However, a conifer must have a minimum height of 2 meters.

5.16.6 PROTECTIVE PERIMETER

A minimum protective perimeter must be established around a tree, to avoid any passage of machinery, storing of earth or materials, excavation work or permanent raising of the existing grade level.

The protective perimeter must be equivalent to at least 10 times the diameter of the trunk.

5.16.7 PROTECTION OF TREES DURING CONSTRUCTION WORK

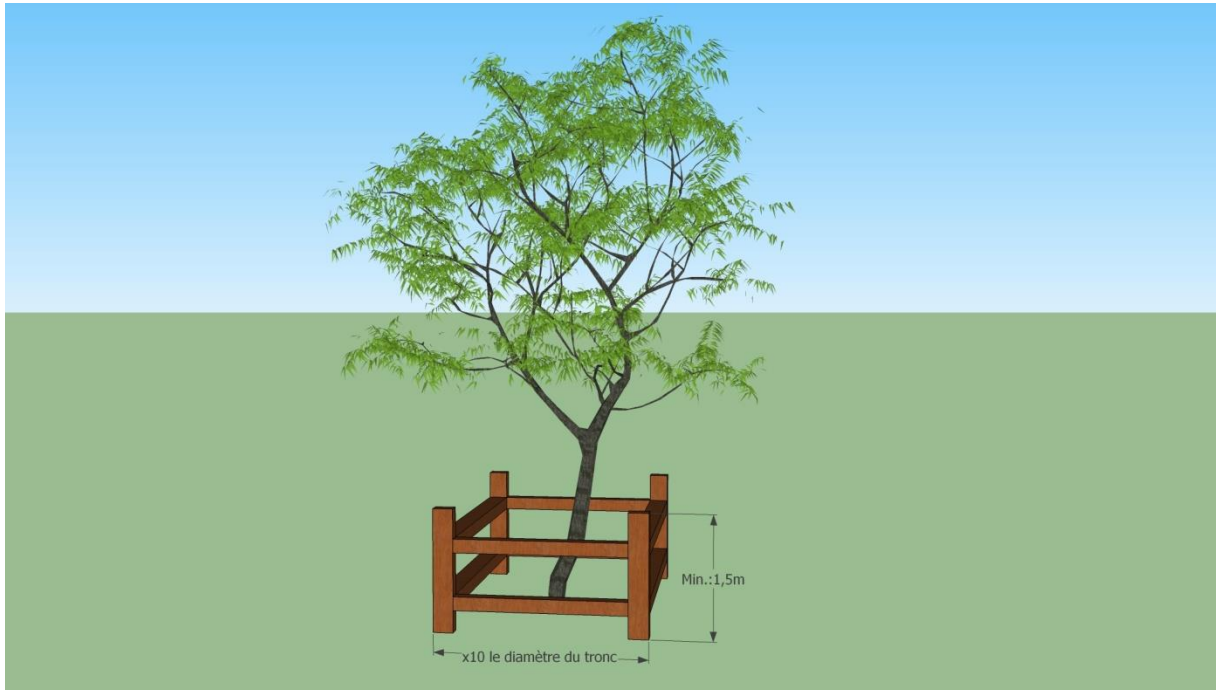
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Each tree situated on a private landsite for which a building permit has been issued, the felling of which has not been authorized by a certificate of authorization, must be protected by a protective fence, with boards to a height of at least 1.5 meters, placed around the protective perimeter of the tree, and kept in place throughout the entire duration of the work (including construction, renovation or landscaping work, and the installation of an in-ground pool). (See Illustration 12 below)

In circumstances where it is technically impossible to meet the requirements of the previous clause, the following requirements are mandatory:

- a) A protective element must be installed around the trunk of the tree, at least 1.5 meters high measured from the base of the trunk, made of planks or boards supported on strips of rubber and held in place by steel bands;
- b) A geotextile cover permeable to air and water and a temporary layer of non-compacting material at least 30 centimeters deep must be spread on the ground below the tree out to the drip line;
- c) Branches susceptible to damage must be protected or pruned. Despite these measures, branches damaged during work must be pruned soon thereafter;
- d) Roots exposed during excavation must be cleanly trimmed. Exposed roots must be kept moist during the entire period of the work; and
- e) No tree should be used as a support during construction, demolition or grading work.

Illustration 12



Translation: 10x the diameter of the trunk Min. 1.5 m

5.16.8 PROTECTION OF TREES OF PARTICULAR ECOLOGICAL OR AESTHETIC VALUE

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In the case where a permit is issued for new construction or an enlargement, the work must be accomplished in such a way as to maximize the conservation of any trees of particular ecological or aesthetic value.

The City will evaluate the trees to be preserved.

During the construction work, each of these trees must have its trunk protected, as specified in sections 5.16.6 and 5.16.7 of the present by-law.

5.16.9 EXCEPTIONAL MEASURES CONCERNING ASH TREES

No ash tree may be trimmed, pruned or felled during the designated period between May 31 and September 1, with the exception of a dangerous tree, or a tree located in a construction area for a new residence or the enlargement of an existing residence only.

Notwithstanding the preceding, and section 3.2.1 of the By-law concerning permits and certificates and subject to the application of this section, an ash tree with a trunk diameter of less than 15 centimetres measured at 1.5 metres above the ground may be felled without a certificate of authorization.

Subject to the application of section 5.16.4, any request to fell an ash tree must meet the following conditions:

- a) The inspector shall point out any ash tree infested with the emerald ash borer and identify the tree by means of the visible logo "A".
- b) To allow identification of the infestation, the owner of an ash tree must put at the disposal of the inspector, on the site of the tree felling, at least 2 sections of branches with a minimum length of 75 cm, a diameter of between 5 cm and 7 cm, located in the upper part of the crown and on the side of the tree exposed to the southwest. The inspector shall proceed with the debarking of the branches put at his disposal, and of any other branch which he deems necessary to determine the presence of an infestation.
- c) Any ash tree located within a radius of 100 metres of an ash tree infested with the emerald ash borer is automatically placed under quarantine, within a circular zone with the infested tree as the central point.
- d) The City will send, to each owner or occupant of a lot within the quarantine zone, as soon as possible, a notice to the effect that any ash tree located on their lot is subject to this by-law.
- e) Any ash tree located within the quarantine zone must be felled, or treated with a product approved or authorized by a Canadian governmental agency and applied in accordance with the manufacturer's guidelines within 60 days of the issuance of the quarantine notice by the City.
 - i. In the case of a felling, should the notice be issued during a period when felling is prohibited, the 60-day deadline may be extended until October 30 of the year in progress. The owner of

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the tree must disclose the name, address and telephone number of the contractor who will carry out the felling.

- ii. In the case of a treatment with an approved or authorized product by a Canadian governmental agency, the owner shall provide the City with a proof of treatment of the ash trees placed in quarantine. This proof of treatment must be provided to the City within 15 days following the treatment. If a treatment must be repeated, proof of treatment must be provided to the City within 15 days following the second treatment.
- f) It is forbidden to store ash wood within the boundaries of the City unless it is used for firewood. In this case, the property must be equipped with a solid fuel burning stove or fireplace in compliance with applicable regulations.
- g) It is forbidden to plant, grow or cultivate an ash tree from a seed, a seedling or any other method. Anyone who owns, manages or tends a lot located within a quarantine zone is also prohibited from allowing an ash tree to grow on that lot, whether that tree grows from a seed, a seedling or a sapling, without following the procedures set out above.
- h) In the case of a property with one or several ash trees, the owner may fell a maximum of 4 ash trees per year. In the case of a property with several ash trees, the felling of up to one-quarter of the ash trees on the property will be authorized per year. The provisions in terms of issuing certificates apply and each felled tree must be replaced.
- i) Any felled tree (infested or not) must be replaced by a tree other than an ash. The replacement tree must have a minimum height of 1.5 metres from the ground. This provision does not apply to trees with a diameter of less than 15 cm measured at a height of 1.5 metres above the ground.
- j) Disposal of the following materials will not be accepted by the City during the period when felling is prohibited:
 - i. Firewood;
 - ii. Trees;
 - iii. Nursery materials;
 - iv. Saw logs;
 - v. Wood packaging, pallets and dunnage;
 - vi. Wood, bark or wood residue resulting from shredding operations of all species of trees.”
- k) Any dead ash tree must be felled within six (6) months following its death.

(By-law 720-101, sec. 2; By-law 720-114, sec 3)

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5.16.10 EXCEPTIONAL MEASURES CONCERNING A LOT OF MORE THAN 3,000 SQUARE METRES AND INCLUDING A MANAGED FOREST

Notwithstanding paragraphs h), i) and j) of section 5.16.9, a certificate of authorization is required in advance for anyone wishing to fell ash trees on a lot covering an area of more than 3,000 square metres and including a managed forest.

A 5-year forest management plan must be submitted and must include a plan to replace the felled trees that may not be less than 30% of the actual number of ash trees.

(By-law 720-101, sec. 4; By-law 720-114, sec.4)

5.16.11 EXCEPTIONAL MEASURES CONCERNING A LOT OF MORE THAN 3,000 SQUARE METRES AND INCLUDING AN UNMANAGED FOREST

Notwithstanding paragraphs h), i) and j) of section 5.16.9 and of section 5.16.10, a certificate of authorization is required in advance for anyone wishing to fell ash trees on a lot of more than 3,000 square metres and including an unmanaged forest.

(By-law 720-114, sec.5)

5.17 DIGGING, EXCAVATION AND BACKFILLING WORK

5.17.1 GENERAL RULES ON PUBLIC PROPERTY

It is forbidden to dig the soil or carry out any excavation or backfilling work on public property without having first obtained a certificate of authorization, unless:

- a) The work is done by the City and constitutes a normal stage in the construction, reconstruction, repair or maintenance of public infrastructures or utilities;
- b) The work is done by a public service company or by the government and constitutes a normal stage in the repair and maintenance of public infrastructures or utilities.

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5.17.2 GENERAL RULES ON A PRIVATE LANDSITE

It is forbidden to dig the soil or carry out any excavation or backfilling work on a private landsite without having first obtained a certificate of authorization, unless:

- a) The work constitutes a normal stage of the construction of a structure for which a building permit has been issued;
- b) The excavation work is to improve drainage to the storm sewer;
- c) The excavation/backfilling work is to level ground affected by an accident without adding any new earth;
- d) The excavation/backfilling work is to eliminate a safety hazard, provided that in all cases:
 - i. No tree will be affected;
 - ii. No stagnant water will be created;
 - iii. No backfilling work will be done within 1 meter of a landsite line and it must not occupy more than 25% of the area of the yard where the backfilling is taking place;
 - iv. The nature of the work will facilitate drainage into the storm sewers.

5.18 RETAINING OR ACOUSTIC WALL

(By-law 720-97, sec. 2)

5.18.1 GENERAL PROVISIONS

- a) A retaining wall must be constructed within the boundaries of the landsite that it must support. Nonetheless, it must be built at least 60 centimeters from a landsite line.
- b) A retaining wall must be stable, possess a drainage system and present no risk of collapse.
- c) One side of the wall shall be made of absorbing materials of a sound transmission class of 31 or more and of a noise reduction coefficient of 1, in accordance with standard ASTM E90-75;
- d) The erection of an acoustic wall is strictly authorized on residential properties where the rear landsite line is contiguous to zone U300 (Highway 20), in accordance with the conditions pertaining to either one of the layout options described below:
 - i) with embankment
The wall shall be 3.0 metres high or less, located at a minimum distance of 5 metres from the rear landsite line, on a 1.5 metre high embankment with a grade of 30% or less.
 - ii) without embankment
The wall shall be 4.5 metres high or less and located at a minimum distance of 0.30 metre from the rear landsite line.

The preferred layout option, if applicable, must be identical for all properties located in the same zone.

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- e) Notwithstanding any other provision, the erection of an acoustic wall along the lateral landline is authorized where:
 - i) the concerned lot is contiguous to zones P226, P227 or P233; or
 - ii) the concerned property is a corner lot.
- f) An authorized acoustic wall cannot exceed the rear landsite line of the property.
(By-law 720-97, sec. 3)

5.18.2 HEIGHT OF A RETAINING WALL

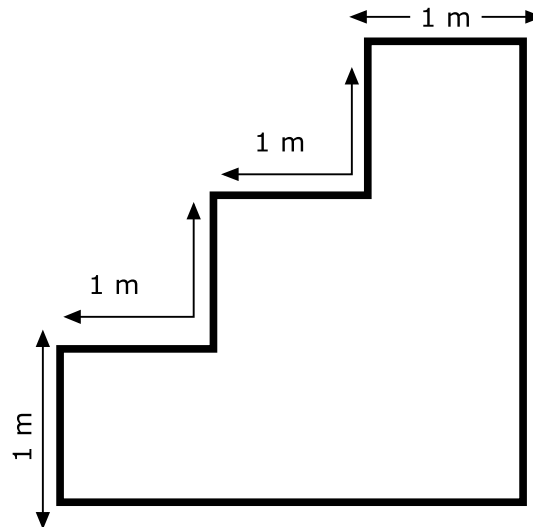
A retaining wall must be no higher than 1.20 meters in the front yard and no higher than 2 meters in the other yards.

If more than 1 retaining wall is erected, the walls must be at least 1 meter apart.

5.18.3 WIDTH AND DISTANCE BETWEEN SECTIONS OF A RETAINING WALL

In a case where a retaining wall has more than 1 section, the distance between the sections must be equivalent to the height of the wall. (See Illustration 13 below)

Illustration 13



5.18.4 MATERIALS FOR A RETAINING WALL

The only materials authorized for the construction of a retaining wall are the following:

- a) Natural or reconstituted stone
- b) Masonry
- c) Architectural cement, except for cement blocks.

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5.18.5 Acoustic Wall Features

Acoustic walls shall be built according to the following features:

- a) made of extruded polyvinyl chloride (PVC);
- b) all components must have tongue and groove features;
- c) of a solid gray colour.

(By-law 720-97, sec. 4)

5.18.6 Maintenance

Retaining and acoustic walls shall be well maintained, squared, leveled and free of graffitis.

(By-law 720-97, sec. 4)

5.19 EXTERIOR LIGHTING

Exterior lighting must be located so that:

- a) The light is not directed towards a neighbouring landsite;
- b) Local traffic is not affected;
- c) The illumination is directed onto the ground.

5.20 ARCHITECTURAL AND DECORATIVE LIGHTING

Architectural and decorative lighting of vertical surfaces of residential buildings, installed on the walls, under the overhang of the roof or on independent supports, is authorized. Illumination must be directed towards the ground at all times.

CHAPTER 6 SPECIFIC PROVISIONS TO GROUPS OF USAGES

(By-law 720-94-1, sec. 39)

6.1 SPECIFIC MEASURES APPLICABLE TO THE GROUP OF USAGES "RESIDENTIAL"

This chapter stipulates the provisions applicable to all main buildings in each of the City's zones.

Except for integrated projects, only one (1) main building shall be erected on a landsite.

(By-law 720-94-1, sec. 40)

6.1.1 FIELD OF APPLICATION

Standards contained in the present section refer to all main and accessory buildings of the "residential" class in all city zones.

6.1.2 SINGLE-FAMILY DWELLING – INSTALLATION STANDARDS

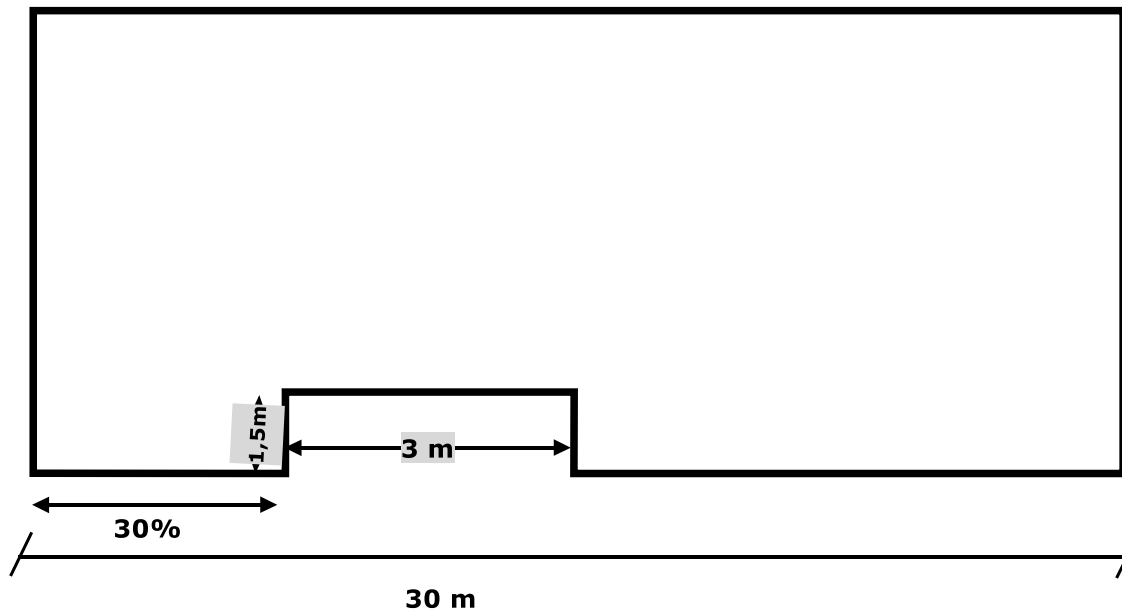
6.1.2.1 Maximum height of a single-family dwelling

The maximum height of a single family dwelling must conform to the specification grid.

6.1.2.2 Maximum width for a single family dwelling

The maximum width for a single family dwelling must not exceed 25 meters. Nonetheless, this length may be extended to 30 meters, if 30% of the total length of the wall is back at least 1.5 meter for a minimum of 3 meters from the rest of the building's façade. (See following illustration 14)

Illustration 14



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6.1.2.3 Number of stories

The maximum number of stories for a single family building is shown in the specification grid for the appropriate zone. However, an existing attic space for a building built before 1945 can be transformed into a living space without regard to the maximum number of floors. Furthermore, the external appearance cannot be altered with the exception of the addition of a window on a rear wall or in the back part of the roof.

