

Municipality of Bristol

- By-law for the Administration and Interpretation of the Planning By-laws -

No. 311



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CHAPTER 1 DECLARATORY DISPOSITIONS

1.1 TITLE OF THE BY-LAW

The present By-law number 263 is titled «By-law for the Administration and Interpretation of the Planning By-laws».

1.2 OBJECTIVES

This By-law is used to administer and ease the interpretation of the Planning By-laws. It includes the declaratory provisions, the interpretation rules, the recourses and sanctions as well as the administrative provisions common to the Planning By-laws.

1.3 CONTEXT OF THE BY-LAW

The present By-law is applicable, in whole and in part, to the Planning By-laws known, by definition, as the « Zoning By-law no. 264 », the « Subdivision By-law no. 265 » and the « Construction By-law no. 266 » and any amendment to these By-laws. This By-law indicates some means of implementation in the framework of a coherent development policy for the Municipality and for the region. The By-law is patterned from the

Master Plan of the Municipality of Bristol and of the Regional Master Plan (Schéma) of the MRC of Pontiac.

1.4 EFFECTIVE DATE

The present By-law will come into force in accordance with the provisions of the [Provincial Planning Act](#).

1.5 SUBJECTED TERRITORY

The present By-law, of which the provisions are imposed to individuals as well as to legal persons of public right or of private right, applies to the entire territory under the jurisdiction of the Municipality of Bristol.

1.6 REPLACED BY-LAWS

The By-law stated hereafter and including its amendments, is abrogated and replaced by the present By-law:

By-Law number 203, known as: “ Administration ”

Are also abrogated, all other regulatory provisions incompatible with the present By-law.

Such replacements do not however affect procedures instituted under the authority of the By-laws hereby replaced, which will continue under the authority of the said replaced By-laws until final judgment and execution. Furthermore, they do not affect the permits issued under the authority of the By-laws hereby replaced.

1.7 EFFECTS OF OTHER BY-LAWS

Any parcel of land or any building raised, reconstructed, extended, moved, modified, repaired, occupied or used for the authorised purposes and in the manner prescribed in the present By-law are subjected,

moreover, to the special prescriptions of the other Municipal By-Laws related to them.

1.8 AFFECTED CONSTRUCTIONS AND LAND

Any lot or part of lot meant to be occupied as well as any building or part of building and any construction or part of construction, must be built in accordance with the provisions of the Planning By-laws. Any building, any construction or any property where an amendment to the occupation or use is being considered, must comply to the requirements of the Planning By-laws. This also applies to any lot, part of lot or property meant to be divided.

1.9 METHOD OF AMENDMENT TO THE PRESENT BY-LAW AND TO THE PLANNING BY-LAWS

1.9.1 Amendment to the present By-law and to the Planning By-laws

The initiative of an amendment to the present By-law and to the Planning By-laws can be that of a taxpayer, of the designated officer, of the Planning Committee or of the municipal Council.

Any amendment request must always be submitted in writing and first analysed by the designated officer, then presented to the Planning Committee for recommendation and then be presented to the municipal Council.

The Planning Committee studies the request and the analysis of the designated officer, and makes its recommendation to Council.

If the Planning Committee deems the request non suitable for the interest of the Municipality, through the minutes of a formal meeting, the Planning Committee recommends to the municipal Council not to accept this amendment request.

If the Planning Committee deems the request suitable for the interest of the Municipality, through the minutes of a formal meeting, the

Planning Committee recommends to the municipal Council to accept this request and to begin the amendment procedures.

1.9.2 Adoption of the amendment By-law

The Council proceeds to the amendment in accordance with the applicable provisions of the [Provincial Planning Act](#).

1.9.3 Cost relating to a request for an amendment to the Planning By-laws for an individual or a corporation

Fixed rate: \$ 150.00

Receipt, analysis of the request by the designated officer and recommendation of the Planning Committee;

Preparation of the documents in order to proceed with the amendment of the By-law;

Validation of the number of eligible voters;

Preparation of the public notices, posting, publication and publication costs;

Registration period:

If applicable - Referendum: amount unknown and total responsibility of the applicant;

Adoption notice;

Effective date Notice.

The fixed rate of \$ 150.00, is payable by the applicant upon submitting his written request. Whether the response is negative or positive, this amount is non refundable, because it is to cover the cost of the administration process.

Furthermore, should the administrative procedure reach the referendum stage, the Municipality will prepare a cost estimate for the referendum and present it to the applicant, if he wishes to continue the procedure he therefore agrees to pay the total costs

relating to a referendum. Whether the response is negative or positive, this amount is non refundable, because it is to cover the cost of the administration process.

Note: At any stage of the procedure, the municipal Council can decide to terminate this procedure and not to accept the proposed amendment.

1.10 APPENDIX DOCUMENT

Form an integral part of the present By-law for all legal purposes:

The charts, graphs and symbols are included in the present By-law and appendix.

1.11 VALIDITY

Council adopts the present By-law as a whole and also part per part, chapter per chapter, article per article, paragraph per paragraph and sub-paragraph per sub-paragraph, whereas a part, an article, a paragraph or a sub-paragraph of the present By-law was or should have been declared null and void, the other provisions of the present By-law continue to be applicable.

1.12 DIVERGENCE BETWEEN THE PLANNING BY-LAWS

Should there exist a divergence between the Planning By-laws, the provisions of the Zoning By-law is applicable.

1.13 DIVERGENCE BETWEEN THE GENERAL AND SPECIAL DISPOSITIONS

Should there exist a divergence between the general provisions for all the zones or for one zone and the special provisions to each of the zones, the special provisions to a zone are applicable. Should there exist a divergence between the text and the specification grids, the provisions of the text prevail.

CHAPTER 2 INTERPRETATION RULES

2.1 INTERPRETATION OF THE TEXT AND TERMINOLOGY

The titles included in this By-law form an integral part for all legal purposes. Should a contradiction exist between the said text and the titles, the text will prevail:

The use of verbs in the present tense includes the future;

The singular includes the plural and vice versa, unless the phraseology implies otherwise;

The use of the word « MUST » or « WILL » indicates an absolute obligation; the word « CAN or MAY » indicates an optional meaning;

The word « WHOEVER » includes all moral or physical person;

The word « MUNICIPALITY » designates the Municipality of Bristol;

The word « COUNCIL » designates the Municipal Council;

The abbreviation « Planning Committee » designates the Planning Committee of the Municipality of Bristol;

The expression « MASTER PLAN » signifies the master plan of the territory of the Municipality according to the articles of the [Provincial Planning Act.](#);

A uniform numbering system was used for all of the By-law. The first number indicates the chapter of the By-law and the following numbers indicate the articles.

All measures mentioned in the Planning By-laws are expressed in units of the International System SI (metric system).

INTERPRETATION OF THE CHARTS

The charts, diagrams, specification grids, graphs, symbols or any form of expression other than the said text, which are referred to in this By-law, form an integral part for all intent and legal purposes.

Should a contradiction exist between the text and the charts, diagrams, graphs, symbols and other forms of expression, the text prevails. Should a contradiction exist between a chart and a graph, the data of the graph prevails.

When a restriction or an interdiction presented by the present By-law or for one of its provisions is shown to be incompatible or in discordance with another provision of the present By-law, the most restrictive or prohibitive provision must apply.

