

Consultation version

In case of discrepancy, the French version shall prevail



**VILLE DE LAC-BROME**  
TOWN OF BROME LAKE

## **BY-LAW ON PERMITS AND CERTIFICATES no 599**

**Août 2013**

<b>Amended by</b>	<b>By-law 599-1</b>	<b>EEV 2015-10-27</b>
<b>Amended by</b>	<b>By-law 599-2</b>	<b>EEV 2016-07-13</b>
<b>-</b>	<b>By-law 599-3</b>	<b>Removed</b>
<b>Amended by</b>	<b>By-law 599-4</b>	<b>EEV 2023-03-22</b>
<b>Amended by</b>	<b>By-law 599-5</b>	<b>EEV 2023-05-23</b>

**TOWN OF BROME LAKE**  
Town clerk's office

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**CANADA  
PROVINCE OF QUEBEC  
TOWN OF BROME LAKE**

**BY-LAW ON PERMITS AND CERTIFICATES**

At a regular meeting of the Town Council held in the Fulford Hall on August 5, 2013, in accordance with the law, and at which were present Councillors Marta Gubert Gomes and Cynthia Wilkinson and Councillors Donald Gagné, Thomas McGovern, Jacques Lecours and Patrick Ouvrard, forming quorum under the chairmanship of Mayor Gilles Decelles

**BY-LAW no. 599**

WHEREAS a municipality has the power to revise its planning program every five years, in accordance with section 10.3.1 of the Act respecting land use planning and development;

WHEREAS that the Town of Brome Lake decided to undertake such a procedure in 2009;

WHEREAS that at its meeting of May 15, 2013, the Municipal Council adopted a first draft by-law replacing the current Urban Plan, in accordance with sections 110.3.1 and 109.1 of the aforementioned Act;

WHEREAS in order to implement its new urban plan, the Town of Brome Lake wishes to avail itself of the special procedure for the replacement of its permit and certificate by-law provided for in section 110.10.1 of the aforementioned Act;

WHEREAS that at this special meeting, a notice of motion with the exemption of its reading was given by Councillor Jacques Lecours;

WHEREAS that all councillors have had the opportunity to examine the draft by-law and that it has been made available for public consultation at the Town Hall;

WHEREAS that on June 8, 2013, this by-law was submitted to the public for consultation;

WHEREAS that on this occasion, the Municipal Council heard those wishing to express their views on the content of the by-law;

**CONSEQUENTLY:**

Councillor Patrick Ouvrard moved, Councillor Jacques Lecours seconded and it was unanimously resolved to adopt By-law No. 599 replacing By-law No. 361 respecting Permits and Certificates.

# CHAPTER I: DECLARATORY AND INTERPRETIVE PROVISIONS

## SECTION 1 - DECLARATORY PROVISIONS

### 1. TITLE

This by-law shall be known as the "Permits and Certificates By-law".

### 2. TERRITORY AFFECTED

This by-law applies to the entire territory of the Town of Brome Lake.

### 3. BY-LAWS REPLACED

This by-law replaces by-law n° 361 and its amendments.

## SECTION II : INTERPRETIVE PROVISIONS

### 4. TERMINOLOGY

The words and expressions used in this by-law have the meanings here attributed to them, in the following order of priority:

1° The present by-law;

2° The zoning by-law;

3° The subdivision by-law;

4° The construction by-law.

### 5. SPECIFIC DEFINITIONS

Unless the context indicates a different meaning, the following terms are understood to mean as follows:

« **Inspecteur en bâtiment** » - "**Building inspector**": Official designated by the Municipal Council, in accordance with the Act;

« **Location d'hébergement résidentiel pour une période de 31 jours et moins dans les résidences principales** » - "**Rental of residential accommodation for a period of 31 days or less in main residences**": Rental in a Main Residence for a period of 31 days or less where accommodation is offered, by means of a single reservation, in the Main Residence of the natural person who operates to one person or to a single group of related persons at a time and does not include any meals served on the premises; (*amended by by-law 599-4*)

« **Certificat d'implantation ou certificat de piquetage** » - "**Certificate of layout or staking certificate**": written confirmation of the execution of the layout, i.e. all operations carried out by the land surveyor for the purpose of positioning by means of benchmarks, from known points, the exact site of a structure and an accompanying plan issued by the land surveyor; (*amended by by-law 599-1*)

« **Certificat de localisation** » - "**Certificate of location**": the certificate of location is a document comprising a report and a plan by which the land surveyor expresses his professional opinion on the current situation and condition of a property. It

provides the “state of health” of a property in relation to title deeds, the cadastre, and laws and regulations that may affect it.

This certificate is usually required for a real estate transaction, and may be requested by a creditor, notary, lawyer, real estate broker, appraiser or municipality. It can be requested by either the seller or the buyer; (amended by by-law 599-1)

« **Plan projet d'implantation** » - “**Projected site plan**”: Plan to scale prepared by the land surveyor showing the projected position of the building on the lot for which the permit is requested;

« **Rénovation** » - “**Renovation**”: Any change, modification, repair or consolidation of a building or structure that does not increase its floor area, floor surface or volume. Minor renovations are considered to be work valued at less than \$8,000, excluding taxes. (amended by by-law 599-5)

« **Réparation d'une construction** » - “**Repair of a construction**”: Means the replacement of certain deteriorated elements of a construction by identical elements, of the same nature or equivalent, having the effect of preserving or maintaining the said construction. Minor repairs are considered to be work valued at less than \$8,000, excluding taxes; (amended by by-laws 599-1, 599-5)

« **Résidence principale** » - “**Main residence**”: *The residence where a natural person lives on a regular basis, centralizing his or her family and social activities, and whose address corresponds to the one he or she provides to most Québec government departments and agencies.* (amended by by-law 599-4)

« **Résidence secondaire** » - “**Secondary residence**”: For the application of this by-law, a secondary residence is any building used for the rental of residential accommodation for a period of 31 days or less that is not a principal residence; (amended by by-law 599-4)

« **Superficie brute totale des planchers** » - “**Total gross floor area**”: The total area of all floors above ground level, calculated between the external faces of the exterior walls;

« **Un seul tenant** » - “**Only one owner**”: (definition applicable to tree-cutting operations) The 1-hectare area may cover more than one property belonging to the same owner, and on the latter, all cutting sites separated by less than 100 m are considered only one owner.

## 6. MEASURING SYSTEM

All dimensions given in these regulations are in the International System (SI).

## **CHAPTER II: ADMINISTRATIVE PROVISIONS**

### **SECTION I: APPLICATION OF THE BY-LAW**

#### **7. REGULATION ADMINISTRATION**

The Town's Urban Planning and Environment Department is responsible for the administration of this by-law.

#### **8. APPLICATION**

The building inspector is responsible for enforcing the present by-law. In particular, he is authorized to issue a statement of offence for any violation of the present by-law.

The Council may, by resolution or by by-law, authorize any other person to issue a statement of offence for an infraction of the present by-law.

#### **9. POWERS OF THE PERSON IN CHARGE OF THE ENFORCEMENT**

The person responsible for enforcing the by-law shall exercise the powers conferred upon him or her by the present by-law, and in particular:

1° May visit and examine, between 7 a.m. and 7 p.m., any immovable or movable property, as well as the interior or exterior of any house, building or structure whatsoever, to ascertain whether this by-law, other by-laws or Council resolutions are being complied with, to verify any information or to ascertain any fact necessary for the exercise by the municipality of the power to issue a permit, to issue a notice of compliance of an application, to grant an authorization or any other form of permission, conferred upon it by an Act or by-law. In a territory declared a permanent agricultural zone by the Act respecting the preservation of agricultural land and agricultural activities (LPTAA), the building inspector may be assisted by an agronomist, a veterinarian, a professional technologist or a land surveyor, in order to gather any information or observe any fact necessary for the application of a separating standard. "Exceptionally, the person responsible for applying Section IV to the rental of residential accommodation for a period of 31 days or less in a principal residence may exercise the powers conferred by Article 9 at any time; *(amended by by-law 599-4)*

"Exceptionally, the person responsible for applying Section V - Rental of residential accommodation for a period of 31 days or less in a secondary residence may exercise the powers conferred by Article 9 at any time;" *(amended by by-law 599-4)*

2° May give formal notice to temporarily evacuate any building that could endanger the life of any person;

3° May give formal notice to carry out any repair work he deems necessary for the safety of the building, and recommend any emergency measures to the Council;

4° May give formal notice to rectify any situation constituting a breach of the present by-law;

5° May take any necessary measures to stop the construction, occupation or use of a part of a lot, a property, a building or a structure that is incompatible with the present by-law.

## **10. OBLIGATION TO ALLOW THE INSPECTOR TO VISIT**

The owner or occupant of any movable or immovable property, house, building of any kind must allow the person responsible for the application of the by-law to enter for the purpose of examination or verification between 7 a.m. and 7 p.m., with respect to the execution or observance of this by-law, other by-laws or resolutions of Council.

