

Regulations and other Acts

Gouvernement du Québec

O.C. 989-2024, 19 June 2024

Declaration of a special planning zone to permit the development and the continued operation of a rendering plant on certain lots situated in the territory of Ville de Montréal

WHEREAS, under sections 158 and 159 of the Act respecting land use planning and development (chapter 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 rendering industry is essential to the effective operation of the agrifood and the residual materials management sectors in Québec and the closing of the rendering plant situated in the territory of Ville de Montréal's Rivière-des-Prairies-Pointe-aux-Trembles borough would have a serious impact on the agrifood sector;

WHEREAS the plans of the enterprise operating the plant to bring its facility up to environmental standards as soon as possible require the declaration of a special planning zone to change the development controls in order to allow for the continued operation of the plant;

WHEREAS alternative methods of disposing of inedible meats could involve environmental and public health issues, and it is currently impossible to implement in the short or medium term these alternative methods for the disposal of the volume ordinarily processed by the plant;

WHEREAS it is not possible to send all of the inedible meat currently reclaimed in the plant to other rendering plants;

WHEREAS the closure of the plant and the inability to redirect all of the inedible meat currently reclaimed in the plant to other rendering plants could considerably affect public health;

WHEREAS the Government is of the opinion that the circumstances expose an environmental problem whose seriousness warrants its intervention;

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 20 March 2024 and notified to Ville de Montréal and to the Communauté métropolitaine de Montréal;

WHEREAS, in accordance with section 163 of the Act, a consultation was held on the content of the draft Order on 22 April 2024;

WHEREAS, under the first paragraph of section 164 of the Act, the Order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient that the Order in Council be made;

WHEREAS, in accordance with the second paragraph of section 267 of the Act respecting land use planning and development, the Minister of Municipal Affairs authorized the Minister of Agriculture, Fisheries and Food to exercise the powers and perform the duties granted to the Minister under sections 158 to 165 of the Act for the purpose of declaring this special planning zone;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the territory corresponding to lots 1 509 401, 1 509 410, 2 603 176, 4 193 238, 1 509 608, 1 509 609, 1 509 610, 1 509 665, 5 375 597, 5 375 599, 5 375 600 and 5 375 601 of the cadastre du Québec, registration division of Montréal, be declared a special planning zone;

THAT the objectives pursued be the following:

(1) preserve public health from the consequences of the closure of the rendering plant situated in the territory of the Ville de Montréal borough of Rivière-des-Prairies-Pointe-aux-Trembles while promoting the cohabitation of uses and enabling, without delay, the implementation of certain developments and installations required to bring the plant into compliance with applicable environmental regulations, in particular, By-law 2001-10 of Communauté métropolitaine de Montréal respecting atmospheric emissions and the delegation of its enforcement and By-law 2008-47 of Communauté métropolitaine de Montréal respecting wastewater treatment;

(2) avoid a serious problem with regard to the management and elimination of inedible meats in Québec;

THAT the following land use planning and development controls apply within the perimeter of the special planning zone:

(1) not more than two main buildings are permitted on lots 1 509 401, 1 509 410 and 2 603 176, one building for the main industrial use “animal matter (processing for extraction of fats, oils, gelatins and other products)” and one building for the main use “office”. Those main uses must be carried out within the buildings;

(2) the extension of the floor area of the main buildings referred to in paragraph 1 is permitted on the following conditions:

(a) the extension of the floor area of a building must not exceed 1,000 m²;

(b) the extension of the combined floor area of both buildings must not exceed 1 200 m²;

(c) the buildings referred to in subparagraphs *a* and *b* of paragraph 3° and the area used only for loading finished products under negative pressure are not included in the permitted floor area extension;

(d) a building may be extended for the purposes set out in subparagraphs *a* and *b*;

(e) the floor area of a demolished building may not be added to the surface area of the permitted extensions;

(f) extensions may not be made in the front yard on lots 1 509 401, 1 509 410 and 2 603 176, as illustrated in Schedule A of this Order;

(g) no extension of the floor area of a facility other than that authorized under this Order is permitted;

(3) the following constructions and complementary or accessory uses are permitted:

(a) the construction in whole or in part on lots 1 509 401, 2 603 176 or 4 193 238 of a maximum of four complementary buildings solely for the purpose of housing trucks and trailers, including those containing raw materials awaiting processing. Those buildings may have the form of a dome consisting of a metal frame and tensile membrane;

(b) the construction in whole or in part on lots 1 509 401, 2 603 176 and 4 193 238 of a complementary building solely for the purpose of occupancy by a water treatment plant and works and equipment related to the plant;

(c) the installation and use of a truck scale on lots 4 193 238, 5 375 599, 5 375 600 and 5 375 601 to allow access to animal raw materials through 7^e rue;

(d) the transit of animal raw materials and products through lot 4 193 238, 5 375 599, 5 375 600 or 5 375 601;

(e) the construction on lot 5 375 599 of a building solely for the complementary use “road vehicles – repair, maintenance” and for the installation and use of a scale;

