

Bylaws

- Airbnbs
- Amendments [See](#)
- French drains [See](#)
- Heat pumps [See](#)
- Sidewalk obstructions [See](#)
- Swimming pools [See](#)
- Triplexes permitted in certain zones [See](#)
- Zoning bylaw changes & challenges [See](#)

Airbnbs – illegal (March-April, 2021, Informer)



AIRBNB RENTALS ARE ILLEGAL IN MONTREAL WEST

As summer approaches, and if the situation with COVID-19 improves, we may once again see tourists coming into Montreal. It is therefore important to know that, in accordance with our zoning by-law (article 2.1.9, paragraph 6), lodging establishments (hostel, hotel, motel, lodge, etc.) and rentals through Airbnb and similar platforms are not permitted in any zone in the Town.

These are businesses that provide temporary or transient lodging to the public. They are not permitted in any type of residence (single-family dwellings, duplexes, apartments and condos) or in any commercial establishment.

These short-term rentals are banned because they are not in keeping with the nature of community in our Town. They can lead to problems related to noise, lack of consideration of neighbours and garbage being strewn outside. They can change the atmosphere in a neighbourhood. In addition, they remove long-term rental properties from the housing inventory in Montreal West, either for new residents who would like to move into the Town

or for long-time residents who are selling their homes and wish to downsize.

The Town has recently been made aware of a few Airbnb rentals operating in Montreal West and has acted to notify the property owners and apply the appropriate fines.

For an individual, the fines for non-compliance range from \$300 - \$1000 for a first offence, and from \$500 - \$2000 for a repeat offence, plus court fees. For a corporation, the fines are from \$600 - \$2000 for a first offence, and from \$1000 - \$4000 for a repeat offence. If an infraction lasts more than one day, the infraction on each day constitutes a distinct infraction and the

aforementioned penalties can be imposed for each day the infraction lasts.

If you are aware of an Airbnb operation in the Town, we encourage you to notify Urban Planning by completing the form "Contact Us" at the bottom right of the website www.montreal-west.ca/en/. Your information will be held confidential. And most importantly, your neighbours will appreciate being able to maintain the sense of community that we enjoy in our Town.

*Colleen Feeney, Councillor
Finance, Administration,
Human Resources and Urban Planning
cfeeney@montreal-west.ca*

[Back to top](#)

Amendments (November, 2023, Informer)

HIGHLIGHTS OF THE URBAN PLANNING BY-LAWS AMENDMENTS, OCTOBER 2, 2023



During the last General Council meeting, the Town adopted four new by-laws amending the following Urban Planning by-laws. Please note that a notice of motion was given during a previous Council meeting.

By-law concerning the sanitation and maintenance of dwellings

This by-law states that if a dwelling is in a state of obsolescence or dilapidation, the Town may require it to be repaired or maintained. It subsequently describes the process that the Town must follow to request the owner of such property to perform the necessary work. In addition, the amended by-laws now include the main and accessory building, without distinction of its use.

By-law concerning the installation of mechanical equipment (heating, ventilation, cooling equipment, solar collector, heat pump or generator) on the exterior of a property

This by-law states that for a property owner to install any mechanical equipment on the exterior of their property a permit is now required.

By-law concerning the demolition of an immovable

This by-law expands the conditions and process required to obtain a demolition permit. It states the consequences (which in some cases can be quite severe) of demolishing a property without the required permit. Special mention is given to properties with heritage values. (Cultural Heritage Act, Chapter P-9.002).

By-law relating to tariffs

As the title of this by-law indicates, various tariffs were updated. Those tariffs are related to permits given for the use of the public domain, temporarily or on a permanent basis; for an authorization for intervention work (telecommunication, infrastructure, etc.); and for the permit to install exterior mechanical equipment.

Should you wish to have a copy of the by-law amendment, do not hesitate to contact me by email.

For more information concerning permits and authorizations, please contact the Urban Planning department via the Town's website.

