



**MORIN-HEIGHTS  
1855**

**By-law 645-2022  
Regarding Permits and Certificates**

**Entry into force on February 27<sup>th</sup> 2023**  
**Modified by By-Law 672-2023 on June 14, 2023**

*In case of contradiction between the French version and the English version of the urban planning regulations, the provisions of the French version prevail*

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## **CHAPTER I: DECLARATORY, ADMINISTRATIVE, AND INTERPRETIVE PROVISIONS**

### **DIVISION A – DECLARATORY PROVISIONS**

**1. Title of the by-law**

This by-law shall be known as “By-Law 645-2022 Regarding Permits and Certificates.”

**2. Superseded by-law**

This by-law supersedes, for all legal purposes, *By-Law 419 Regarding Permits and Certificates* and its amendments, as well as any irreconcilable provisions of other by-laws.

This replacement does not affect permits and certificates issued under the authority of the superseded by-law or rights acquired before this by-law came into force.

**3. Scope**

This by-law applies to all people and throughout the entire territory of the Municipality of Morin-Heights.

**4. Activities and compliance**

Any work on a structure, work, or land, or part thereof, and any use or occupation of a structure or land, or part thereof, must comply with this by-law.

Under this by-law, permits and certificates are required for certain activities, uses, or occupancies.

Compliance with this by-law does not release any person from the obligation to comply with any other provincial or federal legislation or any other municipal by-laws applicable to the matter.

**5. Schedules**

The schedules attached to this by-law form an integral part thereof.

**6. Adoption in parts**

This by-law is enacted chapter by chapter, division by division, section by section, paragraph by paragraph, and subparagraph by subparagraph so that if any part of this by-law is declared null and void by a court of law, the decision shall not affect the remaining parts of the by-law except to the extent that the meaning and scope of the by-law or any of its provisions are thereby altered or modified.

**7. Entry into force**

This by-law shall come into force in accordance with the law.

### **DIVISION B – ADMINISTRATIVE PROVISIONS**

**8. Administration of the by-law**

The administration and enforcement of this by-law shall be the responsibility of the designated official.

## **9. Duties and powers of the designated official**

The duties and powers of the designated official are as follows:

1. Receiving permit and certificate applications, examining them, verifying and ensuring compliance with the town planning by-laws;
2. Issuing permits and certificates in accordance with the town planning by-laws;
3. Ensuring compliance with the town planning by-laws;
4. If necessary, visiting, examining, and photographing any movable or immovable property to ascertain compliance with the town planning by-laws;
5. Issuing notices to owners, tenants, occupants, or their designated representatives, requiring the correction of a violation of the town planning by-laws;
6. Issuing statements of offence on behalf of the Municipality for a contravention of these by-laws, as permitted by the *Code of Penal Procedure* (CQLR c. C-25.1);
7. Suspending or revoking any permits or certificates issued in error, in contravention of the municipal by-laws, in situations where the work violates this by-law, or in situations where they deem the construction to be unsafe;
8. Recommending that the Municipal Council take any necessary actions to stop the construction, occupation, or use of part of a lot, land, building, or structure that is in violation of the municipal by-laws;
9. Requiring that materials, devices, construction methods, functional and structural construction elements, or the condition of the foundation be tested or require that sufficient evidence be submitted, at the owner's expense, if it becomes necessary to prove that such materials, devices, construction, or condition of the foundation comply with this by-law.

## **10. Property visits**

The designated official may, between the hours of 7:00 a.m. and 7:00 p.m., visit and examine all movable and immovable property and the interior and exterior of any house, building, or structure to ascertain compliance with the by-laws, to verify any information, or to determine any fact necessary for the exercise of their powers.

Building owners, contractors, lessees, and occupants must allow the designated official to enter the building to determine compliance with these by-laws and answer any questions asked of them.

## **11. Infractions and penalties**

Any person who contravenes, or permits or tolerates the contravention, of any provision of this by-law; performs construction without a permit; or maintains a condition that requires a certificate without having first obtained one is guilty of an infraction. Individuals who commit such infractions shall be liable to a fine of not less than \$1,000; legal persons who commit such infractions shall be liable to a fine of not less than \$2,000.

For repeat infractions, individuals shall be liable to a fine of \$2,000 plus costs and legal persons shall be liable to a fine of \$4,000 plus costs.

If the infraction is of a continuous nature, it shall constitute a separate infraction each day and the offender shall be liable to the aforementioned fine for each day on which the infraction continues.

**12. Infractions and penalties relating to tourist accommodations**

Any person who offers for rent an accommodation unit within a tourist accommodation establishment, without having first obtained a certificate of authorization, is guilty of an infraction. Individuals who commit such infractions shall be liable to a fine of \$1,000; legal persons who commit such infractions shall be liable to a fine of \$2,000.

For repeat infractions, individuals shall be subject to a fine of \$2,000 plus costs and legal persons shall be subject to a fine of \$4,000 plus costs.

If the infraction is of a continuous nature, it shall constitute a separate infraction each day and the offender shall be liable to the aforementioned fine for each day on which the infraction continues.

**13. Swimming pool infractions and penalties**

Pursuant to the *Residential Swimming Pool Safety Regulation* (CQLR c. S-3.1.02, r. 1) and the *Residential Swimming Pool Safety Act* (CQLR c. S-3.1.02), any person who contravenes the legislation or this by-law shall be liable to a fine of not less than \$500 and not more than \$700. For repeat infractions, the minimum fines are increased to \$700 and \$1,000, respectively.

If the infraction is of a continuous nature, it shall constitute a separate infraction each day and the offender shall be liable to the aforementioned fine for each day on which the infraction continues.

**14. Tree-related infractions and penalties**

Pursuant to section 233.1 of the *Act respecting land use planning and development* (CQLR c. A-19.1), the felling of a tree in violation of subparagraphs 12 or 12.1 of the second paragraph of section 113 of that act shall be punishable by a fine of not less than \$500 plus:

1. If trees were felled over less than one hectare, a fine of not less than \$100 and not more than \$200 per illegally felled tree, not exceeding \$5,000 in total; or
2. If trees were felled over one hectare or more, a fine of not less than \$5,000 and not more than \$15,000 for each full hectare felled plus an amount determined in accordance with subparagraph 1 for each fraction of a hectare felled.

The amounts indicated in the first paragraph are doubled in the event of a repeat infraction.

**DIVISION C – INTERPRETIVE PROVISIONS****15. Rules of interpretation**

The following rules of interpretation shall apply to this by-law in the event of conflicting provisions:

1. The most specific of the provisions shall prevail.
2. The most restrictive of the provisions shall prevail.
3. In the event of a discrepancy between a table, an illustration, or a title and the text, the text shall prevail.

**16. Structure**

This by-law is structured as follows:

Chapter I: Chapter

Division A – Division

1. Section

Paragraph

1. Subparagraph

a) Clause

**17. Definitions** *(Modified by By-law 672-2023 – August 23, 2023)*

Unless the context otherwise dictates, words and phrases have the meaning assigned to them in this division. If a word or expression is not defined, it is understood to have its common dictionary meaning.

**Accessibility structure:** An accessory structure located outside the building that provides access to an entrance for persons with reduced mobility.

**Accessory building:** A building that is secondary to a main building or use and intended to enhance the utility, convenience, and amenity of that main building or use.

**Accessory structure:** A structure that is accessory to a lot's main building or use.

**Acquired rights:** The rights recognized for a non-conforming use, structure, or land that existed before a law or by-law came into force prohibiting or changing the regulations for that type of use, structure, building, or subdivision.

**Additional dwelling unit:** An additional use consisting of a dwelling unit within a main dwelling unit (residence).

**Attached carport:** An open-sided area of a main building used to park or store one or more motor or recreational vehicles.

**Attached garage:** The part of the main building used to park or store one or more motor or recreational vehicles. Garages may also be used to store equipment related to the main use (for example, a lawnmower for a use in the Residential group).

**Attached structure:** A structure that is physically connected to another by a component that is located above grade, such as a wall or roof.

**Awning:** An accessory structure attached to a building consisting of a cantilevered roof.

**Backfilling:** Earthworks consisting of bringing in soil to make a levee, to fill a cavity, or to level terrain. The soil resulting from this action is called "backfill" or "backfill material."

**Balcony:** An accessory structure consisting of a platform that is attached to the building and does not rest on the ground. Balconies may be equipped with guardrails when required by Québec's *Construction Code* or include a roof or portico. Balconies must be connected to the building.

**Basement:** The portion of a building below the ground floor, with an aboveground height of 1.5 metres or less. Basements are not considered storeys.

**Bed and breakfast:** A tourist accommodation establishment where rooms are offered for a fixed price in a private residence where the operator lives and makes available no more than 5 rooms that can hold a maximum of 15 people, and where breakfast is included on site.

**Bedroom:** A room in a building that has a door and a window, that is or may be used for sleeping purposes, and that has furniture required for that purpose, including but not limited to a bed, futon, or pull-out bed.

**Billboard:** A sign intended to advertise a product or service of a commercial nature that is not located on the property where the product or service is offered.

**Boarding house:** A building or portion of a building where rooms are available for rent and where a minimum of services, such as meals, housekeeping, and security can be provided to residents.

**Body of water:** A body of water as defined by the *Environment Quality Act* (CQLR c. Q-2).

**Boundary:** A line used to delimit a wetland, the method of which is determined in the *Regulation respecting activities in wetlands, bodies of water and sensitive areas* (CQLR c. Q-2, r. 0.1).

