

PROVINCE OF QUÉBEC

CITY OF DORVAL

Administrative codification

**PERMITS AND CERTIFICATES BY-LAW**

**NO RCM-60F-2016**

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# **CHAPTER 1. APPLICATION, INTENT, INTERPRETATION AND ADMINISTRATIVE PROVISIONS**

## **APPLICATION AND INTENT**

### **1. TERRITORY AFFECTED BY THE BY-LAW**

This By-law applies to the area contained within the municipal boundaries of the City of Dorval.

### **2. SCOPE OF APPLICATION**

The issuing of a building permit, a subdivision permit or a certificate of authorization shall be done in conformity with the provisions in this By-law.

## **INTERPRETATION**

### **3. LAWS AND REGULATIONS**

No provision in this By-law may be interpreted in such a way as to exempt a person from the application of any provincial or federal government law or regulation, or any provision in another municipal by-law.

### **4. TABLES, GRAPHICS AND SYMBOLS**

Any table, graphic, symbol or any other form of expression, other than the actual text in which it appears or to which it makes reference, forms an integral part of the By-law.

### **5. MEASUREMENTS**

All dimensions and measurements used in this By-law are expressed in units of the Metric System.

### **6. REFERENCES**

All references to other regulations contained in this By-law shall be open, that is to say they extend to any changes that may be subject to these regulations, created after the coming into force of this by-law.

## **7. PRECEDENCE OF A PROVISION**

In this By-law, in the case of a conflict, the following rules apply:

In the case of a conflict between the text and a title, the text takes precedence;

In the case of a conflict between the text and any other form of expression, the text takes precedence.

## **8. PRECEDENCE OF A GENERAL PROVISIONS AND SPECIFIC PROVISIONS**

In the case of a conflict between two provisions in this By-law or between a provision in this By-law and a provision in another by-law, the specific provision takes precedence over the general provision.

In the case of a conflict between restrictive or prohibitive provisions contained in this By-law, or in the case of a conflict between a restrictive or prohibitive provision in this By-law and a provision in another by-law, the most restrictive or prohibitive provision shall apply.

## **9. TERMINOLOGY**

For the interpretation of this By-law, the words and expressions shall have the following meanings:

1. "Competent Authority" means the Urban Planning Department Director or a person nominated by the City Council to assist or replace the Director if necessary;
2. "City" means the City of Dorval;
3. "Council" means the Municipal Council of the City of Dorval;
4. "Committee" means the Planning Advisory Committee of the City of Dorval;
5. "Street" means public streets, private roads, and thoroughfares open to traffic;
6. "By-law" means this By-law;
7. "Urban Planning By-law" means a by-law listed in Article 10 of the present By-law.

In the interpretation of this By-law, all words or expressions shall be given the meaning they are ascribed in the list of definitions in Chapter 13 of the Zoning By-law in force. Any word or term not specifically mentioned in said list shall have the meaning commonly given to this word or term.

## **ADMINISTRATIVE PROVISIONS**

### **10. MANAGEMENT AND APPLICATION OF THE BY-LAW**

The competent authority, its assistant and the building inspectors are responsible for the application of this By-law and the following ones:

1. Zoning By-law No. RCM- 60A-2015 and its amendments;
2. Subdivision By-law No. RCM-60B-2015 and its amendments;
3. Building By-law No. RCM-60G-2015 and its amendments;
4. Site Planning and Architectural Integration Program By-law No. RCM-60C-2015 and its amendments;
5. Conditional Uses By-law No. RCM-60D-2015 and its amendments;
6. Demolition of Buildings By-law No. RCM-4-2005 and its amendments.

The City Council may also nominate one or more person to assist and replace the Director if necessary.

### **11. POWERS AND DUTIES OF THE COMPETENT AUTHORITY**

The Competent Authority, its assistant and the building inspectors fulfil the following in the course of their duties:

1. Making sure that the provisions in the urban planning by-laws are respected;
2. Examining all requests for permits, certificates and other authorizations required under the by-laws listed in Article 10;
3. Verifying the conformity of all drawings, reports, requests or other documentation submitted by an applicant or on his behalf, with said urban planning by-laws;
4. Issuing all permits, certificates or authorizations included in the urban planning by-laws when the project is in conformity with said urban planning by-laws;
5. Keeping a copy of any permit, certificate, authorization, drawing, report or other document related to the administration of the urban planning by-laws;
6. Requesting any complementary document required for the examination of a request for a permit or certificate or to issue an authorization, all at the owner's cost;

7. Visiting, at any reasonable hour, any building or property, and the interior and exterior of a building or structure, to determine whether the urban planning by-laws or other municipal by-laws have been respected, to confirm any fact or to verify any information necessary in exercising his power to issue a permit or a certificate, to grant authorization or any other form of permission relative to the application of the urban planning by-laws or any other municipal by-law. Being accompanied on his visit by any person employed by the City or paid by the City, including the relevant staff in the Police Department or the Fire Department, or being accompanied by a bailiff or any consultant who could assist in evaluating the state of the premises or to confirm a fact;
8. Issuing a notice of offence whenever he discovers a contravention of the urban planning by-laws, orders the offender to cease all work executed in contravention of the urban planning by-laws and requires that any situation that constitutes a contravention of the urban planning by-laws be corrected;
9. Issuing a statement of offence relative to a contravention of the urban planning by-laws;
10. Whenever he determines that the provisions in the Building By-law in force have been contravened, or there exists a situation dangerous to the safety of people, he may take appropriate steps to eliminate or lessen this danger or order the immediate evacuation of anyone in the building or on the lot, and/or prevent access until such time as the danger is eliminated;
11. He requires that the materials or the method of assembly for the materials used in an installation or structure be tested, and requires the submission of any certificate stating that the materials or the method of assembly of the materials used in an installation or structure conform to the requirements in the Building By-law in force, including the by-laws and codes to which it makes reference;
12. He represents the City and supports it in any legal proceedings undertaken for the purpose of having the urban planning by-laws respected;
13. He sees to and ensures the execution of any decision made by Municipal Council, any order or decision given in regard to the City, and any judgment rendered by a court in regard to the urban planning by-laws.

## **12. OBLIGATIONS OF AN OWNER, OCCUPANT OR APPLICANT**

Without limiting the obligation of any owner, occupant or applicant to respect all provisions in the by-laws in force, the owner or occupant of a property, a lot, a building, a structure or personal property, or the applicant for a permit, a certificate or an authorization, shall:

1. Obtain any permit, certificate or authorization prior to starting work for which such a document is required by the urban planning by-laws;
2. Forward any information, drawing, report, attestation, certificate or other document required by the Competent Authority in exercising his duties;
3. Report any specific structure, facility or situation that could affect the examination of the request for a permit or certificate;
4. Cease or abstain from starting the work when the permit, certificate or authorization is cancelled, annulled or suspended;
5. Post any permit or certificate in plain sight, at the location of the work;
6. Keep, at all times and on the work site, a copy of the drawings approved by the Competent Authority;
7. Carry out the work in conformity with the permit, certificate of authorization or authorization issued and the regulations in the urban planning by-laws;
8. Advise the Competent Authority prior to making any changes to the work authorized and obtain his authorization prior to proceeding with a change;
9. Take any necessary measures to correct a situation dangerous to the safety of people;
10. Allow the Competent Authority, or anyone who is authorized to accompany him, to visit or examine, at any reasonable hour, any property or personal property for the purpose of exercising the duties described in Article 11, and to this end, allow him to enter a lot, structure, installation or movable property.

## **13. FINES, SANCTIONS, APPEALS AND PROSECUTION**

Any person or legal entity who does not comply with a provision in the urban planning by-laws is committing an offence.

## **14. GENERAL PENALTIES**

Subject to Article 15, any person who commits an offence is liable to a fine of between \$500 and \$1,000 in the case of a private individual, and a fine of between \$1,000 and \$2,000 in the case of a legal entity.

In the event of a subsequent offence, the fines mentioned in the first paragraph are doubled.

Any continuous contravention of a provision in the urban planning by-laws constitutes a separate and distinct offence for each day that passes.

To ensure that the provisions in this By-law are respected, the City may exercise, cumulatively or alternatively with those specified in this Bylaw, all other appropriate remedies, whether civil or criminal in nature.

