

BY-LAW BEAC-045-22
Summary table of proposed amendments

BY-LAW BEAC-045-22		
SECTION	IN EFFECT	PROPOSED
1	3.1.1 Issuance of a building permit No one shall erect a structure, alter, renovate, repair, transform, or move any structure, or portion thereof, or undertake excavation work for the purpose of erecting and installing a structure, unless a building permit for this purpose has been issued beforehand. Building permits for groups of semi-detached or attached structures shall be issued simultaneously. No building permit shall be issued for the alteration, repair or transformation of a building if said alteration, repair or transformation requires a demolition as prescribed in By-law 152 concerning demolition, unless a certificate of authorization has been issued by the officer in charge pursuant to said by-law. No building permit shall be issued before the subdivision plan has been made part of the plans and book of reference or before the receipt of a letter signed by a land surveyor attesting that the application for inscription on the plans and book of reference has been forwarded to the Quebec Ministry of Natural Resources and Wildlife. Exemption from the requirement to obtain a certificate of authorization shall not diminish in any way the obligation to comply with this by-law and any other applicable by-laws. The permit shall be prominently posted at the construction site for the duration of the building work.	Section 3.1.1 of this by-law is replaced by the following: « 3.1.1 Issuance of a building permit Any person wishing to carry out construction, alteration, enlargement, reconstruction, addition or relocation work on a building or part of a building, a structure or part of a structure must first obtain a building permit in accordance with the provisions of this by-law and any other applicable Act or municipal by-law. The table appended to this section establishes the categories of work subject to the requirement to obtain a building permit. Where the work involves groups of semi-detached or attached structures, building permits shall be issued simultaneously. However, no building permit shall be issued for the alteration, repair or transformation of a building if said alteration, repair or transformation requires a demolition as prescribed in By-law BEAC-152 concerning demolition, unless a certificate of authorization has been issued by the officer in charge pursuant to said by-law. Furthermore, no building permit shall be issued before the subdivision plan has been made part of the plans and book of reference or before the receipt of a letter signed by a land surveyor attesting that the application for inscription on the plans and book of reference has been forwarded to the Quebec Ministry of Natural Resources and Wildlife. Exemption from the requirement to obtain a building permit shall not diminish in any way the obligation to comply with this by-law and any other applicable by-laws. It is mandatory to post the building permit in a conspicuous location at the work site for the entire duration of the work.”

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		<u>Table 1: Table of works requiring or not requiring a permit</u> <table><tr><th colspan="3">Building Permit</th></tr><tr><th>Category of Work</th><th>Permit required</th><th>Permit not required</th></tr><tr><td colspan="3">MAIN BUILDING</td></tr><tr><td>New construction</td><td>X</td><td></td></tr><tr><td>Addition / extension</td><td>X</td><td></td></tr><tr><td>Alterations / interior or exterior renovation work</td><td>X</td><td></td></tr><tr><td>Excavation work</td><td>X</td><td></td></tr><tr><td>Repair or maintenance work (See Section 3.1.2)</td><td></td><td>X</td></tr><tr><td colspan="3">CONSTRUCTION ATTACHED TO THE MAIN BUILDING</td></tr><tr><td>Carport</td><td>X</td><td></td></tr><tr><td>Attached garage</td><td>X</td><td></td></tr><tr><td>Solarium</td><td>X</td><td></td></tr><tr><td>Construction or installation of an awning</td><td>X</td><td></td></tr><tr><td>Veranda</td><td>X</td><td></td></tr></table>	Building Permit			Category of Work	Permit required	Permit not required	MAIN BUILDING			New construction	X		Addition / extension	X		Alterations / interior or exterior renovation work	X		Excavation work	X		Repair or maintenance work (See Section 3.1.2)		X	CONSTRUCTION ATTACHED TO THE MAIN BUILDING			Carport	X		Attached garage	X		Solarium	X		Construction or installation of an awning	X		Veranda	X	
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2	3.1.2 Work not requiring a building permit Notwithstanding the provisions of section 3.1.1, no building permit shall be required for repairs and maintenance. The meaning of "repair" and "maintenance" shall be restricted to the replacement of materials by others almost identical in their nature and size and shall not include the removal or erection of walls, partitions, or portions thereof; the removal or division of beams, joists or other supporting devices; the removal, relocation, or blocking up of	Section 3.1.2 of this By-law is replaced by the following: « 3.1.2 Work not requiring a building permit Notwithstanding the provisions of section 3.1.1, no building permit shall be required for repairs and maintenance. “Repair” and “maintenance” mean the replacement of materials with others of the same kind, dimensions, and appearance. In particular, the following are not considered repair or maintenance work: the removal or erection of walls, partitions, or portions thereof; the removal or division of beams, joists or other supporting devices; the removal, relocation, or blocking up of stairs, exits or windows.																																										

