



Minor Exemptions

This info-sheet is a summary of the by-law concerning minor exemptions, RCA 17006.

Definition

A minor exemption is an exception made to allow a variance from the provisions of planning or subdivision by-laws. Minor exemptions must be approved by the Borough Council.

Conditions for obtaining a minor exemption

A minor exemption may be granted only under the following conditions:

- the application respects the objectives of the Master Plan;
- the application does not cause prejudice to neighbouring buildings;
- the application does not concern land use or occupation density;
- the application of the by-law would cause a serious prejudice for the applicant;
- if the work is already completed or in progress, the applicant must show that the work was authorized by a building permit and was carried out in good faith.

Provisions concerning which a minor exemption may be granted

Minor exemptions may be granted only concerning the following provisions:

- height in metres of a building;
- depth in metres of a building;
- elevation of the floor of the ground floor;
- minimal width of a building;
- building line;

- setbacks;
- mode of building coverage;
- outside appearance of buildings;
- indoor stairways;
- projections;
- occupancies and construction in yards;
- loading areas;
- parking restrictions (except in residential zones);
- fences;
- area and dimensions of lots.

Submitting an application

Any application for a minor exemption must be submitted in writing, on the prescribed form. The form is available from the Permits and Inspections Division, 5160 Décarie, ground floor.

The duly completed form and required supporting documents must then be submitted to the Director of the Urban Planning and Business Services Department (5160 Décarie, Suite 600).

Supporting documents

The following supporting documents *must* be submitted to the borough with any application:

- a copy of the certificate of location prepared by a surveyor. If the project concerns a building not yet erected, a site plan (*plan d'implantation*) must be submitted;

- a description of the lot in a notarized deed or a cadastral plan (title of ownership, certificate and plan for a cadastral operation);
- details relating to the application for a minor exemption, including the justification for the application and demonstration of prejudice if the by-law is applied.

Fees

Non-refundable review fees must be paid when the application is filed. For further information relating to fees, you can call 514 **868-4944**.

Processing time

Processing and review generally take three months from the date the documents are filed and the applicable fees paid.