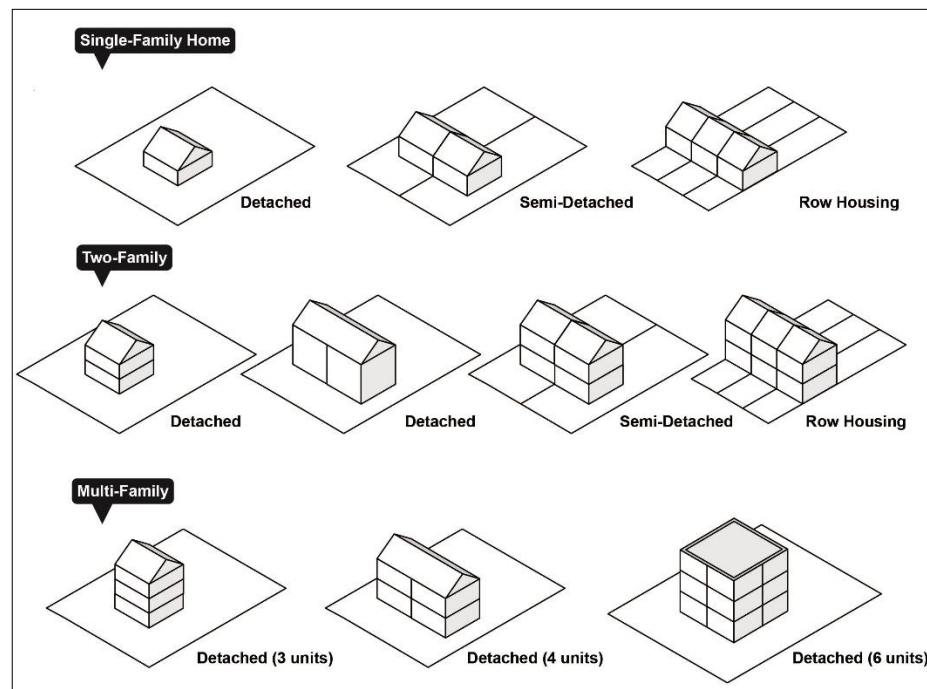
**Boundary of the littoral zone:** The line used to delimit the littoral zone and the shoreline, in accordance with the *Regulation respecting activities in wetlands, bodies of water and sensitive areas* (CQLR c. Q-2, r. 0.1).

**Building:** A complete or incomplete structure that has a roof supported on walls or columns and is intended to shelter people, animals, or property.

**Building attachment:** A building's siting in relation to other buildings. Distinctions:

1. Detached: A building set back from the lines of the lot on which it is located.
2. Semi-detached: A building located on a side lot line that shares a wall with another building on an adjacent lot.
3. Row: A building located on both side lot lines that shares walls with the buildings on the adjacent lots.

#### Illustration 1: Building attachments



**Building depth:** The distance between the front and rear walls of a building, as measured at the foundation. Projections are excluded from the calculation.

**Cadastral operation:** Any of the cadastral operations mentioned in the first paragraph of section 3043 of the *Civil Code of Québec*.



**Campground:** A tourist accommodation facility that provides ready-to-camp or campground accommodation consisting of fixed sites for tents and motorized or non-motorized recreational vehicles, as well as services.

**Canopy:** An accessory structure consisting of a small removable or permanent canvas roof hung on a wall above doors or windows to offer protection from the weather or the sun.

**Carport:** An open-sided accessory structure used to park or store one or more motor or recreational vehicles.

**Cellar:** A portion of a building below the first floor whose low height does not allow the space to be occupied for the purpose of the use, except for storage or technical purposes. As a general rule, cellars are about 1.25 metres tall. Cellars are not considered storeys.

**Chicken coop (and run):** An accessory structure used for the keeping of chickens as an accessory use. A run is a small enclosure adjacent to the coop that allows the chickens to roam freely without escaping.

**Collector street:** A street that connects developments or areas to each other or that crosses through a development or area and that connects to local streets.

**Commercial patio:** An accessory structure for a commercial establishment intended to provide an outdoor space for customers to relax or consume food and beverages. The term “commercial terrace” is synonymous with “commercial patio.”

**Community sign:** A sign intended to advertise an activity or service of a public nature that is not located on the property where the activity or service is offered (excluding real estate signs).

**Construction (act of constructing):** Work to erect a building, structure, work, or part thereof.

**Corner lot:** A lot located at the intersection of two streets.

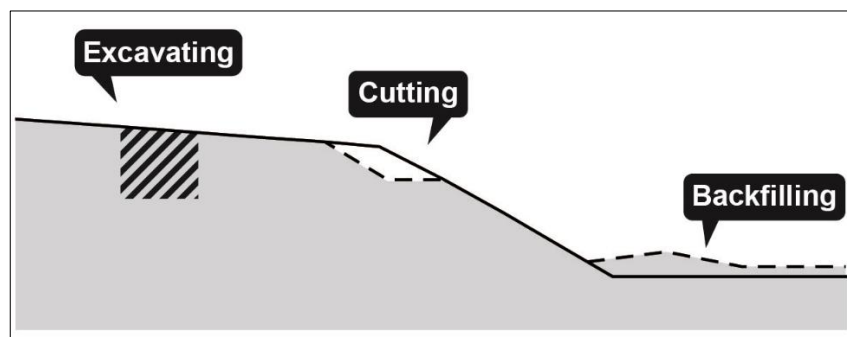
**Corner through lot:** A lot located at the intersection of three or more streets.

**Council:** The Municipal Council of the Municipality of Morin-Heights.

**Curb cut:** A space provided on a sidewalk, curb, or ditch to allow vehicles to access a lot adjacent to a street.

**Cutting and excavated material:** The act of removing land and the land removed by this action, respectively. Cutting differs from excavation in that it results in a shape that ends at a bevel to the adjacent surfaces.

#### Illustration 2: Excavation, cutting, and backfilling



**Designated official:** The director of the Town Planning and Environment Department, an inspector of the Town Planning and Environment Department, or any person designated by the Municipal Council to apply and enforce town planning by-laws.

**Detached garage:** A detached accessory building used to park or store one or more motor or recreational vehicles. Garages may also be used to store equipment related to the main use (for example, a lawnmower for a use in the Residential group).

**Directional sign:** A sign indicating a direction to follow.

**Ditch:** A common ditch, public or private road ditch, or drainage ditch referred to in subparagraphs 2 to 4 of the first paragraph of section 103 of the *Municipal Powers Act* (CQLR c. C-47.1).

**Dock:** An accessory structure located in the littoral zone of a body of water, at which one or more watercrafts may be docked.

**Domestic wind turbine:** An accessory structure intended to supply energy to the activities taking place on the land on which it is installed. Domestic wind turbines generally produce less than 50 kW of power.

**Driveway:** A space intended for vehicles to travel within a parking area between the parking space and the street.

**Dwelling, house, or residence:** A building that is intended to be lived in.

**Dwelling unit:** A self-contained room or set of rooms in a building that are designed, prepared, equipped, and built with equipment for sanitation, heating, and cooking and in which one or more people may live.

**Dying tree or tree in an irreversible state of decay:** A tree that is more than 50% dead or in a state of decay that will not allow it to survive for long.

**Eaves:** A building projection consisting of the lower portion of a roof that projects beyond the face of a wall.

**Ecocentre:** A transitional site for the deposit and sorting of bulky residual materials, residual materials that were not accepted during door-to-door collection, or hazardous household residual materials.

**Erosion:** The wear and gradual transport of soil particles by water or an atmospheric agent. Erosion is generally a slow and progressive process.

**Excavation:** The action of digging a cavity in the ground or the result of this action. Excavation differs from cutting in that it creates a hollow shape.

**Expansion:** Work to increase the area or height of a structure, building, or work, including the floor or ground area. The term “renovation” is considered a synonym and is used to define the type of activity, particularly for structures.

**Experiential accommodation:** A tourist accommodation establishment that is integrated into the natural environment and that offers a distinctive experience to tourists. Experiential accommodation differs from other accommodation establishments, including camping, due to the shape of the units and their generally limited amenities (e.g. cabin, shelter, dome). This type of accommodation takes advantage of its natural setting (e.g. by providing a see-through roof for stargazing).

**Extractive activity (extraction activity):** Includes quarries, sand pits, and all associated activities within the meaning of the *Regulation respecting sand pits and quarries* (CQLR c. Q-2, r. 7.1).

**Farm stay:** An additional use to an Agricultural main use in which tourists stay at the farmer's residence and participate in the farm's activities. For regulatory purposes, the use is considered to be a bed and breakfast.

**Fence:** An accessory construction erected for the purpose of delimiting or closing off a space. This construction is erected using an orderly assembly of finished materials authorized by the *By-Law Regarding Zoning* and is made up of posts in order to ensure its stability.

**Floodplain:** The area occupied by a lake or watercourse during flood periods. It corresponds to the geographic extent of the flooded area, the boundaries of which are established in the *By-Law Regarding Zoning*.

**Flood-proofing:** The application of measures to protect a structure, work, or development from potential flood damage.

**Floor area:** The area occupied or capable of being occupied by a use within a building. All storeys are included in the calculation of the floor area.

**Footprint or ground area:** The area of a building or structure at ground level, calculated based on its exterior surface. For the calculation:

1. For buildings, the footprint is measured from the foundation walls or from overhangs by calculating their equivalent area on the ground. Projections are excluded from the calculation.
2. For structures, the footprint is measured from the ends of the structure or from overhangs by calculating their equivalent area on the ground.

**Foundation:** All the lower or underground parts of a structure that constitute the support of the superstructure by transmitting its loads to the ground. Foundation types are defined in the *By-Law Regarding Construction*.

**Front wall:** A main wall of a building that largely faces the street. If a lot is adjacent to two or more streets, the front wall shall be the main wall where the main entrance of the building is located. If a portion of the front wall, located at either end of the wall, is set back more than 50% of the depth of the building, that portion is not considered part of the front wall.

**Gallery:** An accessory structure consisting of a platform attached to the building that rests on the ground and is accessible by the exterior steps. A gallery may include a guardrail, a roof, or eaves. It is connected to the building.

**Garden level:** A basement of which part of the floor and walls is located below the level of the surrounding ground over more than 50% of its perimeter. The completely unobstructed wall must have an opening onto a habitable space inside the building (e.g. bedroom, living room), which excludes storage space.

**Garden pavilion:** An open accessory structure consisting of a temporary or permanent seasonal shelter, resting directly on the ground or on a structure such as a patio or gallery. The shelter consists of a roof resting on posts, with open sides. The sides may be closed with retractable covers or mosquito nets. Garden pavilions include sun shelters, mesh tents, and pergola-type structures.

**Gate:** An accessory structure that opens and closes to allow vehicles to pass through. Gates are typically continuous with a fence or low wall.

**Gross density:** The total number of dwelling units within a zone or site divided by the number of hectares in that zone or site, including those occupied by streets and any land used for public or institutional purposes.