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		Any work on existing materials or structures that does not meet the conditions set out in this section requires a building permit.
3	b) All application must be accompanied by two (2) paper copies of the following plans and specifications: i. a plan drawn by a land-surveyor that sets out: 1. the shape and the size of the existing and proposed building and the dimensions of the landsite; 2. The front, rear and lateral elevation of the existing and proposed building; 3. The distance between the existing and proposed building and the limit of property, calculated from the wall of the foundation. In the case of a building erected on piles or parts of it in overhang, the distance is calculated from the exterior finish of the building; 4. the exact location of all existing buildings and trees on the land; 5. the existing and proposed grading, landscaping, and surface drainage in relation to adjacent streets and landsites; 6. the location of any servitude or right-of-way affecting the property on which the building is or will be situated; 7. the location of major ditch, piped or otherwise, situated on the property on which the building is or will be built; ii. plans drawn to scale showing the elevations, cross-sections and the projected use of each room or floor area in the proposed construction; iii. the various excavation levels, the floors and finished grades in relation to the level of the centre line of the fronting street; iv. the details of the structures according to the Quebec Building Code; v. a cost estimate of the work; vi. a construction schedule; vii. a report signed by a professional as defined in section 31.42 of LQE	Section 3.1.3 is modified by the addition, at paragraph b), of the following paragraphs viii. and ix. : « viii. a study by an arboriculture expert, for any request for a tree felling authorization certificate in relation to a building permit application, according to the circumstances provided for in the zoning by-law in force; ix. The Appendix 1 calculation sheet of by-law BEAC-152 on demolitions, duly completed and signed by a professional authorized under sections 3.1.3 and 3.1.4. of this by-law ».
4	Section 3.1.3	Section 3.1.3 is modified by the modification of the first paragraph of paragraph c), by the following paragraph:

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	c) A request for an extension or new construction permit must be accompanied by a deposit as provided in the tariff by-law. This amount will be refunded following the filing with the City of a copy of the certificate of location prepared by a land surveyor, in accordance with section 3.1.8 of this by-law.	« All applications for permits for additions or new construction must be accompanied by a deposit as provided for in the Tariffs by-law and the by-law concerning Site Planning and Architectural Integration Programs (SPAIP). This amount will be refunded upon submission to the City of a copy of the certificate of location prepared by a land surveyor in accordance with section 3.1.8 of this by-law, and once the municipal officer has verified that the work complies with the regulations ».
5	Section 3.1.8 c) As soon as the construction or extension work is complete, the permit holder shall forward to the officer in charge a certificate of location establishing the size of the building; the existing front, rear and side setbacks, the trees that were kept and the natural ground levels of the land. The elevation marks shall be sufficient to reflect natural topography;	Section 3.1.8 is modified by the substitution of paragraph c) by the following: « Once construction or extension work is complete, the permit holder must send the designated officer a certificate of location indicating the dimensions of the constructed building, the existing front, side, and rear setbacks, the trees that have been preserved, and the natural ground levels. The elevation markings must be sufficient in number to reflect the topography of the land and must be marked at least in the same location as those indicated on the site plan required in section 3.1.3 ».
6	3.2.1 Issuance of a certificate of authorization Unless a certificate of authorization has been issued, no one shall begin or continue the following types of work: a) Install a pool; b) Install a spa; c) Build of a deck around an above-ground pool; d) Build a gallery or a terrace of more than 60 centimeters in height; e) Build a fence or a decorative fence; f) Install a telecommunication antenna and its ancillary building; g) Work in in the riverbank, littoral zone and floodplains areas: i. all constructions, works and structures likely to destroy or modify the vegetation cover of the riverbank, expose the soil, affect its stability or encroach on the littoral;	Section 3.2.1 of this By-law is replaced by the following: 3.2.1 Issuance of a certificate of authorization Anyone wishing to carry out work or exercise a use listed in the table below must first obtain a certificate of authorization from the competent authority, in accordance with this By-law and any other applicable Act or municipal by-law. Table 2: Table of works requiring or not requiring a certificate of authorization

