



***PERMITS AND CERTIFICATES
BY-LAW***

NUMBER 1004

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CHAPTER 1
DECLARATORY AND INTERPRETATIVE PROVISIONS

DIVISION 1 DECLARATORY PROVISIONS

SECTION 1 TITLE OF THE BY-LAW

This By-law bears the title “Permits and Certificates By-law No. 1004 of the Town of Hampstead”.

SECTION 2 INTERACTION OF THE BY-LAW

This By-law is an integral part of the urban planning By-laws and is thus interconnected with the other urban planning By-laws adopted by the Town under the *Act respecting Land use Planning and Development (c. A-19.1)*.

SECTION 3 INTEGRITY OF THE BY-LAW

The title page, preamble, table of contents and schedules are an integral part of the By-law.

SECTION 4 PURPOSE OF THE BY-LAW

This By-law sets out the regulations on the issuance of permits and certificates and the terminology for the implementation of urban planning By-laws.

SECTION 5 REPEALED BY-LAWS

This By-law repeals and replaces in its entirety, for all intents and purposes, By-law 730 and its amendments, as well as any earlier By-laws and By-law provisions relating to permits and certificates.

This repeal does not affect proceedings instituted under the authority of the By-laws so repealed, up to final judgment and execution.

This repeal does not affect permits legally issued under the authority of the By-laws so repealed, nor the acquired rights from before the coming into force of this By-law.

SECTION 6 AREA SUBJECT TO THE BY-LAW

This By-law applies to the territory of the Town of Hampstead.

SECTION 7 PERSONS SUBJECT TO THE BY-LAW

All individuals and corporations under public or private law are subject to this By-law.

SECTION 8 ENFORCEABILITY

The Council is adopting this By-law in its entirety, chapter by chapter, division by division, section by section, clause by clause, paragraph by paragraph, subparagraph by subparagraph and subsection by subsection, so that should a chapter, division, section, clause, paragraph, subparagraph or subsection of this By-law be declared null and void by an authorized body, the remainder of the By-law shall continue to apply, insofar as possible.

SECTION 9 LAWS AND REGULATIONS

Nothing in this By-law shall be construed as absolving the obligation to comply with the laws and regulations of the provincial or federal government or other municipal By-laws.

SECTION 10 REFERENCES

Any reference in this By-law to another By-law, law or standard shall be open, meaning that it shall extend to any amendments made to such By-law, law or standard subsequent to the entry into force of this By-law.

SECTION 11 COMING INTO FORCE

This By-law shall come into force according to the law.

DIVISION 2 INTERPRETATIVE PROVISIONS

SECTION 12 PRINCIPLE OF INTERPRETATION

The text of the **By-law** should be interpreted in light of the provisions of the *Interpretation Act (c. I-16)*. Furthermore, headings, tables, sketches, diagrams, charts, symbols and other forms of expression contained in the **By-law** aside from the actual text are an integral part of the **By-law** for all intents and purposes. In the event of a contradiction between the headings, tables, sketches, diagrams, charts, symbols and other forms of expression and the actual text, the text shall prevail.

SECTION 13 UNITS OF MEASURE

All measures in this **By-law** are given in the International System of Units. Whenever there is a discrepancy between a number as written out in letters and its indication in numerals, the written number shall prevail. Furthermore, if there is a discrepancy between a measure given in International System (metric) units and Imperial units (feet, inches), the International System shall prevail.

SECTION 14 CONFLICTING PROVISIONS

In case of conflict between two provisions in this **By-law**, or between this **By-law** and another **By-law**, the specific provision shall prevail over the general provision.

When a restriction or a prohibition prescribed by this **By-law** or any of its provisions conflicts with, or is inconsistent with, another **By-law** or another provision of this **By-law**, the more restrictive or prohibitive provision shall apply, unless otherwise indicated.

SECTION 15 RULES OF PRECEDENCE FOR PROVISIONS

Unless otherwise indicated, the following rules shall apply to this **By-law**:

1. In case of a discrepancy between the text and a title, the text shall prevail;
2. In case of a discrepancy between the text and any other form of expression, the text shall prevail;
3. In case of a discrepancy between the French and English versions, the French version shall prevail.

SECTION 16 TERMINOLOGY

Unless the context dictates otherwise, the words or expressions defined in Schedule A to this **By-law** shall have the meaning given to them by the corresponding definition. .

CHAPTER 2

ADMINISTRATIVE PROVISIONS

DIVISION 1 DECLARATORY PROVISIONS

SECTION 17 APPLICATION OF THE BY-LAW

The application of this By-law is entrusted to any person duly authorized by the Council to act in that capacity, hereinafter referred to as the “designated official”. Otherwise, this responsibility rests with the director general of the Town.

The designated official may also be any other person designated by the director general of the Town to perform any or all of the duties provided for in this By-law with legal authority.

SECTION 18 RESPONSIBILITIES OF THE DESIGNATED OFFICIAL

The designated official is generally responsible for the administration and enforcement of all the urban planning By-laws adopted by the Town under the *Act respecting Land use Planning and Development (c. A-19.1)*. Without limitation, the designated official shall have the following responsibilities:

1. Receiving permit or certificate requests relating to the Town’s urban planning By-laws;
2. Issuing, rejecting or suspending permits or certificates relating to the Town’s urban planning By-laws;
3. Conducting inspections relating to the Town’s urban planning By-laws;
4. Ensuring the enforcement of all provisions relating to the Town’s urban planning By-laws.

SECTION 19 POWERS OF THE DESIGNATED OFFICIAL

Without limiting the powers conferred to the designated official by the laws governing towns, the designated official shall have the following powers:

1. Ensuring the enforcement of the By-laws for which he or she is responsible;
2. Visiting, examining or inspecting any immovable or movable property as well as the exterior or interior of any building to ensure compliance with the Town’s By-laws;
3. When necessary, being accompanied by any relevant person, and the owners, tenants or occupants of the sites visited, who shall admit him or her and answer his or her questions;
4. Issuing permits or certificates in accordance with this By-law, or refusing to issue permits or certificates that do not comply with municipal By-laws;
5. Issuing notices to owners, tenants, occupants or any other persons requiring the rectification of any situation that is dangerous or that constitutes an infraction against the By-laws that are his or hers to administer and apply;
6. Issuing statements of offence for infractions against the By-laws that are his or hers to administer and apply;
7. Ordering the temporary evacuation of any building that could pose a threat to human life;
8. Ordering the execution of any work he or she deems necessary for the safety of buildings and people;
9. Ordering the fencing off of a landsite with an excavation or conditions that endanger public safety;
10. Closing, for as long as a dangerous situation persists, a sidewalk, street or part of a street;
11. Ordering owners, tenants, occupants or any other persons to suspend dangerous work or the exercise of a use that contravenes this By-law;
12. Taking all necessary measures to stop the construction, occupancy or use of part of a lot, landsite or building;
13. Requiring permit or certificate applicants to provide all additional information and documents needed to establish that their request complies with the Town’s urban planning By-laws, including technical reports, tests and trials;
14. Inspecting work for which a permit or certificate of authorization was issued in order to establish whether it conforms to the plans and specifications;
15. Inspecting an existing structure as required to enforce any given By-law;
16. Requiring that tests be conducted on materials, devices, construction methods, structural and functional elements for construction or the condition of the foundations;
17. Requiring that work be suspended where the results of the tests do not show compliance with the

provisions of this By-law;

18. Prohibiting the construction of any structure that fails to meet resistance standards and suspend the erection of any structure that does not comply with this By-law or the conditions set out in the building permit;
19. Ordering the offender to cease all work that contravenes the urban planning By-laws and requiring the rectification of any situation constituting an infraction against the urban planning By-laws. For this purpose, he or she may require the restoration of a site within a set time period.

SECTION 20 DUTIES AND RESPONSIBILITIES OF THE BUILDING OWNER OR OCCUPANT

The owner or occupant of a building shall:

1. At any reasonable hour, allow the designated official to visit, examine, inspect, take pictures of or film, or take samples, measurements or dimensions of any moveable or immovable property, as well as the interior or exterior of a building or structure, for verification or inspection purposes in connection with the enforcement of or compliance with By-laws;
2. Admit the designated official, avoid hindering the performance of his or her duties and answer his or her questions regarding the application of the urban planning By-laws;
3. Comply with all of the Town's urban planning By-laws.

SECTION 21 OBLIGATION OF THE OWNER OR PERSON PERFORMING WORK

No person shall work on a project or authorize or allow the undertaking of a project requiring a permit or a certificate unless a valid permit or certificate has been issued for the work. All persons must:

1. Obtain a valid permit or certificate prior to the undertaking of any work for which a permit or certificate is required;
2. Provide the designated official with all the required documents and information and fill out the appropriate forms;
3. Promptly pay all of the fees required to obtain a permit or certificate;
4. Provide an up-to-date survey of the location of the building(s) on a landsite prepared by a land surveyor when required to do so by the relevant authority;
5. Notify the relevant authority, in writing, before undertaking any work, of the name, address and telephone number of:
 - a. The contractor and any other person performing the work;
 - b. The inspection or testing agency selected to monitor the work, where applicable;
6. Provide written notice of any change in, or termination of, employment of persons during the course of the construction as soon as such change or termination occurs;
7. Notify the relevant authority of:
 - c. The date he or she intends to undertake the work;
 - d. The date that he or she intends to cover work that must be inspected before being covered, such as the backfilling of foundations and the cladding of walls;
 - e. The work completion date so that a final inspection can be made;
8. When required by the relevant authority, owners must, at their own expense, uncover and restore any work that has been covered contrary to an order issued by the relevant authority;
9. Post, in a visible location that is legible from the street, any permit or certificate on the premises for which the permit or certificate was issued for the duration of its validity:
 - f. Posting an expired permit or certificate is prohibited;
 - g. A permit or certificate that expires prior to the completion of the work must be renewed;
10. Keep a copy of the approved plans and specifications on the premises for the duration of the permit or certificate, where applicable;
11. Perform the work in accordance with the permit or certificate as well as the applicable laws and By-laws. No person may undertake work that does not comply with the conditions set out in the permit or certificate requirements or statements made;
12. Obtain the approval of the designated official for any amendment to a request before undertaking said amendments;
13. Give prior notice to the designated official before undertaking any work requiring inspection or authorization;
14. Obtain a certificate from the relevant authority for excavation or storage on or the use of public property;
15. Bear the costs of repairing any damage to public property or structures located thereon, resulting from work for which the permit was required;

16. Ensure, at all times, that construction safety requirements are met and that there are no unsafe conditions arising from uncompleted work or other circumstances;
17. At any reasonable hour, allow the relevant authority to enter any building or premises to administer and apply the provisions of this By-law and other By-laws that are his or hers to administer and apply;
18. Conduct, or have conducted, at his or her own expense, and tests or inspections required by the relevant authority to establish compliance with the Building By-law any other applicable By-law, and promptly file a copy of the results of such tests and inspections with the relevant authority;
19. Notify the Town, in writing, in the event that a building is sold while work is underway. An addendum must then be added to the building permit or certificate of authorization in which the new owner agrees to comply with all of the clauses and conditions that are an integral part of the construction permit or certificate of authorization issued by the Town to the original owner or applicant. This addendum does not extend the duration of the permit or certificate.
20. **Respect the order to cease all work asked by the designated official in virtue of section 19 of the present By-law. The owner or any person performing the work must immediately cease the work until further notice**

(1004-1, Sec.1, 1/16/2018)

SECTION 22 WORK REQUIRING A PERMIT OR CERTIFICATE

The following table shows whether a permit or certificate is required based on the type of work conducted.

Table 1 – Work requiring a permit or certificate

<i>Type of work</i>	<i>Subdivision permit</i>	<i>Building permit</i>	<i>Certificate of authorization</i>	<i>Certificate of occupancy</i>
<i>Cadastral operation</i>	X			
<i>Sale of a landsite parcel</i>	X			
<i>New building</i>		X		
<i>Work affecting the structure of a building</i>		X		
<i>Work affecting the exterior appearance of a building</i>		X		
<i>Work on private water or sewer lines</i>		X		
<i>Work relating to plumbing systems</i>		X		
<i>Work relating to electrical systems</i>		X		
<i>Environmentally responsible construction or renovation projects</i>		X		
<i>Demolition of a structure</i>			X	
<i>Displacement of a structure</i>			X	
<i>Installation or modification of a sign</i>			X	
<i>Change of use</i>				X
<i>Garage sale</i>			X	
<i>Use of the public right-of-way</i>			X	
<i>Installation or modification of a swimming pool, spa or artificial water basin</i>			X	
<i>Installation or modification of a fence, hedge, decorative low wall or retaining wall</i>			X	
<i>Tree felling</i>			X	
<i>Landsite development (including landscaping, backfilling and excavation)</i>			X	
<i>Installation of mechanical equipment or tanks</i>			X	
<i>Installation of a private antenna</i>			X	
<i>Installation of a geothermal system</i>			X	

Installation of solar panels			X	
Work exceeding \$2,000 that does not require a building permit			X	

SECTION 23 ADDITIONAL WORK ON A SINGLE BUILDING PERMIT

When a building permit is required for an extension with a surface area of less than 40 square metres and work requiring a certificate of authorization is performed at the same time, the work requiring a certificate may be included in the building permit, in which case a separate certificate of authorization is not required.