TERMINOLOGY

A

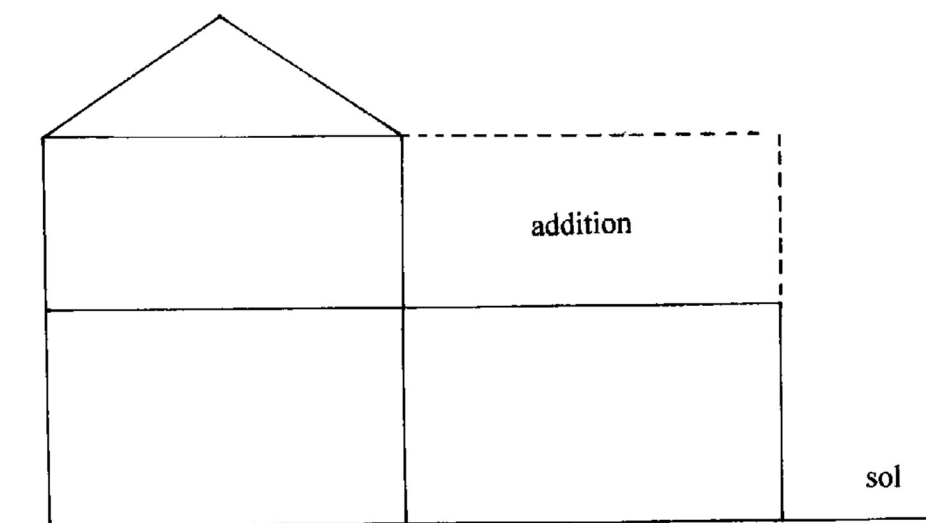
ACQUIRED RIGHTS

Recognized right to a use, a lot or a *derogatory construction* existing before the effective date of any law or by-law regulating this use, this lot or this *construction*, or, the use the lot or the *construction* must have established or created at the time, when the by-law in effect at that date, permitted it. From the moment where an acquired right exists, it is regulated in accordance with the provisions of the articles specific to the uses, lot and *derogatory constructions*. Note: An acquired right cannot be recognised for an installation or a *construction* regarding a security or an environmental element.

ADDITION

Addition to the volume, the structure, the fixed or permanent installations of a *building*. Addition to the *floor surface area* of a *building* or of a use, without adding to the *ground surface area*.

Sketch:



AGRICULTURAL OPERATIONS

A grouping of agricultural production activities managed by a proprietor or tenant of the land or the *buildings*.

ALLOWANCE (RIGHT OF WAY)

Surface area of a property, owned by the Municipality, of any other public entity, or private property, destined for the establishment of a road or of a traffic lane. Also signifies the boundaries or the perimeter of this property.

ARTIST'S OR CRAFTSMAN WORKSHOP (or artisan) (ou craftsman)

Area used as a work area or as a work area for the creation of art or crafts.

AVERAGE GROUND LEVEL

The average level of the ground around (that touches) the building

AWNING

Small roof projecting above a door, window or shop window for protection against the sun and weather.

AVERAGE GROUND LEVEL

The average ground level surrounding (touching) the building.

B

BALCONY (Deck and terrace)

Platform extending from the walls of a building, surrounded or not by a balustrade or a railing, and that could be protected by a roof supported or not by pillars.

BARN

Building where are stored cereals, straw, hay, and agricultural machinery.

BED AND BREAKFAST

A Bed and breakfast establishments, includes private residences and their outbuildings that the owners or occupants operate as an accommodation establishment that rents a maximum of 5 rooms, with breakfast served on the premises and included in the rental price.

BLACKSMITH SHOP

Business that repairs and shapes iron with a forge, anvil, hammar, etc. Also, for horse shoeing.

BOAT LAUNCH RAMP

Public or private installation permitting the launching of pleasure boats into the water. To be implemented, this type of installation must be approved by the Ministère de l'Environnement et de la Faune du Québec.

BUILDING

Structure with a roof supported by pillars and/or by walls and used to shelter persons, animals or objects - including prefabricated building -.

BUILDING, FARM

Main or secondary building used to shelter animals and/or the storage of machinery or others, used for the normal operation of an agricultural use. The auxiliary building as defined by the LPTAQ is also considered as a farm building.

BUILDING, MAIN

Building where is exercised a use prescribed in the zone where it is located. On a lot with a depanneur and a dwelling, both of these are considered main buildings. On farm land, only a house is considered as a main building, all other buildings pertaining to farming is considered secondary building.

BUILDING, PRE-FABRICATED

Building including residents, cottage or secondary building constructed outside a property and moved on it to be thereon installed.

BUILDING, TEMPORARY

Building erected or installed for a special reason and for a short and limited time with the approval of a resolution by Municipal Council.

BUILDING, SECONDARY

Building detached from the main building, located on the same lot or the same property or adjacent property, belonging to the same owner (even if that property is separated by a road). The use of a secondary building is reserved for storage of goods complementary to the permitted use and mainly exploited on this building and in the zone where it is located. The use of a secondary building cannot, in any case, be residential, meant to

house persons, but can be used sporadically as a dormitory. May include a garage, shed, cabin, buildings pertaining to farming, ...

C

CADASTRAL (OPERATION)

All of the procedures meant to perform a division, a vertical cadastre, a subdivision, a redivision, a correction, a replacement, a cancellation, an addition, a cadastral grouping, including those done and where the plan is tabled in conformity to the Loi sur le cadastre

CADASTRE

Subdivision procedure meant to cadastre a property with a conforming or non-conforming use (in relation to its size, surface area or its zoning) and where there exists a registered title before the effective date of the first interim control by-law of the MRC of Pontiac.

CANOPY (MARQUISE)

Construction shaped like a roof, in cantilever or supported by poles.

CARPORT

Space covered by a roof supported by columns. A *carport* is considered as a secondary *building* for the purposes of the Planning By-laws .

CARPORT, TEMPORARY

Metal or other portable structure covered by a non-rigid material and used to shelter an automobile during the winter.

CELLAR

Part of a *building* where less than 2 meters (6.6 ft.) are located above the *average adjacent ground level*.

CONSTRUCTION

Assembly of materials fixed or not to the ground or attached to any object fixed to the ground including, but not limited to, sheds, *buildings*, etc. A *fence* is not considered a *construction*.

COURT

Open space all surrounded or in part by walls or limited by margins or by a property occupied by a main building. See also SETBACK and Article 4.4.7 of the Zoning Bylaw.

CUL-DE-SAC

Any road that does not open onto another road at one of its extremities.

D

DEROGATORY CONSTRUCTION

Any *construction* non-conforming to the applicable By-law in force.

DRIVEWAY ENTRANCE

Level difference of the edge of a road for the purpose of easing the circulation of vehicles between the public road and private property.

DWELLING

Building or part of a *building* designed to house persons and comprising of one or more housing *units*.

DWELLING, COLLECTIVE

Dwelling designed to house a group of persons, administered by a profit or non profit corporation or by an individual for profit. In this *dwelling*, the meals are prepared in collective kitchen.

Are included in this group:

- Group homes for the physically and mentally handicapped
- Nursing homes
- Detention Centers
- Youth Centers
- Rooming houses
- Community Residences for the religious orders
- Housing and Rehabilitation Centers for the handicapped and for those possessing social integration difficulties.
- Halfway houses for ex-inmates

- Retirement home, convalescent homes, rest homes, orphanages and student residences.

Any other *dwelling* meeting the definition of a *collective dwelling*.

DWELLING UNIT or HOUSING UNIT

Room or a group of rooms in a *building*, with a private access, designed to be used as a residence and provided with sanitary facilities, sleeping quarters, food preparation and cooking of meals. Does not mean or include a motel, hotel, rooming house or trailer.

