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100 Old Chelsea Road, Chelsea, Quebec J9B 1C1

MUNICIPALITY OF CHELSEA

# By-law Number 639-05 Respecting Permits and Certificates

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

**EFFECTIVE DATE: JUNE 28, 2005**  
**Administrative Compilation Number 22 effective July 7, 2020**

## ADMINISTRATIVE COMPILATION

This current edition of the By-law Number 639-05 respecting Permits and Certificates of the Municipality of Chelsea contains all the regulatory texts that have been adopted since its effective date of June 28, 2005. The following table illustrates the amendments made as of this date: **July 7, 2020**.

Update Number	Notice of motion	By-law Number	Description	Effective Date
1	February 6, 2006	666-06	Provisions applicable to plans and specifications to be submitted with requests for a construction permit	March 22, 2006
2	July 4 2006	677-06	Introduce specific provisions applicable to septic systems with tertiary treatment followed by discharge into the environment	August 23, 2006
3	May 3 2010	763-10	Provisions with respect to amending Section 6.2 "Construction permit"	June 16 2010
4	January 9, 2012	810-12	Amend specific provisions with respect to fees for permits and certificates	February 8, 2012
5	July 2, 2013	862-13	Provisions regarding fees associated with a respect for an amendment to the planning by-laws	August 8, 2013
6	September 9, 2013	866-13	Provisions regarding the contents of a request for a request for a construction permit for a septic installation	October 3, 2013
7	June 2, 2014	888-14	Provisions relating to the performance bond and the National Building Code	August 14, 2014
8	August 5, 2014	904-14	Provisions respecting fire protection of high risk and very high-risk buildings	September 11, 2014

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<b>Update Number</b>	<b>Notice of motion</b>	<b>By-law Number</b>	<b>Description</b>	<b>Effective Date</b>
<b>9</b>	November 3, 2014	910-14	Provisions regarding the contents of an application	December 4, 2014
<b>10</b>	April 7, 2015	932-15	Provisions regarding water catchment	November 17, 2015
<b>11</b>	December 7, 2015	953-15	Provisions respecting the issuance of a permit to connect to the potable and wastewater services and those of a road permit	May 12, 2016
<b>12</b>	September 26, 2016	991-16	Provisions on the contents of the building occupation certificate application and of mandatory inspections	October 7, 2016
<b>13</b>	October 3, 2016	999-16	Provisions regarding areas prone to landslides	January 19, 2017
<b>14</b>	December 5, 2016	1004-16	Provisions regarding the contents of a preliminary subdivision proposal	January 19, 2017
<b>15</b>	February 6, 2017	1012-17	Provisions concerning the contents of a construction permit application (technical datasheet for heat pumps and air conditioners)	April 12, 2017
<b>16</b>	March 6, 2017	1006-17	Provisions concerning certificates of authorization for tree cutting	October 4, 2017
<b>17</b>	June 5, 2018	1072-18	Provisions concerning the performance bonds	July 11, 2018
<b>18</b>	July 18, 2018	1082-18	Provisions concerning the fee schedule	August 22, 2018
<b>19</b>	December 4, 2018	1109-18	Provisions concerning the size of septic tanks	January 25, 2019
<b>20</b>	November 5, 2019	1135-19	Provisions in order to request a soil survey	December 3, 2019

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<b>Update Number</b>	<b>Notice of motion</b>	<b>By-law Number</b>	<b>Description</b>	<b>Effective Date</b>
21	December 3, 2019	1140-19	Provision on fees for specific permits and certificates and provisions regarding certificate of authorization for building occupation	February 4, 2020
22	June 2, 2020	1157-20	Provisions concerning the delivery of a permit for a tertiary type of septic system with disinfection by ultraviolet radiation	July 7, 2020

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# 1. LEGISLATIVE AND INTERPRETIVE CLAUSES

## 1.1 TITLE OF BY-LAW

This by-law bears number 639-05 and shall be known as the Municipality of Chelsea By-Law respecting Permits and Certificates.

## 1.2 CONTEXT OF BY-LAW

This by-law applies in whole and in part to urban planning regulations and serves as a means to implement a rational development policy for the Municipality. The by-law is therefore based on the Municipality of Chelsea Master Plan and the MRC des Collines de l'Outaouais Development Plan and harmonizes with the other instruments for implementation of said plans.

## 1.3 FORCE AND EFFECT

This by-law will become law pursuant to the provisions of the Quebec *Land Use Planning and Development Act*.

## 1.4 SUBJECT TERRITORY

This by-law, whose provisions apply to all individuals and legal persons established in the public or private interest, applies to all land within Municipality of Chelsea territorial boundaries.

## 1.5 REPEALED BY-LAWS

The by-law listed hereinafter, and all afferent amendments are hereby repealed and replaced by this urban planning by-law:

- By-law number 471-97, Urban planning by-law rules for interpretation and administration.

All other afferent regulations inconsistent with this by-law are also repealed.

- 1 -

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## 1.6 INCIDENCE OF OTHER BY-LAWS

Any lot or building that is raised, rebuilt, extended, relocated, modified, repaired, occupied, or used for an authorized use and in the manner prescribed in this by-law are subject, *inter alia*, to the specific provisions of any and all related municipal regulations.

## 1.7 AFFECTED BUILDINGS AND PROPERTIES

Affected are any lot or portion thereof to be occupied, any building or portion thereof, and/or any structure or portion thereof pursuant to the provisions of this by-law. Any building, structure, or property designated for amendment of use or occupation must comply with urban planning regulations. The same is true for any lot, part thereof, or property to be divided or re-divided.

## 1.8 AMENDING URBAN PLANNING BY-LAWS

### 1.8.1 Initiating an urban planning amendment

A taxpayer, an administering authority, the Planning and Sustainable Development Advisory Committee (PSDAC), or Municipal Council may initiate a change to urban planning regulations.

### 1.8.2 At a taxpayer's request

Any taxpayer wishing to request an amendment to urban planning regulations must submit a written request detailing his or her motives to the administering authority.

Upon receiving the request, the administering authority will examine said request and report to the PSDAC.

The PSDAC will analyse the request and the administering authority's report and, in the event the request is deemed valid, the PSDAC will issue a notice of acceptance and transmit the request and all relevant documents to Municipal Council. The PSDAC will recommend that all required steps be taken to approve a resolution to amend pursuant to the provisions of the Quebec *Land Use Planning and Development Act*.

In the event that the PSDAC deems the amendment undesirable or counter to the interests of the Municipality, reasons for this decision must be detailed in a written report and copies of said report transmitted to the applicant and to Municipal Council.

### 1.8.3 Taxpayer's request submitted directly to Council

In the event that a taxpayer submits his or request for amendment directly to Municipal Council, Council will forward said request to the administering authority and to the PSDAC for recommendation.

#### 1.8.4 At the administering authority's request

Should the administering authority wish to initiate a request for an amendment to urban planning regulations, the authority shall submit a written recommendation to this effect to the PSDAC and detail the reasons for the request.

The PSDAC will review the administering authority's recommendation, issue its own recommendation, and submit all relevant documents to Council for study.

Should Council agree with and approve the recommendations of the administering authority and the PSDAC, it will then proceed to approve a resolution to amend pursuant to the provisions of the Quebec *Land Use Planning and Development Act*.

#### 1.8.5 At PSDAC request

Should the PSDAC wish to initiate a request for an amendment to urban planning regulations, it shall so advise the administering authority and ask said authority to offer an opinion regarding the proposed amendment and the regulation it is intended to modify.

The PSDAC will then transmit the administering authority's opinion and notice of the request to Municipal Council.

Should Council agree with and approve the recommendations of the administering authority and the PSDAC, it will then proceed to approve a resolution to amend pursuant to the provisions of the Quebec *Land Use Planning and Development Act*.

#### 1.8.6 At Council's request

Should Council wish to amend urban planning regulation, it shall inform the PSDAC and ask for the committee's opinion, within a pre-established timeframe, of the proposed regulation.

The PSDAC will ask the administering authority for an opinion and prepare a recommendation concerning the proposed amendment. PSDAC will then forward all relevant documents to Council.

#### 1.8.7 Approving an amendment

Council will then proceed to approve a resolution to amend pursuant to the Quebec *Land Use Planning and Development Act*.

1.8.8 Fee schedule for urban planning by-law amendment application by an individual or corporation<sup>(5)(18)</sup>

- a. Receipt and analysis of the request and recommendation: **\$500.00**
- b. Prepare documents to proceed with the by-law amendment: **\$150.00**
- c. Prepare public notices (French and English): **\$100.00**
- d. Sign posting and publication:
  - Notice announcing the holding of a public hearing: **\$400.00**
  - Notice announcing the period accepting applications for the holding of a registry: **\$400.00**
- e. Registration period and notice announcing the holding of a registry: **\$400.00**
- f. Validate the number of people eligible to vote: **\$100.00**
- g. Referendum: **\$5,000.00**
- h. Notice of promulgation: **\$300.00**

The rate payable for the item “a” which is **\$500.00**, is payable by the applicant upon filing their application, and this amount is non-refundable.

The sum of the rates payable for items “b” through “d” which is **\$1050.00** is payable when the Notice of Motion is presented to Council which then confirms the start of the amendment procedure by the Municipal Council. This amount is non-refundable.

The sum of the rates payable for items “e” and “f” which is **\$500.00** becomes payable by the applicant when the holding of a registry is confirmed. This amount is non-refundable.

When an amendment requested by the applicant, requires additional publications of notices, rates for the item “e” shall be payable whenever a notice must be reposted.

The actual costs equal to the sum of all expenses incurred by the Municipality in the preparation and management of a referendum shall be paid by the applicant once the process is completed. The rate payable for item “g” consists of a **\$5000.00** safety deposit payable by the applicant once the referendum is confirmed by Council. Following the referendum, the actual costs shall be calculated so as to either reimburse the applicant if costs are less than \$5000.00 or request an additional payment of the applicant if the costs are higher than \$5000.00.

The rate payable for the item “h” which is **\$300.00**, is payable by the applicant once the By-law is adopted or upon receipt of the certificate of conformity from the MRC, if need be.

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(5) Amended by **By-law Number 862-13** (effective August 8, 2013)

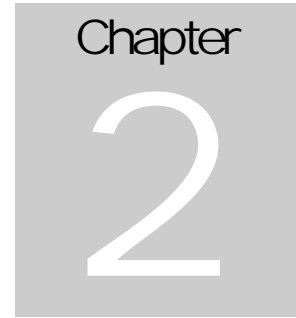
(18) Amended by **By-law Number 1082-18** (effective August 22, 2018)

## 1.9 ATTACHED DOCUMENTS

By law, all tables, specification grids, graphs, designs and symbols contained in this by-law and appendices form part and parcel of this by-law.

## 1.10 VALIDITY

Municipal Council approves this by-law in its entirety, as well as chapter by chapter, section by section, sub-section by sub-section and article by article. In the event that any portion of this by-law is declared null and void, all other portions shall remain in effect



## 2. INTERPRETATION

### 2.1 INTERPRETING THE TEXT

The headings in this by-law form part and parcel of this text for legal purposes. In the event of a contradiction between headings and the text, the text shall prevail:

- a. Verbs in present tense include future tense;
- b. The use of the singular includes the plural and vice versa, unless indicated by context;
- c. The use of the words SHALL, WILL or MUST indicates an absolute obligation; the use of the words COULD or MAY indicates an option;
- d. The words WHOSOEVER or ANY PERSON include all moral and physical persons;
- e. The words CORPORATION and MUNICIPALITY refer to the Municipality of Chelsea;
- f. The word COUNCIL refers to Chelsea Municipal Council;
- g. The abbreviation PSDAC refers to the Planning and Sustainable Development Advisory Committee of the Municipality of Chelsea;
- h. The expression MASTER PLAN refers to the Municipal of Chelsea urban plan pursuant to the provisions of the Quebec *Land Use Planning and Development Act*;
- i. A standard numbering system has been used for all by-laws. The first number refers to the chapter of the by-law, the second to the section of said chapter, the third to the sub-section, and the fourth to the article of the sub-section in question. For example, only, the headings are numbered as follows:

# 1. CHAPTER

## 1.5 SECTION

### 1.5.1 Sub-section

#### 1.5.1.1 Article

All measurements are expressed in units of the International System of Units (IS, metric system).

## 2.2 INTERPRETING TABLES

The tables, diagrams, specification grids, symbols and other forms of expression in this by-law other than the actual text referring to said items, are legal part and parcel of this document.

In the event of a contradiction between the text and tables, diagrams, graphs, symbols, and other forms of expression, the text shall prevail. In the event of a contradiction between a table and a graph, the graphic data shall prevail.