All documents required for such work must nevertheless be filed with the permit request, and the work must be specifically authorized in the building permit before being undertaken.

SECTION 24 OFFENCES AND PENALTIES

Any person who contravenes or allows the violation of a provision of this By-law is guilty of an offence and, for each day that the offence continues, is liable to a fine of:

1. A minimum of \$1000 and up to \$2000 if the offender is an individual, or a minimum of \$2000 and up to \$4000 if the offender is a corporation, for a first offence;
2. For subsequent offences, a minimum of \$2000 and up to \$4000 if the offender is an individual, or a minimum of \$4000 and up to \$8000 if the offender is a corporation.

(1004-1, Sec.2, 1/16/2018)

Failure to pay the fine imposed and related costs shall render the offender liable to a seizure of available assets.

If the offence is continuous, this continuity shall constitute, day by day, a separate offence, and the penalty decreed for that offence may be imposed for each day that the offence continues.

Any person who fails to comply with an order or notice from the relevant authority or allows an offence to continue shall be in breach of this By-law.

In all cases in which a fine or a fine plus related costs has been incurred by a corporation, association or society recognized by law, such fine or fine plus related costs may be levied by the seizure and sale of the goods and effects of said corporation, association or society in virtue of a writ of execution issued by the municipal court.

The seizure and sale of goods and effects shall be conducted in the manner prescribed for seizure and execution in civil matters.

In order to enforce this By-law, the Town may resort to any other remedy, whether civil or legal in nature, concurrently or alternatively with the remedies provided for under this By-law and, without limitation, the Town may resort to all other remedies provided for under Sections 227 to 233 of the *Act respecting Land use Planning and Development (c. A-19.1)*.

SECTION 25 PROXY

If a permit or certificate applicant or his or her authorized representative is not the owner of the immovable or movable property mentioned in the request, a written proxy signed by the owner and authorizing the request or work in question must be included in the request.

In the event of co-ownership, both a resolution authorizing the work and a resolution designating a person as the representative of the co-owners, issued by the administrators, are required.

SECTION 26 INCOMPLETE OR INACTIVE PERMIT OR CERTIFICATE REQUEST

In the event that an applicant does not complete the permit or certificate of authorization request within 30 days or that the file is deemed inactive for a period of more than 30 days, the request will be deemed null and void and the applicant will have to submit a new permit or certificate of authorization request.

SECTION 27 DURATION OF PERMITS AND CERTIFICATES

Permits and certificates of authorization are valid for a maximum period of twelve (12) consecutive months from their date of issue. *For the construction or addition of a single-family, bi-family, multifamily home, or a building for use as a place of worship, the maximum period is twenty-four (24) months if the total floor area is more than 100m².*

(1004-11, Sec.1, 17/7/2024)

SECTION 28 PERMIT AND CERTIFICATE RENEWALS

A permit or certificate of authorization can be renewed upon presentation of a written request by the applicant along with a schedule of the work and the payment of all fees listed in the By-law Concerning Tariffs. A renewed permit or certificate will have a maximum validity period of twelve (12) consecutive months from its date of issue.

SECTION 29 APPROVAL OF AMENDMENTS SUBSEQUENT TO THE ISSUANCE OF A PERMIT OR CERTIFICATE

The approval of amendments to submitted plans by the designated official shall not extend the duration of the permit or certificate.

SECTION 30 CANCELLATION OF A PERMIT OR CERTIFICATE FOR WORK THAT HAS NOT STARTED OR HAS BEEN INTERRUPTED

A building permit and certificate of authorization shall be deemed null and void if no work has been undertaken within six months of its date of issue. A permit or certificate of authorization shall automatically become null and void if work is interrupted for a period of more than six months.

SECTION 31 ERRONEOUS DOCUMENTS AND FALSE INFORMATION

A permit or certificate of authorization shall be deemed null and void if issued on the basis of the presentation of erroneous documents, a false declaration or false representation.

SECTION 32 REJECTION OR NULLITY OF A PERMIT OR CERTIFICATE

In the event that a request, permit or certificate of authorization is deemed null and void for reasons mentioned in the above sections or for any other reason, none of the fees incurred will be reimbursed and any documents submitted may be kept by the Town. Once a permit or certificate is deemed null and void, all authorizations are lifted and the work must cease immediately.

SECTION 33 SECURITY DEPOSITS FOR PERMITS AND CERTIFICATES

When required by the Town as a precondition for the issuance of a permit or certificate, security deposits must be made in accordance with the rates listed in the By-law Concerning Tariffs to cover potential damage to Town facilities (sidewalks, streets, trees, fire hydrants, street lamps, sprinklers, etc.).

If the work damages sidewalks or streets, the Town may seize part or all of the security deposit, after notifying the owner, to cover the repair costs.

If the security deposit is insufficient to cover the extent of the damages, the owner must pay the Town the difference between the actual costs and the amount of the security deposit, upon presentation of a statement of the costs.

The security deposit will be returned to the owner once the work is complete if the designated official does not observe any damage to public property.

DIVISION 2 INCENTIVES FOR ENVIRONMENTALLY RESPONSIBLE PROJECTS

SECTION 34 (REPEALED)

SECTION 35 (REPEALED)

(1004-10, Sec. 1; 2, 17/4/2024)

CHAPTER 3

SUBDIVISION PERMITS

DIVISION 1 ACQUIRING A SUBDIVISION PERMIT

SECTION 36 OBLIGATION TO ACQUIRE A SUBDIVISION PERMIT

Any person wishing to conduct a cadastral operation must first obtain a subdivision permit from the designated official in accordance with the provisions of this By-law and any other applicable laws or municipal By-laws. Conducting a cadastral operation without a subdivision permit is prohibited.

DIVISION 2 CONTENTS OF A SUBDIVISION PERMIT REQUEST

SECTION 37 SUBMITTING A SUBDIVISION PERMIT REQUEST

Subdivision permit requests must be submitted to the designated official in writing, on the appropriate forms provided by the Town, along with the full payment of applicable permit fees.

SECTION 38 CONTENTS OF A SUBDIVISION PERMIT REQUEST

1. Subdivision permit requests must be submitted, dated and signed by the owner or the occupant or his or her authorized representative using the official Town permit application form, along with four (4) paper copies and one (1) electronic copy of the following information and documents: The name, surname, postal address, email address and phone number of the owner or, where applicable, his or her duly authorized representative;
2. A plan of the cadastral operation at a scale of 1:1,000 or 1:500, including:
 - a. The dimensions and surface areas of the relevant existing or proposed lot(s) and those of the adjacent lots;
 - b. The location of all existing structures;
 - c. The location of all existing trees with a diameter of more than 10 centimetres, as measured at 1.2 metres above the adjacent ground;
 - d. The location of all existing public structures or utilities;
 - e. The type of main building to be erected on the lot and its use;
 - f. The layout and right-of-way for existing or projected streets located within the project limits or in the immediate vicinity;
 - g. The layout and dimensions of existing or necessary servitudes or rights-of-way and aerial or underground power and communications transmission systems;
 - h. The location of all railway tracks within a 25-metre radius of any boundary line subject to the permit request;
 - i. The existing geodetic levels and proposed changes to the existing topography at an interval of at least 1 metre;
 - j. The location, surface area and dimensions of landsites that must be transferred to the Town for the purposes of parks or playgrounds, where applicable;
 - k. The date the plan was prepared, true north, the scale of the plan and the name of the professional that prepared it;
 - l. A landsite parcelling plan respecting a territory wider than the landsite contemplated in the plan and owned by the person submitting a request;
 - m. In the event that a building rests on a lot included in the planned cadastral operation, a location plan for said building;
3. A copy of the registered act(s) if the right to a cadastral operation is attached to the landsite by virtue of the *Act respecting Land use Planning and Development (c. A-19.1)*;
4. All other information and documents that could prove useful to the understanding of the project.

SECTION 39 SALE OF A LANDSITE PARCEL

In the event of a cadastral operation relating to the sale of a parcel of a landsite, the applicant must submit, in addition to a plan identifying the parcel as a separate lot, a replacement plan to attach said parcel to the lot it will

be merged with, thus eliminating it and creating a single lot.

SECTION 40 SPECIFIC CONDITIONS FOR CONTAMINATED LANDSITES

In the event that a landsite for which a subdivision permit is requested is listed in the registry of contaminated landsites of the provincial authority, a permit will only be issued if the request is accompanied by the certificate of an expert, referred to in the *Environment Quality Act (c.Q-2)*, establishing that the project for which the permit is requested is consistent with the provisions of the rehabilitation plan approved by the aforementioned provincial authority under the *Environment Quality Act*.

SECTION 41 OBLIGATION TO REGISTER

A subdivision permit will be deemed null and void if it has not been registered with the provincial authority within six months from its date of issue. In such cases, the applicant must notify the relevant authority and submit a new subdivision permit request if he or she wishes to register the cadastral operation.

When lots are registered, any change in the naming of lots does not in any way affect the validity of the permit.

SECTION 42 AMENDING A SUBDIVISION REQUEST

Any amendment to plans and documents that have already been approved will require the submission of a new request.

Plans that were approved or submitted prior to the coming into force of this By-law will have to comply with the provisions of this By-law for any proposed amendments or to become part of a new plan.

DIVISION 3 ISSUANCE OF A SUBDIVISION PERMIT

SECTION 43 CONDITIONS FOR THE ISSUANCE OF A SUBDIVISION PERMIT

A designated official will only issue a subdivision permit once the following conditions have been met:

1. The request complies with the Subdivision By-law;
2. The request includes all the plans and documents required by this By-law;
3. The permit fee and other applicable fees have been paid under the By-law concerning tariffs;
4. All outstanding municipal taxes for an immovable included in the plan have been paid;
5. Land for parks, playgrounds and natural areas has been transferred as stipulated in the current Subdivision By-law;
6. The minor exemption resolution has been issued, where applicable;
7. A municipal works agreement has been signed between the applicant and the Town, where applicable.

CHAPTER 4

BUILDING PERMITS

DIVISION 1 ACQUIRING A BUILDING PERMIT

SECTION 44 OBLIGATION TO ACQUIRE A BUILDING PERMIT

Any person wishing to conduct renovation, construction or extension work on a building with an estimated value of \$2,000 or more must first obtain a building permit from the designated official in accordance with this By-law and any other applicable laws or municipal By-laws.

SECTION 45 WORK REQUIRING A BUILDING PERMIT

A building permit is required for the following work regardless of the estimated cost of the work:

1. Work affecting the structure of a main building;
2. Work affecting the exterior appearance of a building;
3. Construction of a building or accessory structure;
4. Work relating to private water or sewer lines;
5. Work on the plumbing or electrical system;
6. (Repealed)

(1004-10, Sec. 3, 17/4/2024)

DIVISION 2 CONTENTS OF A BUILDING PERMIT REQUEST

SECTION 46 SUBMITTING A BUILDING PERMIT REQUEST

Building permit requests must be submitted to the designated official in writing, on the appropriate building permit forms provided by the Town, along with the full payment of applicable permit fees.