6.1.2.4 Calculation of the minimum front setback for an inserted building

In case of an insertion between 2 buildings having a facade on the same street, the calculation for the minimum front setback of the inserted building is the average between the front yards of the 2 adjacent buildings, but without being set back from the front wall of the adjacent building farthest from the street or less than the minimum rear setback in the zoning grid of the appropriate zone. (See following illustration 15)

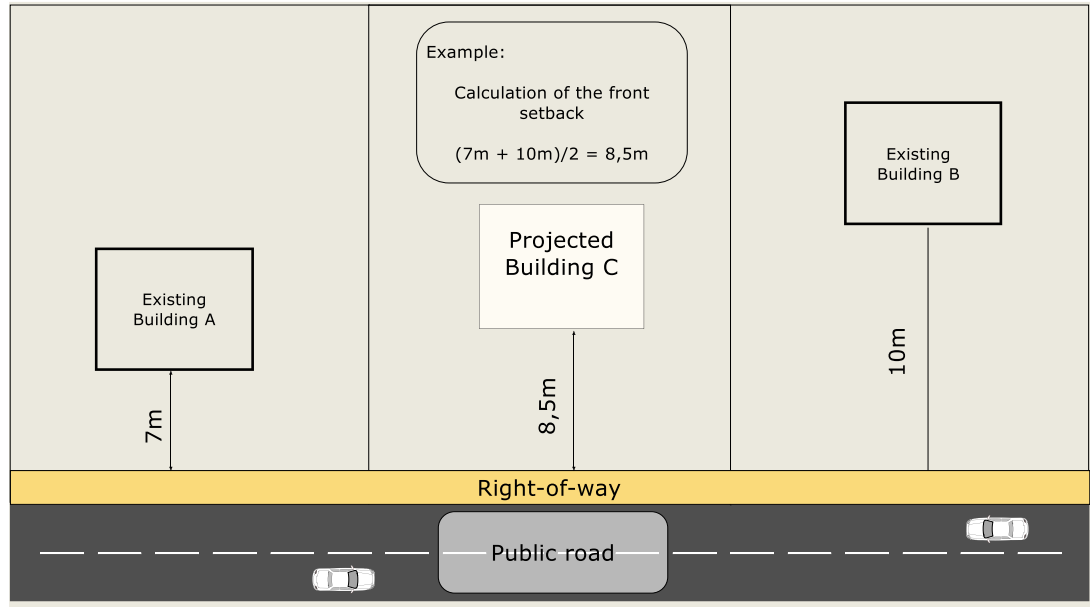
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Illustration 15

Inserted building: Bâtiment C

Adjacent buildings: A and B

Calculation: front yard of building A + front yard of building B divided by 2 = minimum front setback of building C



6.1.2.5 Minimal lateral setback for an existing attic over an attached garage.

An existing attic can be converted into a habitable space. The minimum required lateral setback of the attic space over an existing attached garage may be reduced to 1.8 meters under the following conditions:

- The attached garage must exist before the coming into force of the present by-law;
- The minimum lateral setback for an attached garage must be 1.8 meters;
- Such reduction can only be applied on one side of the building over the existing garage;
- The external appearance cannot be altered with the exception of the addition of a window on a rear wall or in the back part of the roof.

6.1.3 **INSTALLATION STANDARDS FOR ROW HOUSES**

Row houses must not have more than 6 contiguous units and the total length must not exceed 40 meters.

6.1.4 **INSTALLATION STANDARDS FOR MULTIFAMILY DWELLINGS**

6.1.4.1 Dimensions of walls

The front wall of a multi-family dwelling must not exceed 40 meters. However, this length may be extended to 60 meters, if 30% of the total length of the wall is

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back at least 1 meter for a minimum width of 3 meters from the rest of the building's façade.

6.1.4.2 Recreational area of the common yard

Aside from the free spaces required by virtue of the provisions related to setbacks and the depth of the yards of a multifamily dwelling, an outside recreational area equivalent to at least 10% of the total area of the landsite must be provided.

This exterior recreational area must be comprised of uninterrupted space at ground level, excluding the area reserved for setbacks, so as to permit active and passive recreational activities.

6.1.5 **INSTALLATION STANDARDS FOR A COMMUNAL HOUSING**

Aside from the free spaces required by virtue of the measures related to setbacks and the depth of the yards for a communal housing, an outside recreational area of at least 10% of the total area of the landsite must be provided.

This exterior recreational area must be comprised of uninterrupted space at ground level, arranged so as to permit active and passive recreational activities and does not include the area reserve for setbacks.

No parking space is permitted in the recreational area.

6.1.6 **INSTALLATION STANDARDS FOR RESIDENTIAL INTEGRATED PROJECT**

6.1.6.1 Minimal landsite area

- a) The minimum area of land allotted to such a residential integrated project is 2800 m²;
- b) The common yard must be at least 900 m² in area

6.1.6.2 Distance between 2 main buildings

The distance between 2 main buildings is calculated as follow:

- 7 meters between 2 buildings of 2 stories and less;
- 10 meters between 2 buildings of 3 stories;
- 14 meters between 2 buildings of 4 stories and more.

6.1.6.3 Width of front wall

In a case where the entire development includes more than 6 contiguous units, the length of the front wall of this development may not exceed 40 meters. However, this length may be extended to 60 meters, if 30% of the total length of the wall is set back at least 2 meters, for a minimum of 3 meters, from the rest of the building's façade.

6.1.6.4 Architectural conception

In a residential integrated project, all the buildings must present a certain unity in terms of architectural concepts and materials used on the exterior.

The exterior cladding materials of the main buildings must be identical.

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6.1.6.5 Recreational area of the common yard

Aside from the free spaces required in virtue of the provisions related to setbacks and the depth of the yards in a residential integrated project, an outside recreational area of at least 10% of the total area of the landsite must be provided.

This exterior recreational area must be comprised of uninterrupted space at ground level, arranged so as to permit active and passive recreational activities and does not include the area reserved for setbacks.

No parking space is permitted in the recreational area.

Walkways must be illuminated with lighting bollards.

6.1.6.6 Ancillary structure

When not otherwise specified in the present article (6), the requirements of section 5.6.2 of the present by-law apply to a residential integrated project.

However, there may be no more than one (1) example of each type of ancillary structures per residential integrated project.

Only the common part of a residential integrated project can be enclosed by a fence or shrubs.

6.1.7 **ADDITIONAL AUTHORIZED USAGES FOR “RESIDENTIAL” GROUP OF USAGES**

6.1.7.1 General provisions

No residential dwelling or residential landsite may serve for the exercise of a profession or trade or for a commercial purpose, subject to the provisions outlined in this chapter.

No additional use for “Residential” group of usages is permitted without first obtaining a certificate of occupancy provided for this purpose, as specified in the City of Beaconsfield by-law on permits and certificates.

6.1.7.2 Additional authorized usages

The following usages are authorized as additional for “Residential” group of usages:

- a) The renting of a maximum of 2 rooms per building. Kitchen facilities are forbidden within these rooms.
- b) A family-type resource as defined in An Act respecting health services and social services (L.R.S. chapter S-4.2) subject to the following conditions:
 - i. A maximum of 9 persons are housed in this residence;
 - ii. The bedrooms are single or double occupancy;
 - iii. The minimum area of a room is 9 m²;
 - iv. The minimum area of a double bedroom is 14 m²;
 - v. The bathrooms should be accessible without having to go up or down more than one floor from the bedrooms;
 - vi. When a room is provided with a toilet or bathtub with a shower, these must be installed in an enclosed space;

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- vii. The house must be provided with a toilet and a bathroom with a shower for each group of 5 rooms;
 - viii. Kitchen facilities are prohibited in the bedrooms.
- c) The exercise of a profession as listed in paragraph c) of Article 4.2.2.1 of the present zoning by-law is authorized, subject to the following conditions:
- i. The use must occupy no more than 25% of the floor area of the building that serves the principal function;
 - ii. The use must be exercised within the interior of the building and must not be visible from the outside;
 - iii. The use must be exploited by the occupant. A maximum of 2 persons living elsewhere than in the residence may work there;
 - iv. The use must not give rise to any warehousing;
 - v. The sale of products is authorized only if the products sold are related to the profession;
 - vi. No supplementary parking may be allocated to such a use;
 - vii. A single sign related to this use may be installed on the outside wall of the building, according to the provisions of chapter 8 (Provisions pertaining to signage) of the present by-law;
 - viii. No modification to the architecture of the main building aiming at transforming the residential building into a commercial building is permitted;
 - ix. Subject to the provisions of the preceding sub-paragraphs, an attached garage in existence before the coming into force of the present by-law may be transformed into a professional office.
- d) An intergenerational dwelling may be integrated to the class of usages “single family dwelling (h1)” under the following conditions:
- i. Only 1 intergenerational dwelling, also called, an “additional dwelling” is authorized in a single-family house;
 - ii. The house has only 1 address and 1 main entrance. Furthermore, it has a single public utility entrance used by all occupants of the house;
 - iii. Notwithstanding the preceding paragraph, an additional separate entrance can be set up on the side or rear of the building;
 - iv. The additional dwelling may be furnished with a kitchenette, a bathroom and a bedroom;
 - v. An attached garage in existence before the coming into force of this by-law may be transformed as an intergenerational residence;
 - vi. The extension or transformation, any other than of an existing attached garage, of a main single family building to add an intergenerational residence must be done according to the specification schedule of the current by-law.
- e) A bed-and-breakfast may be included in the usages of a “single-family home” (h1), under the following conditions:
- i. A maximum of 3 units are for rent;

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- ii. Meals are only served to clients of the bed-and-breakfast;
- iii. The installation of an identifying sign is authorized subject to the provisions of Chapter 8 of the present by-law.
- f) A professional service may operate in an attached garage of a “single-family home” (h1), within the limits of the following usages:
 - i. Office of a professional exercising one of the following professions regulated by the Professional Code (R.S.Q., c. C-26):
 - Lawyer
 - Notary
 - Agronomist
 - Architect
 - Engineer (including Forestry Engineer)
 - Land Surveyor
 - Certified General Accountant, Chartered Accountant or Certified Management Accountant
 - Bailiff
 - Geologist
 - Social Worker
 - Certified Human Resource and Industrial Relations Professional
 - Urban planner
 - Chartered Administrator
 - Accredited Appraiser
 - Professional Technologist, with the exception of a technologist associated with medical and healthcare services, paramedical or therapeutic care;
 - ii. Massage therapist, chiropractor, physiotherapist
 - iii. Landscape architect
 - iv. Secretarial, translation, typing or word processing services

Under the following conditions:

- i. Any openings, window or door on the lateral side must respect the minimal lateral setback prescribed in the zoning grid;
- ii. A certificate of authorization must be obtained.

6.1.8 AUTHORIZED TEMPORARY USAGES FOR “RESIDENTIAL” GROUP OF USAGES

Any person wishing to make a temporary use must obtain a certificate of authorization to that effect.

Only the following temporary usages are permitted on City territory, under the following conditions:

- a) A garage sale in a residential zone provided that:
 - i. There are no more than 2 garage sales a year;

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- ii. The sale is held within the limits of the residential landsite;
 - iii. The sale lasts no more than 2 consecutive days;
 - iv. The sale takes place between 9h00 and 17h00;
 - v. Only domestic products are sold on the premises;
 - vi. The sign must be removed as soon as the sale is finished.
- b) A block party provided:
- i. That there are no more than 2 parties per year on the same street;
 - ii. That the party does not block access to other streets;
 - iii. That the street not be closed to traffic past 23h00;
 - iv. That emergency vehicles have free access at all times;

6.1.9 ANCILLARY AUTHORIZED STRUCTURES FOR THE “RESIDENTIAL” GROUP OF USAGES

6.1.9.1 General provisions

Unless otherwise indicated, the requirements of Article 5.6.2 of the present by-law apply for all “Residential” groups of usages.

Ancillary structures are permitted if complementary to a main building. They must be situated on the same landsite as the main building.

Materials prohibited for the exterior wall covering except vinyl siding and the roof of a main building are also prohibited for ancillary structure.

6.1.10 AUTHORIZED TEMPORARY CONSTRUCTION FOR THE “RESIDENTIAL” GROUP OF USAGES

On City territory, it is forbidden to erect any temporary construction or building, except in conformity with the provisions contained in the present chapter.

Whoever wishes to erect a temporary building or installations for a temporary use, with the exception of a trailer on a construction site, must obtain a certificate of authorization to that effect.

A prefabricated building, office or trailer announcing the sale or rental of buildings under construction or that will soon be under construction is permitted, provided that:

- a) It is located on the landsite to which it refers;
- b) It is installed at least 3 meters from the landsite lines; and
- c) It is removed no later than 15 days after the rental or sale or the end of construction.

(By-law 720-94-1, sec. 41 for the insertion of sections 6.1.1 to 6.1.10)

6.2 SPECIFIC PROVISIONS APPLICABLE TO “COMMERCIAL (C) GROUP” OF USAGES

(By-law 720-94-1, sec. 42)

6.2.1 FIELD OF APPLICATION

The standards contained in the present section refer to all main and ancillary buildings for “Commercial” group of usages in all city zones.

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(By-law 720-74, sec. 1, by-law 720-94-1, sec. 43)

6.2.2 MAIN BUILDING

No more than a 1 commercial building may be erected on a landsite, except in the case of a shopping centre and a non-residential integrated project.

(By-law 720-1, sec. 4, by-law 720-94-1, sec. 44)

6.2.3 INSTALLATION STANDARDS RELATIVE TO A NON-RESIDENTIAL INTEGRATED PROJECT

(By-law 720-94-1, sec. 45)

6.2.3.1 Minimal landsite area

The minimum landsite area allocated to a non-residential integrated project is 10,000 m².

6.2.3.2 Restrictions

No main building should be erected less than 9 meters from the line of all adjacent landsite. The distance between 2 commercial buildings must be a minimum of 15 meters.

6.2.3.3 Calculation for an inserted building

In case of an insertion between 2 buildings having a facade on the same street, the calculation for the minimum front setback of the inserted building is the average between the front yards of the 2 adjacent buildings, but without being set back from the front wall of the adjacent building farthest from the street. (See the following illustration 16)

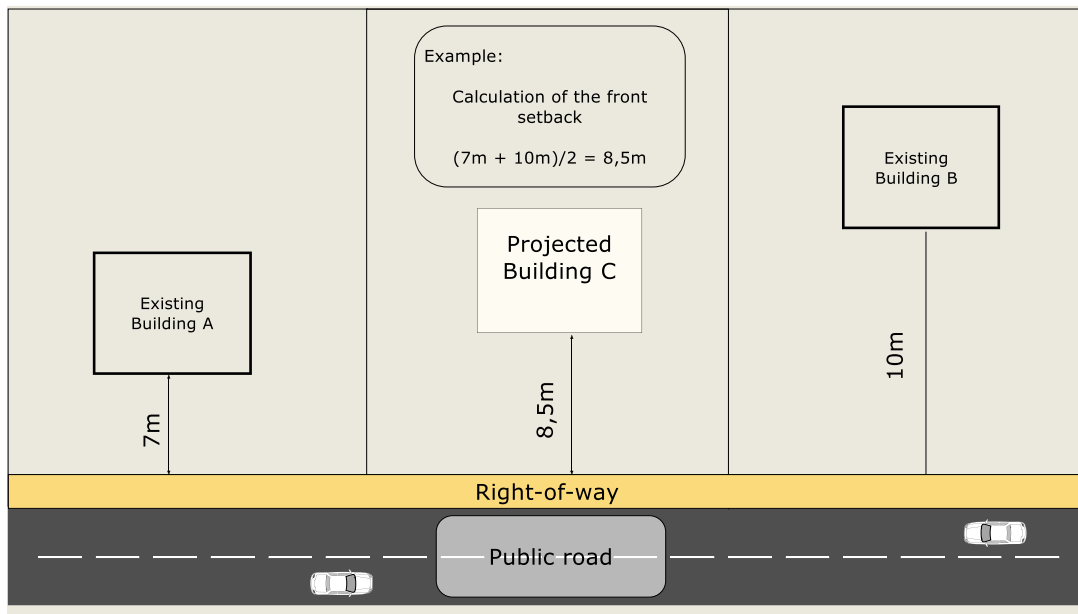
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Illustration 16

Inserted building: Bâtiment C

Adjacent buildings: A and B

Calculation: front yard of building A + front yard of building B divided by 2 = minimum front setback of building C



6.2.3.3.1 Obligation to install a fence between usages in the “Housing (H)” group

A fence must be installed on a landsite occupied by or intended to be occupied by a usage in the “Commercial (C)” group category when this landsite is adjacent to a landsite occupied by or intended to be occupied by a usage in the “Housing (H)” category. The fence must be installed on the landsite boundary line that separates the usages, be 1.80 meters high and consist of openwork for a maximum of 20% of its surface.

6.2.4 **ADDITIONAL USAGES AUTHORIZED FOR “COMMERCIAL (C)” GROUP OF USAGES**

The following usages are authorized as additional usages for a commercial group of usages:

- a) For a usage of the class of usages “Retail and services businesses(c1)”, all authorized usages, in the class of usages “Retail and services businesses (c1)”;
- b) For a usage of the class of usages “Commercial recreation (c2)”, all usages authorized in the class of usages “Commercial recreation (c2)” and all usages authorized in the class of usages “Retail and service businesses (c1)” and in the class of usages “Restaurant services (c3)”;

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- c) For a usage of the class of usages “Restaurant services (c3)”, all usages of the category “Sale of food products”;
- d) For a usage of a class of usages “Lodging services (c5)”, a restaurant, a restaurant-café, a reception hall and a convenience store.

6.2.5 SPECIFIC PROVISIONS APPLICABLE TO ALL USAGES, BUILDINGS, CONSTRUCTION AND ANCILLARY EQUIPMENT FOR “COMMERCIAL” GROUP OF USAGES

6.2.5.1 General provisions

When not otherwise specified in the present article, the requirements of section 5.6.2 of the present by-law apply to all “Commercial” group of usages.