## **15. LEGAL RECOURSE**

The issuing of a notice of offence by the Competent Authority does not in any way limit the Council's power to exercise, for the purpose of having the provisions of the urban planning by-laws respected, any other recourse, whether civil or criminal in nature and any of the recourses listed in the Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

## **16. PROCEDURE IN THE CASE OF AN OFFENCE**

Should the Competent Authority determine that a provision in an urban planning by-law has been contravened, he shall issue a notice of offence in writing. This notice may be given to the owner, his agent, the occupant or anyone carrying out work in contravention of an urban planning by-law. This notice shall be sent by courier or delivered by hand.

The notice of offence may be accompanied by a statement of offence imposing a fine in regard to the offence stated. A statement of offence may be issued separately from, before or after the notice of offence, and separate statements of offence may be issued for each day that the offence continues.

Notwithstanding the first paragraph, when the Competent Authority determines that the work being carried out contravenes a provision in an urban planning by-law, he may order the work to stop immediately. The Competent Authority shall issue the notice of offence mentioned in the first paragraph as soon as possible after the stop work order is imposed. The stop work order comes into force immediately.

## **CHAPTER 2. PROVISIONS PERTAINING TO REQUESTS FOR PERMITS AND CERTIFICATES**

### **17. PAYMENT OF FEES**

Any request for a permit, certificate or other authorization shall be accompanied by the payment in full of the applicable fee established by the by-law in force concerning service fees and its amendments.

### **18. REQUIREMENTS FOR CERTIFICATES OF LOCATION**

When a certificate of location is required, it shall be prepared by a land surveyor and the plan shall include the following information:

1. Boundaries, dimensions and areas of lots forming the land site, as well as their cadastral numbers;
2. Public thoroughfares located in proximity to the lot;
3. Any existing structure;
4. Distance between any existing structure and a lot boundary;
5. Distances between different structures;
6. Any existing or proposed right-of-way or servitude;
7. Locations of existing lakes and watercourses and the high-water and shore lines;
8. Locations of wetland areas;
9. Flood plain boundaries;
10. Locations and dimensions of parking spaces, turning areas and outdoor parking lots. Where parking spaces reserved for people with reduced mobility are planned, they shall be identified on the plan.

**19. GENERAL REQUIREMENTS FOR SITE PLANS**

When a site plan is required, it shall include the information required for the production of a certificate of location, as well as the following information about the proposed structure or installation:

1. Location and dimensions of any structure or installation proposed on the lot and their distances from other structures and from the lot boundaries;
2. Location and dimensions of any exterior storage area or shelf space and the fence around it, with an indication of the height and type of fence, as needed;
3. Location and dimensions of any space covered or destined to be covered by grass, shrubs or trees;

**20. REQUIREMENTS RELATIVE TO ARCHITECTURAL AND STRUCTURAL DRAWINGS, SECTIONS AND SPECIFICATIONS**

When architectural and structural drawings, sections and specifications are required, they shall include the following drawings:

1. Architectural drawing prepared by an architect if required under the Architects Act, or by a technician or designer who is a member of a professional order;
2. Foundation and structural drawings, prepared by an engineer, when required;
3. Mechanical drawings, including plumbing, prepared by an engineer, when required;
4. Electrical drawings, prepared by a qualified professional;
5. Fire prevention system drawings, if required, drawn at a scale of 1 :50 or greater;

The following elements shall also be presented:

1. Wastewater discharge system;
2. Lot drainage;
3. Water supply system;
4. Fire prevention system;
5. Diameter of, and material used for, any piping;
6. Gas supply system;
7. Location of any curb cut;
8. Storm water retention system and any calculations for this system.

**21. OBLIGATION TO PROVIDE CERTAIN ADDITIONAL INFORMATION AND DOCUMENTATION**

Depending on the nature of the request, the Competent Authority may ask the applicant to provide information and documentation in addition to those required in the By-law if they are essential for verifying the conformity of the request with the applicable provisions in the urban planning by-laws.

**22. EXEMPTION FROM PROVIDING CERTAIN DOCUMENTATION**

Depending on the nature of the request, the Competent Authority may point out to the applicant which items of information and documentation, from among those listed in the By-law, are not required for the examination of his request, and as a result, those he does not have to provide.

**23. SUSPENSION OF THE EXAMINATION OF A REQUEST**

When the information and documentation provided to support a request made under the terms of the By-law are insufficient, non-conforming or erroneous, the Competent Authority shall notify the applicant and request him to provide information and documentation that are sufficient, conforming or corrected, and shall suspend the examination of the request for a permit until such time as these items are provided, within a period of no more than 30 business days. If the applicant has not followed up on the notification from the Competent Authority within that time period, the examination of the request shall be cancelled, and if necessary, a new request will need to be presented.

**24. PERMIT OR CERTIFICATE SUBMITTED IN A SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAM**

When the issuing of a building permit, subdivision permit or certificate of authorization is subject to approval by Municipal Council of drawings relative to the site planning and architecture of the structures or the development of the lots or any related work, the Competent Authority cannot issue the permit or certificate until Municipal Council has approved the site planning and architectural integration program by resolution.

**25. PROVISION FOR A REQUEST FOR A MINOR VARIANCE**

When a request for a minor variance has been submitted in regard to a provision in the urban planning by-laws that applies to a request for a building permit, subdivision permit or certificate of authorization, the Competent Authority cannot issue the permit or certificate until Municipal Council has approved the minor variance by resolution.

**26. NOTICE**

All permits, and certain categories of certificates of authorization issued under this By-law are accompanied by a notice. In this case, this notice shall be posted in plain sight and kept on the worksite by the person to whom the building permit or certificate of authorization has been issued.

## **CHAPTER 3. PROVISIONS PERTAINING TO SUBDIVISION PERMITS**

### **SECTION 1. SCOPE OF WORK**

#### **27. APPLICABLE CADASTRAL OPERATIONS**

A subdivision permit is required for any cadastral operation subject to the Subdivision By-law in force. A drawing related to a cadastral operation cannot be submitted to the Ministry responsible for the cadastre if the subdivision permit has not been issued for this cadastral operation.

### **INFORMATION AND DOCUMENTATION REQUIRED**

#### **28. INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A SUBDIVISION PERMIT**

The request for a subdivision permit shall be accompanied by the following information:

1. Family names, addresses and phone numbers of the owner, and of the occupant if different from the owner;
2. One copy of the drawing of the cadastral operation indicating:

The date the drawing was prepared, true north, the scale of the drawing and the minute number and signature of the land surveyor who prepared the drawing;

The dimensions of the boundaries, the area and the cadastral identification of the proposed lot or lots;

The boundaries and cadastral identification of any lot adjacent to a lot for which the request is being made;

The route and boundaries of the right-of-way of any street contiguous with a lot for which the request is being made, whether existing or proposed, and with which it connects directly.

#### **29. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR CONTAMINATED LOTS**

In addition to the information and documentation required under Article 31, when the cadastral operation involves a lot or portion of a lot included on the list of contaminated lots prepared by the City in the application of Article 31.68 of the *Environment Quality Act* (R.S.Q., c. Q-2), the request for a subdivision permit shall be accompanied by an attestation from a consultant listed

in Article 31.65 of said Act, establishing that the proposed operation complies with the provisions of the rehabilitation plan approved by the Ministère du Développement durable, de l'Environnement et Lutte contre les changements climatiques.

## **CONDITIONS FOR ISSUANCE**

### **30. CONDITIONS PERTAINING TO THE ISSUING OF SUBDIVISION PERMITS**

The Competent Authority shall issue a subdivision permit if the following conditions are met:

1. The request conforms to the Subdivision By-law in force and to any other applicable urban planning by-law;
2. The request is accompanied by all the drawings and documentation required;
3. The fee for obtaining a permit has been paid in conformity with By-law No. RCM-18-2006 regarding the fees payable for the issuing of permits and certificates;
4. Any municipal taxes required and owing in regard to the lot involved in the cadastral operation have been paid;
5. As needed, the contract for ceding or commitment to cede a lot to the City for the purposes of parks, playgrounds and green spaces has been signed or the contribution in cash to the fund for parks, playgrounds and green spaces has been paid to the City;
6. As needed, the contract for ceding or commitment to cede to the City the right-of-way for a street, a walking trail or other land has been signed;
7. As needed, a consultant, as required under the *Environment Quality Act* (R.S.Q., c,Q-2), has provided an attestation establishing that the cadastral operation is in conformity with the provisions of the rehabilitation plan approved by the Ministère du Développement durable, de l'Environnement et Lutte contre les changements climatiques .

