

BY-LAW NO. 713

**BY-LAW CONCERNING THE
CONVERSION OF IMMOVEABLES
INTO CONDOMINIUMS**

WHEREAS notice of motion of Draft By-law no.713 was given at the Regular Council Meeting held on November 9, 1998.

ON JANUARY 18, 1999, THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

ARTICLE 1

The owner of a building containing one or more rental units may apply for an exception to the prohibition for converting an immoveable to divided co-ownership by completing and submitting an application to the Town Clerk on a form provided for this purpose by the Town.

ARTICLE 2

The application must be accompanied by the following:

- a) a plan showing the location of the building on the lot;
- b) one or more plans showing the layout of each floor of the building;
- c) a description of the proposed modifications to the building, if any, should the application be granted;
- d) evidence that the tenants of the building have been notified of the filing of the application
- e) the sum of \$500.00 in cash or by certified cheque, as a non-refundable fee to process the application;
- f) the sum determined by the Town Clerk to cover the cost of publishing the notice contemplated in Article 5.

ARTICLE 3

If the application is complete, it is submitted to the Planning Advisory Committee, by the Town Clerk, together with the documents contemplated in Article 2.

ARTICLE 4

The Planning Advisory Committee may request from the applicant any additional information or document(s) deemed necessary to formulate its recommendation to the Town Council. This recommendation shall be made within thirty (30) days after the Committee receives the application, the accompanying documents contemplated in Article 2, and the additional information or document(s) as explained in Article 4, from the Town Clerk and/or the Applicant.

ARTICLE 5

At least one (1) month prior to the meeting of the Council during which the application will be considered, the Town Clerk shall publish, at the expense of the applicant, a public notice containing the following information:

- a) the date, hour and place of the meeting of the Council;
- b) the nature of the application;
- c) the designation of the immovable.

The notice must also mention that any interested person may be heard by the Council concerning the application.

ARTICLE 6

The Town Council may grant the request for a derogation if it is convinced that it is advisable to do so, taking into account, amongst others, the following factors;

- a) the vacancy rate in rental dwellings in the Town;
- b) the availability of the comparable dwellings;
- c) the housing needs of certain categories of persons;
- d) the physical characteristics of the building;
- e) the representations of the tenants of the building.

ARTICLE 7

A certified copy of the resolution of the Council granting or refusing the application must be sent to the applicant.

ARTICLE 8

The present By-law comes into force according to Law.

(s) Irving L. Adessky

Irving L. Adessky, Q.C., Mayor

(s) Maurice Guay

Maurice Guay, C.M.O., Town Clerk