SECTION 47 GENERAL CONTENTS OF A REQUEST BUILDING PERMIT REQUEST

Building permit requests must be submitted, dated and signed by the owner or the occupant or his or her authorized representative using the official Town permit forms, along with two (2) paper copies and one (1) electronic copy of the following general information and documents:

1. General information including:
 - a. The name, surname, postal address, email address and telephone number of the owner or, where applicable, his or her duly authorized representative;
 - b. The name and contact information of the professionals involved in the preparation of the plans and of the engineer or architect performing the work;
 - c. The name and contact information of the contractor or other persons performing the work, including the licence number issued by the *Régie du bâtiment du Québec*;
 - d. The use of the proposed structure;
 - e. A written declaration establishing whether the permit being requested will apply to an immovable to be used as a seniors' residence;
 - f. An estimate of the total cost of the work;
 - g. The estimated duration of the work, including the start and end dates;
 - h. The location of the proposed work;
 - i. A description of the proposed work;
 - j. A plan of the existing situation and a plan of the proposed work;
 - k. Photographs of the existing situation. For a request relating to a window or a door, show only the side of the building where the window or door will be installed;
1. For excavation work, a plan showing the proposed excavation area must be submitted to the Town for approval before any excavation work is done. The plan must contain all the relevant information

so that it acts as a stand-alone document for verifying compliance with the prescribed minimum setbacks;

- m. All other information and documents that could prove useful to the understanding of the project.
- n. *If there is a tree within 2 meters of a Berliner wall being built in relation to the construction of a building and/or a driveway and/or a pool, the applicant must provide a report from an arborist confirming that the roots of tree(s) are protected.*

(1004-10, Sec. 4, 17/04/2024)

SECTION 48 ADDITIONAL CONTENT FOR NEW BUILDINGS AND EXTENSIONS

For the construction of a new main building or the extension of an existing main building, the following information and documents may be required depending on the case and the specific nature of the project:

1. A site plan containing the following information:
 - a. The cadastral identification, dimensions and surface area of the landsite;
 - b. A topographic plan, including the current and proposed geodetic ground levels and the boundaries of the landsite, as well as the flow direction of the site's surface water;
 - c. The geodetic level of the ground floor and the geodetic level of the sidewalk in front of the middle of the façade of the main building;
 - d. The location and dimensions, at ground level, of each of the proposed buildings and extensions and any existing buildings on the landsite;
 - e. The distance between each structure and the landsite lines;
 - f. The location of the street lines;
 - g. The location and elevation of the top and bottom of all slopes, where applicable;
 - h. The location of all public and private servitudes;
 - i. The location and diameter of all existing trees, and the species and location of any proposed tree;
 - j. The location of existing fences, low walls and hedges, as well as the description, height and location of any proposed fences, low walls and hedges;
2. Calculations and information showing the existing and proposed situation for the:
 - a. Plant coverage percentage;
 - b. Mineral surface percentage;
 - c. Land coverage ratio;
 - d. Land use ratio;
 - e. Minimum setbacks;
 - f. Building height;
 - g. Percentage of flat roof;
3. A topographic plan prepared by a land surveyor and indicating the:
 - a. Altimetry measurements of the street and landsite in question;
 - b. Altimetry measurements of neighbouring landsites and structures;
 - c. Alignment distances between the proposed structure and the street;
 - d. Alignment distances between neighbouring structures and the street;
4. When modifying a façade:
 - a. A plan and an elevation of each of the building's modified façades;
 - b. A lateral and to-scale elevation of each building façade, specifying height, exterior finish and colours;
5. The streetscape, showing the existing and proposed main façade, as well as the adjacent main façades if a main façade is being modified;
6. For new buildings, a sun study;
7. Lateral and scale plans for each storey, including the roofing, showing the total living area and the use of each part of the building;
8. Wall sections, cross sections and architectural details that allow a thorough understanding of the project;
9. A plan of the electrical system;
10. A plan of the mechanical system, including ventilation;
11. A plan of the plumbing system;
12. Plans of the structure, including the foundation and framing, signed by an engineer who is a member of the *Ordre des ingénieurs du Québec*;

13. A plan of the connection to the sewer and water networks, including excavation levels;
14. Clear photographs of all sides of the existing building and of the adjacent properties;
15. The specification sheets and, where applicable, the brochures for the windows and doors, with a clear description of the type of window or door and the colour;
16. A model showing size and setting (3D axonometric view), where applicable;
17. A geotechnical report prepared by an engineer who is a member of the *Ordre des ingénieurs du Québec*;
18. A plan showing the site excavation, piling and shoring.
19. ***Name of the company and the engineer which will be monitoring the seismic activity and vibrations during the shoring and piling and a copy of the mandate.***
(1004-4, Sec.1, 8/1/2022)
20. ***A plan prepared by a landscape architect for any green roof construction.***
(1004-9, Sec.1, 5/2/2024)

SECTION 49 ADDITIONAL CONTENT FOR LANDSITE DEVELOPMENT

For construction work requiring landscaping, backfilling or excavation, the information required to obtain a certificate of authorization for landsite development will be necessary.

SECTION 50 ADDITIONAL INFORMATION

In order to ensure the conformity of the building permit request, the designated official may, at any given moment, require additional information such as: other plans, information, additional details or professional certificates, or a report containing the conclusions and recommendations relating to the proposed construction (e.g., a soil survey to fully understand the request and ensure absolute compliance with the relevant By-laws).

SECTION 51 ARCHITECT'S OR ENGINEER'S SEAL

All plans and specifications for the construction, extension or modification of a building under the *Architects Act* (c. A-21) must be signed (an original signature is required) and sealed by a member of the *Ordre des architectes du Québec* and accompanied by the architect's analysis of compliance with the code. Plans and specifications for buildings not subject to the *Architects Act* (c. A-21) must be appropriately signed by an architectural technologist.

All plans and specifications for foundations, framing, or electrical or mechanical systems must be signed (an original signature is required) and sealed by a member of the *Ordre des ingénieurs du Québec* and accompanied by the engineer's analysis of compliance with the code.

DIVISION 3 ISSUANCE OF A BUILDING PERMIT

SECTION 52 CONDITIONS FOR THE ISSUANCE OF A BUILDING PERMIT

The Designated Official shall only issue a building permit once the following conditions have been met:
(1004-5, Sec.1, par. A, 10/6/2022)

1. The request complies with the urban planning By-laws;
2. The request includes all the plans and documents required by this By-law;
3. The permit fee and other applicable fees have been paid under the By-law Concerning Tariffs;
4. The landsite on which a main building is erected is a separate lot on the official cadastral plans or was the subject of a municipal subdivision permit;
5. The lot where the proposed main building will be erected is adjacent to a public street;
6. The applicant agrees to supply, within 30 days of the completion of the work, a certificate of location prepared by a land surveyor;
7. The contribution for the purposes of parks, playgrounds or natural areas has been made in accordance with the terms and conditions of the current Subdivision By-law;
8. The authorization resolution under the *Site Planning and Architectural Integration Program By-law* has been issued, where applicable;
9. The minor exemption resolution has been issued, where applicable;
10. The fees for the modifications and the connections to the municipal infrastructure have been paid. If the landsite is listed in the Town's registry of contaminated landsites and is subject to a rehabilitation plan approved by the provincial authority, the request must be accompanied by an expert's certificate stating that the project complies with the rehabilitation plan.
11. ***(Repealed)***

(1004-6, Sec. 1, Par.11, 3/4/2023)

SECTION 53 OBLIGATION TO ACQUIRE A CERTIFICATE OF LOCATION

(1004-4, SEC. 2, 8/1/2022)

For a new main or accessory building, new construction, addition, swimming pools or accessory building, a certificate of location must be prepared by a land surveyor and submitted to the Town within 120 days of the construction to demonstrate that municipal zoning rules have been respected. The owner of the building as well as the designated contractor are responsible for ensuring that the project complies with the rules in force.¹

The land surveyor must be the person who performs the new building or extension layout survey on the landsite where the work will take place.

The certificates must contain all the relevant information so that they act as stand-alone documents for verifying compliance with the prescribed dimensions and minimum setbacks.

(1004-2, Sec.1, 5/25/2021), (1004-4, Sec.3, 8/1/2022)¹

SECTION 54 OBLIGATION TO ACQUIRE A CERTIFICATE OF LOCATION FOLLOWING FOUNDATION WORK

For any foundation work requiring a building permit, a certificate of location must be prepared by a land surveyor and submitted to the Town within 120 days. The certificate must include all the relevant information so that it acts as a stand-alone document for verifying compliance with the prescribed dimensions and minimum setbacks.

(1004-4, Sec.4, 8/1/2022)

CHAPTER 5

CERTIFICATES OF AUTHORIZATION

DIVISION 1 ACQUIRING A CERTIFICATE OF AUTHORIZATION

SECTION 55 OBLIGATION TO ACQUIRE A CERTIFICATE OF AUTHORIZATION

Any person wishing to conduct the following work must first obtain a certificate of authorization from the designated official in accordance with this By-law and any other applicable laws or municipal By-laws:

1. Demolition of a structure;
2. Displacement of a structure;
3. Installation or modification of a sign;
4. Change of use;
5. Garage sale;
6. Use of the public right-of-way;
7. Installation or modification of a swimming pool, spa or artificial water basin;
8. Installation or modification of a fence, hedge, decorative low wall or retaining wall;
9. Tree felling;
10. Landsite development, including landscaping, backfilling and excavation work;
11. Installation of mechanical equipment or tanks;
12. Installation of a private antenna;
13. Installation of a geothermal system;
14. Installation of solar panels;
15. Any work with an estimated value of more than \$2,000 that does not require a building permit.

DIVISION 2 CERTIFICATE OF AUTHORIZATION REQUESTS

SECTION 56 SUBMITTING A CERTIFICATE OF AUTHORIZATION REQUEST

Certificate of authorization requests must be submitted to the designated official in writing, on the appropriate forms provided by the Town, along with the full payment of applicable fees.

SECTION 57 GENERAL CONTENTS OF A CERTIFICATE OF AUTHORIZATION REQUEST

Certificate of authorization requests must be submitted, dated and signed by the owner or the occupant or his or her authorized representative using the official Town certificate of authorization request forms, along with two (2) paper copies and one (1) electronic copy of the following general information and documents:

1. The name, surname, postal address, email address and phone number of the owner, the applicant or, where applicable, his or her duly authorized representative;
2. The names and contact information of the specialists involved in the preparation of the plans and of the engineer or architect in charge of the work;
3. The name and contact information of the contractor or anyone else performing the work, including the *Régie du bâtiment du Québec* licence number;
4. The use of the proposed structure;
5. An estimate of the total cost of the work;
6. The expected duration of the work, including the start and end dates;
7. The location of the proposed work;
8. A description of the proposed work;
9. A plan of the existing situation and a plan of the proposed work;
10. Photographs of the existing situation;
11. For excavation work, a plan showing the proposed excavation area must be submitted to the Town for approval before any excavation work is done. The plan must contain all the relevant information so that it acts as a stand-alone document for verifying compliance with the prescribed minimum setbacks;
12. All other information and documents that could prove useful to the understanding of the project.

SECTION 58 DEMOLITION OF A STRUCTURE

In addition to the general content required under Section 57, a certificate of authorization request for the demolition of a structure must include:

1. The resolution of the Municipal Council authorizing the demolition of the building, where applicable;
2. Photographs showing each existing façade of the building, the entire building and its surroundings;
3. The location of the structure on the landsite;
4. The dimensions of the structure;
5. A plan identifying the main structures located within a 15-metre radius of the structure to be demolished;
6. A description of the means used for demolition and subsequent site clean-up and restoration;
7. If the foundation is not demolished, the applicant must ***whole or in part, the applicant must undertake to fill the preserved foundations with sand to the adjacent ground level, to ensure proper drainage of the site to avoid any accumulation of stagnant water and to ensure the security of the site.***
8. **If the foundations are demolished completely, the applicant must agree to completely backfill the excavation to adjacent ground level, to turf the entire land and to ensure the safety of the site if construction is not undertaken within 30 days.**

(1004-8, Sec.1, par. a and b, 11/9/2023)

SECTION 59 DISPLACING A STRUCTURE

In addition to the general content required under Section 57, a certificate of authorization request for the displacement of a structure must include:

1. Photographs showing each of the exterior walls and the entire structure;
2. The existing and proposed location of the structure on the landsite;
3. The dimensions of the structure;
4. A plan identifying the main structures located within a 15-metre radius of the structure to be displaced.

SECTION 60 SIGNS

In addition to the general content required under Section 57, a certificate of authorization request for a sign must include:

1. The registered lot or landsite number, the civic number of the building and any other description that could help locate the building or landsite where the sign will be installed;

2. A certificate of location or proof of location, where applicable;
3. Photographs showing the location where the sign will be installed and any existing sign at the time of the request;
4. A plan of the exact location in relation to the landsite boundaries and to existing or proposed signs and buildings thereon;
5. All the plans, elevations, sketches, photographs or other documents that allow the exact sign dimensions (shown directly on the plans), materials, colours and type to be clearly identified;
6. A scale plan of the sign showing the letters and/or symbols to appear on the sign;
7. Details of how the sign will be secured to the ground or attached to a building;
8. For any sign structure more than 7.5 metres high, a structure plan signed (an original signature is required) and sealed by a structural engineer who is a member of the *Ordre des ingénieurs du Québec* must be submitted;
9. The sign's lighting system, where applicable.