In the event that the restrictions or prohibitions in this by-law or any of its provisions prove to be inconsistent with or contradict any other provision of this by-law, the more stringent provision shall apply.

## 2.3 TERMINOLOGY

For the purposes of interpreting this by-law, unless otherwise indicated by context, all words and/or expressions shall be interpreted according to the significance given in Section 1.10 of Zoning By-law No. 636-05 and its amendments, with the exception of the following:

**AQUEDUCT** All works, water mains, appliances and devices for the supply of drinking water.<sup>(11)</sup>

**ARCHITECT** Member of the *Ordre des architectes du Québec*.

**B.N.Q.** Quebec Standards Bureau (bureau de normalisation du Québec).<sup>(11)</sup>

**BUILDINGS IDENTIFIED AS HIGH OR VERY HIGH RISKS** <sup>(8)</sup> A building at high or very high risk is defined as a building in the event of a fire usually requires widespread deployment of human and material resources to carry out the evacuation of the occupants or to prevent the dangers of inferno. Industrial properties and warehouses containing hazardous materials are considered high risk. Buildings with a probability of fire hazard include vacant and unused constructions that aren't boarded up (other than residential uses) are defined as very high risk.

High or very high risk include boarding houses, hotels, churches, hospitals, schools, and all buildings seven stories or more and all properties meeting the criteria set out in the table below:

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(11) Introduced by **By-law No. 953-15** (effective May 12, 2016)

(8) Introduced by **By-law No. 904-14** (effective September 11, 2014)

Table classifying fire risks

Classification	Description	Type of buildings
<b>High Risks</b>	Buildings whose area floor surface exceeds 600 m <sup>2</sup> Buildings having 4 to 6 stories Places where occupants are normally able to evacuate Places with no significant amount of hazardous materials	Commercial establishments Business establishments Buildings with 9 or more units, boarding houses (10 rooms or more), motels Industrial establishments in Group F, Division 2 * (workshops, repair shops, printing, gas stations, etc.) Farm buildings
<b>Very High Risks</b>	Buildings over six storeys or at high risk of inferno Places where occupants cannot evacuate themselves Places involving a difficult evacuation strategy due to the high number of occupants Locations where hazardous materials are likely to be stored Places where the impact of a fire is likely to affect a community's operations	Business establishments buildings adjacent to older village areas Vacant buildings for non-residential use Hospitals, day centres, supervised homes, detention facilities Shopping centre of over 45 stores, hotels, schools, daycares, churches Industrial establishments in Group F, Division 1 (warehouse storing hazardous materials, paint factory, chemical plants, mills, etc.) Water treatment facilities, harbors

CAD Computer Assisted Design.

CADASTRE OPERATION The overall procedure designed to divide, subdivide, replace, correct, or cancel. Initiated by the property owner or by the ministry responsible for the cadastre, a cadastre operation is performed by a professional land surveyor in accordance with the instructions from the ministry responsible.

CODE Construction Code of Québec (R.S.Q., Chapter B-1.1, r.2) and the National Plumbing Code to which it refers in effect upon issuance of the permit.<sup>(11)</sup>

(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."



**CONNECTION** Drinking water line or sewer installed from a building (residential or otherwise) to the property line and connected to a water main or public sewer. <sup>(1)</sup>

**CONSULTANT** Member of the *Ordre des ingénieurs du Québec* or member of the *Ordre des Technologues professionnels du Québec* with sanitary engineering experience.

**ISOLATED RESIDENCE** A single or multi-family building consisting of six (6) or fewer bedrooms that is not connected to an approved sewage system, or any other building discharging waste water only with maximum total daily discharge rate of 3,240 litres.

**MUNICIPAL INSPECTOR** The administering authority of the Public Works and Infrastructures Department or the Planning and Sustainable Development Services of the Municipality or in his absence his authorized representative. The term inspector as used in this By-law also refers to employees under the supervision of the latter. <sup>(1)</sup>

**PERMITS AND CERTIFICATES** Documents issued by the administering authority pursuant to municipal regulations. An applicant must obtain a permit or certificate to exercise a related right to ensure that a proposed application or project complies with Municipal urban planning by-laws.

**PRELIMINARY SUBDIVISION PROPOSAL** Collection of plans and documents demonstrating all of the components required by the Municipality to review and approve a subdivision project, according to current urban planning regulations.

**PROFESSIONAL TECHNOLOGIST** Member of a recognized professional association of draftsmen or technologists insured against liability. <sup>(1)</sup>

**RECEPTOR SOIL** The area of the natural soil designed to receive a wastewater collection or treatment system.

**SEPTIC TANK** A primary wastewater treatment system consisting of a tank designed to receive wastewater or greywater.

**SEWER** All the structures, pipes, appliances and devices for the pipeline and transportation of domestic and industrial wastewater (sanitary sewer) and rain water, street wash water and the water from foundation drains of buildings, excluding domestic sewage and industrial rediuares water (rainwater drainage).<sup>(1)</sup>

**TILE FIELD** Structure designed to distribute the effluent of a primary or secondary wastewater treatment system to complete purification via filtration through the soil.

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(1) Amended by **By-law Number 666-06** (effective March 22, 2006)

(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

BY-LAW NUMBER 639-05  
RESPECTING PERMITS AND CERTIFICATES

UNDERGROUND WATER WITHDRAWAL FACILITY <sup>(10)</sup> Installation designed to capture groundwater, for example, a tube well, surface well, sand point, spring water tap, push well, or radial collector.

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(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

**EFFECTIVE DATE: JUNE 28, 2005**  
**Administrative Compilation Number 22 effective July 7, 2020**

## 3. ADMINISTERING AUTHORITY

### 3.1 ADMINISTERING AUTHORITY <sup>(21)</sup>

The administering authority responsible for the application of this by-law is an employee of the Municipality authorized to proceed by virtue of his duties.

### 3.2 DUTIES AND AUTHORITY

The administering authority, his representative or deputy, duly authorized by Council, is responsible for monitoring and supervising buildings and uses. To this end, said individual is entrusted with the following:

- a. Issues any required permit or certificate pursuant to current urban planning regulations. Denies permits and certificates for non-compliant projects. Submits any applications for minor variance or by-law amendments to the Planning and Sustainable Development Advisory Committee or Council, as required. At PSDAC or Council request, provides any and all information required to analyze a file regarding non-compliant projects.
- b. Inspects or visits any building, structure, or part of a structure under construction, modification, or repair, relocation, or demolition, as well as existing buildings when the application of by-laws calls for a visit or inspection. The owner or tenant of the site(s) visited must allow the administering authority or other duly authorized person access and/or answer any and all questions regarding enforcement of the by-law.
- c. Prepares a list of permits and certificates issued, as well as any contraventions, to be included in a monthly report to Council or by request from Council.
- d. Notifies the property owner of any proposed or ongoing use and/or construction that violates construction by-laws. Oversees the demolition or restoration of any non-compliant building or portion thereof.
- e. Oversees the demolition or restoration, as required, of any non-compliant building or portion thereof pursuant to a court order.
- f. In accordance with a court order, the administering authority will see that any building that could pose a threat to human life is evacuated as a precautionary measure and reports

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(21) Amended by **By-law Number 1140-19** (effective February 4, 2020)

immediately to Council. May require any reinforcement needed to ensure public safety.

- g. Will use every necessary means to ensure the safety of the buildings or structures where poor construction presents a danger.
- h. Keeps an up-to-date record of all applications received and permits and certificates issued, inspections and tests performed, reports submitted and received, and keeps copies of all papers and documents related to the performance of his duties.

### 3.3 SITE INSPECTION

In performing his duties, the administering authority has the right to visit and inspect a site between 7 AM and 7 PM daily, any property including the interior and exterior of houses, buildings, or other structures to ensure by visual inspection that the provisions of this by-law have been observed. Owners, tenants, or occupants of the sites visited are required to give the officer access and to answer any and all questions regarding the observance of urban planning regulations.

When it is possible to do so, the administering authority will advise owners of his visit at least 48 hours before the anticipated date of the inspection

### 3.4 LIMITATIONS

The administering authority must answer any and all relevant questions regarding the provisions of this by-law.

However, except to provide general information regarding design, the administering authority will not participate in the preparation of plans or act as an engineering or architectural consultant.

### 3.5 SPECIFIC AUTHORITY

In performing his duties, the administering authority may specifically, without reserve, carry out the following with respect to application of the Construction By-law:

- a. Notify any owner or applicant in writing to request correction of any situation constituting a violation of said by-law;
- b. Order any owner or applicant to suspend work that violates this by-law or poses a hazard;
- c. Order testing to be performed on any material, device, construction method, operational or structural component of construction, or on the condition of foundations, at the expense of the owner or applicant;
- d. Require the owner or applicant to provide, at their expense, adequate proof that a material, construction device, condition of foundations, structure or building complies with this by-law;
- e. Revoke or refuse to issue a permit in the event that the tests noted in sub-paragraph c) are unsatisfactory or the proof mentioned in sub-paragraph d) is inadequate;
- f. Revoke a permit in the event of a violation of any or all of the provisions of this by-law or of any or all of the conditions established on the permit;
- g. Initiate criminal proceedings against offenders with respect to any provision of this by-law;

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

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and, to do so deliver notices of violation.

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

**EFFECTIVE DATE: JUNE 28, 2005**  
**Administrative Compilation Number 22 effective July 7, 2020**

## 4. PROVISIONS RESPECTING THE ISSUANCE OF PERMITS AND CERTIFICATES

### 4.1 GENERAL PERMIT OR CERTIFICATE APPLICATION PROCEDURE

All applications for permit or certificate must be submitted in writing to the administering authority on the appropriate Municipal form. The application must include all of the documents required, depending upon the type of permit or certificate. Once the form has been duly completed, the administering authority will:

- a. Stamp and date the received documents;
- b. Give the applicant or his representative, as appropriate, a list of information and documents required in the event the application is deemed to be incomplete;
- c. Make a judgment regarding the quality of the documents submitted. The administering authority is free to require any details or information he deems necessary for full understanding of the application and to ensure consistency with all urban planning regulations. It is the responsibility of the applicant or his representative to see that the file is complete. Only once the file is complete will the review begin to determine compliance of the application and that time to reach a decision regarding the permit will begin;
- d. Date the permit application as of the day the application is deemed to be complete;
- e. Review the compliance of the application with urban planning regulations and any other current Municipal regulations;
- f. If the application is non-compliant, prepare a written report detailing the reasons for the non-compliance. Attach the report to the permit application;
- g. Unless specifically indicated, and providing the application is deemed compliant with all current regulations, the administering authority will issue the permit or certificate within sixty (60) days following completion of the application. In the event that an application is rejected, the administering authority will notify the applicant in writing, detailing the reasons for rejection.

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

**EFFECTIVE DATE: JUNE 28, 2005**  
**Administrative Compilation Number 22 effective July 7, 2020**

## 4.2 PRELIMINARY SUBDIVISION PROPOSAL

### 4.2.1 Obligation to submit a preliminary subdivision proposal

A preliminary subdivision proposal must precede any subdivision permit application for a subdivision project designed to create an additional lot to be used for a new land use or construction.

### 4.2.2 Contents of a preliminary subdivision proposal

The applicant will provide six (6) copies of the preliminary subdivision proposal on a scale of 1:1000, or any other scale the administering authority deems to be relevant, along with the following information, as applicable:<sup>(9)</sup>

- a. Numbers and boundaries of lots adjacent to the proposed subdivision and a preliminary parcelling project, if any, for any adjacent lots belonging to, or the responsibility of, the subdivider;
- b. The dimensions and total surface area of the subdivision as well as proposed lot lines and approximate measurements;
- c. Route, grade and total width of proposed roads and existing or previously approved roads that connect to the proposed road or roads;
- d. Ground relief expressed as contour lines at 1.5-m intervals, or other interval that the administering authority deems appropriate;
- e. Natural features of the terrain, such as waterways, drainage ditches, marshes, rocky outcrops, woodlots, etc.;
- f. Location of high-water mark and flood zones (any minimum surface area required by urban planning regulations must be located above the high-water mark);
- g. Landslide zones, as shown on the zoning map;
- h. Existing or required infrastructures and public utilities;
- i. Servitudes and rights-of-way;
- j. Spaces reserved for various land use categories (i.e. residential, business, etc.) and the respective percentage of this space vis-à-vis the total surface area of the subdivision;
- k. If any, space reserved for parkland, space left in its natural state, and the respective percentage of these spaces vis-à-vis the total surface area of the subdivision;
- l. Pedestrian pathways, if any;
- m. Date, title, true north, and scale of the map;
- n. Name and address of the owner, including his signature or written authorization if another individual is submitting the plan on the owner's behalf;
- o. Two original copies, in CAD format, of a consultant's preliminary report regarding the septic system and of the water withdrawal facility<sup>(10)</sup>.