**Ground floor:** The highest storey whose floor is no more than 1.5 metres above ground level.

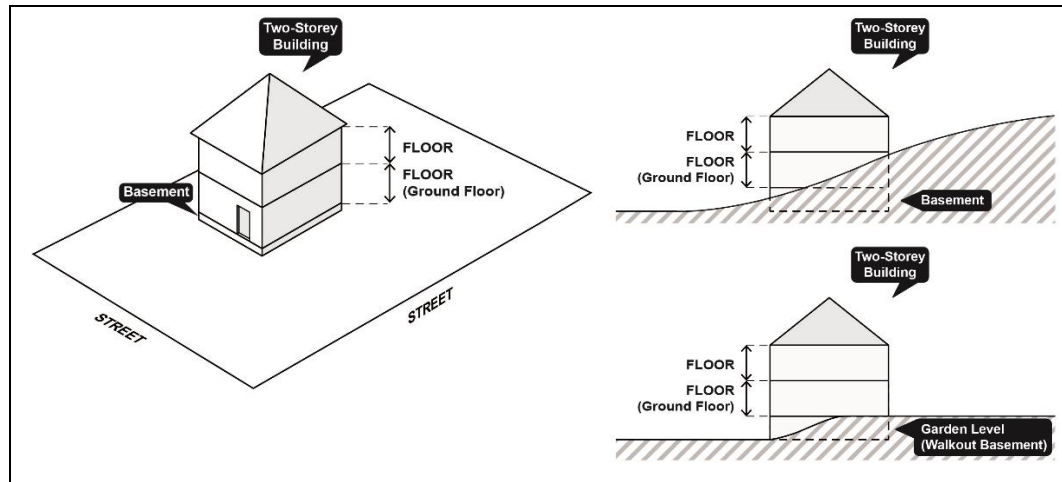
**Ground level:** The elevation of the geodetic datums of a piece of land after levelling and development.

**Guest house:** An additional use to a Residential main use that is intended for the occasional accommodation of guests of the owner or occupant of the main dwelling unit (residence). Guest houses are accessory buildings with only one bedroom and one bathroom. They are not intended to be permanently occupied or rented as tourist accommodations.

**Hedge:** A continuous planting of shrubs or small coniferous trees that are compact or tightly packed enough to form a screen.

**Height of a building or structure in storeys:** The number of storeys in a building or structure.

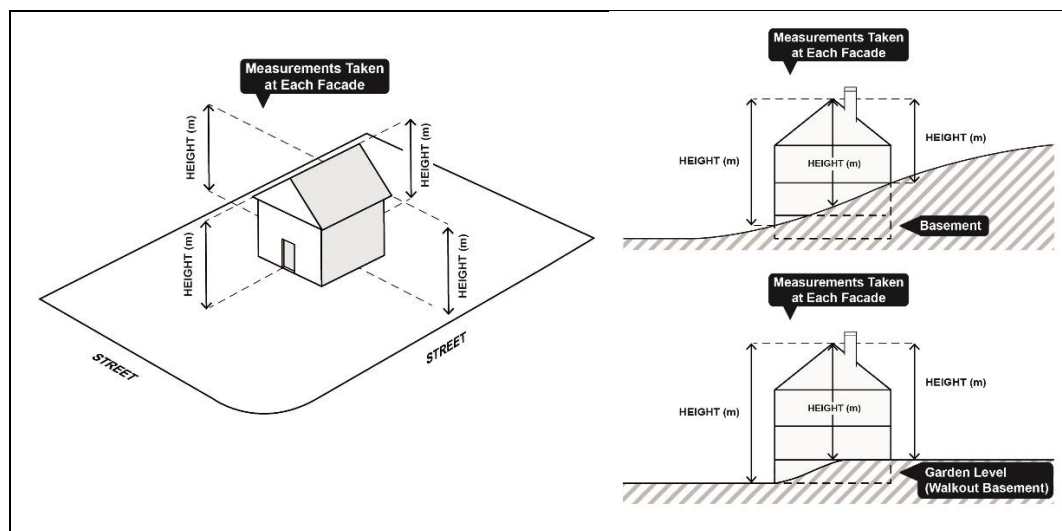
**Illustration 3: Calculation of the height of a main building, in storeys**



**Height of a building or structure in metres:** The distance in metres measured vertically from the lowest point at ground level to the highest point of the building or structure. For the calculation:

1. Buildings: The height shall be measured at each main wall and the greatest height shall be used for the application of the height limit in the *By-Law Regarding Zoning*. The height limit applies to all main walls. However, projections of a building that surpass the ridge of the roof or the highest point of a flat roof (including the parapet) are excluded from the calculation.
2. Structures: The height shall be measured at each side or extremity and the greatest height shall be used for the application of the height limit in the *By-Law Regarding Zoning*. The height limit applies to all sides and extremities of the structure.

**Illustration 4: Calculation of the height of a building, in metres**



**High-velocity zone:** The part of a floodplain that may be flooded during a 20-year flood event.

**Hobby farm:** Additional use to a Residential main use that involves keeping and raising a limited number of farm animals. This use may not involve the breeding or sale of animals.

**Home greenhouse:** An accessory building used to grow plants and produce for personal, rather than commercial, use.

**Hotel establishment:** A tourist accommodation establishment where accommodation is offered in rooms and suites with self-catering facilities, including daily reception and housekeeping services as well as all other hotel services.

**Identification sign:** A sign indicating the contact information of the occupant of the building in which it is located or the purpose of that building, without making reference to a product or service.

**Intergenerational dwelling unit:** An additional use consisting of a dwelling unit created within a main dwelling unit (residence) that meets the definition in subparagraph 3.1 of the second paragraph of section 113 of the *Act respecting land use planning and development* (CQLR c. A-19.1).

**Integrated project:** A grouping of two or more main buildings on the same lot. These buildings and structures are sited based on an overall development concept, characterized by a certain architectural homogeneity, and may share certain outdoor spaces, services, or facilities. The buildings are either owned by the same owner, leased to different occupants, or owned through a co-op.

**Interior lot:** A lot other than a corner lot, a through lot, or a corner through lot.

**Junkyard and scrap yard:** Any open-air or indoor space for the trade, salvage, or storage of scrap metal, used vehicle parts, car bodies, junked vehicles, or any other bulky waste.

**Kennel:** A use for which the primary activity is the breeding of dogs for sale. This use may also include temporary accommodation for stray or abandoned animals.

**Lake:** An inland body of water. Lakes may be of natural or artificial origin.

**Land or property:** A lot.

**Land-to-building ratio:** The percentage of a lot on which a main building is or may be built.

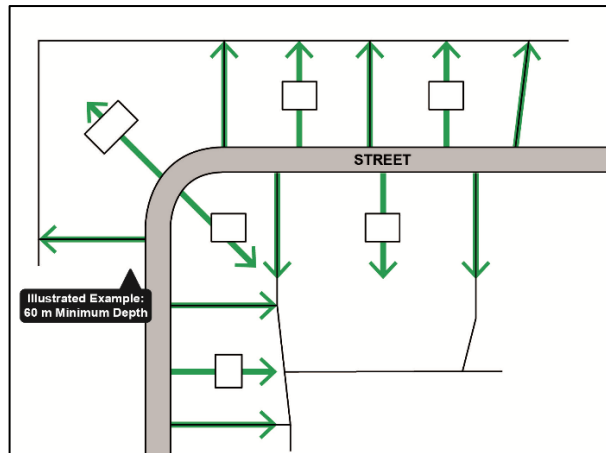
**Limit of the littoral:** Line used to delimit the littoral and the shore in application of the methods provided for in the Regulation respecting activities in wetlands, bodies of water and sensitive areas (RLRQ, c. Q-2, r.0.1).

**Littoral zone:** The part of a lake or watercourse that extends from the shoreline to the centre of the body of water.

**Local street:** A street other than a collector street.

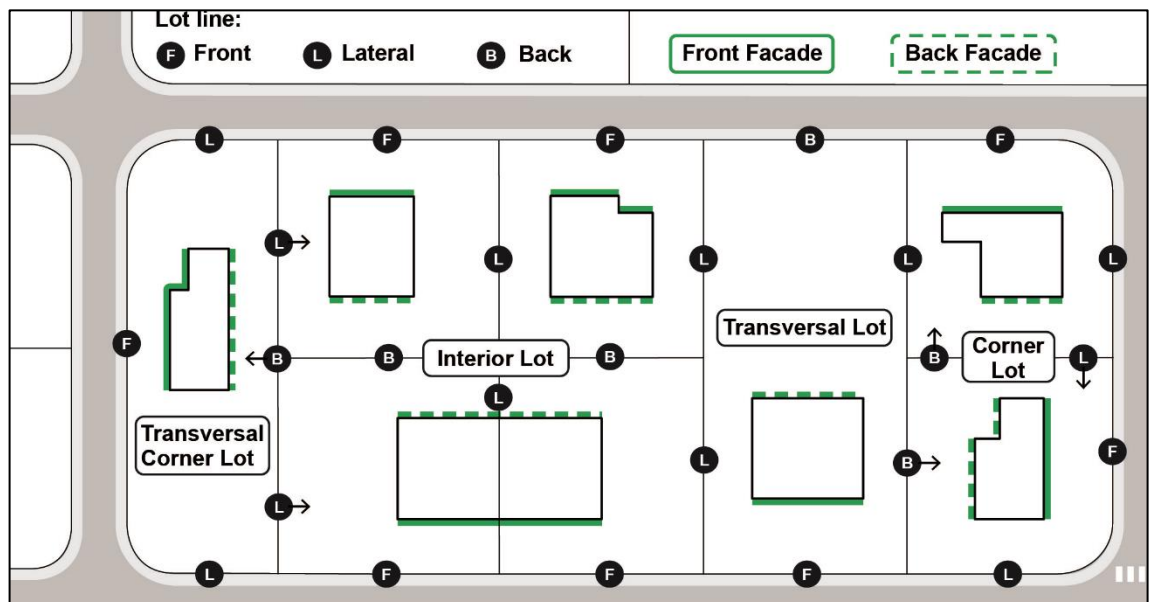
**Location plan:** A plan showing the location of all buildings or other structures in relation to property lines.