Ancillary structures are permitted if complementary to a main building. They must be situated on the same landsite as the main building.

Materials prohibited for the exterior wall covering except for vinyl siding and the roof of a main building are also prohibited for ancillary structure.

6.2.5.2 Maximal number of ancillary structures

There may be no more than 1 example of each type of ancillary structures per building or principal use as enumerated in section 5.6.2 of the present by-law.

6.2.5.3 Ancillary usages and structures authorized

The following ancillary usages and structures are authorized for “commercial” group of usages:

- a) A restaurant terrace provided that:
 - i. It is located on the same landsite as that of the commercial establishment that it serves and as an extension of the latter;
 - ii. It should not have the effect of making an existing parking lot non-conforming;
 - iii. It is marked off by a fence, hedge or some other means, with a maximum height of 1 meter;
 - iv. It is strictly reserved for consumption of meals;
 - v. No noise, including music, may be heard outside the main building;
 - vi. A certificate of authorization was obtained prior to creation of a terrace.
- b) A service building for a gasoline station;
- c) A car wash for a gasoline station;
- d) A maximum of 5 vehicles for leasing or rental at a service station;
- e) A container, belonging to a non-profit organization, for the deposit of clothing or used objects may be installed in a side yard, a secondary front yard or a back yard subject to the following conditions:
 - i. a maximum of two containers per landsite is permitted up to a limit of 12 containers for the entire territory of the City. When two containers are present on the same lot, they must be side-by-side;
 - ii. the maximum above-ground dimensions of each container shall not exceed 1.50 metres in width, 1.50 meters in length, 2 meters in height;

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- iii. a container must be at least 1 meter away from a property limit and 6 meters away from a residential zone. A container may not be located on a right-of-way or an access aisle;
- iv. a container shall not occupy a parking space so as to reduce the number of spaces required by the present By-law;
- v. a container shall rest on a hard, stable and leveled surface;
- vi. except for semi-buried containers, only metal containers are permitted;
- vii. the name of the non-profit organization, the telephone number and the registration number of the organization with the Canada Revenue Agency must be affixed on the container and must be legible at all times;
- viii. no deposit of clothing, furniture or other articles is permitted elsewhere than inside the container;
- ix. the containers must be kept in good condition, free of dents, rust, graffiti and installed so as to remain stable and level;
- x. a certificate of authorization is required before installing or moving a container."

(By-law 720-112, sec. 1 and 2)

The ancillary usage is dependent of the main usage so the ancillary usage must cease if the main usage is no longer in operation.

6.2.5.4

Authorized ancillary equipment

The following equipment is authorized as ancillary to a usage of the group of usages "Commercial":

- a) Only 1 garbage container per commercial establishment is authorized. It should be located in the back yard or lateral yard and concealed by a screen made of material similar to the exterior material of the main building.

In the case of a corner landsite and a through corner landsite, the garbage container is authorized in the secondary front yard only, provided that it is concealed by a screen made of material similar to the exterior material of the main building.

Notwithstanding the present paragraph, no external garbage container is authorized in zones C131 (Beaurepaire Village), H130 (486 and 489 Beaconsfield) and H233 (550-552 Beaconsfield);

- b) A refrigerated waste disposal room or unit is required for any new commercial establishment of the usage class "restaurant service" and for any commercial usage where the main or ancillary activity is the manufacturing and the sale of perishable products;
- c) A generator provided that it is located in the lateral or back yard and inside of a building whose exterior material are similar to those of the main building.

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6.2.6 SPECIFIC PROVISIONS APPLICABLE TO TEMPORARY USAGES FOR “COMMERCIAL (C)” GROUP OF USAGES

6.2.6.1 Christmas tree sale

The sale of Christmas trees is authorized as a temporary use of a landsite amongst authorized “commercial” and “institutional” usages subject to the following:

- a) The sale only takes place between November 15 and December 31 of the same year;
- b) The site chosen for the sale is situated at least 3 meters from all landsite lines; and
- c) A temporary building may be installed on the designated site of the sale during the prescribed period.

6.2.6.2 External display

The external display for purposes of retail sale of fruits and vegetables, potted plants or flowers and the sale of seasonal products is authorized, subject to the following conditions:

- a) The external display for purposes of retail sale of fruits and vegetables, potted plants or flowers and the sale of seasonal products is authorized on a landsite on which a business of the category of “Retail business and services” (c1) and “Superstores and commercial centres” (c2) are authorized;
- b) The sale is held by the owner of the business;
- c) The sale is associated with the principal purpose of the business;
- d) The site must be well-maintained at all times and kept free of garbage;
- e) The public road must never be obstructed.

(By-law 720-100, sec. 11)

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6.2.6.3 Public market

A public market is authorized subject to the following conditions:

- a) A public market is authorized on a landsite on which a business of the category of “Retail business and services” (c1), “Superstores and commercial centres” (c2) and “Institutional and administrative (inst1) are authorized;
- b) Only food products and the sale of the craft products are authorized;
- c) The installation of a temporary shelter is authorized, but the height of the shelter must not be more than 4 meters;
- d) In the case where the public market is installed in a parking lot, its installation must not have the effect of making the parking lot non- conforming to the zoning by-law;
- e) The place is well maintained all the time and free of wastes;
- f) The public road must never be obstructed.

6.2.7 **SPECIFIC PROVISIONS APPLICABLE TO A GAS STATION**

6.2.7.1 Location

The layout of a gas station must respect the following standards:

- a) Minimal distance from the pumps
with respect to a main building 6 m
- b) Minimal distance from the pumps
to any landsite line 6 m
- c) Minimal distance from the awning
to any landsite line 3 m

6.2.7.2 Particular provisions

- a) No gasoline service may provide any other services, in whole or in part, with the exception of that of a “convenience store”.
- b) With the exception of vehicles for towing or snow removal purposes linked to a main usage, a maximum of 30% of the total yard may be allotted to storage of vehicles waiting to be repaired.
- c) The outdoor storage of buses and trucks is prohibited. However, the storage of vehicles for rent is permitted provided:
 - No rental vehicles shall be kept in the front yard or the secondary front yard of the landsite;
 - Only 25% of the landsite must be used for storing rental vehicles: the designated parking area must be clearly identified.
- d) The sale of vehicles is prohibited;
- e) Any yard adjacent to a street must provide a grassy or landscaped area of a minimum of 2 meters, except at the access points. In the case where this strip of land is adjacent to a parking lot, a continuous cement border at least 15 centimeters high must be constructed.

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Furthermore, an area of at least 20 m² of the corner of a landsite bordered by 2 streets must be planted with grass, flowers or shrubs, and not be used for any storage. Only a free-standing sign is authorized on this space.

6.2.7.3 Standards for a car wash as an ancillary use of a service station

- a) The minimum area for a building used as a car wash is fixed at 65 m².
- b) The area facing each unit of the car wash must be sufficient to park at least 5 cars in a row.
- c) The intensity of noise resulting from use of the car wash must not exceed 55 dB (A), calculated at a height of a meter along any landsite line where the car wash is located.

(By-law 720-94-1, sec. 46)

6.3 **SPECIFIC PROVISIONS APPLICABLE TO A GROUP OF USAGES OF A "INSTITUTIONAL AND RECREATION" (INST)**

(By-law 720-94-1, sec. 47)

6.3.1 Ancillary authorized use, building, structure and equipment

Unless otherwise indicated, the requirements of Article 5.6.2 of the present by-law apply for all "Institutional and recreation (INST)" groups of usages.

Ancillary structures are permitted if complementary to a main building. They must be situated on the same landsite as the main building.

Materials prohibited for the exterior wall covering and the roof of a main building are also prohibited for ancillary structures.

The ancillary usages, building, structure or equipment listed below are a non-exhaustive list of ancillary to a usage or principal building of the "Institutional and recreational" group of usages:

- a) A church presbytery;
- b) A park and recreational equipment, a gymnasium, an arena, and a pool, for a usage of the class of usages "Institutional and administrative (inst1)";
- c) A rental service and sports equipment maintenance service, and restaurant service for a building, such as an arena, a recreational complex, a marina, or an educational institution;
- d) An administrative building that may contain a harbour master's office, a restaurant, an office and a gas pump for a marina;
- e) A daycare;
- f) A maximum of 2 office buildings or storage space for a cemetery provided that:
 - i. the building is solely for the cemetery's use
 - ii. the floor area of the building does not exceed 250 m²
- g) A public market for a usage of the class of usages "Institutional and administrative (inst1)";
- h) A nursing home.

(By-law 720-94-1, sec. 48)

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6.3.2 INSTALLATION STANDARDS OF SETBACKS FOR A CEMETERY

A landsite used for the purpose of cemetery must have a buffer zone, composed of trees and shrubs, of a minimum of 7 meters between the residential landsite line and the cemetery usage. Neither a construction nor a monument is authorized in that buffer zone.

(By-law 720-41, sec. 6)

(Paragraph repealed – By-law 720-26, sec. 3)

(By-law 720-94-1, sec. 49)

6.3.3 REAR SETBACKS (Repealed by-law 720-94-1, sec. 50)

6.4 SPECIFIC PROVISIONS APPLICABLE TO A GROUP OF USAGES “PARK (P)”

(By-law 720-94-1, sec. 51)

6.4.1 Ancillary authorized usage, building, structure and equipment

Ancillary structures are permitted if complementary to a main building. They must be situated on the same landsite as the main building.

Materials prohibited for the exterior wall covering and the roof of a main building are also prohibited for an ancillary structure.

Ancillary usages, buildings, structure and equipment listed here are a non-exhaustive list and additional to the use of a principal building designated for “park” class of usages:

- a) A service chalet and recreational equipment for a park and public space;
- b) A parking space for a park or a public space;
- c) A daycare in a park chalet;
- d) A storage building for park maintenance equipment.

(By-law 720-4, sec. 17, by-law 720-94-1, sec. 52)

6.4.2 INSTALLATION STANDARDS OF SETBACKS FOR A PARK CHALET

Notwithstanding any other provision, a park chalet must be erected at more than 6 meters from the street and at more than 2.5 meters from all adjacent landsites.

(By-law 720-94-1, sec. 53)

6.5 SPECIFIC PROVISIONS APPLICABLE OF THE GROUP OF USAGES “PUBLIC UTILITY, TRANSPORTATION AND COMMUNICATION (U)”

(By-law 720-94-1, sec. 54)

6.5.1 Ancillary authorized usage, building, structure and equipment

Ancillary structures are permitted if complementary to a main building. They must be situated on the same landsite as the main building.

Materials prohibited for the exterior wall covering and the roof of a main building are also prohibited for ancillary structure.

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The ancillary usages, buildings, structures and equipments listed below are a non-exhaustive list of ancillary usages to the principal building designated for a use of the group of usages “Public utility, transportation and communication”:

- a) A gas and combustibles depot for City Public Works;
- b) A repair shop for vehicles used for a usage of the group of usages “Public utility, transportation and communication”.
- c) A warehouse for Public Works of the City of Beaconsfield.

(By-law 720-44, sec. 1, by-law 720-74, sec. 2, by-law 720-94-1, sec. 55)

Sections 6.6, 6.6.1, 6.6.2, 6.6.3, 6.6.4, 6.7, 6.7.1, 6.7.2, 6.8, 6.9, 6.9.1, 6.9.3, 6.10 and 6.10.1 are repealed.

(By-law 720-94-1, sec. 56)

CHAPTER 7 SPECIFIC PROVISIONS APPLICABLE TO CERTAIN ZONES

(By-law 720-94-1, sec. 57)

7.1 SPECIFIC PROVISIONS APPLICABLE TO ZONE C120 (Beaurepaire Village)

(By-law 720-94-1, sec. 58)

7.1.1 Exemption from parking space by-laws

Despite the provisions in this by-law, any individual requesting a construction permit for 1 or a combination of the following situations may be exempted from the obligation to provide parking spaces:

- a) During the construction of a new main building.
- b) During the extension of a main building
- c) During a change of a group of usages or a transformation from a commercial unit to a “restaurant” usage.

(By-law 720-4, sec. 21, by-law 720-36, sec. 5, by-law 720-94-1, sec. 59)

7.1.1.1 Valid conditions for requesting an exemption

A request for exemption is valid if it meets the following requirements:

- a) The request for exemption is made at the same time as the request for a construction permit;
- b) The request for exemption may not be for a use already exempt as a function of this by-law;
- c) The request for exemption should not have the effect of reducing the number of existing and required parking spaces during an expansion or change in usage;
- d) A minimum of 2 parking spaces must be provided in all case.

(By-law 720-94-1, sec. 60)

7.1.1.2 Sum required for a parking space subject to exemption

The sum required for a parking space subject to exemption is fixed at \$4,000 per space.

The person requesting a parking exemption must pay the City of Beaconsfield the sum required at the time of the issuance of the construction permit. This sum may not be reimbursed to the person requesting the parking exemption unless the project for which the construction permit was issued is abandoned.

(By-law 720-94-1, sec. 60)

7.1.1.3 Parking fund

This by-law establishes a parking fund in which all the sums specified in Section 7.1.1.2 are deposited.

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The parking fund may only be used for the purchase or creation of landsite to provide parking spaces in conformity with the provisions of the Act respecting land use planning and development (L.S.Q. chapter A-19.1), according to the means determined by Council.

(By-law 720-94-1, sec. 60)

7.1.1.4 Number of parking spaces required in the zone or zones where an exemption is authorized

The parking exemption is calculated according to the number of parking spaces required as a function of the present by-law. Nonetheless, for any undetermined use, the number of parking spaces is established at section 5.10.4 e) of the current by-law for the Beaufort commercial sector (C120).

(By-law 720-94-1, sec. 60)

7.1.2 **LOCATION OF PARKING SPACES**

Any parking space is prohibited in front yard

(By-law 720-94-1, sec. 60)

Sections 7.1.3 to 7.1.5 are repealed. (By-law 720-94-1, sec. 61)

7.2 **SPECIFIC PROVISIONS APPLICABLE TO ZONE H359 (LAKEVIEW NORTH)**

Notwithstanding the provisions in Article 3.1.5b) of By-law concerning the inspection and issuance of permits and certificates, a construction permit may be issued in zone H359, provided that the properties concerned meet the standards of Article 4.5.2 of the subdivision by-law.

(By-law 720-94-1, sec. 62)

Sections 7.2.1, 7.2.1, 7.2.2, 7.2.2.1 to 7.2.2.11, 7.2.3, 7.2.3.1 to 7.2.3.3, 7.2.4, 7.2.4.1 to 7.2.4.7 are repealed. (By-law 720-94-1, sec. 63)

7.3 **OUTDOOR STORAGE** (Repealed by-law 720-94-1, sec. 64)

7.3.1 **SEASONAL STORAGE OF A VEHICLE**

(By-law 720-4, sec. 28)

(By-law 720-27, sec. 2)

(Repealed by-law 720-94-1, sec. 65)

7.3.2 **OUTDOOR STORAGE OF FIREWOOD**

(By-law 720-4, sec. 28)

(Repealed by-law 720-94-1, sec. 66)

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7.4 SPECIFIC PROVISIONS FOR ZONE H 306

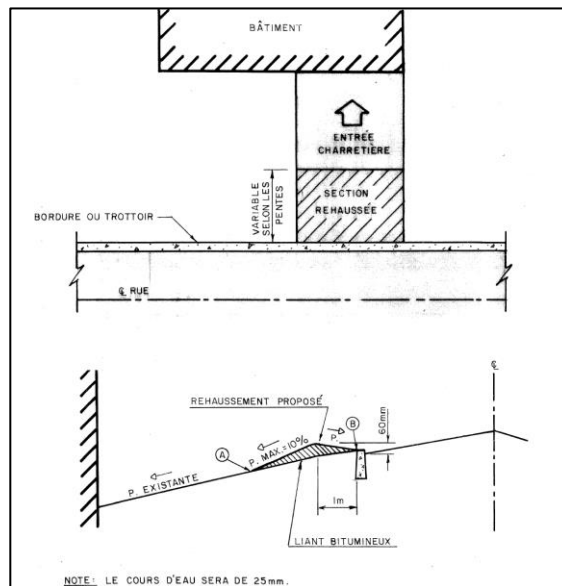
In addition to the provisions in the Zoning By-law and in the specification schedule for Zone H306, the construction of a main building or a residential integrated project must respect the following provisions:

- a) A waste storage area must be located inside a main building in which the use is in the "Multi-family housing (h3)" category and that has more than 5 dwelling units. This waste storage area must have a volume of at least 0.57 cubic metre per dwelling unit;
- b) Outdoor waste containers are not authorized for a use in the "Multifamily residence (h3)" category;
- c) Repealed (By-law 720-110-1, sec. 1)
- d) All dwelling units located on the ground floor of a main building in which the use is in the "Multifamily residence (h3)" category and that has more than 5 dwelling units must be designed in accordance with the standards for adaptable housing as described in section 3.2.12 of the City's Construction By-law;
- e) A main building in which the use is in the "Multifamily residence (h3)" category and that has more than 5 dwelling units must be constructed in accordance with the following standards:
 - i. Notwithstanding the parking ratios prescribed at the second sub-paragraph of paragraph a) of the article 5.10.45 a minimum ratio of 1 indoor parking space per adaptable dwelling unit must be respected, in conformity with the dimensions specified in section 5.12.3. These parking spaces must be situated close to the elevators accessed via an unobstructed route with no changes in level;
 - ii. Repealed (By-law 720-110-1, sec. 2)
 - iii. The main entrance to a main building must be designed in accordance with the following requirements:
 - it must be accessible on the same level, with no stairs, from the access aisle;
 - it must include a protected waiting area at least 1.5 metres in diameter and served by a drop-off area located on the same side as the main entrance;
 - Repealed (By-law 720-110-1, sec. 3)
 - Repealed (By-law 720-110-1, sec. 3)
 - iv. Notwithstanding section 5.10.8, an access aisle leading to any parking area with a slope of between 8 % and 14 % may be authorized under the following conditions:

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- it must be situated inside the building or be equipped with a heating system to keep the temperature of the surface of the access aisle above the freezing point at all times;
 - the access aisle must be at a minimum of 6 metres from a right-of-way on a public street;
- f) An access aisle leading to a parking area situated below street level must be laid out in accordance with the requirements shown in the following Illustration 17.1:

Illustration 17.1 Rise for an access aisle



- g) Notwithstanding section 5.10.8, an access aisle leading to a parking area may be used to serve more than one parking area;
- h) Notwithstanding section 5.10.8, a parking space may be located at a distance of less than 1 metre from any rear property boundary line;

(By-law 720-103, sec. 1)

- i) Notwithstanding section 6.1.4.1, the front wall of a multi-family dwelling must not exceed 82 metres;

(By-law 720-110-1, sec. 5)

- j) Notwithstanding paragraph 6 of the table in section 5.6.2, eaves, gables, cornices and projections for architectural purposes can have a maximum encroachment of 1.5 metres on the setback;

(By-law 720-110-1, sec. 5)

- k) Notwithstanding paragraph d) of section 5.10.8, the width of a single access point must be minimum 4.8 metres.