For each lot under study, the preliminary report will show;

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(9) Amended by **By-law Number 910-14** (effective December 4, 2014)

(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

1. Maximum number of bedrooms to be serviced;
  2. Any other proposed use, such as professional or business activities;
  3. A description of the drinking water supply;
  4. Profile of the receptor soil including grade and soil type, using the terminology of the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force, and year-round anticipated maximum impermeability (bedrock/water table/clay);<sup>(6)</sup>
  5. Permeability of the receptor soil determined by granulo-sedimentrimetric analysis performed by a qualified laboratory. Findings must be reproduced within a correlation triangle using soil texture and permeability (Appendix 1 of the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force). The consultant will also confirm that the sample was taken at least 30 cm below the natural surface of the soil at the proposed location for the effluent infiltration device;<sup>(6)</sup>
  6. Proposed type of septic system;
  7. Declaration that each lot meets minimum standards for the installation of a septic system compliant with the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force <sup>(6)</sup> and a water withdrawal facility <sup>(10)</sup> compliant with the *Water Withdrawal and Protection Regulation* in force<sup>(10)</sup>;
  8. A 1:1000 scale map showing for each lot: inspection survey, water withdrawal facility <sup>(10)</sup>, and receptor soil for the treatment component;
  9. Where there is discharge into a waterway, the consultant must declare that the effluent cannot be channelled to a polishing leaching field. The consultant will provide water flow rate, dilution rate at minimum flow, the watershed area, location of the discharge point, and effluent sampling site;
  10. Locations of septic installations and wells on neighbouring lots;
  11. Direction of flow of surface water run-off;
  12. Locations of waterways, natural high-water mark, flood plains, and construction boundaries (if applicable);
- p. Provide three (3) potential names for each new road proposed, together with a description of the origin and meaning of these names;<sup>(14)</sup>
- q. For any construction project of road infrastructure and municipal equipment, a soil study must be carried out in order to characterize the material or materials constituting the infrastructure or equipment. Analyzes must be carried out by an approved laboratory and a report must be prepared for this purpose by an engineer. This study will identify the pavement structure to be shaped and determine the potential problems related to drainage or unstable or low-bearing soils. Two original copies of the study must be submitted on word processor and CAD format. <sup>(20)</sup>

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(6) Amended by **By-law Number 866-13** (effective October 3, 2013)

(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

(14) Introduced by **By-law Number 1004-16** (effective January 19, 2017)

(20) Amended by **By-law Number 1135-19** (effective December 3, 2019)



- r. Any other information or document that the administering authority requires to gain full understanding of the project<sup>(20)</sup>

#### 4.2.3 Amending a preliminary subdivision proposal

The administering authority will indicate to the applicant the modifications needed, if any, to render the preliminary subdivision proposal compliant with current urban planning regulations.

#### 4.2.4 Conditions for approval

The Planning and Sustainable Development Advisory Committee is responsible for evaluating all applications for approval of a preliminary subdivision proposal.

The evaluation will be based on compliance with the standards established by current urban planning regulations and rules regarding the construction of municipal infrastructures.

Said committee will notify Municipal Council in writing of its recommendation. The evaluation shall include a recommendation to approve or reject the submitted proposal. In the event of a rejection, the PSDAC will give its reasons and may suggest amendments to render the preliminary subdivision proposal compliant with this by-law.

Once the PSDAC has reviewed the application, Municipal Council must pass a resolution to approve the preliminary subdivision proposal if it is compliant with urban planning regulations or reject it if it is not.

Once the preliminary subdivision proposal has been approved, the owner is authorized to submit a subdivision permit application.

#### 4.2.5 Effect of preliminary subdivision proposal approval

Approval of a preliminary subdivision proposal does not constitute authorization to carry out a cadastre operation.

Neither does said approval oblige the Municipality to approve a subdivision permit application, order the opening of roads, assume construction and/or maintenance costs, or issue construction permits.

### 4.3 SUBDIVISION PERMIT

#### 4.3.1 Obligation to obtain a subdivision permit

Any person wishing to carry out a cadastral project must do so in compliance with the Subdivision By-law, regardless whether the project includes roads, private or public, and cannot do so without

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(20) Amended by **By-law Number 1135-19** (effective December 3, 2019)

having first obtained a subdivision permit according to the permit issuance procedures detailed in this by-law.

Only those cadastral projects duly approved by the administering authority may be submitted to the Ministry for approval. However, Cadastre correction operations by the owner or Ministry do not need the approval of the administering authority.

A subdivision or cadastral project in contravention of any provision of this by-law may be declared null and void pursuant to sections 228 and following of the *Land Use Planning and Development Act*.

The completion of the afore-mentioned procedures does not oblige the Municipality to approve the proposed road or roads shown on the plans, order the opening of roads, assume construction and/or maintenance costs, or assume civil liability.

#### 4.3.2 Contents of a subdivision permit application

The following documents will accompany the subdivision permit application:

- a. Six (6) copies of the plan prepared by a qualified land surveyor;
- b. In the case of any subdivision located in a landslide zone, with the exception of subdivisions in a theoretical risk zone (apart from those identified along Meech Creek), the developer must provide a certificate from an engineer attesting that the land is suitable for the proposed development, taking into account its pedological, hydrological and geological characteristics.<sup>(13)</sup>
- c. Two original copies, in CAD format, of a consultant's preliminary report regarding the septic system and of the water withdrawal facility <sup>(10)</sup>.

For each lot under study, the preliminary report will show:

1. Maximum number of bedrooms to be serviced;
2. Any other proposed use, such as professional or business activities;
3. A description of the drinking water supply;
4. Profile of the receptor soil including grade and soil type, using terminology of the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force, and year-round anticipated maximum impermeability (bedrock/water table/clay);<sup>(6)</sup>
5. Permeability of the receptor soil determined by granulo-sedimentrimetric analysis performed by a qualified laboratory. Findings must be reproduced within a correlation triangle using soil texture and permeability (Appendix 1 of the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force). The consultant will also confirm that the sample was taken at least 30 cm below the natural surface of the soil at the proposed location for the effluent infiltration device;<sup>(6)</sup>

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(13) Amended by **By-law Number 999-16** (effective January 19, 2017)

(6) Amended by **By-law Number 866-13** (effective October 3, 2013)

6. Proposed type of septic system;
  7. Declaration that each lot meets minimum standards for the installation of a septic system compliant with the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force <sup>(6)</sup> and a water withdrawal facility <sup>(10)</sup> compliant with the *Water Withdrawal and Protection Regulation* in force<sup>(10)</sup>;
  8. A 1:1000 scale map showing on each lot: inspection survey, water withdrawal facility <sup>(10)</sup>, and receptor soil for the treatment component;
  9. Where there is discharge into a waterway, the consultant must declare that the effluent cannot be channelled to a polishing leaching field. The consultant will provide water flow rate, dilution rate at minimum flow, the watershed area, location of the discharge point, and effluent sampling site and a copy of the certificate of authorization from the Quebec Environment Ministry, if required;
  10. Locations of septic installations and wells on neighbouring lots;
  11. Direction of flow of surface water run-off;
  12. Locations of waterways, natural high-water mark, flood plains, and construction boundaries (if applicable);
- d. For a subdivision located on a flood plain, the land surveyor's report must show lot elevations and grade at maximum 2-metre intervals.

#### 4.3.3 Conditions for issuance of a subdivision permit

The administering authority will issue a permit for the subdivision project if:

- a. It is consistent with the spirit of planning and development proposals established by the MRC des Collines-de-l'Outaouais Development Plan and Chelsea Master Plan.
- b. It is compliant with the Subdivision By-law and specifications grid of Zoning By-law 636-05.
- c. It is accompanied by all of the plans and documents required by this by-law.
- d. Permit application fees have been paid.
- e. Proposed thoroughfares are consistent with the Subdivision By-law and regulations governing road construction, cadastred as separate lots.
- f. Council has approved the preliminary subdivision proposal;
- g. All municipal taxes owing for buildings included in the subdivision have been fully paid.
- h. The proposed subdivision is consistent with Master Plan flood and landslide zoning provisions.
- i. The applicant has met all conditions regarding disposition of parkland and playground area pursuant to the Subdivision By-law. All required monetary compensation has been paid and/or notarial deed completed to transfer the land to the Municipality.

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(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

#### 4.3.4 Validity of a subdivision permit

Any subdivision permit for a cadastre operation that has failed to receive approval from the Quebec Ministry of Energy and Natural Resources within one (1) year of issue of the municipal permit shall be considered null and void.

A permit will be deemed null and void in the event of failure to comply with any of the regulations or declarations contained in the certificate of authorization application.

### 4.4 CONSTRUCTION PERMIT

#### 4.4.1 Obligation to obtain a construction permit

No person can erect a permanent or temporary structure or modify, repair, renovate, or convert any structure or portion thereof, install a prefabricated building, undertake excavation work for the purpose of building or installing a structure, undertake or cause to be undertaken work to install, modify, or correct a septic system, or undertake or cause to be undertaken drilling or modification of a groundwater water withdrawal facility<sup>(10)</sup> install, renew or extend a connection to the water or the municipal sewer or connect a new pipe for connection to the existing water or existing sewer, without first obtaining a permit from the Municipality to this effect<sup>(11)</sup>

It is, however, not necessary to obtain a construction permit for painting or for the various repairs normally required for building maintenance (eaves, roofs, windows or doors) when said work does not involve modification of the existing structure. Normal maintenance may also be defined as maintenance work costing less than \$5,000.

In the case of a building with high or very high risk, the issuance of a construction permit is subject to first obtaining a certificate from the MRC to the effect that it is registered in compliance with the "By-law pertaining to the application of the MRC des Collines de l'Outaouais jurisdiction with respect to the fire protection of high risk or very high risk buildings."<sup>(8)</sup>

#### 4.4.2 Contents of a construction permit application

The construction permit application will be submitted in writing on the appropriate Municipal form. One copy of this application will be returned to the applicant when the permit is issued. The duly dated application must show the family name, first name and address of the owner or his legal representative, telephone number, fax number, email address, cadastre description and lot measurements, details of proposed work, estimated timeframe for the work, and a construction cost estimate.

In the situation where a building is identified as a high or very high risk of fire, any construction project for establishing a new primary or secondary building, alteration, extension of an existing

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(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

(11) Amended by **By-law Number 953-15** (effective May 12, 2016)

(8) Introduced by **By-law Number 904-14** (effective September 11, 2014)

building, the application must be accompanied by construction plans and specifications prepared by the rules of art, at scale and showing all proposed fire protection elements or if any, prepared by professionals when required by laws or regulations relating to the type of building.<sup>(6)</sup>

#### 4.4.2.1 Main building

A permit application for the construction of a main building must include the following items:

- a. A duly registered cadastre map or Municipality-approved subdivision plan accompanied by a letter from the land surveyor certifying that the cadastre documents have been forwarded to the government department responsible for registration;
- b. Two (2) original copies of the proposed site plan prepared by a qualified land surveyor. The plan must be accompanied by a written letter of confirmation from the land surveyor certifying that he has been hired to verify the site plan for the proposed construction according to the plan submitted.

Said plan will show:

1. Location of the proposed building;
  2. Location of existing buildings, structures, and septic systems;
  3. Location of waterways and wetlands;
  4. Surface area, dimensions, shape, and cadastre/lot identification numbers;
  5. Adjacent roads;
  6. Natural high-water mark(s);
  7. Flood zones;
  8. Entrance and parking area;
  9. Existing well(s);
  10. Location of high-tension wires;
  11. Set-backs;
  12. Distances between the above-mentioned items.<sup>(9)</sup>
- c. Two (2) original copies of construction plans prepared by a professional architectural technologist or an architect, where required by the Architect's Act, will show elevations, cross-sections, details and specifications to provide a clear portrait of the construction project and its use. Plans must be drawn to scale and must be consistent with the National Building Code, current edition.<sup>(7)</sup>  
In the case of a high or very high-risk building, three (3) original copies of the construction plans are required.<sup>(9)</sup>
  - d. A construction permit application for the extension, reconstruction, renovation or

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(7) Amended by **By-law Number 888-14** (effective August 14, 2014)

modification of a public building as established by the Public Buildings Safety Act, i.e. a building with surface area 300 square metres or more, for business, industry or public use, must be accompanied by two (2) original copies of plans and specifications duly signed and sealed by a member of the *Ordre des architectes du Québec*. Furthermore, foundation, framing, and/or electrical and mechanical systems work whose cost exceeds one hundred thousand dollars (\$100,000) or where similar work carried out on a public building as established by the Public Buildings Safety Act calls for plans and specifications to be duly signed and sealed by a member of the *Ordre des architectes du Québec* or an individual with written approval from the *Ordre des architectes du Québec* to practice in this province.

