

# EXEMPTION SECTION 89 OF THE MONTRÉAL CITY CHARTER

THE **MONTRÉAL CITY COUNCIL** MAY, BY **BY-LAW**, ALLOW **LARGE-SCALE PROJECTS** OR PROJECTS OF AN **EXCEPTIONAL NATURE** TO PROCEED, NOTWITHSTANDING ANY BY-LAW ADOPTED BY A BOROUGH COUNCIL.

## TYPES OF PROJECTS SUBJECT TO SECTION 89

- **Community or institutional facilities** (ex. cultural facilities, hospital, public institution, college or university, convention centre, detention facility, cemetery, regional park)
- **Major infrastructure** (ex. airport, port, railway station, railyard, water treatment facility)
- **Residential, commercial or industrial facilities with a floor area greater than 15,000 m<sup>2</sup>**
- **Housing intended for persons requiring assistance, protection, care or lodging** (ex. social housing)
- **Classified or recognized heritage building, or a project located within a classified, declared or recognized heritage site in accordance with the Cultural Heritage Act**

## GENERAL EVALUATION CRITERIA

- **compatibility** of the proposed occupancies with the host environment
- **integration features** of the project with regard to location, volumetry, density and site development
- benefits of proposals to **integrate** or **demolish existing structures** and to preserve or enhance **original architectural features**
- benefits of proposals and **impact** on **heritage** features
- benefits of proposals to enhance **outdoor spaces and planted areas**
- **environmental impact** of the project, particularly with regard to sun, wind, noise, fumes and traffic
- quality of the functional organization of the project, particularly with regard to **parking, access and security**
- benefits of the **cultural or social** components of the project
- feasibility of the project within the proposed timeframe
- integration of **universal accessibility** into the project

## LEGAL FRAMEWORK AND FORMS

- *Montréal City Charter*
- *Preliminary review application form*
- *Application in accordance with section 89 of the Charter – pages 3 and 4*
- *By-law concerning fees*

This info sheet was designed to facilitate understanding of the application procedure and is a summary of sections 89, 89.1 and 89.1.1 of the Montréal City Charter (L.R.Q., c. C-11.4). In case of any discrepancy, the Charter will prevail.