SECTION 61 CHANGE OF USE

In addition to the general content required under Section 57, a certificate of authorization request for a change of use must include:

1. The corporate name of the current and proposed occupant, where applicable;
2. The current and proposed use;
3. A copy of the lease, where applicable;
4. A scale plan of the premises indicating the existing and proposed interior layout and the current and proposed use of all rooms.

SECTION 62 GARAGE SALE

In addition to the general content required under Section 57, a certificate of authorization request for a garage sale must include:

1. A list of the objects that will be sold;
2. The date and timing of the sale;
3. The proposed set-up, installations or temporary structures;
4. A sketch of the location of the set-up, installations or temporary structures;
5. A written undertaking from the applicant to the effect that the installations will be dismantled, the signs will be taken down and the landsite will be cleaned at the end of the event.

SECTION 63 USE OF THE PUBLIC RIGHT-OF-WAY

In addition to the general content required under Section 57, a certificate of authorization request for the use a public right-of-way must include:

1. The types of materials and equipment that will be placed on the public right-of-way;
2. The expected date that the right-of-way will be vacated;
3. The width and area that will be affected by the work in the public right-of-way and the location of any obstruction of traffic, where applicable;
4. A traffic control plan, if the use of the public right-of-way obstructs a thoroughfare.

SECTION 64 SWIMMING POOL, SPA OR ARTIFICIAL WATER BASIN

In addition to the general content required under Section 57, a certificate of authorization request for a swimming pool, spa or artificial water basin must include:

1. A scale dimensional plan showing the exact location of the swimming pool, spa or artificial water basin, the necessary enclosures and the existing or proposed structures and accessory equipment;
2. A scale dimensional plan of the layout of the landsite, patio or terrace and other structures relating to the work, specifying the landscaped area and plant coverage;
3. A plan showing the percentages of existing and proposed plant coverage, the percentages of existing and proposed mineral surfaces, and the existing and proposed land coverage index;
4. The dimensions and depths of the swimming pool, spa or artificial water basin and the elevation in relation to the adjacent ground;
5. The materials used for the construction or installation of the swimming pool, spa or artificial water

basin;

6. The number of litres that the swimming pool, spa or artificial water basin can hold;
7. The specifications, location, details and height of the proposed fence enclosing the swimming pool, spa or water basin, along with the proposed access control devices and a description of the intended locking mechanism.

In addition to the provisions of the first clause, a site certificate must be prepared by a land surveyor and submitted to the *Town within 120 days after the end of the work*. The certificate must contain all the relevant information so that it acts as a stand-alone document for verifying compliance with the regulatory standards relating to swimming pools, spas and basins.

(1004-10, Sec. 5, 17/04/2024)

SECTION 65 FENCES, HEDGES, DECORATIVE LOW WALLS AND RETAINING WALLS

In addition to the general content required under Section 57, a certificate of authorization request for a fence, hedge, decorative low wall or retaining wall must include:

1. A location plan specifying the location of the fence, hedge, decorative low wall or retaining wall;
2. A description of the materials used;
3. Scaled elevation drawings of a part of the fence, the mature hedge, the decorative low wall or retaining wall, showing the height.

SECTION 66 TREE FELLING

In addition to the general content required under Section 57, a certificate of authorization request for tree felling must include:

1. The number of the lot where the tree felling will take place;
2. The dimensions of the tree trunks that will be cut;
3. A location plan depicting the trees in question, and the location and dimensions of any buildings on the landsite;
4. Photographs of the trees to be felled;
5. A report signed by a forest engineer, if required by the designated official, to confirm the necessity and purpose of the requested tree felling;
6. The type of cut used by the applicant;
7. A report signed by a technician or qualified professional describing any tree regeneration methods to be used by the applicant.

SECTION 67 LANDSITE DEVELOPMENT

In addition to the general content required under Section 57, a certificate of authorization request for landsite development must include:

1. A copy of the certificate of location for the property where the work will be conducted;
2. A scale plan of the property with the location of the landscaping, the excavated material disposal site and structures, where applicable;
3. A planting plan with the location of proposed plant species and number of plants ;
4. A plan of the natural and landscaped areas, including:
 - a. The existing ground level and the proposed new levels and their elevation;
 - b. The level of the adjacent streets and landsites;
 - c. The areas left in their natural state;
 - d. A survey of all healthy trees with a diameter of 10 centimetres or more, measured at 1.2 metres above ground level, located on the landsite where the construction work will take place or in the right-of-way of the adjacent roads. This survey must also identify which trees to fell for construction purposes and which to keep;
 - e. The proposed landscaping of open spaces, including the location and width of pedestrian walkways and the location of fences, hedges and low walls;
 - f. The location of any obstacles, dry hydrants, and electrical, telephone, cable or gas lines;
5. All other information and documents that could prove useful to the understanding of the project;
6. A site certificate must be prepared by a land surveyor and submitted to the Town for approval before any backfilling or excavation work is done. The certificate must contain all the relevant information so that it acts as a stand-alone document for verifying compliance with the regulatory standards relating to

backfilling and excavation work.

SECTION 68 MECHANICAL EQUIPMENT OR TANKS

In addition to the general content required under Section 57, a certificate of authorization request for mechanical equipment or tanks must include:

1. A copy of the certificate of location for the property in question;
2. A scale plan of the property with the location of the mechanical equipment or tanks and of each structure;
3. A technical description of the equipment.

SECTION 69 PRIVATE ANTENNAS

In addition to the general content required under Section 57, a certificate of authorization request for antennas must include:

1. A copy of the certificate of location for the property where the work will be conducted;
2. A scale plan of the property with the location, dimensions, materials, colour, and type of cabling and related equipment.

SECTION 70 GEOTHERMAL SYSTEMS

In addition to the general content required under Section 57, geothermal system certificate of authorization request must include:

1. A copy of the certificate of location for the property where the work will be conducted;
2. A scale plan of the property with the location, dimensions, materials and equipment forming the geothermal system;
3. Written proof of certification for the geothermal system used;
4. A technical description of the geothermal system used.

SECTION 71 PHOTOVOLTAIC OR THERMAL SOLAR PANELS

In addition to the general content required under Section 57, a certificate of authorization request for photovoltaic or thermal solar panels must include:

1. A copy of the certificate of location for the property where the work will be conducted;
2. A scale plan of the property with the location, dimensions, materials and equipment of the photovoltaic or thermal solar panel installations;
3. The elevations, showing the location, dimensions, materials and equipment of the photovoltaic or thermal solar panel installations used;
4. A technical description of the photovoltaic or thermal solar panel installations.

DIVISION 3 ISSUANCE OF A CERTIFICATE OF AUTHORIZATION

SECTION 72 CONDITIONS FOR THE ISSUANCE OF A CERTIFICATE OF AUTHORIZATION

A designated official will only issue a certificate of authorization once the following conditions have been met:

1. The request complies with the urban planning By-laws;
2. The request includes all the plans and documents required by this By-law;
3. The applicant agrees to supply, within 30 days of completion of the work, a new certificate of location prepared by a land surveyor, where applicable;
4. The certificate fee and other applicable fees have been paid under the By-law Concerning Tariffs;
5. The authorization resolution under the Site Planning and Architectural Integration Program By-law has been issued, where applicable;
6. The minor exemption resolution has been issued, where applicable.

CHAPTER 6
CERTIFICATES OF OCCUPANCY

DIVISION 1 ACQUIRING A CERTIFICATE OF OCCUPANCY

SECTION 73 OBLIGATION TO ACQUIRE A CERTIFICATE OF OCCUPANCY

No person shall occupy a building whose purpose or use has been changed until a certificate of occupancy has been issued.

A certificate of occupancy is required for additional uses to residential use and additional uses to other types of uses.

SECTION 74 ABSENCE OF A CERTIFICATE OF OCCUPANCY

The absence of an obligation to acquire a certificate of occupancy shall in no way be construed as an exemption from the obligation to comply with all of the Town's urban planning By-laws.

DIVISION 2 CERTIFICATE OF OCCUPANCY REQUESTS

SECTION 75 CONTENTS OF A CERTIFICATE OF OCCUPANCY REQUEST

Certificate of occupancy requests must be submitted, dated and signed by the owner or the occupant or his or her authorized representative using the official Town permit forms, along with two (2) paper copies and one (1) electronic copy of the following information and documents:

1. The name, surname, email address and telephone number of the owner/applicant or, where applicable, his or her duly authorized representative;
2. The cadastral identification of the landsites in question;
3. The relevant civic numbers;
4. A description of the building occupancy;
5. A scale plan of the landsite, including:
 - a. The current and proposed occupancy of the building(s);
 - b. The location of the setbacks;
6. All other information and documents that could prove useful to the understanding of the project.

DIVISION 3 ISSUANCE OF A CERTIFICATE OF OCCUPANCY

SECTION 76 DELAYS AND CONDITIONS OF ISSUANCE

The designated official will issue a certificate of occupancy within 30 days when:

1. The request is complete;
2. The building whose purpose or use has been changed complies with the provisions of the Zoning By-law and the Building By-law;
3. The cost of the certificate and all other applicable fees have been paid in accordance with the By-law Concerning Tariffs.

SCHEDULE A

TERMINOLOGY

A

ABOVE-GROUND FLOOR AREA

The total area of all stories that can be occupied, as measured at the outer edge of the exterior walls or at the median line when there is a common wall.

The additional floor area resulting from the construction of a bay window or the projecting part of a dwelling must be included in the calculation of the total floor area.

The total floor area does not include:

1. The basement area;
2. Open-air balconies;
3. Floor openings for staircases, elevators and air wells;
4. Lobbies and public (shared) corridors in multifamily dwellings;
5. Garages and parking spaces, except for those located on the ground floor or one of the upper storeys;
6. Swimming pools, except for those located on the ground floor or one of the upper storeys;
7. Recreational and support areas in apartment buildings, except when located on the ground floor or one of the upper storeys;
8. Storage areas, except for those located on the ground floor or one of the upper storeys.

9. (Repealed)

(1004-7, Sec.1, 1/5/2023).

ACCESSIBILITY FOR MOBILITY-IMPAIRED PERSONS

Possibility of accessing, finding one's way in and moving around public or private areas, buildings and outdoor facilities safely and unhindered. Autonomous access to all services, as well as information, signaling and communications equipment.

ACCESSORY BUILDING

Building that is detached from the main building, built on the same landsite as the latter and used only in a manner that is accessory to the main use.

ACCESSORY EQUIPMENT

Any equipment related to the main use, ancillary to that use and helping to improve the usefulness, convenience and attractiveness of the main use, such as a mechanical device.

ACCESSORY STRUCTURE

Open structure attached to or detached from a main building, built on the same landsite as the latter, such as a pergola, in which solely an accessory use to the main use is exercised.

ACCESSORY USE

Use related or ancillary to the main use and helping to improve the usefulness, convenience and attractiveness of the main use.

ADDITIONAL USE

Purpose for which a building, structure or landsite, or part of any of these, is or may be used or occupied in addition to a main use.

ALTERING A TREE

Removing a tree branch, trunk, or piece of bark that is 10 centimetres (4 inches) or more in diameter.

Cutting, damaging or destroying by any means the roots of a tree within its safety belt.