In the case of a high or very high-risk building, three (3) original copies of the construction plans are required.<sup>(9)</sup>

- e. A project cost estimate.
- f. For a construction permit application for a project within a landslide zone as identified in Zoning By-law 636-05, an engineer's report signed and sealed by a member of the *Ordre des ingénieurs du Québec* and containing the information detailed in Section 4.11 of Zoning By-law 636-05.
- g. In the case of an application for a building permit that includes the installation of a heat pump or an air conditioner, a copy of the technical sheet of the unit which confirms that the maximum sound level emitted by said unit is equal to or lower than 55 dBA;<sup>(15)</sup>
- h. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.4.2.2 Secondary buildings and structures

A permit application for the construction of a secondary building or structure must include the following items:

- a. Two (2) copies of the proposed site plan showing the following
  1. Location of the proposed building or structure;
  2. Location of existing buildings, structures, and septic systems;
  3. Location of waterways and wetlands and natural high-water marks, if any;
  4. Surface area, dimensions, shape, and cadastre/lot identification numbers;
  5. Adjacent roads;
  6. Flood zones;
  7. Entrance and parking area;
  8. Existing well(s);
  9. Location of high-tension wires, if any;
  10. Set-backs;

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(9) Amended by **By-law Number 910-14** (effective December 4, 2014)

(15) Introduced by **By-law Number 1012-17** (effective April 12, 2017)

11. Distance between the above-mentioned items. <sup>(9)</sup>
- b. Two (2) copies of the construction plans prepared according to accepted practice (elevations, cross-sections, details and specifications) to provide a clear portrait of the construction project and its use. Plans must be drawn to a scale to be determined by the administering authority. <sup>(9)</sup>
- c. A project cost estimate.
- d. For a construction permit application for a project within a landslide zone as identified in Zoning By-law 636-05, an engineer's report containing the information detailed in Section 4.11 of Zoning By-law 636-05.
- e. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.4.2.3 Septic system <sup>(2)</sup>

A permit application for the construction of a septic system must include the following items:

- a. Two original copies of a consultant's system design report. The report shall be presented in word-processing and CAD format and will show the following:
  1. The maximum number of bedrooms to be serviced;
  2. Any other proposed use, such as professional or business activities;
  3. A description of the drinking water supply;
  4. The profile of the receptor soil including grade and soil type, using the terminology of the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force and the year-round anticipated maximum impermeability (bedrock, water table, clay);<sup>(6)</sup>
  5. The permeability of the receptor soil determined by granulo-sedimentometric analysis performed by a qualified laboratory. Findings must be reproduced within a correlation triangle using soil texture and permeability (Appendix 1 of the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force. The consultant will also confirm that the sample was taken at least 30 cm below the natural surface of the soil at the proposed location for the effluent infiltration device);<sup>(6)</sup>
  6. The proposed type of septic system, the capacity of the septic tank, the minimum surface area of the tile field, and the applicable setback;<sup>(19)</sup>
  7. The certification that the report submitted is compliant with the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force;<sup>(6)</sup>

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<sup>(9)</sup> Amended by **By-law Number 910-14** (effective December 4, 2014)

<sup>(2)</sup> Amended by **By-law Number 677-06** (effecting August 23, 2006)

<sup>(6)</sup> Amended by **By-law Number 866-13** (effective October 3, 2013)

<sup>(19)</sup> Amended by **By-law Number 1109-18** (effective January 25, 2019)

8. A site layout plan on a scale of at least 1:500 showing the location of the building, water withdrawal facility<sup>(10)</sup>, inspection sampling, septic tank and tile field, including all projected distances from property lines;
  9. The location of septic installations and wells on neighbouring lots;
  10. The direction of flow of surface water run-off;
  11. The natural ground level, the benchmark, and the proposed elevations of all septic system components;
  12. Where there is discharge into a waterway, the consultant must declare that the effluent cannot be channelled to a polishing field. The consultant will provide water flow rate, dilution rate at minimum flow, watershed area, location of the discharge and effluent sampling points, and a copy of the certificate of authorization from the Ministère du Développement durable, de l'Environnement et des Parcs, if required;
  13. The location of waterways, natural high-water mark, flood plains, and construction boundaries (if applicable); and
  14. Any other information or document that the administering authority requires to gain full understanding of the project.
- b. Written confirmation from the consultant certifying that he has been hired and has received professional fees for at least three (3) inspections of the work, and for the issuance of a certificate of compliance within thirty (30) days following completion of the work.
- Inspections must be consistent with the following:
- 1st inspection: - Review plan with contractor  
- Inspect materials  
- Verify excavation
- 2nd inspection: - Take elevation readings  
- Verify septic system installation
- 3rd inspection: - Verify vegetation  
- Verify backfill grade  
- Verify surface run-off  
- Issue a certificate of compliance
- c. A permit application for the construction of a septic system with tertiary treatment followed by discharge into the environment must include the following items:
1. A certification from the consultant indicating that it is not possible to install a polishing field to sanitize the residential waste water, in compliance with current standards;
  2. Findings of physical and chemical tests of samples taken from the water supply, conducted by a certified Quebec laboratory during the 30 days prior to the permit application, which must show levels of concentration that comply with the *Regulation*

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(10) Amended by **By-law Number 932-15** (effective November 17, 2015)



*respecting the quality of drinking water* (specifically for total iron, suspended solids, manganese, total hardness and tannin levels);

3. An illustration by the consultant of the watershed where the waterway or ditch is located;
4. A substitute solution complying with the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force with confirmation of its feasibility from the consultant;<sup>(6)</sup>
5. A confirmation from the consultant that the residence is equipped with a water meter;
6. A certification from the consultant confirming that the septic system with tertiary treatment followed by discharge into the environment complies with the manufacturer's recommendations and installation guide;
7. A notarized agreement with the Municipality at the expense of the applicant, which contains the following provisions:
  - i. The obligation of the owner to provide the Municipality every year with a copy of the maintenance contract with the manufacturer and a certification from the manufacturer confirming that the system has been serviced as is operating as specified in the guidelines, and that the system's performance complies with regulatory discharge standards;
  - ii. The obligation to use the treatment system in accordance with regulatory standards and the manufacturer's directions in the user guide;
  - iii. The obligation to provide a written commitment from the manufacturer to report any system non-compliance or non-performance to the Municipality within 48 hours;
  - iv. The obligation to drain and remove an unused system;
  - v. The obligation to seal the septic tank and undertake the work planned for the substitute solution, when so advised by the Municipality when the permitted discharge standard, i.e. a fecal coliform concentration of 200 UFC/100 ml, is exceeded in two samples within a 60-day period;
  - vi. The obligation to advise the Municipality of any breakdown, accidental discharge, breakage, failure of the manufacturer to conduct maintenance visits or any other situation that may affect expected system performance;
  - vii. A statement releasing the Municipality from any liability with regard to the possible consequences of a system malfunction; and
  - viii. The obligation of the owner to respect the modalities of the municipal environmental monitoring system and pay the costs according to the current fee schedule.

d)<sup>(22)</sup> In addition to the provisions of paragraph c), in the case of a building permit application for a septic system comprising tertiary treatment with disinfection by ultraviolet ray:

1. The owner must submit an original signed copy of the commitment provided for in

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(6) Amended by **By-law Number 866-13** (effective October 3, 2013)

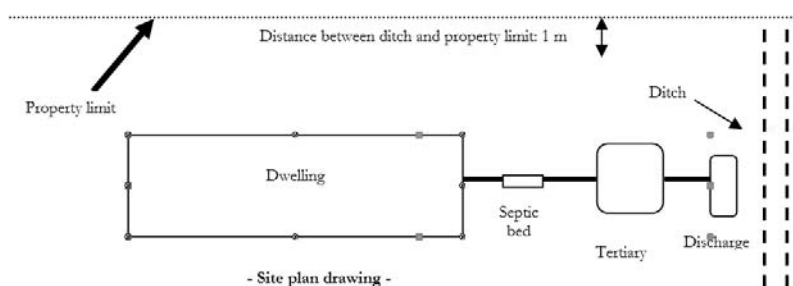
(22) Introduced by **By-law Number 1157-20** (effective July 7, 2020)

Appendix I of By-law number 1155-20 to recognize the tertiary treatment system with disinfection by ultraviolet radiation as an acceptable septic system when replacing an existing septic installation and to provide for the terms and conditions of maintenance by the Municipality;

2. The Municipality must have entered into a maintenance contract with the person designated to maintain any UV system, in accordance with the terms and conditions provided for in the *Regulation respecting the evacuation and treatment of wastewater from isolated dwellings* (RLRQ, c. Q-2, r.22);
3. The applicant must demonstrate that it is a replacement of an existing septic system;
4. The applicant must demonstrate that a purifying element conforming to one of Sections VI to IX or an installation conforming to Sections X and XV.2 to XV.5 (without disinfection by ultraviolet radiation) of *Provincial Regulation Q-2, r.22 on the evacuation and treatment of wastewater from isolated dwellings* cannot be built.

When the point of discharge in a common ditch is between two private properties, a notarized agreement will be replaced by a notarized servitude of right-of-way for the flow and surface drainage of effluent tertiary treatment which are contained in the provisions described in item 7 and this at the applicant's expense.

However, in cases where the obligation to obtain a notarized servitude of right of-way is impossible to produce, the effluent can be directed to a localized ditch on the said property as shown on the site plan drawing here-below. Thus, all components of the septic installation system must be located inside the property limits.<sup>(6)</sup>



#### 4.4.2.4 Underground water withdrawal facility<sup>(10)</sup>

A permit application for underground water withdrawal facility<sup>(10)</sup> must include the following items.

However, for construction on a vacant lot, this information may be included in the consultant's septic system design report.

For a development project that replaces an existing well, the owner must include documents required by the *Water Withdrawal and Protection Regulation* in force along with the request.<sup>(10)</sup>

<sup>(6)</sup> Amended by **By-law Number 866-13** (effective October 3, 2013)

<sup>(10)</sup> Amended by **By-law Number 932-15** (effective November 17, 2015)

The following items must be included with the application:

- a. Two copies of the site plan drawn to the required scale;
- b. The site plan will show:
  1. Location of the proposed water withdrawal facility <sup>(10)</sup>, the building, septic tank, and tile field;
  2. Existing well(s), if any;
  3. Locations of septic installations on neighbouring lots.
  4. Direction of flow of surface water run-off;
  5. Locations of waterways, natural high-water mark, flood plains, and construction boundaries (if applicable);
- c. A description of the proposed type of water withdrawal facility <sup>(10)</sup>: tube well, surface well, sand point or spring water tap;
- d. Anticipated pump capacity;
- e. Number of persons to be supplied on a daily basis;
- f. Confirmation of the anticipated use, i.e. human consumption or geothermal use;
- g. Name and contact information of well-digger or excavator and his RBQ (*Régie du bâtiment du Québec*) licence number;
- h. Performance bond deposit;<sup>(10)</sup>
- i. Any other information or document that the administering authority requires to gain full understanding of the project. <sup>(10)</sup>

#### 4.4.2.5 Permit connection to the aqueduct system<sup>(11)</sup>

In the case of a construction permit application for the installation, renewal or extension of a connection to the municipal aqueduct system or fitting a new pipeline to connect to the existing aqueduct, the application must be accompanied by the following documents:

- a. A form signed by the owner or his authorized agent that indicates:
  1. Owner's name, address as entered on the municipal assessment role and lot number associated to the permit application.
  2. The diameter, the slopes and the pipe material to be installed, as well as the type of coupling sleeve to use.
  3. The level of the lowest floor in the building and that of the drain under the building's foundation relative to street level.
  4. Methods used to drain rainwater from the roof, the ground and groundwater.
  5. A typical section showing the depth of the private aqueduct on finished ground level as well as information regarding the location of the supply

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(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

conduit in terms of the location of the private sanitary sewer pipe (height, spacing and fill material used) (if applicable).