[Back to top](#)

French drains

THE IMPORTANCE OF FRENCH DRAINS

On September 14, *The Montreal Gazette* mentioned that "diluvian rains dumped a month's worth of precipitation on Montreal in just two hours.". Unfortunately, and as scary as that caption reads, diluvian rains have become all too familiar:



Such events increase the risks of water damage to our homes and buildings; however, there are measures that property owners must take to help prevent

flooding and long-term damage to our properties. Some of these measures are outlined in the Town's Building by-laws, 2009-010 section 2.1.7. For example, this section deals with the installation of a French drain in main buildings. A french drain, a fancy name for a trench filled with a perforated pipe and gravel, is designed to funnel stormwater away from your property's foundation.

The Town of Montreal West's by-law stipulates that all main buildings must be equipped with a French drain and this drain has to be connected to the Town's drainage system. In addition, the building's drain system must be equipped with a backwater valve and a catch basin built to the Quebec Plumbing Code and, in the case where the driveway has a downward slope toward the house, the catch basin must be equipped with a sump pump.

Please note that the installation of drains, including eavestroughs requires a permit. For more information please consult the Town's website or contact Agata Palarchio at 514-481-4858 or by email at apalarchio@montreal-west.ca.

Trivia: The French drain is named after Henry Flagg French, a judge and a farmer in Massachusetts, who wrote a book about farm drainage in 1859. Now you know!

[Back to top](#)

Heat pumps (September 2022 Informer – available in hard copy only!!)



INSTALLATION OF HEAT PUMPS, HEATING AND COOLING EQUIPMENT AND OTHER MECHANICAL DEVICES

The Montreal West zoning by-law has a number of provisions regarding the installation of mechanical devices and equipment. In this article, I will refer to the most common mechanical devices and equipment installed by residents – i.e., heat pumps heating, cooling and ventilation equipment and natural gas or propane tanks.

The provision stipulates that these devices can be permanently installed on a property under the following conditions:

- No equipment shall be installed on the front façade of a main building;
- Equipment must rest on the ground or on the roof of the building in compliance with division 4.4.4 (p. 56);
- Equipment can be installed on a sidewall of a building, but only under the following conditions: it cannot be installed on the first half of a lateral wall (measurements starting from the front façade of

the building) and it has to be hidden by an opaque planting or a fence.

If a property owner fails to respect these provisions, they will be asked to relocate the mechanical device and equipment to a permitted location at their own expense.

Building inspections

Building inspections are regularly carried out by the Urban Planning Department to ensure that construction, renovations and installations on properties are completed in accordance with the Town's by-laws. The inspection

occurs after a permit has been granted or an authorized modification has been completed on a property. Shall non-compliant changes be found, the resident will be notified and asked to make the necessary changes within a limited amount of time at their own expense or risk financial penalties.

Please remember to consult the Urban Planning Department and the Town's urban planning by-laws before embarking on any property projects.

Maria Torres, *Councillor*
Urban Planning
mtorres@montreal-west.ca

[Back to top](#)

Sidewalk obstructions (May, 2022, Informer)



STREET HOCKEY IN MONTREAL WEST: GAME ON OR GAME OFF?

A Canadian rite of passage, the Town of Montreal West strives for balance between municipal regulations to ensure that all play is conducted in a safe manner while also respecting neighbours. While safety and security of our residents and streets is paramount, a code of conduct is also necessary.

It's that time of the year again, when kids and adults alike take to the streets for a "good ol' hockey game"; of the street variety, of course.

A recent article in the *Montreal Gazette*, "Street hockey protocols must aim for the right balance," references a common sense approach in the enforcement of municipal regulations and striking the right balance with nuisance or safety by-laws to deal with complaints related to noise, traffic or damaging property.

A rule of thumb could be keeping a distance of a few meters from any parked cars and removing any equipment from the street once play is finished. Street hockey and other sports like basket-

ball have been "tolerated" provided they are not posing a danger to themselves or others by playing on too busy of a street or during peak traffic hours, for example. The current Town of Montreal West Bylaw Number 405 Concerning Traffic, Article 63 states:

"Playing on roadways. No child shall be permitted to play on a roadway. No child under five years of age shall be permitted to be on a public thoroughfare unless in the care of a responsible person."