(By-law 720-110-1, sec. 5)

CHAPTER 8 PROVISIONS PERTAINING TO SIGNAGE

Chapter 8 entitled «Temporary uses and building» is repealed and replaced by chapter 13 entitled «Provisions pertaining to signage».

(By law 720-94-1, sec. 67, By-law 720-100, sec. 12)

8.1 PURPOSE AND SCOPE OF APPLICATION

The purpose of this zoning By-law chapter is to regulate all signage, so as to maintain the integrity of the City's essentially residential character.

This chapter regulates the construction, installation, modification and maintenance of all posters, advertisements, signs, awnings, etc. to be erected on the City's territory.

Any sign, panel, poster or other form of notice not specifically authorized in this chapter is prohibited.

This chapter addresses the concern to maintain and beautify the mainly residential environment, to support improvements in road safety for vehicles, pedestrians and cyclists, to reduce the negative impacts of signs on both public and private property and to allow an equitable application of these regulatory measures.

8.2 GENERAL MEASURES

All signage must conform to the provisions in this chapter.

8.3 SIGNS AUTHORIZED WITHOUT A CERTIFICATE OF AUTHORIZATION FOR SIGNAGE

All signage listed below is authorized in all zones without a certificate of authorization for signage:

- a) A traffic sign installed by public authorities;
- b) A permanent or temporary sign installed by municipal, provincial or federal authorities;
- c) A non-illuminated sign indicating the hours of worship and other religious activities, provided that:
 - i. It measures no more than two (2) square meters and the maximum height is 3 meters;
 - ii. It is erected on the property of the religious institution
- d) A national, provincial or civic flag, provided that:
 - i. It measures no more than two (2) square meters;
 - ii. There are no more than four (4) different flags on the same property.
- e) A "sandwich board" sign on City property for religious institutions;

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- f) A non-illuminated sign that measures no more than 0.5 of a square meter in area for a residential one-family dwelling or 1.2 square meter for a multifamily or non-residential building, provided that:
 - i. It announces the sale or rental of a property or part of a property and that it only refers to the property on which it is installed;
 - ii. The sign is installed on a building or detached structure;
 - iii. It is placed at more than one (1) meter from the property line;
 - iv. There is a maximum of one (1) sign per property, or, if it is a corner property, two (2) signs, one on each yard of the said property. This sign must be removed no later than fifteen (15) days after the date of the sale or rental of the property.
- g) A non-illuminated sign simultaneously identifying the professional, the construction contractor and the financial institution responsible for financing the project, provided that:
 - i. There is no more than one (1) sign per project;
 - ii. It is situated at least one (1) meter from the property line;
 - iii. It is installed less than two (2) months before excavation of the foundations;
 - iv. It is removed immediately after the construction works end.
- h) A non-commercial and non-illuminated sign installed on a residential property for the purpose of informing people about the presence of animals, identifying the residence or owner or announcing other messages compatible with residential use, provided that they measure no more than 0.25 of a square meter;
- i) A temporary non-illuminated sign indicating the use of pesticides, as required by the City regulations;
- j) An electoral sign or banner for a candidate or political party during a federal, provincial, municipal, or other public election. This sign, or part of a sign or banner, including its supporting structure, must be removed no later than fifteen (15) days following the date of the vote;
- k) A sign installed on a property or worksite during construction work provided that:
 - i. The maximum size of the sign is six (6) square meters;
 - ii. It is installed at least one (1) meter from the property line;
 - iii. It announces the sale or rental of a property, part of a property or a development project;
 - iv. It is installed on the property where the project is taking place;
 - v. It is installed no sooner than two (2) months before excavation of the foundations;
 - vi. It is removed immediately after the construction work ends;

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- l) A sign installed for a carnival, exhibition, religious or patriotic demonstration, or public fund-raising campaign. For these events, the installation of a portable sign is also permitted.

This sign must not measure more than two (2) square meters, may not be installed more than fifteen (15) days before the said event begins, and must be removed no later than fifteen (15) days after the event. The installation of such a sign is authorized only at the location where the activity will take place;

- m) A non-illuminated sign measuring no more than two (2) square meters that announces pedagogical activities, erected on the property of that institution;
- n) A directional sign is authorized for any entrance or exit of a property. Its maximum height is 1.5 meter and its maximum area is 0.5 of a square meter. Directional signs may be detached or mounted on walls.
- o) Notwithstanding section 13.4, a sign on a support (“sandwich board”) is authorized at the following conditions :
- i. One (1) sign is authorized by commercial establishment ;
 - ii. The maximum area of the sign is 0.75 square meter ;
 - iii. The sign is located in front of the commerce ;
 - iv. At no time the sign shall obstruct the public thoroughfare.
- p) A sign with neon lighting or with LED (light-emitting diode) lighting is authorized, provided that :
- i. The only message is “Open” or “Closed”;
 - ii. The sign shall not be flashing;
 - iii. The maximum area of the sign is 0.20 square meter;
 - iv. The sign shall be located in a window.
- q) A sign in a business’s window provided that the maximum signage area is less than 30% of the window’s area.

(By-law 720-94-1, sec. 68)

8.3.1 Promotional sign

8.3.1.1 In all commercial zones

For promotional purposes only, a banner, inflatable, or suspended type of sign is authorized under the following conditions:

- a) The sign must never extend beyond the roof or beyond the height or width of the wall or awning on which it is installed, nor, as the case may be, the lowest level of upper windows situated immediately above the floor occupied by the establishment; where there is no opening, the level is defined by an imaginary line situated one (1) meter above the ceiling of the lower floor;
- b) A written request must be submitted at least two (2) business days before the installation to the Urban Planning and Municipal Patrol Department and must indicate the period and location where the promotional sign will be installed;

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- c) The maximum time that the sign for a promotion may be posted is set at one (1) month, and this may be renewed four (4) times a year or once per season;
- d) Notwithstanding the preceding paragraph, in the case of a new business, the promotional sign announcing the new business may be posted at the beginning of the commercial operation for a maximum period of three (3) months;
- e) At no time may the sign encroach upon public property.

8.4 PROHIBITED SIGN

All signs listed below are prohibited throughout City's territory:

- a) Any sign installed on a roof or above an awning;
- b) Any sign that may be mistaken for a traffic signal, because of its shape, colour, or lighting;
- c) Any permanent, or temporary, removable sign on wheels or trailers or in any other way transportable, except the sign on support ("sandwich" board) as mentioned in section 13.3 o);
- d) Any suspended sign or on an inflatable structure other than a banner installed to announce an event;
- e) Any pivoting or rotating sign and any sign with flashing or blinking lights with the exception of an electronic billboard owned by the City;
- f) Any painted sign on a fence, wall or roof of a building or integrated into same, with the exception of a mural;
- g) Any other sign, other than directional sign on public property, and the one authorized by the municipal administration in conformity with these requirements;
- h) Any painted sign or sign posted on a vehicle or trailer parked in a permanent manner, meaning without being removed and installed regularly or on a daily basis for advertising purposes;
- i) Any billboard;
- j) Any advertising sign.

(By-law 720-94-1, sec. 68)

8.5 DESIGN AND MAINTENANCE OF A SIGN

A sign must be designed in a secure manner with a permanent structure. Each of the parts must be solidly affixed.

Any sign must be installed using appropriate supports and must be maintained in good condition at all times.

When a sign is partially or entirely damaged, it must be brought back to its original state or removed within ninety (90) days following the damage.

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8.6 LOCATION OF A SIGN

8.6.1 On public property

Only a sign authorized by the City may be erected on public property or overhanging public property.

8.6.2 Place where a sign must be installed

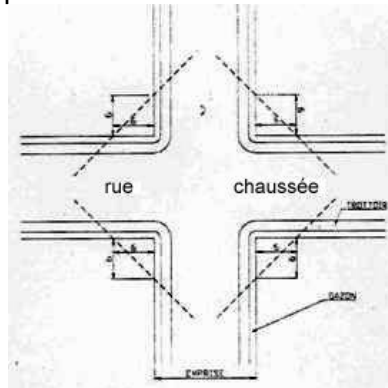
Any sign must be installed on the property where the service is offered or where the use occurs.

8.6.3 Place where a sign must not be installed

A sign must never project beyond the roof or beyond the height or width of the wall or awning on which it is installed, nor in front of a window or railing.

8.6.4 Triangle of visibility

No sign may be installed in the triangle of visibility, which is defined as a triangle void of all obstacles higher than one (1) meter measured from street level. This triangle must have six (6) meters side at a street junction; it is measured from the point of intersection of the two streets or their extension. (See illustration below)



8.7 TYPES OF SIGN

Only the following types of signs are authorized, on condition that they comply with the applicable zoning requirements:

- a) Sign attached to a main building, such as:
 - i. A sign attached flat against a wall;
 - ii. A sign on an awning;
 - iii. A projecting sign;
 - iv. A sign in a window provided that it is lettered or painted directly on the glass.
- b) Detached sign, such as:
 - i. An individual sign;
 - ii. A communal sign;
 - iii. A directional sign.

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8.8 SPECIAL PROVISIONS THAT APPLY TO A COMMERCIAL CENTRE

8.8.1 SPECIAL PROVISIONS THAT APPLY TO A COMMERCIAL CENTRE WITH MORE THAN TEN THOUSAND (10,000) SQUARE METERS OF FLOOR SPACE

Only the following signs are authorized for a commercial centre with more than ten thousand (10,000) square meters of floor space:

8.8.1.1 Free standing sign

The only free standing sign authorized for a commercial centre is a communal sign.

The communal sign is used to identify the commercial centre and the trade name of few businesses located in the commercial centre. It is authorized on the following conditions:

- a) Only one (1) communal sign is authorized per landsite;
- b) The maximum height above ground level is ten (10) meters;
- c) The maximum width is 4.26 meters (including the frames);
- d) The signage shall respect the following conditions:
 - i. a maximum of four (4) tenants;
 - ii. the identification of the commercial centre;
 - iii. one sign for public information reserved for City of Beaconsfield;
- e) With the exception of the sign reserved for the City of Beaconsfield, no sign can be less than 3.65 meters above ground level;
- f) The sign must be located at more than one (1) meter from all property limits.

8.8.1.2 Wall sign located in a box

The sign shall respect the following rules:

- a) The box measure 0.92 meter high by 4.6 meters wide;
- b) The color of the background and the material used must be identical for all sign boxes;
- c) The signage must be inside an imaginary line beginning at ten (10) centimeters from the perimeter of the sign box;
- d) There is only one (1) sign per box.

8.8.1.3 Wall sign located above a main entrance, except for businesses located at the extremities of the commercial centre

This sign shall respect the following rules:

- a) The color of the background and the material used must be identical to the sign boxes as set out in section 13.8.1.2;
- b) The box can be divided in two horizontal sections of 1.40 meter high each. The first section identifies the commercial centre and occupies the total width of the space. The second section can be divided in two identical sections.

8.8.1.4 Sign for the business located at the extremities of the commercial centre

The signage for the business located at the extremities of the commercial centre is authorized on the following conditions:

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- a) Only one (1) sign with a maximum area of eleven (11) square meters is authorized for the business. However, an additional sign is permitted on a wall facing St-Charles boulevard on the condition that the sign has a maximum area equivalent to 50% of the business main sign;
- b) The sign shall consist of channel letters only, affixed to the window, for the business located at the West extremity of the commercial centre (near Kenwood). For the business located at the East extremity of the commercial centre (at St-Charles), the sign shall consist of channel letters affixed to a background intended for that purpose.

8.8.1.5 Sign attached flat against an exterior wall of a building detached from the commercial centre

A maximum of two (2) signs attached to the building is authorized under the following conditions:

- a) The maximum height of the sign is 1.5 meters;
- b) The maximum size of the sign is four (4) square meters;

(By-law 720-94-1, sec. 68)

8.8.1.6 Directional sign

In addition to a directional sign permitted at entrances and exits of a property, a maximum of two directional signs are allowed under the following conditions:

- a) They are located along the circulation lane facing to the shopping mall;
- b) The directional sign is located on a pole which the width cannot exceed 60 centimeters;
- c) That there is a clearance of at least 85 centimeters between the ground and the base of the sign;
- d) The standards for the size of a directional sign are the same as those established in section 13.3 n) of zoning by-law in force.

(By-law 720-89, sec. 1)

8.8.2 **SPECIAL PROVISIONS THAT APPLY TO A COMMERCIAL CENTRE WITH MORE THAN TWO THOUSAND (2,000) SQUARE METERS OF FLOOR SPACE AND LESS THAN TEN THOUSAND (10,000) SQUARE METERS OF FLOOR SPACE**

The signs described in the sub-sections that follow are authorized for all commercial purposes in a commercial centre with more than two thousand (2,000) square meters of floor space and less than ten thousand (10,000) square meters of floor space.

8.8.2.1 Detached sign

Only one detached sign is authorized under the following conditions:

- a) The sign is a communal sign listing the name of the commercial building and identifying the businesses name located in this commercial centre as well as businesses built on the same landsite as the commercial centre;
- b) The sign is fixed to a pedestal or post;
- c) The sign may be backlit or illuminated;
- d) The maximum height of the sign above ground level is four (4) meters ;

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- e) The maximum size of the sign is seven (7) square meters;
- f) Each sign identifying a business must be installed within a frame designed for that purpose;
- g) The sign shall not be installed at more than one (1) meter from the property line and more than two (2) meters from the main building.

8.8.2.2 Wall sign

Only one sign per business wall to the building is authorized under the following conditions:

- a) The sign must be attached to the main façade of the building where the business operates;
- b) The maximum height of the sign is 0.5 meter;
- c) The maximum size of the sign is fixed at 0.35 of a square meter per linear meter of the business' width. In the case where the sign is solely comprised of detached letters, the calculation of the size of the sign is based on the notion of an imaginary frame surrounding all the letters;
- d) Where a business faces two (2) streets, a maximum of two (2) signs is authorized. The size of the second sign shall not be more than 50% of the allowed surface of the main sign.

(By-law 720-94-1, sec. 68)

8.8.2.3 Sign attached flat against an exterior wall of a building detached from the commercial centre

A maximum of two (2) signs attached to the building is authorized under the following conditions:

- a) The maximum height of the sign is 1.5 meters ;
- b) The maximum size of the sign is four (4) square meters ;
- c) Notwithstanding the first subparagraph of this section, only one single sign attached to the building is authorized if a detached sign is installed.

8.8.3 **SPECIAL PROVISIONS THAT APPLY TO A COMMERCIAL BUILDING WITH LESS THAN TWO THOUSAND (2,000) SQUARE METERS OF FLOOR SPACE**

The following signs are authorized for all commercial purposes in a commercial building with less than two thousand (2,000) square meters of floor space.

- a) A sign attached flat against a commercial building is authorized under the following conditions:
 - i. Only one sign per business is authorized;
 - ii. The sign must be placed under the support of the second floor window or on the awning of the ground floor; if the second floor has no windows, the sign must be installed under the level of the second story's floor;
 - iii. The maximum height of the sign is set at 0.5 of a meter;
 - iv. The maximum size of the sign is 1.2 square meters;

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- b) A projecting sign is authorized under the following conditions:
 - i. Only one (1) sign per business is authorized;
 - ii. The maximum height of the sign is 0.5 of a meter;
 - iii. The maximum size of the sign is one (1) square meter;
 - iv. The projecting sign can't be installed at more than thirty (30) centimeters from the wall of the building and the sign must not project more than one (1) meter;
 - v. All parts of the sign must be situated at least 2.2 meters above ground level;
- c) A detached sign identifying the commercial building is authorized under the following conditions:
 - i. The sign must be on a pedestal;
 - ii. The minimal distance from the building is two (2) meters;
 - iii. The minimal distance from the property lines is 1.5 meters;
 - iv. The maximum height above ground level is three (3) meters;
 - v. The maximum size of the sign is four (4) square meters;
 - vi. The sign must only indicate the name of the commercial building.

(By-law 720-94-1, sec. 68)

8.9 SPECIAL PROVISIONS THAT APPLY TO CERTAIN ZONES

The following provisions apply to all authorized commercial purposes in these zones.

8.9.1 SPECIAL PROVISIONS THAT APPLY IN ZONE C120

In zone C120, amongst the following options, a maximum of two (2) permanent signs is authorized per business place:

- a) First option: two (2) signs attached to the main façade of the building. The first sign must be a wall sign, while the second sign may be projecting or an awning.
- b) Second option: one (1) attached sign and one (1) detached sign. The attached sign is one such as in option 1. The detached sign must be either a communal sign or an individual sign. However, where the commercial building includes a number of business places, the detached sign must be a communal type.

No attached sign may extend beyond the roof or beyond the height or width of the wall or the awning where the sign is installed, nor may it be placed in front of an opening.