“Exceptionally, the person responsible for applying Section IV for the Rental of residential accommodation for a period of 31 days or less in a Principal Residence may exercise the powers conferred in Article 10 at any time.” (amended by by-law 599-4)

“Exceptionally, the person responsible for applying Section V - Rental of residential accommodation for a period of 31 days or less in a secondary residence may exercise the powers conferred by Article 10 at any time.” (amended by by-law 599-4)

Upon request, the person responsible for enforcing the by-law must establish his or her identity and show the certificate issued by the municipality attesting to his or her status.

## **11. PERMIT OBLIGATIONS**

The permit or certificate holder, owner or occupant must:

Within one (1) month of the construction of a septic system, submit to the building inspector a copy of a report attesting to the conformity of the septic system, prepared and signed by a member of a professional order competent in the field, and including: a plan of the septic system as built and photos in digital format of all components of the system before backfilling.

1° Before backfilling any excavation, contact municipal services to ensure that connections to the public network are installed in compliance with the applicable by-law;

2° Before laying any foundations for a main building or extending a main building, you must provide the building inspector with a site planning or staking certificate. However, such a certificate is not required when the proposed siting of the main building is located more than 5 m from an applicable minimum setback, an applicable shoreline or the boundary of a flood zone, as the case may be; (amended by by-law 599-1)

3° Within thirty days (amend by by-law 599-1) of completion of construction or extension of a main building, submit to the building inspector a certificate of location prepared by a land surveyor. However, a certificate of location is not required for an agricultural building, or for an extension of less than 34% of the footprint of a main building, if the certificate of location of the existing building shows that the extension is located more than 1 m from the various minimum setbacks applicable in the zone. When located in a flood zone as defined in the zoning by-law, or bordering a lake or watercourse, the certificate of location must also indicate the flood elevation at the



building site and/or the distance between the building and the high-water mark, where applicable;

4° Where a building permit has been issued, including expansion projects, have a waste container with a minimum capacity of 5.6 m<sup>3</sup> on site;

5° Ensure that no excavation or other work is undertaken, and that there is no occupation in whole or in part on the public domain unless express authorization is obtained from the public works department;

6° Comply with the conditions of the permit or certificate issued and the regulatory deadline;

7° Under no circumstances modify or deviate from the conditions of the permit or certificate without prior written authorization from the building inspector;

8° Inform the building inspector when the permit is transferred from one owner to another;

9° Keep plans and specifications approved by the building inspector to which the building permit or certificate of authorization applies available at all times during working hours, on the work site;

10° Post the permit or certificate in a place clearly visible from the street on the work site for the duration of the work;

11° Provide “as-built” plans to the building inspector at the end of the work when significant changes have been made to the original plans and specifications after the permit or certificate has been issued;

12° The designated official responsible for the application of this by-law shall not be held liable for failing to inform the owner or applicant of other authorizations required under any other law or regulation. *(amended by by-law 599-5)*

## **SECTION II: PRICING**

### **12. PRICING**

The applicant for a permit or certificate must pay the cost stipulated in Appendix “I” of this by-law.

The estimated cost of work does not include applicable taxes.

The cost of the permit or certificate must be paid before work begins.

A permit or certificate is non-refundable, even if the application has lapsed, is non-compliant or if the project has not been completed or has been abandoned. *(amended by by-law 599-5)*

## **SECTION III : FINES AND PENALTIES**

### **13. INFRACTIONS AND PENALTIES (amended by by-law 599-4)**

Anyone who contravenes a provision of this by-law commits an offence and is liable:

For Sections I, II, and III of Chapter III Permits and certificates

1° For a first offence, a fine of \$500 to \$1,000 in the case of a natural person, or a fine of \$1,500 to \$2,000 in the case of a legal person;

2° In the case of a repeat offence, to a fine of \$1,000 to \$2,000 in the case of a natural person, or \$2,000 to \$4,000 in the case of a legal person.

For Section IV of Chapter III Permits and certificates;

1° For a first offence, a fine of \$1,000 to \$2,000 in the case of a natural person;

2° For a second or subsequent offence, a fine of \$2,000 to \$3,000 in the case of a natural person;

For Section V of Chapter III Permits and certificates;

1° For a first offence, to a fine of \$1,000 to \$2,000 in the case of a natural person, or to a fine of \$2,000 to \$3,000 in the case of a legal person;

2° For a second or subsequent offence, to a fine of \$2,000 to \$3,000 in the case of a natural person, or to a fine of \$3,000 to \$4,000 in the case of a legal person;

### **14. CONTINUOUS INFRACTION**

When an infraction has lasted more than one day, the penalty is applied for each day or fraction of a day that the infraction has lasted.

### **15. RECIDIVISM**

Where the by-law provides for a more severe penalty in the event of recidivism, it may only be imposed if the recidivism occurred within two years of the offender's conviction for an offence under the same provision as that for which a more severe penalty is sought.

### **16. CIVIL ACTIONS**

In addition to penal actions, the Town may exercise before the courts all civil actions at its disposal to ensure compliance with the provisions of this by-law.

### **17. COSTS**

Costs are in addition to the penalties provided for in the present by-law. They include costs related to the execution of the judgment.

## **CHAPTER III: PERMITS AND CERTIFICATES**

### **SECTION I: SUBDIVISION PERMITS**

#### **18. SUBDIVISION PERMIT OBLIGATION**

Anyone wishing to proceed with a cadastral operation, whether or not streets are planned, must first obtain a subdivision permit from the building inspector.

#### **19. SUBDIVISION PERMIT REQUEST**

The application for a subdivision permit must be made in writing on forms provided by the Town.

#### **20. ACCOMPANYING DOCUMENTS**

The subdivision permit application must be accompanied by:

1° Three copies of a plan of the proposed cadastral operation, prepared by a land surveyor to a scale of at least 1:1,000;

2° Two copies of an overall plan of the project, prepared by a land surveyor to a scale showing:

- a) Existing lot lines;
- b) Proposed lot lines and approximate dimensions;
- c) The North;
- d) The area of land allocated to each lot (street, dwelling, institution, etc.) and the percentage that these areas represent in relation to the total area of land subject to the proposed subdivision;
- e) Ground relief expressed by elevation lines at least 2.5 metres apart;
- f) Watercourses, lakes and wetlands;
- g) Flood and wetland elevations, where applicable;
- h) Existing buildings on or adjacent to the lot(s) to be subdivided;
- i) Adjoining lots or lots subject to the project and belonging to the same owner, whether or not all these lots are part of the project;
- j) The layout and right-of-way of proposed streets and their grades, as well as the layout of existing streets;
- k) Approximate location of existing utilities;
- l) The easements required for the installation of public services such as electricity, cable, telephone, water and sewer;

- m) Servitudes already encumbering the immovable covered by the subdivision application;
- n) Space reserved for parks and playgrounds, the surface area of this space and the percentage that this surface area represents in relation to the total area of the lot that is the subject of the proposed subdivision;
- o) The date and signature of the applicant or representative;
- p) The use for which the lot(s) is/are intended;
- q) Any other information required to verify compliance with applicable municipal standards;

3° A document demonstrating, where applicable, that the land benefits from a privilege under the Act respecting land use planning and development (art. 256.1, 256.2, 256.3), as applicable.

4° All development projects must be accompanied by an environmental characterization of the site and the identification of measures required by applicable regulations (*amended by by-law 599-2*)

## **21. CONDITIONS FOR ISSUING A SUBDIVISION PERMIT**

The building inspector will issue a subdivision permit if:

1° The application complies with the subdivision by-law or, if not, the permit has been the subject of a minor derogation granted by Council. In addition, if there is a street, an agreement has been signed with the municipality in accordance with the municipal works agreement by-law, where applicable.

2° The application is accompanied by all plans and documents required by this by-law and, where applicable, the plans have been approved in accordance with the Site Planning and Architectural Integration Program (SPAIP) by-law adopted pursuant to the Act respecting land use planning and development;

3° The permit fee has been paid.

4° The resolution indicating the type of contribution for parks, playgrounds and natural areas determined by Council was ratified and, where applicable, the cash amount for the parks, playgrounds and natural areas fund was paid to the municipality. (*amended by by-law 599-5*)

## **22. TIME LIMIT FOR ISSUING A SUBDIVISION PERMIT**

The building inspector has 60 days to issue the subdivision permit, if applicable, from the date of receipt of the application submitted in accordance with this by-law.

## **23. CANCELLATION OF THE SUBDIVISION PERMIT**

A subdivision permit becomes null and void if the plan of the cadastral operation for which it was issued is not sent to the Ministère des Ressources naturelles division du cadastre for deposit within 180 days of the date the permit was issued.

## **SECTION II: PERMISSION TO BUILD (*amended by by-law 599-5*)**

### **24. OBLIGATION TO OBTAIN A BUILDING PERMIT**

Anyone wishing to build, convert, enlarge (except for a temporary vestibule) or add to a building, including a mobile home (except for a temporary carport) or a parking lot with more than 4 parking spaces must first obtain a building permit from the building inspector.

