

# Minor Exemption

## Definition

A minor exemption is a special permission granted by municipal council in exceptional cases in order to render an existing or proposed non-conforming situation into a conforming situation in relation to the municipal by-law.

For example, if a resident intends to build a garage at three metres from the property line, while the planning by-law specifies that the minimal distance between the property line and a garage is 4.5 metres, they will present a request for a minor exemption by explaining the reasons why they can't comply with the current by-law.

If the minor exemption is approved by municipal council, then a permit for the construction of the garage at a distance of three metres from the property line will be granted.

On the other hand, if the request is refused, the garage must be built at a distance of 4.5 metres from the property line, as stipulated in the municipal by-law.

This special permission may be granted on the basis that the assessment standards mentioned hereafter are met.

## Assessment standards for a minor exemption

- A minor exemption must respect all objectives set out in the Master Plan.
- The provisions of the zoning and subdivision by-laws, other than those relative to use and land use density, apply.
- A minor exemption can be granted when the application of the planning by-law causes a serious prejudice to the person making the request.
- A minor exemption shall not create any prejudice on the enjoyment of neighbouring properties and on their property rights.
- The request must comply with provisions of the construction by-law and those of the zoning and subdivision by-laws not subject to a minor exemption.

## Tracking a minor exemption request

- Filing of application** at least ten (10) days before the Planning and Sustainable Development Advisory Committee meeting (PSDAC) – **see schedule on page 2**
- Pre-analysis** - Based upon its nature and complexity, the file may require to be reviewed by other departments/committees beforehand or need additional information to complete the analysis. **expect additional lead-time if this is the case**
- Submission to the PSDAC** - The file is assessed by PSDAC members who will issue a recommendation to Council.
- Decision of the Municipal Council** - A resolution is prepared and submitted to Council for a final decision.



## Fees

### For requests made after completion of work

In the case of an existing situation found derogatory to a by-law provision, fees are set at \$ 720 for the building, structure or developed area subject of the application.

For each addition application for a minor exemption applicable to another by-law provision made with the one listed above, fees are set at \$ 360.

### For requests made before commencing work

In the case of an application for a minor exemption to a by-law provision, the fee is set at \$ 515 for the building, structure or area to develop subject of the application.

For each additional application for a minor exemption applicable to another by-law provision made with the one listed above, fees are set at \$ 260.

## 2024 Schedule

Here is a tracking table showing the typical progress of files. Please note, however, that additional delays may occur depending on the nature and complexity of the file, if the file requires the review by other departments and committees beforehand, or the need for additional information to complete the analysis.

**FILE TRACKING SCHEDULE**

Filing Deadlines	PSDAC Meetings	Council Meetings
Monday December 11 <sup>th</sup>	<b>January 10<sup>th</sup></b>	February 6 <sup>th</sup>
Friday January 26 <sup>th</sup>	<b>February 7<sup>th</sup></b>	March 12 <sup>th</sup>
Friday March 1 <sup>st</sup>	<b>March 13<sup>th</sup></b>	April 2 <sup>nd</sup>
Friday March 22 <sup>nd</sup>	<b>April 3<sup>rd</sup></b>	May 7 <sup>th</sup>
Friday April 26 <sup>th</sup>	<b>May 8<sup>th</sup></b>	June 4 <sup>th</sup>
Friday May 24 <sup>th</sup>	<b>June 5<sup>th</sup></b>	July 2 <sup>nd</sup>
Friday June 21 <sup>st</sup>	<b>July 3<sup>rd</sup></b>	August 20 <sup>th</sup>
Friday August 9 <sup>th</sup>	<b>August 21<sup>st</sup></b>	September 10 <sup>th</sup>
Friday August 30 <sup>th</sup>	<b>September 11<sup>th</sup></b>	October 1 <sup>st</sup>
Friday September 20 <sup>th</sup>	<b>October 2<sup>nd</sup></b>	November 5 <sup>th</sup>
Friday October 25 <sup>th</sup>	<b>November 6<sup>th</sup></b>	December 3 <sup>rd</sup>
Friday November 22 <sup>nd</sup>	<b>December 4<sup>th</sup></b>	In January 2025

## Additional Information

For more information, contact one of our municipal officers in the Planning and Sustainable Development Services at (819) 827-1124 extension 255 or [avis@chelsea.ca](mailto:avis@chelsea.ca).



## Form

### General Information

Applicant(s) name(s):

\_\_\_\_\_

Are you the property owner(s)?  Yes  No If not, proxy?  Yes  No

Mailing address:

\_\_\_\_\_

Tel. (home/cell): \_\_\_\_\_ Tel. (work/other): \_\_\_\_\_

E-mail address:

\_\_\_\_\_

### Site identification

Project location if not the same as the mailing address: \_\_\_\_\_

Lot number: \_\_\_\_\_ of the Quebec cadastre

Is this a waterfront property with a lake/waterway or wetland?  Yes  No

### Description of the request

You are filing a minor exemption affecting which one of these by-laws:  Zoning  
 Subdivision

What provision of the by-law cannot be respected?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is the reason that prevents you from complying with the provision of the by-law?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Statement

I, the undersigned, \_\_\_\_\_ hereby certify that the information given in the present document is in all respect true, exact and complete.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Documents required

Checklist – Ensure you have the following documents accompanying your request (check box):

### General documentation

- Property title, if the applicant acquired the property in less than a period of one (1) year
- A proxy signed by the owner, in the case where a request is made by a representative
- The completed form duly signed

### Specific documents

- A description of the nature of the derogatory request (several minor exemptions may be combined in the same application)
- A plan prepared and signed by a land-surveyor in the case of a request for a minor exemption concerning a distance or an area surface for an existing or intended use
- A description of the reason why the applicant is unable to comply with the current by-laws
- A description of the prejudice on the owner by following the strict application of the by-law
- Clear and recent photos that allow to properly identify the requested exemption
- Any other related information required for the purposes of better understanding the application
- Payment of the required fees according to the cost calculation table

## Cost calculation table

**FEE TABLE**

	Cost	Quantity	Amount
<b>Request made AFTER completion of the work:</b>			
• The building, structure or developed area.....	\$ 720	.....	\$.....
• Each additional request subject to another by-law provision.....	\$ 360	.....	\$.....
<b>Subtotal</b>			<b>\$.....</b>
<b>Request make BEFORE commencing work:</b>			
• The building, structure or developed area.....	\$ 515	.....	\$.....
• Each additional request subject to another by-law provision.....	\$ 260	.....	\$.....
<b>Subtotal</b>			<b>\$.....</b>
<b>Payment:</b> <input type="checkbox"/> cash <input type="checkbox"/> cheque <input type="checkbox"/> debit	<b>TOTAL</b>		<b>\$.....</b>