(By-law 720-94-1, sec. 68)

8.9.1.1 Options

For each of the options mentioned in section 13.9.1, the following signs are authorized:

- a) Mural sign:
 - i. The maximum height of the sign is 1.5 meters;

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- ii. The maximum size of the sign is three (3) square meters;
 - iii. The sign must be installed parallel to a wall.
- b) Sign in a window:
- i. The sign must be lettered or painted on the window;
 - ii. The sign must not cover more than 30% of the window surface.
- c) Projecting sign:
- i. The maximum size of the sign is one (1) square meter;
 - ii. The clearance beneath the sign must be at more than 2.5 meters;
 - iii. The sign must not protrude over the sidewalk;
 - iv. The sign must not protrude beyond the lower windowsill;
 - v. The authorized materials to support the sign must be worked wood or metal alloys such as forged iron, cast iron, etc.
- d) Sign on an awning:
- i. The sign must be installed above an opening (door and window);
 - ii. The maximum size of the sign must be 2.5 square meters;
 - iii. The sign must only consist of lettering; where there is a retractable awning, the message of the sign must be installed only on the edge of the awning;
 - iv. The lettering must not exceed thirty (30) centimeters in height.
- e) Detached sign on a post or pedestal:
- i. The sign must be on a post or pedestal;
 - ii. The sign must be located more than one (1) meter from the property line;
 - iii. The maximum size of the sign is 1.5 square meter;
 - iv. The maximum height of the sign must be two (2) meters above ground level.

8.9.1.2 Message of a sign

The message of a sign must respect the following standards and criteria:

- a) The message must refer only to the function exercised or the service offered;
- b) Where a symbol is used, the size of the symbol must not be greater than 0.5 meter in width and 0.5 meter in height;
- c) Where a sign is three-dimensional, the maximum volume is 0.5 cubic meter.

8.9.1.3 Commercial brands

Where a business must use a number of commercial brands, these must be grouped together and only the logos should be used.

8.9.1.4 Sign lighting

Any sign may be illuminated but must not be backlit.

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8.9.1.5 Sign for gas stations

Two (2) signs to identify a gas station are authorized under the following conditions:

- a) Sign attached to an awning:
 - i. Only one (1) sign per awning facing the street is authorized;
 - ii. The sign must be mounted flat on the awning;
 - iii. The maximum height of the sign is thirty (30) centimeters;
 - iv. The sign may not be higher or wider than the awning.

- b) Sign detached from the building:

Only one (1) detached sign is authorized under the following conditions:

- i. The maximum height of the sign must be six (6) meters above ground level;
- ii. The maximum width of the sign is two (2) meters;
- iii. The maximum thickness of the sign is thirty (30) centimeters;
- iv. The sign must be on a post or pedestal;
- v. The sign must be located more than one (1) meter from the property line.

8.9.1.6 Presentation of an SPAIP prior to a request for a certificate of authorization for signage for the installation of a sign in zone C120

Any permit to install or modify a sign is subject to the Council's approval of a Site Planning Architectural and Integration Program (SPAIP). Consequently, the provisions of by-law no. 727 apply.

(By-law 720-94-1, sec. 68)

8.9.2 **PROVISIONS THAT APPLY TO ZONE H113**

The following provisions apply to commercial establishments in zone H119.

Only one (1) sign is authorized per commercial establishment, whether attached or detached to the commercial building

- a) Attached sign:
 - i. The sign may be attached flat against the wall or projected from the wall of the building;
 - ii. The sign must be made from worked wood or metal alloys;
 - iii. The maximum size of the sign is one (1) square meter;
 - iv. The sign may not be backlit but may be illuminated;
 - v. The sign must be on the ground floor;
 - vi. The sign may not be installed in front of a window, gallery, balcony or staircase.
- b) Detached sign:
 - i. The sign must be made from worked wood or metal alloys;
 - ii. The minimal distance of the sign from the building is two (2) meters;

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- iii. The minimal distance of the sign from the property lines is one (1) meter;
- iv. The maximum height of the sign from ground level is two (2) meters;
- v. The maximum size of the sign is one (1) square meter;
- vi. The sign may be backlit but may not be illuminated.

(By-law 720-94-1, sec. 68)

8.9.3 PROVISIONS THAT APPLY TO ZONE C306

The following provisions apply to commercial establishments located in zone C306.

Only one (1) sign per commercial establishment is authorized under the following conditions:

- a) The sign must be attached flat against the wall of the main building or where the principle entrance is located;
- b) The sign may not be backlit but may be indirectly illuminated;
- c) The maximum size of the sign is two (2) square meters;
- d) Notwithstanding the preceding paragraphs, an awning may serve as a sign, provided that this awning is located above the principle entranceway;
- e) The sign must be located under the roofline of the ground floor or under the windows overlooking a level higher than the ground floor.

(By-law 720-94-1, sec. 68)

8.9.4 PROVISIONS THAT APPLY TO ZONE C309

The following measures apply to commercial establishments located in zones C417 and C418.

Two (2) signs per building are authorized under the following conditions:

- a) The sign may be detached from, or attached to, the main building;
- b) A detached sign is authorized under the following conditions:
 - i. The sign must be on a pedestal;
 - ii. The sign must face St. Charles boulevard or Elm Avenue;
 - iii. The maximum size of the sign is 2.5 square meters;
 - iv. The maximum height of the sign above ground level is three (3) meters;
 - v. The minimal distance from the property lines is one (1) meter;
- c) A sign attached to the main building is authorized under the following conditions:
 - i. The sign is attached on the main façade of the building or on a façade facing St-Charles Boulevard or Elm Avenue;
 - ii. The maximum size of the sign is two (2) square meters;
 - iii. The sign may not be placed inside or outside of a window, nor at a level higher than the façade.

(By-law 720-94-1, sec. 68)

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8.10 SPECIAL PROVISIONS THAT APPLY TO CERTAIN USAGES

8.10.1 COMMERCIAL USE IN A RESIDENTIAL ZONE

When a commercial use is authorized as an additional use in a “Residential” zone, the following provisions apply:

- a) Only one (1) sign is authorized for commercial use;
- b) The sign may be attached flat against the wall of the main building, projecting or detached;
- c) The maximum size of the sign is 0.20 square meter;
- d) The sign may not be backlit nor illuminated.

(By-law 720-94-1, sec. 68)

8.10.2 BED AND BREAKFAST

When a bed and breakfast is authorized as an additional use for a “Single-family dwelling” (h1), the following provisions apply:

- a) Other than a Québec Government bed and breakfast sign attesting its classification, only one (1) other sign identifying the bed and breakfast is authorized;
- b) The sign may be attached flat against a wall of the main building, projecting or detached;
- c) The sign must measure no more than 0.20 square meter;
- d) The sign shall not be backlit nor illuminated.

(By-law 720-94-1, sec. 68)

8.10.3 MULTIFAMILY RESIDENTIAL USE

Only one (1) sign identifying the multifamily building is authorized under the following conditions:

- a) Only one (1) sign per landsite is authorized;
- b) The sign is attached flat against a wall of the building;
- c) The maximum size of the sign is 1.5 square meters;
- d) The sign shall not be backlit nor illuminated.

8.10.4 GAS STATION

A maximum of two (2) signs identifying a gas station is authorized under the following conditions:

- a) Signs attached to the awning:

Only one (1) sign per awning facing the street is authorized under the following conditions:

- i. The sign is mounted flat on the awning;
- ii. The maximum height of the sign is thirty (30) centimeters;
- iii. The sign may not exceed either the height or width of the awning.

- b) Sign detached from the building:

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Only one (1) detached sign is authorized under the following conditions:

- i. The maximum height of the sign is six (6) meters above ground level;
- ii. The maximum height of the sign is two (2) meters;
- iii. The maximum width is thirty (30) centimeters;
- iv. The sign shall be located no less than 1.2 meters above the ground;
- v. The sign shall be installed at more than one (1) meter of the property line.

8.10.5 INSTITUTIONAL SERVICE EXCEPT WORSHIP USAGE

Only a sign identifying the community service or boating club use is authorized under the following conditions:

- a) Only one (1) sign per landsite is authorized;
- b) The sign must be detached from the main building and located at more than one (1) meter of the property line;
- c) The maximum height of the sign is two (2) meters;
- d) The maximum size of the sign is 1.5 square meters;
- e) The sign shall not be backlit nor indirectly illuminated.

(By-law 720-94-1, sec. 68)

8.10.6 TRANSPORTATION, COMMUNICATION ANTENNAS AND PUBLIC SERVICES

A sign identifying a train station, communication antennas or a public service is authorized under the following conditions:

- a) Only one (1) sign per landsite is authorized;
- b) The sign must be detached from the establishment;
- c) The maximum height of the sign is six (6) meters;
- d) The maximum size of the sign is two (2) square meters;
- e) Where there is a sign identifying a train station, in addition to the detached sign, a sign attached flat against a wall of the building is authorized providing that the size of the sign does not exceed one (1) square metre.

(By-law 720-83, sec. 12)

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CHAPTER 9 PROVISIONS PERTAINING TO THE ENVIRONMENT

The chapter 9 entitled "Setback uses" is repealed and replaced by chapter 14 "Provisions pertaining to the environment".

(By-law 720-83, sec. 13, by-law 720-94-1, sec. 69)

9.1 SCOPE OF APPLICATION

The following rules apply to the entire territory of the City of Beaconsfield.

9.2 CONSTRUCTIONS ON THE EDGE OF LAKE ST. LOUIS, ON A WATERCOURSE OR THE RIVERBED OF LAKE ST. LOUIS

All constructions and all other works likely to destroy or modify the plant cover of the riverbank or to strip the soil or affect its stability or that encroach on the shore, require prior authorization. This preliminary procedure must occur within the framework of the issuance of permits or other forms of authorization by municipal authorities, the government its ministries or organizations, in accordance with their respective authorities. Such authorizations granted by municipal and governmental authorities will take into consideration the intervention framework foreseen by the measures pertaining to the riverbank and riverbed.

9.3 PROVISIONS PERTAINING TO THE RIVERBANK

9.3.1 CONSTRUCTIONS AND OTHER WORKS AUTHORIZED ON THE RIVERBANK

All constructions and other works are prohibited on the riverbank. However, the following types of constructions, and other works are permitted, if they are compatible with other recognized protective measures for flood plains:

- a) The maintenance, repair and demolition of existing structures and other works used for purposes other than municipal, commercial, industrial or public purposes or to provide public access;
- b) All constructions and other works for municipal, commercial, industrial or public purposes or to provide public access, including their maintenance, repair and demolition, that are required to obtain an authorization issued pursuant to the Environment Quality Act (R.S.Q., c. Q-2);
- c) The construction or extension of a main building for purposes other than municipal, commercial, industrial and public purposes or to provide public access on a lot which the area is less than the minimum prescribed at the specification schedule of zoning by-law no. 720 under the following conditions:
 - i. The dimensions of the lot do not permit further construction or extension of this main building following the creation of the protective area of the riverbank, and it may not reasonably be undertaken elsewhere on the property;
 - ii. The lot drawn before December 21, 1983, the date on which the Interim control by-law (by-law 65) came into force;
 - iii. The lot drawn before December 21, 1983, the date on which the Interim control by-law (by-law 65) came into force;

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- iv. A protective area of at least five (5) meters must be left in its current state or preferably returned to a natural state if it has not already been done.

(By-law 720-92, sec.1)

- d) The construction or erection of a pool, or an ancillary building such as a garage or shed on a landsite of which the area is less than the minimum prescribed at the Specification schedule of zoning by-law no. 720 is possible only on the part of the bank that is no longer in its natural state and under the following conditions:
 - i. The dimensions of the lot no longer allow the construction or erection of a pool or ancillary building, following the creation of the protected area of the riverbank;
 - ii. The lot was drawn before September 24, 1990, the date on which the first applicable municipal By-law prohibiting riverbank construction came into effect;
 - iii. A protected area of at least five (5) meters must be left in its current state or preferably returned to a natural state if it has not already been done;
 - iv. The ancillary building must rest on the ground without excavation or embankment.

(By-law 720-4, sec. 1) (By-law 720-92, sec. 1) (By-law 720-94-1, sec. 69)

- e) The following works related to vegetation:
 - i. The cutting down of trees required for authorized construction or other work;
 - ii. The cutting down of trees required to create a five (5) meters wide opening to provide access to a body of water, when the slope of the bank is less than 30%;
 - iii. The pruning and trimming required to create a five (5) meters wide window, when the slope of the bank is greater than 30%, as well as the creation of a path or stairs to provide access to the water;
 - iv. Shore restoration projects and projects of the restoration of a permanent and sustainable vegetation cover, 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.

(By-law 720-92, sec. 1) (By-law 720-94-1, sec. 69)

- f) The following works:
 - i. The installation of fences;
 - ii. The installation or implementation outlets for of subterranean or surface drainage system;
 - iii. The implementation of crossings over watercourses and fords by culverts and bridges, as well as roads providing access to same;

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- iv. When the slope, nature of the soil and conditions of the ground do not allow for the reestablishment of vegetation and the natural character of the riverbank, the work required to provide stability by using plant cover or mechanical efforts such as dry stone walls, gabions, or retaining walls, giving priority to the technique most likely to facilitate the eventual planting of natural vegetation;
- v. The work required for the construction of authorized work on the shore in conformity with section 14.4;
- vi. Reconstruction of a road or the enlargement of an existing road.

(By-law 720-92, sec. 1)

9.3.2 WIDTH OF THE RIVERBANK TO BE PROTECTED ALONG LAKE ST-LOUIS AND A WATERCOURSE OTHER THAN THE *RIVIÈRE À L'ORME*

The width of the riverbank to be protected along Lake St. Louis and a watercourse other than the *Rivière à l'Orme* is measured horizontally:

- a) The riverbank must be at least ten (10) meters:
 - i. When the slope is less than 30%;
 - ii. When the slope is greater than 30% and constitutes a bank less than five (5) meters in height.
- b) The riverbank must be at least fifteen (15) meters:
 - i. When the slope is continuous and greater than 30%;
 - ii. When the slope is greater than 30% and constitutes a bank more than five (5) meters high.

The width of the riverbank to be protected, as well as the location of the high water line, must be certified by a land surveyor licensed to practice in Québec.

9.3.3 WIDTH OF THE RIVERBANK TO BE PROTECTED ALONG THE *RIVIÈRE À L'ORME*

The riverbank to be protected along the *Rivière à l'Orme* must be at least thirty (30) meters wide.

The width of the riverbank to be protected, as well as the location of the high water mark, must be certified by a land surveyor licensed to practice in Québec.

9.3.4 NATURALIZATION OF THE EMBANKMENT

With the goal of assuring the stabilization of the embankment and eliminating problems of erosion, only natural stabilization work on the riverbank is authorized. By naturalization work, we mean the planting of plants, shrubs and trees that stabilize the soil.

9.3.5 RETAINING WALLS

The construction of a retaining wall made of concrete or other artificial material may not be used as a method of stabilization.

9.4 MEASURES PERTAINING TO THE RIVERBED

Any construction and other work are prohibited on the riverbed.

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However, the following constructions and other works are permitted, if they are compatible with other measures of protection recommended for flood plains:

- a) Docks, shelters and landings on piles, posts or floating platforms;
- b) The creation of crossings over watercourses by fords, culverts and bridges;
- c) Water intakes;
- d) The encroachment of the riverbed is required to do authorized work on the riverbank;
- e) Necessary cleaning and maintenance work on the watercourses, without digging, conducted by a municipal authority in conformity with the powers and duties conferred by law;
- f) Constructions and other works for municipal, industrial, commercial and public purposes or to provide public access, including their maintenance, repair and demolition, subject to the acquisition of an authorization issued pursuant to the Environment Quality Act (R.S.Q. c. Q-2), an Act Respecting the Conservation and Development of Wildlife (R.S.Q., c. C-61.1), the Water Courses Act (R.S.Q., c. R-13) and any other law;
- g) The maintenance, repair and demolition of existing structures or works not used for municipal, industrial, commercial or public purposes nor to provide public access.

9.5 PROVISIONS PERTAINING FLOODPLAIN

9.5.1 FLOODPLAIN ELEVATION FOR LAKE ST-LOUIS

For Lake St-Louis, the floodplain elevations are as follows:

- a) Geodesic elevation of 21.99 meters for a floodplain of the 2-year flood elevation;
- b) Geodesic elevation of 22.75 meters for a floodplain of the 20-year flood elevation;
- c) Geodesic elevation of 23.2 meters for a floodplain of the 100-year flood elevation.

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).

(By-law 720-92, sec. 2)

9.5.2 ACTIONS PROHIBITED IN THE HIGH-VELOCITY ZONE OF THE FLOODPLAIN

In the high-velocity zone of the floodplain, any constructions, undertaking and works are prohibited. However, these following constructions, structures and works are authorized if their realization is in conformity with the provisions of sections 9.3 and 9.4 of the current by-law regarding the provisions pertaining the lakeshore, the riverbank and the littoral:

- a) Work that is intended to keep the land in good condition or to maintain, repair, modernize or demolish the existing buildings and structures, provided that such work does not increase the area of the property exposed to flooding.

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However, during the upgrade or reconstruction work to an infrastructure related to a public thoroughfare, the area of the structure exposed to the flooding may be increased by 25% for public safety or to make the infrastructure compliant with applicable standards.

In all cases, major work on a structure or major work on a structure or undertaking should entail flood-proofing the entire structure or undertaking;

- b) Construction of underground waterworks or sewer systems in built-up areas not supplied by services with a view to supplying the structures and undertakings existing on the date of coming into force of the first municipal by-law prohibiting new constructions;
- c) Septic installations for existing structures or undertakings; the planned installation must be in conformity with the regulation concerning waste water disposal systems for isolated dwellings made under the Environment Quality Act (R.S.Q., c. Q-2);
- d) An open-air undertaking, other than a golf course, intended for recreation purposes and that does not require filling or the removal of fill;
- e) Reconstruction of an undertaking or structure destroyed by a disaster other than a flood; all reconstructed undertakings and structures should be flood-proofed in conformity with the requirements of the Policy;
- f) Works, structures or undertakings for public access or municipal purposes;
- g) Pool or spa without backfilling.