6. The number and copy of the general contractor's licence as issued by the RBQ (*Régie du bâtiment du Québec*), when work is not carried out by the owner
- b. Two copies of a site plan of the building and parking area, along with the location of connections to the aqueduct and sewage and location of waterways, natural high water, the flood zone and the building line (if applicable). This must be done on word processing and CAD.
- c. In the case of a public building, within the meaning of the Public Buildings Safety Act (RSQ, Chapter S-3) or an industrial or commercial establishment, two copies of an assessment of the flows along with a plan of the system-wide plumbing. This must be done on word processing and CAD.
- d. The location of watercourses, the natural high-water mark, the flood zone and the construction limit (if applicable);
- e. A letter of undertaking signed by the owner, or his contractor, that he undertakes to carry out the work in accordance with the specifications of the municipal by-laws, the provisions of the Code and standards of the B.N.Q. and to decommission the well in accordance with the "Groundwater Catchment Regulations (Q-2, r.1.3) of the Environment Quality Act", as soon as the connection is completed and functional.
- f. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.4.2.6 Permit connection to the sewer system<sup>(11)</sup>

In the case of an application for a building permit for the installation, renewal or extension of a municipal sewer connection or the connection of a new sewer to the existing municipal sewer connection, the application must be accompanied by the following:

- a. A form, signed by the owner or his authorized representative, which indicates:
  1. The name of the owner, his address as entered on the municipal assessment roll and the lot number covered by the permit application.
  2. The diameter, slopes and material of pipes to be installed, as well as the type of connection sleeve to be used.
  3. The lowest floor level of the building and that of the drain below the building's foundation in relation to the level of the street.
  4. The type of water to be discharged into each branch of the sewer, either sanitary sewage, storm water or groundwater.
  5. The list of appliances, other than the usual household appliances, to be connected to the sewer connection in the case of buildings not referred to in paragraph 5.c of the *By-law Concerning Private Connections to the Aqueduct and Sewer Municipality of Chelsea* in force.
  6. Methods used to evacuate rainwater from the roof and the ground and groundwater.

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(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

7. A typical cut showing the depth of the private aqueduct in relation to the finished level of the site, including information on the site of this pipe depending in terms of the site of the private sanitary sewer (height, backfill material used) (if applicable). This must be done on word processing and CAD.
8. The number and copy of the general contractor's license as issued by the *Régie du bâtiment du Québec*, where the work is not carried out by the owner;
- b. Two copies of a site plan of the building and parking area along with the location of the connections to the sewer and the location of watercourses, the natural high-water mark, the flood zone and the construction limit (If applicable);
- c. In the case of a public building, within the meaning of the Public Buildings Safety Act (RSQ, Chapter S-3) or an industrial or commercial establishment, two copies of an assessment of the flows along with a plan of the system-wide plumbing.
- d. A letter of undertaking signed by the owner, or his contractor, in which he undertakes to carry out the work in accordance with the specifications of the municipal by-laws, the provisions of the Code and standards of the B.N.Q. and to decommission the septic system in accordance with the "*Regulation respecting waste water disposal systems for isolated dwellings* in effect of the *Environment Quality Act*", if applicable, as soon as the connection is completed and functional.
- e. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.4.2.7 Road construction permit<sup>(11)</sup> (20)

In the case of an application for a building permit to construct a new private or municipal road or the extension of an existing road, the application must be accompanied by the following documents:

- a. Plans and specifications in .PDF and .DWG format and two paper copies signed and sealed by an engineer. If, following the comments of the Public Works and Infrastructure Department, adjustments must be made to the plans and specifications, new copies must be provided to the Municipality;
- b. Road drainage plan;
- c. Road sign plan;
- d. Design report, if applicable;
- e. A soil study that characterizes the material or materials making up the infrastructure or equipment;
- f. Estimated cost of the work produced by a qualified engineer;
- g. Name of the consulting firm responsible for overseeing work with a residence under construction.
- h. Name of the contractor who will undertake the construction;
- i. Proof of general liability insurance coverage of no less than \$ 1 million dollars (\$ 1,000,000) held by the consulting firm mandated by the applicant;

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(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

(20) Amended by **By-law Number 1135-19** (effective December 3, 2019)

- j. Proof of general liability insurance of \$ 1 million dollars (\$ 1,000,000) and proof of excess liability insurance (umbrella) of \$ 2 million dollars (\$ 2,000,000). The Municipality must be designated as a cobeneficiary;
- k. The issuance of a performance bond (or certified check) on behalf of the Municipality of Chelsea by the developer, worth 50% of the cost of the work. The deposit may be used by the Municipality to finish or finalized the construction of the road and the correction of any deficiency in the event that the developer does not meet requirements;
- l. A letter from a qualified engineer to the effect that the proposed municipal works and services do not contravene any municipal, provincial or federal law, regulation or standard and that all required permits and authorizations have been obtained.
- m. A letter from the developer providing names for the new roads and explaining the reasons for the choice, the link between the place and names as well as the meaning of the latter.
- n. A copy of the MTQ authorization, should one of the proposed roads connects to a road under provincial jurisdiction.
- o. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.4.3 Conditions for issuance of a construction permit

##### 4.4.3.1 General provisions

The administering authority will issue a construction permit if:

- a. It is consistent with construction and zoning regulations and with this by-law;
- b. It is accompanied by all of the plans and documents required by this by-law;
- c. Permit application fees have been paid;
- d. Payment has been made to the special parks, playgrounds and green spaces fund pursuant to Section 4.16 of the Zoning By-law;
- e. For a permit application for new building construction, the land to be used for the proposed construction, including its dependencies, forms a lot consistent with the Subdivision By-law or which, if non-compliant, is protected by acquired rights. The administering authority may issue a construction permit if the property is included in a subdivision permit authorizing a cadastral project for the purposes of creating an official lot.  

When a lot that consists of more than one official lots, said lots must be combined to create a single lot.

A lot that acquired the description as a separate lot registered during the Quebec Cadastre Renewal and not covered by a subdivision permit must be examined to ensure compliance with Subdivision By-law standards.
- f. For a construction permit application for a main building, the land to be used for construction must meet one of the following conditions:
  - 1. Adjacent to a public road, or;

2. Adjacent to an existing private road and built before August 1, 1992, or;
  3. Adjacent to a private road pursuant to the Subdivision By-law, received a Notice of Acceptance from the Technical Services Director regarding compliance with municipal by-laws respecting road construction standards, and on the condition that the private road services no more than three houses.
  4. Adjacent to a right-of-way for a lot for which tenants and adjacent properties are described in one or more deeds registered prior to September 22, 1992, on condition that only one lot is serviced by said right-of-way.
- g. For construction of a main building or the addition of one or more bedrooms to an existing main building, the application must include a consultant's report in compliance with appropriate regulations. The plan, prepared and signed by the consultant, must demonstrate that septic system capacity is suitable for the new construction or proposed addition. Provide two (2) copies of the plan.  
Furthermore, all main buildings must be equipped with its own septic system or be connected to a Municipality approved community wastewater treatment facility.
- h. For a lot located in a flood risk zone, the construction footprint must satisfy Zoning By-law provisions;
- i. For a lot located in a landslide risk area, the proposed construction is compliant with Zoning By-law provisions;
- j. Houses erected in an agricultural zone by virtue of a right, privilege, or authorization conferred by the *Act respecting agricultural land and agricultural activities (RSQ P-41.1)* are exempt from compliance with the first line of paragraph "e" of this section;
- k. Where a buffer zone is required by Zoning By-law 636-05, the applicant must submit a written declaration confirming that the applicant will meet the requirements of Section 4.6 of said Zoning By-law;
- l. The proposed construction complies with the provisions of Section 4.12.2 of Zoning By-law 636-05 respecting construction in waterfront zones;
- m. Paragraphs e and f of this section do not apply to agricultural buildings or land;
- n. In the situation where a permit application is filed for a building identified as a high or very high risk, the application shall be accompanied by a certificate of authorization from the MRC.<sup>(8)</sup>

#### 4.4.3.2 Specific provisions regarding a septic system

In addition to the general provisions of Section 4.4.3.1, a septic system construction permit application must meet the following requirements before the administering authority will issue a construction permit:

- a. The construction or modification project of a septic system complies with the Regulation respecting the evacuation and treatment of wastewater for isolated dwellings in force relating to the evacuation and treatment of wastewater for isolated dwellings and the By-law Number 1155-20 to recognize the tertiary treatment system with disinfection by ultraviolet

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(8) Introduced by **By-law Number 904-14** (effective September 11, 2014)

radiation as an acceptable septic system when replacing an existing septic installation and to provide for the terms and conditions of maintenance by the Municipality; when it is a building permit application for a septic system including tertiary treatment with disinfection by ultraviolet ray.<sup>(6)(22)</sup>

- b. A construction permit authorizing work for a water withdrawal facility<sup>(10)</sup> and a dwelling is valid for the lot listed in the main building construction permit application or where a main building exists on the lot listed in the application. In other words, a septic system construction permit cannot be issued if there is no main building or water supply on the lot in question or if construction permits authorizing construction of a main building and a water withdrawal facility<sup>(10)</sup> have not been issued.

#### 4.4.3.3 Specific provisions regarding underground water withdrawal facility<sup>(10)</sup>

For a groundwater water withdrawal facility<sup>(10)</sup> application, once the general provisions of Section 4.4.3.1 have been met, the administering authority will issue a construction permit if the potable water well construction or modification project complies with the *Water Withdrawal and Protection Regulation* in force.<sup>(10)</sup>

#### 4.4.3.4 Special provisions for a private road<sup>(11)</sup>

In the case of an application for a building permit to construct a private road, above and beyond the general provisions described in section 4.4.3.1, the administering officer shall issue a building permit if:

- a. The proposed private road complies with the standards described in the "Standards Guide for the Construction of Private Roads"
- b. The projected private road complies with one of the following conditions:
1. Built from a municipal road;
  2. Built from an existing private road, built before August 1<sup>st</sup>, 1992: It is possible to construct, from this road, one or more private roads serving a maximum of three (3) lots. The new private road (s) shall be built in accordance with the requirements of the "Standards Guide for the Construction of Private Roads", provided the pavement of the existing private road is at least 5 metres wide, a slope of less than eighteen per cent (18 %), but never exceeding ten per cent (10 %) when located within a distance of 30 metres from an intersection.

If the pavement of the existing private road is less than 5 metres wide and/or the degree of inclination of the slope is greater than eighteen percent (18 %) and/or greater than ten (10 %) within a distance of 30 metres from an intersection, it will not be permitted to construct one or more private roads from this road.

It is prohibited to issue a building permit for a private road from existing private roads built after August 1<sup>st</sup>, 1992, unless they are brought into conformity with the construction standards described

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(6) Amended by **By-law Number 866-13** (effective October 3, 2013)

(22) Amended by **By-law Number 1157-20** (effective July 7, 2020)

(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)



in the "Standards Guide for the Construction of Municipal Roads» and ceded to the Municipality.

#### 4.4.4 Amending the plan

The administering authority is bound to suggest to the applicant any modifications needed to render the construction layout and plans and specifications compliant with urban planning regulations. Issuance of the construction permit will be deferred until such time as all of the required changes have been made.

#### 4.4.5 Validity of a construction permit

A construction permit is valid for a period of one (1) year. The permit will be deemed null and void if:

- a. The work for which the permit was issued has not commenced within six (6) months of date of issue of said permit;
- b. The permit has been transferred to another person without the express written consent of the administering authority;
- c. A person having committed an offence under the zoning, construction, or permits and certificates by-law and failing to comply with notice given by the administering authority;
- d. Construction – minus exterior finishing – is incomplete within twelve (12) months of date of issue of said permit.

#### 4.4.6 Displaying the permit

The permit authorizing the construction, modification, repair, conversion, demolition, or relocation of any building whatsoever must be displayed in full view at the work site throughout the duration of the project.

### 4.5 CERTIFICATE OF AUTHORIZATION FOR WORK IN A WATERFRONT ZONE

#### 4.5.1 Obligation to obtain a certificate of authorization for work in a waterfront zone

Any person wishing to develop, build, modify, or repair any structure located on or near waterfront or on the shore of any waterway or lake, or in a wetland area must first obtain a certificate of authorization to this effect.

A certificate of authorization is not required when work is limited to restoring vegetation without recourse to excavation, dredging, grading, backfilling, or any other similar work.

#### 4.5.2 Contents of an application for certificate of authorization for work in a waterfront zone

A certificate of authorization application for work in a waterfront zone must include the following items:

- a. Family names, first names, and address of applicant or his authorized representative and a cadastral description of the lot, if applicable;
- b. Two (2) copies of a site plan on a minimum 1:500 scale of the proposed structures;<sup>(9)</sup>
- c. Two (2) copies of plans, elevations, cross-sections, sketches and specifications needed to give the administering authority full understanding of the proposed work;<sup>(9)</sup>
- d. All plans and specifications regarding shoreline stabilization, other than by the use of native plants or other plants typical of lake and river shores, armour rock or gabions, said plans to be signed and sealed by an engineer;
- e. Property deeds for the construction site;
- f. Timetable showing time needed for each operation and construction dates;
- g. Technical opinion from the Quebec Ministry of the Environment, as required;
- h. Approvals required from the Quebec Ministry of the Environment, as required;
- i. Photographic coverage of the site;
- j. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.5.3 Conditions for issuance of a certificate of authorization for work in a waterfront zone

The administering authority will issue a certificate of authorization for work in a waterfront zone if:

- a. The application is compliant with construction and zoning by-laws and with this by-law;
- b. The application is accompanied by all of the plans and documents required by this by-law;
- c. Permit application fees have been paid.

