

Minor Exemption

Definition

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

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

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

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

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

Assessment standards for a minor exemption

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

Tracking a minor exemption request

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

Fees

For requests made after completion of work

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

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

For requests made before commencing work

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

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

2020 Schedule

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

FILE TRACKING SCHEDULE

Filing Deadlines	PSDAC Meetings	Council Meetings
Monday January 4 th	January 13 th	February 2 nd
Friday January 22 nd	February 3 rd	March 9 th
Friday February 26 th	March 10 th	April 6 th
Friday March 26 th	April 7 th	May 4 th
Friday April 23 rd	May 5 th	June 1 st
Friday May 21 st	June 2 nd	July 6 th
Friday June 25 th	July 7 th	August 3 rd
Friday July 23 rd	August 4 th	September 7 th
Friday August 27 th	September 8 th	October 5 th
Friday September 24 th	October 6 th	December 7 th
Friday November 19 th	December 8 th	In January 2022

Additional Information

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



Form

General Information

Applicant(s) name(s): _____

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

Mailing address: _____

Tel. (home/cell): _____ Tel. (work/other): _____

E-mail address: _____

Site identification

Project location if not the same as the mailing address: _____

Lot number: _____ of the Quebec cadastre

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

Description of the request

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

What provision of the by-law cannot be respected?

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

Statement

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

Signature: _____ Date: _____



Documents required

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

General documentation

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

Specific documents

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

Cost calculation table

FEE TABLE

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