Similarly, anyone applying for authorization for a non-agricultural use in a permanent agricultural zone decreed under the Act respecting the preservation of agricultural land and agricultural activities (LPTAA) involving a construction, conversion or expansion project must also apply for a building permit under the present by-law.

### **25. BUILDING PERMIT APPLICATION**

The building permit application must be made in writing on forms provided by the Town.

### **26. ACCOMPANYING DOCUMENTS (*amended by by-law 599-1*)**

The building permit application must be accompanied by two copies of the following documents:

1° A site plan or sketch to scale for a good understanding:

- Property limits, dimensions, surface area and cadastral identification;
- Existing or planned servitudes on the property;
- The location of lakes and watercourses, flood plains, wetlands, the high-water line, the shoreline of any lake or body of water and the location of drinking water catchment basins, where applicable;
- Location of areas at risk of landslides and steep slopes, where applicable;
- Existing topography and proposed grading in relation to existing streets and adjacent properties;
- The location, dimensions and nature of any existing or proposed construction on the lot, including any mechanical equipment on the ground, and its distance from the lot lines;
- The location and dimensions of parking spaces, driveways, access aisles and entrances to any outdoor parking space. If parking spaces reserved for the disabled are provided, they must be identified on the plan;
- Existing vs. planned tree coverage. (*amended by by-law 599-5*)

2° For buildings subject to the Architects Act R.S.Q.c.A-21, plans sealed and signed by a member of the Order in accordance with this Act. In these first cases, the plans must include the building's classification according to the National Building Code (NBC). For other buildings, plans, elevations, sections, sketches and specifications required for a clear understanding of the project.

- In both cases, the plans and specifications must show all the details required by municipal by-laws, as well as the uses of the building and the land. They must indicate, without limitation, the use of each room and its function basement floor level. *(amended by by-law 599-5)*

2.1° An erosion control plan illustrating a method for managing sediment during construction; *(amended by by-law 599-5)*

2.2° A runoff water management plan; *(amended by by-law 599-5)*

- 3° Shape, location and number of parking spaces;
- 4° A layout plan at a scale of at least 1:200 of the parking lot for commercial and industrial uses and multi-family residences, with the following information:
- a) The number of spaces and the information needed to verify that standards are met;
  - b) Shape and dimensions of parking spaces (stalls) and access aisles;
  - c) Location of entrances and exits;
  - d) Surface drainage system;
  - e) Design and location of directional signs, fences and borders, if required;
- 5° When a loading and unloading dock is planned, a layout plan at a scale of at least 1:200 of the site showing the loading and unloading dock, access roads and indicating the radius of curves and manoeuvres for delivery vehicles;
- 6° In the case of a construction other than an accessory building without a continuous or permanent foundation, in flood zones, the application must be accompanied by a certificate issued by a member of the Ordre des ingénieurs du Québec or any other professional authorized by law, to the effect that the structures or parts of structures below flood level are suitable in terms of their waterproofing, structural stability, reinforcement, the necessary resistance of concrete to compression and tension that may occur during a flood, and the pumping capacity required to evacuate seepage water;
- 7° In addition to the documents required in the preceding paragraphs, persons wishing to apply for a permit for farm buildings in a permanent agricultural zone decreed under the Act respecting the preservation of agricultural land and agricultural activities (LPTAA) must submit the following information and documents:
- a) A document describing each agricultural operation adjacent to the building covered by the permit application, prepared by an agronomist, veterinarian, professional technologist or land surveyor and indicating:
    - i) name, surname and address;
    - ii) group or category of animals;
    - iii) number of animal units;
    - iv) type (slurry or manure) and management method of farmyard manure (solid or liquid management);

- v) type of roofing on storage site (absent, rigid or permanent, temporary);
- vi) type of ventilation;
- vii) any use of new technology;
- viii) storage capacity (m<sup>3</sup>);
- ix) spreading method (slurry: sprinkler, lance, aerospray, aspersion, simultaneous incorporation, manure: fresh and left on the surface for more than 24 hours, fresh and incorporated in less than 24 hours, deodorized compost);

b) A plan to scale prepared by an agronomist, veterinarian, professional technologist or land surveyor showing:

- i) the cardinal points;
- ii) the location of the proposed agricultural or non-agricultural building that is the subject of the permit application;
- iii) the location of the individual well or water intake, as the case may be;
- iv) the location of neighbouring farms, i.e.: livestock facility, farm fertilizer storage site, sites where farm fertilizer is spread;
- v) the distance between the proposed non-agricultural building and: any neighbouring livestock facility, farmyard manure storage site, sites where farmyard manure is spread;
- vi) the distance between the livestock facility and its storage site;
- vii) the distance between the sites where animal manure, farm compost or mineral fertilizers are spread on neighbouring farms and the individual well or water intake, as the case may be, of the existing or proposed non-farm building.

8° In addition to the documents required in the preceding paragraphs, persons applying for a building permit for a non-agricultural use in a permanent agricultural zone decreed by the LPTAA must provide the information and documents necessary to enable the Town to make recommendations pursuant to Chapter II Section IV § 3 of the LPTAA.

9° In addition to the documents required in the preceding paragraph and subparagraphs, when a building permit application is made in a green zone decreed under the Act respecting the preservation of agricultural land and agricultural activities (LPTAA), the municipality requires that the farm operator as defined in the LPTAA (article 79.2. 4) located in the vicinity of the immovable that is the subject of the permit application, to provide it with all the information required for the application of subsections 1.1 and 1.2 of Division II of Chapter III of the LPTAA and for the application of the standards relating to separating distances set out in the municipality's zoning by-law, in writing and within 20 days of its notification. Should the operator fail to provide this information within the prescribed time, the municipality may, at the operator's expense, collect any information required to apply the provisions of the LPTAA and the zoning by-law. The building inspector may engage the services of a professional or technologist as provided for in this by-law;

10° For all works, structures or constructions of 30m<sup>2</sup> or more related to the installation of equipment for recreational activities authorized by the zoning, where applicable, in a steeply sloping area, the following information and documents are required, depending on the type of intervention planned:

1) A plan to scale showing:

- a) delineation of authorized construction areas and measures used to identify construction areas on the ground (e.g. markers using colored tape or stakes);
  - b) location of rainwater collection or retention facilities;
  - c) topographical curves surveyed every 2 meters or, failing that, a sufficient number of graded points to show the general topography of the building;
  - d) steep slope sectors, minimally according to the following classes: less than 30%, 30% to less than 50% and 50% and over. The methodology used to establish the measurement points must accompany the plan. These steep slope sectors are established at least by measuring points on the portion of land affected by an authorized intervention. Measuring points must be spaced at a minimum distance of 10 m and a maximum distance of 20 m apart and must include significant slope changes. Slope calculations must be carried out by a qualified professional. For information purposes only, slope sectors have been briefly identified on Plan C Territoires de contraintes, an integral part of the MRC's development plan.
- 2) A study by a geotechnical engineer demonstrating the feasibility of the project and the proposed retaining structures or supports if they are over 1.8 m high. Retaining structures or supports located less than 6 m apart are considered to be part of the same structure;
  - 3) The methods to be used to stabilize embankments or cuttings so as not to create long-term erosion sites;
  - 4) The proposed measures for:
    - a) runoff management during and after construction;
    - b) prevent drainage and runoff from being directed towards embankments and the hydrographic network;
    - c) protect shrub and tree species during construction work;
  - 5) A diagram of runoff drainage routes on the site;
  - 6) A written document accompanied by visuals, where appropriate, containing a argument demonstrating why the works, structures or constructions cannot be carried out outside steeply sloping areas and how the planned interventions will limit the impacts related to water runoff and sediment transport;
  - 7) A plan, drawn to an appropriate scale, demonstrating that the alignment of any roadway is planned to (i) keep it as far away as possible from steep slopes, rock outcrops and areas unsuitable for drainage, (ii) reduce encroachment on shrub and arborescent surfaces as well as vegetated strips at the top and bottom of slopes, and (iii) reduce the width of the roadway right-of-way to a minimum while still allowing emergency vehicles to pass;
  - 8) Where required, a copy of the certificate of authorization issued by the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques;
  - 9) Any other information or additional documents that may be required to analyze project conformity.



In addition to the information and documents required above, for a construction of 30 m<sup>2</sup> or more erected on pilings, piles, support structures or supports, with or without contact with the ground (self-supporting structure) in a steeply sloping area, municipalities must require the following additional information and documents:

- 1) A description of the structure or support used for the construction;
- 2) A plan illustrating that the space under the floor of the construction will at least allow for the planting and maintenance of herbaceous species with a coverage percentage of 100%;
- 3) A description of the proposed herbaceous species, or if applicable shrubs and trees, to assess whether they will adequately infiltrate and capture runoff water. *(amended by by-law 599-2)*

The designated official may require, at any time, any additional document he or she deems necessary to complete the analysis of the project and its compliance with current planning by-laws. *(amended by by-law 599-5)*

## **27. ATTESTATION OF CODE COMPLIANCE**

When plans and specifications for architectural work must be signed and sealed by a member of the Ordre des architectes du Québec, in accordance with the Architects Act (L.R.Q.c.A-21), the plans must include an attestation to the effect that they comply with the applicable Codes as per the construction regulations. In all cases, this attestation must appear on the plans and bear the required signature.