E

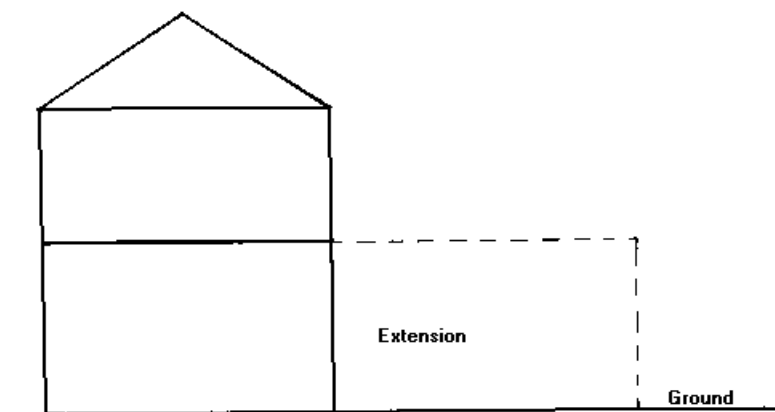
EAVES

Interior part of a roof projecting further than the face of the wall.

EXTENSION

Addition to the *ground surface area* of a *building* or the surface area occupied by a use.

Sketch:



EXTRACTION AREA: (QUARRY, SAND PIT OR OTHER)

Within an extraction area, the surface of the ground where minerals are extracted or are processed by crushing and sifting, and where are loaded and dumped, the minerals extracted and the earth is stored.

F

FENCE

Shared installation or not, destined to separate a property or part of a property from another property or other sections of the same property and/or to forbid the access. A *fence* is not considered a *construction*.

FININSHING (PARING OR EXTERIOR COVERING)

Materials used for covering the exterior of the *building*.

FLOOR SURFACE AREA OF A BUILDING

Floor surface area of a *building* measured from the exterior face of the exterior walls. The *cellars* are excluded from this surface area.

FOOTINGS

Any part of foundation used to distribute the load on a bearing surface or on piles.

FOUNDATIONS

Part of the *construction* located under the ground floor and including the walls, footings, concrete floor, pillars, and piers, that transfer the load of the *building* to the ground or the rock on which the *foundations* are supported.

FRONTAGE

Measurement between lateral lines of a lot bordering the line of the *allowance* of a public or private road, existing or proposed. In the case of a lot located at the intersection of two (2) streets or roads, the measurement must be taken from one lateral line only until the point of intersection. In the case of a waterside lot, the frontage is the distance between the lateral lines of the lot taken from the waterside along the high water line.

G

GROUND SURFACE AREA

The ground surface area of a building, measured from the exterior walls of the building to the height of the ground.

H

HEDGE

Continuous row formed of shrubs and plants which have formed roots and that the branches can be trimmed.

HEIGHT EXPRESSED IN METERS

Vertical distance measured between the average grade level adjacent to the construction and a horizontal plan passing through:

- *the highest point of the roof surface, excluding the chimney and an antenna;*

HIGH WATER LINE

Line used to establish the littoral and the shore of bodies of water as per the application of current Zoning By-law.

This high water line is located at the place where we go from a predominance of aquatic plants to a predominance of land plants. In a case where there is no aquatic plants the high water line starts where land plants are the closer to the watercourse. Plants considered as aquatic are all hydrophilic plants including submerged plants, plants with floating leaves, emerging plants and herbaceous and ligneous plants characteristic of marshes and swamps opened on bodies of water.

If there is a retained-water structure (like a controlled dam), the high water line is located at the operation highest point of the hydraulic work for that part of the body of water located up-river.

If there is a retaining wall legally erected, the high water line is located at the top of the wall.

I

IMMOVABLE

Possession that cannot be moved or that the law considers as such; designates any building, construction or property.

L

LATERAL LINE

Dividing line located between lots or properties: this line is generally or almost perpendicular to the road.

For lots located along lakes and watercourses adjacent to the shore/bank and that form an angle with the shore/bank.

LITTORAL

Part of lakes and watercourses that extends from the high water line towards the centre of the body of water.

LOT

A lot is a parcel of land described by a distinct number on the official cadastre plan or the registered subdivision plan in accordance with the provincial provisions.

LOT, ANGLE OR CORNER

Lot situated at the intersection of a road.

LOT, CONTIGUOUS

A lot where at least one lot line is common in whole or in part to another lot line.

LOT, INTERIOR

Lot other than a corner lot situated along a road.

LOT LINE

Cadastral lines marking the boundaries of a lot.

LOT, TRANSVERSAL ANGLE

Lot located at a double crossroads with three front lines. The fourth one is a lateral lot line.

M

MECHANIC WORKSHOP/GARAGE

Establishment designed for the repair of motor vehicles or any other type of mechanical equipment.

MOBILE HOME

Single family *dwelling* measuring nine (9) meters (29.5 ft.) or more in length, constructed in a factory and transportable, manufactured in units and designed to be made mobile using its own wheels to the designated property and its permanent placement. It includes the septic installations in compliance with the standards of the responsible ministry. It can be installed on a concrete slab or a permanent foundation.

O

OCCUPATION, MIXED OR MULTIPLE

Occupation of a *building* or part of a *building*, by more than one different use.

OFF-ROAD

Located outside the lines of the *allowance* of a road.

OPENING

Any empty space or hole within the *construction*; arch, bay window, cat door, soffit (embrasure), window, wicket, opening, peep hole, dormer, bull's eye window, door, vent, trap-door, ventilators (vasistas), etc.

OWNER

Any person or persons or legal entity owning an immovable in whatever title.

P

PARALLEL ALIGNMENT

See Article 4.4 of the Zoning Bylaw # 264.

PARCELLING OF LOT

Division, subdivision, redivision, replacement of a parcel of land or lot, or original lot.

PARK AND PLAYGROUND

A parcel of land used for the purpose of or designated to recreation, relaxation, to sport and thus. This property is sometimes occupied by community equipment.

PARKING AREA

Space or a number of parking spaces including the access lanes leading to the parking spots.

PARKING SPACE OR SPOT

Space required for parking a licenced vehicle, the access lanes not being included.

PARKING SPACES

Exterior area of land where is provided and maintained individual parking spaces and passageways or circulating aisles.

PEDESTRIAN TRAILS

Public path reserved for the use of pedestrians.

PERMITS AND CERTIFICATES

Documents issued in virtue of the municipal by-laws by the designated officer. It is necessary to obtain a permit or a certificate to exercise a right when the request or the proposed project is conforming to the municipal by-laws of the Municipality.

PLANNING BY-LAWS

Legal tool to control uses, the *constructions*, the land occupation and the subdivision on the territory of the Municipality in compliance with the main guidelines provided in the Master Plan. They are the Master Plan, the Administration and Interpretation By-law, the Zoning By-law, the Subdivision By-law, the Construction By-law, the By-law regulating minor variances and the By-law regulating the Planning Committee.

PORCH

Projecting *construction* covered and/or enclosed, uninsulated and uninhabitable during the winter, and giving access to a *building*.

PREFABRICATED BUILDING

Building including cottages/houses and small sheds constructed offsite and moved to property for installation.

PROJECTION

Part of a *building* that protrudes from the *building* line of one of its walls.

PROPERTY

Ground surface area of an immovable. that could be constituted of one or many parts of lots, used or that could be used for a principal use and constituting a unique and same property.

PUBLIC BUILDING

Any building owned by a municipal, regional, provincial or federal government, or by any other government, as well as any building owned by school boards or church authorities, as well as buildings listed in the Public Building Safety Act.

PUBLIC UTILITY SERVICES

Shall include the public utility networks such as electricity, gas, telephone, aqueduct, sewer, and not limited to their accessory equipment.

R

RENOVATION

Intervention made to the *building* without increasing the *floor surface area* of the *building* or the *ground surface area* of the *building*.

RETAINING WALLS

Any wall built to retain or support an embankment.

RIGHT-OF-WAY (ROAD)

Surface area of a property, owned by a public or private entity, destined for the allowance of a road.

ROAD

Traffic lane of public or private property including street, avenue and crescent or a built in right of way.

S

SAND PIT (SEE ALSO EXTRACTION)

Any place where where mineral substances are extracted in open ground, including sand and gravel, for commercial, public or industrial purposes.