#### 4.5.4 Validity of certificate of authorization for work in a waterfront zone

A certification of authorization for work in a waterfront zone is valid for a period of six (6) months only following date of emission.

Any certificate will be deemed null and void in the event of failure to comply with any or all of the municipal by-laws and/or declarations listed on the certificate of authorization application.

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(9) Amended by **By-law Number 910-14** (effective December 4, 2014)

## 4.6 POSTING PERMIT

### 4.6.1 Obligation to obtain a posting permit

Any person wishing to erect, rebuild, enlarge, modify, relocate, or post an advertising sign or panel on Municipal land must first obtain a permit to this effect, pursuant to urban planning regulations.

### 4.6.2 Contents of a posting permit application

A posting permit application must include the following items:

- a. Family name, first name, and address of the owner of the building where the sign will be displayed;
- b. Family name, first name, and address of the contractor who will install the sign;
- c. A scale drawing of the sign showing:
  1. Overall measurements, surface area;
  2. Height;
  3. Materials to be used;
- d. Layout showing location of the sign vis-à-vis property lines, the street, and the main building, as applicable;
- e. Any other information or document that the administering authority requires to gain full understanding of the project.

### 4.6.3 Conditions for issuance of a posting permit

The administering authority will issue a posting permit if:

- a. The application is compliant with construction and zoning by-laws and with this by-law;
- b. The application is accompanied by all of the plans and documents required by this by-law;
- c. Permit application fees have been paid.

### 4.6.4 Validity of a posting permit

A posting permit is valid for a period of six (6) months only following date of emission.

Any permit will be deemed null and void in the event of failure to comply with any or all municipal by-laws and/or declarations listed on the permit application.

## 4.7 CERTIFICATE OF AUTHORIZATION FOR BUILDING RELOCATION

### 4.7.1 Obligation to obtain a building relocation certificate

Any person wishing to move and install a building or other structure on a lot, from one lot to another, or from outside the Municipality to land within the Municipality must first obtain a certificate of authorization to this effect.

### 4.7.2 Contents of the building relocation certificate application

A relocation certificate application must include the following items:

- a. Name of the owner of the building to be relocated;
- b. Name of the person or firm carrying out the relocation;
- c. A clear, recent photo taken within the previous month of the various facades of the structure in question;
- d. Number of the lot where the structure will be placed;
- e. Type of construction, current and anticipated use;
- f. A written description, if required, of the planned route, method, and time required for the relocation;
- g. Proof of \$1,000,000 in public liability insurance naming the Municipality;
- h. Any other information or document that the administering authority requires to gain full understanding of the project.

### 4.7.3 Conditions for issuance of a building relocation certificate

The administering authority will issue a relocation certificate if:

- a. The application is compliant with construction and zoning by-laws and with this by-law;
- b. The application is accompanied by all of the plans and documents required by this by-law;
- c. Permit application fees have been paid.
- d. Concrete foundations, beams or posts designed to receive the building have been built at the new location;
- e. A construction permit has been requested and issued prior to relocation of any structure designated for relocation and requiring modifications or repairs;
- f. The owner, individual, or firm carrying out the relocation has advised the police department or other appropriate authority so that said department can take necessary steps to guarantee public safety and the unimpeded flow of traffic.

### 4.7.4 Validity of a building relocation certificate

A relocation certificate is valid for a period of six (6) months only from date of emission.

Any certificate will be deemed null and void in the event of failure to comply with any or all municipal by-laws and/or declarations listed on the relocation certificate application.

## 4.8 CERTIFICATE OF AUTHORIZATION FOR BUILDING OCCUPATION <sup>(21)</sup>

### 4.8.1 Obligation to obtain a building occupation certificate

Must obtain a building occupation certificate, any person, company, firm or corporation, including the self-employed, who intends to exercise or exercising for lucrative purposes a business economic or administrative in terms of finance, of trade, of industry or in services, a business, an art, a profession or any other activity constituting a means of profit for gain or existence, in the limits of the Municipality.

More specifically, but not limited to, a building occupation certificate is required in all of the following situations:

- a) Any use existing or projected, of commercial, business, industrial, or any other type of activity not residential, which occupies or will occupy a land or a building, or a part of them.
- b) Any commercial activity carried out at home (complementary use to housing).
- c) All temporary use, fairs, carnivals, musical shows and similar uses;
- d) Any expansion or reduction of the area occupied by commercial use.
- e) The addition of a new use for a property or building which already exerts a different use.
- f) Any change of the type of use or activity, of social status or destination of a property or a building, of commercial, business, industrial or other type of activity deemed non-residential.
- g) Any move in a different place of business.
- h) Any change made to one of the information contained in a certificat of authorisation of use that has been issued, other than during the annual renewal, requires the issuance of a new building occupation certificate.
- i) Any use exercised by a person, a company, a company or corporation, including the autonomous worker, who does not have a place of business in the Municipality of Chelsea and are doing business or activities which constitutes a means of profit, of gain or existence on a permanent, temporary or seasonal basis. This is defined as a "non-resident business".

### 4.8.2 Contents of the building occupation certificate request or modification to a use

Any request for a building occupation certificate which relates to a new use or a change made to an existing use, must be accompanied by the following information and documents:

- a. The official business license form of the Municipality duly completed and signed by the owner or a director of the company or its authorized representative.

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(21) Amended by **By-law Number 1140-19** (effective February 4, 2020)

The following information is required:

1. Type of request;
  2. Identification of the company's administrator, the owner of the building, the registered office of the business and their contact details.
  3. Identification of the place of business and its description;
  4. Description of the use or uses occupying the space and trade name, where necessary;
  5. Detailed description of all planned commercial activities;
  6. Description of the equipment and the facility required to operate;
  7. Details of the procedures required to carry on the trade;
  8. Date of planned occupancy and end of occupancy date, if it is known;
  9. Length of the lease, if applicable.
- b. A scale plan showing the building, or the part of building covered by the request and planned development of its exteriors and interior.
- c. When the request for a building occupation certificate implies a change of use, the construction or transformation and/or expansion and/or renovation of a building, said request must be accompanied by all the documents and information required by the by-law respecting permits and certificates bearing the number 639-05, and that, in view of the analysis of the applications for permits or corresponding certificates.
- d. A site map, prepared by a professional, demonstrating the exterior landscape, the changes necessary for the exercise of the planned business use referred by the request and establishing the uses and buildings, as they exist or projected, and any other information deemed relevant by the administering officer.
- e. Copy of the lease, if applicable.
- f. Copy of the proof of registration with the Quebec Enterprise Registrar or a copy of an official document showing registration with a government for any legal person that does not have registration with the Quebec Enterprise Registrar.
- g. Copy of an official document demonstrating that it is a non-profit organization, if applicable.
- h. When required, any authorization issued by a government or one of its agents that is necessary for the exercise of the intended use.
- i. The payment of administrative fees depending on the type of application.
- j. Any other information or document deemed necessary by the administering authority to better understand the project submitted.

In the case of a high or very high risk building, the request for the exercise of a use of this type must be accompanied by plans and specifications prepared according to the rules of the art, to scale and demonstrating all the elements proposed in terms of fire prevention or, where applicable, prepared by professionals when required by the laws or regulations relating to the type of building.

In the case of a building that includes a commercial kitchen, the proponent must provide the Municipality, upon filing of the request for a building occupation certificate and each year thereafter, a copy of its maintenance contract certifying that the device that intercepts fats, oils or greases will

be maintained and drained as necessary according to regulatory standards in accordance with the *Quebec Construction Code* in force.

#### 4.8.3 Conditions for issuance of a building occupation certificate

The administering authority issues a certificate of authorization for use if:

- a. The request is accompanied by all the information and documents required in article 4.8.2.
- b. The request complies with the municipal planning by-laws;
- c. The fee for obtaining the certificate has been paid;
- d. In the case of a request for a building occupation certificate which involves the construction of a building or a change to a building or a plot, all of the permits and certificates required by the by-law number 639-05 respecting permits and certificates have been issued.
- e. In the case of a newly erected building or the use of which has been changed in whole or in part, the filing, by the owner of the building, of certificates of compliance by the professionals involved, with the various building codes in force. The certificate of conformity must contain:
  1. The building's coordinates;
  2. The dates of the visits;
  3. Confirmation that the construction work, the exterior fittings and/or the display comply with the plans and specifications approved by the Municipality when the building permit was issued or the authorization certificate was issued;
  4. Confirmation that the work complies with the Quebec Construction Code.
- f. In the case of a building already constructed and for which the use has not been changed, the filing, by the owner of the building, of an affidavit stating that no modification to the premises or to the exterior fittings have been carried out since the last building permit or authorization certificate issued by the Municipality for this building.
- g. In the case of a new use or modification of a use to be exercised in a building located inside the service perimeter of the collective wastewater treatment facility under municipal responsibility, the building occupation certificate can be issued if the number of usage units does not exceed that allocated to said building when designing this collective service;
- h. In the case of a high or very high risk building, the request is accompanied by a certificate of authorization from the MRC;
- i. In the case of a building having a commercial kitchen, the request is accompanied by a copy of a maintenance contract.

#### 4.8.4 Content of the request for the building occupation certificate for temporary use, fairs, festivals, carnivals, musical performances and other similar uses

Any request for a temporary building occupation certificate must be made in writing and accompanied by:

- a. The official form for requesting a certificate of authorization for use from the Municipality duly completed and signed by the owner or administrator of the company or his authorized representative.
- b. A description of the use;
- c. A plan locating the intended use;
- d. Specify the dates targeted by use
- e. Documents or information required in sections 3.10.3 and 3.10.4 of Zoning By-law 636-05;
- f. Copy of the liability insurance with a minimum value of \$2,000,000.

#### 4.8.5 Conditions for the issuance of a building occupation certificate for temporary use, fairs, festivals, carnivals, musical performances and other similar uses

The administering authority issues the certificate of authorization if:

- a. The conditions set out in sub-sections 3.10.3 and 3.10.4 of Zoning By-law Number 636-05 are met;
- b. The provisions relating to parking and loading areas are respected;
- c. The request is accompanied by all the required plans and documents;
- d. The fee of the certificate has been paid.

#### 4.8.6 Validity of a building occupation certificate

A building occupation certificate is valid from the date of issuance until December 31<sup>st</sup> of the same year.

Any changes to the information contained in a building occupation certificate, other than the annual renewal, requires the issuance of a new building occupation certificate.

Despite the first paragraph, the period of validity of a building occupation certificate issued for a temporary use or a temporary event corresponds to that printed on the permit.

#### 4.8.7 Lapse of the building occupation certificate

A building occupation certificate becomes null, void and without effect in the following cases:

- a. The person, physical or moral, which the name is registered in the building occupation certificate has not responded in a request for the annual renewal emanating from the Municipality;
- b. The person, physical or moral, which carries the occupation is not that of which the name is registered on the building occupation certificate;
- c. The social reason is not one that is registered in the building occupation certificate;
- d. The use or uses exercised are not those registered in the building occupation certificate;



- e. The use for which the building occupation certificate was issued is not in force within six (6) months from the date of issue.

Any certificate becomes void if the municipal by-laws or the declarations made in the business license application are not respected.

#### 4.8.8 Annual renewal procedure of a usage authorization certificate

A building occupation certificate must be validated (renewed) each calendar year according to the following procedure:

- a. Annually the Municipality sends to each holder of a building occupation certificate, a request for validation (renewal) of this certificate.
- b. Within 30 working days of receiving the validation request, the holder of a building occupation certificate of use that wants to continue the exercise of the use must date, sign and return it to the Municipality, along with enclosing the full payment of fees and the update request, indicating, if required, the changes and corrections to be made to the building occupation certificate.
- c. The holder of the building occupation certificate that has ceased their commercial activities must also complete the application for validation within 30 working days of receipt, by entering the ending date of the commercial activity, date and sign, and return it to the Municipality.
- d. Upon receipt of the request for validation, the Municipality sends a copy up to date of the building occupation certificate or a confirmation of the termination of use.
- e. In the absence of the receipt of a request for validation or for termination of a commercial use, it is alleged to have ceased its activities and will initiate a new application pursuant to Article 4.8.2. In addition, if an authorization has been issued by the government or one of its agents, they will be notified that the use has ceased.

### 4.9 DEMOLITION PERMIT

#### 4.9.1 Obligation to obtain a demolition permit

Any person wishing to demolish a building must first obtain a demolition permit.

