

Regulations Acquired Rights

What is an acquired right?

The zoning and lot subdivision bylaws include provisions to guide construction, use, signage and lots. A permit or a certificate of authorization can be issued only if a proposed project conforms to the regulations in effect.

However, bylaws constantly change, and certain provisions may be added, modified or repealed over the years. Consequently, when a permit or a certificate of authorization for a construction, use, signage or lot has been issued according to the regulatory provisions in effect at the time of its issuance, the modification of certain provisions can cause the construction, use, signage or lots to become non-conforming to the new regulation. Nevertheless, the construction, use, signage or lot might be protected by acquired rights.

Note that a request must be made to the Borough of Saint-Laurent to verify the existence of acquired rights.

Process

To present a request for verification of acquired rights, the form, "Request of verification of acquired rights", must be filled in and attached to the required document. These documents must be submitted to the Direction de l'aménagement urbain et des services aux entreprises, located at 777, boulevard Marcel-Laurin.

Costs

Fees are required to process a request.

Verification of acquired rights

After a request has been received, the Direction de l'aménagement urbain et des services aux entreprises (DAUSE) will verify several elements, such as:

- The existence of zoning or subdivision bylaws at the time of the construction or installation of the structure or sign, or when its use began, or at the time of the cadastre process.
- The conformance of the structure, use, sign or lot to the regulations in effect at the time of its construction, installation or the beginning of whatever activity.
- The issuance of a permit authorizing the construction or installation of the structure or sign and if it was installed in conformance to the permit conditions and within the required time period.

After verification of acquired rights

After the DAUSE has verified the acquired rights, a letter is sent to the applicant to inform him or her as to whether or not the construction, use, sign or lot appears to benefit from acquired rights.

If the construction, use, sign or lot for which the request was made does not appear to benefit from acquired rights, the Division de l'urbanisme of the DAUSE will evaluate the possibility of a Minor Exemption, if permitted by the situation.

For more information, consult the information sheet, "Regulations: Minor Exemptions"

Maintenance and repairs

A non-conforming structure or sign that is protected by acquired rights can be maintained and repaired until such time as the acquired rights are lost.

Restrictions

- Restrictions may apply to the extension of a non-conforming structure protected by acquired rights.
- Restrictions may apply to the extension of a non-conforming use protected by acquired rights.

Note that Chapter 10 of the *Règlement sur le zonage* n° RCA08-08-0001 establishes additional provisions related to the enlargement of a non-conforming structure, the extension of a non-conforming use, the replacement of a non-conforming sign and to construction on a non-conforming lot that are protected by acquired rights.



Information: 311 – ville.montreal.qc.ca/saint-laurent/infosheets

Legal framework: *Règlement sur le zonage* n° RCA08-08-0001
Règlement sur les tarifs n° RCA1-08-1
Loi sur l'aménagement et l'urbanisme

Notice: Certain specific provisions, not mentioned in this document, may apply. This information sheet has been prepared for the convenience of the reader and has no official status. Text accuracy is not guaranteed. For legal purposes, consult the official French version of the bylaw and all its amendments.



- Please complete this form and present it with your payment to the address above.

► All fields are mandatory and all required documents must be provided at the time of the application.

► Incomplete applications will not be considered.

REQUIRED DOCUMENTS

- ☐ A complete and current location certificate, prepared by a land surveyor, including text and scaled plan.

☐ An electronic version (in dwg, tiff or jpg format) of the provided location certificate or plans (on a CD).

☐ A power of attorney signed by the property owner if different from the applicant.

☐ A cheque **payable to the Ville de Montréal** in the amount of **\$220**for a residential building **5 dwellings or less**.

☐ A cheque **payable to the Ville de Montréal** in the amount of **\$663** for a residential building **more than 5 dwellings**.

☐ A cheque **payable to the Ville de Montréal** in the amount of **\$877** for **industrial or commercial** buildings.

☐ Others:

PROPERTY COVERED BY THE APPLICATION

Address	Cadastral number (if known)
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PURPOSE OF THE APPLICATION

Describe the nature of your request

OWNER

Last and first name / Company		
Full address		
Postal code	Phone number (1)	Phone number (2)

APPLICANT

Last and first name		
Full address		
Postal code	Phone number (1)	Phone number (2)
E-mail address		

Attach the power of attorney if the applicant is different from the owner.

SIGNATURE OF THE APPLICANT

DATE

À L'USAGE DU BUREAU SEULEMENT	
Analyse effectuée par :	Notes :
Présence de droits acquis : <input type="checkbox"/> Oui <input type="checkbox"/> Non	
Chèque fourni : <input type="checkbox"/> Oui <input type="checkbox"/> Non	
Chèque transmis à :	
Demande de dérogation mineure effectuée : <input type="checkbox"/> Oui <input type="checkbox"/> Non	