SAWMILL, ARTISANALE (SMALL SCALE)

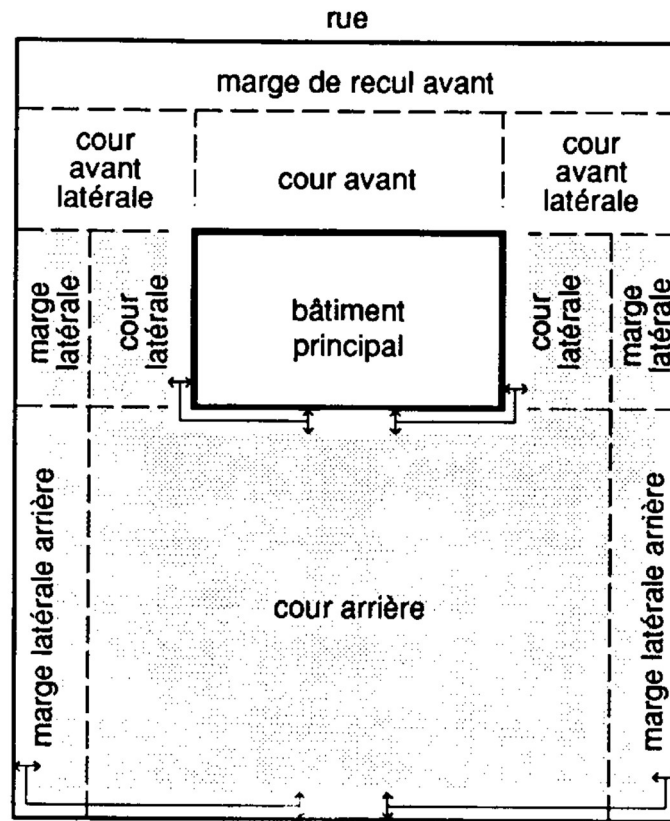
An area where logs are sawed for transformation into board, beams or girders using mechanically activated saws. The sawing operations can be performed inside or outside of the buildings. The artisanale sawmill can also plane the wood that it transforms. The total maximum surface area of any building related to a artisanale sawmill is of 2,500 square feet.

SETBACK

Prescription of the Planning By-law determining the minimum width of free space between the lot or the property lines. This minimum distance is prescribed in the Specifications Grid and determines the parallel

setback in relation to the rear, front and lateral lot lines. Also, see exceptions at article 4.4.7 of Zoning By-Law.

Sketch:



SHED

A shed is a “secondary building”.

SHORE

Strip of land bordering on lakes and watercourses that extends towards the interior of the land from the high water line. The width of the shore is measured horizontally. The shore has a minimum width of 15 meters when the slope to the lake or the watercourse is greater than 30% and the shore has a minimum width of 10 meters when the slope to the lake or the watercourse is less than 30%.

SIGN

Anything written, (including letter, word or number), any pictorial representation (including illustration, drawing, engraving, image or decor), any emblem (including slogan, symbol or trademark, any flag (including banner, banderole or pennant) or any other figure or similar characteristics which:

- is attached, or that is painted, or that is shown in any possible manner on a building or a construction and,
- is used to warn, inform, announce, advertise, publicize, promote, attract attention and,
- is visible from outside of a building.

SIGN (Surface area of a)

Surface area defined by a continuous line, real or imaginary, surrounding the extreme boundaries of a sign, to the inclusion of any material used to clear this sign from a background, but to the exclusion of the fasteners. When a sign carries a message or a symbol on two of its façades, the surface area is one of the two sides only. However, if the sign can be read on more than two sides, the surface area of each additional face is considered as one of a separate sign.

SIGN (Height of)

The height of a sign is the vertical distance between the ground at the site plan and the highest point of the sign. When the ground is at an inferior level than the level of the road, the height is measured from the level of the road.

SIGN, DIRECTIONAL

A sign that indicates a direction to follow to reach a destination.

SITE PLAN

A scaled drawing showing the existing and proposed constructions, including septic system and well and their respective setback. The levels, distances, surface area, etc. must be clearly indicated.

SOLARIUM

Covered and enclosed room outside of a building. Any solarium must respect the prescribed margins. Where a solarium is insulated and *habitable during the winter, it forms an integral part of the main building, and is therefore no longer considered a solarium.*

SPECIAL DISPOSITIONS

Prescription that makes exception to one or many general rules of application; constitutes or can constitute a subsidiary by-law in terms of the Loi sur l'aménagement et l'urbanisme.

STANDARD (general and minimum)

Planning prescription determining what should be done in a determined situation.

STEP

Small exterior staircase ending with a platform and giving access to the ground floor.

STRUCTURE – See Definition of Building

SUBDIVISION

Cadastral operation for which a lot is parceled in whole or in part according to the provisions of the Civil Code, creating an additional lot respecting the provisions of the Subdivision By-law and where a building permit could be issued for a main building.

SUBDIVISION PLAN

Plan prepared by a Land Surveyor illustrating a *cadastral* operation of a parcel of land into lots and/or in streets in accordance with the provisions of the present By-law. (Also refer to SUBDIVISION)

SURFACE AREA OF A LOT

Surface measurement of a lot included within its continuous boundaries.

T

TEMPORARY USES

Such events as Canada Day Celebrations, Horse Draws, Concerts, Circus, Carnivals, Fairs, Agricultural Fairs, Tournaments, Regatta, “and other temporary uses of the same nature.”

TRAILER

Full trailer (remorque), semi-trailer (semi-remorque) or recreation vehicle, , used or destined to be used as a temporary use for recreational purposes, , office, commercial or industrial establishment, that cannot become an immovable, meaning that can be towed by an automobile.

U

USE

The purpose for which an immovable, a building, a construction, an establishment, a room, a lot or one of its portions is used, occupied or designated.

USE, MIXED OR MULTIPLE

Authorized use of an immovable for two or many distinct purposes, corresponding to different uses. The mixed use is authorized in the zones where different category uses are identified in the Specifications Grid.

V

VERANDA

An open porch or portico, usually roofed, extending along the outside of a building. Any veranda must respect the prescribed margins. Uninsulated and uninhabitable during the winter, and giving access to a building.

W

WAREHOUSE

Building, structure or part of them to use and handle objects, equipment or materials.

WATERCOURSE

Water basin or permanent/intermittent waterflow inside a natural ground depression exempt from vegetation or with the presence of a predominance of aquatic plants.

ZONE

Identified in the Zoning By-law, the zone constitutes a portion of the territory of the Municipality defined in consideration of the uses and the constructions demonstrating certain compatibility.

ZONE, AGRICULTURE

In matters of zoning, the term is reserved exclusively to parcels of land located under the jurisdiction of the Loi sur la protection du territoire agricole du Québec (LPTAQ).

ZONING

Action of parceling the Municipality into zones, for the purpose of regulating the shape, the dimensions and the site plan of the constructions including their use and that of the properties. In compliance with the Planning By-Laws.

ZONING PLAN

Plan showing the division of the territory into zones for the purpose of regulating the Planning By-laws.

2.2 DEFINITIONS REQUESTED BY THE COMPLEMENTARY DOCUMENT OF THE MRC OF PONTIAC

ANNEX

Accessory structure or building attached to the main building and built on the same site as the latter; it aims at improving its usefulness, convenience and enjoyment.

BASAL AREA

Forest cover unit currently used in forestry during inventories and tree marking made with the help of a prism; residual basal area is this same unit used after a forest cut ; residual basal area is expressed in square metres per hectare.

In the case of a tree, a basal area is the area of the cross section at breast height of the stem ; in the case of a stand, the basal area is the sum of trees.

BREEDING FARM

Breeding building or feed area in which are kept animals and a structure or facility for the storage of farm fertilizers, or a group of several of these installations when each of them is not separated by a neighbouring one by more than 150 metres(492.1 ft.) and that is part of the same operation.