#### 4.9.2 Contents of a demolition permit application

The demolition permit application shall be submitted in writing on the appropriate Municipal form. The properly dated and stamped application shall include the family names, first names, and residence of the owner or his legal representative, the cadastre description of the lot, details of proposed work, and estimated duration of the work.

A demolition permit application must include the following:

- a. A site plan showing existing structures on the property, wells, septic systems, tile field;
- b. Number and copy of the general contractor's licence as issued by the *Régie du bâtiment du*

*Québec*, when demolition is not carried out by the owner of the building or structure in question;

- c. A copy of a \$1,000,000 public liability insurance policy issued by a financial institution when the tax assessment value of the building or structure to be demolished exceeds \$50,000;
- d. Any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.9.3 Conditions for issuance of a demolition permit

The administering authority will issue a demolition permit if:

- a. The application includes all of the information required by this by-law;
- b. Permit application fees have been paid;
- c. The owner agrees in writing to empty the septic tank, backfill the foundation, fill or remove the septic tank, pool, and/or surface well, and carry out any and all work needed to ensure the safety of the property.

#### 4.9.4 Validity of a demolition permit

A demolition permit is valid for a maximum period of one (1) month following date of emission.

Any permit will be deemed null and void in the event of failure to comply with any or all municipal by-laws and/or declarations listed on the certificate of authorization.

### 4.10 SITE PREPARATION PERMIT

#### 4.10.1 Obligation to obtain a site preparation permit <sup>(4)</sup>

Any person wishing to begin site preparation for construction or clearing must first obtain a site preparation permit from the administering authority prior to obtaining a construction permit.

The site preparation permit also applies to the following:

- a. Vehicle entrances and exits;
- b. Site excavation or backfilling;

#### 4.10.2 Contents of the site preparation permit application

All permit applications shall be submitted in writing to the administering authority on the appropriate Municipal form. The application must include a site plan to scale showing the proposed work along with any other information or document that the administering authority requires to gain full understanding of the project.

#### 4.10.3 Conditions for issuance of a site preparation permit

The administering authority will issue a site preparation permit if:

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(4) The last paragraph of Article 4.10.1 revoked by **By-law Number 810-12** (effective February 8, 2012)

- a. The application is compliant with construction and zoning by-laws and with this by-law;
- b. The application is accompanied by all of the plans and documents required by this by-law;
- c. Permit application fees have been paid;
- d. Backfill materials meet all current government standards;

#### 4.10.4 Validity of a site preparation permit

The site preparation permit is valid for a period of six (6) months from date of issue.

Any permit will be deemed null and void in the event of failure to comply with any or all municipal by-laws and/or declarations listed on the site preparation permit.

### 4.11 CERTIFICATE OF AUTHORIZATION FOR TREE CUTTING <sup>(16)</sup>

#### 4.11.1 Obligation to obtain a tree cutting certificate

Anyone wishing to carry out tree felling work for the purposes of:

- a. Permitting a construction, structure or arrangement previously authorized by a municipal permit or certificate;
- b. Permitting an expansion, relocation, alteration or demolition authorized by a municipal permit or certificate;

regardless of the size of the property must obtain prior to the said work a certificate of authorization to cut down trees.

#### 4.11.2 Contents of the tree cutting certificate application

All applications for tree cutting certificate must be submitted in writing, on the official municipal form duly completed and signed by the owner of the property where the cutting will take place.

For a main construction, the application must be accompanied by a proposed site plan prepared by a land surveyor. For all other constructions, a scale plan can be prepared by the owner or a professional.

In both cases, the plan must indicate:

- a. The location of buildings, works, structures, or planned installations;
- b. The location of existing trees on site having a trunk of more than 10 cm in diameter measured at 30 cm from ground level;
- c. The identification of trees to be cut down having a trunk of more than 10 cm in diameter measured at 30 cm from ground level.

#### 4.11.3 Conditions for issuance of a tree cutting certificate

The administering authority shall issue a certificate for tree cutting when:

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(16) Amended by **By-law Number 1006-17** (effective October 4, 2017)

- a. The application complies with the Construction and Zoning By-laws and with the present by-law;
- b. The application contains all of the information and documents required by this by-law.

#### 4.11.4 Validity of a tree cutting certificate

A tree cutting certificate of authorization is valid for period of six (6) months from date of issue.

At the end of this time, the applicant must submit a new application pursuant to the provisions in effect of this by-law when the new application is submitted.

## 5. DUTIES AND RESPONSIBILITIES OF A PERMIT OR CERTIFICATE HOLDER

### 5.1 GENERAL TERMS AND CONDITIONS

Issuance of a permit, approval of plans and specifications, and inspections by the administering authority in no way releases the owner or applicant from the obligation to execute the work, or have the work executed in compliance with the provisions of this by-law or with any and all current regulations.

### 5.2 DUTIES AND RESPONSIBILITIES OF A PERMIT OR CERTIFICATE HOLDER

#### 5.2.1 General provisions

The owner is wholly responsible for performing the construction work or having it performed in compliance with current urban planning regulations. It is prohibited to begin any work without first obtaining the appropriate construction permit or certificate.

Every owner must:

- a. Obtain any and all permits or certificates of authorization related to the proposed project;
- b. Execute the work entirely in compliance with approved plans and specifications without change, except with the prior written consent of the administering authority;
- c. Give the administering authority access, at any reasonable time, to any building or site in accordance with urban planning regulations;
- d. Ensure that all plans and specifications for which permits have been issued are available at the work site at all times during working hours for inspection by the administering authority and that the permit or a certified copy thereof is displayed in full view at the work site throughout the duration of the project;

- 45 -

"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

- e. Carry out or have carried out at his expense any and all tests and inspections required to prove that the work complies with urban planning regulations. The owner must submit copies of all tests and inspection reports to the administering authority immediately;
- f. When deemed necessary, submit an up-to-date localization certificate showing building position to the administering authority;
- g. At the administering authority's request, uncover and recover at the owner's expense any work covered contrary to the directions of the administering authority;
- h. Pay for the repair of any damages to public property or to structures located on public land affected by the work for which a permit has been issued under the terms of this by-law;
- i. At no time, deviate from the requirements of current urban planning regulations or the conditions of the permit or certificate, or omit required work without prior written consent from the administering authority;
- j. Advise the administering authority in writing within thirty (30) days following completion of the work described in the permit or certificate, as applicable;
- k. Ensure that no excavation or other work is carried out, no building is erected, or material stored on public property without the prior written consent of the administration in question.

## 5.2.2 Specific provisions

### 5.2.2.1 Construction permit for a main building

Before digging foundations, any construction permit holder planning to construct a main building must first have a land surveyor stake out the building site before beginning excavation of the foundation. Once construction is finished, certificate of localization of a plan showing the building location, prepared by a qualified land surveyor, must be submitted to the Municipality to confirm that the minimum prescribed set-backs have been observed.

### 5.2.2.2 Construction permit for a septic system

Any holder of a septic system construction permit must submit the following documents to the administering authority within thirty (30) days of completion of the installation:

- a. A certificate of compliance signed by the consultant and certifying that the construction work was carried out according to the design and in compliance with the *Provincial regulation respecting waste water disposal systems for isolated dwellings* in force. The consultant will include an "As Built" plan showing the approved changes;<sup>(6)</sup>
- b. The certificate must also specify the type and capacity of the septic tank and the name of the contractor who performed the work;
- c. A copy of the manufacturer's maintenance contract (if any);
- d. Proof that the old septic tank has been emptied/disinfected (if applicable).

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(6) Amended by **By-law Number 866-13** (effective October 3, 2013)

### 5.2.2.3 Construction permit for an underground water withdrawal facility<sup>(10)</sup>

Any holder of a construction permit for a water withdrawal facility<sup>(10)</sup> must submit a copy of the drilling report, prepared by the driller or excavator and expressed in International System units (metric system) within thirty (30) days of completion of the work.

Any owner of a groundwater water withdrawal facility<sup>(10)</sup> that is unused must block off this facility pursuant to the *Environment Quality Act*.

Any holder of a construction permit for a water withdrawal facility, is required within thirty (30) days of completion of work, to submit to the Municipality a copy of the drilling report, or as the case may be, signed by a professional certifying that the work complies with the *Water Withdrawal and Protection Regulation* in force.<sup>(10)</sup>

### 5.2.2.4 Construction permit for connection to the aqueduct or sewer systems<sup>(11)</sup>

Every owner of a public building or of an industrial or commercial establishment must inform the Municipality in writing of any change that alters the anticipated quantity of drinking water used from the aqueduct system or that alters the quality or expected amount of water discharged by sewer connections.

Every owner must inform the Municipality in writing when disconnecting or decommissioning a connection to the aqueduct and/or sewer or performing water and sewer works other than those referred to in sub-section 4.4.1.

Any owner of a well located on a property that is connected to the water supply system is required to clog its well in accordance with the "*Groundwater Catchment Regulations (Q-2, r.1.3) of the Environment Quality Act*" and is required to provide the municipal inspector with proof of the well-being sealed by a specialized contractor recognized by the Municipality.

Every owner of a septic system located on a property connected to the sewage system that is completed and functional shall be required to decommission his septic system in accordance with the "*Regulation respecting the evacuation and treatment of wastewater from isolated dwellings* in force of the *Environment Quality Act*". Any treatment system, sump or receptacle that is decommissioned must be drained and removed or filled with gravel, sand, soil or inert material. The emptying of the tank must be carried out by a specialized contractor recognized by the Municipality. In addition, removal of any of the aforementioned systems and the filling of gravel, sand or soil must be inspected by the municipal inspector.

Any repair of breakdown of the municipal network resulting from work for the connection of a private property will be at the expense of the private owner. Under the supervision of the Municipality, the construction of the aqueduct or public sewer connection will be carried out by the owner. In this case, the construction and supervision costs of the connection will be at the expense of the owner and executed by a qualified contractor recognized by the Municipality.

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(10) Introduced by **By-law Number 932-15** (effective November 17, 2015)

(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

#### 5.2.2.5 Road construction permit<sup>(11)</sup>

The licensee shall pay all fees and expenses relating to the surveying work, the preparation of engineering plans and specifications, the construction work and the contract for the supervision of the works, as well as public utilities.

The licensee must submit, subject to the written acceptance of the municipality, any substitution by the applicant for the award of contracts for plans and specifications or the award of the construction contract or the contract for the supervision of the works.

The licensee cannot make any modifications to the existing public aqueduct and sanitary and storm sewer services without first obtaining the written authorization of the Municipality.

The licensee must allow the Municipality and its employees or agents to have access at all times to the work being prepared or executed, so they may verify whether the work is installed according to plans and specifications and in good operating condition.

The work must be completed between the end of the official thaw period in accordance with the Provincial Order and October 1<sup>st</sup>.

### 5.3 MANDATORY INSPECTIONS<sup>(12)</sup>

All work authorized by a municipal construction permit must be inspected by an administering authority so that said authority can:

- a. Ensure compliance of the work with current Municipal By-laws;
- b. Notify the MRC des Collines-de-l'Outaouais to carry out an inspection of the work with a view to modifying the tax assessment roll as required.

In the case of work for the construction of a main or secondary building, swimming pool, or any structure with a foundation, the administering authority shall conduct a preliminary inspection just before casting the foundations to ensure that they are cast at the permitted location.

The final inspection must take place when the work for which the permit has been issued is sufficiently advanced, completed, or in the case of a permit issued for the construction of a main building, and the latter is inhabited or habitable.

It is the responsibility of the permit holder to invite the administering authority to carry out the required inspection or inspection at the intervals listed in this section. Said authority must be notified 48 hours in advance of the proposed date and time.

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(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

(12) Amended by **By-law Number 991-16** (effective October 7, 2016)



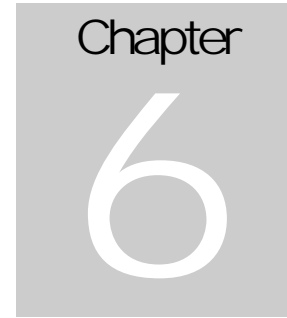
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RESPECTING PERMITS AND CERTIFICATES

In the case of a connection to the municipal aqueduct or sewer systems, the owner must notify the inspector at least forty-eight (48) hours in advance of the date and time of the work. Thereafter, the owner must ask the inspector to visit the site prior to backfilling the connection.<sup>(11)</sup>

In the case of an application for provisional or final acceptance of a municipal or private road, the owner must notify the Public Works and Infrastructure Department before October 1<sup>st</sup> of the same year. Once this deadline has been exceeded, the provisional or final acceptance will be postponed after the end of the official thawing period according to the provincial decree of the following year <sup>(11)</sup>

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(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)



## 6. PERMIT AND CERTIFICATE FEE SCHEDULE <sup>(18)</sup>

The issuance of permits and certificates is subject to the following rates. Any permit or certificate issued to the Municipality of Chelsea, a non-profit organization (NPO), or for any work done on municipal land or immovables is exempt from all fees and bonds.