ANTENNA

Equipment, device or any other object used or capable of being used to emit, transmit or receive radio or television broadcasts via microwaves or electromagnetic waves, including wire, cable, radio or optical

<p>systems or any similar technical radiocommunication, telecommunication or cable broadcasting processes as well as any structure or building associated with an antenna.</p>
<p>ATTIC</p> <p>The space located above the upper floor, in the space of a pitched roof of a building. The attic is not considered a storey, but it can be included in the calculation of the floor space index in certain cases.</p>
<p>AWNING</p> <p>Shelter made up of flexible material and supported by a structure that projects from a building and is intended to protect people and objects from bad weather or the sun. The roof may extend over the entire length of a wall.</p>
<p>B</p>
<p>BALCONY</p> <p>Platform that projects from a building's exterior façade, is sometimes covered, usually surrounded by a guardrail and located in front of one or more doors or patio doors. A balcony is only accessible from inside the building and cannot have a support linked to the ground, such as a staircase.</p>
<p>BASEMENT</p> <p>Part of a building that is partially or completely below ground level. The level of the unfinished basement floor must be below the level of the sidewalk for this definition to apply; if it is higher, the definition of "Ground Floor" shall apply. A basement is not considered a storey and is not included in the calculation of the floor space index.</p>
<p>BAY OR BOW WINDOW</p> <p>A window that projects beyond the wall line of a building. When the space created by such a window becomes a habitable area, the area shall be calculated in the floor area.</p>
<p>BERTH</p> <p>Off-street area with a loading bay reserved for the parking of transportation vehicles during the loading and unloading of merchandise.</p>
<p>BERLINER WALL</p> <p><i>Vertical retaining wall made up of piles driven into the ground, between which boards are held by brackets, erected to retain the soil during excavation.</i></p> <p><i>(Office québécois de la langue française, 2018) (1004-10, Sec. 6, 17/4/2024)</i></p>
<p>BUILDING</p> <p>Structure with a roof, supported by columns and walls, used or designed to be used to shelter or receive persons, animals or objects.</p>
<p>BUILDING DENSITY</p> <p>Floor area per hectare in a given area.</p>
<p>BUILDING HEIGHT</p> <p>Vertical distance between the average horizontal level of the sidewalk facing the main building and the top of the ridge of the roof.</p> <p>Roof-top structures must be included in the calculation of the building height.</p>
<p>BUILDING INSPECTOR</p> <p>See "Designated Official"</p>
<p>BUILDING PERMIT</p> <p>Official authorization issued by the Town allowing construction or extension of a building.</p>
<p>C</p>
<p>CADASTRAL OPERATION</p> <p>A division, a subdivision, a new subdivision, a change, a reissue, a striking out, a correction, an addition or a replacement of a lot number under the Cadastre Act (c. C-1) or the Civil Code of Quebec.</p>

<p>CADASTRAL OPERATION PLAN</p> <p>Plan of a cadastral operation, prepared by a surveyor, showing the boundaries of a landsite or part of a landsite subject to a registration number amendment.</p>
<p>CAN/CSA-B415.1</p> <p>The CAN/CSA-B415.1 standard on performance testing of solid fuel-burning appliances published by the Canadian Standards Association, including its occasional amendments.</p>
<p>CANOPY</p> <p>Roof-like structure cantilevered from a wall or supported on columns or posts.</p>
<p>CARPORT</p> <p>Permanent building connected to a main building made up of a roof resting on posts and open on at least one side, including the façade, used to shelter one or more motor vehicles.</p>
<p>CERTIFICATE OF AUTHORIZATION</p> <p>Written authorization issued by the Town to perform work on a landsite other than work on a building, notably for a change of use, a temporary use, landsite development or the installation of equipment.</p> <p>It can also be a certificate of authorization required by a law and issued by the relevant authority.</p>
<p>CERTIFICATE OF LOCATION</p> <p>Plan giving the precise location of one or more structures in relation to the limits of lots and in relation to the adjacent streets, certified by a surveyor.</p>
<p>COMMUNICATIONS TOWER</p> <p>Structure or support housing or supporting, among other things, an antenna from any type of device, sensor or measuring instrument used to transmit or receive information through an electromagnetic system, including wire, cable, radio or optical systems, or through any similar technical process.</p>
<p>COMMUNITY HOUSING</p> <p>Shared dwellings such as rooming and boarding houses, student residences, retirement homes, orphanages and religious institutions.</p>
<p>CONSTRUCTION LINE</p> <p>Line located where the foundation of a building is constructed. To refer to a precise line, the terms front construction line, rear construction line or side construction line are used to refer to the line where the foundations of the front, rear or side façade is located.</p>
<p>CO-OWNERSHIP</p> <p>Ownership by several persons of the one and same immovable.</p>
<p>CORNER LANDSITE</p> <p>Landsite located at the intersection of two streets or street segments (see Schedule B: Sketches).</p>
<p>CORNER LOT</p> <p>Lot located at the intersection of two streets or street segments (see “Yards” or “Setbacks” in Schedule B: Sketches).</p>
<p>COUNCIL</p> <p>The Municipal Council of the Town of Hampstead.</p>
<p>CUT</p> <p>The action of removing soil or the soil removed as a result of such action for the purpose of modifying all or part of the topographic level of a landsite.</p>
<p>CUTTING (TREE)</p> <p>To cut, saw or fell, kill or remove a tree by any means whatsoever.</p>
<p>CURB CUT</p> <p>See “Vehicular Access”.</p>
<p>D</p>
<p>DIAMETER BREAST HEIGHT (DBH)</p>

The diameter of a tree measured at 1.2 metres above ground level.
DEPTH OF A LANDSITE Distance between the rear boundary line of a landsite and the street line, measured perpendicular to the street line (see “Depth of a landsite” in Schedule B: Sketches).
DESIGNATED OFFICIAL Official appointed by the Council to enforce the By-laws. In the absence of a designated official, the director general is automatically appointed.
DETACHED SINGLE-FAMILY DWELLING Building erected on a landsite, separate from any other building and containing one (1) dwelling unit.
DETACHED TWO-FAMILY DWELLING Building erected on a landsite and made up of two (2) dwellings above ground level, with separate or common entrances, all sides of which are detached from the neighbouring main buildings.
DOMESTIC GREENHOUSE Lightweight building with walls and a roof consisting primarily of a material that allows light to penetrate, such as glass or transparent canvas, intended for the sole purpose of growing plants, fruits and vegetables for non-commercial purposes.
DROP-OFF AREA Area used for the temporary parking of vehicles where passengers can be picked up or dropped off.
DWELLING Building or part thereof intended for residential use and occupancy by one or more people and containing one (1) or more dwelling units.
DWELLING UNIT Space made up of one or more rooms containing one or more sanitary, heating and cooking facilities used as a residence by one person or more, excluding motels, hotels and rooming houses; where more collections of commodities exist, they must at all times be accessible from inside the same dwelling unit.
E
EAVES Lower part of a roof that projects beyond the exterior façade of a wall.
EPA The “New Source Performance Standards” (Title 40, part 60, Subpart AAA) of the “Code of Federal Regulations (USA)” published by the Environmental Protection Agency, as amended from time to time.
EXCAVATION Act of digging a hole on a landsite or the result of such act.
EXTENSION Work intended to increase the area serving a use on a landsite, the floor area or the volume of a building or structure.
F
FAÇADE Exterior face of any wall of a building exposed to the view.
FENCE Structure, shared or otherwise, consisting of posts, metal beams or boards erected for the purpose of delineating or closing in a space.
FLAT ROOF Roof with a slope of less than 1.5 in 12 (1.5:12).
FRONT BOUNDARY LINE

Line of demarcation between a landsite and the right-of-way which may be non-rectilinear.
<p>FRONT PORCH</p> <p>Entranceway composed of steps leading from the ground up to a platform on the same level as the entrance to the building.</p>
<p>FRONT SETBACK</p> <p>Minimum prescribed distance between the front boundary line and the main front façade of the main building (see “Setbacks” in Schedule B: Sketches).</p>
<p>FRONT WALL</p> <p>Exterior wall of a building, parallel or approximately parallel to the front boundary line of a landsite; the line of which may be broken.</p>
<p>FRONT YARD (MAIN)</p> <p>Yard bounded by the street line, the side boundary lines of a landsite and the lateral extension of the wall(s) of the main façade of the main building (see “Yards” in Schedule B: Sketches).</p>
G
<p>GALLERY</p> <p>Platform with a staircase leading to the ground, the dimensions of which are sufficient to allow other uses besides access to a building door.</p>
<p>GARAGE</p> <p>Any covered structure intended for the storing of motor vehicles.</p>
<p>GARAGE SALE</p> <p>Non-commercial sale lasting for a limited time period, held on a property located in a residential area that is subject to the Zoning By-law of the Town of Hampstead.</p>
<p>GARDEN SHED</p> <p>See “Accessory Building”.</p>
<p>GAZEBO</p> <p>Small seasonal shelter built with a structure and light materials, without insulation, closed or not, intended for outdoor leisure activities.</p>
<p>GEOHERMAL SYSTEM</p> <p>A collection of devices that collects the energy created by temperature variations in the soil surface layers and transforms it into heat during periods of cold weather and into cool air during periods of warm weather.</p>
<p>GRADE</p> <p>Landsite elevation measured from the sidewalk or, in its absence, from the curb.</p>
<p>GROSS RESIDENTIAL DENSITY</p> <p>Total number of dwelling units within a given area divided by the total number of hectares used for residential and accessory purposes in said area, including thoroughfares, natural areas and any landsite intended for public or institutional use (dwelling unit/hectare).</p>
<p>GROUND FLOOR</p> <p>The storey of a building directly above grade, with a floor above the elevation of the sidewalk. It is located above the basement and rests directly on a foundation structure.</p>
H
<p>HEDGE</p> <p>Continuous line of trees, shrub or rooted perennial plants with interlacing branches.</p>
I
<p>IMMOVABLE</p> <p>A piece of land, as well as any structure or installation of a permanent nature on it or anything that</p>

constitutes an integral part of it in so far as such structure, installation or anything that constitutes an integral part of the piece of land is not movable property within the meaning of the Civil Code of Quebec (c. 64).
<p>INTERIOR LOT</p> <p>Lot with access to a single street, the side boundary lines of which are either parallel or within 5 degrees of parallel (see “Yards” or “Setbacks” in Schedule B: Sketches).</p>
<p>IRREGULAR LOT</p> <p>A registered lot that does not have a square or rectangular shape and is not a corner lot. The opposite sides of at least one axis are not parallel and vary by more than 5 degrees from parallel (see “Yards” or “Setbacks” in Schedule B: Sketches).</p>
<p>IRREVERSIBLE DIEBACK OF A TREE</p> <p>When more than 50% of the crown is made up of dead wood.</p>
L
<p>LAND COVERAGE AREA</p> <p>Area occupied by structures and equipment located on a landsite. To determine the land coverage area, it is necessary to include the following elements, within a distance of 2 meters above grade:</p> <ol style="list-style-type: none"> 1. The main building; 2. Accessory buildings; 3. Staircases; 4. Protruding floors and bay windows; 5. Attached, detached garages; 6. Structures such as terraces, porches, balconies, galleries and solariums; 7. Spaces housing mechanical equipment.
<p>LAND COVERAGE RATIO</p> <p>Ratio between the land coverage area and the total area of the landsite (see “Land Coverage Area”).</p>
<p>LAND REGISTER</p> <p>Register containing an inventory of the real rights relating to properties on registered land.</p>
<p>LANDSITE</p> <p>One piece of land made up of one or more parcels of an original lot and/or of one or more registered lots.</p>
<p>LANDSITE BOUNDARY LINE</p> <p>Any front, side or rear landsite boundary line.</p>
<p>LAND USE RATIO</p> <p>Ratio between the above-ground floor area of a building and the total area of the landsite (see “Above-Ground Floor Area”).</p>
<p>LEQ</p> <p>An index of the energy contained in a sound level over a certain period of time.</p>
<p>LOCAL ROAD</p> <p>Subdivided thoroughfare that primarily provides access to neighbouring residences and properties.</p>
<p>LOT NUMBER CHANGE</p> <p>Cadastral operation intended to identify parcels resulting from the fragmentation of a lot or the grouping of several lots.</p>
<p>LOT LINE</p> <p>Line of demarcation between adjacent lots or between lot(s) and street right-of-way <i>(1004-6, Sec. 3, par. 2,3/4 /2023)</i></p>
<p>LOW WALL</p> <p>Relatively thick masonry structure rising vertically or at an angle over a certain length, used to delimit or</p>

separate an outdoor space without any load bearing or retaining capacity.
M
<p>MAIN BUILDING</p> <p>Building serving one or more main uses on the landsite on which it is erected.</p>
<p>MAIN FAÇADE</p> <p>The building façade that faces the street. In the case of a corner landsite, a transversal corner landsite or a transversal landsite, it designates the building façade that faces the street to which the address of the building is attributed and on which the main entrance is usually found.</p>
<p>MAIN USE</p> <p>Principal purpose for which a landsite or part thereof, a building or part thereof, or a structure or part thereof is used, designated or intended.</p>
<p>MAINTENANCE</p> <p>Work carried out to curb the normal wear and tear of a building or structure.</p>
<p>MECHANICAL EQUIPMENT</p> <p>Any device installed as part of a building's mechanical services such as, without limitation, a heat pump, a fan, a swimming pool filtration system and any similar motorized device.</p>
<p>MODIFICATION</p> <p>Any modification, extension, transformation or change in occupancy of a building or structure.</p>
<p>MULTIFAMILY DWELLING</p> <p>Building erected on a landsite and made up of four (4) or more dwellings above ground level, with one (1) or more storeys, separate or common entrances, all sides of which are detached from the neighbouring main buildings.</p>
<p>MULTI-STOREY BUILDING HEIGHT</p> <p>Number of storeys between the ground level floor and the roof.</p>
N
<p>NET RESIDENTIAL DENSITY</p> <p>The number of actual or planned dwelling units on one hectare of a building site used solely for residential purposes, excluding public and private thoroughfares, as well as any landsite intended for public or institutional use (dwelling unit/hectare).</p>
<p>NON-COMMERCIAL SALE</p> <p>Sale of goods which have been used for domestic purposes or acquired for same by the occupants of the immovable property on which the goods are displayed in numbers or quantities not exceeding the normal requirements of said occupants.</p>
O
<p>OCCUPANT</p> <p>Any person residing in a building.</p>
<p>OFF-STREET PARKING AREA</p> <p>Car parking area established away from the easement for a street, with parking spaces and circulation aisles giving access to the spaces or rows of spaces.</p>
<p>OVER-PRUNING</p> <p>Cutting twigs and branches of a tree so as to reduce its crown by more than 20% or shortening the scaffold limbs of the tree (branches attached to the trunk) by more than half in one or more operations during the same year.</p>
<p>OWNER</p> <p>Any person who possesses immovable property in whatever capacity, including as usufructuary, institute in cases of substitution, emphyteutic lessee or possessor of lands in the domain of the State with a promise</p>