CAMPING

Site designated as such on a municipal zoning plan or in the land development plan of a regional county municipality.

CONGLOMERATE HOUSING

Building with several superimposed or adjacent dwellings served by separate entrances.

COTTAGE INDUSTRY

Category including activities and uses that have no impacts on the neighbourhood (noise, smoke, dust, odour, vibration, traffic, etc.) or on the quality of the environment; all operations are conducted indoors, no

storage is done outdoors and product is designed for commerce on the premises or locally.

DWELLING HOUSE

House properly speaking or place of residence on the farm of an area of at least 21 square metres that does not belong to the owner or operator of the breeding farm in question or by the stakeholder or manager.

EMBANKMENT:

Operation consisting in placing materials on top of the land in the purpose of proceeding with landscaping or to fill a cavity.

EXCAVATION

Operation consisting of digging or clearing the ground of which works are designed to change the natural shape of the land.

HEAVY INDUSTRY

Category including activities and uses for the processing of products with appreciable impacts on the neighbourhood and on the quality of the environment; outdoor storage is allowed.

LIGHT INDUSTRY

Category including activities and uses for assembly or processing of products with low impacts on the neighbourhood and on the quality of the environment ; moreover, most of the operations are completed indoors.

LIQUID MANAGEMENT

Method of management intended for manure made up mostly of animal excrements sometimes mixed with litter and a quantity of washing water ; manure is stored in liquid form and handled by pumping.

MARINA

Site designated as such on a municipal zoning plan or in the land development plan of a MRC.

MEDIUM INDUSTRY

Category including activities and uses related to the assembly and processing of products with moderate impacts on the neighbourhood and on the quality of the environment; outdoor storage is allowed.

MULTI-FAMILY HOUSING

Building with at least two dwellings with shared entrances and hallways.

OUTDOOR FEED AREA

Area outside of a building where animals are kept occasionally or continuously, where they are fed by food coming solely from outside that area.

PLOT

Piece of land made up of one or more distinct lots or of one or several parts of lot.

PRIVATE STREET

Any street not transferred to the municipality.

PROTECTED HERITAGE SITE

Heritage site acknowledged by a competent authority and that the community wants to protect.

PROTECTED IMMOVABLE

Business or recreation, sport or culture centre ;
Municipal park ;
Public beach or marina ;
Landed property of a learning establishment or of an establishment within the meaning of the Health and Social Services Act (R.S.Q., c. S-4.2) ;
Campground ;
Buildings in an open air base or nature interpretation centre ;
Chalet of a ski resort or of a golf club ;
Church ;
Summer theatre ;
Accommodation facilities, resort or youth hostel within the meaning of the Regulation Respecting Tourist Establishments ;

Vineyard or restaurant business with a year-round operation permit.

PUBLIC ROAD

Road designed to the traffic of motorized vehicles and maintained by a local municipality or by the Québec Ministry of Transport (MTQ), or else a bicycle way (bicycle path, bicycle strip, shared roadway).

PUBLIC STREET

Any thoroughfare, be it of federal, provincial or municipal property.

SINGLE-FAMILY HOUSING

Building with only one dwelling.

SOLID MANAGEMENT

Method of management intended for manure made up mostly of animal excrements and litter; manure is stored in solid form and handled with a loader.

STREET (PUBLIC OR PRIVATE)

Roadway designed mostly for the traffic of vehicles.

TRAILER CARAVAN

Licensed vehicle mounted on wheels used seasonally, or designed to be, as premises where individuals may live, eat and/or sleep, built to be towed by a motor vehicle.

URBANIZATION PERIMETER

Boundary provided for the future extension of the urban-type habitat in a municipality as established in the land development plan of the regional county municipality in that municipality, as well as any other boundary of this extension established by the regional county municipality after an amendment of the land development plan, except for any part of this extension that would be included in the agricultural zone.

CHAPTER 3 ADMINISTRATION OF THE PLANNING BY-LAWS

3.1 RESPONSIBILITY IN ISSUING PERMITS AND CERTIFICATES

The responsibility of issuing permits and certificates relating to the Planning By-laws belong to the municipal officer or officers designated to this effect by means of a resolution adopted by the municipal Council.

3.1.1 Duties of the designated officer

The designated officer or his assistant, duly authorised by Council, exercises, in relation to the municipal by-laws, the control and supervision of *constructions*, of uses and roads, and in this capacity, the following attributions are conferred upon him:

Administer and apply all of the sections of the Planning By-laws;

Supervise and control the design of roads, the subdivision, the land use;

Refer, if needed, any questions of interpretation or of the application of the Planning By-laws, to the legal advisor mandated by the Municipality; under authorization of Council.

Ensure a due process of all files relating to:

All requests pertinent to the enforcement of the present By-law;

All inspections and all tests;

All permits and the orders issued.

Keep copies of all documents pertaining to the administration of the present By-law. These documents will form part of the public files and the archives of the Municipality.

Advise the owner in writing when a construction is found to be in non compliance with the provisions of the Planning By-laws, by indicating in the notice:

- The reasons for the non compliance;
- The immediate measures to be performed following the date the notice is received;
- The permanent measures to be performed within a reasonable time frame following the date the notice is received;

The aforementioned notice can be hand delivered or if required, sent by registered mail or otherwise.

Revoke a permit:

- When one of the conditions for issuing the permit is not respected;
- When it was issued by mistake;
- When it was issued on the faith of false information.

Submit to the Planning Committee and Council any request relating to a minor exemption or a request for an amendment to the Planning By-laws. At the request of either one, he must supply all of the information required for the analysis of the file relating to the non conformance

When issuing a building permit, it must stipulate if the immovable is located in a land slide zone according to plan no. ZMM-01-01, originated by the Pontiac MRC.

3.1.2 Powers of the designated officer

The designated officer can:

At any reasonable hour, visit the premises and enter into any *building* constructed or being constructed to ensure that the provisions of the Municipal By-laws applicable in this particular case, are observed. The owners and the occupants must allow him to visit and offer any information necessary to his work;

In accordance with the provisions of the Planning By-laws regarding the necessity to give notice, deliver or have delivered to any owner, occupant or other person responsible for the premises or being found there, a notice prescribing to rectify a condition when he deems that this condition constitutes an infraction to the Municipal By-laws

Order any owner occupant or other person responsible for the premises, to suspend all occupation or all work in a *building* when the occupation use or the work contravenes to the Planning By-laws or when the *building* is deemed dangerous;

Extend the delay normally provided by the Planning By-laws for the renovation, the repair or demolition of a dangerous or deteriorated *construction*, by giving a special authorization when there is evidence that the work will be performed but valid reasons prevent the completion of the work within the prescribed time delays normally provided for in the Planning By-laws;

Require from the owner that he provide, at his cost the information or the proof deemed necessary to determine if the materials, equipment, devices, developments and interventions are in compliance with the requirements of the Municipal By-laws;

Order to cease the work and to correct the derogatory situation when the results of the tests mentioned in the previous paragraph are not satisfactory;

Issue any permit edicted in Chapter 4 for work which is in conformity with the present By-law and refuse any permit for work which is non conforming to the Planning By-laws;

Request of any owner, a certificate of location or a site plan prepared by an approved Land Surveyor to ensure the respect of the margins when the existing or proposed implantation appears to be non conforming or uncertain.

Order any owner occupant or other person responsible for the premises, to suspend or to proceed with certain corrective interventions, any occupation or all work in a *building* or on a property, when the occupation use or the work is deemed dangerous.

3.1.3 Interdiction

Whoever fails to respect an ordonnance or a notice issued by the designated officer, infringes the Planning By-laws.

No person can begin or continue work which is mentioned in the Planning By-laws unless the owner or his authorized representative has obtained a permit to this effect.