### **31. TIMELINE FOR ISSUING A SUBDIVISION PERMIT**

Once all the information and technical documents required have been provided and found to conform, and the fees have been paid, the Competent Authority shall have 30 business days in which to issue, or as the case may be, to refuse to issue, a subdivision permit.

### **32. FORMALITIES FOR A SUBDIVISION PERMIT**

When the request for a subdivision permit is found to conform with the conditions in the applicable by-laws, the Competent Authority shall insert the date and his signature on each copy of the cadastral operation plan. The designated Competent Authority shall forward the subdivision permit and one copy of the approved plan to the applicant.

### **33. ANNULMENT AND WITHDRAWAL OF A SUBDIVISION PERMIT**

A subdivision permit becomes null and void in the following cases:

1. The plan relative to the cadastral operation was not submitted to the Ministry responsible for the cadastre within 180 days of the date the subdivision permit was issued;
2. The permit was issued on the basis of a false or erroneous declaration, piece of information, drawing or document;
3. A modification was made to the approved documents without prior approval from the Competent Authority.

In the cases listed in paragraphs 2° and 3°, the annulment of the permit is temporary and lasts only until the work has been corrected or the modifications made have been approved by the Competent Authority.

## CHAPTER 4. PROVISIONS PERTAINING TO BUILDING PERMITS

### SECTION 1. SCOPE OF WORK

#### 34. WORK SUBJECT TO A BUILDING PERMIT

The table in this article identifies the work that is subject to, or exempted from, the obligation to obtain a building permit.

Exemption from the obligation to obtain a building permit shall not in any way eliminate the obligation to conform with the present By-law or with any other by-law applicable to the project or the work.

Type of work	Required	Not required
<b>MAIN BUILDING</b>		
Construction	•	
Enlargement	•	
Conversion and renovation	•	
<b>PERMANENT ANCILLARY BUILDING</b>		
Construction	•	
Enlargement	•	
Conversion and renovation	•	
<b>TEMPORARY BUILDING</b>		
Temporary building		•
<b>ANCILLARY STRUCTURE AND ANCILLARY EQUIPMENT</b>		
Swimming pool (construction, installation or replacement) installation of a diving board, erection of a structure giving or preventing access to a swimming pool. (Modified by RCM-60F-3-2021, art.1)	•	
Chimney (construction and enlargement)	•	
Garden steps, balcony, breezeway, exterior staircase, veranda, access ramp and other similar structures (construction, enlargement and conversion)	•	
Outdoor café (construction, enlargement and conversion)	•	
Canopy (construction, enlargement and conversion)	•	
Eaves (construction, enlargement and conversion)	•	
Awning		•

Type of work	Required	Not required
Heat pump, air conditioner, generator and other similar equipment		•
Outdoor fireplace, oven and cooking equipment		•
Animal shelter that is not part of a stock-raising facility		•
Play structures		•
Flagpole and washing line		•
Energy capture other than a wind turbine		•
Wind turbine, when authorized (construction and enlargement)	•	
<b>OTHER INSTALLATION</b>		
Development, enlargement or modification of a parking space or loading area	•	
Storm water retention installation	•	
Communications tower (construction and enlargement)	•	

For the purposes of this section, the installation of an accessory building such as a shed or garden shed is also subject to obtaining a building permit. (Added by RCM-60F-2-2020, art. 1)

### **35. WORK SUBJECT TO BOTH A BUILDING PERMIT AND A CERTIFICATE OF AUTHORIZATION**

When the work involves the issuing of a building permit and a certificate of authorization, the building permit takes the place of a certificate of authorization, except in the case of a certificate of authorization (occupancy permit) required for the installation of a new use or for a change of use.

## **INFORMATION AND DOCUMENTATION REQUIRED**

### **36. INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A BUILDING PERMIT**

A request for a building permit shall be accompanied by the following information and documentation:

1. The City's official application form for a building permit, completed and signed by the owner, the occupant or their authorized agent, depending on the case;
2. Family names, first names, addresses and phone numbers of the owner and the general contractor who is carrying out the work, and those of the professionals involved in preparing the drawings and specifications or in site supervision;
3. Address and cadastral number of the lot for which the request is being made;

4. Existing use and proposed use of the building or portion thereof for which the request is being made;
5. A copy of the site plan showing, for the location involved, the information listed in Article 19, for the construction of a new main building;
6. Copies of the architectural and structural plans, elevations, sections, sketches and specifications, drawn to scale, showing the information listed in Article 20;
7. Estimate of the cost of the work or, if required, the bid for the work.

**37. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A STRUCTURE ON A FLOOD PLAIN**

In addition to the information and documentation required under Article 36, a request for a permit for a structure or installation authorized on a flood plain shall be accompanied by the documentation required in the Zoning By-law and the Building By-law in force.

**38. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR THE INSTALLATION OF AN IN-GROUND SWIMMING POOL**

In addition to the information and documentation required under Article 36, when the work involves the construction, installation, relocation or modification of an in-ground pool, the request shall be accompanied by the following information and documentation:

1. Dimensions, depth and surface area of the pool;
2. Location, details and height of the fence and any other structure to control access to the pool.

**39. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR AN OUTDOOR CAFÉ**

In addition to the information and documentation required under Article 36, a request for a building permit for an outdoor café shall be accompanied by the following information and documentation:

1. Copy of the restaurant permit issued by the Competent Authority;
2. Layout plan for any new outdoor café or for any outdoor café where the previous layout is being altered.

**40. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A CONTAMINATED LOT**

In addition to the information and documentation required under Article 36, when the work involves a lot or portion of a lot that is recorded on the list of contaminated lots drawn up by

the City in the application of Article 31.68 of the *Environment Quality Act* (R.S.Q., c. Q-2), the request for a building permit shall be accompanied by an attestation by a consultant in regard to Article 31.65 of the Act cited above, establishing that the proposed work is compatible with the provisions in the rehabilitation plan approved by the Ministère du Développement durable, de l'Environnement et Lutte contre les changements climatiques.

**41. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR THE INSTALLATION, ENLARGEMENT OR MODIFICATION OF A PARKING LOT OR A LOADING AREA**

In addition to the information and documentation required under Article 36, a request for a certificate of authorization for the installation, enlargement or modification of a parking lot or a loading area shall be accompanied by the following information and documentation:

1. Location of the parking lot and the number of parking spaces it contains;
2. Layout plan of the parking lot or loading area indicating all the dimensions required to establish compliance of the plan with any by-law in force;
3. All information needed to determine the number of parking spaces and loading areas required;
4. Description of the materials used.

**42. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A STORM WATER COLLECTION AND RETENTION BASIN**

In addition to the information and documentation required under Article 36, a request for a building permit for a storm water retention installation shall be accompanied by drawings and the form prescribed by the City, duly completed. The drawings shall include all the following elements, details and information:

1. Proposed and existing buildings including paved and grassed areas;
2. Lot boundary lines;
3. Proposed storm and sanitary sewer pipes including the type of pipes, diameters, slopes and elevation of intakes;
4. Proposed manholes and catch basins, including diameters, bottom elevation and top elevation;
5. Arrangement of proposed surface basins, including all dimensions and elevations;
6. Table indicating the roof drain outflow from the proposed buildings;
7. Dimensions, elevations and slopes of each section of proposed paved and grassed areas;

8. Dimensions and elevations of the proposed underground reservoirs including all details necessary for construction;
9. Maximum depth of water contained in each collection area;
10. Specifications of pumps to be used in the collection areas;
11. Types, capacities and hydraulic specifications of the proposed control devices;
12. Ground floor and basement elevations of the proposed buildings;
13. Locations, diameters, elevations and types of the City's sewer pipes and water mains in the street facing the proposed building;
14. Locations and elevations of the paving, sidewalks and curbs in the right-of-way for the street facing the proposed building;
15. Name of the street;
16. Any other information or details necessary for verification and study of the proposed collection area, controls, safety features, aesthetics, etc.