However, this certification and the signing of plans do not apply to:

- 1° For the construction, extension, reconstruction, renovation or alteration of one of the following buildings:
  - a) Isolated single-family dwelling;
  - b) A single-family semi-detached or row dwelling, a multi-family dwelling of up to four units, a commercial establishment, a business establishment, an industrial establishment or a combination of these dwellings or establishments when, after completion of the work, the building does not exceed two storeys and 300 m<sup>2</sup> of total gross floor area and has only one basement level;
- 2° For a modification or renovation of the interior layout of any building or part of a building, which does not change its use, nor affect its structural integrity, walls or fire separations, exits and their accesses, as well as the exterior envelope.

## **28. CONDITIONS FOR ISSUING A BUILDING PERMIT**

The building inspector issues a building permit if:

- 1° The application complies with the building and zoning by-laws, and if not, the zoning by-law, the permit has been the subject of a minor derogation granted by the council, and complies with the by-law respecting the issuance of building permits and, if applicable, a certificate of authorization for the septic installation and groundwater catchment work has been issued, and also complies with the

by-law respecting municipal works agreements and the by-law respecting site planning and architectural integration programs (SPAIP), if applicable;

- 2° The applicant has provided, where applicable, the declaration of construction of a new single-family dwelling, as well as the declaration establishing whether or not the permit requested concerns a building intended for use as a retirement home under the Act respecting land use planning and development, duly completed;
- 3° The application is accompanied by all plans and documents required by this by-law and, where applicable, the plans have been approved in accordance with the Site Planning and Architectural Integration Program (SPAIP) by-law and a municipal works agreement has been signed, if applicable;
- 4° The permit fee has been paid.

## **29. BUILDING PERMIT LEAD TIME**

The inspector has 60 days to issue the building permit, if applicable, from the date of receipt of the application submitted in accordance with this by-law.

## **30. REMOVED (*amended by by-law 599-5*)**

## **31. OBLIGATION TO COMPLETE WORK**

Once begun, the building permit holder must complete all work under the permit within the following timeframes:

- 1° Exterior finishing of the building within 365 days of the permit date;
- 2° Earthworks and parking lots within 545 days of the permit date;
- 3° Completion of all work within 730 days of permit issuance.

## **32. REMOVED (*amended by by-law 599-5*)**

# **SECTION III: CERTIFICATE OF AUTHORIZATION FOR MISCELLANEOUS PURPOSES**

## **33. OBLIGATION TO OBTAIN A CERTIFICATE OF AUTHORIZATION**

Anyone wishing to carry out one of the following projects must first obtain a certificate of authorization:

- 1° Change of use or destination of an immovable, including home-based businesses (secondary use), including those carried on in a dwelling, boarding houses with fewer than nine people, foster families with fewer than nine people, residential homes with fewer than nine people, and family daycares that do not require a building permit or a certificate of authorization for repairs. Similarly, anyone applying for authorization for a non-agricultural use in an agricultural zone decreed by the Act respecting the preservation of agricultural land and agricultural activities (LPTAA) requiring a change of use must also obtain a building permit or a certificate of authorization for repairs;

- 2° Complete or partial demolition of a building; *(amended by by-law 599-5)*
- 3° Relocation of a construction;
- 4° Renovation or repair of a construction, with the exception of painting and minor repairs or renovations; *(amended by by-law 599-5)*
- 5° Work on the shoreline or littoral, with the exception of planting work not requiring the use of machinery;
- 6° Construction, installation and modification of a sign and installation of a mural;
- 7° Installation of a swimming pool;
- 8° Clearing or filling a lot or building a retaining wall more than 1.2 m high;
- 9° Felling of trees of commercial species over an area of 1 hectare in a single block or more per 12-month period and the recovery of commercial stems as defined in the zoning by-law;
- 10° Septic installation and an installation for the withdrawal of ground or surface water or a geothermal system; *amended by by-law 599-1*);
- 11° Construction of new streets;
- 12° Operation of a quarry, sand pit or gravel pit;
- 13° For the following agricultural activities:
  - i) develop, expand or modify a livestock enclosure;
  - ii) increase the number of animal units without involving construction work on existing livestock buildings or storage facilities;
  - iii) change animal category;
  - iv) change manure management methods, either from solid manure to liquid manure, or from liquid manure to solid manure;
  - v) modify his livestock unit to include a mitigation technology listed in Table 6 of Appendix VI of the Zoning By-law;
  - vi) spreading farmyard manure resulting from liquid manure management or liquid manure management.
- 14° Construction of an artificial lake;
- 15° Installation of a telecommunications tower or antenna;
- 16° Installation of a wind turbine.
- 17° Land reworking of an area of 1,500 m<sup>2</sup> or more *(amended by by-law 599-2)*;
- 18° Erosion control *(amended by by-law 599-2)*

### **34. CERTIFICATE OF AUTHORIZATION APPLICATION**

Applications for a certificate of authorization must be submitted in writing on the forms provided by the Town.

### **35. ACCOMPANYING DOCUMENTS FOR CHANGES OF USE OR DESTINATION IN GENERAL**

Any person wishing to apply for a certificate of authorization for a change of use or destination of an immovable in general must submit two copies of the following information and documents:

1° Precise identification of the current use of the immovable and the proposed use after the change of use or destination of the immovable;

2° A plan to scale showing:

- a) The boundary of the property in question;
- b) Its cadastral identification;
- c) The location and relative importance of the new land use on the lot or lots used;
- d) The ground projection of the existing building(s) on the lot on which the new land use is planned;
- e) Street or road line(s);
- f) The location of any lake or water body situated on the lot or lots adjoining the lot for which the application is being made;
- g) The location of existing wooded areas on the lot and the natural topography in the case of lots bordering a lake or water body;
- h) A surface drainage plan for parking lots, if applicable;
- i) Details required to ensure proper understanding of the work;

3° In addition to the documents required in the preceding paragraphs, a person applying for a certificate of authorization for a change of use other than agricultural in a permanent agricultural zone decreed by the LPTAA, must provide the information and documents necessary to enable the Town to make recommendations pursuant to Chapter II section IV § 3 of the LPTAA.

### **36. ACCOMPANYING DOCUMENTS FOR HOME-BASED BUSINESSES**

Anyone wishing to apply for a certificate of authorization for a home-based business (secondary use) must submit two copies of the following information and documents:

1° Identification of the applicant: surname, first name and address of the owner(s) or lessee(s), as well as the business name of the establishment and its registration number, and the names of the duly authorized guarantors;

2° Precise identification of the current and proposed use of the immovable after the change of use or destination of the immovable in question;

3° A scale plan showing:

- a) The dwelling and its surface area;
- b) The location of the rooms used for the home-based business and their surface areas;
- c) The location where the certificate of authorization will be posted.

### **37. ACCOMPANYING DOCUMENTS FOR BOARDING HOUSES, FOSTER HOMES AND RESIDENCES WITH FEWER THAN NINE PEOPLE, AND HOME DAYCARES**

The person wishing to apply for a certificate of authorization for boarding houses with fewer than nine people, foster families with fewer than nine people, foster homes with fewer than nine people and family daycares must submit two copies of the following information and documents:

1° Identification of the applicant: surname, first name and address of the owner(s) or tenant(s), as well as the names of the two main referees;

2° plan to scale showing:

- a) The dwelling and its surface area;
- b) The location of affected rooms;
- c) The location where the certificate of authorization will be posted.

### **38. ACCOMPANYING DOCUMENTS FOR THE DEMOLITION OF A BUILDING**

An application for a certificate of authorization to demolish or remove a structure must be made on a form provided by the municipality and must include the following information (2 copies):

1° Precise identification of current land use and proposed use following demolition of the building;

2° A scale plan showing;

- a) The boundary of the property in question;
- b) Its cadastral identification;
- c) The projection on the ground of the building(s) already constructed on the lot and identification of the building(s) to be demolished or removed;
- d) Street or road line(s);
- e) The location of all water bodies located on the lot or on lots or properties contiguous to the lot or property in question;
- f) Details required to ensure proper understanding of the work.

3° Identification of the person or contractor responsible for demolition, probable duration of work and destination of dry materials.

### **39. ACCOMPANYING DOCUMENTS FOR BUILDING RELOCATION**

Anyone wishing to apply for a certificate of authorization to relocate a structure must submit two copies of the following information and documents:

- 1° Precise identification of the current and proposed land use after relocation of the structure in question;
- 2° A plan to scale showing:
  - a) The boundary of the property in question;
  - b) Its cadastral identification;
  - c) The ground projection or buildings already constructed on the lot in question and identification of the building to be moved;
- 3° The date on which the trip is to take place;
- 4° For an arrival:
  - a) A building permit issued by the Town;
  - b) A proposed itinerary to be followed during the move, approved by the Police and Electrical Departments, with the exception of a factory-built home and a mobile home;
- 5° For a departure, a proposed itinerary to be followed during the move approved by the Police and Electrical Departments, with the exception of a factory-built home and a mobile home;
- 6° Proof that the applicant has made formal arrangements with utility companies for the move date indicated on the certificate application;
- 7° Proof of liability insurance.