(f) the development on lot 5 375 597 of an outdoor parking area for motor vehicles, excluding trucks and trailers, as an accessory use;

(g) in respect of the main industrial use “animal matter (processing for extraction of fats, oils, gelatins and other products)” permitted on lot 1 509 401, the complementary uses of office, training centre, cleaning of used cooking oil containers and indoor storage, including of trucks and trailers, on lots 1 509 608, 1 509 609, 1 509 610, 1 509 665 or 4 193 238 and, only on lot 4 193 238, the complementary use of storage of empty trucks, containing no animal by-products;

(h) the buildings referred to in subparagraphs *a*, *b* and *e* and complementary buildings existing on the date of the coming into force of this Order on a lot other than that on which the main use is carried out;

(i) in respect of the main industrial use “animal matter (processing for extraction of fats, oils, gelatins and other products)”, the accessory outdoor storage of vehicles and heavy equipment and empty cooking oil containers, even on a lot other than that on which the main use is carried out;

(4) the demolition of buildings identified in Schedule B of this Order is permitted;

(5) the following planning standards are imposed:

(a) the building referred to in subparagraph *e* of paragraph 3 must not have any openings on 60^e avenue;

(b) any space intended for the circulation or outdoor storage of heavy vehicles must be made of an impermeable surface, such as bitumen or concrete;

(c) any landscaping removed must be replaced by new landscaping of an equivalent or greater surface area in order to maintain a permanent vegetation cover;

(d) any felled tree must be replaced by a conifer with a minimum height of 2.5 metres or by a hardwood tree with a minimum diameter at breast height of 0.06 metres;

(e) on the sites shown in Schedule C of this Order, on lots 1 509 401, 2 603 176 and 5 375 599, a vegetative buffer consisting solely of trees must be created in accordance with the following:

i. it must be composed of coniferous trees, at least 2.5 metres high, in a proportion of 60% or more;

ii. all deciduous trees must have a minimum diameter at breast height of 0.06 metres when planted, and must create a continuous visual screen;

(f) any yard of a building located on lots 1 509 608, 1 509 609, 1 509 610, 1 509 665 or 5 375 599 adjacent to lots 5 375 601, 5 375 602 or 5 375 598 must be landscaped with green spaces consisting of plants, trees and shrubs, which may include pedestrian paths. These spaces must include a tree every ten metres along these lots;

(g) no truck or trailer access to lots 5 375 597 and 5 375 599 may be located on a lot line adjacent to 60^e avenue;

(6) for the application of urban planning standards, buildings located on lots 1 509 608, 1 509 609, 1 509 610, 1 509 665 or 5 375 599 are deemed to be main buildings, even where occupied for a complementary or accessory use;

(7) for the purposes of the interventions referred to in this Order:

(a) only a building covered by subparagraph *c* of paragraph 2 and subparagraphs *a*, *b* and *e* of paragraph 3 of this Order may deviate from the setbacks prescribed in the applicable specification grids;

(b) in particular, it is permitted to depart from the definition of “front yard” for the lots referred to in subparagraph *f* of paragraph 2 of this Order, the definition of “complementary building” for the lots referred to in paragraph 6 of this Order, from sections 16, 18, 85.8, except with regard to the implementation rate and floor space ratio, 86, paragraph 10 of section 93, paragraphs 1 and 2 of section 101, from sections 132, 133, 134, 134.1, 166 in relation to 60^e avenue only, 190, 191, 193, 238, 242, 324, except paragraphs 1, 2 and 4, 325 except paragraphs 1, 2 and 4, paragraphs 2 and 4 of section 332, paragraph 3 of section 380 and section 424 of Règlement de zonage de l'Arrondissement Rivière-des-Prairies-Pointe-aux-Trembles (RCA09-Z01) and paragraph 1 of section 30 of the Règlement sur le lotissement à l'égard du territoire de l'Arrondissement Rivière-des-Prairies-Pointe-aux-Trembles (RCA09-L01);

(c) the demolition of buildings referred to in paragraph 4 of this Order is not subject to paragraph 7 of section 6, section 7, or Divisions VI to IX and XI of the Règlement régissant la démolition d'immeubles (RCA07-30019);

(8) any regulatory provisions of the municipality that are not incompatible with the present Order remain applicable;

THAT Ville de Montréal be the authority responsible for the administration of the controls provided for by this Order;

THAT the controls provided for by this Order may be amended or revoked by an order of the Minister of Agriculture, Fisheries and Food published in the *Gazette officielle du Québec*;

THAT this Order come into force on the fifteenth day that follows the date of its publication in the *Gazette Officielle du Québec* and cease to have effect on 1 July 2027.

JOSÉE DE BELLEFEUILLE

*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

SCCHEDULE A

FRONT YARD



SCHEDULE B

BUILDING WHOSE DEMOLITION IS AUTHORIZED



SCHEDULE C

VEGETATIVE BUFFER





Annexe C -Bandes tampons

Écrans tampons

Limite du site

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