No person can proceed with work other than what forms part of the plans and specifications tabled and accepted during the delivery of the *construction* permit, without having first obtained the approval of the designated officer.

No person exercising an authority on the matter of *construction*, reconstruction, demolition, transformation, removal, relocation or

building occupation uses should cause, tolerate or maintain a dangerous condition.

No person can perform excavation work or others on public domaine either over, nor under it, and not erect or place a *construction*, any type of work or storage of any kind before having first received the written authorization from the designated officer.

No one can permit the modification of the property limits of a building lot or a constructed lot, in a manner as to cause the *building* or a part of the *building* to be in contravention of the Planning By-laws, unless to modify the *building* or the affected part, after having obtained the necessary permit ensuring that the modification of

the property limit or ground levels approved, do not entail any infraction.

Whoever knowingly provides false or misleading information contravenes the Planning By-laws.

3.1.4 The duties of the designated officer relating to the refusal of a permit

The designated officer must refuse a permit :

When the information provided fails to properly determine if the project is in compliance with the requirements of the applicable By-laws in kind;

When the information provided is false;

When this permit concerns work for a *construction* designated to a non authorized occupation use by the Zoning By-law;

When the *construction* constitutes an infraction to any other By-law.

The designated officer must advise any applicant of the contents of the Planning By-laws and the procedures relating to this By-law.

CHAPTER 4 DISPOSITIONS RELATING TO THE ISSUING OF PERMITS AND CERTIFICATES

4.1 GENERAL PROCEDURE FOR REQUESTING A PERMIT OR A CERTIFICATE

Any request for a permit or a certificate must be submitted in writing to the designated officer on the forms provided for this purpose by the Municipality. The request must include the documents required according

to the nature of the permit or the certificate. After the form is properly completed, the designated officer must:

Stamp and date all of the documents received;

Provide to the person acquiring the permit, or his representative if applicable, the information list and documents required whenever a request is deemed incomplete.

Determine the quality of the documents submitted. He can at his discretion request all of the details or information which he deems necessary to the comprehension of the request and to the control of the observance of the provisions of the Planning By-laws. It is the responsibility of the applicant or his representative to ensure his file is complete. Once the file is duly completed, the study of the compliance of the request will begin and the delay relating to the decision of issuing the permit will begin;

Study the conformity of the request to the provisions of the Planning By-laws or to any other Municipal By-law;

If the request is non conforming, prepare a report detailing in writing the reasons which render this request non conforming. This report is included with the permit request;

Deliver to the applicant within the maximum time period stated in the present By-law, either the requested permit if the application is conforming, or the reason for the refusal if the request is non conforming.

4.1.1. Delay for issuing permits

Within a delay of no more than thirty (30) days from the date when the request is deemed complete, the designated officer must issue the permit requested if the proposed work meets the requirements of the provincial and municipal sanitary authorities and of the provisions of the Municipal By-laws. If the request is refused, the

designated officer must, within the same time period, inform the applicant in writing of his justified refusal.

4.1.2 Possible recourse

If a request is refused, an applicant can choose one of the following avenues :

Proceed with a modification to the project;

Request a minor variance, in accordance with the applicable provisions of the By-law relating to minor exemptions;

Request an amendment to the Planning By-laws, in accordance with the procedures decreed at Article 1.9 of the present By-law.

4.2 BUILDING PERMIT

4.2.1 Obligation to obtain a building permit

General rule: Interventions requiring a building permit

No one can build a permanent or temporary *construction*, modify, make a structural repair, renovate, transform, whatever *construction* or a part of *construction*, install a prefabricated *building*, proceed with excavation work with the prospect of the *construction* or the installation of a *construction*, without having first obtained from the Municipality a permit for this purpose.

General rule: Interventions **not** requiring a permit

It is not however necessary to obtain a building permit for painting or for minor repairs necessary in the **normal maintenance** of the *constructions* (cornices, roofs, shingles, windows, doors, deck or *balcony* boards), when this work does not include any modification to the existing structure. Is also considered **normal maintenance** every interventions not modifying the structure of a *building*. EX. Changing the inside floor from carpet to hard wood, changing

shingles to tin, changing exterior type of finish like from vinyl to wood...

4.2.2 Contents of the request for a building permit

The request for a building permit must be submitted in writing on the official forms of the Municipality. On this request, duly dated, must appear the surname, name and residence of the owners or his authorized agent, the *cadastral* identification, the surface area and the lot dimensions, details pertaining to the proposed work, the estimated time frame for the completion of the work and the cost estimation for the *construction*.

When requesting a building permit for a main *building*, the request must include the documents mentioned at subsections 1 to 6.

In the case of a first *addition* or *extension* to a main *building* with a *floor surface area* of less than or equal to 18,6 m² or (200 square feet), either with an *extension* or an *addition*, the obligation to provide the documents mentioned at subsections 2,4,5 and 6, , is required.

In the case of a permit request for the *construction*, the *addition*, the reconstruction, the renovation or the modification of a public *building* as defined by the *Loi sur la sécurité dans les édifices publics*, specifically a *building*, with a surface area of 300 square meters and more, destined to commerce, to industry or to a public use, **must** include the plans and specifications signed and sealed by a member of the Order of Architects. Furthermore, the foundation work, carpentry, electrical or mechanical systems for which the costs exceed one hundred thousand dollars (\$100,000.00) or work of the same nature performed on a public *building* as defined by the *Loi sur la sécurité dans les édifices publics* requires plans and specifications signed and sealed by a member of the Order of Engineers of the province of Québec or possess a written approval from this Order to practice in the

province of Québec. The request must also include the documents mentioned at subsections 1 to 6.

In the case of a request for a building permit of a secondary *building*, the request must include the documents mentioned at subsections 2, 3 and 5.

In the case of a request for a building permit for an *addition* or a renovation to a main *building*, the request must include the documents mentioned at subsections 2 to 5.

In the case of a request for a building permit of an *extension* (increase of the *ground surface area*) to a main *building* of more than 18,6m² or (200) square feet),, this request must include the documents mentioned at subsections 1 to 6.

In the case of a request for a building permit of a main *building* on an agricultural property (LPTAQ), the request must include the documents mentioned at subsections 2 to 6. This type of request must also be furnish with a conditionnal approval by the CPTAQ.

- 1) A *cadastral* plan duly registered or a subdivision plan approved by the designated officer in accordance with article 5.4 of Subdivision By-Law 265 including a letter from a Land Surveyor attesting that the plans and official register were forwarded to the ministry

responsible for the registration, this work also entails installing survey marker on the land;

- 2) A proposed site plan, completed by the applicant of the permit or by a Land Surveyor:

This plan must indicate :

The location of the proposed *building*;

The location of the existing *buildings, constructions*, structures and septic installations;

The location of water courses;

The surface area, the dimensions, the shape and *cadastral* identification of the lot;

The adjacent roads;

The natural high water lines;

The *driveway* and the parking area;

The well(s);

The high voltage electrical power lines;

The set-back margins;

The distance between the elements mentioned above.

- 3) The plans prepared by an architectural technologist or a representative or by the applicant of the permit – must show: elevations, sections, details and specifications demonstrating a clear picture of the *construction* project and of its occupation use – are required. These plans must be drawn to scale.

- 4) A plan of the septic installation prepared by the designated officer or by an engineer or by a technologist competent in this matter and member of a recognized corporation. The designated officer, if he deems a situation too complex, can decide not to prepare the plan of the septic installation and request from the applicant to have the plan prepared by an engineer or a technologist competent in this matter and member of a recognized corporation. This report plan must ensure the conformity of the proposed installation in relation to the applicable by-law governing these installations.

In certain cases, the plan of the septic installation must be analysed by the Ministère de l'environnement et de la Faune (MEF). Therefore, the authorisation of the MEF must be tabled at the Municipality.