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	ii. all constructions, works and structures likely to modify the water regime, interfere with the free flow of water during flood periods, disturb wildlife or plant habitats, or compromise the safety of people and property (within a floodplain); h) Landscape and modification of an access alley and a parking space in the front yard; i) Fell a tree; j) Excavation, cutting, and landfilling work; k) Foundation work for a temporary building, a new building or an extension of an existing building; l) Install mechanical equipment; m) Install a wood burning system ; n) Install or build an ancillary building, such as a detached garage, a permanent car port, a shed, a gazebo or a pergola; o) Build a retaining wall; p) Build a tennis court in a residential area; q) Install a temporary building, not including a construction site trailer; r) Demolish an ancillary building; s) Partial or total demolition of a building; t) Build a septic tank; u) Build a terrace for a commercial usage; v) Seasonal or event-based businesses; w) Filming operation; x) Garage sale; y) Block party; z) The installation, moving or modification of a community mailbox; aa) Replacement of an appliance using solid fuel; bb) Replacement, installation or moving of a donation container for clothing and used objects. cc) Installation or replacement of a diving board; dd) Connection to water, storm or sanitary sewer lines. The certificate of authorization shall be prominently posted for the duration of the construction period or of the event.	<table> <tr> <th colspan="3">Certificate of authorization</th></tr> <tr> <th>Category of Work</th><th>Certificate required</th><th>Certificate not required</th></tr> <tr> <td colspan="3">MAIN BUILDING</td></tr> <tr> <td>Foundation work for a new building or an extension of an existing building</td><td>X</td><td></td></tr> <tr> <td>Installation of a chimney, stove, or prefabricated fireplace</td><td>X</td><td></td></tr> <tr> <td>Demolition of a building</td><td>X</td><td></td></tr> <tr> <td colspan="3">ANCILLARY BUILDING</td></tr> <tr> <td>Installation or construction of an ancillary building</td><td>X</td><td></td></tr> <tr> <td>Demolish an ancillary building included in an inventory of heritage properties</td><td>X</td><td></td></tr> <tr> <td>Demolish an ancillary building</td><td></td><td>X</td></tr> <tr> <td colspan="3">ANCILLARY CONSTRUCTION</td></tr> <tr> <td>Garden shelter</td><td>X</td><td></td></tr> <tr> <td>Build a gallery or a terrace of more than 60 centimeters in height</td><td>X</td><td></td></tr> <tr> <td>Construction, installation, modification or relocation of a permanent sign</td><td>X</td><td></td></tr> <tr> <td>In-ground or semi-in-ground pool</td><td>X</td><td></td></tr> <tr> <td>Above-ground pool</td><td>X</td><td></td></tr> <tr> <td>Removable pool</td><td>X</td><td></td></tr> <tr> <td>Platform for above-ground pool</td><td>X</td><td></td></tr> <tr> <td>Installation or replacement of a diving board</td><td>X</td><td></td></tr> <tr> <td>Spa, hot tub</td><td>X</td><td></td></tr> <tr> <td colspan="3">ANCILLARY EQUIPMENT</td></tr> <tr> <td>Installation of heating, ventilation and air-conditioning (HVAC) systems and other similar mechanical equipment</td><td>X</td><td></td></tr> <tr> <td>Installation of a certified solid fuel appliance</td><td>X</td><td></td></tr> <tr> <td>Installation, relocation or modification of a community mailbox</td><td>X</td><td></td></tr> <tr> <td>Installation of a telecommunication antenna and its ancillary building</td><td>X</td><td></td></tr> <tr> <td>Installation of mechanical equipment</td><td>X</td><td></td></tr> <tr> <td>Replacement of an appliance using solid fuel</td><td>X</td><td></td></tr> <tr> <td>Waste container</td><td></td><td>X</td></tr> <tr> <td>Installation, relocation or modification of an enclosure for waste containers</td><td>X</td><td></td></tr> <tr> <td>Fence or a decorative fence</td><td>X</td><td></td></tr> <tr> <td>Solar panels</td><td>X</td><td></td></tr> <tr> <td>Pressurized gas tank</td><td></td><td>X</td></tr> </table>	Certificate of authorization			Category of Work	Certificate required	Certificate not required	MAIN BUILDING			Foundation work for a new building or an extension of an existing building	X		Installation of a chimney, stove, or prefabricated fireplace	X		Demolition of a building	X		ANCILLARY BUILDING			Installation or construction of an ancillary building	X		Demolish an ancillary building included in an inventory of heritage properties	X		Demolish an ancillary building		X	ANCILLARY CONSTRUCTION			Garden shelter	X		Build a gallery or a terrace of more than 60 centimeters in height	X		Construction, installation, modification or relocation of a permanent sign	X		In-ground or semi-in-ground pool	X		Above-ground pool	X		Removable pool	X		Platform for above-ground pool	X		Installation or replacement of a diving board	X		Spa, hot tub	X		ANCILLARY EQUIPMENT			Installation of heating, ventilation and air-conditioning (HVAC) systems and other similar mechanical equipment	X		Installation of a certified solid fuel appliance	X		Installation, relocation or modification of a community mailbox	X		Installation of a telecommunication antenna and its ancillary building	X		Installation of mechanical equipment	X		Replacement of an appliance using solid fuel	X		Waste container		X	Installation, relocation or modification of an enclosure for waste containers	X		Fence or a decorative fence	X		Solar panels	X		Pressurized gas tank		X
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7	Section 3.2.2	Section 3.2.2 is amended by adding, after paragraph aa), the following paragraphs bb), cc), dd), ee), and ff):																																																																					

