

## Regulations and other Acts

Gouvernement du Québec

**O.C. 703-2009**, 18 June 2009

An Act respecting land use planning and development (R.S.Q., c. A-19.1)

Declaration of a special planning zone in the territory of Ville de Montréal

WHEREAS, under section 158 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), the Government may, by order, declare any part of the territory of Québec to be a special planning zone for the purpose of solving a development or environmental problem whose urgency or seriousness, in the opinion of the Government, warrants its intervention;

WHEREAS the absence of a hospital facility suited to adequately meet current health needs is a serious situation, likely to harm the citizens of the greater Montréal region and of Québec as a whole in matters of health;

WHEREAS it is in the public interest to offer the population concerned a new large-scale hospital centre as soon as possible;

WHEREAS the by-laws applicable in the part of the territory of the city where the hospital centre is to be built were submitted, prior to their adoption, to public consultation conducted by the Office de consultation publique de Montréal in accordance with section 89.1 of the Charter of Ville de Montréal (R.S.Q., c. C-11.4);

WHEREAS the hospital centre project cannot be carried out under the applicable municipal by-laws;

WHEREAS the Government is of the opinion that it is a development problem whose seriousness warrants the Government's intervention;

WHEREAS it is important, in the public interest, to amend the land use planning and development by-laws to allow the construction of the hospital centre as soon as possible and in the best conditions;

WHEREAS, in accordance with section 161 of the Act respecting land use planning and development, a draft of this Order was published in the *Gazette officielle du Québec* of 25 April 2009;

WHEREAS the draft Order was the subject of a consultation in accordance with section 163 of the Act respecting land use planning and development;

WHEREAS it is advisable that the Order be made, with the necessary modifications following the consultation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy, and the Minister of Health and Social Services:

THAT the part of the territory of Ville de Montréal whose perimeter is shown in the sketch in Schedule A to this Order be declared a special planning zone;

THAT the objectives pursued be stated as follows:

(1) to offer a modern hospital facility to the citizens of Québec, in particular those of the greater Montréal region, as soon as possible;

(2) to allow the carrying out of the project in the part of the city best suited for the project and in the best building conditions given the surrounding environment in terms of planning and development;

(3) to avoid that the health of the population concerned be put at risk by the absence of a hospital facility suited to adequately meet current health needs;

THAT the provisions of By-law 06-040 of Ville de Montréal promulgated by a public notice posted at city hall and published in The Gazette of 4 June 2008 be applicable within the special planning zone and be deemed made by this Order, subject to the following provisions:

(1) the following is added at the end of article 3: “et au paragraphe 1 de l'article 11.1 du Règlement sur les opérations cadastrales (RRVM c. O.1)”;

(2) the words “, en excluant les constructions hors-toit,” are inserted after the word “bâtiment” in the first line of article 9;

(3) the maximum height of a building provided for in paragraph 1 of article 9 is 85 metres;

(4) the land use ratio provided for in paragraph 1 of article 10 is, for site B mentioned in that paragraph, 10.0 rather than 7.0;

(5) the land use ratio provided for in paragraph 2 of article 10 is 10.0 rather than 9.0;

(6) article 14 is replaced by the following:

“**14.** Malgré l'article 12, toute construction érigée sur l'emplacement du bâtiment 10, identifié à l'annexe E, doit intégrer le clocher du bâtiment actuel.”;

(7) the number of 1150 parking units mentioned in the first line of article 19 is replaced by 2,102 and the number of 1100 parking units mentioned in paragraph 1 of that article is replaced by 2,052;

(8) article 25 is amended by striking out “partielle” and by adding building 11 identified in schedule E to the by-law;

(9) plan 1 of schedule D to the by-law is replaced by the plan in Schedule B to this Order;

THAT By-law 04-047-31, amending the City of Montreal Master Plan, be deemed made by this Order, subject to the following provisions:

(1) the maximum land use ratio provided for in the second paragraph of article 2 is 10.0 rather than 9.0;

(2) article 3 is amended by replacing “80 mètres” by “85 mètres, excluant les constructions hors-toit,”;

THAT Ville de Montréal be the authority responsible for the administration of the by-laws;