### **40. ACCOMPANYING DOCUMENTS FOR BUILDING REPAIRS**

Anyone wishing to apply for a certificate of authorization to repair a structure must submit two copies of the following information and documents:

- 1° A plan or sketch indicating the site, dimensions and nature of the repairs covered by the application, as well as plans, elevations, sections, sketches and specifications showing all the details required by the construction by-law, as well as the uses of the buildings and land;
- 2° An estimate of the cost of the planned work.

### **41. DOCUMENTS REQUIRED FOR WORK CARRIED OUT ON THE SHORES OF LAKES AND WATERCOURSES, ON THE SHORELINE, IN FLOOD ZONES OR IN WETLANDS**

Anyone wishing to apply for a certificate of authorization to carry out work on the shoreline or littoral, in flood zones or in wetlands that does not require a building permit must submit two copies of the following information and documents:

1° A plan to scale showing:

- a) The boundary of the property in question;
- b) Its cadastral identification;
- c) The location of the portion of land to be affected by the proposed works;
- d) Location of all watercourses, wetlands and wooded areas on the property or on adjoining lots or properties;
- e) The projection on the ground of building(s) already constructed on the property in question or on adjoining lots or properties;
- f) Street or road line(s);
- g) The profile of the land before and after completion of the proposed works;
- h) High-water line;
- i) Flood levels, where applicable;
- j) Plans and elevations of the development, work or construction.

2° A description of the proposed work and the purpose for which it is intended;

3° For shoreline stabilization work covered by the zoning by-law, the applicant must submit a report prepared by an engineer justifying the technique most likely to facilitate the eventual establishment of natural vegetation.

4° A description of the construction and development stages, as well as a technical description of the temporary and permanent mitigation measures planned for the project; (*amended by by-law 599-1*)

5° removed (*amended by by-law 599-1*)

6° For the construction of a bridge costing more than \$3,000 and located under a body entrance, access road or highway, the applicant must submit plans signed by an engineer.

#### **42. ACCOMPANYING DOCUMENTS FOR THE CONSTRUCTION, INSTALLATION AND MODIFICATION OF A SIGN AND THE INSTALLATION OF A MURAL**

Anyone wishing to apply for a certificate of authorization for the construction, installation or modification of a sign or mural must submit two copies of the following information and documents:

1° A plan at a scale of at least 1:200 showing:

- a) The dimensions of the sign or mural;
- b) The exact area of its largest face;
- c) The height of the sign or mural;
- d) Net height from bottom of sign or mural to ground level;

- e) A description of the structure and method of attachment of the sign or mural;
  - f) Colors and type of lighting;
- 2° A location plan in relation to buildings, property lines and street lines;
- 3° Plans, elevations, sections, sketches and specifications showing all details required by zoning and building by-laws.

#### **43. ACCOMPANYING DOCUMENTS FOR POOL INSTALLATION**

Anyone wishing to apply for a certificate of authorization to install a swimming pool must submit two copies of the following information and documents:

- 1° A plan or sketch showing the site, the dimensions of the structure, the lot line and existing buildings;
- 2° For an in-ground pool, a complete construction plan and a location plan of the enclosure.

#### **44. ACCOMPANYING DOCUMENTS FOR LAND CLEARING OR FILLING AND THE CONSTRUCTION OF A RETAINING WALL OVER 1.2 M HIGH**

Anyone wishing to apply for a certificate of authorization for the clearing or filling of land or the construction of a retaining wall over 1.2 m high must submit two copies of the following information and documents:

- 1° A plan or sketch to scale showing the work site, property boundaries, location of lakes, watercourses and wetlands, slopes and land levels, and drainage before and after the work;
- 2° A specification for a retaining wall 1.2 m or more in height, prepared by an engineer or legally authorized professional;
- 3° A technical description of the temporary and permanent mitigation measures planned for the work. *(amended by by-law 599-1)*

#### **45. ACCOMPANYING DOCUMENTS FOR TREE FELLING AND RECOVERY OF COMMERCIAL STEMS**

Anyone wishing to apply for a certificate of authorization for the felling of commercial trees in zones governed by the zoning by-law with a surface area of 1 hectare in a single block or more per 12-month period, as well as for the recovery of commercial stems, must submit two copies of the following information and documents:

- 1° Identification of the applicant: surname, first name and address of the owner(s) and, if applicable, surname, first name and address of the duly authorized representative(s);
- 2° A plan to scale showing:
  - a) The boundary of the property in question;
  - b) Its cadastral identification;



- c) The location and surface area of the site(s) affected by the proposed works;
- d) Location of all lakes, watercourses, wetlands and wooded areas on the property or on adjoining lots or properties;
- e) Location of logging roads, piling areas, skid trails and other proposed traffic routes;
- f) Reason for requesting felling and salvaging.

3° For any timber harvest of 20 hectares or more in a single block, an intervention plan signed by a forestry engineer and including the following points:

- a) Location of the land in question and description of the stands on it;
- b) Location and description of forestry work carried out on the property in question over the past 10 years;
- c) Location and description of work planned on the property in question over the next 5 years.

4° In the case of harvesting wood or stems damaged by ice storms, fire, epidemics or windthrow, an intervention plan signed by a forestry engineer is required, containing in particular: a description of the stand, the area to be salvaged, the nature of the damage and the percentage of commercial stems to be salvaged.

**46. ACCOMPANYING DOCUMENTS FOR A SEPTIC SYSTEM, GROUND OR SURFACE WATER WITHDRAWAL SYSTEM OR GEOTHERMAL SYSTEM (AMENDED BY BY-LAW 599-1)**

Anyone wishing to apply for a certificate of authorization for a septic installation or a ground or surface water withdrawal system or a geothermal energy system (amended by by-law. 599-1) must submit two copies of the following information and documents:

1° For a septic installation:

- a) site plan at a scale of at least 1:200 showing the site of the installations, the well, the building served, property lines, the presence of lakes, (*amended by by-law 599-1*) watercourses and wetlands in the vicinity, neighbouring properties (distance) and their wells;
- b) By providing a characterization study of the site and natural terrain, and an attestation of the results of one or more methods used to establish the level of soil permeability, prepared by an engineer or technologist who is a member of a professional order, proving that the soil is suitable for the establishment of sanitary installations. This attestation is required for all new construction, for the replacement of a septic installation and when one or more bedrooms are added to a building that existed when the bylaw on wastewater disposal and treatment for isolated dwellings adopted under the Environment Quality Act came into force; (*amended by by-law 599-1*)
- c) A construction plan showing full details of the proposed installation and any other information required to verify compliance with the standards set out in the municipal by-law governing septic installations;

- d) Any other information required under by-law Q.-2, r. 22.
- 2° (*amended by by-law 599-1*) For the development or modification of a groundwater or surface water extraction installation or a geothermal system:
- a) Full name and contact details of site owner and applicant;
  - b) The RBQ permit number of the firm that will carry out the work (except for surface water withdrawals);
  - c) Pumping capacity required;
  - d) A scaled site plan drawn up by a competent professional showing:
    - i) The building to be served;
    - ii) Property lines;
    - iii) Existing well(s) (if plugged, provide plugging details);
    - iv) Water bodies, lakes, wetlands, flood zones with 0-20 year and 20-100 year ratings;
    - v) Any other physical characteristics of the soil that may affect the location of the water withdrawal facility;
    - vi) Distances between the water withdrawal facility and:
      - Watertight and non-watertight wastewater treatment systems in the vicinity, which may affect the location of the planned sampling facility;
      - Other potential sources of contamination, such as the operation of a cemetery, a composting area, nearby farms (plots under cultivation, livestock facilities, exercise yards, animal waste storage facilities, pastures), etc.;
  - e) In the case of a surface water withdrawal, a construction plan showing full details of the proposed installation (type of withdrawal, materials, elevations and all other documents required for work carried out on the shoreline and littoral specified in this by-law);
  - f) In the case of a geothermal system, a construction plan showing details of the proposed installation;
  - g) Environmental protection measures;
  - h) Any other information required under the Règlement sur le prélèvement des eaux et leur protection adopted under the Environment Quality Act (Q-2);
  - i) A report, as required by sections 21 and 30 as the case may be under the Regulation respecting the taking of water and the protection thereof, within 30 days of completion of the work.

#### **47. ACCOMPANYING DOCUMENTS FOR THE CONSTRUCTION OF NEW STREETS**

The application for a certificate of authorization for the construction of a new street must be made on forms provided by the Town and must include the following information (2 copies):

- 1° Applicant identification name, surname and address of owner(s);

- 2° Location and cadastral identification of proposed street right-of-way;
- 3° A plan to scale on a topographic base showing the layout and slopes of proposed streets over 8%, with an indication of the slopes for all these sections;
- 4° A descriptive specification with plans and sections prepared by an engineer in accordance with applicable municipal requirements.