#### **42.1. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR CONSTRUCTION IN ZONES I04-26 AND I04-27**

In addition to the information and documentation required under Article 36, an application for a building permit for any construction or work in zones I04-26 and I04-27 must also be accompanied by an ecological characterization study of the fauna and flora present in the area affected by the work. This study must be carried out between the months of May and August by a biologist or a professional who is a member of a competent professional order in the field.

(added by RCM-60F-4)

## **SECTION 3. CONDITIONS FOR ISSUANCE**

### **43. GENERAL CONDITIONS FOR ISSUING A BUILDING PERMIT**

The Competent Authority shall issue a building permit if the following conditions are met:

1. The request conforms with the provisions in the Zoning By-law in force, the Building By-law in force and any other urban planning by-law in force;
2. The request is accompanied by all the drawings, documentation and information required;
3. The fee for obtaining a permit has been paid;
4. As needed, the applicable financial guarantees have been paid;
5. As needed, the request is accompanied by any certificate, authorization or approval issued by the government and expressly required in virtue of an Act or a Regulation that comes under an Act;
6. In the case of a permit for the construction of a main building on a property for which a subdivision permit has not been granted in the registration process as a separate lot because it was the result of the cadastral renewal, the owner of the property at the time of the issuing of the permit, has either ceded the lot or paid the sum that he shall provide in compensation, depending on the case, in accordance with the provisions in the Subdivision By-law in force;
7. For the construction or the addition of a new main building, the lot forms, on the official cadastral drawings, one or more separate lots that are in conformity with the Subdivision By-law in force, or if they are not in conformity, that are protected by acquired rights;
8. The lot on which the construction of, or addition to, a main building is planned is adjacent to a public thoroughfare or to a private road that meets the requirements in the Subdivision By-law;
9. Water supply and sewer services are already established on the street bordering the lot on which the construction is planned, or the by-law decreeing their installation is in force.

### **44. SPECIFIC CONDITIONS FOR ISSUING A BUILDING PERMIT FOR A PROJECT SUBJECT TO A SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAM**

In a case where the building permit concerns a project that is subject to a Site Planning and Architectural Integration Program under the By-law on Site Planning and Architectural Integration Programs (SPAIP) in force, the Competent Authority shall issue the building permit if, in addition to meeting the general conditions in Article 43, the request is in conformity with the Resolution for approving the drawings.

#### **45. SPECIFIC CONDITIONS FOR ISSUING A BUILDING PERMIT ON A LOT THAT HAS BEEN SUBJECT TO A REHABILITATION PROGRAM**

In a case where the request concerns a building permit for a structure destined to occupy a lot that has been subject to a rehabilitation program, the Competent Authority shall issue the building permit if, in addition to the general conditions in Article 43, a consultant listed in the *Environment Quality Act* (R.S.Q., c.Q-2) has provided an attestation establishing that the project for which the building permit is requested is compatible with the provisions in the rehabilitation program approved by the Ministère du Développement durable, de l'Environnement et Lutte contre les changements climatiques.

#### **45.1. SPECIAL CONDITIONS FOR ISSUING A BUILDING PERMIT IN ZONES I04-26 AND I04-27**

Where the application concerns a building permit for the construction or installation of a structure or work in zones I04-26 and I04-27, the competent authority shall issue the permit if, in addition to meeting the general conditions of Article 43, a certificate provided by an expert in accordance with Article 42.1 establishes that the construction or work does not compromise the conservation of milkweed stands, does not lead to their destruction or alteration, and does not harm the ecological integrity of the site.

(added by RCM-60F-4)

#### **46. SECURITY DEPOSIT REQUIRED FOR A NEW STRUCTURE OR FOR THE ENLARGEMENT OF A BUILDING**

A security deposit, the amount of which is specified in the By-law regarding the fees payable for the issuing of permits and certificates, is payable upon the issuing of a permit for a new structure or a building enlargement. This deposit is refundable to the permit applicant when the construction, including the landscaping, has been completed.

However, if an intervention from the City is required in order to clean the public road or to repair a damaged municipal infrastructure resulting from the construction work, the cost incurred will be deducted from the initial deposit. If said costs exceed the security deposit, an additional amount could then be required from the applicant.

#### **47. TIMEFRAME FOR ISSUING A BUILDING PERMIT**

Starting from the time all the information and technical documentation required is submitted and found to be in conformity, not including errors, and the required fees have been paid, the Competent Authority shall have 30 business days in which to issue, or as the case may be, refuse to issue, a building permit.

#### **48. CANCELLATION AND WITHDRAWAL OF A BUILDING PERMIT**

A building permit becomes null and void in the following cases:

1. Work did not commence within 90 days of the issuing of the permit;

2. Work was interrupted for a period of 180 consecutive days;
3. Work was not completed within 12 months of the date the permit was issued. In the case of an in-ground pool and an ancillary structure, the work shall be completed within 6 months of the date the permit was issued;
4. The permit was issued on the basis of a false or erroneous declaration, piece of information, drawing or document;
5. Work was not executed in conformity with the regulations in the urban planning by-laws or the conditions attached to the permit;
6. A change was made to the work authorized or to the documents approved without prior permission from the Competent Authority;
7. In the cases described in paragraphs 5° and 6°, cancellation of the permit is temporary and lasts until the work has been corrected or the changes made have been approved by the Competent Authority. Reinstatement of the permit does not extend the deadlines set out in paragraphs 1° and 3°. Paragraph 2° applies even if the work is interrupted due to the cancellation of the permit for the reasons given in paragraphs 5° and 6°.

#### **49. RENEWAL OF A BUILDING PERMIT**

When the work listed in a building permit does not commence within the timeframe given in paragraphs 1° and 2° of the first section of Article 48, the permit cannot be renewed. A new request for a building permit shall be presented.

When the work listed in a building permit does not end within the timeframe given in paragraph 3° of the first section of Article 48, it may be renewed once only, for a period of no more than 6 months, under the following conditions:

1. A new request shall be presented in writing;
2. The request shall concern the same project as the initial project, or if it concerns a project that includes changes to the initial project, the new project shall be in conformity with the by-laws in force at the time the request for the permit renewal is presented;
3. The provisions in the By-law relative to a building permit apply to a request for renewal with the necessary adaptations.

#### **50. OBLIGATION TO PROVIDE DOCUMENTATION FOLLOWING THE EXECUTION OF CERTAIN TYPES OF WORK**

The applicant for a building permit shall provide additional documentation in the following cases and timeframes:

1. Certificate of localisation shall be submitted within 180 days of the issuing of a building permit in the following cases:
  - a) Following the construction or addition of a new main building;
  - b) Following the enlargement of a main building;
  - c) Following the construction of an attached garage, when it is built within the minimum distance set out in the Zoning By-law in force.

# CHAPTER 5. PROVISIONS PERTAINING TO CERTIFICATES OF AUTHORIZATION

## SECTION 1. SCOPE OF WORK

### 51. WORK SUBJECT TO A CERTIFICATE OF AUTHORIZATION

The table in the present article identifies the work, installations, structures and projects subject to or exempted from the obligation to obtain a certificate of authorization.

The exemption from an obligation to obtain a certificate of authorization shall not in any way eliminate the obligation to conform with the present By-law or with any other by-law applicable to the project or the work.