THAT the by-laws may be amended in accordance with the provisions of the Charter of Ville de Montréal, except the provisions of the second and third paragraphs of section 89.1 of the Charter.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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**SCHEDULE A**

**Special planning zone in the territory of Ville de Montréal**

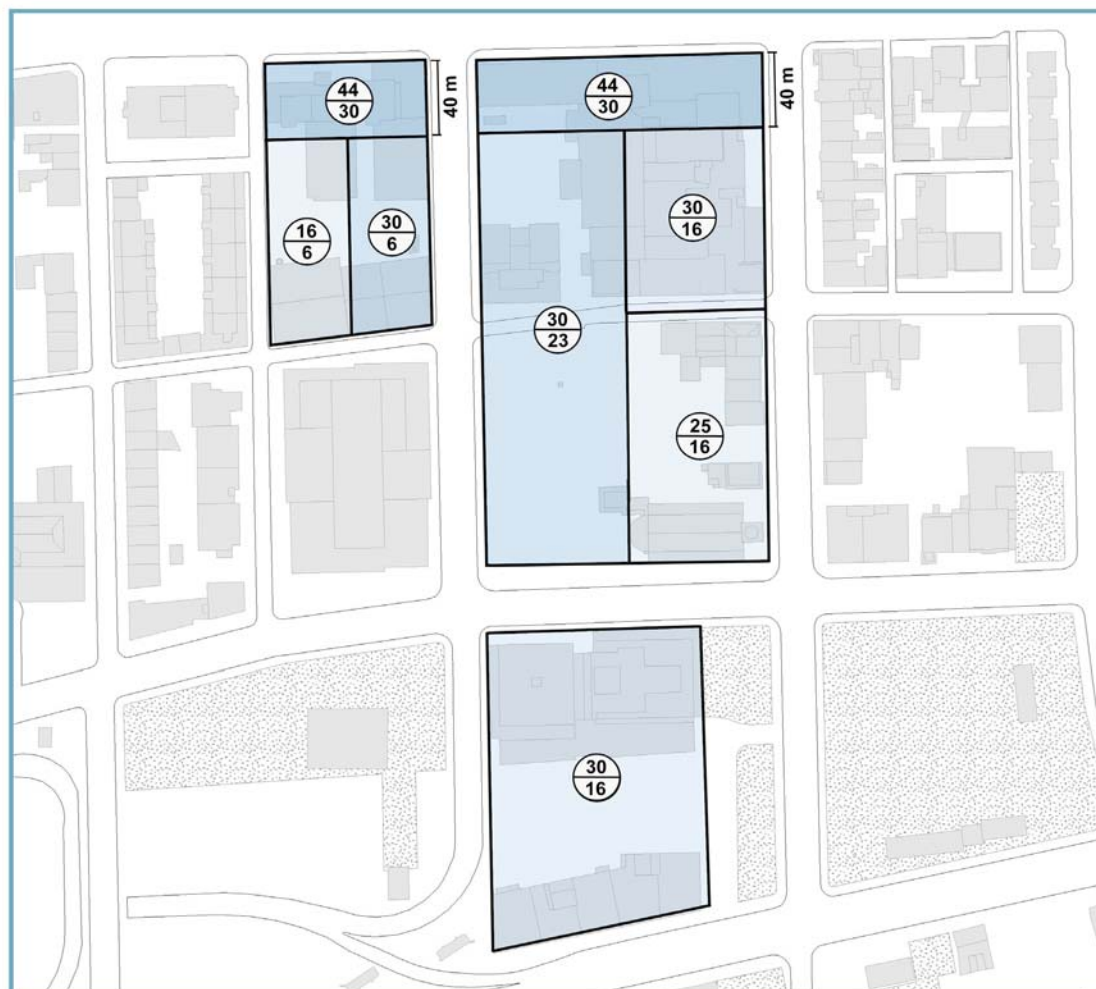
**Location of buildings  
Centre hospitalier de l'Université de Montréal**




## SCHEDULE B


### « Annexe D – Plan 1

### « Plafonds de hauteur sur rue



19 mai 2009

 Hauteur maximum (en mètres)

 Hauteur minimum (en mètres)"