of sale, licence of occupation or location ticket.
P
<p>PARKING AREA</p> <p>Group of several parking spaces that can be accessed via a circulation aisle.</p>
<p>PATIO</p> <p>Surface usually covered in paving stones, slabs or wooden planks, located at a maximum of 15 centimeters from the natural grade.</p>
<p>PARKING SPACE</p> <p>Space reserved and used for the parking of motor vehicles.</p>
<p>PERGOLA</p> <p>Light post and beam structure supporting an open slat roof, with open sides or clad in light latticework, generally constructed so as to allow plants to climb up or to create shade.</p>
<p>PLANT COVERAGE</p> <p>Landsite area covered by natural vegetation that allows the preservation of the soil permeability so that water may penetrate, including grass, trees, shrubs, plants, flowers and other landscape elements, such as an artificial basin less than 60 centimeters deep.</p>
<p>PLANT COVERAGE PERCENTAGE</p> <p>Ratio, expressed as a percentage, between the plant coverage area and the total landsite area.</p>
<p>PORTICO</p> <p>See “Veranda”.</p>
<p>POSTING</p> <p>Installing and attaching a sign.</p>
<p>PRIVATE ANTENNA</p> <p>Antenna intended solely for private use. Also referred to as a “Satellite Antenna”.</p>
<p>PROPERTY LINE</p> <p>Line separating a landsite from another.” (1004-6, Sec. 3, par.1, 3/4 /2023)</p>
<p>PROJECTION</p> <p>Part of a building that projects beyond the general line of a wall. Without limiting the scope of the preceding sentence, the following constitute projections when they are attached to a building: front porches, cornices, eaves, balconies, porticos, canopies, awnings, signs, exterior staircases, galleries and bay windows.</p>
<p>PUBLIC RIGHT-OF-WAY</p> <p>Landsite or servitude used for thoroughfares or public utilities.</p>
<p>PUBLIC ROAD</p> <p>Subdivided thoroughfare that belongs to the municipality or provincial authority.</p>
<p>PUBLIC SERVICES</p> <p>Public utility networks such as electricity, gas, telephone, waterworks, sewers, as well as their accessory equipment.</p>
<p>PUBLIC UTILITY</p> <p>Equipment, structure or installation intended for use by the community and under the responsibility of a public or para-public organization or of a telecommunications, gas or energy company.</p>
R
<p>REAR BOUNDARY LINE</p> <p>Landsite demarcation line which is usually parallel to the rear wall of the main building and may be non-</p>

rectilinear.
<p>REAR SETBACK</p> <p>Minimum prescribed distance between the rear boundary line and the rear façade of the main building (see “Setbacks” in Schedule B: Sketches).</p>
<p>REAR WALL</p> <p>Exterior wall of a building, parallel or approximately parallel to the rear boundary line of a landsite, the line of which may be broken.</p>
<p>REAR YARD</p> <p>Yard bounded by the rear and side boundary lines of a landsite and the lateral extension of the rear wall(s) of the main building (see “Yards” in Schedule B: Sketches).</p>
<p>RELEVANT AUTHORITY</p> <p>An individual or corporation from the municipal, provincial or federal administration, or his or her authorized representative, who, by virtue of his or her status or a law or mandate, has the power to intervene in a given area.</p>
<p>RENOVATION (MAJOR)</p> <p><u>Work to renovate part or all of a building. Renovation work does not include the construction, demolition or relocation of walls.</u></p> <p><i>The consolidation of any construction without affecting its dimensions, form or architectural features.</i></p> <p><i>Replacement of partitions (non-load-bearing interior wall rising over the entire height or part of the height of a floor) and thermal insulation operations (improvement of energy efficiency).</i></p> <p><i>Replacement of the partitions (walls and/or ceilings) which includes floor coverings, wall framing, plumbing, electricity & ventilation.</i></p> <p><u>For the issuance of a permit for the major renovation of an existing building, the cost must not be less than \$25.00 per m²</u></p> <p><i>(1004-10, Sec. 6, 17/04/2024)</i></p>
<p>RENOVATION</p> <p>Renovation work extends beyond the mere preservation of property. <i>The rebuilding or strengthening of any structure without affecting its dimensions, shape or architectural characteristics. Renovation work seeks to repair something that is damaged and address issues more substantial than maintenance.</i></p> <p><u>For the issuance of a permit for renovation work of an existing building, the cost will be \$9.80 per \$1,000.00 of the value of the work.</u></p> <p><i>(1004-10, Sec. 7, 17/4/2024)</i></p>
<p>REPAIR (REPEALED)</p> <p><i>(1004-10, Sec. 8, 17/4/2024)</i></p>
<p>RETAINING WALL</p> <p>Structure that rises vertically or at an angle over a given length, installed for the purpose of resisting the force exerted by backfill material placed behind it, by the natural ground, by waves or by other factors likely to cause ground movement.</p>
<p>ROOF-TOP STRUCTURE</p> <p>Structure erected on the roof or extending beyond the roof of a building, associated with or housing an element associated with, the functioning of the mechanical or electrical components of a building or with the exercise of an authorized use for the building, such as a water tank, building mechanical equipment, an elevator shaft or mechanism housing, a stairwell entrance structure, an air or light well, or communication equipment.</p>
<p>S</p>
<p>SAFETY BELT</p> <p>The area surrounding the trunk of a tree that contains the bulk of its root system. The safety belt can never be less than the area created by a 1.83-metre (6-foot) circle around the trunk of a tree.</p>

<p>SANITATION CUTTING</p> <p>Cutting consisting in the felling or collection of deficient, diseased, dying, damaged or dead trees in a given tree stand.</p>
<p>SECONDARY FRONT SETBACK</p> <p>Minimum prescribed distance between the secondary front boundary line and the secondary front façade of the main building (see “Setbacks” in Schedule B: Sketches).</p>
<p>SECONDARY FRONT YARD</p> <p>Yard bounded by the street line and the wall(s) of a building where there is no main entrance. This area extends from the main front yard to the rear lot boundary line (see “Yards” in Schedule B: Sketches).</p>
<p>SECONDARY MAIN FAÇADE</p> <p>In a corner lot, the façade that faces a street but does not contain the main entrance.</p>
<p>SHARED MANOEUVRING AREA</p> <p>Shared space between two adjacent buildings developed and used as a manoeuvring area.</p>
<p>SHED</p> <p>Accessory building used to store objects and equipment, such as gardening tools and materials.</p>
<p>SIDE BOUNDARY LINE</p> <p>The side demarcation line of a landsite which is usually parallel to the side wall of the main building and may be non-rectilinear.</p>
<p>SIDE SETBACK</p> <p>Minimum prescribed distance between the side boundary line and a side façade of the main building (see “Setbacks” in Schedule B: Sketches).</p>
<p>SIDE YARD</p> <p>Yard bounded by the side boundary line of a landsite, the wall(s) of the side façade of the main building and the lateral extension of the rear and front walls of the main building (see “Yards” in Schedule B: Sketches).</p>
<p>SIDE WALL</p> <p>Exterior wall of a building, parallel or approximately parallel to the side boundary line of a landsite; the line of which may be broken.</p>
<p>SEMI-DETACHED SINGLE-FAMILY DWELLING</p> <p>Separate buildings sharing a common wall and made up of two (2) single-family dwellings (semi-detached).</p>
<p>SEMI-DETACHED TWO-FAMILY DWELLING</p> <p>Separate buildings sharing a common wall and made up of two (2) two-family dwellings.</p>
<p>SETBACK</p> <p>Minimum prescribed distance between a boundary line and the main building (see “Setbacks” in Schedule B: Sketches).</p>
<p>SETTING</p> <p>The location of a use, structure, building or piece of equipment on a landsite.</p>
<p>SINGLE-FAMILY DWELLING IN A ROW</p> <p>Separate buildings made up of at least three (3) dwellings with side walls that are either common or fully or partly attached, with the exception of the exterior walls at the ends of the buildings.</p>
<p>SINGLE-FAMILY DWELLING</p> <p>Dwelling made up of one (1) dwelling unit.</p>
<p>SIGN</p> <p>Any compilation of marks, symbols, letters, numerals or other characters, any image, drawing, engraving or other pictorial representation, any constant, intermittent, scrolling or otherwise mobile lighting</p>

assembly, any emblem, logo or other figure, any flag, pennant or banner, any inflatable character or other volume, or any other compilation, assembly or device that:

Is attached to, stuck on, painted on, engraved on or otherwise installed on or fixed to, in a temporary or permanent fashion, a structure, part of a structure or a support of any kind, whether fixed or mobile that is installed on a private or public landsite;

Is used to inform, warn, announce, identify, advertise or draw attention to an establishment, a use, an activity, a project, a worksite, an event or a building;

Is installed on or is visible from a building's exterior.

SLOPING ROOF

Roof with a slope equal to or greater than 1.5 in 12 (1.5:12).

SOLAR PANEL

Device with a flat surface exposed to the sun that is designed to store solar energy and convert it to thermal energy (thermal solar panel) or electric energy (photovoltaic solar panel).

SOLARIUM

A covered structure attached to a building, with a glazed roof and sides. A solarium is not used as a habitable room, and has no heating system or insulation.

STORAGE

Area used to store merchandise, objects or other materials inside or outside of a building.

STOREY

The volume of a building between the upper surface of a floor and that of the floor immediately above or, in its absence, of the ceiling.

The volume of a building entirely located in the roof space is associated with the definition of an attic and is not considered a storey.

STREET LEVEL

Level determined at the crown of the street in front of the main building. In the case of a corner lot or a transversal lot, it corresponds to the average level of each street.

STREET

Thoroughfare intended primarily for motor vehicle traffic.

STREET LINE

Line separating a landsite from the public right-of-way.

STRUCTURE

Building or structure of any type resulting from the assembly of materials; also designates anything erected, built or constructed whose use requires footing on the ground or joined to an object requiring footing on the ground.

SUBDIVISION

Act of conducting a cadastral operation.

SUBDIVISION PERMIT

Written authorization issued by the Town to conduct a cadastral operation.

SWIMMING POOL

Outdoor or indoor permanent or temporary artificial basin with a water depth of 60 centimeters or more, intended for swimming or other forms of aquatic entertainment.

T

TELECOMMUNICATIONS ANTENNA

Antenna intended for commercial and/or public use.

TEMPORARY BUILDING

Building without a permanent foundation, installed or erected for a special purpose and limited time period.