Type of work	Required	Not required
<b>MAIN BUILDING</b>		
Relocation in whole or in part	• (1)	
Demolition in whole or in part	• (1)	
<b>ANCILLARY BUILDING</b>		
Relocation in whole or in part	• (1)	
Demolition in whole or in part	• (1) (2)	
<b>OTHER INSTALLATIONS AND WORK</b>		
In-ground swimming pool (construction and enlargement)	•	
Spa and sauna (construction and enlargement)	•	
Outdoor rink (construction and enlargement)		•
Temporary installation of a tent for commercial purposes	•	
Installation of a winter car shelter	•	
Installation of a propane or natural gas tank	• (3)	
Installations and work on a flood plain	• (4)	
Installations and work on or over the bank or shoreline	•	
Fence, wall and retaining wall	•	
Installation or relocation of a permanent sign	• (5)	
Modification of a permanent sign	• (5)	

Type of work	Required	Not required
Installation of a temporary sign, banner, pennant or sandwich board	•	
Antenna and antenna structure (construction and enlargement)	•	
Tree felling	•	
Tree pruning	•	
New use and change of use (certificate of occupancy)	•	
Connection to public services	•	
Drilling, pile driving, construction of a permanent installation at a depth of more than 15 metres	• (6)	
Temporary building, other installations or work not otherwise specified		•
<ol style="list-style-type: none"> <li>1. A certificate of authorization is not required for the relocation or demolition of a temporary building.</li> <li>2. A certificate of authorization is not required for a temporary building.</li> <li>3. A certificate of authorization is required only for a lot occupied by a residential use.</li> <li>4. A certificate of authorization is required for the execution of installations or work that is likely to destroy or alter the vegetation on banks, strip the ground bare of vegetation, affect the stability of the banks or encroach on the shoreline. This applies to all work that could alter the water system, harm the free flow of water during flood periods, disturb wildlife and floral habitats or put people and property in danger.</li> <li>5. A certificate of authorization is not required for signs listed in Section 4 of Chapter 11 of the Zoning By-law in force.</li> <li>6. A certificate of authorization is required when a municipal water supply or sewer pipe is present under the lot or under a neighbouring lot. These pipes are identified as mains in conformity with Article 27 of the Act Respecting the Exercise of Certain Municipal Powers in Certain Urban Agglomerations, CQLR c E-20.001).</li> </ol>		

## SECTION 2. INFORMATION AND DOCUMENTATION REQUIRED

### 52. INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CERTIFICATE OF AUTHORIZATION

The certificate of authorization request shall be accompanied by the following information and documentation:

1. The City's official application form for a certificate, signed by the owner, the occupant or their authorized agent, as the case may be;
2. Family names, first names, addresses and phone numbers of the owner, and the occupant if they are different;
3. Address and cadastral number of the lot concerned by the request;

4. Estimate of the cost of the work or, if required, the bid for the work.

**53. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A WINTER CAR SHELTER**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a winter car shelter shall also be accompanied by the following information and documentation:

1. Installation site;
2. Features of the proposed shelter.

**54. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A COMMERCIAL TENT**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a commercial tent shall also be accompanied by the following information and documentation:

1. The place, date and duration of the commercial tent installation;
2. A sketch showing its installation site and its distance from the property lines, together with the number of parking spaces absorbed if applicable.

**55. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A PROPANE OR NATURAL GAS TANK FOR A DWELLING**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a propane or natural gas tank shall also be accompanied by the following information and documentation:

1. Location of the tank on the lot;
2. Detailed drawing of the screen when the tank is visible from the street;
3. Name, address and telephone number of the gas supplier;
4. Certification of compliance with standards governing this type of installation.

**56. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR MOVING A BUILDING OFF-SITE**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization to move a building to a lot other than the one on which it is situated shall also be accompanied by the following information and documentation:

1. The route, current and planned locations, planned moving date and time required for the move;
2. A foundation and site plan of the building, if relocation is to be within the municipal limits of the City;
3. A photograph of the building to be moved, showing the building as a whole and each of its outside walls;
4. The name, address, phone number and licence number of the contractor responsible for the move;
5. A copy of all authorizations required by any public and par public utilities;
6. A copy of the insurance policy in effect covering all damage to City property, and covering the City in case of recourse against it resulting from any damage caused to property or any injury to a person resulting from the move.

**57. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR RELOCATING A BUILDING ON THE SAME LOT**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization to relocate a building on the same lot shall also be accompanied by the following information and documentation:

1. The existing use and the proposed use for the building or portion of the building for which the request is being made;
2. A copy of the site plan showing, for the location involved, the information listed in Article 19, in regard to :
  - a) Relocation of a main building;
  - b) Relocation of an ancillary building that is longer and wider than 4 metres;
3. A copy of the certificate of localisation showing the location involved, the information listed in Article 18 on which the installation details for the relocation project are illustrated by the applicant or his agent, for the:
  - a) Relocation of a main building;
  - b) Relocation of an ancillary building that is longer and wider than 4 metres;
4. Copies of scaled architectural and structural drawings, plans, elevations, sections, sketches and specifications showing the information listed in Article 20;
5. A photo of the building to be relocated, showing the entire building and each of its exterior walls.

**58. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A TEMPORARY AUCTION**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a temporary public auction shall also be accompanied by the following information and documentation:

1. Legal proof of the company's bankruptcy;
2. The site of the auction, its date and its duration;
3. A summary description of the kinds of goods that are to be auctioned;
4. The name and commercial registration of the auctioneer.

**59. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR THE INSTALLATION OF A SIGN**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for the construction, installation, relocation or modification of a permanent sign shall also be accompanied by the following information and documentation:

1. A copy of the drawings for the sign, drawn to scale, showing:
  - a) Its shape, dimensions, surface area and height in relation to the adjacent grade level;
  - b) Materials used for the sign and its support;
  - c) Text and other visual elements on the sign;
  - d) Method of illumination.
2. A scaled drawing showing the location, on the lot or on the building, where the sign will be installed;
3. Photos taken in the 30 days preceding the date of the request, showing:
  - a) The exterior aspect of the property on which the sign will be installed;
  - b) Any portion of the wall of the building that will be visible from the outside;
  - c) Any existing sign on the property at the time of the request.
4. Family name, first name and address of the contractor who will install the sign;
5. In the case of a sign on a post or low wall, two copies of a scaled drawing showing any right-of-way boundary for a public thoroughfare, any property line on which it is proposed to erect

the sign, and the location of the sign on the lot in relation to any other structure present on the lot;

6. In the case of a sign on a building or structure, a scaled drawing showing the entire width of the building's façade and the exact location of the sign.

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for the installation of a banner or sandwich-board style temporary sign, including its means of support, shall also be accompanied by the following information and documentation:

1. A description of the proposed sign, its location on the lot or on the building, its dimensions, the materials used and the type of illumination proposed;
2. The period during which the sign will be in place.

**60. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR THE INSTALLATION OF A PARABOLIC ANTENNA WITH A DIAMETER OR MORE THAN 50 CM**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a parabolic antenna with a diameter of more 50 cm shall also be accompanied by the following information and documentation:

1. A sketch plan depicting its location and indicating the distances from the property lines and its height above grade;
2. A description of the other characteristics of the antenna, such as diameter and colours;
3. In the case of an installation on a corner property, the sketch plan shall indicate the location of the hedge to be planted to screen the antenna.

**61. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR THE INSTALLATION OF A FENCE, WALL OR RETAINING WALL**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for the installation of a fence, wall or retaining wall shall also be accompanied by the following information and documentation:

1. Height and location of the fence, wall or retaining wall;
2. Method for assembling or building the fence, wall or retaining wall;
3. Materials used for the fence, wall or retaining wall.

**62. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR WORK OR INSTALLATIONS, REQUIRED ON A BANK OR SHORELINE, THAT DO NOT REQUIRE A BUILDING PERMIT**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for an installation or work on or over a river bank or shoreline that does not require the issuing of a building permit shall be accompanied by the following information and documentation:

1. Description of the proposed use, construction, installation or work, as the case may be;
2. Reasons justifying the work;
3. Height and location of the natural high-water line;
4. Location of any wooded area, as necessary;
5. Contour lines drawn at a maximum of 1 metre apart.

**63. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR WORK OR INSTALLATIONS REQUIRED ON A FLOOD PLAIN THAT DO NOT REQUIRE A BUILDING PERMIT**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for an installation or work on a flood plain that does not require the issuing of a building permit shall be accompanied by the following information and documentation:

1. Description of the proposed use, construction, installation or work, as the case may be;
2. Reasons justifying the work;
3. Scaled drawing, prepared by a land surveyor, showing the grade levels, the lines for the 0-2 year, 0-20 year and 20-100 year flood plain levels established using the flood benchmarks as listed in the Zoning By-law, and the exact location of proposed buildings, installations and work.

**64. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR FELLING A TREE**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for the felling of a tree shall be accompanied by the following information and documentation:

1. Identification on a plan of the trees to be felled;
2. A summary of the reasons why each of the trees shall be felled;

3. All tree felling must be carried out by an arborist complying with the standards set by the Société internationale d'Arboriculture-Québec (SIAQ). Every arborist must register with the City of Dorval by completing the registration form for arborists accompanied by the proof requested. (added by RCM-60F-1-2016, art. 1))

**65. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A TREE PRUNING CERTIFICATE**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for pruning a tree must be accompanied by the following information and documentation:

1. Identification on a plan of the trees to be pruned;
2. Proof that the contractor who will be pruning the trees is a member of the Société internationale d'Arboriculture-Québec (SIAQ) and that he is registered with the City.