When there is the *addition* of bedrooms to the *building*, it is necessary before issuing the permit to obtain a report or an attestation from

an engineer or a technologist competent in the matter and member of a recognized corporation or by the designated officer for the approval of the conformity of the septic installation. The designated officer, if he deems a situation too complex, can decide not to prepare this report or this attestation and request from the applicant to have these documents prepared by an engineer or a technologist competent in the matter and member of a recognized corporation.

- 5) An evaluation of the probable costs for the work.
- 6) A plan in accordance with the provisions of Article 4.11 of the Zoning By-law No. 264, in a situation where the lot targeted by this request presents risks relating to landslides according to plan no. ZMM-01-01, originated by the Pontiac MRC.

The Municipality is obligated to provide a receipt to the applicant of the building permit request.

4.2.3 Conditions for issuing the building permit

The designated officer issues a building permit if:

The request is conforming to Planning By-laws and to the present By-law;

The request includes all plans and documents requested by the present By-law;

The cost for obtaining the permit has been paid;

The lot on which must be erected each proposed main *building*, or an *extension* with a *ground surface area* of more than 61 m² (or 200 square feet), has received a subdivision permit. The land on which any projected main structure is to be erected, excluding its dependencies in the case of an existing main construction, must form one or several distinct lots on the official cadastral plans in conformity with the subdivision standards or, if they do not conform with these standards, are protected by acquired rights, or the land must be described in a deed when it is located in territories without original surveying. In the case of work performed on a *building* and which does not increase the *ground surface area* and in the case of the construction of a secondary *building*, the condition to having received a subdivision permit, and therefore having the

property on which the intervention is done cadastered, is not compulsory.

The lot on which must be erected the *construction* is adjacent to a public or private street, a public or private road or an existing *allowance* before the coming into force of the present By-law;

In the case of the *addition* of one or more bedrooms to an existing main *building*, the request must include:

A report from the designated officer or an engineer or a technologist competent in the matter and member of a recognized corporation, indicating that the existing septic installation is suitable to receive the proposed *addition* designated in conformity to the applicable By-law to this effect. The designated officer, if he deems a situation too complex, can decide not to prepare the plan of the septic installation and request from the applicant to have the plan prepared by an engineer or a technologist competent in this matter and member of a recognized corporation. This report plan must ensure the conformity of the proposed installation in relation to the applicable by-law governing these installations.

In the case where the septic installation is not suitable to receive the proposed *addition*, a report from the designated officer or an engineer or a technologist competent in the matter and member of a recognized corporation, is required. This report, prepared and signed by this person, demonstrates the capacity of the septic installation to be compliant.

The plan for the supply of drinkable water and purification of wastewater for the structure to be erected on the land must be in conformity with the Regulation on the evacuation and treatment of wastewater from isolated dwellings (R.S.Q., c. Q-2, r.8) or with a plan approved in accordance with the Environment Quality Act (R.S.Q., c. Q-2), or water and sewer systems being the subject of an authorization or permit according to law must be installed on the street or road along which the structure is projected or the law ordering their installation must be in force

The proposed *construction* is conforming to the provisions stipulated in the Zoning By-law.

The *construction* in an agricultural zone erected by virtue of a right, a privilege or an authorization conferred by the Loi de la protection

du territoire agricole (LPTAQ). The *constructions* are exempted from conforming to paragraph 1 of [Article 4.2.2](#).

4.2.4. Modifications to the plan

The permit applicant is required to submit to the designated officer the modifications to the plan, when applicable, to render the site plan and/or the *construction* plans conforming to the Planning By-laws. Issuing of the building permit will be postponed insofar as the appropriate modifications have not been done.

4.2.5 Validity of the permit

The permit is valid for a period of twelve (12) months. Any permit becomes null and void:

If a person having committed an infraction to the Planning By-laws and to the present By-law fails to conform to the notice which was issued to him by the designated officer.

If the *construction* has not started within six (6) months from the date the permit was issued.

The permit can be renewed, for a six (6) month period.

4.2.6 Posting of the permit

The permit authorizing the *construction*, the modification, the repair, the demolition or the relocation of whatever *building* must be

located in a visible area for the duration of the work, and on the lot where the work is being performed.

4.3 AUTHORIZATION CERTIFICATE FOR THE USE OF A PROPERTY

4.3.1 Obligation to obtain an authorization certificate for the use

Any person wishing to proceed with a modification to the use or intended use of a property, in total or in part, must beforehand, obtain from the designated officer an authorization certificate for the use attesting to the conformité of the use in relation to the Zoning By-law.

Furthermore, any person for whom a modification project to the use for a property, in total or in part, implies a *construction* project, a transformation, an *addition* or a repair, is also required to obtain a building permit.

4.3.2 Contents of the request for an authorization certificate for the use

Any request for an authorization certificate for the use, must be submitted in writing, on the official forms of the Municipality. In the case where the proposed use may have an incidence on the structure of the *building*, the request must include the documents or the plans drawn to scale, showing the existing uses of the *building* and those subjected to the request and including the payment of the certificate. These documents or plans must be prepared by a technologist or an architect when required by the Loi sur les architectes, *for example changing the use of a residence to a pool hall*. In the case where the proposed use may have an incidence on the septic installation, the request must include the documents prepared in accordance with the provisions

of [Article 4.2.2](#) (subsection pertaining to septic installations) of the present By-law.

4.3.3 Conditions for issuing the authorization certificate for the use

The authorization for a modification to the use of a property is subjected to a verification of the compliance to the proposed use and the uses permitted in the Zoning By-law.

4.3.4 Caducity of the authorization certificate for the use

The certificate is null and void if the use for which it was intended is not in force within the twelve (12) months from the date the certificate was issued.

Following this delay, the applicant must submit a new request in accordance with the provisions of the By-law in force. The amount paid for the original certificate is not refundable.

4.3.5 Special dispositons regarding Complementary uses

The authorization certificate has to be renewed every year.

4.4 RESPONSIBILITY AND OBLIGATIONS OF THE APPLICANT FOR A PERMIT OR A CERTIFICATE

4.4.1 General rule

Issuing of a permit, the approval of plans, the inspections performed by the designated officer will not relieve the owner of a *building* or a property of his responsibility to perform the work or to have the work performed in accordance with the prescriptions of the present By-law and the By-laws and Laws which apply in kind.

4.4.2 Responsibility of the owner

The owner is fully responsible to perform or have performed all of the *construction* work in accordance with the provisions of the Planning By-laws and in compliance to the information and/or the plan which the applicant has submitted to the Municipality during

the request for the permit. It is not permitted to start any work before a building permit or certificate is issued.

Any owner must:

Obtain all permits or authorizations relating to the proposed work;

Perform the work in full compliance with the plans and documents approved without making any modification unless it has been approved beforehand, in writing, by the designated officer;

Permit the designated officer to access, at any reasonable time, any *building* or premises, in order to ensure the respect of the Planning By-laws;

Ensure that the permit is posted and clearly visible in the work area and for the duration of the work project;

Perform or have performed at his costs the tests and necessary inspections to prove that the work is in conformity with the requirements of the Planning By-laws. He must forward to the designated officer, copies of all of the test and inspection results;

Provide the designated officer with a recent certificate of location showing the location of the *building*, when deemed necessary by the designated officer.

At the request of the designated officer, uncover and replace at his cost any work having been covered contrary to an order from the designated officer;

Pay the repair of all damages caused to public domain or to work located on the public domain that could occur because of work for which a permit is required according to the terms of the present By-law;

At no time, avoid the requirements of the present Planning By-laws or the conditions of the permit or certificate or to omit work required

before having obtained, beforehand, the written authorization from the designated officer.

Ensure that no excavation work or other is performed on municipal property, that no *building* is constructed and that no material is stored before the designated officer has given his written consent.