The by-law could be useful in the case of an exaggeration where children decided to play on too busy of a street, or in a case where parents are neglecting their re-

sponsibilities. However, most street hockey games take place on quiet streets. The by-law applies to "child", not adolescents or adults, therefore it is permitted for adolescents and adults to play street hockey.

However, technically Article 500 of the Highway Safety Code also prohibits anyone from occupying the street and can be applied by law enforcement for occupying the roadway. Most police officers would also only employ this Article in an extreme situation.

I think we are a Town capable of mutual trust and working together to ensure that we can all thrive and get along. We are proudly

an Age-Friendly Town which promotes safety, respect and active participation for all.

In an effort to discuss these important issues, I am now moving towards a **Community Safety Committee model**, rather than a Traffic Safety Committee. We are looking for candidates. If you are interested in volunteering and have a background in traffic engineering (civil engineer), urban planning, traffic safety project management or design, please email me with a short expression of interest including your expertise by May 6.

Lauren Small-Pennefather,
Councillor, Public Security
lsmall-pennefather@montreal-west.ca

Sidewalk obstructions continued on next page

[Back to top](#)

Sidewalk obstructions -- continued (April-May, 2021, Informer)

KEEPING OUR SIDEWALKS UNOBSTRUCTED



As the nice weather arrives, it is lovely to see so many residents out walking, running and biking. Particularly this year when indoor gatherings are not permitted, these outdoor activities where we can see neighbours are even more crucial.



With the sidewalks in full use, it is important to ensure they are free and unobstructed.

We ask your cooperation in this endeavour and would like to highlight some of the things you should be mindful of and which have been the sources of complaints in the past.

Plantings on medians

The median or boulevard is the area between the street curb and the sidewalk which exists on certain streets (e.g., Percival, Wolseley N., Fenwick). It is the property of the Town, and is typically planted with grass. However, on streets with medians, some residents use the median in front of their home as a small garden. If you choose to plant a garden, there are some restrictions for safety reasons.

- Plantings should not overhang the sidewalk or pose a hazard to pedestrians.
- Plantings should not be so high as to interfere with the sightlines of pedestrians or drivers, i.e., no higher than 60 cm or 2 feet.
- The plants should be non-toxic.
- Plantings should not impede the opening or closing of a car door parked beside them.
- Gardens on medians are intended to provide growing spaces for plant material and as such a minimum of hard surfacing materials (pavers, stones, pots) should be used.

- The median should not be fenced off and should not contain sticks or stakes of any kind as these can be dangerous.

It is therefore recommended to grow grass, short flowers or non-woody plants in these areas to ensure that the medians are both beautiful and safe.

Hedges

Hedges must be maintained and trimmed so they do not impede the movement of pedestrians on the sidewalk. In addition, at an intersection, hedges, bushes or any other structure are limited to a maximum height of 60 cm or 2 feet, starting at 3 meters back from the property line to the corner. This is in place so as to not to obscure an oncoming car from drivers or walkers.

Other obstructions

While it is wonderful to see kids out playing street hockey or basketball, sports equipment should be moved off the street and sidewalks when not in use. The same goes for gardening tools or debris.

continued on the next page

Bicycles

Riding bicycles is not permitted on sidewalks. This is particularly problematic on Westminster Avenue where many people are shopping, and the situation is quite precarious. If you are uncomfortable riding your bike on Westminster Avenue due to the traffic, bikes can be walked along the sidewalk. Signs on Westminster indicate that bike-riding is not allowed on the sidewalk, but, unfortunately, they are largely disregarded, causing a hazard to pedestrians, particularly those with reduced mobility.