<p>TEMPORARY CARPORT</p> <p>Structure covered by canvas or non-rigid material, used to park one or more vehicles.</p>
<p>TEMPORARY EQUIPMENT</p> <p>Equipment installed or erected for a special purpose and a limited time period, such as furniture needed for a garage sale.</p>
<p>TEMPORARY PEDESTRIAN SHELTER</p> <p>Structure made up of canvas or non-rigid material, used to shelter pedestrian walkways.</p>
<p>TEMPORARY SHELTER</p> <p>Structure covered by canvas or plastic material, intended to protect property against the elements, which is used as a place of enjoyment in a private yard.</p>
<p>TEMPORARY USE</p> <p>Use that may be authorized for a limited time period as prescribed by this By-law.</p>
<p>TERRACE</p> <p>Outdoor platform usually located behind a building that is at least 15 centimeters above natural grade.</p>
<p>THOROUGHFARE</p> <p>Any road structure or site mainly used for motor vehicle and pedestrian traffic, including roads, public or private streets used for motor vehicle traffic and snowmobile trails.</p>
<p>TOWN</p> <p>The Town of Hampstead.</p>
<p>TOWN TREE</p> <p>Any tree located on the property of the Town. If the base of the trunk straddles a Town property line, the tree shall be deemed to be a Town tree.</p>
<p>TOWNHOUSE (OR ROWHOUSE)</p> <p>A single-family dwelling in a group of adjacent single-family dwellings made up of at least three (3) dwelling units.</p>
<p>TRANSFORMATION</p> <p>Any change of use.</p> <p><u>Any alterations of a floor area (layout) or part of a floor area is considered a transformation when it results in the modification touching the structure of the elements and components of the walls, ceilings and floors.</u></p> <p><i>a. a change of use (increase in the number of people, new usage):</i></p> <p><i>1. DEF. USE: The end to which an immovable, a building, a structure, an establishment, premises, a landsite, or one of their parts is utilized, occupied or intended to be utilized or occupied.</i></p> <p><i>b. the creation of a connecting area;</i></p> <p><i>c. the provision of barrier-free access or pathways;</i></p> <p><i>d. a change in fire-fighting measures;</i></p> <p><i>e. an amendment or addition that affects the security conditions;</i></p> <p><u>For the issuance of a permit for the major transformation of an existing building, the cost must not be less than \$25.00 per m²</u></p> <p>(1004-10, Sec. 6, 17/4/2024)</p>
<p>TRANSVERSAL LANDSITE</p> <p>Landsite fronting on two streets or street segments at opposite ends (see Schedule B: Sketches).</p>
<p>TRANSVERSAL LOT</p> <p>A lot fronting on two streets or street segments (see “Yards” or “Setbacks” in Schedule B: Sketches).</p>
<p>TREE</p> <p>Any living, erect, woody plant, including its root system.</p>

TREE FELLING

Operation consisting of the elimination of a tree by cutting its trunk crosswise by any means. The following are also considered as tree felling operations:

- Removal of more than 50% of the living crown;
- Severing, by pruning or cutting, of more than 40% of the root system;
- Covering the root system with a backfill of 20 centimeters or more;

Any other action resulting in the death of a tree, in particular, the use of a toxic product to kill a tree, or creating lesions or having lesions created, more or less all around the trunk of a tree, in the bark, in the secondary phloem or in the wood.

TWO-FAMILY ROW DWELLING

Separate buildings made up of at least three (3) two-family dwellings with side walls that are either common or fully or partly attached, with the exception of the exterior walls of the buildings located at the extremities.

U**UNIVERSAL ACCESS**

Arrangement that allows mobility-impaired persons to access public or private areas, buildings or outdoor facilities.

URBAN PLANNING BY-LAW

The Building By-law, the Subdivision By-law, the Zoning By-law, the By-law Concerning Minor Exemptions, the Permits and Certificates By-law and the By-law Constituting the Planning Advisory Committee of the Town of Hampstead.

USE

The end to which an immovable, a building, a structure, an establishment, premises, a landsite, or one of their parts is utilized, occupied or intended to be utilized or occupied.

V**VEHICULAR ACCESS**

Part of a circulation aisle located in a public right-of-way providing access from a private lot to a public road. The landsite access includes the section of the sidewalk or curb that is at the same level as the street, but not the sloping section of the sidewalk or curb.

VEHICULAR AISLE

Driveway allowing circulation within the limits of a landsite providing access to parking areas and a public thoroughfare.

VERANDA

Gallery or balcony that is covered and fitted with screens and/or windows and projects out from a building, is not used as a habitable room, and has no heating system or insulation.

W**WALL**

Vertical structure that encloses a space and may also bear the load of a floor or a roof.

WIDTH OF A BUILDING

Distance between the exterior side walls of the main building, measured along the main façade and including attached garages, measured at the foundation.

WIDTH OF A LANDSITE

Dimension of the front boundary line for interior or transversal interior landsites. In the case of corner or transversal corner landsites, this dimension is measured from the point of intersection of the two (2) street lines or their extensions (see "Width of a landsite" in Schedule B: Sketches).

WORKS

Any work or assembly of materials intended to develop, improve or modify the ground of a lot.

WOOD-BURNING DEVICE

A fireplace insert, wood stove, central heating furnace or any similar heating device, including a pellet stove or exterior solid fuel-fired appliance.

Y

YARD

Open space, partly or entirely surrounded by walls or delimited by landsite boundary lines and occupied by a main building (see “Yards” in Schedule B: Sketches).

Z

ZONE

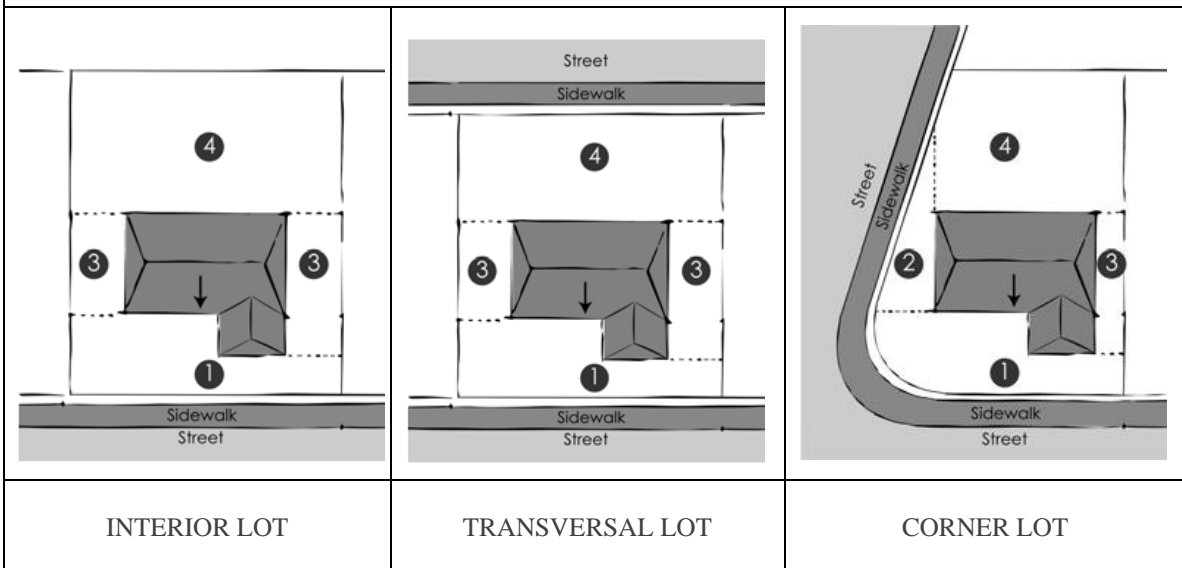
Part of the municipal territory delimited in the zoning plan, where buildings and landsites are regulated.

ZONING

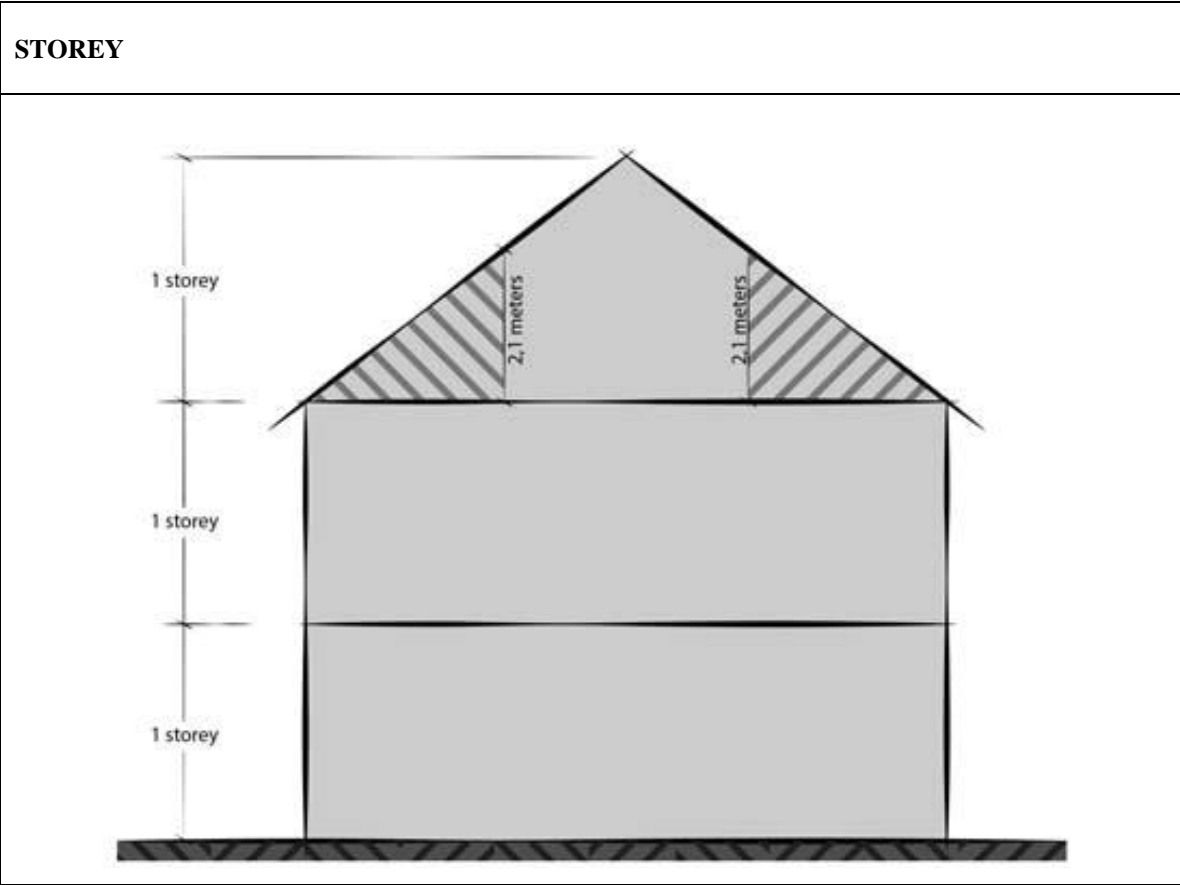
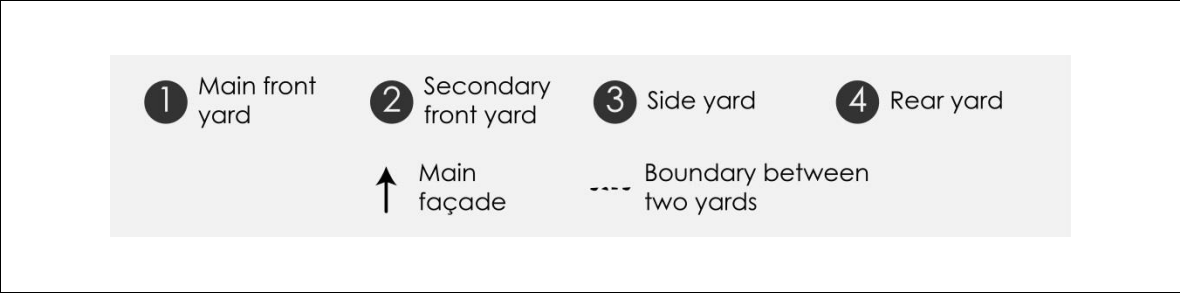
Division of the municipal territory into zones to regulate the construction and use of buildings and landsites.