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		3.2.2 Filing an application for an authorization certificate bb) For the installation, relocation or modification of an enclosure for a waste container: i) a scaled plan showing the location of the waste enclosure on the lot; ii) the dimensions of the enclosure: length, width and height; iii) the cladding materials; iv) a photograph or a sample of the proposed materials, if required; v) any other information deemed relevant by the officer in charge. cc) For the installation of solar panels: i) a scaled plan showing the location of the panels on the roof, their dimensions, their number, the total area covered, and the distance between each solar panel, where applicable; ii) Elevations of the building showing the location and dimensions of the solar panels; iii) The technical data sheet for the panels, including a description of the installation method and the roof-mounting system, as well as the total weight of the installation; iv) A photomontage showing the panels on the roof and their visibility from the public street, when the property is subject to a Site Planning and Architectural Integration Program (SPAIP).

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		dd) For the installation of a surface water or groundwater withdrawal system or a geothermal system: i) A scaled site plan, signed and sealed by a land surveyor, showing the site in question and the cadastral identification, as well as the proposed location of the water withdrawal installation or the geothermal system in relation to the main buildings, lot lines, any septic system located on the property or on neighbouring properties within a 30-metre radius, and any servitudes, where applicable. The site plan must also indicate, as applicable, any watercourse, bank, floodplain, wetland, as well as any risk area affecting the property in question; ii) A plan prepared by a professional indicating the type of withdrawal, the location of the proposed installation, its dimensions, the materials used and a typical cross-section of the proposed installation; iii) A detailed description of the work to be carried out, specifying the type of water withdrawal, the intended use, and the number of persons served by the installation that is the subject of the application; iv) In the case of a geothermal system, a detailed description of the equipment and operation of the geothermal system used; v) The name and permit number, issued by the Régie du bâtiment du Québec, of the company that will carry out the installation work; vi) Any document or information required under the Regulation respecting water withdrawal and protection (CQLR, c. Q-2, r. 35.2) pursuant to the Environment Quality Act; vii) The documents required for work carried out on the bank and shoreline, if applicable;