**Lot:** Land marked and delineated on an official cadastral map. **Lot depth:** The distance measured from the front lot line to the back lot line along each side lot line and the distance measured from the centre of the front lot line inward. The minimum depth applies to all three of these measurements.

**Illustration 5: Lot depth**

**Lot line:** The line used to mark the edges of a lot. Distinctions (sketches take precedence):

1. Front lot line: The line separating a lot from the street. For corner lots, through lots, and corner through lots, the line facing the front wall of the main building is considered the front lot line. In the absence of a main building, the front lot line is either of the lines separating the lot from the street.
2. Back lot line: The line opposite the front lot line that connects to the side lot lines.
3. Side lot line: A line that connects the front and back lot lines.

**Illustration 6: Lots and lot lines**

**Low-velocity zone:** The part of a floodplain beyond the high-velocity zone that may be flooded during a 100-year flood event.

**Low wall:** An accessory structure that is a small wall, built or erected for decorative purposes or to delineate spaces.

**Main building:** A building in which a main use takes place or, in the case of a main use that primarily takes place outdoors (such as farming or golf), a building in which part of a main use takes place.

**Main use:** Main use of land, a building or a construction.

**Main wall:** An exterior face or wall of a building that may have one or more projections, setbacks, or angles from the main axis of the wall.

**Mezzanine:** The level between the floor and ceiling that does not exceed 40% of the area of the storey located below.

**Ministère de l'Environnement:** Refers to the Ministère de l'Environnement et de la Lutte contre les changements climatiques, or any other name by which the Ministère goes.

**Mobile home:** A main building, occupied for residential purposes, that is prefabricated and attached to a frame. It is designed to be moved by motor vehicle to its intended permanent location in compliance with the *By-Law Regarding Construction*.

**Municipality:** The Municipality of Morin-Heights

**Natural area or area to be kept in a natural state:** Land or part of the land composed of all three strata of vegetation, i.e., trees, shrubs, and herbaceous species. Grass is not considered an herbaceous species.

**Net density:** The total number of dwelling units on a hectare of land for residential purposes, excluding streets and land used for public or institutional purposes.

**Occupation:** The act of living in, using, or making use of a building or land.

**Outdoor display:** A display of goods outdoors either for sale, promotion, or to draw attention.

**Outdoor storage:** The act of leaving on a lot or on a structure any natural or manufactured thing, including but not limited to objects, solid or liquid products, goods, vehicles, and wood.

**Overhang:** A part of a building or structure that is not directly supported by an element on the ground.

**Parc linéaire du Corridor aérobique:** Park on a former Canadian Pacific Railway, bounded by lots.

**Partially serviced lot:** A lot served by a public or private water or sewer system approved by the Ministère de l'Environnement. To be considered partially serviced, at least 3 metres of the lot's width must be located in front of the water or sewer infrastructure.

**Parking area:** An area constructed and developed for the parking of motor vehicles. Parking areas include parking spaces and aisles (considered "driveways" for the purposes of municipal by-laws).

**Parking space:** A space located within a parking area that is designated for a vehicle to park.

**Patio:** An accessory structure consisting of a platform on the ground. It is distinguished from a gallery by its maximum height at ground level, which is prescribed in the *By-Law Regarding Zoning*.

**Pet sitting and boarding:** A use whose main activity is to provide temporary accommodation for pets, such as dogs or cats. This use does not include the breeding or sale of animals or the boarding of stray or abandoned animals.

**Pool:** An accessory structure that meets the definitions in the *Residential Swimming Pool Safety Regulation* (CQLR c. S-3.1.02, r. 1). Pool installations include the pool and all equipment, structures, systems, and appurtenances intended to ensure the proper operation of the pool, the safety of persons, or to allow or prevent access to the pool. A pool may be inground, semi-inground, aboveground, or portable as defined in the *Residential Swimming Pool Safety Regulation* (CQLR c. S-3.1.02, r. 1). If a pool is installed inside a building, it is not considered an accessory structure, but rather part of the main building.

**Pool house:** An enclosed accessory building detached from the main building used to house pool equipment and to provide amenities such as a toilet, a shower, or a changing room. Facilities such as a spa or sauna may be installed inside the building.

**Portico:** An accessory structure, attached to a building, consisting of a roof overhang supported on posts.

**Principal residence:** A tourist accommodation establishment where accommodation is offered in the operator's principal residence by means of a single reservation, to a person or a single group of related persons at a time. No meals are served on the premises. It is the residence where an individual usually lives and where they centralize their family and social activities, and whose address corresponds to the one the individual gives to most government ministries and agencies.

**Private street:** A street that has not been given to the municipality or to a government.

**Professional:** A person who is a member of a professional order within the meaning of the *Professional Code* (CQLR c. C-26).

**Projection:** A part of a building or structure that projects beyond a main wall, such as a window, chimney, eaves, or architectural element (cornice, coping, etc.).

**Public street:** A street owned by the municipality or government.

**Public utilities:** Services, equipment, and infrastructure related to energy, communications, water supply and treatment, or any other service, equipment, or infrastructure serving the population.

**Real estate sign:** A sign on the site of a real estate project indicating its name (e.g., "La Montagne"), without referring to a product or service.

**Rear wall:** A main wall of a building that is opposite the front wall and largely faces the back yard. If a portion of the rear wall, located at either end of the wall, is set back more than 50% of the depth of the building, that portion is not considered part of the rear wall.

**Reconstruction:** Work to rebuild a building, structure, work, or part thereof that has been demolished or destroyed. Substantial work on a building, structure, work, or part thereof is considered reconstruction if the existing part has been demolished or destroyed and:

1. Once the work is completed, the building, structure, work, or part thereof can be considered a new entity; and
2. The work involves the transformation of one or more walls (or parts thereof) over 50% or more of the total surface area of the main walls.

The terms "replacement" and "rebuilding" are synonymous with "reconstruction." In addition, when town planning by-laws use the term "construction" (for example, "the construction of a building"), it is implied that this term includes the term "reconstruction."



**Recreational vehicle:** Includes:

1. Wheeled vehicles: Vehicles for living, staying, camping, or sleeping in, such as motor homes, caravans, tent trailers, trailers, or any movable structure on wheels; and
2. Off-road vehicles: Motorized or non-motorized off-road vehicles that are designed to be used for recreational purposes, such as boats, watercraft, snowmobiles, all-terrain vehicles, and similar vehicles, including their trailers.

**Renovation:** Work to improve a building, structure, or work, including the repair and replacement of foundations without expanding them. The terms “maintenance” and “repair” are synonymous with “renovation.”

**Resort:** A tourist accommodation establishment where accommodation is offered for a fixed price, and that offers food services or self-catering services, recreational activities, or entertainment services, as well as leisure facilities and equipment.

**Retaining wall:** An accessory structure erected on the land that is required and designed to retain or support backfill, existing soil, or a portion of the land. If the wall is not designed to retain or support, it is considered a low wall.

**Riparian corridor:** A strip of land 300 metres on every side of a lake and 100 metres on either side of a watercourse, measured perpendicular to the boundary of the littoral zone.

**Roadway:** Any public or private place or structure used for motor vehicle traffic.

**Rooming and boarding house:** Building or part of a building where rooms are rented for people in need of assistance on site, such as psychological support, care, meals or supervision.

**Sanitation cutting:** The felling or harvesting of dead, dying, diseased, stunted, or damaged trees in a stand.

**Sauna:** An enclosed accessory structure (with walls and roof) housing a steam bath.

**Septic system:** All wastewater treatment and purification elements according to the *Regulation respecting wastewater disposal systems for isolated dwellings* (CQLR c. Q-2, r. 22).

**Serviced lot:** A lot served by a public or private water and sewer system approved by the Ministère de l'Environnement. To be considered serviced, at least 3 metres of the lot's width must be located in front of the water and sewer infrastructure.

**Set-back:** The distance measured perpendicularly from any point of a lot line. Distinctions (sketches take precedence):

1. For interior lots:
  - a) Front set-back: The distance measured from the front lot line that extends from one side lot line to the other.
  - b) Rear set-back: The distance measured from the back lot line that extends from one side lot line to the other.
  - c) Side set-back: The distance measured from the side lot line that extends from the front set-back to the rear set-back.
2. For corner lots:
  - a) Front set-back: The distance measured from the front lot line that extends from one side lot line to the other. If a building's front wall faces more than one street, the front set-back starts at the front and side lot lines and extends from the side lot line to the back lot line.
  - b) Rear set-back: The distance measured from the back lot line that extends from one side lot line to the end of the side set-back.

- c) Side set-back: The distance measured from the side lot line that extends to the ends of the front and rear setbacks.

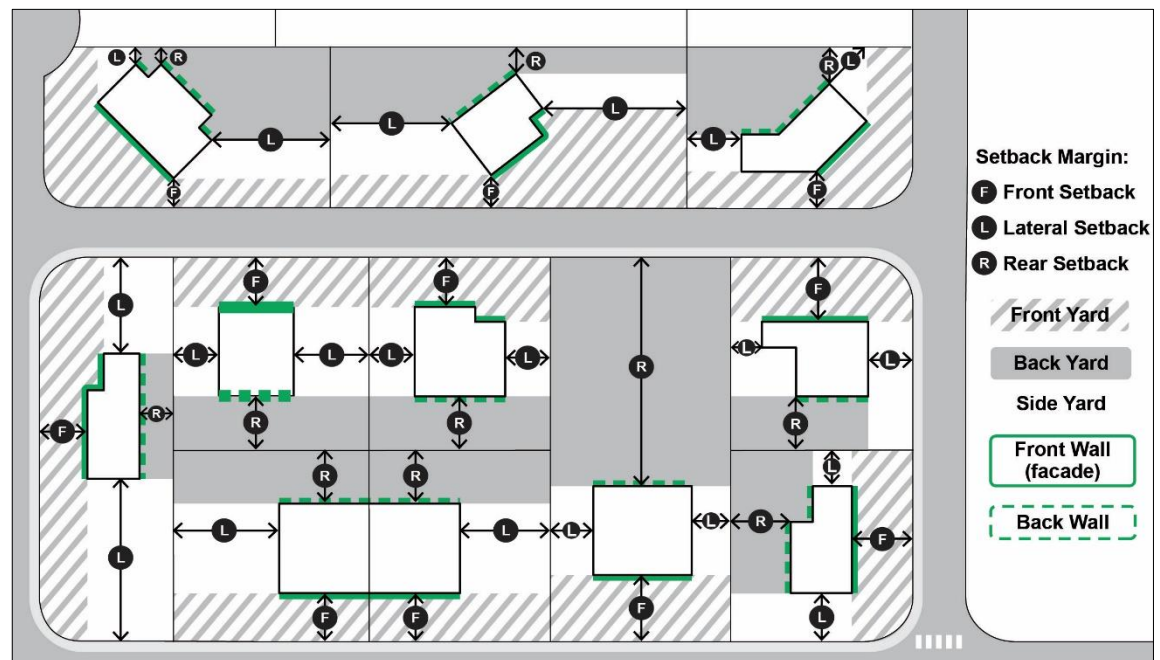
3. For through lots:

- a) Front set-back: The distance measured from the front lot line that extends from one side lot line to the other.
- b) Rear set-back: The distance measured from the back lot line that extends from one side lot line to the other.
- c) Side set-back: The distance measured from the side lot line that extends from the front set-back to the rear set-back.