#### **48. ACCOMPANYING DOCUMENTS FOR THE OPERATION OF A QUARRY, SAND PIT OR GRAVEL PIT**

Application for a certificate of authorization to operate a quarry, sand pit or gravel pit must be made on forms provided by the Town and must include the following information (2 copies):

- 1° Applicant's full name, address and telephone number;
- 2° The cadastral number of the lot or lots on which the quarry, sand pit or gravel pit is to be operated or, where applicable, the name of the township designated in the original survey;
- 3° A general plan, to scale, duly certified and signed, showing:
  - a) The operating area, including the location of equipment, aggregate loading, unloading and deposition areas, topsoil and topsoil storage areas, as well as the zoning of the land where the quarry or sandpit will be located;
  - b) The surrounding territory located within 1,000 m of the quarry or sandpit operation area, depending on the nature of the request, as well as the zoning of this territory;
  - c) The name and layout of public roads, existing and future access roads, watercourses or lakes, the location of wells and the location and nature of any construction, campground or recreational establishment located within the perimeter defined in subparagraph b);
  - d) The date of preparation of the general plan;
  - e) The boundaries of the property on which the applicant owns operating rights;
- 4° A description of the equipment to be used and its rated capacity, as well as plans and specifications for crushing and screening equipment, including any apparatus designed to reduce or eliminate the emission, deposition, release or discharge of contaminants;
- 5° The area of soil to be exposed and mined, and the average and maximum thicknesses to be mined;
- 6° In the case of a quarry, a topographical plan of the operating area showing contours no more than 1.5 m apart;
- 7° A description of the world and sequence of operations, the nature of the aggregates to be extracted, the proposed use of these aggregates and the anticipated annual production rate;

- 8° An assessment of the quality, expressed in kilograms/hour, of particle matter to be emitted into the atmosphere by the dust collection system, if one is to be used;
- 9° A description of where and how the dust collected by the dust collection system will be disposed of, if applicable;
- 10° The planned start and end dates of quarry or sandpit operations, as applicable;
- 11° A site redevelopment plan and execution schedule;
- 12° A study of the environmental impact of quarry or sandpit operations, including water contamination, soil erosion, migratory bird staging and nesting areas, and fish spawning grounds;
- 13° A hydrogeological study of the quarry or sandpit site;
- 14° An assessment of the maximum level of noise emitted into the environment from the quarry, sand pit or gravel pit, as the case may be;
- 15° Special cases: if the application concerns only the crushing or screening process of a quarry, the applicant need only provide the information and documents specified in paragraphs 1°, 2°, 3°, 4°, 7°, 8°, 9°;
- 16° A \$15,000 guarantee bond must be included with all applications.

#### **49. ACCOMPANYING DOCUMENTS FOR FARMING ACTIVITIES**

The application for a certificate of authorization for agricultural activities must be made on the appropriate forms provided by the Town and be accompanied by the required information and documents:

- 1° Precise identification of the current use of the premises as well as the proposed use;
- 2° A plan to scale showing:
  - a) property boundaries;
  - b) cadastral identification of the property;
  - c) location of all components of the livestock unit, i.e. livestock buildings, livestock pens and storage structures, and all distances separating these components from one another;
- 3° The distance separating the livestock unit from a protected residence located within a radius established in relation to the number of animal units in accordance with the zoning by-law;
- 4° The distance separating the livestock unit from a protected immovable situated within a radius established in relation to the number of animal units in accordance with the zoning by-law;
- 5° The distance separating the livestock unit from the limits of urbanization perimeters located within a radius established in relation to the number of animal units, in accordance with the zoning by-law;

- 6° Details required to ensure proper understanding of the work;
- 7° A duly completed copy of the application for a certificate of authorization from the Ministère de l'Environnement, including all appendices and related documents;
- 8° A copy of the certificate of authorization or notice of project required under the Farming Operations Regulation enacted under the Environment Quality Act;
- 9° The municipality also requires the farm operator, as defined in the LPTAA (section 79.2.4), who is the subject of the certificate application, to provide it with all the information required for the application of subsections 1.1 and 1.2 of Division II of Chapter III of the LPTAA and for the application of the separation distance standards set out in the municipality's zoning by-law, in writing and within 20 days of being served with the application. Should the operator fail to provide this information within the prescribed time, the municipality may, at the operator's expense, collect any information required to apply the provisions of the LPTAA and the zoning by-law. The building inspector may engage the services of a professional or technologist as provided for in this by-law.

#### **50. ACCOMPANYING DOCUMENTS FOR LAKE CONSTRUCTION**

The application for a certificate of authorization for the construction of a lake must be made on forms provided by the Town and must include the following information (2 copies):

- 1° A site plan indicating: the location of the proposed lake, property lines, wooded and cultivated areas, public and private roads, the location and elevation of other lakes or bodies of water, wetlands, buildings and septic installations.
- 2° A lake construction plan including, in particular: dam, dike, outlet device, water intake and any infrastructure related to the planned lake and its operation, water intake and outlet pipes (diameter and location), surface area and storage capacity of the planned structure, operating water level of the planned lake.

#### **51. ACCOMPANYING DOCUMENTS FOR THE INSTALLATION OF A TELECOMMUNICATION TOWER OR ANTENNA**

The application for a certificate of authorization for the installation of a tower or antenna must be made on forms provided by the Town and must include the following information (2 copies):

- 1° A document prepared by the applicant containing, in particular the following elements:
  - a) a detailed justification showing that the project is really necessary and that there are no other options;
  - b) a map showing coverage without and with the new antenna;
  - c) a photomontage of the location of the future antenna to be established;
  - d) le détail de l'impact de la nouvelle antenne sur l'émission actuelle des autres antennes.
- 2° A description of the project and the surrounding environment on a plan at a scale of at least 1:2000 scale, indicating:

- a) the exact location of any new telecommunication antenna, its height and characteristics;
  - b) the dimensions, shape and area of any proposed structures and associated buildings, where applicable;
  - c) all existing buildings and the distance from them;
  - d) location of existing or planned roads;
  - e) site topography;
  - f) community wells and drinking water intakes;
  - g) ditches, water bodies, ponds, lakes and wetlands;
  - h) flood zones;
  - i) agricultural zones;
  - j) towers and other existing telecommunications infrastructures;
  - k) location of urbanization perimeters and dwellings.
- 3° the various phases of development, the start and completion dates and the estimated cost of the work, including materials and labor;
- 4° an official cadastral plan of the lot on which construction is planned, with an indication and description of easements, if any;
- 5° the location of any obstructions such as fire hydrants, lampposts, buried or overhead power, telephone or cable lines.
- 6° plans, elevations, sections and sketches to scale, as well as a cost estimate for the proposed construction;
- 7° fire protection measures;
- 8° excavation levels of the street and sewers adjoining the lot, as well as the building's first floor and average ground level at the construction's perimeter;
- 9° access to the thoroughfare, location and dimensions of the parking area and loading area;
- 10° site modifications;
- 11° on-site and off-site surface water drainage;
- 12° landscaping;
- 13° a description of mitigation measures to correct disturbances to the natural environment;
- 14° a certified copy of the authorization granted by the Commission de protection du territoire agricole, when required by the LPTAA;
- 15° a certified copy of the certificates of authorization from the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP), when required;
- 16° a certified copy of the authorization granted by Industry Canada.

## **52. ACCOMPANYING DOCUMENTS FOR THE INSTALLATION OF A WIND TURBINE**

The application for a certificate of authorization for the installation of a wind turbine must be made on forms provided by the Town and must include the following information (2 copies):

- 1° A document describing the nature of the project and indicating, among other things:
  - a) Whether the project involves the installation of a new wind turbine, a new project involving more than one wind turbine, and the complementary infrastructures attached to it;
  - b) the exact location of any wind turbine, its height and characteristics, including complementary infrastructures, if any;
  - c) the location of any road or power transmission infrastructure;
  - d) the work schedule;
  - e) the cost of the work.
  
- 2° Any application for a permit to install a wind turbine over 25 metres in height must be accompanied by a scaled plan prepared by a land surveyor or engineer showing existing land use within a two-kilometre radius of the project, including:
  - a) all existing buildings;
  - b) existing or planned public roads;
  - c) urbanization perimeters;
  - d) local topography;
  - e) community wells and drinking water intakes;
  - f) water bodies, ponds and lakes, marshes, swamps and peat bogs;
  - g) towers and other telecommunication infrastructures;
  - h) any other document deemed relevant to the study of the application.
  
- 3° a certified copy of the authorization granted by the Commission de protection du territoire agricole, when required by the Loi sur la protection du territoire et des activités agricoles;
  
- 4° a certified copy of certificates of authorization from the Ministère du Développement durable, de l'Environnement et des Parcs, when required.