### 6.1 SUBDIVISION AND PRELIMINARY SUBDIVISION PERMITS <sup>(18)</sup>

- a. Filing an application for a preliminary subdivision proposal: **\$50.00** per lot obtaining a new cadastral number
- b. Subdivision permit: **\$140.00** per lot obtaining a new cadastral number except for lots transferred to the Municipality

### 6.2 CONSTRUCTION PERMIT <sup>(3) (4)(18)</sup>

For residential use zones <sup>(21)</sup>

- a. Isolated single-detached dwelling, attached, in rows: **\$350.00 + 10.00\$ X (A)**
- b. Isolated single-family dwelling with additional apartment: **\$350.00 + \$10.00 X (A)**
- c. Mobile home: **\$350.00**
- d. Multi-unit dwelling: **\$350.00 for 1<sup>st</sup> apartment and \$250.00 per additional apartment**
- e. Community housing: **\$500.00**
- f. Additional apartment: **\$250.00**
- g. Secondary building or structure:
  1. Garage: **\$75.00**
  2. Storage shed: **\$75.00**

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**(18)** Amended by **By-law Number 1082-18** (effective August 22, 2018)

**(3)** Amended by **By-law Number 763-10** (effective June 16, 2010)

**(4)** Amended by **By-law Number 810-12** (effective February 8, 2012)

**(21)** Amended by **By-law Number 1140-19** (effective February 4, 2020)

3. Workshop (studio): **\$75.00**
4. Carport: **\$75.00**
5. Temporary shelter (except for a winter shelter): **\$25.00**
6. Temporary winter shelter: **Free**
7. Dock: **\$25.00**
8. Other: **\$25.00**
- h. Addition to or extension of a main building: **\$350.00 + \$10.00 X (A)**
- i. Renovating a main building: **\$150.00 + 10.00 \$ X (B)**
- j. Fence and patio: **\$25.00**
- k. Patio: **\$40.00**
- l. Addition to or extension of a secondary building or structure: **\$55.00**
- m. Renovation of a secondary building or structure: **\$55.00**
- n. In-ground and above-ground pool: **\$55.00**

**(A)** Represents each \$10,000.00 portion of the total construction cost superior to \$300,000.00, to a maximum permit cost of \$600.00. If declared cost is lower than the average costs listed below, construction permit fees are established according to the latter, unless the contractor submits proof to the administering authority that actual construction costs are lower than the following averages:

- General rule: \$1,800.00 per m<sup>2</sup> of floor space

**(B)** Represents each \$10,000.00 portion of the total construction cost superior to \$15,000.00, to a maximum permit cost of \$600.00.

#### Non-residential use group

- a. New main building: **\$400.00 + \$10.00 X (C)**
- b. Renovating, converting or extending a main building: **\$300.00 + \$10.00 X (C)**
- c. New secondary building: **\$200.00 + \$10.00 X (C)**
- d. Modifying, adding or extending a secondary building: **\$100.00 + \$10.00 X (C)**
- e. Temporary shelter: **\$100.00 + \$10.00 X (C)**
- f. Sports field: **\$300.00**

**(C)** Represents each \$1,000.00 portion of the total construction cost. If declared cost is lower than the average costs listed below, construction permit fees are established according to the latter, unless the contractor submits proof to the administering authority that actual construction costs are lower than the following averages:

- General rule: \$2,000.00 per m<sup>2</sup> of floor space
- Industrial building: \$2,300.00 per m<sup>2</sup> of floor space

### Septic system

- a. New installation: **\$250.00**
- b. Correction or modification: **\$100.00**
- c. Tank (primary system): **\$100.00**

### Underground water withdrawal facility<sup>(10)</sup>

New well: **\$100.00**

### Demolition<sup>(21)</sup>

All types: **\$55.00**

### Posting permit<sup>(21)</sup>

- a. New sign: **\$110.00**
- b. Modification of an existing sign: **\$55.00**
- c. Temporary sign: **\$100.00**

### Site preparation permit<sup>(21)</sup>

New permit: **\$55.00**

### Other permits<sup>(21)</sup>

For any construction permit required by urban planning regulations and not listed previously:  
**\$55.00**

### Renewing a permit

All types of permits: **50% of initial cost**

### Permit for connection to the aqueduct or sewer systems<sup>(11)</sup>

- a. Works on private land: **\$300.00**
- b. Correction and modification: **\$300.00**

### Municipal works construction permit

- a. New urban road: **\$3,000.00/road**
- b. New rural road: **\$1,000.00/road**
- c. Urban municipal works (other than roads): **0.1 % of estimated construction costs of municipal works**

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(10) Amended by **By-law Number 932-15** (effective November 17, 2015)

(21) Amended by **By-law Number 1140-19** (effective February 4, 2020)

(11) Introduced by **By-law Number 953-15** (effective May 12, 2016)

- d. Rural municipal works (other than roads): **0.1 % of estimated construction costs of municipal works**

### 6.3 CERTIFICATES OF AUTHORIZATION <sup>(18)(21)</sup>

- a. Certificate of authorization for building occupation: **\$200.00**
- b. Modification to a certificate of authorization for building occupation (extension or reduction of a place of business, addition of a new use): **\$100.00**
- c. Any change made to one of the information contained in a building occupation certificate having been issued, other than annual validation, a modification to a place of business or the addition of a use: **\$75.00**
- d. Certificate of authorization for complementary use: **\$100.00**
- e. Certificate of authorization for tree cutting: **\$50.00**
- f. Certificate of authorization to move a main building: **\$100.00**
- g. Certificate of authorization to move a secondary building or other building: **\$50.00**
- h. Certificate of authorization for work in a waterfront zone: **\$200.00**
- i. Annual renewal of a certificate of authorization for building use: **\$75.00/year**
- j. Annual renewal of a certificate of authorization for complementary use: **\$25.00/year**
- k. Certificate of authorization for temporary use, fairs, carnivals, musical shows and similar uses: **\$250.00**
- l. Certificate of authorization for watering: **\$20.00**

### 6.4 PERFORMANCE BOND <sup>(7)(17)</sup>

For permit applications for the work listed below, issuance of the permit is conditional upon deposit of an amount of money to serve as a performance bond to ensure that the work complies with current regulations and standards.

<b>Proposed project</b>	<b>Amount of the performance bond</b>
Residential main building	\$2,000.00 for the first apartment + \$1,000.00 per additional apartment
New septic system or water supply	\$500.00 (excluding structures built in conjunction with the main building they will serve)
Non-residential or mixed main building	0.5 % X (D)
Expansion or addition of a residential main building	0.5 % X (D)
Expansion or addition of a commercial, industrial or mixed main building	0.5 % X (D)
Correction or modification to a septic system only	\$500.00

(18) Amended by **By-law Number 1082-18** (effective August 22, 2018)

(21) Amended by **By-law Number 1140-19** (effective February 4, 2020)

(7) Amended the Table by **By-law Number 888-14** (effective August 14, 2014)

(17) Amended by **By-law Number 1072-18** (effective July 11, 2018)

Septic tank only	\$300.00
Demolition	\$300.00
Correction, modification, replacement or construction of a water withdrawal facility	\$300.00
Connection to the aqueduct and sewage system	\$500.00
Swimming pool	\$500.00
Municipal works in the urban sector	50 % of the value of the works
Municipal works in the rural sector	50 % of the value of the works

(D) Estimated cost of the construction work (a financial guarantee in the form of a bank letter of guarantee or certified check is accepted, or in cash).

The performance bond will be reimbursed when the following conditions have been met:

- a. The administering authority deems that the project has satisfied all applicable standards;
- b. The permit or certificate holder has fulfilled all of duties and responsibilities described in Chapter 5 of this by-law;
- c. The permit or certificate holder has submitted an application for reimbursement of the performance bond to the Municipality within eighteen (18) months after date of issue of the permit or certificate.

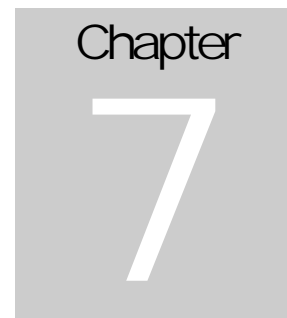
In the event that one or more of the afore-mentioned conditions are not met, the performance bond will not be reimbursed.

## 6.5 REQUEST FOR APPROVAL OF A SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMME (SPAIP)<sup>(21)</sup>

A fee of \$100.00 is applicable to any request for approval of a site planning and architectural integration programme.

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(21) Introduced by **By-law Number 1140-19** (effective February 4, 2020)



## 7. PENALTIES AND SANCTIONS

### 7.1 PENALTIES

In the event that an offender refuses or neglects to comply in all or in part with any provision of this by-law or with any order issued by the administering authority, the appropriate authority may petition the Quebec Superior Court pursuant to the Land Use Planning and Development Act (RSQ, Ch. A-19.1) to:

- a. Issue a stop-work order with respect to any work or use failing to comply with this by-law;
- b. Order, at the owner's expense, execution of work required to render the use or construction compliant with this by-law or, failing the existence of a workable solution, order the demolition of the structure and restoration of the property;
- c. Authorize the Municipality to carry out the required work, demolition, or restoration, in lieu of the property or building owner and to proceed within the prescribed timeframe, and to recover incurred costs from the owner via a lien registered on the tax assessment roll.

Furthermore, any and all offenders are also subject to the sanctions prescribed in this by-law, as well as to any and all penalties and sanctions prescribed by legislation and regulations currently in effect in the Municipality of Chelsea.

### 7.2 GENERAL SANCTIONS <sup>(16)</sup>

Any person or persons who contravenes any or all of the provisions of this by-law is guilty of an offence and, in addition to paying the costs for each infraction, is liable to a set fine of ONE THOUSAND DOLLARS (\$1,000) if the offender is a physical person, or a set fine of TWO THOUSAND DOLLARS (\$2,000) if the offender is a corporation or other legal entity.

In the event of a repeat offence committed within two years of declaration of guilt for the same infraction, the offender, in addition to paying the costs for each infraction, is liable to a set fine of TWO THOUSAND DOLLARS (\$2,000) if the offender is a physical person, or a set fine of FOUR THOUSAND DOLLARS (\$4,000) if the offender is a corporation or other legal entity.

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(16) Amended by **By-law Number 1006-17** (effective October 4, 2017)

A contravention of a regulatory provision that governs or restricts the felling of trees is punishable by a fine of not less than \$500 plus a minimum of \$100 per illegally felled tree.

In the case of clear-cutting on an area of one (1) hectare or more, a minimum fine of an amount of \$5,000 and a maximum of \$15,000 per complete hectare cleared.

These amounts are doubled in case of recidivism.

Depending on the number of trees already on the property, the Municipality may require the owner to replace the tree cut by a tree of the same type. The new tree must be planted within a maximum of six (6) months after being cut. Minimum dimensions are also a requisite:

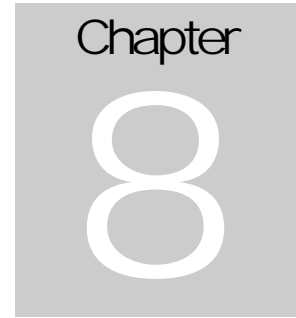
- Coniferous trees should be at least 1.2 metres high;
- Hardwoods must be 5 cm or more in diameter, measured at 1.30 m from the ground and a minimum height of 2.4 metres.

If an infraction continues for more than one (1) day, it shall constitute a separate offence for each day during which it continues and may be detailed in a single charge.

### 7.3 CIVIL JURISDICTION

Without prejudice to proceedings under the criminal justice system, Council may institute any proceedings necessary under civil jurisdiction to enforce compliance with the provisions of this by-law.





## 8. FORCE AND EFFECT

### 8.1 FORCE AND EFFECT

This by-law will come into force according to the law.

GIVEN AT CHELSEA, QUEBEC this 19<sup>th</sup> day of the month of April 2005.

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Secretary-Treasurer

Mayor

NOTICE OF MOTION DATE: February 7, 2005

DRAFT BY-LAW ADOPTION DATE: January 25, 2005

RESOLUTION NUMBER: 20-05

PUBLIC CONSULTATION DATE: April 4, 2005

BY-LAW ADOPTION DATE: April 19, 2005

RESOLUTION NUMBER: 81-05

CERTIFICATE OF COMPLIANCE: June 28, 2005

EFFECTIVE DATE: June 28, 2005

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail."

**EFFECTIVE DATE: JUNE 28, 2005**  
**Administrative Compilation Number 22 effective July 7, 2020**