By-laws

Not riding bikes on sidewalks and keeping our sidewalks clear for pedestrians not only show consideration for others, but are also supported by our by-laws, with contraventions subject to fines. The point of this article however, is not to quote by-laws, but to appeal to your sense of community and ask for your cooperation. People may be walking side by side, or with a walker, wheelchair, baby carriage, or having to hold onto an arm for support, so they should be able to use the whole sidewalk. Please be considerate of all these different needs and help to keep our community a beautiful and safe one in which to walk.

*Colleen Feeney, Councillor
Finance, Administration,
Human Resources and Urban
Planning
cfeeney@montreal-west.ca*

*Dino Mazzone, Councillor,
Public Security and
Special Projects Fundraising*

[Back to top](#)

Swimming pools (September, 2021, Informer)

NEW SAFETY REGULATIONS FOR RESIDENTIAL SWIMMING POOLS



Residential swimming pools, whether aboveground, inground, or even portable, pose a significant drowning risk to young children, particularly when they are away from adult supervision and the installations are not properly secured.

To increase the safety, the government of Quebec has made amendments to the Provincial Regulation respecting residential swimming pools. These came into force on July 1, 2021 and include the following:

- All inground and semi-inground pools must be equipped with a ladder or steps.
- All residential swimming pools must be equipped with a protective fence of at least 1.2 metres in height all around the pool.
- The enclosure must have a door that is self-closing and locks automatically.
- In order to prevent children from climbing to gain access to the swimming pool, no structure or fixed equipment likely to be used to climb over the wall of a swimming pool or enclosure should be installed within one metre of the pool.
- A wall forming part of an enclosure must not have any opening enabling someone to enter the enclosure.
- A hedge or bushes may not constitute an enclosure.

New pools installed after July 1 this summer will also need to conform to the stricter safety code unless the contract to build them was signed beforehand and the construction is planned by October 1, 2021. In addition, pools built prior to 2010, which had previously benefited from acquired rights, particularly with respect to the obligation to fence the pool enclosure, will no longer be grandfathered and will be required to comply with this new regulation by July 1, 2023.

Depending on the extent of the work to be done to comply with the modification, a building permit may be required. If you are unsure, please contact our Urban Planning department at 514-481-8125 or by email at APalarchil@montreal-ouest.ca.

The stricter rules for new pools include:

- Chain link fences which have a mesh size of more than 30 mm must be battened.
- Swimming pools equipped with a diving board must be installed in accordance with the standard (BNQ 9461-100) aimed at preventing spinal cord injuries related to diving accidents.
- No window should be situated within one metre of a pool or an enclosure, unless it is at a minimum height of three metres or its maximum opening is 10 cm.

These amendments were based on recommendations made by coroners over the past several years to reduce the risk of children drowning. Other helpful safety recommendations aimed at preventing drowning can be found on the government website at www.quebec.ca/en/homes-and-housing/swimming-pools-and-spas/preventing-drowning.

August 21 2021. Buffalo Hat Singers in Montreal West.
Photo @ Robert Ganz



[Back to top](#)

Triplexes permitted in certain zones. (November-December, 2020, Informer)

TRIPLEXES NOW PERMITTED IN CERTAIN ZONES



After undergoing a public consultation in March, the Town adopted a series of changes to the Zoning By-law. One of the changes now permits the conversion of a

duplex into a triplex in certain zones.

Conversion of a duplex into a triplex consists of modifying a two-dwelling building in order to be able to accommodate a third independent dwelling unit. Triplexes are now permitted in several zones, including some areas north of the hump bridge, Westminster North, Strathearn South, Avon and Ronald Drive. A complete list of the zones allowing triplexes can be found in the Schedules of Uses and Standards (Annex 2) of the Zoning By-law: <https://montreal-west.ca/wp-content/uploads/2020/04/2020-002-annex-2-schedules-of-uses-and-standards.pdf>.

of the *Municipalité amie des aînés* (MADA) Action Plan (2020) to "increase the housing options for seniors wishing to remain in Montreal West".

Letters have been sent by the Urban Planning Department to the owners of duplexes in the affected zones notifying them of this by-law change.