(modified by RCM-60F-1-2016, art. 2)

**66. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR AN OCCUPANCY CERTIFICATE**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for the implementation of a new main use or the change of a main use in groups U, C, I, D, P and V, or for an additional use carried out within a dwelling, shall also be accompanied by the following information and documentation:

1. Detailed description of the proposed use;
2. Date on which said implementation or change of use will take place, and as needed, the date on which the current use will be terminated;
3. List of the work necessary to implement, change or terminate a current use, including any that may be necessary beyond the premises involved in the request;
4. Demonstration that the new use meets the applicable requirements in the Building By-law in force, especially in terms of the safety and security of property and people;
5. Dimensions and area of the premises in which the new use will be carried out;
6. Scaled plan illustrating the division of the rooms and the proposed uses for each space;
7. As needed, a copy of the lease agreement.

**67. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A GARAGE SALE**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a garage sale shall also be accompanied by the following information and documentation:

1. Site of the garage sale;
2. Date and time period for the garage sale.

**68. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR CONNECTION TO PUBLIC SERVICES**

In addition to the information and documentation required under Article 52, a request for a certificate of authorization for a connection to public services shall also be accompanied by the following information and documentation:

1. A plan showing the location and characteristics of the pipes to be connected.

**69. ADDITIONAL INFORMATION REQUIRED FOR DRILLING OR PILE DRIVING ON PRIVATE PROPERTY**

All drilling and pile driving on private property requires a certificate of authorisation if:

- a) A water or sewer main line runs beneath the lot or the lots adjacent to the location of the drilling or pile driving;
- b) The construction of a permanent installation at a depth of more than 15 metres is planned.

The certificate shall not be issued if the information and documents identified in the form attached to this article in Annex A of the present by-law are not supplied, the authorization request has been accepted by the City of Montreal and the drilling or pile driving covered by the request respect the criteria mentioned in said form.

(replaced by RCM-60F-1-2016, art. 3).

**69.1 ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED TO OBTAIN A CERTIFICATE OF AUTHORIZATION IN ZONES I04-26 AND I04-27**

In addition to the information and documentation required under Article 52, an application for a certificate of authorization for any construction or work in zones I04-26 and I04-27 must also be accompanied by an ecological characterization study of the fauna and flora present in the area affected by the work. This study must be carried out between the months of May and August by a biologist or a professional who is a member of a competent professional order in the field.

(added by RCM-60F-4)

### **SECTION 3. CONDITIONS FOR ISSUANCE**

#### **70. GENERAL CONDITIONS FOR ISSUING A CERTIFICATE OF AUTHORIZATION**

The Competent Authority shall issue the certificate of authorization if the following conditions are met:

1. The request is in conformity with the provisions in the Zoning By-law in force, the Building By-law in force and any other applicable urban planning by-law;
2. The request is accompanied by all the information and documentation required;
3. The fee for issuing the certificate of authorization has been paid;
4. As needed, the request is accompanied by all certificates, authorizations or approvals issued by the government and expressly required by an Act or a Regulation that comes under an Act.

#### **70.1 SPECIAL CONDITIONS FOR ISSUING A CERTIFICATE OF AUTHORIZATION IN ZONES I04-26 AND I04-27**

Where the application concerns a certificate of authorization for the construction or installation of a structure or work in zones I04-26 and I04-27, the competent authority shall issue the certificate of authorization if, in addition to meeting the general conditions of Article 70, a certificate provided by an expert in accordance with Article 69.1 establishes that the construction or work does not compromise the conservation of milkweed stands, does not lead to their destruction or alteration, and does not harm the ecological integrity of the site.

(added by RCM-60F-4)

#### **71. TIMEFRAME FOR ISSUING A CERTIFICATE OF AUTHORIZATION**

Starting from the moment at which all the information and technical documentation required is submitted and found to be in conformity, not including errors, the Competent Authority has 30 business days in which to issue, or as the case may be, refuse to issue, a certificate of authorization.

#### **72. CANCELLATION AND WITHDRAWAL OF A CERTIFICATE OF AUTHORIZATION**

A certificate of authorization becomes null and void in the following cases:

1. Work did not commence within 90 days of the issuing of the certificate of authorization;
2. The new use or a change of use was not implemented within 180 of the issuing of the certificate of authorization;
3. Work was interrupted for a period of 180 consecutive days;

4. Work was not completed within 12 months of the date the certificate of authorization was issued. Notwithstanding the preceding, in the case of an ancillary structure or an in-ground pool, the work shall be completed within 6 months following the issuance of the certificate of authorization;
5. The certificate of authorization was issued on the basis of a false or erroneous declaration, piece of information, drawing or document;
6. Work was not executed or the change of use was not implemented in conformity with the regulations in the urban planning by-laws or the conditions attached to the certificate of authorization;
7. A change was made to the work authorized for, to the documents approved for, or to the use concerned in, the request without prior permission from the Competent Authority;
8. In the cases described in paragraphs 6° and 7°, cancellation of the certificate of authorization is temporary and lasts until the work has been corrected or the changes made have been approved by the Competent Authority. Reinstatement of the certificate of authorization does not extend the deadlines set out in paragraphs 1° and 2°. Paragraph 3° applies even if the work is interrupted due to the cancellation of the certificate of authorization for the reasons given.

**73. PERIOD FOR WHICH CERTIFICATES OF AUTHORIZATION FOR RELOCATING A BUILDING ARE VALID**

Notwithstanding Article 72, certificates of authorization for relocating buildings can be issued only for specific times and dates and they cannot remain valid for a total period of more than 48 hours.

The certificate of authorization becomes null and void once this time limit has elapsed; the relocation project shall then be subject to a request for certificate renewal, which is subject to all applicable conditions set forth in this By-law.

**74. PERIOD FOR WHICH CERTIFICATES OF AUTHORIZATION FOR WINTER CAR SHELTERS ARE VALID**

Notwithstanding Article 72, certificates of authorization for winter car shelters are valid for one season (from November 1st of one year to April 15th of the next year). This certificate of authorization becomes null and void once this time limit has elapsed; the winter car shelter shall then be subject to a request for certificate renewal.

**75. PERIOD FOR WHICH CERTIFICATES OF AUTHORIZATION FOR DEMOLITION ARE VALID**

Notwithstanding Article 72, certificates of authorization for the demolition of buildings are valid for the period of time indicated on the certificate, which shall nonetheless not exceed three months, unless the Study Committee for Demolition Projects sets another deadline.

This certificate of authorization becomes null and void once this time limit has elapsed; the demolition project shall then be subject to a request for certificate renewal, which is subject to all applicable conditions set forth in this By-law, and the By-law concerning the demolition of buildings.

**76. PERIOD FOR WHICH CERTIFICATES OF AUTHORIZATION FOR OUTDOOR CAFÉS ARE VALID**

Notwithstanding Article 72, certificates of authorization for outdoor cafés are valid for one season (from April 1st to October 30th of the same year). This certificate of authorization becomes null and void once this time limit has elapsed; the outdoor café shall then be subject to a request for certificate renewal.

**77. PERIOD FOR WHICH CERTIFICATES OF AUTHORIZATION FOR INSTALLATION OF SIGNS ARE VALID**

Notwithstanding Article 72, certificates of authorization for the installation of signs are valid for a period of three months following date of issue. If the work has not begun by the time this period has elapsed, the certificate of authorization becomes null and void.

**78. PERIOD FOR WHICH OCCUPANCY CERTIFICATES ARE VALID**

Notwithstanding Article 72, occupancy certificates are valid for a period of three months following date of issue. In the event no actual occupancy of the building or part of the building for which a certificate has been issued has taken place by the time this period has elapsed, the certificate of authorization becomes null and void.

## **CHAPTER 6. PROVISIONS PERTAINING TO SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS**

### **79. INFORMATION AND DOCUMENTATION REQUIRED FOR ANY SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAM REQUEST**

A request for the approval of a Site Planning and Architectural Integration Program shall be accompanied by additional information and documentation required in the Site Planning and Architectural Integration Program By-law in force.

## **CHAPTER 7. PROVISIONS PERTAINING TO CONDITIONAL USES**

### **80. INFORMATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE**

A conditional use request shall be accompanied by the following information:

1. Family names, first names, addresses and phone numbers of the owner and the occupant, if they are different;
2. The address and cadastral number of the lot concerned in the request.