(By-law 720-92, sec. 2)

9.5.3 ACTIONS PROHIBITED IN THE LOW-VELOCITY ZONE OF THE FLOODPLAIN

In a low-velocity zone of the floodplain are prohibited:

- a) All structures and undertakings which are not flood-proofed;
- b) Filling works other than works required to flood-proof authorized structures and undertakings.

(By-law 720-92, sec. 2)

9.5.4 FLOOD-PROOFING PRECAUTIONARY STANDARDS

For the principal constructions authorized under the preceding exceptions, the flood-proofing precautionary standards established in the Construction by-law in force on the City of Beaconsfield's territory for constructions in certain floodplains shall apply.

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 flood elevations and the 100-year flood elevations.

(By-law 720-92, sec. 2)

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9.6 ARCHITECTURAL ELEMENTS FOR ENVIRONMENTAL PURPOSES

9.6.1 EXTERIOR MATERIALS

Notwithstanding any provisions to the contrary in this regulation and any other by-laws, such as the by-law on Site Planning Architectural and Integration Program. Any building construction material that demonstrates a reduction in heat loss and greenhouse gas emissions may be authorized by City Council via the Site Planning and Architectural Integration Program.

9.6.2 SOLAR ENERGY

Notwithstanding any measure to the contrary in this regulation and any other planning by-laws, thermal solar panels or photovoltaic solar panels designed to convert sunlight into electricity or heat are authorized on a roof or wall of a main building.

If installed on a wall of a main building, the solar panel must be integrated into the architecture of the main building.

9.6.3 ORIENTATION OF A BUILDING

Notwithstanding any measure to the contrary in this regulation and any other urban planning by-law, the orientation of a building should favour the capture of passive energy.

(By-law 720-83, sec. 13, by-law 720-92, sec. 3)

9.7 STANDARDS PERTAINING TO RESIDENTIAL, INDUSTRIAL, WHOLESALE, AND WAREHOUSING ACTIVITIES

9.7.1 BURDEN OF PROOF

It is the responsibility of the individual who applies for a permit or a certificate of authorization to establish that he meets the provisions of this section. Moreover, the City can require, as often it deems fit, proof that the limitations prescribed in this section have been complied with.

9.7.2 NOISE INTENSITY

The sound pressure level resulting from the operation, separate or combined, of a heat pump, heating equipment, air conditioning or a ventilator, a generator or any other similar equipment, must not exceed fifty-five (55) dB(A) at the property line.

Such sound pressure level shall be calculated using the A.R.I. 270 standard or equivalent.

The sound pressure level resulting from industrial, wholesale or warehousing activities must not exceed 55 fifty-five dB (A) Leq (24 hours), measured at the property line.

Such sound pressure level shall be calculated using the A.R.I. 270 standard or equivalent.

9.7.3 SMOKE AND DUST PARTICLES EMISSIONS

Neither smoke nor dust particles that are the result of industrial, wholesale or warehousing activities shall be detected beyond the property line.

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9.7.4 ODOUR EMISSIONS

Odours detected beyond the property line that is the result of industrial, wholesale or warehousing activities must not in any way inconvenience the neighbours or prevent them from enjoying the normal use of their property or from continuing their daily business operations.

9.7.5 FLASHING LIGHTS

Blinding light, direct or reflected, coming from a light beam or emanating from electric arcs, acetylene blow torches or similar material shall not be visible from the property line of any establishment.

9.7.6 VIBRATIONS

No vibration of the ground resulting from any activities shall be detected beyond the property line of any establishment.

(By-law 720-83, sec. 13, by-law 720-92, sec. 3)

9.8 STANDARDS PERTAINING TO BUILDINGS ADJACENT TO RAILWAY LINES

Notwithstanding the setbacks set out in the Specification schedules, no residential building may be erected less than twenty-four (24) meters from the closest boundary of a railway line.

(By-law 720-83, sec. 13, by-law 720-92, sec. 3)

9.9 STANDARDS PERTAINING TO BUILDINGS ADJACENT TO AN INDUSTRIAL SITE

Notwithstanding the setbacks set out in the Specifications Schedule, no residential building may be erected less than twenty-four (24) meters from the closest property line of a property used or intended to be used for industrial, wholesale or warehousing activities, whether or not the usages are situated in the same municipality.

(By-law 720-83, sec. 13, by-law 720-92, sec. 3)

9.10 STANDARDS PERTAINING TO RESIDENTIAL BUILDINGS ADJACENT TO A HIGHWAY

Notwithstanding any other provision in this By-law regarding setbacks, no residential building shall be located less than eighteen (18) meters from a highway. For any new construction adjacent to a highway, a row of trees must be planted in the courtyard adjacent to the highway, in such a way as to create a screen between the highway and the residential building.

(By-law 720-83, sec. 13, by-law 720-92, sec. 3)

CHAPTER 10 PROVISIONS PERTAINING TO ACQUIRED RIGHTS, NON-CONFORMING USES, STRUCTURES AND SIGNS

Chapter 10 entitled "Parking and loading standards" is replaced by Chapter 16 entitled "Provisions pertaining to acquired rights, non-conforming uses, structures and signs".

(By-law 720-83, sec. 14 & 15; By-law 720-94-1, sec. 70)

10.1 SCOPE OF APPLICATION

The term "non-conforming" applies only to the following elements:

- a) Non-conforming structures;
- b) Non-conforming usages;
- c) Non-conforming signs;
- d) Structures and uses on a lot that does not conform to the subdivision by-law.

10.2 GENERAL MEASURES

10.2.1 NON-CONFORMING STRUCTURE

Is considered as a non-conforming structure, any structure that contravenes one or several of the provisions of this by-law:

- a) The structure is in existence at the time of the coming into force of this by-law;
- b) The construction is not complete at the time of the coming into force of this by-law, but for which a construction permit was issued in conformity with the previous provisions, before the coming into force of this by-law, providing that this permit is still valid.

(By-law 720-94-1, sec. 70)

10.2.2 NON-CONFORMING USE

Is considered as a non-conforming use, any use that contravenes one or several of the provisions of this by-law:

- a) The construction existed at the time of the coming into force of this By-law;
- b) The construction where the use will occur is not complete at the time of the coming into force of this By-law, but for which a construction permit was issued in conformity with the previous provisions, before the coming into force of this by-law, providing that this permit is still valid;
- c) An occupancy certificate was issued in conformity with the zoning by-law and the permits and certificates by-law, before the coming into force of this by-law, providing that this occupancy certificate is still valid.

(By-law 720-94-1, sec. 70)

10.2.3 NON-CONFORMING SIGN

Is considered as a non-conforming sign, any sign that contravenes one or several of the provisions of this by-law:

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- a) The sign is in existence at the time of the coming into force of the present by-law;
- b) A certificate of authorization was issued in conformity with the provisions of the zoning by-law and the permits and certificates by-law, providing that this certificate of authorization is still valid.

(By-law 720-94-1, sec. 70)

10.2.4 ACQUIRED RIGHTS

A non-conforming structure, use, or sign benefits of acquired rights, provided it pre-dates the coming into force of this zoning by-law and that it is authorized by a construction permit or certificate of authorization legally issued, pursuant to the zoning by-law and the permits and certificates by-law in force at the time the permit was issued.

10.3 NON-CONFORMING STRUCTURE

10.3.1 EXTENDING, MODIFYING, MOVING OR REPAIRING A NON-CONFORMING STRUCTURE

Extending, modifying, moving or repairing a non-conforming structure is permitted if the work conforms to the provisions of the City's zoning and construction by-laws, except if the structure does not respect the prescribed setbacks, in which case the extension or modification is permitted if:

- a) The work does not have the effect of further aggravating, in area, height or volume, the existing non-conformity of the setbacks;
- b) The work aims to render the structure conforming;
- c) A construction permit was issued for the structure as it exists, before the coming into force of this By-law;
- d) The work conforms to the provisions of the City's zoning and construction By-laws in all respects; and
- e) The work is conducted on the same property as that on which the structure is erected.

Any non-conforming structure protected by acquired rights that is modified so as to render it conforming, may not be modified once more to render it non-conforming with these provisions.

Similarly, any non-conforming structure protected by acquired rights that is modified so as to reduce its non-conformity without, however, completely eliminating this non-conformity, may not be modified once more to restore the elements of non-conformity that were corrected.

10.3.2 REPLACING A NON-CONFORMING STRUCTURE

Any non-conforming structure protected by acquired rights may only be replaced by a structure that conforms to this by-law.

10.3.3 REBUILDING, RENOVATING, OR REPAIRING A NON-CONFORMING STRUCTURE

Rebuilding, renovating, or repairing a non-conforming structure that has lost half or more of its value on the evaluation roll, with the exception of its foundations, following a natural disaster, fire, accident, or any other similar event, may not be

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rebuilt, renovated or repaired, except in conformity with the provisions of all applicable by-laws on the date a construction permit is issued for this purpose.

10.4 NON-CONFORMING USE

10.4.1 EXTENDING OR MODIFYING A NON-CONFORMING USE OF A STRUCTURE

The total floor area occupied by a non-conforming use of a structure, on the date on which these provisions come into force making this use non-conforming, may not be enlarge.

10.4.2 REPLACING A NON-CONFORMING USE

A non-conforming use may only be replaced by a use that conforms to this By-law.

10.4.3 REPAIRING A STRUCTURE WHOSE USE IS NON-CONFORMING

A structure, whether non-conforming or conforming, whose use is non-conforming may be repaired and maintained as required, so as not to become a danger to health or security.

10.4.4 ABANDONING, CEASING OR INTERRUPTING A NON-CONFORMING USE

If a non-conforming use of a conforming or non-conforming structure or landsite, protected by acquired rights, has been abandoned, has ceased or has been interrupted for a period of six (6) consecutive months, the site may no longer be used except in conformity with the use permitted by this zoning by-law and it will no longer be possible to reinstate the previous use.

A use is deemed to be “abandoned” when all forms of activities normally attributed to the use cease.

The calculation of six (6) months may include a period of time spanning before and after the coming into force of this by-law.

When an ancillary usage is connected to a main usage protected by an acquired rights and that main usage has been abandoned, has ceased or has been interrupted then that ancillary usage should cease as soon as the main usage has been abandoned, has ceased or has been interrupted.

(By-law 720-94-1, sec. 70)

10.5 RETAINING WALL ALONG LAKE ST-LOUIS

A retaining wall or a part of a retaining wall may be repaired, but not replaced by another retaining wall or a part of a retaining wall.

10.6 NON-CONFORMING SIGN

10.6.1 ENLARGING, MODIFYING OR REBUILDING A NON-CONFORMING SIGN

A non-conforming sign may not be enlarged, modified or rebuilt except in conformity with the provisions of this By-law.

10.6.2 REPLACING A NON-CONFORMING SIGN

A non-conforming sign may only be replaced by one that is conforming.

10.6.3 MOVING A NON-CONFORMING SIGN

A non-conforming sign may be moved only to render it conforming.

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10.6.4 MAINTENANCE AND REPAIR

A non-conforming sign or a sign whose use is non-conforming may be repaired and maintained at all times, provided that it is not enlarged, replaced, or moved, in whole or in part.

10.6.5 OBSOLETE SIGN

A permanent sign, including its support, becomes obsolete as soon as a business ceases operations.

Any obsolete sign, including its support, must be removed within one (1) month after the business ceases operations.

10.7 NON-CONFORMING LOT MADE VIABLE

Any lot subdivided before October 31, 1960, provided with aqueduct installations but lacking the area or dimensions required by the City's subdivision by-law, may still be used for the construction of buildings authorized in each zone, provided that:

- a) The prescribed installation standards of this By-law are respected, with the following exceptions:
 - i. If the non-compliance is related to the width of the property and this width is at least 4.5 meters narrower than the standards specified in the by-law, a setback on the side of the property may be reduced by 33%.
Where the width is no greater than eighteen (18) meters, the lateral setbacks may be reduced on each side.
(By-law 720-94-1, sec. 70)
 - ii. If the non-compliance is related to the area of the landsite and this area is less than the standards specified in this by-law, the rear setbacks may be reduced up to 33%.
(By-law 720-94-1, sec. 70)
 - iii. Repealed (By-law 720-94-1, sec. 70)
- b) All the other standards prescribed in this by-law, as well as those in the City's Construction by-law, are respected.

(By-law 720-83, sec. 14 & 15)

CHAPTER 11 TERMINOLOGY INDEX

For purposes of interpreting this By-law and unless the context indicates otherwise, the following terms or words have the meaning and application given to them herein:

ABOVEGROUND SWIMMING POOL (piscine hors-terre)

A hard-sided swimming pool installed permanently on the ground surface.

ADVERTISING SIGN (enseigne publicitaire)

Advertising sign of which the surface area is 2.5m² or less placed on an immovable that is located elsewhere than the business, product, service or landsite being advertised.

ANCILLARY STRUCTURE (construction accessoire)

Structure detached from, and subordinate to a main building and located on the same landsite.

ANCILLARY USAGE (usage accessoire)

Any use of a structure, a landsite or portion thereof which is subordinate to, facilitates or improves the main use and which is a normal and logical extension of the main use.

ANTENNA (antenne)

Device used or intended to be used for the reception or broadcasting of radio, television and other electro-magnetic signals.

Telecommunication antenna is used or intended to be used for transmission and reception including cellular communication.

AQUATIC PLANTS (plantes aquatiques)

Hydrophytes, including submergents, floating plants, emergents and emerged herbaceous and woody plants characteristic of open marshes and swamps.

AREA OF SIGN (superficie d'enseigne)

Total surface area situated within a continuous, real or imaginary line that surrounds the extreme physical limits of a sign, excluding the frame and the supporting structure.

ATTACHED BUILDING (bâtiment contigu ou en rangée)

Building attached to at least two (2) other buildings, which sidewalls are party wall or are in contact in whole or in part, except for the wall at the end of a row. A minimum of three (3) buildings are necessary to constitute a row of attached buildings.

AWNING (auvent)

Covering, retractable or not, installed on or projecting beyond the external wall of a building. A retractable awning is not considered part of a main building.

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BACK YARD (cour arrière)

Part of a landsite limited by two (2) side landsite line, the rear landsite line, the back wall of the main building and its extension parallel to the street line and going from a lateral side landsite line to another. In a case of a corner landsite and a through-corner landsite, there is no back yard (see illustration 18).

BACKLIT SIGN (enseigne éclairante)

Sign designed to emit an artificial light for an interior source of light and can have one or more translucent surface.

BALCONY (balcon)

An open cantilevered platform, protected by a guard, projecting from one or several exterior walls of a building, which access can only be from the inside of the building. A balcony is not considered part of a main building.

BASEMENT (sous-sol)

Portion of a building of which half the finished ceiling is above the average grade level of the landsite around the building, without however exceeding one metre fifty (1.50 m). Except as otherwise provided in this By-law, a basement shall not be counted in the calculation of the floor area ratio.

BAY WINDOW (fenêtre en saillie)

Alcove of a room, projecting from an exterior wall of a building and having its own window. A bay window is considered part of a main building.

BED AND BREAKFAST (gîte touristique)

Private residence entirely occupied with a residential use operated to give a temporary accommodation, including an accommodation for a night, meals and other services and subsidiary installations for the traveller in the house of the occupant.

BILLBOARD (panneau-réclame)

Advertising sign of which the surface area exceeds two point five square metres (2.5m²) placed on a landsite that is located elsewhere than the business, product, service or landsite being advertised.

BLOCK (îlot)

Area of land surrounded, in whole or in part, by public streets.

BUILDING (bâtiment)

Structure, existing or proposed, with roof resting on a wall or column, used or intended to be used to shelter people, animals and objects.

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BUILDING HEIGHT (hauteur d'un bâtiment)

Vertical distance measured perpendicularly from the average level finished ground at the centre of the facade to the highest level of the roof, excluding any parapet, skylight, chimney or any roof top structure provided for elevator machinery, stairways and service rooms.

CADASTRAL OPERATION (opération cadastrale)

Division, subdivision, resubdivision, redivision, cancellation, correction, addition, or replacement of lots numbers under the Cadastre Act (R.S.Q., chapter C-1) of the Quebec Civil Code.

CANOPY (marquise)

Permanent roof-like structure projecting beyond the wall on a building or a freestanding structure and resting on pilasters either generally designed and erected for architectural effect or to provide protection from the weather.

For service station use, gas station use and gas-station convenience store use, a canopy is an open shelter with roof above the gas pumps. May be attached or detached to the main building.

CANOPY SIGN (enseigne marquise)

Sign that is part of or attached to any canopy.

CARPORT (abri d'auto)

Open sided structure attached to the main building with a roof supported by columns, used or intended to be used to store licensed vehicles of the occupant of a main building. When a carport has more than 60% of the total area of its perimeter enclosed by walls, doors or windows, it is considered a garage.

CELLAR (cave)

Portion of a building of which half or more of the height between the finished floor and the finished ceiling is under the average grade level of the landsite around the building. A cellar is not counted as a story in determining the height of a building in stories.

CERTIFICATE OF LOCATION (certificat de localisation)

Technical description and a plan indicating, among other things, the dimensions of a landsite, the exact location of one or more structures in relation to the limit of one or more adjacent landsites or of any adjacent public street, prepared and certified by a registered Quebec land surveyor.

COLLECTOR STREET (voie collectrice)

Public street designed primarily to provide access to local streets.

COMMERCIAL CENTRE (centre commercial)

Grouping together of a minimum of six (6) commercial establishments, located in one or several buildings, erected on one landsite and designed, developed and managed as a whole.

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COMMERCIAL SIGN (enseigne commercial)

Sign installed on an immovable landsite indicating the name and the nature of a commercial establishment.

COMMERCIAL VEHICLE (vehicule commercial)

Vehicle, which is used or intended to be used for commercial or industrial purposes and which exhibits graphics related to a commercial or industrial activity.

COMMUNAL SIGN (enseigne répertoire)

Sign identifying more than one occupant of an immovable landsite. The communal sign must be uniformly illuminated or indirectly illuminated or not illuminated at all.

COMPETENT AUTHORITY (autorité compétente)

Person, service or organism entitled to issue an advice, sign plans, authorise a project or any other activity of its competence.