4. For corner through lots:

- a) Front set-back: The distance measured from the front lot line that extends from one side lot line to the other.
- b) Rear set-back: The distance measured from the back lot line that extends to the end of the side setbacks.
- c) Side set-back: The distance measured from the side lot line that extends from the end of the front set-back to the back lot line.

**Illustration 7: Setbacks**



**Set-back – Calculation for the siting of buildings:** A setback is measured from the foundation wall or overhang but does not include projections and accessory structures attached to the building.

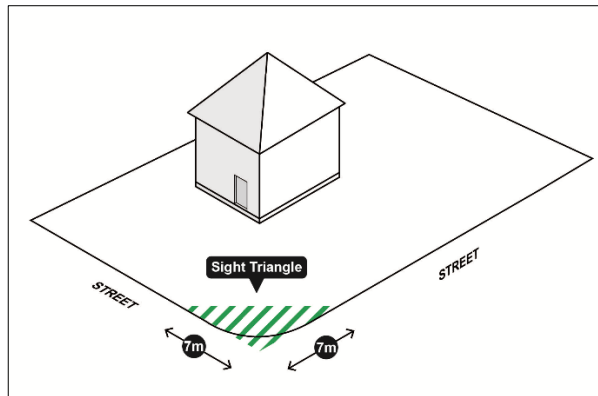
**Side wall:** A main wall of a building located between the front and rear walls.

**Shed:** An accessory building used to store frequently, or occasionally used items related to the main use.

**Shoreline:** A portion of land bordering a lake or watercourse, the width of which, as determined in the *By-Law Regarding Zoning*, is measured horizontally from the boundary of the littoral zone inland.

**Sight triangle:** A triangular space at the intersection of two streets, two sides of which, measured from the point where the lines meet, are of the length required by law.

#### Illustration 8: Sight triangle



**Sign:** Any structure, writing, pictorial representation, emblem, flag, or other object, shape, painting, or light source that is located on the exterior of a building or structure and that is intended to warn, inform, announce, or advertise regarding product, service, or information.

**Site plan:** A plan showing an up-to-date survey including proposed and existing structures, if any, and their locations. Levels, distances, areas, etc. must be indicated and to scale.

**Slope** (calculation of): Slope calculated from the reference surface given to the item concerned, for example, the terrain or the plateau.

**Solar panel:** An accessory structure consisting of a device that transforms solar energy into electrical energy and is intended to supply energy for activities on the lot on which it is installed.

**Spa:** An accessory structure consisting of a whirlpool or hot tub with a capacity of no more than 2,000 litres. If a spa is installed inside a building, it is not considered an accessory structure, but rather part of the main or accessory building.

**Stand:** An open accessory structure that may have a roof and is used to present products for sale or display.

**Stoop:** A small gallery.

**Storey:** The space in a building between the top surface of a floor and that of the floor located immediately above or, in its absence, by the ceiling above, excluding a mezzanine.

**Street:** A roadway for motor vehicles. The terms “road” and “highway” are synonymous with the term “street.”

**Street line (or street right-of-way line):** The line used to mark the edges of a street.

**Structure:** Any assembly of materials joined together to form an element connected to the ground or attached to a structure connected to the ground. Structures may be used for shelter, support, reinforcement, or other similar purposes.

**Subdivision:** Any parcelling of land done with the help of a cadastral map.

**Subdivision plan:** A plan showing a proposed division or subdivision of a lot.

**Sunroom:** A portion of a main building composed of large, windowed walls. Sunrooms are heated and intended to be used year-round. If a sunroom is built on a balcony or gallery, it is considered part of the main building. Sunrooms lead directly into the building through an entry between the two spaces.

**Temporary building:** A fixed or mobile building that is erected or installed for a special purpose and for a set amount of time related to that purpose.

**Temporary sign:** A sign that is not permanent or that can be easily transported or moved. Temporary signs are used to announce projects, events, and activities that are largely temporary in nature.

**Through lot:** An interior lot with frontage on two streets.

**Tourism residence:** A tourist accommodation establishment, other than a principal residence, where accommodation is offered in furnished houses or chalets, including a self-catering service.

**Tourist accommodation establishment:** Establishment defined by the *Tourist Accommodation Act* (SQ, 2021, c. 30) as “an establishment in which at least one accommodation unit, such as a bed, room, suite, apartment, house, cottage, ready-to-camp unit, or campsite, is offered for rent to tourists, in return for payment, for a period not exceeding 31 days.”

**Town planning by-law or regulations:** Refers to all by-laws adopted by the municipality under Chapter IV of the *Act respecting land use planning and development* (CQLR c. A-19.1).

**Trailer:** A transportable structure attached to a chassis that has been prefabricated in a factory or workshop. Trailers are designed to be self-propelled or moved on their own wheels by a motor or recreational vehicle and are intended to provide shelter for persons during short recreational trips.

**Transformation:** Work carried out inside a building that affects the structure of the building such as the movement or removal of a wall or floor (or part thereof), resulting in the creation of openings in walls or an increase in the floor area without expanding the building.

**Tree:** Any woody plant with a trunk diameter greater than 10 centimetres measured 1 metre from the ground or when the diameter of the stump is more than 15 centimeters.

**Tree felling (tree cutting):** An operation that consists of cutting the trunk of a tree at a certain height. The removal of 50% of the living branches or roots of a tree or any operation which results in the short- or long-term death of a tree is also considered felling.

**Unserviced lot:** A lot that is not served by a water or sewer system.

**Urban boundary:** The planned limit of urban uses as defined by the RCM of Les Pays-d'en-Haut's land use and development plan. The urban boundary is identified on the zoning map appended to the *By-Law Regarding Zoning*.

**Use:** The purpose for which a building, structure, facility, premises, land, or part thereof is (or is intended to be) used or occupied.

**Use, accessory:** A use that is subordinate to the main use, that is a normal and logical extension of it, and that contributes to its utility, convenience, and enjoyment. An accessory use may only take place on land or in a building or structure that is secondary to a main use or in a manner that is secondary or accessory to a main use.

**Use, additional:** A use that is subordinate to and different from the main use, but not an accessory use. For example, it could be a business office in a home or a retail space in a factory.

**Use, main:** The main purpose for which a building, structure, or property is used.

**Use, mixed:** Describes the authorization of two main uses in the same building, one of which is part of the Residential group.

**Use, multiple:** Describes the authorization of two or more main uses on the same lot or in the same building, none of which is part of the Residential group.

**Use, temporary:** A use that may be authorized for a specific period of time.

**Veranda:** An accessory structure that is attached to the main building and rests on a gallery, a balcony, part of a roof below the main building roof, or the ground. Verandas have roofs and the walls are made of glass, canvas, or screens. They are not heated or insulated and are mostly used in the summer. Verandas are connected to the building through a door. If the space is heated, insulated, or is not separated from the main building by a door (like a sunroom), it is considered part of the main building.

**Watercourse:** Any body of water that flows in a bed permanently or intermittently, including a body of water created or modified by humans, except a ditch as defined in this section. In forest environments that are in the domain of the State, watercourses are defined by the *Regulation respecting the sustainable development of forests in the domain of the State* (CQLR c. A-18.1, r. 0.01).

**Waterfront lot:** A lot that is located partially or fully within the shoreline of a lake or watercourse.

**Wetland:** A wetland as defined by the *Environment Quality Act* (CQLR c. Q-2).

**Wetland buffer strip:** A portion of land bordering a wetland, the width of which, as determined in the *By-Law Regarding Zoning*, is measured horizontally from the boundary of the wetland extending inland.

**Width of a building:** The distance between the side walls of a building, as measured along the front wall of the building, including the foundation. Projections are excluded from the calculation.

**Width of a lot:** Continuous distance calculated at the front line of a lot between the lateral lines of a lot.

**Wood shed:** An accessory structure with a roof, partially open on one or more sides, used to store firewood for personal use.