### **81. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE RELATIVE TO AN INTERGENERATIONAL DWELLING**

In addition to the information and documentation required under Article 80, a request involving an intergenerational dwelling shall include:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project, depending on the nature of the work;
2. Photos of, or an architectural report on, the existing buildings on the site and on the surrounding lots;
3. Proof of family ties or close relationship with the owner or the occupant of the main dwelling unit;
4. Proof of the presence of a single electric meter for the dwelling unit;
5. A landscaping layout plan showing the number of parking spaces on the lot.

### **82. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE RELATIVE TO A DWELLING UNIT ON THE GROUND FLOOR OF A BUILDING IN THE OLD VILLAGE SECTOR**

In addition to the information and documentation required under Article 80, a request involving a dwelling unit on the ground floor of a building in the Old Village sector shall include:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project; depending on the nature of the work.

**83. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE FOR A BEVERAGE OUTLET OR A NIGHTCLUB**

In addition to the information and documentation required under Article 80, a request involving a beverage outlet or a nightclub shall include the following information and documentation:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project, depending on the nature of the work;
2. Photos of, or an architectural report on, the existing buildings on the site and on the surrounding sites;
3. A plan showing the access points to the establishment used or likely to be used by the clientele;
4. A description of the measures planned to limit the impact on the neighbourhood of any nuisances created.

**84. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE FOR A FITNESS CENTRE**

In addition to the information and documentation required under Article 80, a request involving a fitness centre shall include:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project, depending on the nature of the work;
2. A site plan showing, in particular, the layout and the number of parking spaces planned;
3. Photos of, or an architectural report on, the existing buildings on the site and on contiguous sites.

**85. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE FOR AN OFFICE NOT ASSOCIATED WITH AN INDUSTRIAL USE**

In addition to the information and documentation required under Article 80, a request involving an office not associated with an industrial use shall include:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project, depending on the nature of the work;
2. A site plan showing, in particular, the layout and the number of parking spaces planned.

**86. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE FOR A RESTAURANT IN AN INDUSTRIAL ZONE**

In addition to the information and documentation required under Article 80, a request involving a restaurant shall include:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project, depending on the nature of the work;
2. A site plan showing, in particular, the layout and the number of parking spaces planned for the restaurant.

**87. ADDITIONAL INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A CONDITIONAL USE FOR A TELECOMMUNICATIONS ANTENNA STRUCTURE**

In addition to the information and documentation required under Article 80, a request to add a conditional use for a telecommunications antenna shall include the following additional information and documentation:

1. The information and documentation required in Chapter 4 of the present by-law. Everything needed for the execution of the project; depending on the nature of the work;
2. A document, illustrated as needed, explaining the technical impossibility of using existing structures or buildings to support the telecommunications equipment;
3. Photos of, or an architectural report on, the existing buildings on the site and on the surrounding lots;
4. A perspective allowing the visual impact of the telecommunications equipment to be evaluated.

## **CHAPTER 8. PROVISIONS PERTAINING TO SPECIFIC CONSTRUCTION, ALTERATION OR OCCUPANCY PROPOSALS FOR IMMOVABLES**

### **88. INFORMATION AND DOCUMENTATION REQUIRED FOR A REQUEST FOR A SPECIFIC CONSTRUCTION, ALTERATION OR OCCUPANCY PROPOSAL FOR AN IMMOVABLE**

A request for approval of a specific construction, alteration or occupancy proposal for an immovable shall be accompanied by the following information and documentation:

1. Family names, first names, addresses and phone numbers of the owner, and the occupant if they are different;
2. Address and cadastral number of the lot involved in the request;
3. Survey plan for the lot involved in the specific proposal;
4. Certificate of localisation relative to any structure erected on this lot, and including the technical designation;
5. Declaration signed by the owner or his agent, establishing the types of occupancy in any building involved in the specific proposal;
6. Document giving the reasons for the request and a description of the specific proposal involved;
7. Site locations and footprints of existing and proposed structures, as well as their insertion into the urban fabric;
8. Density, in terms of floor space ratio, of existing and proposed structures on the lot;
9. General volumetry and heights of existing and proposed structures on the lot, and their integration into the built context;
10. Occupancies for the public domain to be planned;
11. Proposals for the integration or demolition of existing structures, and the conservation and enhancement of original architectural elements;
12. Landscaping proposals for outdoor spaces, and development or protection of existing or proposed plantings;

13. Vehicular access points and types of signage for pedestrians and vehicles;
14. Parking spaces and unobstructed access;
15. Necessary studies to evaluate the project in regard to sunlight, wind, traffic and, as needed, noise and emissions;
16. Indication of the risks of soil contamination by identifying previous occupancies of the lot involved in the project, based on any available mapped documents, among others;
17. Estimate of total construction costs and a schedule for the work involved;
18. Demonstration that the project incorporates sustainable construction features, confirmed by a recognized organization;
19. Proposal for occupancy by a specific use in the *commercial with a floor area of more than 4,000 m<sup>2</sup>* group, with the exception of a service establishment, is subject to an impact study on traffic that includes, as needed, mitigation measures.

Other than the information included in the first paragraph, Council may require a study or further expertise from the applicant on a particular aspect of the proposal. For the production of such a study or expertise, it shall set a deadline of no more than 120 days, counting from the date on which the applicant is notified about this requirement.

## CHAPTER 9.FINAL PROVISIONS


### 89. COMING INTO FORCE

This By-law shall come into force as provided by Law.

APPROVED \_\_\_\_\_ MAYOR

APPROVED \_\_\_\_\_ CITY CLERK

**APPENDIX A: REQUEST FOR AUTHORIZATION FOR DRILLING / PILE  
DRIVING ON PRIVATE PROPERTY**



Municipalité: \_\_\_\_\_ Arrondissement: \_\_\_\_\_


**DEMANDE D'AUTORISATION DE FORAGE / FONÇAGE DE PIEUX SUR LA PROPRIÉTÉ PRIVÉE**

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**Section 1: OBJECTIFS DE L'AUTORISATION**

**1 Vous protéger contre les risques de perforation d'une conduite principale** lors des travaux (voir illustration ci-contre). Les conduites principales servent au transport de l'eau potable ou des eaux usées d'un quartier. Un tel accident pourrait avoir des conséquences graves (responsabilité financière, dommages à votre propriété, coupure de service dans votre quartier).

**2 Identifier et cartographier les installations privées souterraines** afin de les prendre en compte lors de travaux futurs de forage de tunnels requis pour le développement des réseaux d'eau potable ou d'eaux usées.



Conduite principale perforée lors d'un forage


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**Section 2: ÉTAPES À SUIVRE**

**1 Rendez vous au comptoir de permis** de votre arrondissement ou municipalité, demandez une copie du plan "Compilation numérique eau (CNE)" sur lequel apparaît votre propriété et vérifiez, avec l'aide du préposé au comptoir de permis, si une conduite principale passe sous votre terrain ou sous un terrain voisin. Les conduites principales sont identifiées avec un « A » (voir figure ci-contre).

**2 Si votre projet correspond à l'une des trois situations ci-dessous, vous devez remplir ce formulaire.**

	Oui	Non
Une conduite principale d'eau passe sous votre terrain ou sous celui d'un de vos voisins.	<input type="checkbox"/>	<input type="checkbox"/>
Une conduite principale d'égout passe sous votre terrain ou sous celui d'un de vos voisins.	<input type="checkbox"/>	<input type="checkbox"/>
Vous forez/foncez des pieux à plus de 15 m de profondeur ET il restera une installation permanente dans le sol (exemple : géothermie, captage d'eau souterraine).	<input type="checkbox"/>	<input type="checkbox"/>



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**3 Retourner le formulaire dûment rempli au comptoir de permis au moins 10 jours ouvrables avant le début des travaux.**

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**Section 3: IDENTIFICATION ET DÉCLARATION DU PROPRIÉTAIRE**

Madame  Monsieur

Nom du propriétaire: \_\_\_\_\_

Adresse: \_\_\_\_\_ Code postal: \_\_\_\_\_

Courriel: \_\_\_\_\_ Téléphone: \_\_\_\_\_

# de lot: \_\_\_\_\_

Le propriétaire est responsable du coût de réparation des dommages aux conduites ou aux ouvrages de compétence d'agglomération qui sont situés sur sa propriété qui pourraient résulter de l'exécution des travaux pour lesquels une autorisation était exigée.