CORNER LANDSITE (terrain d'angle)

Landsite abutting on the inner angle of an intersection of two (2) public streets or on the inner angle of a single public street, provided that this angle be less than 135⁰.

COUNCIL (conseil)

Municipal Council of the City of Beaconsfield governed by the Cities and Towns Act.

CUL-DE-SAC (cul-de-sac)

Any portion of a public street but not leading to another street at its end.

CURB (bordure)

Edging delineating roads and parking areas.

DECORATIVE FENCE (clôture décorative)

Pierced and discontinuous structure erected strictly for decorative, aesthetic or architectural purposes and intended only to divide part of a landsite, without preventing ingress to or egress from such landsite.

FLEXIBLE FENCE (clôture flexible)

Non-removable construction made of a nylon mesh material supported by flexible poles and equipped with a permanent type anchoring system.

DEMOLITION (démolition)

Destruction complete or partial of a building.

DETACHED BUILDING (bâtiment détaché)

Building detached from any other building.

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DETACHED SIGN (enseigne détachée)

Sign on a post, pedestal, low wall or pylon and not attached to a building.

DEVELOPMENT PLAN (plan d'aménagement)

Detailed plan prepared for a given territory, showing land usages, land occupation densities, traffic ways, and any other relevant elements to the comprehension of an urban development project.

DIRECTIONAL SIGN (enseigne directionnelle)

Sign indicating which direction to take in order to reach a destination which itself is identified.

DWELLING UNIT (logement)

A suite of rooms with a separate entrance and equipped or designed to be equipped with heating, sanitary and cooking facilities and intended to be used as a residence by one or more individuals.

ELECTRONIC BILLBOARD (panneau électronique)

Sign equipped with a device that allows the display of fixed or repeating messages in illuminated letters or images.

EXISTING (existant)

Anything that is already built or occupied or any extension thereto.

EXTENSION (agrandissement)

Works carried out to increase the floor area or volume of a building or use.

EXTERIOR WALL

Wall of a building which is not a facade.

FACADE (façade)

Front wall of a main building facing a public street where is usually located the main entrance.

In the absence of a fronting public street, the façade is governed by the location of the main entrance to the main building.

FAMILY-TYPE RESOURCES (ressources de type familial)

As specified in *An Act Respecting health services and social services (R.S.Q., Chapter S-4.2)*, the family-type resources comprise foster families and foster homes:

Foster family: One or two persons receiving in their home a maximum of nine children in difficulty entrusted to them by a public institution in order to respond to their needs and afford them living conditions fostering a parent-child relationship in a family-like environment may be recognized as a foster family.

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Foster home: One or two persons receiving in their home a maximum of none adults or elderly persons entrusted to them by a public institution in order to respond to their needs and afford them living conditions as close to a natural environment as possible may be recognized as a foster home.

FAST-FOOD RESTAURANT (restaurant-minute)

Commercial establishment open to the public where meals can be prepared and served quickly.

FENCE (clôture)

A continuous structure, the purpose of which is to delineate a landsite or to prevent ingress to or to egress from such landsite.

FIRE LANE (voie d'accès en cas d'urgence)

Easement free of any structure, maintained along the perimeter of a building or a landsite and connecting to a public street, in order to provide access to emergency vehicles. A fire lane may be paved or not, but must be solid enough to safely support and allow the circulation of emergency vehicles.

FIREWALL (mur coupe-feu)

Fire separation of non-combustible construction, which subdivides a building or separates adjoining buildings into limited fire areas so as to resist the spread of fire and which has a fire resistance rating as prescribed by the current edition of the National Building Code and has structural stability to remain intact under fire conditions for the required fire-rated time.

FIRST STORY (rez-de-chaussée)

Story above the basement or cellar or closest to the grade level when the building as neither one of them.

FLOODPLAIN (Plaine inondable)

Area occupied by a lake or watercourse during flood periods. The floodplain corresponds to the geographic extend of the flooded area whose limits have been identified by the 20-year flood elevations and 100-year flood elevations established in the current by-law.

FLOOD-PROOFING (Immunsation)

Flood-proofing of a construction of a building, of the execution of works or of the development of a landsite, is the implementation of various measures designed to provide the necessary protection against possible flood damage.

FLOOR AREA (superficie de plancher)

Gross floor area within the exterior perimeter of a main building, measured at each floor, including the area of the attached garage. The total floor area must not include the area of the exterior steps, the gallery, the balcony, the porch, the carport, the veranda and the cellar.

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FLOOR AREA, GROSS LEASABLE (surface brute locative de plancher)

Equivalent to 80% of the gross floor area of a building.

FLOOR AREA RATIO (F.A.R.) (coefficient d'occupation du sol, C.O.S)

Ratio between the gross floor area of a building and the total area of the landsite upon which such building is erected.

FRONTAGE OF A BUILDING (frontage d'un bâtiment)

Total width of the facade of a main building.

FRONT LANDSITE LINE (ligne avant d'un terrain)

Line located in the front of the landsite along a street. This line may be non-rectilinear.

FRONT SETBACK (marge avant)

Within the front yard, portion of land located between the front landsite line and an imaginary line parallel to this one.

FRONT YARD (cour avant)

Portion of a landsite located between the street line and the actual or imaginary line of the front wall of the main building and its extension, parallel to the street line and running from one landsite lateral line to the other. (see illustration 18)

GALLERY (galerie)

Platform attached to a main building, surrounded by a guard and equip of a staircase to go up and down and communicating inside of the house by one or many openings. A gallery must be at least sixty centimetres (60 cm) high.

GAS STATION (poste d'essence)

Establishment selling liquid or gas fuel at consumers who have to serve themselves. Besides the fuel, lubricants and others auxiliary products may be sold.

GAS-STATION CONVENIENCE STORE (poste d'essence dépanneur)

Establishment selling liquid or gas fuel at consumers who have to serve themselves. Besides the fuel, lubricants and others auxiliary products as well as food products and small items may be sold. A restaurant-café can be operated in the convenience store.

Grass, grassed area (gazon, terrain gazonné)

Slab of earth covered with natural herbs from a seedling which requires maintenance so that it remains short and dense. A synthetic or artificial herb is not grass."

GREEN HOUSE (serre)

Auxiliary structure detached from the main building where plants are cultivated. A green house should be entirely in glass or translucent.

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HEDGE (haie)

A continuous row of shrubs or plants that have taken root and whose intertwined branches can be trimmed at various heights. A hedge must not be considered a fence.

HIGH-VELOCITY ZONE (zone de grand courant)

Zone corresponding to the part of a floodplain that may be flooded during a 20-year flood event.

HIGH WATER MARK (ligne des hautes eaux)

Line being used to delimit the littoral and the riverbank. The high water mark is located at the natural high water mark according to one of these following criteria and according to the priority following order:

1. At the point where predominantly terrestrial plants succeed predominantly aquatic plants or where there are no aquatic plants, the point closest to the water where terrestrial plants no longer grow;
2. For a legally existing retaining wall, the top of the structure;
3. If the information is available, the high water mark is located at the 2-year limit, considered to correspond to the mark established according to the botanical criteria defined in paragraph 1.

HEIGHT OF THE SIGN (hauteur d'une enseigne)

Height of the sign measured vertically between the average ground level, adjacent to the frame, and the superior top of the sign, including the frame.

HOT TUB (spa)

Outdoor or indoor tank equipped with hydro-jets and holes filled or intended to be filled with water and working with a mix of compressed air and water.

IDENTIFICATION SIGN (enseigne d'identification)

For a building, a residential integrated project or a commercial centre, sign indicating the name or the address of the building, residential integrated project or a commercial centre.

ILLUMINATED SIGN (enseigne éclairée)

Sign equipped with its own source of artificial lighting whose specific purpose is to illuminate the sign, including the frame.

INFRASTRUCTURES (infrastructures)

In a limitative way, the water main and sewer networks, drinking water supply and wastewater purification terminals, the electricity, gas, gasoline, transmission networks with the exception of transmission and reception towers and antennae, railway lines, ferry landings, bridges, communal wells to catch underground water, works above ground level to catch surface water, flood protection works.

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INGROUND OR SEMI-INGROUND SWIMMING POOL (piscine creusée ou semi-creusée)

Swimming pool that is partially or completely buried with a minimum depth of thirty centimetres (30 cm) under the ground surface.

INTEGRATED PROJECT (projet d'ensemble)

Construction project for a group of buildings to be built on one (1) landsite adjacent to a public street, which can be carried out in phases, having in common certain services or equipment, and whose planning, promotion and development are carried out as a whole.

INTERIOR LANDSITE (terrain intérieur)

Landsite abutting a public street, other than a corner landsite, a through corner landsite or a through interior landsite.

INTERGENERATIONAL HOME (maison intergénérationnelle)

A single-family home to which a separate dwelling has been added allowing cohabitation between grandparents, parents and children.

LANDSITE (terrain)

One or more lots comprising one immovable landsite owned by an owner or by a group of co-owners and forming a landsite. A landsite shall be used for one (1) main use only.

LANDSITE COVERAGE (coefficient d'emprise au sol)

Ratio between the total main building area and the total area of a landsite, upon which such building is erected.

LANDSITE DEPTH (profondeur de terrain)

Average depth of a landsite measured between the front landsite line and the rear landsite line of the same landsite.

LANDSITE FRONTAGE (frontage d'un terrain)

Length of the front landsite line.

LANDSITE LINE (ligne de terrain)

Boundary line of a landsite. This line may be non rectilinear.

LANDSITE WIDTH (largeur d'un terrain)

Quotient of the landsite area divided by the length of the longest line drawn perpendicularly to the front line of the land to the rear landsite.

LATERAL LANDSITE LINE (ligne latérale de terrain)

Line separating a landsite from another landsite which originates from the front line of the landsite.

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LATERAL SETBACK (marge latérale)

Portion of land located located in the side yard, between the sideline and a line parallel to this one.

LITTORAL (littoral)

Portion of Lake St-Louis and the watercourses which extends up to the land from the natural high water mark.

LOADING BAY (aire de chargement)

Off-street area, large enough to allow manoeuvring and parking of a commercial vehicle during loading and unloading.

LOCAL STREET (voie locale)

Public street designed primarily to provide access to a limited number of fronting landsites boarding such street.

LOT (lot)

Basic land division identified and delimited at the official cadastral deposited to the *Ministre des Ressources naturelles et de la Faune* according to the Cadastre Act (R.S.Q., C-1) or the Quebec Civil Code in force.

LOW-VELOCITY ZONE (Zone de faible courant)

The zone corresponds to the part of a floodplain beyond the high-velocity zone that may be flooded during a 100-year flood event.

MAIN BUILDING (bâtiment principal)

Building designed for a main use.

MAIN BUILDING AREA (superficie d'emprise au sol)

Area of a building, within the outside surface of exterior walls including the area of veranda, cold room, storage space and attached garage, but excluding the area of the gallery, the carport, the balcony, the porch and the detached garage.

MAIN STRUCTURE (construction principale)

Structure designed for a main use.

MAIN USAGE (usage principal)

Main purpose for which a landsite or building is used, occupied or intended to be used or occupied.

MANAGED FOREST (forêt aménagée)

Lot or part of a lot that is not an unmanaged forest.

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MECHANICAL EQUIPMENT (équipement mécanique)

Electrical, plumbing, heating or air conditioning device or conduit, such as a heat pump, an electricity or gas meter, a ventilation shaft and an air conditioning, other than an individual movable air conditioner.

MOBILE HOME (maison mobile)

Manufactured dwelling designed to be moved to its future landsite. It includes the connections to public service systems and may be suitable for a year-round occupancy.

MOVING (déplacement)

Act of transporting a structure from one location to another.

NURSING HOME (centre d'accueil)

Facilities designed for in-patients, out-patients or senior citizens for the lodging, maintenance, keeping under observation, treatment or social rehabilitation, as the case may be, of persons whose condition by reason of their age or their physical, personal, psycho-social or family deficiencies, is such that they must be treated, kept in protected residence or, if need be, for close treatment, or treated at home, including nurseries, but excepting day care establishments, foster families, vacation camps and other similar facilities maintained by a religious institution to receive its members or followers.

OUTDOOR FIREPLACE (foyer extérieur)

Structure located outside a main building and designed for containing fire.

OFF-ROOF STRUCTURE (construction hors-toit)

Structure erected on a building roof containing a tank, a machinery, an elevator, a stairway, a ventilation or a light shaft.

OFFICER IN CHARGE (officier responsable)

Municipal civil servant responsible for the applicability of Municipal by-laws related to Urban Planning.

PARAMEDICAL SERVICE

Service pertaining to health, but which field of intervention does not aim at the exercise of the medicine exclusively practiced by doctors.

PARK (parc)

Public landsite intended to be used solely for walking, resting or playing.

PARKING LOT (espace de stationnement)

Whole of parking spaces including the access of alleyways.

PARKING SPACE (case de stationnement)

Single space reserved to park a motor vehicle according to the dimension and layout requirements of this Zoning by-law.

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PARTY WALL (mur mitoyen)

Dividing wall jointly owned and jointly used by two (2) parties in virtue of a servitude agreement or by right in law, and erected at or upon a line separating two (2) landsites each of which is, or is capable of being, a separate immovable landsite.

PATIO (patio)

Platform resting or not on supports. A patio must not be higher than sixty centimetres (60 cm), measured one (1,0 m) away from it. A patio must be considered part of landscaping.

PERGOLA, GAZEBO (pergola, pavillon)

Light structures used as an open shelter and which constitute an ancillary structure to a residential use.

PEDESTRIAN PATH (passage piétonnier)

Public land intended to provide passage for a pedestrian between two (2) public streets or to provide access to a park.

PERMEABLE PAVING (surface permeable)

Solid ground surface, strong enough to take heavy loads, like large vehicle, while at the same time, they allow water to filter through the surface.

PIPE BOWL-SHAPED BLOCK (îlot en tête-de-pipe)

Building block by which access is provided by one local street only.

POOL EQUIPMENT (équipement d'une piscine)

A swimming pool and any equipment, construction, system and accessory designed to ensure proper functioning of the pool, to ensure the safety of persons or to allow or prevent access to the pool.

POOL SHED (cabanon de piscine)

Ancillary building used for storage of pool equipments. It can contain a shower and dressing room.

PORCH (porche)

Open covered platform not closed by walls and attached to a main building but not considered part of it.

PORTABLE POOL (piscine démontable)

A soft-sided swimming pool, inflatable or not, designed to be installed on a temporary basis.

PORTABLE SIGN (enseigne portative)

Sign not permanently mounted and which can be moved.

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PRIVATE STREET (voie privée)

Piece of land, delineated on a cadastral plan and intended to be used for the circulation of vehicles, without being a public street.

PROJECTING SIGN (enseigne en saillie)

Sign attached on the wall of the building and perpendicular with this one.

PROJECTION OF PART OF BUILDING (partie de bâtiment en saillie)

Part of a building that projects beyond the building line.

PUBLIC STREET (voie publique)

Street owned by the federal, provincial or municipal government and intended to be used for the circulation of vehicles.

RAIN BARREL (baril de récupération d'eau de pluie)

Container used to collect and store rainwater from the rooftops through gutters.

REAR LANDSITE LINE (ligne arrière d'un terrain)

Line separating a landsite from another landsite, without being a front landsite line or a lateral landsite line.

For a corner landsite and a through corner landsite, there is no rear landsite line.

REAR SETBACK (marge arrière)

Within the backyard, portion of land located between the back landsite line and an imaginary line parallel to this one.

RECREATION VEHICULE (véhicule récréatif)

Motor vehicle or trailer used as lodging by travellers during short periods of time or equipped with portable sanitary facilities.

RESTAURANT (restaurant)

Public establishment except a fast food restaurant, where meals are prepared and sold. The kitchen is equipped with commercial type equipment such as stove and others requirements needing a hood. A restaurant may have a catering service.

RESTAURANT-CAFÉ (café-resto)

Restaurant where it is possible to drink non-alcoholic beverage and eat light meals without commercial type cooking installation like stove, fryer or any other equipment requiring a hood.

EVOLVING SIGN (enseigne rotative)

Sign that rotates, oscillates or moves any other way.

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RIGHT-OF-WAY (emprise)

Piece of land delineated on a cadastral plan and intended to be used for the passage of a public street, a walkway, a pedestrian path or any other public utility. The right-of-way is also the space between the landsite line and the public street, the walkway or a pedestrian path.

RIVERBANK (rive)

Portion of land bordering a lake and watercourse, which extends to the land from the natural high line. The width of the bank to protect is measured horizontally.

SECONDARY FRONT LINE (ligne avant secondaire)

Line located in the front of the secondary front yard and adjacent to the street.

SECONDARY FRONT SETBACK (marge avant secondaire)

Within the secondary front yard, portion of land located between the secondary front landsite line and an imaginary line parallel to this one.

SECONDARY FRONT YARD (cour avant secondaire)

Portion of land located between the secondary street line and the secondary front wall of the main building and its extension parallel to the secondary street line and running from the lateral line of the land and an imaginary line which constitutes the extension of the front wall of the main building. (See illustration 18)

SECONDARY STREET (rue secondaire)

In the case of a corner landsite or a through corner landsite, the street where the main entrance of the main building is not located.

SERVICE STATION (station service)

Commercial establishment equipped with pumps and tanks used to store liquid fuel and mainly offering its customers the following services:

- a) Retail sale of fuel, lubricants and various car accessories as a main use;
- b) Tuning and maintenance of vehicle, excluding paint and body work, as accessory usage;
- c) Vehicle towing and as accessory usage;
- d) Mechanical or manual washing vehicle as an accessory usage.

SERVITUDE (servitude)

Legal right by which all or part of a landsite owned by a natural or legal person is subject to a specified use or enjoyment by another.

SHED (cabanon)

Ancillary building linked to the main usage used for storing usual or casual items or pool or recreational accessories and may have plumbing equipment.