Prior to revising the by-law, the Town conducted a study, which identified the triplexes currently located in Montreal West. The study revealed a certain number of triplexes, which were illegal, or not permitted in a particular zone. These triplexes can now be regularized, or made legal, by a process set up by the Urban Planning Department.

To carry out a new conversion project or to regularize one, please consult the information on permit applications on our website. (<https://montreal-west.ca/en/resident-services/urban-planning/permits-authorizations/>) If you have any questions, please call the Urban Plan-

[Back to top](#)

Zoning bylaw changes and challenges. (October, 2021, Informer)



ZONING BY-LAW CHANGES - THE PROCESS

The Zoning and Planning by-laws of a municipality are a major element in Urban Planning. Zoning by-laws stipulate the set-up and categorization of various zones within the municipality and specify the types of structures and activities that can take place within those zones. They also regulate things such as: the size of buildings, driveways, decks, fences, etc.; the required set-backs of these structures; regulations related to various other structures such as swimming pools, hedges, equipment, etc. They are a major piece of legislation in a town, and the regulations regarding amendments to these by-laws are extremely strict.

For example, before a change is approved for a zoning by-law, the following must take place:

- First there is the tabling of a notice of motion at a public Council meeting. This informs citizens that Council intends to amend the by-law, and briefly outlines the intent.
- Next, a draft by-law is presented by Council and a date for a public consultation is set. This is done at the same or subsequent public meeting.
- Then, a notice is sent to the local newspaper (*The Suburban*) announcing the change and the date of the consultation. This notice is also posted on our website.
- Additionally, in Montreal West, when major changes are proposed, we publish an e-bulletin announcing the proposed amendments and place this on our website as well. When the timeline permits, we also strive to put this information in *The Informer*.
- After the public consultation, changes can be made to the draft by-law based on the input from Council and the public.
- The second notice is then sent to the local newspaper (*The Suburban*) and posted on our website notifying residents that they can sign a register to protest the amendments.
- Additionally, in Montreal West, we publish an e-bulletin announcing the amendments and informing residents of the possibility of signing the register.
- If 12 or more residents sign a register, preparation for a referendum must take place unless the protested provisions are withdrawn from the by-law.
- If there is no referendum, the amendments may be adopted without changes at a public meeting.
- The entire process takes a minimum of about 6 weeks, or more if a referendum is held.

The process is a lengthy one, and one in which the input from citizens is possible at many stages and is critical. That is why, after hearing the concerns raised on one aspect of the pro-

posed Zoning by-law amendment, and being unable to hold a public consultation in person due to Covid restrictions, Council decided that we would put the zoning changes on hold until such time as we can consult residents in person, allowing for a fuller discussion of the issues and concerns.

The changes proposed in August stemmed mainly from a desire to increase the Town's overall tax base, which is one of the goals of the Strategic Financial Plan adopted in 2017. One of the strategies outlined therein was to "review particular zones for the possibility of increased density." Accordingly, we hired a consultant to evaluate undeveloped Town land (mainly parking lots), and to "identify areas for potential future development." This was also a goal of the 2020 MADA Age-Friendly policy adopted by Council after numerous consultations with citizens.

As the Mayor reiterated in his Council report on August 30, the proposals contemplated were meant for discussion and review, and no decision would have or could have been made that evening. He confirmed that the Town does not have any proposed buyers or developers interested at the moment. Nevertheless, we do believe that we should be exploring ways to expand our tax base, and provide a greater range of housing options.

The proposed amendments are summarized on the Town website, and have been put into layman's terms to facilitate their understanding. They will be further explained at the future public consultation.

We encourage you to take a look at the proposed changes. <https://montreal-west.ca/en/modifications-au-plan-durbanisme/> Council is most interested in your input and looks forward to discussing these important issues with you in person at a public consultation in the future.

Colleen Feeney, *Councillor*
Finance, Administration,
Human Resources and Urban Planning
cfeeney@montreal-west.ca

[Back to top](#)