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		viii) Any other relevant information or document required by the officer in charge to confirm compliance with municipal and provincial by-laws. ee) For any application concerning the use, construction or alteration of a main building, or for the carrying out of works resulting in an encroachment or an additional encroachment in a wetland of interest or its protection area identified in Appendix E “Wetlands” of the Zoning By-law: i) a characterization study carried out by an expert, in accordance with the requirements of Appendix F “Wetland Characterization Study” of the Zoning By-law; Notwithstanding the foregoing, a characterization study is not required in the case of the reconstruction of a building with the same siting (footprint); ii) a scaled site plan, signed and sealed by a land surveyor, locating the site and the proposed work, showing the lot boundaries, existing and proposed buildings, works and improvements, as well as the location of the wetland of interest and its protection area, as identified in Appendix E “Wetlands” of the Zoning By-law; iii) a description of the proposed work; iv) Recent photographs of the site showing the existing improvements and the area affected by the proposed work. ff) For any application concerning the use, construction or alteration of a main building, or for the carrying out of works located outside a wetland of interest to be protected or

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SECTION	IN EFFECT	PROPOSED
		restored, but within the protection area of a wetland identified in Appendix E “Wetlands” of the Zoning By-law: i) A scaled site plan, signed and sealed by a land surveyor, locating the site and the proposed work, showing the lot boundaries, existing and proposed buildings, works and improvements, as well as the delineation of the wetland of interest and its protection area identified in Appendix E “Wetlands” of the Zoning By-law or, failing that, an up-to-date certificate of location accompanied by a plan showing the siting of the project; ii) a copy of the permit or authorization certificate attesting to the existing occupancy and improvements and their legal status, or any other documentary evidence deemed sufficient by the competent authority; iii) a description of the proposed work; iv) recent photographs of the site showing the existing improvements and the area affected by the proposed work.
8	3.2.3 Conditions d'émission d'un certificat d'autorisation L'officier responsable peut émettre un certificat d'autorisation seulement si : a) La demande est conforme à toutes les dispositions de tous les règlements municipaux; b) La demande est accompagnée de tous les plans et documents exigés en vertu du présent règlement; c) Les frais pour d'obtention du certificat d'autorisation, tel que spécifié au règlement sur les tarifs exigibles pour les permis et certificats d'autorisation en vigueur, ont été acquittés lors du dépôt de la demande de permis.	Section 3.2.3 is amended by inserting, after paragraph (d), the following paragraph (e): e) Where the project is subject to provincial legislation or regulation, the issuance of a certificate of authorization remains conditional upon proof of full compliance with all applicable requirements, including the submission of any document or authorization required for that purpose.

BY-LAW BEAC-045-22

Summary table of proposed amendments

BY-LAW BEAC-045-22		
SECTION	IN EFFECT	PROPOSED
	d) Dans le cas où la demande de certificat est assujettie à un plan d’implantation et d’intégration architecturale, les plans relatifs à l’implantation et à l’architecture du bâtiment ont fait l’objet de l’approbation requise	
9	3.2.4 Validity of a certificate of authorization a) Any certificate of authorization shall be deemed null and void if the work has not yet commenced thirty (30) days after it was issued; b) All work shall be completed in conformity with the drawings submitted and approved, within three (3) months from the issue date of the certificate of authorization; c) No certificate of authorization shall be renewed beyond the extension granted pursuant to paragraph b) of this section. If a certificate of authorization is null and void for one of the reasons mentioned at paragraphs a) and b) in this section, a new certificate of authorization request must be completed and a new certificate of authorization shall be issued in accordance with this by-law. The fees for a certificate of authorization that is revoked or cancelled shall not be refunded. The fees for the new certificate of authorization request shall be paid in full.	Section 3.2.4 is amended by adding the following paragraph d): “Notwithstanding the foregoing, a certificate of authorization issued simultaneously with a building permit for new construction or an addition shall be valid for the same period as said building permit. Should the work authorized under the certificate of authorization not be completed within the twelve (12) month period of the building permit, an additional period of three (3) months may be granted, as applicable.”