**Wooded strip:** A space developed in accordance with the *By-Law Regarding Zoning*.

**Work:** Any intervention that changes the condition of a lot.

**Yard:** Space on a lot that is not occupied by a main building. Distinctions (sketches take precedence):

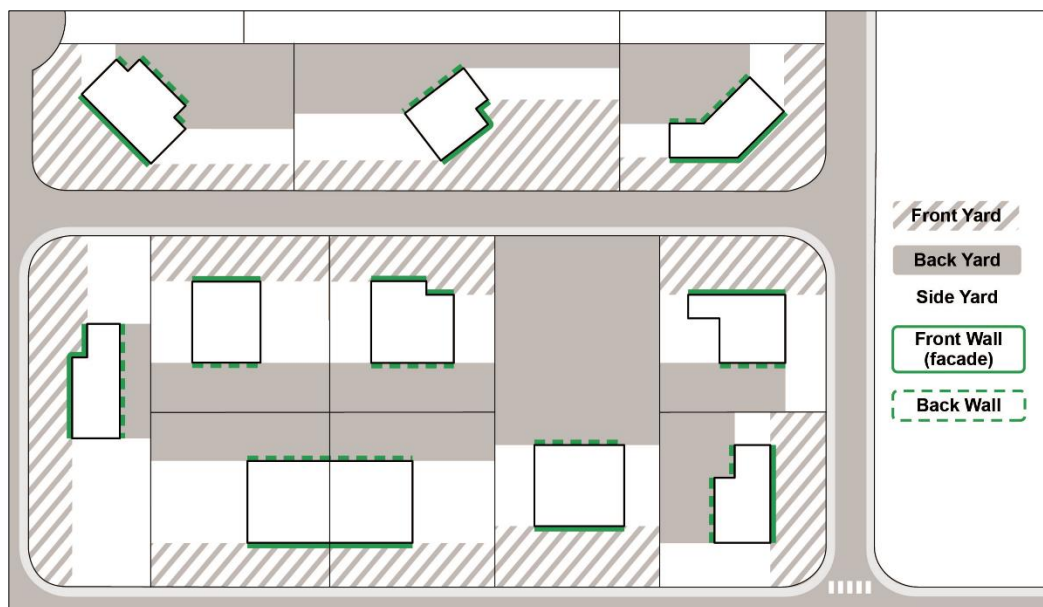
1. For interior lots:

- a) Front yard: The space between the front wall of the main building and the front lot line. The front yard extends the full width of the lot, along the imaginary extension from each end of the front wall to the side lot lines.
- b) Back yard: The space between the rear wall of the main building and the back lot line. The back yard extends the full width of the lot, along the imaginary extension from each end of the rear wall to the side lot lines.
- c) Side yard: The remaining space between the front and back yards of the lot.

2. For corner lots:

- a) Front yard: The space between the front wall of the main building and the front lot line. The front yard extends the full width of the lot, along the imaginary extension from each end of the front wall to the side lot lines. If the front wall faces more than one street, the front yard extends the full width of the lot and the depth of the lot adjacent to the other street in the imaginary extension, at an angle, from each end of the front wall to the side and back lot lines.
- b) Back yard: The space between the rear wall of the main building and the back lot line. The back yard extends over the portion of the lot formed by the imaginary extension of the rear wall to the side lot line and the imaginary extension of the side wall facing the second street to the back lot line. If the front wall faces more than one street, the back yard extends over the portion of the lot formed by the imaginary extension, at an angle, of the rear wall to the side and back lot lines.

- c) Side yard: The remaining space between the front and back yards of the lot.
3. For through lots:
- a) Front yard: The space between the front wall of the main building and the front lot line. The front yard extends the full width of the lot, along the imaginary extension from each end of the front wall to the side lot lines.
  - b) Back yard: The space between the rear wall of the main building and the back lot line. The back yard extends over the portion of the lot formed by the imaginary extension of the side wall to the back lot line and from each end of the rear wall to the side lot lines.
  - c) Side yard: The remaining space between the front and back yards of the lot.
4. For corner through lots:
- a) Front yard: The space between the front wall of the main building and the front lot line. The front yard extends the full width of the lot, along the imaginary extension from each end of the front wall to the side lot lines.
  - b) Back yard: The space between the rear wall of the main building and the back lot line. The back yard extends over the portion of the lot formed by the imaginary extension of the side walls to the back lot line.
  - c) Side yard: The remaining space between the front and back yards of the lot.

**Illustration 9: Yards**

## **CHAPTER II: PROVISIONS RELATING TO PERMITS AND CERTIFICATES**

### **DIVISION A – GENERAL PROVISIONS**

#### **18. Requirement to obtain a permit or certificate**

Any person who wishes to undertake any work or begin any use that requires a permit or certificate under this by-law must obtain that permit or certificate from the designated official before the work or use begins.

#### **19. Filing of a permit or certificate application**

Permit or certificate applications shall be submitted to the designated official as one (1) hard copy and one (1) digital (PDF) copy.

If an applicant for the permit or certificate is not the owner of the building, structure, or land to which the application relates, they must submit a signed mandate from the owner authorizing them to submit an application, or to carry out the intervention concerned, by request.

#### **20. Tariffs**

An applicant for a permit or certificate must pay certain tariffs.

The tariffs for permits and certificates are set out in the *By-Law Regarding Taxes, Tariffs, Service and Compensation Costs*.

These tariffs are non-refundable, even if the permit or certificate is denied.

#### **21. Completion**

An application for a permit or certificate is considered complete when all required plans and documents have been filed and the tariff (fee) for the permit or certificate has been paid.

#### **22. Time limit for issuance of a permit or certificate**

Once an application for a permit or certificate has been completed, the designated official must issue the permit or certificate within 45 days. If the application is subject to a by-law that requires a resolution of the Municipal Council or a decision of the Demolition Committee, this period begins upon their receipt of a copy of the resolution or decision.

If the application for a permit or certificate is non-compliant, the designated official must refuse to issue the permit or certificate. They must notify the applicant in writing, within 45 days of a complete application being filed, of the reasons for the rejection.

#### **23. Suspended applications**

If the plans and documents provided by an applicant are inaccurate, erroneous, insufficient, or non-compliant, the designated official shall notify the applicant that the analysis and the timeframe for the rejection or issuance of the permit or certificate are being paused for 90 days so that the applicant can provide accurate, corrected, sufficient, and compliant documents for analysis.

After 90 days, if the plans and documents have not been sent, the permit or certificate application shall be cancelled and a new application will need to be submitted to the designated official.

**DIVISION B – MANDATORY PERMITS AND CERTIFICATES****24. General provisions**

The following table identifies whether a subdivision permit, building permit, or certificate of authorization is required for a given activity, as well as the length of time the permit or certificate is valid once issued. The duration of validity means that the work must be completed within that timeframe.

**Table 1: Required permits and certificates and duration of validity**

SP: subdivision permit; BP: building permit; CA: certificate of authorization

Activity	Permit or certificate	Duration of validity
1. Cadastral operation for a street	SP	N/A
2. Cadastral operation for a lot	SP	N/A
3. Construction of a main building	BP	12 months
4. Expansion of a main building	BP	12 months
5. Construction of an accessory building	BP	12 months
6. Expansion of an accessory building	BP	12 months
7. Transformation of a main building	BP	12 months
8. Transformation of an accessory building	BP	12 months
9. Interior renovation of a main building (see note 1)	CA	12 months
10. Interior renovation of an accessory building (see note 1)	CA	12 months
11. Exterior renovation of a main building (see note 2)	CA	12 months
12. Exterior renovation of an accessory building (see note 2)	CA	12 months
13. Relocation of a main building (see note 3)	CA	6 months
14. Relocation of an accessory building (see note 3)	CA	6 months
15. Demolition of a main building	CA	6 months
16. Demolition of an accessory building	CA	6 months
17. Change of use or addition of a new use (except a use in the Residential group)	CA	N/A
18. Addition of an additional use to a main use in the Residential group	CA	N/A
19. Addition of an additional use to a main use in the Commercial, Industrial, Public, or Agricultural groups	CA	N/A
20. Temporary use: temporary sale of produce and horticultural products; temporary food trucks	CA	As indicated in the <i>By-Law Regarding Zoning</i>
21. Construction or expansion of any of the following accessory structures (for uses in any group): gallery, balcony, or stoop; portico, awning, or canopy; stairway, ramp, or accessibility structure for persons with reduced mobility leading to a building; veranda; detached carport; garden pavilion; fence (including entrance gate); low wall; retaining wall;	CA	12 months



Activity	Permit or certificate	Duration of validity
22. Construction, installation, or replacement of a pool	CA	6 months
23. Construction or expansion of the following accessory structures for uses in the Commercial, Industrial, Public, or Agricultural group: commercial patio; shelter or stand for equipment rental, customer service, or similar activities; structure required for an agricultural use or its additional use	CA	12 months
24. Replacement of a solid combustion appliance by an appliance authorized in the Building By-law	CA	12 months
25. Installation or replacement of a masonry fireplace	CA	12 months
26. Installation of a temporary building or structure for a construction site and sales office or following a fire or during work on another building related to the main use; installation of a temporary stand for the sale of produce, or horticultural or agricultural products	CA	3 months
27. Development of a parking area, including repaving	CA	12 months
28. Development of a loading and unloading area	CA	12 months
29. Creation of a curb cut	CA	12 months
30. Installation, alteration, or replacement of a sign that requires a CA under Division X of the <i>By-Law Regarding Zoning</i>	CA	6 months
31. Felling of a tree	CA	6 months
32. Sanitation cutting in a stand of 4 ha or more	CA	12 months
33. Cutting and backfilling	CA	6 months
34. Any structure or work on a shoreline or in a littoral zone, floodplain, or wetland (note 4)	CA	6 months
35. Any structure or work in the Parc linéaire du Corridor aérobique	CA	12 months
36. Creation of a culvert	CA	12 months
37. Construction of a street	CA	12 months
38. Construction of a vehicular lane (integrated project)	CA	12 months
39. Construction of a driveway for an experiential accommodation use, a resort, or a campground	CA	12 months
40. Creation of animal waste disposal works for farm animals, stables, and equestrian centres	CA	6 months
41. Installation of a mobile home	CA	6 months
42. Installation of a septic system, when required by the <i>Regulation respecting wastewater disposal systems for isolated dwellings</i> (CQLR c. Q-2, r. 22)	CA	12 months
43. Installation of a groundwater withdrawal system, including a geothermal system (siting, substantial modification, splitting, sealing, or replacement)	CA	12 months

Notes for the table above:

(1) The following interior renovations require certificates of authorization:

1. Work resulting in a bedroom addition
  2. Work required for an additional use
  3. Work required for a change of use
  4. Work on a main or accessory building whose value before taxes, including materials and labour, is greater than \$5,000
- (2) The following exterior renovations require a certificate of authorization (for alterations, additions, or replacements):
1. Foundation, exterior walls, and roof
  2. Exterior siding, excluding paint or stain
  3. Openings
  4. Work on a main or accessory building whose value before taxes, including materials and labour, is greater than \$5,000
  5. Work subject to the *By-Law Regarding Site Planning and Architectural Integration Programs*
- (3) A building permit is also required for the placement of a relocated building on another lot or the same lot.
- (4) Certificates of authorization are not required for structures or works related to forest management activities that are subject to the *Sustainable Forest Development Act* (CQLR c. A-18.1) and its implementing regulations.