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SEMI-DETACHED BUILDING (bâtiment jumelé)

Building attached to one (1) other building, in whole or in part, by a one (1) party wall.

landside **SIDE YARD (cour latérale)**

Portion of a landsite delineated by the side wall of the main building, the side line of the landsite and the extension of the back wall. (see illustration 18)

SIGN (enseigne)

Any writing (letters, words, numbers), any pictorial representation (drawing, engraving, photo, illustration or image), any emblem (currency, symbol or trade mark), any flag (banner, pennant, oriflamme or streamer) or any other object or similar characteristics in concordance of the following conditions:

- a) Is a structure or part of a structure, which is attached, painted on or which is represented in any manner whatsoever on a building, a structure or on a land;
- b) Is used to notify, inform, announce, promote, advertise or other similar reason;
- c) Is visible from the outside of a building when the sign is located at less than 2 metres from a window.

SOLARIUM (solarium)

Structure, adjacent to a main building, of which at least 50% of the surface of the exterior walls are made of glass. The solarium is used as habitable room and is an integral part of the main building.

STORY (étage)

Habitable portion of a building situated between the top of any floor and the top of the floor above it. If there is no floor above it, between the top of such floor and the ceiling above it.

STREET LINE (ligne de rue)

Separation line between a landsite and the right-of-way and adjacent to the landsite line.

STRUCTURE (construction)

Assembly, construction or erection of materials forming a constructed or built ensemble. A structure, under this By-law, could mean, without limitations, a building, a garage, a carport, a shed, a greenhouse, a swimming pool, a pavilion, a pergola, an antenna or a fence.

SWIMMING POOL (piscine)

Permanent or temporary artificially constructed outdoor basin intended for swimming that has a water depth equal to or greater than 60 cm.

TEMPORARY BUILDING (bâtiment temporaire)

Building erected for a limited period.

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TEMPORARY SIGN (enseigne temporaire)

Sign showing projects, events and activities of temporary nature such as building site, construction project, location or sale of immovable, special activities, communal and civic activities, commemoration, revels and others.

THROUGH CORNER LANDSITE (terrain d'angle transversal)

Landsite where three (3) different landsite lines are abutting to one or more public streets.

THROUGH INTERIOR LANDSITE (terrain intérieur transversal)

Landsite where two (2) opposite landsite lines are abutting to more than one public street.

TREE (arbre)

Tall woody plant having a main trunk and branches. A tree has a trunk with a diameter of more than fifteen (15) centimetres measured at the stump height.

(By-law 720-116, sec. 1a)

UNMANAGED FOREST (forêt non aménagée)

Lot or part of a lot containing trees with herb layers, shrub layers and seedlings that are not cut on a regular basis.

USAGE (usage)

Purpose for which a landsite, a building, a structure or part thereof is used, designed or intended to be used or designed.

VERANDA (véranda)

Structure adjacent to the main building which the walls are open with a proportion of a minimum of 50 %. The outside walls and the openings must be fitted with nets only. The veranda is not used as habitable room and is not part of the main building.

WALL (mur)

Work enclosing or dividing space.

WALL SIGN (enseigne murale)

Sign installed flat against an exterior wall of a building and that does not project beyond the end of the building.

WATERCOURSE (cours d'eau)

For the purpose of the application of this By-law within the City of Beaconsfield, the St-Lawrence River, the Lake St-Louis, the Rivière à l'Orme brook, the St-James brook and the Meadowbrook are considered watercourses.

A ditch is not a watercourse.

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WORKS (ouvrage)

Retaining wall, landfill or excavation works.

WATERSIDE ROADWAY (parcours riverain)

Scenic route beginning on Lakeshore Road at the eastern border of Beaconsfield, west on Lakeshore Road to St-Charles, north on St-Charles Boulevard to Beaconsfield Boulevard, west on Beaconsfield Boulevard to Neveu Avenue, south on Neveu Avenue to Lakeshore Road, and then on Lakeshore Road to the western border of Beaconsfield.

WATERCOURSE (cours d'eau)

All constant or intermittent watercourses, not including ditches.

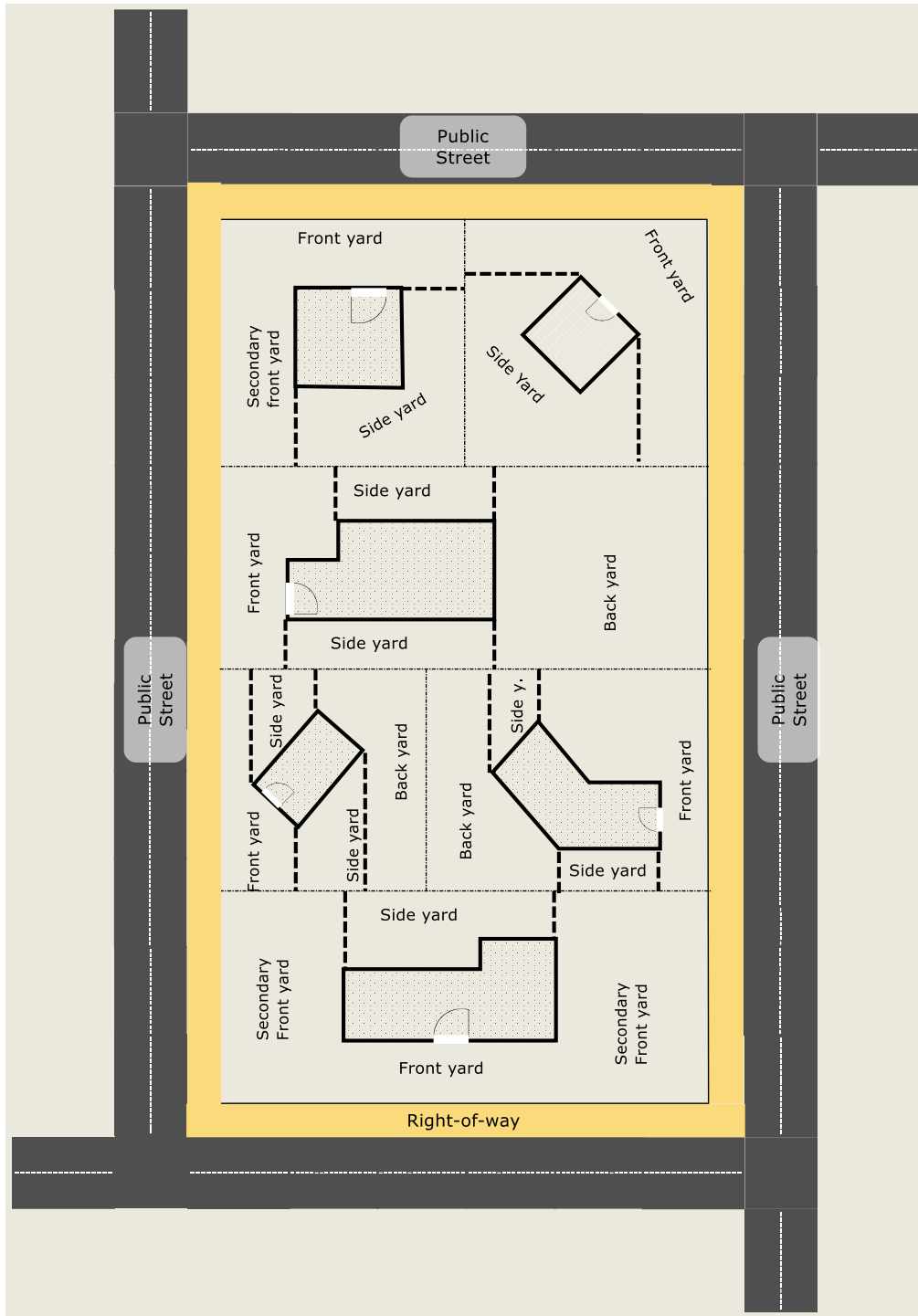
YARD (cour)

Space on a land where a main building is located but not occupied by this main building.
(See illustration 18)

(By-law 720-106, sec. 3; By-law 720-109, sec. 2; By-law 720-114, sec. 8)

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Illustration 18



(By-law 720-94-1, sec. 71; By-law 720-100, sec. 16)

CHAPTER 12 COMING INTO FORCE

12.1 COMING INTO FORCE

This by-law shall come into force in accordance with the provisions of An Act Respecting Land Use Planning and Development (R.S.Q., Chapter A-19-1)

(By-law 720-94-1, sec. 72)

CHAPTER 13 PROVISIONS PERTAINING TO SIGNAGE

Repealed (By-law 720-94-1, sec. 73)

CHAPTER 14 PROVISIONS PERTAINING TO THE ENVIRONMENT

(By-law 720-83, sec. 13)

Repealed (By-law 720-94-1, sec. 74)

CHAPTER 15 SPECIAL STANDARDS

(By-law 720-50, sec. 7)

Repealed (By-law 720-94-1, sec. 75)

CHAPTER 16 PROVISIONS PERTAINING TO ACQUIRED RIGHTS, NON-CONFORMING USES, STRUCTURES AND SIGNS

(By-law 720-83, sec. 14 & 15)

Repealed (By-law 720-94-1, sec. 76)

ANNEX A- TERMINOLOGY INDEX

(By-law 720-94, sec. 8)

(By-law 720-92, sec. 4)

Repealed (By-law 720-95, sec. 7)

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ANNEX A

The specification schedules, including the amendments

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ANNEX B

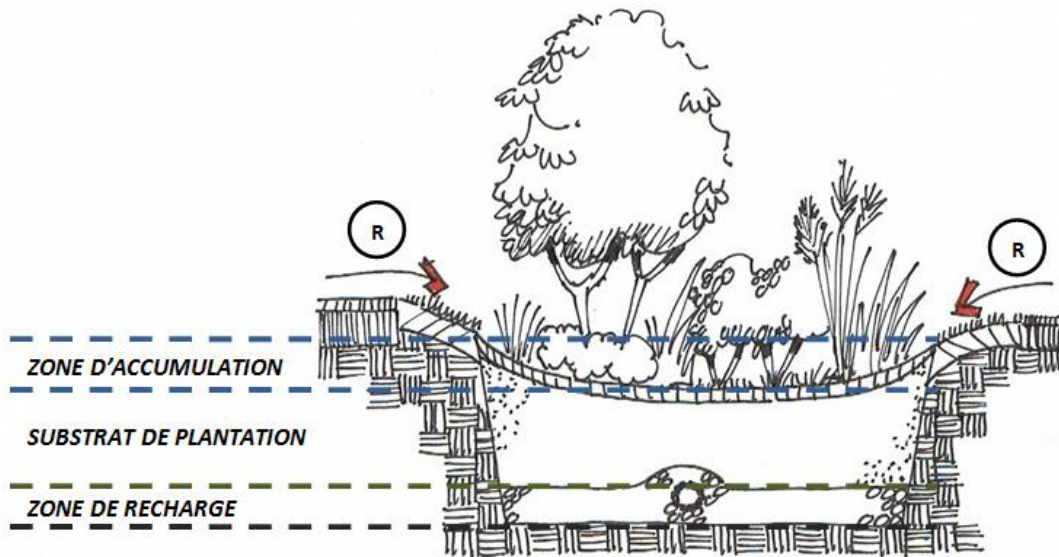
Zoning plan, including its amendments

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ANNEX C

Bio-retention system

“BIO-RETENTION SYSTEM



ZONE D'ACCUMULATION = PONDING AREA
SUBSTRAT DE PLANTATION = PLANTING SOIL
ZONE DE RECHARGE = DISCHARGE ZONE or SAND BED (note: see next figure)

Figure: Typical section through a bioretention cell. (adapted from the DER manual, 2002)

The structure of a bioretention cell has three distinct layers: the ponding area, the planting bed and the discharge zone.

The ponding area may vary from 15 to 45cm in depth, and receives the runoff from surrounding surfaces. The surface area of the cell will vary, depending on the depth of the cell. The deeper the cell, the smaller the surface area of the cell needs to be. This design criterion will influence the type of vegetation chosen, as the plants must be able to adapt to the maximum flood level established for the cell.

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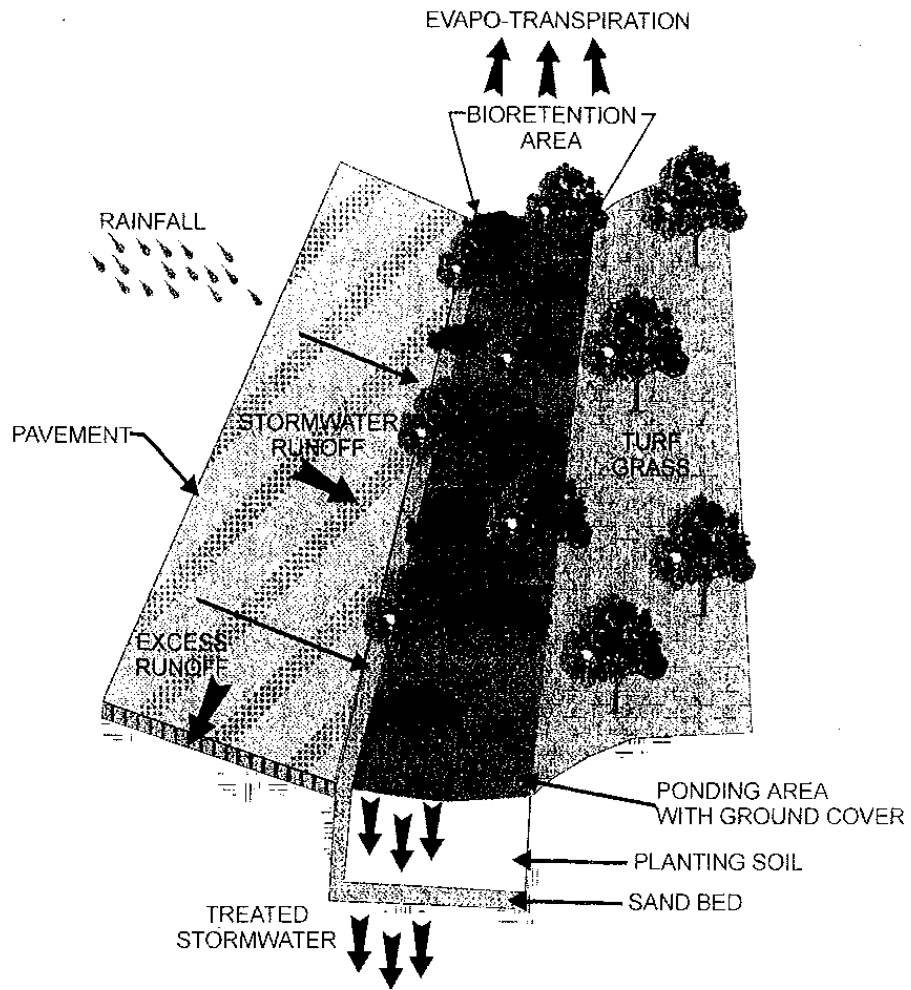
The depth of the planting bed may be anywhere from 45 to 110cm, according to the different manuals available and recent research. A layer of woodchips is installed over the planting bed, to a recommended depth of 5 to 10cm.

The discharge zone or sand bed is important for preventing water from accumulating underground. Usually comprised of clean gravel or sand, it includes a perforated drain of the type specified for installation in soil with low hydraulic conductivity, such as clay. This drain also helps prevent water from accumulating at the bottom of the cell, which is especially important during cold weather when freezing occurs, so that infiltration can continue all year long. It is therefore generally recommended to pay particular attention to the distance between the water table and the bottom of the cell (minimum of 1m), to avoid anaerobic conditions for the plants and bacteria in the soil, and to maximize the filtering of pollutants in the long term.” [Translation]

Source: http://espace.etsmtl.ca/641/1/GLORIEUX_M%C3%A9lanie.pdf

Thesis presented to the École de Technologie Supérieure – Mélanie Glorieux, December 21, 2010

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“Indigenous filtering plants for bioretention areas

An ever-increasing phenomenon in the field of landscaping, bio-retention consists of treating polluted surface water by allowing it to filter fairly slowly through landscaped areas where soil, plants and microbial activity all work to eliminate the contaminants. For example, gravity takes the water that runs off a paved parking lot to a lower point on the site where adapted species have been planted. These plants filter the water before it flows deep into the soil. This concept, more extensively developed by our American neighbours, is increasingly attracting the interest of landscapers and Quebec municipal officials, because it offers many advantages, such as reducing pressure on storm sewer systems. In addition, it limits surface erosion, water pollution and the incidence of flooding related to extreme weather events, while helping to replenish the water table.

The efficiency of bio-retention areas depends on the type of planting medium and the careful selection of suitable plant species. The plants play the major role in this type of landscaping. As well as contributing to the aesthetics of the site, they must trap the pollutants, allow for the evapo-transpiration of some of the water, maximize the deep infiltration of the water through their root systems, and support colonies of bacteria and micro-organisms that make the system’s biological activity possible. Indigenous plants are usually preferred, because they require no fertilizers and are well adapted to the climate and local conditions.

Plants in a bio-retention cell are subject to numerous stresses. In addition to having to withstand urban conditions, they must:

- Tolerate variations accentuated by the humidity rate in the soil,
- Tolerate a high concentration of contaminants,
- Have a dense root system that promotes deep infiltration and microbial life.

Certain indigenous species offered by Horticulture Indigo are perfect for this use. In combination with a selection of suitable indigenous shrubs, they encourage the creation of a stratified landscape in which undesirable species would find it difficult to establish themselves. Moreover, species of grass, which are generally much lower in height than woody species, provide clearer views when necessary for good visibility by users, as in the case of a parking lot.

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Here is a list of recommended grass species:

- Andropogon gerardii
- Anemone canadensis
- Carex crinita
- Chelone glabra
- Dicanthelium clandestinum (Panicum clandestinum)
- Geum rivale
- Hierochloe odorata
- Mentha arvensis (M. canadensis)
- Mimulus ringens
- Physostegia virginiana
- Spartina pectinata
- Symphotrichum puniceum (Aster puniceus)
- Triglochin maritima
- Verbena hastata

In conclusion, we should remember that it is preferable to opt for a combination of at least three or four grass species rather than relying on just one. The same goes for woody species. This diversity will promote the resistance and effectiveness of the bio-retention area.” [Translation]

Source: <http://www.horticulture-indigo.com/blog/?p=331>