

**BY-LAW TO AMEND THE
CONSTRUCTION BY-LAW N° 2593
TO ADJUST CERTAIN PROVISIONS**

At a Regular Council Sitting of the Côte Saint-Luc City Council, held at the City Hall, 5801 Cavendish Boulevard, on Monday, February 12, 2024, at 8:00 p.m. at which were present:

Mayor Mitchell Brownstein, B. Comm., B.C.L., L.L.B

Councillor Lior Azerad

Councillor Sidney Benizri

Councillor Dida Berku, B.C.L.

Councillor Mike Cohen, B.A.

Councillor Steven Erdelyi, B.Sc., B.Ed.

Councillor Mitch Kujavsky, B. Comm.

Councillor Oren Sebag, B.Sc. RN MBA

Councillor Andee Shuster

ALSO PRESENT:

Me Jonathan Shecter, City Manager

Florine Agbognihoue, Assistant City Clerk, acting as secretary of the meeting.

WHEREAS a notice of motion for the present by-law was given at a Regular Sitting of the City Council held on January 15, 2024;

WHEREAS a draft by-law was adopted at a Regular Sitting of the City Council held on January 15, 2024;

WHEREAS following the adoption by resolution of the draft by-law no 2593-2, the City of Côte Saint Luc held a public consultation meeting on February 12, 2024 in the Council Chamber at the City Hall;

IT IS ENACTED AND ORDAINED by by-law no 2593-2 entitled: “By-Law to amend the Construction by-law no. 2593 to adjust certain provisions.”

By-Law no. 2593 entitled "Construction By-Law of the City of Côte Saint-Luc", as amended from time to time is hereby further amended as follows:

ARTICLE 1

Article 1.1.8 of the By-law is hereby modified by the insertion of the following sentence at the end of the article:

“The failure to comply with any provision contained in the present by-law constitutes an infraction and is subject to penalties under Chapter 7.”

ARTICLE 2

Article 1.2.4 of the By-law is hereby modified by the repealing of the following sentence:

“Notification by registered or certified mail is deemed to have been made upon reception of the mail.”

ARTICLE 3

Article 1.2.5 of the By-law is hereby modified as follows:

Subparagraph 1° is replaced by the following:

“1° Upon presentation of a piece of identification, visit and examine any property as well as the inside or outside of dwellings, constructions, or any other buildings to verify their compliance with this by-law, and for the purpose of conducting intermediate and final inspections of a construction site. The owner, tenant or occupant of the property must allow the designated official to enter the premises at their discretion and convenience. Failure to comply with this authority constitutes an infraction and is subject to penalties under Chapter 7.”

Subparagraph 6° is replaced by the following:

“6° Require the owner, tenant, occupant or mandatary to suspend the dangerous or non-compliant work and the exercise of a use contravening this By-Law, whether the works are executed on a new construction or an existing construction;”

ARTICLE 4

Article 3.1.1 of the By-law is hereby modified by the repealing of the following sentence:

“The extension of a main building must have an equivalent foundation to the one of the existing parts of the building so as to not generate any differential motion of the two parts of the building.”

ARTICLE 5

Article 3.2.5 of the By-law is hereby modified by the insertion of a third paragraph, as follows:

“Furthermore, in all buildings with a height of more than six (6) storeys, an automatic booster pump must be installed with its necessary valves along the main water service pipe, to maintain a sufficient and continuous supply of water in all the distribution system.

Existing buildings must comply with the present provision within 60 months following the effective date of the present By-law.”

ARTICLE 6

Article 3.4.2 of the By-law is hereby modified by the replacement, in the fourth paragraph of “*or has been installed more than 10 years ago. He is also responsible for the battery replacement, if needed*” with the following:

“or for its required replacement every 10 years.”

ARTICLE 7

Article 3.4.3 of the By-law is hereby replaced with the following:

“3.4.3 AUTOMATIC SPRINKLER SYSTEMS

All applicable buildings and structures must satisfy their respective requirements and standards pertaining to automatic sprinkler systems, which are set out in section 3.2.2 of the *Quebec Construction Code – Chapter I, Building*, and in the *National Building Code – Canada 2010 (amended)*.”

ARTICLE 8

Article 3.4.4 of the By-law is hereby modified by the insertion of the following, at the end of the article:

“and must remain functional and unobstructed at all times.”

ARTICLE 9

Article 4.1.2 of the By-law is hereby modified by the replacement, in the third paragraph of subparagraph 1° with the following:

“1° To be a solid wood or metal structure”.

ARTICLE 10

Article 4.1.6 of the By-law is hereby replaced with the following:

“4.1.6 USE OF PUBLIC PROPERTY

No person may use public property in the context of works prior to having obtained a public domain occupancy permit. The following provisions apply:

- 1° During the daytime, the occupied space must be delimited by cones, barriers, a fence, or another device for public protection.
- 2° During the nighttime, besides the device that is provided for in subparagraph 1, streetlights and/or reflective panels approved by the designated official must delimit the occupied space.
- 3° At least one (1) sidewalk must be always kept free and if the works are likely to provoke the falling of materials or objects on the sidewalk, a temporary construction shall be erected over it to protect pedestrians.
- 4° The applicant is held responsible for the maintenance of a portion of a public space that is occupied during the works, and is also held responsible, at the end of that period, to entirely clear it and to clean it to remove all debris, to the satisfaction of the designated official.
- 5° The applicant is responsible for the deterioration of any public property resulting from the occupation of the public space and must assume the repair costs.
- 6° The person in charge of the works must possess and maintain in force for the duration of the public space's occupation, an insurance policy covering his responsibility regarding any damage or injury that a person may suffer from the public space's occupation."

ARTICLE 11

Article 5.1.2 of the By-law is hereby modified by the replacement of subparagraph 3° with the following:

- “3° The building permit must be visibly displayed in a window or at the main entrance on the construction site and must remain in place until completion of the aforesaid works.”

ARTICLE 12

Article 5.3.2 of the By-law is hereby modified by the replacement of the second paragraph with the following:

“All applications for an occupancy permit shall be presented in writing to the designated official and must include a certificate of location prepared by a land surveyor.”

ARTICLE 13

Article 5.3.3 of the By-law is hereby modified by the replacement of the third paragraph with the following:

“An occupancy permit may only be issued if the fees, as well as a security deposit when required, have been paid by the owner or the applicant, and if all of the required documents have been provided.”

ARTICLE 14

The present By-Law shall come into force in accordance with the Law.

BY-LAW N° 2593-2

BY-LAW TO AMEND THE CONSTRUCTION BY LAW N° 2593
TO ADJUST CERTAIN PROVISIONS

(s) Mitchell Brownstein

MITCHELL BROWNSTEIN
MAYOR

(s) Florine Agbognihoue

FLORINE AGBOGNIHOU
ASSISTANT CITY CLERK

CERTIFIED TRUE COPY



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ADOPTED ON: 2024-02-12

IN FORCE ON: 2024-02-21

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