## **25. Renewal of permits and certificates**

Building permits and certificates of authorization may be renewed under the following conditions:

1. The application for renewal has been submitted to the designated official before the validity period, as indicated in the table for this division, has ended;
2. Only one renewal is allowed per permit or certificate application;
3. The validity period for the renewal of a permit or certificate is one half of the period indicated in the table for this division;
4. If changes are planned to the authorized work, the required plans and documents must be resubmitted.

## DIVISION C – REQUIRED PLANS AND DOCUMENTS

### 26. Required plans and documents *(Modified by By-law 672-2023 – August 23, 2023)*

Applicants for permits and certificates must submit all plans and documents required under this by-law to the designated official.

Any plans required for an application for a permit or certificate must follow professional best practices and include, at minimum: the title of the plan, the name of the designer, the scale of the plan, the direction of north, and the dates the plan and any amendments were made. The measurements in plans must be in metric units.

If more than one plan is required under the following table and these plans can be produced by the same author, only one plan may be submitted to the designated official.

It is up to the designated official to determine whether certain plans and documents are not required to evaluate compliance with the town planning by-laws, depending on the context.

**Table 2: Plans and documents required, by type of permit or certificate**

SP: subdivision permit; BP: building permit; CA: certificate of authorization

Required plans and documents	Type of permit or certificate
1. Form signed and completed by the applicant	SP, BP, CA
2. Name and contact information of the applicant, the mandatary, and the professionals involved	SP, BP, CA
3. Name and contact information of the contractor, including their Régie du bâtiment du Québec license number	BP, CA
4. Description of the current use and existing structures on the property	SP, BP, CA
5. Plan of the cadastral operation, completed and signed by a land surveyor and including, but not limited to, the information necessary to establish compliance with the <i>By-Law Regarding Subdivision</i> . In addition, the plan must show existing and proposed buildings and structures, easements, and the boundaries of adjacent lots and streets. Where applicable, the plan must identify the areas to be transferred as part of the terms of transfer for parks, playgrounds, and natural areas.	SP
6. Notary or land surveyor's report showing that the non-conforming lot is protected by acquired rights or that the land has subdivision privileges	SP, BP
7. Proposed site plan illustrating the boundaries of the lot, the existing and projected structures, and the parking area. The plan must indicate the applicable siting standards (set-back, distance, area), easements, and any other elements that may influence the assessment of compliance (e.g. location of trees, percentage of natural areas). The plan must be completed and signed by a land surveyor in the following situations: a) Construction of a main building b) Construction of an accessory building with a footprint of 25 m <sup>2</sup> or greater located within 1 m of the required set-back c) Extension of a main building located within 1 m of the required set-back d) Any structure located less than 1 m from the shoreline of a lake or watercourse or the buffer strip of a wetland In all other cases, the proposed site plan must be based on an up-to-date certificate of location.	BP, CA

Required plans and documents	Type of permit or certificate
<p>8. Plans of the proposed structure including, but not limited to, dimensions (height, width, and depth), surface area, floor areas, materials, and projections.</p> <p>If the drafter of the plans is not a technologist, architect, or engineer, the applicant or drafter must attach a signed letter certifying that the plans submitted comply with the applicable codes under the <i>Building Act</i> (CQLR c. B-1.1).</p> <p>When required by the <i>Architects Act</i> (CQLR c. A-21), the <i>Engineers Act</i> (CQLR c. I-9), or any other law or regulation, the plans must be signed and sealed by the relevant professional.</p>	BP, CA
<p>9. A plan showing the grades of the land from a contour interval of a maximum of 2 m, prepared by a land surveyor. The plan must show:</p> <ul style="list-style-type: none"> <li>a) grades of less than 15%, 15% to 19.99%, 20% to 24.99%, 25% to 29.99%, and 30% and greater</li> <li>b) banks of 5 m or more in height with a grade of 30% or greater</li> <li>c) the plateau required under Division D of Chapter XII of the <i>By-Law Regarding Zoning</i></li> </ul>	SP, BP, CA (driveway)
10. Staking certificate prepared by a land surveyor identifying the plateau required to erect a building and its location in relation to the lot lines	BP
11. Plan illustrating the natural areas to be preserved and their sizes, the trees to be cut down, and the areas to be cleared	BP, CA
12. Document justifying the need to cut down a tree	BP, CA
13. Plan detailing the parking area for a use in the Commercial, Industrial, Public, or Agricultural group, including its layout, water management, and drainage system	BP, CA
14. Plans and documentation illustrating and describing the distribution of uses and their surface areas, the company's name and the nature of its activities, and the parking areas	CA (new or changed use)
15. Plans and documentation required for a pool or spa to demonstrate compliance with the <i>Residential Swimming Pool Safety Regulation</i> (CQLR c. S-3.02, r. 1)	CA
16. Plans and documentation required for a septic system to demonstrate compliance with the <i>Regulation respecting wastewater disposal systems for isolated dwellings</i> (CQLR c. Q-2, r. 22)	BP, CA
17. Plans and documentation for a groundwater withdrawal system, including a geothermal system, as detailed in this division, to demonstrate compliance with the <i>Water Withdrawal and Protection Regulation</i> (CQLR c. Q.2, r. 35.2)	CA
18. Plan indicating the boundary of the littoral zone, the shoreline, and the littoral zone, drafted and signed by a professional or a biologist	SP, BP, CA
19. A plan identifying floodplain, drafted and signed by a professional	SP, BP, CA
20. Plan identifying wetlands, including a delimitation report prepared using the method recognized by the Ministère de l'Environnement, drafted and signed by a professional or a biologist	SP, BP, CA
21. Document describing erosion control methods	BP, CA

Required plans and documents	Type of permit or certificate
22. Document describing methods for controlling runoff water	PC, CA
23. Wildlife management plan, signed by a forest engineer or biologist, for authorized cutting in a forest stand of 4 ha or more	CA (tree cutting)
24. Plans and documentation relating to culverts and streets required by the Municipality's policies and by-laws	CA (culverts and streets)
25. Ministère des Transports approval for connections and accesses onto a major road system	SP, BP, CA
26. Notice from the Ministère des Transports for a subdivision of 10 or more lots located within 250 m of routes 329 or 364 in sections where the posted speed is greater than 50 km/h	SP
27. Plans signed and sealed by an engineer, including justification of the work (applicable for retaining walls over 1.4 m and for the use of concrete for all walls)	CA (retaining walls)
28. Integrated project concept plan including, but not limited to, the common and private zones, building and structure layout, parking and circulation areas, common areas, and natural areas	SP, BP
29. Concept plan of the experiential accommodation project, resort, or campground including, but not limited to, the building and structure layout, parking and circulation areas, common areas, and natural spaces	SP, BP
30. Attestation or certificate from the engineer for a new street along which a main building is proposed, certifying that only work related to street paving is to be completed	BP
31. Attestation or certificate of the engineer relating to the reduction of the distance inside a zone at risk of rockslide	PC
32. Report signed by a professional as defined in section 31.42 of the <i>Environment Quality Act</i> (CQLR c. Q-2), establishing that the project for which the permit or certificate is requested is compatible with the rehabilitation plan or the declaration of compliance; this is required if the land in question is registered on the municipal list of contaminated lands constituted pursuant to section 31.68 of the <i>Environment Quality Act</i> (CQLR c. Q-2) and is the subject of a rehabilitation plan approved by the Ministère de l'Environnement or a declaration of compliance under the <i>Land Protection and Rehabilitation Regulation</i> (CQLR c. Q-2, r. 37)	SP, BP CA (new or changed use)
33. Acoustic analysis, prepared and signed by a professional for an acoustic specialist within a high-noise-level area	PC (or CA for a sensitive use)
34. Certificate of conformity of the installation for an appliance replacing a solid combustion appliance or for a mass fireplace	PC, CA
35. Proof of liability insurance for damage to public property	CA (demolition and relocation)
36. Photographs of the building (taken within the 3 months before the application is filed)	BP (expansion) CA (demolition and relocation)
37. Authorization signed by the owners regarding shared parking areas, including the duration of the agreement	BP, CA
38. Authorization from the Ministère des Transports and the MRC for an intervention inside the linear park of the Aerobic Corridor (when required by section A of chapter XIV of the Zoning By-law)	PC, CA
39. Ministère des Transports approval for openings along routes 329 and 364	SP, BP, CA

Required plans and documents	Type of permit or certificate
39.1 Registering of tourist accommodation as per the <i>Tourist accommodation Act</i> (RLRQ, H-1.01)	CA
39.2 Certificate signed by the operator for a tourist accommodation of the main residence type	CA
40. Notice from the Ministère des Transports for a proposed subdivision of 10 or more lots along routes 329 and 364	SP
41. Cost of the work	BP, CA
42. Work schedule	BP, CA
43. Any other plan or document deemed necessary by the designated official for determining compliance with town planning by-laws	SP, BP, CA

## 27. Plans and documentation required for water withdrawal and geothermal systems

In addition to the plans and documents required in Table 2 of this division, the following plans and documents, signed by a competent professional in the field, must be submitted with applications for certificates of authorization for water withdrawal and geothermal systems in order to demonstrate their compliance with the *Water Withdrawal and Protection Regulation* (CQLR c. Q.2, r. 35.2):

1. A description of the intended use, the maximum volume of water (in litres) that may be withdrawn, and the number of persons served by the water withdrawal for human consumption;
2. A description of the type of system;
3. If it is a modification or replacement, the date of installation to confirm that it is a water catchment system installed before June 15, 2002;
4. A description, by means of a map, indicating the location of the system as well as any other structures or works that influence its location under the provincial regulation, including natural environments and hydrous environments (watercourses, shorelines, floodplains, wetlands);
5. A description of the proposed installation and maintenance work, the mitigation measures planned during the work, and the measures for monitoring and supervising the work;
6. A description of the surrounding area and the uses or activities that may affect the system;
7. An assessment of the pre-work ground elevation and the post-work well cover elevation;
8. The well digger or excavator holder's Régie du bâtiment du Québec permit number;
9. The mandatory protection areas;
10. Any other descriptions needed to ensure the system's compliance and the compliance of the well digger, excavator, pumping equipment installer, professionals, and system owner;
11. Where applicable, the hydrogeological study required under section 95 of the *Water Withdrawal and Protection Regulation* (CQLR c. Q.2, r. 35.2).