4.4.3 Inspection

When the work for which a permit was issued has progressed sufficiently or in the case of a permit issued for the *construction* of housing *unit*, which is occupied or livable, the permit applicant must inform the designated officer, so he can:

Assure himself of the compliance of the work in relation to the municipal by-laws in force;

Inform the M.R.C. to proceed with the inspection of the work in order to modify, if necessary, the assessment roll.

4.5 DEMOLITION PERMIT

4.5.1 Obligation to obtain a demolition permit

Any person wishing to demolish a *building* must first obtain a permit to this effect.

4.5.2 Contents of the request for the demolition permit

The request for a demolition permit must be submitted in writing on the official forms of the Municipality. This request, duly dated, must show the surname, name and place of residence of the owner or of his authorized agent, the *cadastral* identification of the lot, the

details of the proposed work, the estimated time frame for the work.

The application form for the demolition permit must include the following information:

A site plan showing the *constructions* to be demolished and those to be preserved, and if applicable, the well, the septic tank, the weeping field.

4.5.3 Conditions for issuing this permit

The request includes the information required at Article 4.5.2;

The cost for obtaining the permit has been paid;

The owner commits in writing to empty the septic tank, to fill in the foundation, to fill in or remove the septic tank, pool and surface well or to proceed with any intervention which could be required to render the property secure.

4.5.4 Validity of the demolition permit

The demolition permit is valid for a maximum period of one (1) month from the date the permit was issued.

A demolition permit is not renewable.

4.6 RELOCATION OF A MAIN BUILDING

4.6.1 Obligation to obtain a permit authorizing the relocation

Any person wishing to relocate and install a main *building* or whatever *building* on a lot, from one lot to another lot or from outside the

Municipality to within the Municipality, must first obtain a permit to this effect from the designated officer.

4.6.2 Contents of the request for a relocation permit

The request for a relocation permit must be submitted in writing on the official forms of the Municipality. The application form of a relocation permit of a main *building* being established within the

municipal boundaries must include the following documents and information:

The name of the owner of the main *building* to be relocated;

The name of the person or the company responsible for the relocation;

A clear and recent photo, less than one (1) month old, of the different façades of the main *building* to be relocated;

The lot number where the main *building* will be located;

The type of main *building*, the present occupation use and the future use;

4.6.3 Conditions for issuing the permit

The designated officer issues a relocation permit if:

The request is conforming to the Planning By-laws and to the present By-law;

The request includes all plans and documents required by the present By-law;

The cost for obtaining the permit has been paid;

Concrete *foundations*, beams or posts designed to support this *building* have been erected at the new location;

For any relocated *construction* requiring modifications or repairs, a building permit has been requested and issued prior to the relocation.

4.6.4 Validity of the relocation permit

The relocation permit is valid for a period of one (1) month from the date the permit was issued.

4.7 PERMIT TO POST A SIGN

4.7.1 Obligation to obtain a permit to post a sign

Whoever wishes to erect, extend, modify, relocate, install, a sign or an advertisement board within the territory of the Municipality, must first obtain from the designated officer a permit to this effect in accordance with the provisions of the Planning By-laws.

4.7.2 Request for a permit to post a sign (procedure)

The permit request must be submitted in writing to the designated officer, on the forms provided for this purpose by the Municipality. This request must include the following documents and information:

The surname, name and address of the owner of the property where the sign will be located;

A sketch of the sign drawn to scale showing:

Its size, its surface area, its height, the materials used and its location.

4.7.3 Conditions for issuing a permit to post a sign

A permit to post a sign cannot be issued unless it meets all of the provisions of the present Planning By-laws.

CHAPTER 5 COST OF PERMITS AND CERTIFICATES

5.1 LIST OF COSTS

Cost of the permits:

New Construction (Dwelling)	\$ 200.00
New Construction, Well & Septic	\$ 200.00
Septic System	\$ 100.00
Renovations-(Structural Changes)	\$ 50.00
Transformation into Dwelling	\$ 75.00
Construction, transformation, additions to commercial, industrial, institutional, agricultural buildings	\$1.00/\$1,000. Estimated (cost) Min. \$25.00
Accessory Building	\$ 50.00
Renewal of Permit	50% of original cost of permi

Other Renovations	\$ 50.00
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Sub-division Permits:

Basic Fee	\$ 250.00
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Additional Lots:

Residential	\$ 50.00
Commercial, industrial, agric.	\$ 50.00

Certificate of Authorization:

Repair Shorelines	\$ 50.00
Fence - Urban Areas	\$ 30.00

Demoliton:

Commercial, Industrial, Institutional, Residential, Agricultural Buildings	\$ 50.00
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Moving:

Residential or Agricultural.	\$ 50.00
Commercial, Industrial, and Institutional	\$ 50.00

Miscellaneous:

Well	\$ 50.00
Poster, Sign	\$ 50.00
Change of Use	\$ 50.00
Swimming Pools	\$ 75.00
<i>Zoning Change</i>	<i>\$ 250.00</i>
<i>Temporary Event</i>	<i>\$ 50.00/day</i>
<i>Minor Variance</i>	<i>\$ 300.00</i>

CHAPTER 6 RECOURSE AND SANCTIONS

6.1 CONTRAVENTIONS TO THE PLANNING BY-LAWS

When whoever contravenes the provisions of the Planning By-laws, the designated officer must :

Order the work or the use to be suspended;

Inform the owner in writing, by giving him instructions regarding the contravention;

When the offender fails to respond to the notice within forty-eight (48) hours, the designated officer must undertake the necessary procedures in order to terminate the work or the use.

6.2 RECOURSE

When an offender refuses or neglects to conform to an order issued by virtue of Article 6.1, the competent authority can address a request to the Superior Court in accordance with the [Provincial Planning Act](#). to:

Order the work and uses non conforming to the present By-law, to cease;

Order, at the owner's expense, the performance of the required work to render the use conforming to the Planning By-laws or, in the absence of other useful alternatives, the demolition of the construction or return the property to its original state;

Authorize the Municipality to perform the required work or the demolition or to return the property to its original state, in default by the owner of the building or the property, to proceed within the prescribed delay and to

recover from the owner the costs incurred by means of a lien against the property, registered on the property tax;

When the owner omits to post the permit(s) or certificate(s), the costs relating to the verification are at the owner's expense;

Any offender is also subjected to, in addition to the sanctions provided by the Planning By-laws, to all recourses or sanctions provided by the Laws and By-laws in force in the Municipality of Bristol.

6.3 SANCTIONS

Upon sentencing by the Municipal Court of the offender or of whoever has failed to conform to the Planning By-laws.

Each day during which an infraction to the Planning By-laws is allowed to continue or persists, constitutes a distinct and separate infraction. The offender is subject to:

A fine of three hundred (\$300.00) dollars plus fees;

Failing to pay the fine and the fees, the offender is subject to a prison term not exceeding three (3) months.

6.4 RECOURSE OF CIVIL LAW

Notwithstanding the recourse by penal legal action, the Council could exercise, before the civil jurisdiction tribunals, all recourses of civil law

necessary to ensure the respect of the provisions of the Planning By-laws.

CHAPTER 7

7.1 ABROGATIVE DISPOSITION

The present By-law abrogates all regulatory provisions of same and more specifically By-law number 203 and its amendments.

CHAPTER 8

8.1 EFFECTIVE DATE

The present By-law will come into force following the accomplishment of all formalities provided by the Law.

GIVEN AT BRISTOL, QUEBEC this 14th day of September, 2004.

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Jack Graham,
Mayor

.....
Keith Emmerson,
Secretary-Treasurer

Adoption date of the Draft By-law: March 1, 2004

Adoption date of the By-law: September 14, 2004

Reception date of conformity certificate : February 9, 2005