### **52.1 ACCOMPANYING DOCUMENTS FOR SOIL REMODELING PROJECTS OF 1,500 M<sup>2</sup> OR MORE**

When applying for a certificate of authorization for any work requiring soil reworking and affecting an area of 1,500m<sup>2</sup> or more, a soil and runoff management plan, drawn up by a professional, is required. This plan must contain at least the following information:

- 1) A location map, at a sufficient scale, showing the work site and adjacent land;
- 2) A site plan to scale including:
  - a) cadastral description of the property;
  - b) location of all elements forming part of the hydrographic network, the high-water line, the shoreline and applicable protection measures;

- c) location of all site features including structures, ground vegetation and adjacent properties within 100 m of the site;
  - d) description of soil type;
  - e) a topographical plan with contour lines every 2 m, or, failing this, a sufficient number of points to show the general topography of the site;
  - f) the location of areas where soil reworking will be carried out, including places where backfill material will be stockpiled during construction;
  - g) description and location of existing and planned drainage systems;
  - h) identification of tree and shrub areas (natural spaces) to be preserved;
  - i) identification of all parts of the site that will be disturbed during work, including areas to be cleared and transition zones;
  - j) identification of all planned constructions and their surface area;
  - k) the location and description of planned temporary and permanent erosion and sediment control structures;
  - l) a soil and runoff management plan for the entire site, prepared by a competent professional in the field.
- 3) Revegetation measures for reworked areas, cuttings and fills;
  - 4) A statement of responsibility for ongoing maintenance of erosion and sediment control facilities, including who will be responsible for maintenance;
  - 5) A schedule of the planned work, including the following dates: start of work, installation of temporary measures, start-up of permanent measures, removal of temporary measures and end of work;
  - 6) Where required, a copy of the certificate of authorization issued by the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques;
  - 7) Any other information or additional documents that may be required to analyze the project's conformity.

Notwithstanding the foregoing, the following works are not subject to the application of the provisions of this article:

- a) land reshaping for agricultural purposes, with the exception of building construction and tree stump removal;
- b) land reworking during an environmental emergency. *(amended by by-law 599-2)*

## **52.2 ACCOMPANYING DOCUMENTS FOR EROSION CONTROL**

The application for a certificate of authorization concerns the following interventions:



- a) any reshaping or levelling of the soil within a 100 m strip bordering a lake, water body or wetland;
- b) land reworking or levelling affecting an area of 250m<sup>2</sup> or more, including excavated material;
- c) reshaping or levelling of soil over an area of 100m<sup>2</sup> or more on a slope greater than 25%;
- d) construction of a logging road, private road or driveway with a minimum length of 60 m;
- e) work relating to the development or major repair of a roadway;
- f) removal of tree stumps, including excavation, over an area of 250m<sup>2</sup> or more;
- g) an integrated or overall project.

Notwithstanding the foregoing, the following works are exempt from erosion control measures:

- a) soil reshaping carried out for agricultural purposes, with the exception of building construction and tree stump removal;
- b) soil reshaping during an environmental emergency.

In addition to all the information and documents required under all applicable regulations, when an intervention must provide for erosion control measures under the zoning by-law, the applicant must provide the following:

- 1) Location of all elements forming part of the hydrographic network, the high-water line, shorelines and applicable protection measures;
- 2) A description of the erosion control measures to be used, based on the needs and characteristics of the site. These measures must be aimed at:
  - a) stabilization of access roads and work surfaces;
  - b) management of excavated material: provide an area on the site away from a water body, ditch or sump for storing materials;
  - c) sediment containment: piles of excavated material can be covered with impermeable fabric or surrounded by sediment barriers;
  - d) collecting and filtering run-off water: divert contaminated water into sedimentation or infiltration basins;
  - e) revegetation of reworked areas as soon as work is completed;
  - f) execution of work in phases.

These measures must be put in place before work begins and maintained until final landscaping and re-vegetation.

- 3) Document illustrating and locating the erosion control measures used;

- 4) A schedule of the planned work, including the following dates: start of work, installation of temporary measures, start-up of permanent measures, removal of temporary measures and end of work;
- 5) Where required, a copy of the certificate of authorization issued by the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques;
- 6) Any other information or additional documents that may be required to analyze project compliance. *(amended by by-law 599-2)*

### **53. CONDITIONS FOR ISSUING A CERTIFICATE OF AUTHORIZATION**

The inspector issues a certificate of authorization if:

- 1° The application complies with the zoning by-law, or if not, the certificate has been the subject of a minor derogation granted by the council, or with the construction by-law and, where applicable, with the by-laws respecting site planning and architectural integration programs (SPAIP), respecting wastewater treatment for isolated dwellings Q-2,r.22 and respecting groundwater catchment structures Q-2,r.6;
- 2° The application is accompanied by all plans and documents required by this by-law and, where applicable, the plans have been approved in accordance with the Site Planning and Architectural Integration Program (SPAIP) by-law adopted pursuant to the Act respecting land use planning and development;
- 3° The fee for obtaining the certificate has been paid.

### **54. DEADLINE FOR ISSUING CERTIFICATE OF AUTHORIZATION**

The inspector has 60 days to issue a certificate of authorization, if applicable, from the date of receipt of the application submitted in accordance with this by-law.

### **55. REMOVED *(amended by by-law 599-5)***

### **56. OBLIGATION TO COMPLETE THE WORK**

Once begun, the holder of the certificate of authorization must complete the work stipulated in the certificate within 365 days of the date of issue of the certificate, or within a period otherwise specified in another applicable regulation. The latter period, where applicable, takes precedence.

## **SECTION IV CERTIFICATE OF AUTHORIZATION - RENTAL OF RESIDENTIAL ACCOMMODATION FOR A PERIOD OF 31 DAYS OR LESS IN A MAIN RESIDENCE (CA - LHRRP) *(amended by by-law 599-4)***

### **57. NEED FOR CERTIFICATE OF AUTHORIZATION**

Anyone wishing to rent out residential accommodation for a period of 31 days or less, in whole or in part, in his or her Main Residence must, before beginning such use, obtain from the Town a "Certificate of Authorization - Rental of Residential Accommodation for a Period of 31 Days or Less in a Main Residence", "(CA - LHRRP)".

## **58. INFORMATION AND DOCUMENTS REQUIRED FOR AN APPLICATION FOR A CA- LHRRP CERTIFICATE OF AUTHORIZATION**

An application for a certificate of authorization - LHRRP must be accompanied by the following information and documents:

1. the Town's official certificate application form, signed by the owner, occupant or their authorized representative, as the case may be;
2. a copy of the Registration for a Main Residence issued by the Corporation de l'industrie touristique du Québec, if already issued;
3. a copy of the Registration for a Main Residence issued by the Corporation de l'industrie touristique du Québec, if already issued;
4. if the natural person who intends to offer or rent out the Main Residence is a tenant, a copy of the lease for the building indicating that the lease permits the rental of residential accommodation for a period of 31 days or less, and the owner's authorization to this effect;
5. if the natural person who intends to offer or rent out the Main Residence is in a building or project held in divided co-ownership, a copy of the provisions of the declaration of co-ownership permitting the rental of residential accommodation for a period of 31 days or less, or the authorization of the syndicate of co-owners;
6. a plan of the surface area of the residence and the existing and projected interior layout, indicating the number of rooms to be rented and the capacity of the property;
7. a plan of the property's exterior layout, including parking areas, driveways, balconies and galleries, vacant spaces, buffers, pools or spas;
8. photos of building location in relation to street and neighboring properties;
9. list of uses already on site, their location and surface area;
10. planned date of start of activities;
11. any other information deemed relevant by the designated officer or council.

## **59. CONDITIONS OF ISSUE**

The issuance of the Certificate of Authorization - LHRRP is subject to the following conditions:

1. the application is complete and complies with Town by-laws and provincial law;
2. the applicant has obtained Registration for a main residence establishment issued by the *Corporation de l'industrie touristique du Québec*;
3. the fee for the issuance of the Certificate of Authorization - LHRRP has been paid at the time of application;
4. post the LHRRP Certificate of Authorization on the building in a place visible from the street;

5. comply with all conditions listed in the Certificate of Authorization - LHRRP, notably:

- i) keep the name and telephone number of the person in charge up to date. This information will be published on the Town's website;
- ii) to enter on the register created by the Town for this purpose each time the Main Residence is used for rental, with the dates of rental and number of people;
- iii) A written commitment on the part of the applicant to post, in the rented premises, and to bring to the attention of the tenants, guidelines concerning compliance with Town regulations on nuisance and noise, as well as a copy of the "Good Neighbor Code" prepared by the Town;
- iv) written commitment on the part of the applicant to ensure compliance with municipal by-laws, particularly those concerning nuisance and noise, and with this by-law;

Notwithstanding the foregoing, the designated officer may not issue a Certificate of Authorization - LHRRP if the applicant has had a Certificate of Authorization issued under Section IV revoked within the last five (5) years.

Nothing in this by-law shall be interpreted as exempting the applicant or his tenants from the application of any provincial or federal law or regulation.

Compliance with the present by-law does not exempt the applicant or its tenants from the obligation to comply with any other municipal or planning by-law applicable to the case, except where prescribed by law.