## DIVISION D – CONDITIONS FOR THE ISSUANCE OF PERMITS AND CERTIFICATES

### 28. Conditions for the issuance of permits and certificates

(Modified by By-law 672-2023 – August 23, 2023)

The designated official issues the permit or certificate if the conditions set out in the following table are met (the conditions are required depending on the type of permit or certificate when an "X" is indicated in the corresponding column):

**Table 3: Conditions for the issuance of permits and certificates**

SP: subdivision permit; BP: building permit; CA: certificate of authorization

Condition	SP	BP	CA
1. All required plans and documents have been submitted.	X	X	X
2. The fee has been paid.	X	X	X
3. The application complies with the <i>By-Law Regarding Permits and Certificates</i> .	X	X	X
4. The application complies with the <i>By-Law Regarding Zoning</i> .		X	X
5. The application complies with the <i>By-Law Regarding Subdivision</i> .	X		
6. The application complies with the <i>By-Law Regarding Construction</i> .		X	X
7. The application complies with the <i>Règlement sur les ententes relatives à des travaux municipaux et aux services municipaux</i> .	X	X	
8. Separate lot: The land on which each proposed structure is to be erected, including their outbuildings, constitutes a separate lot on the official cadastral plans that complies with the <i>By-Law Regarding Subdivision</i> or is protected by acquired rights (note 1).		X	
9. Service: Water and sewer services that have been authorized or permitted by law are established on the street along which the structure is proposed or the by-law calling for their installation is in force.  If not, the water supply and wastewater treatment projects of the structure to be erected on the lot comply with the <i>Environment Quality Act</i> (CQLR c. Q-2) and any regulations enacted thereunder, or any municipal by-laws relating to the same subject matter.		X	
10. Adjacency to a public street (notes 2 and 3): The land on which the structure is to be erected is adjacent to a public street.		X	
11. Adjacency to a private street (notes 2 and 3): The land on which the structure is to be erected is adjacent to a private street that complies with or is recognized in the <i>By-Law Regarding Subdivision</i> .		X	
12. The applicant has provided and signed a written commitment to transfer land for the purpose of a park, playground, or natural area.	X	X	
13. The fees owed as part of the contribution for parks, playgrounds, and natural areas have been paid.	X	X	
14. The Municipal Council has passed a resolution approving the project or application, where required by a town planning by-law adopted under Chapter IV of the <i>Act respecting land use planning and development</i> (CQLR c. A-19.1), and the conditions set out in that resolution (minor exemption, SPAIP, conditional use, SCAOPI, etc.) have been met, if applicable.	X	X	X
15. The Demolition Committee has issued a decision under the <i>By-Law Regarding Demolition</i> , and the conditions set out in that decision have been met, if applicable.			X
16. The applicant has provided a written statement establishing whether the permit or certificate concerns an immovable intended to be used as a private seniors' residence as defined by		X	X

Condition	SP	BP	CA
section 346.0.1 of the <i>Act respecting health services and social services</i> (CQLR c. S-4.2).			
17. Any authorizations required by any law or regulation prior to the issuance of a permit or certificate under that law or regulation have been obtained.	X	X	X

Notes for the table above:

- (1) In the event that more than one main building is authorized per lot under Section A of Chapter V of the Zoning By-law, the main buildings may be erected on the same lot;
- (2) For an integrated project authorized in the *By-Law Regarding Zoning*, a building permit may be issued if the lot to be built on is adjacent to a lot that is part of the integrated project and identified as a common area.
- (3) For an integrated project approved under *By-Law 420 Regarding Site Planning and Architectural Integration Programs* by resolution of the Municipal Council before December 11, 2020, a building permit may be issued if the plan for the main building was included in the approved project. For an accessory building to a use in the Residential group, the permit may be issued if the accessory building is to be on the same site as the projected main building to which it is an accessory and if it complies with the town planning by-laws in force.

The following are the currently approved integrated projects: rue Altitude, chemin des Cours-du-Balmoral, rue des Elfes, rue du Havre, rue Mountain View, rue de l'Oasis, rue de l'Escale, rue du Portail, rue des Trois-Pierre, rue du Patrimoine, rue du Plateau and rue du Husky.

- (4) Notwithstanding notes 2 and 3 and notwithstanding condition 11 of Table 3, a building permit may be issued in the following case: the reconstruction, within twelve (12) months, of a main building that has been damaged by a fire, explosion or other act of God. Leaving a building in a state of disrepair and without maintenance is not considered a disaster.

## **DIVISION E – PROVISIONS APPLICABLE AFTER THE ISSUANCE OF A PERMIT OR CERTIFICATE**

### **29. Authorization**

The issuance of a permit or certificate under this by-law entitles the applicant to proceed only with the activities specified in that permit or certificate.

The work must follow the plans and documents submitted for the permit or certificate.

### **30. Amendments to plans and documents**

Any amendments to the plans and documents associated with a permit or certificate issued by the designated official shall invalidate that permit or certificate unless those plans, specifications, and documents are re-approved before work begins or the premises are occupied in accordance with the town planning by-laws.

### **31. Certificates of location**

Within 3 months after the completion of the construction or extension of a main building, holders of construction permits must submit certificates of location, prepared and signed by a land surveyor, to the designated official.

### **32. Reports for septic systems**



Within 30 days following the completion of septic system work, holders of certificates of authorization must submit reports to the designated official attesting that the work has followed the plans submitted with the certificate of authorization application, as well as the *Regulation respecting wastewater disposal systems for isolated dwellings* (CQLR c. Q-2, r. 22). The reports must be prepared by a qualified professional and contain the plans and documents necessary for establishing compliance.

### **33. Reports for water withdrawal and geothermal systems**

Within 30 days following the completion of water withdrawal or geothermal system work, holders of certificates of authorization must submit the following to the designated official:

1. The drilling report made in accordance with the *Water Withdrawal and Protection Regulation* (CQLR c. Q-2, r. 35.2);
2. A report certifying that the work has followed the plans submitted with the certificate of authorization application, as well as the *Water Withdrawal and Protection Regulation* (CQLR c. Q-2, r. 35.2). The reports must be prepared by a qualified professional and contain the plans and documents necessary for establishing compliance.

### **34. Nullification**

A permit or certificate shall become null and void if:

1. The plans or the application have been changed without the designated official's approval or without obtaining a new permit or certificate;
2. The permit or certificate was issued based on false or erroneous plans or documents;
3. The work or use has not complied with the town planning by-laws;
4. The work or use has not complied with the conditions of the permit or certificate;
5. The work was not started or finished during the validity period as indicated in Division B of this chapter. If the permit or certificate has been renewed in accordance with this by-law, the work must be completed within the renewal validity period;
6. The plan relating to the cadastral operation is not submitted to the ministry responsible for the cadastre within 6 months of the subdivision permit being issued;
7. The plan relating to the cadastral operation that was filed with the ministry responsible for the cadastre does not match the plan submitted with application for a subdivision permit.

## **DIVISION F – OBLIGATIONS OF APPLICANTS AND HOLDERS**

### **35. Obligations of permit or certificate applicants**

Permit and certificate applicants must:

1. Obtain any permit or certificate required by this by-law before beginning work;
2. Obtain any authorizations required by provincial or federal legislation;
3. Provide the designated official with the necessary plans and documents;
4. Pay the applicable fees to the designated official;
5. Provide the designated official with any reports, tests, or trials requested for the evaluation of the permit or certificate application.

### **36. Obligations of permit and certificate holders**

Permit and certificate holders must:

- 
1. Carry out the work in accordance with the plans and documents submitted for the permit or certificate;
  2. Carry out the work in accordance with the applicable town planning by-laws;
  3. Carry out the work in compliance with the codes in force under the *Building Act* (CQLR c. B-1.1);
  4. Complete the work in a timely manner;
  5. Obtain the necessary authorizations for temporarily occupying public property during the work, if necessary;
  6. Take the necessary measures to keep the construction site(s) safe;
  7. Take the necessary measures to control erosion during construction;
  8. Allow the designated official and any person accompanying them to visit, examine, or inspect the land and any structures in accordance with the town planning by-laws;
  9. Post all permits and certificates in a place that is visible from the street for the duration of the work;
  10. Obtain approval for any changes to the plans and documents submitted to the designated official before beginning work related to those changes;
  11. Contact the designated official before backfilling a septic system;
  12. Contact the designated official before backfilling any excavations to ensure that infrastructure connections comply with the applicable legislation.

**ANNEX A***(Added by By-law 672-2023 – August 23, 2023)***OPERATOR'S CERTIFICATE FOR ADDITIONAL USES FOR TOURIST  
ACCOMMODATION OF THE PRINCIPAL RESIDENCE TYPE**

I, [name of operator], natural person residing at [insert address] declares and certifies:

1. I am the owner of the property located at [insert address], Morin-Heights (hereinafter known as the « principal residence »);

OR

I am the tenant of the property located at [insert address], Morin-Heights (hereinafter known as « principal residence »). For this reason, I am attaching the owner's written authorization which authorizes me to use the property as a tourist accommodation of the principal residence type;

2. I live in the principal residence on a regular basis;
3. I centralize my family and social activities in the main residence;
4. The address of my principal residence is the one I indicate on most government departments and agencies;
5. The accommodation is offered inside my principal residence;
6. The accommodation is offered to tourists, specifically « a person who makes a move in which they stay at least one night, outside of their principal residence, for leisure or on business or for paid remuneration » (Tourist accommodation Act, RLRQ, c. H-1.01, article 2);
7. The accommodation is offered as remuneration;
8. The accommodation is offered for a maximum period of 31 days per stay;
9. The accommodation is offered as one reservation to a person or a single group of related people at a time;
10. No meals are served on site.

I declare that the information provided is accurate, that I meet the requirements as an operator of a tourist accommodation of the principal residence type and that I have taken note of the conditions for the exercise of the additional use as set out in the planning regulations.

SIGNED IN: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_