Je, soussigné \_\_\_\_\_, déclare par la présente que les renseignements inscrits ci-dessus sont complets et exacts et que, si l'autorisation m'est accordée je me conformerai aux conditions de l'autorisation de même qu'aux dispositions des lois et règlements pouvant s'y rapporter.

Signature du propriétaire : \_\_\_\_\_ Date : \_\_\_\_\_

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**Section réservée à l'administration de la demande**

Nom de l'intervenant de la municipalité ou de l'arrondissement: \_\_\_\_\_

Adresse: \_\_\_\_\_

Téléphone: \_\_\_\_\_

Adresse courriel: \_\_\_\_\_

Présence de conduite principale d'aqueduc à proximité Oui <input type="checkbox"/> Non <input type="checkbox"/>	Envoi de la demande Direction de l'eau potable à l'adresse courriel: DEP_Demande_Forage-Excavation@ville.montreal.qc.ca Date: _____	<b>Nom de l'intervenant de la DEP:</b> _____ Avis de la DEP <input type="checkbox"/> Marquage Requis <input type="checkbox"/> Autorisation <input type="checkbox"/> Refus <input type="checkbox"/>	Marquage réalisé <input type="checkbox"/> Réponse de l'arrondissement ou de la municipalité au propriétaire demandeur
Présence de conduite principale d'égout à proximité Oui <input type="checkbox"/> Non <input type="checkbox"/>	Envoi de la demande DEEU à l'adresse courriel: deeu_demande_forage_excavation@ville.montreal.qc.ca Date: _____	<b>Nom de l'intervenant de la DEEU:</b> _____ Avis de la DEEU <input type="checkbox"/> Marquage Requis <input type="checkbox"/> Autorisation <input type="checkbox"/> Refus <input type="checkbox"/>	Marquage réalisé <input type="checkbox"/> Travaux autorisés <input type="checkbox"/>
Installation permanente à plus de 15 m de profondeur Oui <input type="checkbox"/> Non <input type="checkbox"/>	Envoi de la demande Division de la géomatique: geomatique_miseajour@ville.montreal.qc.ca Date: _____	<b>Nom de l'intervenant de la Géomatique:</b> _____ Avis de la Division de la géomatique <input type="checkbox"/> Inscription au registre confirmé <input type="checkbox"/> Autorisation <input type="checkbox"/> Refus <input type="checkbox"/>	Travaux refusés <input type="checkbox"/> Date: _____

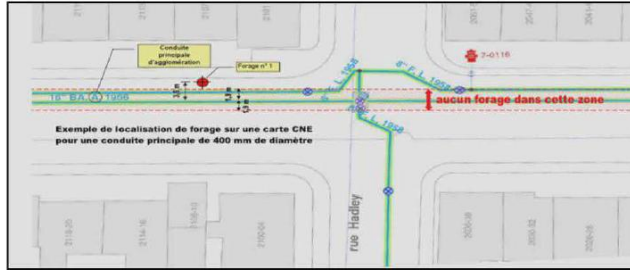
**Montréal** DEMANDE D'AUTORISATION DE FORAGE / FONÇAGE DE PIEUX SUR LA PROPRIÉTÉ PRIVÉE

**Section 4: LOCALISATION DES TRAVAUX**

À faire remplir par l'entrepreneur que vous avez mandaté pour réaliser les forages / fonçages de pieux

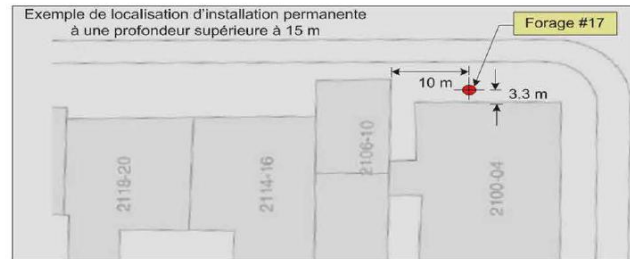
**1 Pour un forage / fonçage de pieux à risque:**

Demandez au consultant ou à l'entrepreneur que vous avez mandaté pour réaliser les travaux d'indiquer les items suivants sur un plan CNE et joignez le à cette demande d'autorisation (voir la figure ci-dessous):  
 a) la localisation et identification des forages / fonçages de pieux ;  
 b) les distances entre le forage / fonçage de pieux et la conduite d'eau ou d'égout principale;  
 c) une zone d'interdiction égale à 1,5 mètres plus un demi diamètre de la conduite de chaque côté de la parois extérieure de la conduite. Par exemple, si la conduite a un diamètre de 16" (400 mm), il est interdit de forer ou de foncer des pieux dans une zone qui s'étend à 1.7 m de chaque côté de la parois extérieure de la conduite ou 1.9 m de part et d'autre du centre de la conduite (voir le croquis ci-dessous).



**2 Pour une installation permanente à plus de 15 m de profondeur:**

Demandez au consultant ou à l'entrepreneur que vous avez mandaté d'indiquer les items suivants sur un plan CNE et joignez le à cette demande d'autorisation (voir figure ci-dessous):  
 a) la localisation et identification des forages / fonçages de pieux;  
 b) une mesure de distance par rapport à un repère visuel (exemple: mur d'un bâtiment, borne d'incendie);  
 c) une deuxième mesure de distance par rapport à un autre repère visuel (veuillez noter que pour permettre la localisation du forage / fonçage de pieux, les axes de la première et de la deuxième mesure doivent se croiser, ils ne peuvent être parallèles).



3 Demandez à l'entrepreneur que vous avez mandaté pour réaliser les travaux de préciser les renseignements demandés au tableau ci-dessous:

# d'identification du forage / fonçage de pieux sur le croquis	# Forage / fonçage de pieux	# Forage / fonçage de pieux	# Forage / fonçage de pieux	# Forage / fonçage de pieux	# Forage / fonçage de pieux	# Forage / fonçage de pieux
Installation permanente	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>
Type d'installation	Géothermie <input type="checkbox"/> Captage d'eau souterraine <input type="checkbox"/> Autre (spécifiez):	Géothermie <input type="checkbox"/> Captage d'eau souterraine <input type="checkbox"/> Autre (spécifiez):	Géothermie <input type="checkbox"/> Captage d'eau souterraine <input type="checkbox"/> Autre (spécifiez):	Géothermie <input type="checkbox"/> Captage d'eau souterraine <input type="checkbox"/> Autre (spécifiez):	Géothermie <input type="checkbox"/> Captage d'eau souterraine <input type="checkbox"/> Autre (spécifiez):	Géothermie <input type="checkbox"/> Captage d'eau souterraine <input type="checkbox"/> Autre (spécifiez):
Forage à angle (si oui, joindre patron de forage)	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>	Oui <input type="checkbox"/> Non <input type="checkbox"/>
Profondeur (m)						
Diamètre (m)						
Date du forage / fonçage de pieux: (AAAA-MM-JJ)						
Plage horaire: de HH:MM à HH:MM						

**Section 5: IDENTIFICATION ET DÉCLARATION DE L'ENTREPRENEUR**

À faire remplir par l'entrepreneur que vous avez mandaté pour réaliser les forages / fonçages de pieux

Nom de l'entrepreneur: \_\_\_\_\_

adresse: \_\_\_\_\_

Courriel: \_\_\_\_\_

# de licence RBQ: \_\_\_\_\_

Code postal: \_\_\_\_\_

Téléphone: \_\_\_\_\_

Avenant de la Ville de Montréal déposé:  Montant de garantie: \_\_\_\_\_ Date d'échéance de l'assurance: \_\_\_\_\_

(Preuve d'assurance-responsabilité aux termes de laquelle l'entrepreneur et la Ville de Montréal sont coassurés, au montant de 2 000 000\$)

Je, soussigné:  
 - m'engage à maintenir en vigueur la police citée ci-dessus durant toute la durée des travaux;  
 - déclare par la présente que les renseignements inscrits au tableau ci-dessus et sur le plan CNE joint à cette demande sont complets et exacts.

Signature de l'entrepreneur: \_\_\_\_\_ Date: \_\_\_\_\_