## **60. CANCELLATION AND NULLITY**

The Certificate of Authorization - LHRRP is valid for twelve (12) months and must be renewed annually.

The Certificate of Authorization - LHRRP is revocable if:

- i) the holder of the certificate or the rental customers have committed, within the same twelve (12) month period, two (2) offences provided for in this by-law, any municipal by-law relating to uses, nuisances, noise, sanitation or safety in connection with the short-term rental use, for which these individuals have been found guilty;

or

- ii) the certificate holder ceases to hold the Registration for a main residence establishment issued by the *Corporation de l'industrie touristique du Québec*;

Before revoking a Certificate of Authorization - LHRRP, the clerk or designated officer must send a prior notice to the holder, giving him at least ten (10) days to

present his observations. Once the Certificate of Authorization - LHRRP has been revoked, the use must cease.

**SECTION V CERTIFICATE OF AUTHORIZATION - CERTIFICATE OF AUTHORIZATION - RENTAL OF RESIDENTIAL ACCOMMODATION FOR A PERIOD OF 31 DAYS OR LESS IN A SECONDARY RESIDENCE (CA - LHRRSC61)**

*(amended by by-law 599-4)*

**61. NEED FOR CERTIFICATE OF AUTHORIZATION**

Anyone wishing to rent out residential accommodation for a period of 31 days or less, in whole or in part, in a secondary residence located in one of the seventeen (17) zones listed below (in which the "C61 Hotel Services" use is permitted) must, before beginning the use, obtain from the Town a "Certificate of Authorization - Rental of Residential Accommodation for a Period of 31 Days or Less in a Secondary Residence", "(CA - LHRRSC61)";

List of zones permitting "C61 Hotel services" use:

UC-1-M2, UC-2-N3, AFV-1-P3, UC-4-L13, UC-5-L14, UCV-1-K15, URA-21-K15, UCV-4-K15, UCV-3-K15, UCV-5-K15, UCV-6-L15, UCV-7-L15, UC-3-C15, AFB-4-D15, RBE-1-E16, RB-7-E15, et RBE-3-F16

**62. INFORMATION AND DOCUMENTS REQUIRED FOR A CERTIFICATE OF AUTHORIZATION APPLICATION CA-LHRRSC61**

An application for a Certificate of Authorization - LHRRSC61 must be accompanied by the following information and documents:

1. the Town's official certificate application form, signed by the owner, occupant or their authorized representative, as the case may be;
2. a copy of the attestation de l'Enregistrement pour un établissement d'hébergement touristique général issued by the *Corporation de l'industrie touristique du Québec*, if already issued;
3. if the person who intends to offer or rent out the secondary residence is a tenant, a copy of the lease for the building indicating that the lease permits the rental of residential accommodation, or the owner's authorization to this effect;
4. if the person who intends to offer or rent out the secondary residence is in a building or project held in divided co-ownership, a copy of the provisions of the declaration of co-ownership permitting the rental of residential accommodation, or the authorization of the syndicate of co-owners to this effect;
5. a plan of the surface area of the residence and the existing and projected interior layout, indicating the number of rooms to be rented and the capacity of the property;
6. a plan of the property's exterior layout, including parking areas, driveways, balconies and galleries, vacant spaces, buffers, pools or spas;
7. photos of building location in relation to street and neighboring properties;

8. list of uses already on site, their location and surface area;
9. anticipated date of start of activities;
10. any other information deemed relevant by the designated officer or council.

### **63. CONDITIONS OF ISSUE**

The issuance of the Certificate of Authorization - LHRSC61 is subject to the following conditions:

1. the application is complete and complies with Town by-laws and provincial law;
2. the applicant has obtained Registration for a general classification tourist lodging establishment issued by the *Corporation de l'industrie touristique du Québec*;
3. the fee for the issuance of the Certificate of Authorization - LHRSC61 has been paid at the time of application;
4. post the Certificate of Authorization - LHRSC61 on the building in a place visible from the street;
5. comply with all the conditions listed on the Certificate of Authorization - LHRSC61, in particular:
  - i) keep the name and telephone number of the person in charge up to date. This information will be published on the Town's website;
  - ii) to enter on the register created by the Town for this purpose each time the secondary residence is rented out, with the dates of rental and number of people;
  - iii) A written commitment on the part of the applicant to post in the rented premises, and bring to the attention of the tenants, guidelines concerning compliance with Town regulations on nuisance and noise, as well as a copy of the "Good Neighbor Code" prepared by the Town;
  - iv) A written commitment on the part of the applicant to post in the rented premises, and bring to the attention of the tenants, guidelines concerning compliance with Town regulations on nuisance and noise, as well as a copy of the "Good Neighbor Code" prepared by the Town;

Notwithstanding the foregoing, the designated officer may not issue a Certificate of Authorization - LHRSC61 if the applicant has had a Certificate of Authorization issued under Section V revoked within the last five (5) years.

Nothing in this by-law may be interpreted as exempting the applicant or his tenants from the application of any provincial or federal law or regulation.

Compliance with this by-law does not relieve the owner of the obligation to comply with any other municipal or planning by-law applicable to the case, except where prescribed by law.

## 64. CANCELLATION AND NULLITY

The Certificate of Authorization - LHRRSC61, is valid for a period of twelve (12) months and must be renewed annually.

The Certificate of Authorization - LHRRSC61 is revoked if:

- i) the certificate holder or rental customers have committed, within the same twelve (12)-month period, two (2) offences provided for in this by-law, any municipal by-law relating to uses, nuisances, noise, sanitation or safety in connection with the short-term rental use, for which these people have been found guilty;

or

- ii) the certificate holder ceases to hold a General Tourist Establishment Registration issued by the *Corporation de l'industrie touristique du Québec*;

Before revoking a Certificate of Authorization - LHRRSC61, the clerk or designated officer must send prior notice to the holder, giving him at least ten (10) days to present his observations. Once the Certificate of Authorization - LHRRSC61 is revoked, the use must cease.

## COMING INTO FORCE

This by-law comes into force in accordance with the law.

-----  
Gilles Decelles, Mayor

-----,  
M<sup>e</sup> Edwin John Sullivan, Town Clerk

Certified copy



PERMITS AND CERTIFICATES BY-LAW

ANNEX « I » FEES (AMENDED BY BY-LAW 599-5)

TYPE OF PERMIT OR CERTIFICATE	FEES
Subdivision permits: for each lot created (plus park fees if applicable)	\$ 35.00
for lot correction	\$ 0.00
Building permit: construction of a main residential building	350,00 \$
extension of a main residential building	\$ 3.00 / portion of \$ 1,000.00, minimum \$ 30.00, maximum \$ 350.00
for each mobile home on the assessment roll	\$ 70.00
construction or extension of a residential accessory building 0 to 40 m <sup>2</sup>	\$ 50.00
40,01 m <sup>2</sup> or more	\$ 75.00
construction or extension of farm building (including accessory building) 0 to 60 m <sup>2</sup>	\$ 80.00
60.01 m <sup>2</sup> or more	\$ 80.00 + \$ 2.25 / portion of additional 2.3 m <sup>2</sup> , maximum \$ 250.00.
construction or expansion of other usage (including accessory building)	\$ 2.75 / portion of \$ 1,000.00, minimum \$ 30.00, maximum \$ 4,000.00.
Certificate for change of use or destination of building	\$ 50.00
Certificate for a home-based business	\$ 50.00
Certificate for demolition	\$ 50.00
Building relocation certificate	\$ 50.00
Certificate for the renovation or repair of a building costing \$ 8,000.00 or more	\$ 3.00 / portion of \$ 1,000.00, minimum \$ 30.00, maximum \$ 350.00.
Certificate for work on the shoreline or littoral	\$ 50.00

Certificate for the installation or modification of a sign or mural	\$ 40.00
Certificate of authorization for the installation of a swimming pool or the construction of a retaining wall	\$ 50.00
Certificate of authorization for tree cutting cutting area less than 5 ha Cutting area from 5 ha to 10 ha cutting area of 10 ha or more	\$ 100.00 \$ 225.00 \$ 225.00 + \$ 25.00 / portion of 10 ha additional, maximum \$ 500.00.
Certificat d'Autorisation - Location d'hébergement résidentiel pour une période de 31 jours et moins dans une Résidence principale (CA – LHRRP) ( <i>amended by by-law 599-4</i> )	\$ 200 Renewable annually
Certificate of Authorization - Rental of residential accommodations for a period of 31 days or less in a secondary residence (CA - LHRRSC61) ( <i>amended by by-law 599-4</i> )	\$ 200 Renouvelable chaque année
Certificate for a septic installation or groundwater withdrawal system	\$ 80.00
Certificate for construction of a new street	\$ 120.00
Certificate for quarry, sand pit or gravel pit operation	\$ 1,100.00
Certificate for agricultural activities	\$ 35.00
Certificate for Telecommunication Tower or Antenna	\$ 120.00
Certificate for a wind turbine	\$ 120.00
Certificate for fill or excavation work	\$ 50.00