**SCHEDULE B
SKETCHES**

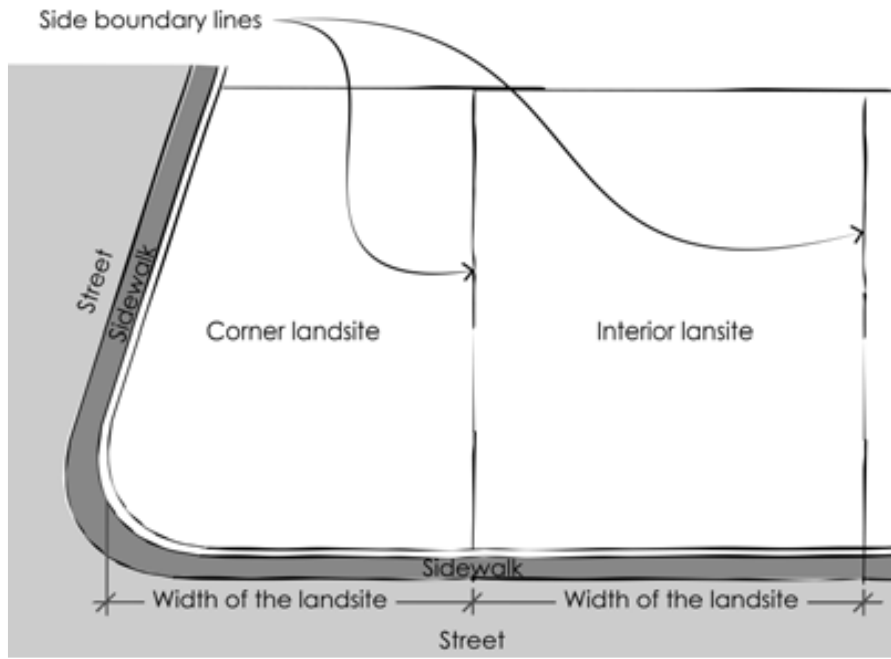
YARDS



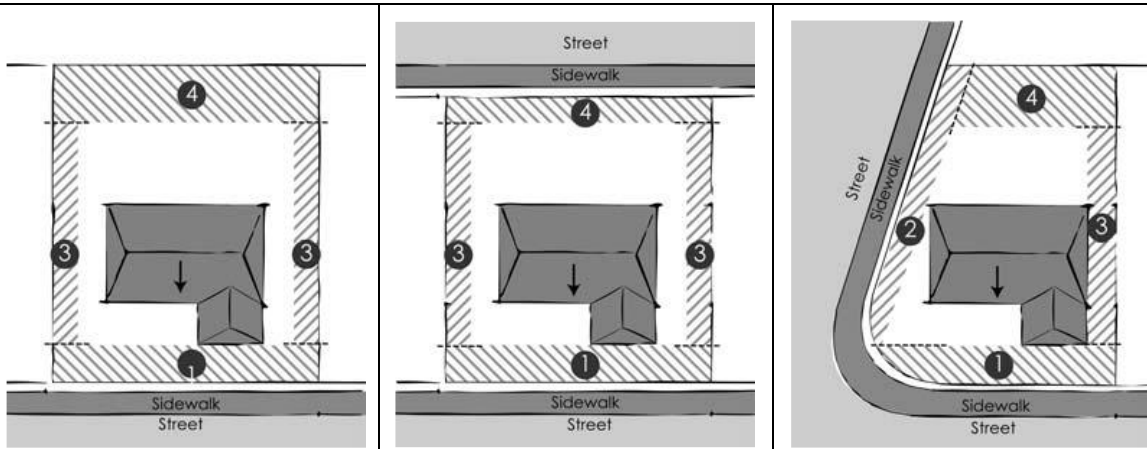
TRANSVERSAL CORNER LOT	TRANSVERSAL CORNER LOT	IRREGULAR LOT
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WIDTH OF A LANDSITE



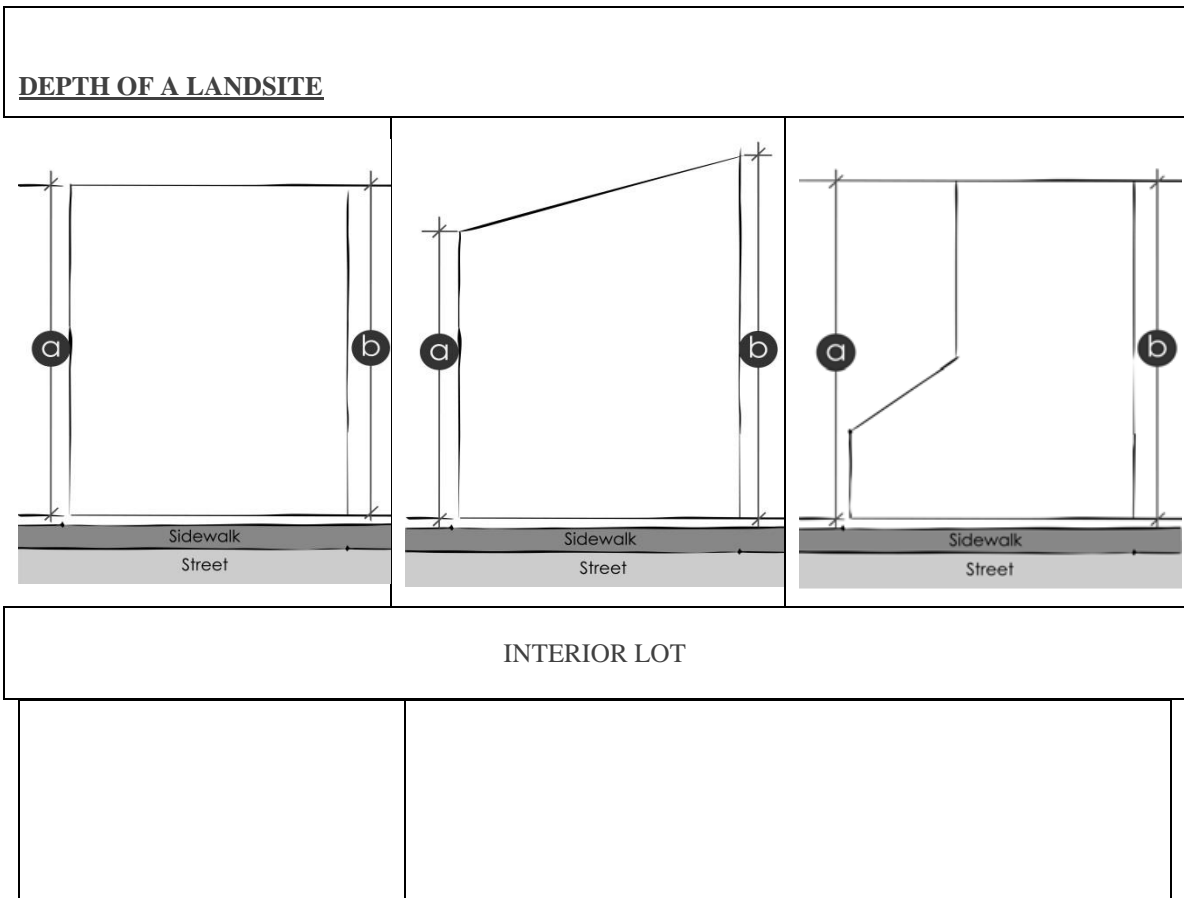
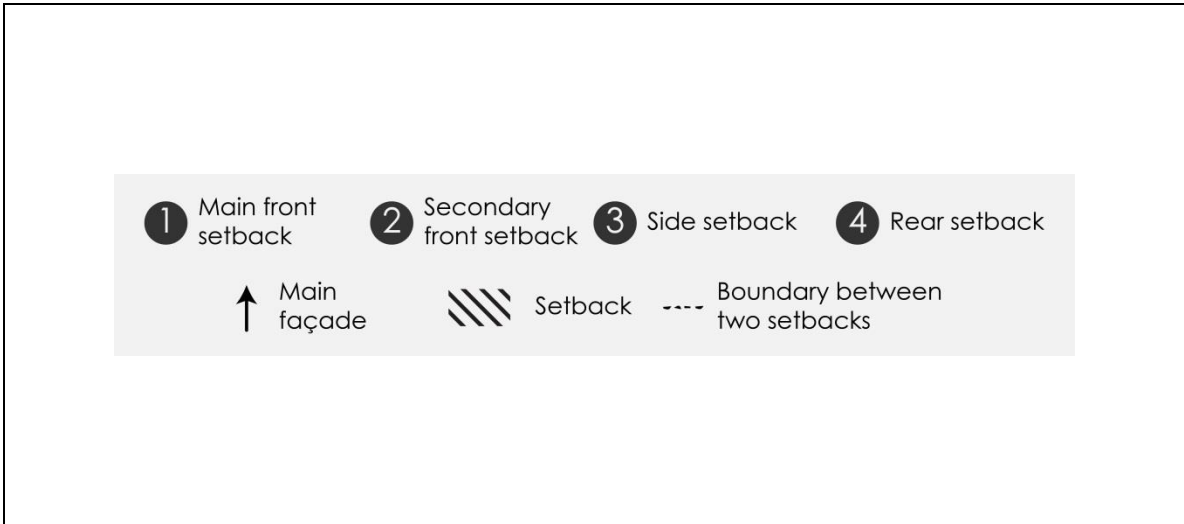
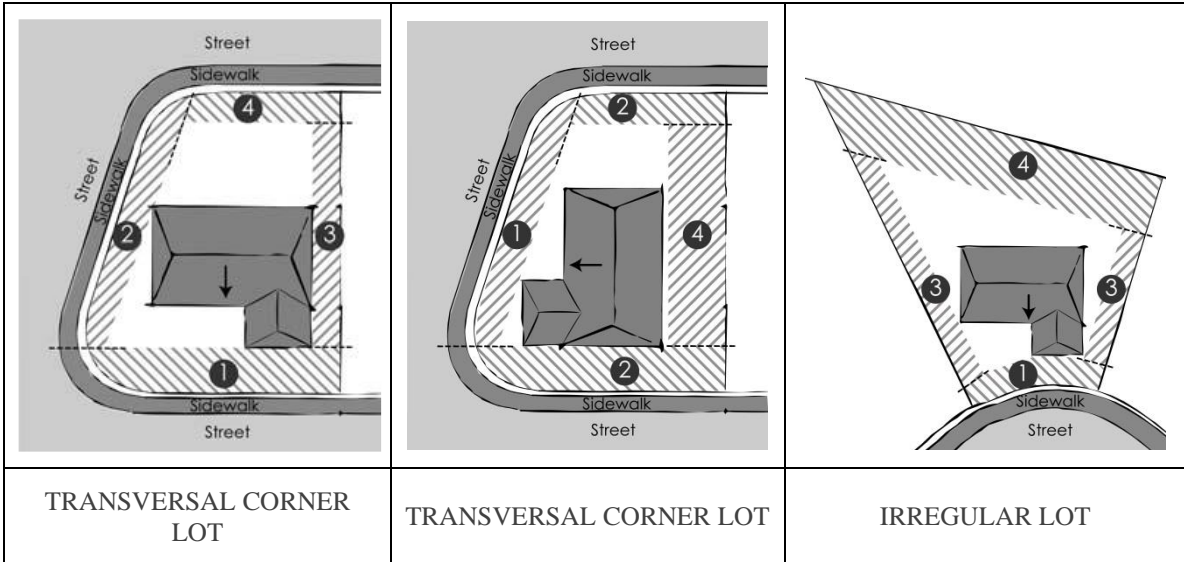
SETBACKS

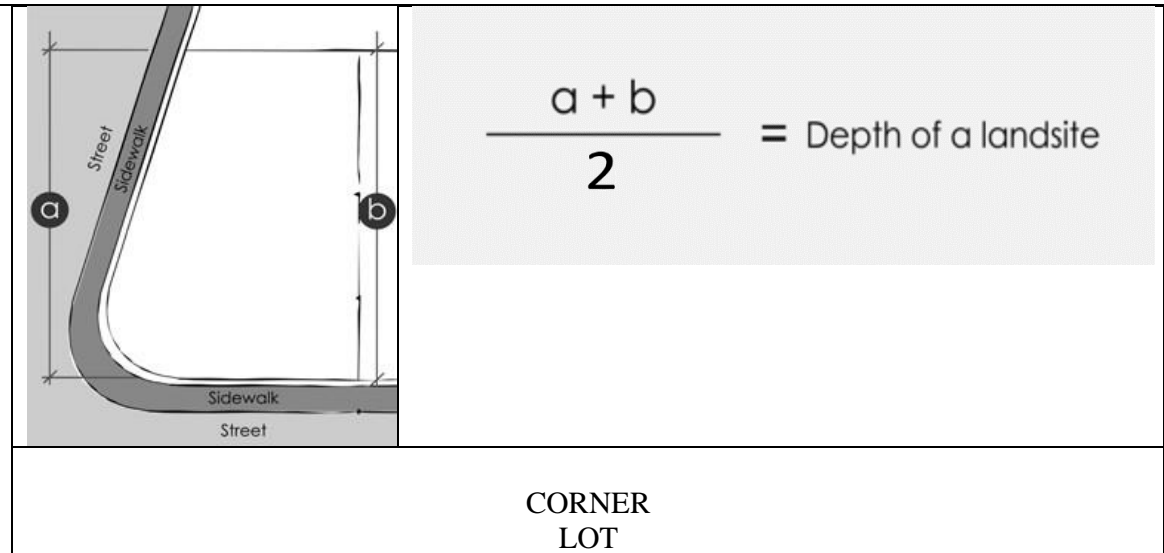


INTERIOR LOT

TRANSVERSAL LOT

CORNER LOT





(1004-10, Sec. 9, 17/4/2024)

(s) Jeremy Levi
Jeremy Levi, Mayor

(s) Poovadee Permal-Vardin
Poovadee Permal-Vardin, Town Clerk