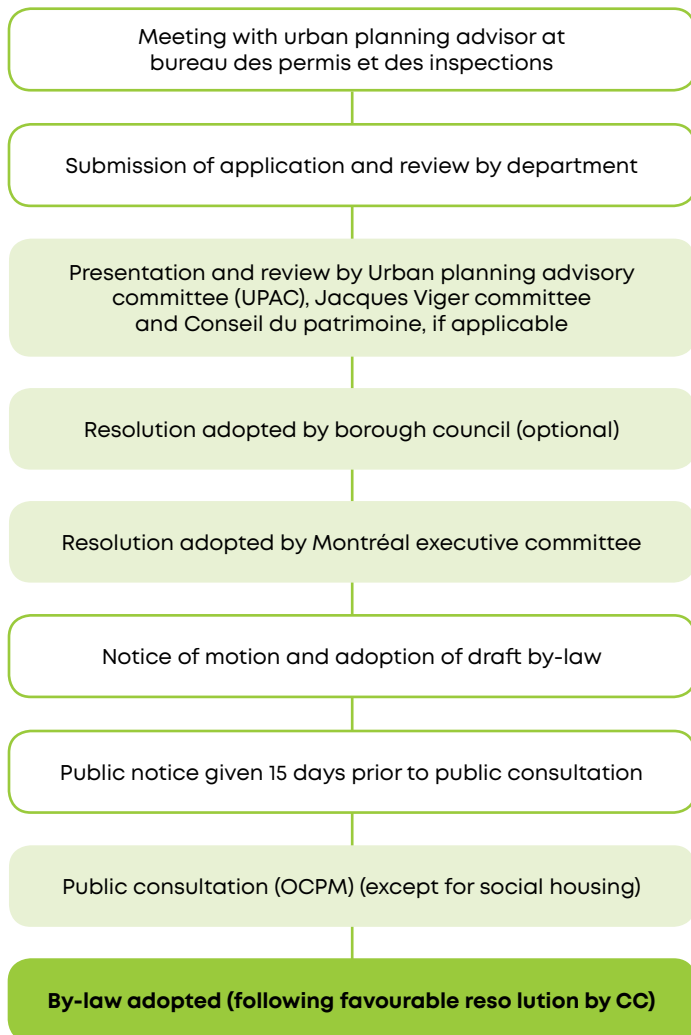
# URBAN PLANNING INFO SHEET

## DISCRETIONARY REGULATORY TOOLS IN URBAN PLANNING

### APPLICATION PROCEDURE

#### PROCESSING THE APPLICATION

Processing and review time is generally **nine (9) to twelve (12) months** from the date the required documents are received and the applicable fees paid.



#### PRELIMINARY REVIEW

It is recommended that you complete an application for *preliminary review* to verify that your application complies with the general guidelines, plans and strategies of the municipality before seeking an assessment by the Urban planning advisory committee (UPAC). For more information, see the urban planning info sheet regarding applications for *preliminary review*.

#### FOR MORE INFORMATION – CONTACT DETAILS

**Borough of Côte-des-Neiges–Notre-Dame-de-Grâce**  
Direction de l'aménagement urbain et des services aux entreprises  
Division des permis et des inspections  
5160 Boulevard Décarie, Bureau 865

#### OFFICE HOURS

Monday, Tuesday, Thursday and Friday: 8:30 a.m. to noon and 1:30 p.m. to 4:30 p.m.  
Wednesday: 1:30 p.m. to 4:30 p.m.

#### ADDITIONAL INFORMATION

Due to regulatory requirements, no information will be provided over the telephone. Citizens are invited to visit the permits and inspections desk at least one hour prior to closing.

If applicable, when visiting the permits and inspections desk, it is possible to make an appointment with a professional to obtain further information about your proposal within 10 days after the request is submitted.

This info sheet was designed to facilitate understanding of the application procedure and is a summary of sections 89, 89.1 and 89.1.1 of the Montréal City Charter (L.R.Q., c. C-11.4). In case of any discrepancy, the Charter will prevail.

# APPLICATION FORM

EXEMPTION | SECTION 89 OF THE MONTRÉAL CITY CHARTER

## IDENTIFICATION

☐ Owner ☐ Applicant (if different from owner)

Company name .....

Last and first name .....

Address .....

Telephone .....

Email address .....

## INTENDED LOCATION

Address (or lot number) .....

## INTENDED PROJECT TYPE

- ☐ Community or institutional facilities
- ☐ Major infrastructure
- ☐ Residential, commercial or industrial facilities with a floor area greater than 15,000 m<sup>2</sup>
- ☐ Housing intended for persons requiring assistance, protection, care or lodging
- ☐ Classified or recognized heritage building
- ☐ Building located within a classified, declared or recognized heritage site

## DESCRIPTION AND JUSTIFICATION FOR THE APPLICATION *(attach documents if necessary)*

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# APPLICATION FORM

EXEMPTION | SECTION 89 OF THE MONTRÉAL CITY CHARTER

## DOCUMENTS AND INFORMATION TO BE SUBMITTED WITH THE APPLICATION

- ☐ the duly completed and signed application form (both sides)
- ☐ payment of applicable fees
- ☐ proof of residence for each owner (for example, a photocopy of a driver's licence or a Hydro-Québec or Bell bill showing your address)
- ☐ a power of attorney signed by the owner (if the applicant is different from the owner, and if the owner has not signed this application)
- ☐ a copy of the certificate of location prepared by a land surveyor
- ☐ a site plan prepared by a professional for a proposed structure
- ☐ a document outlining the reasons for the application and a description of the intended use (see page 3 of this form)
- ☐ elevation drawings of the facades or structures to be built or modified which show the surrounding area (buildings, land, etc.)
- ☐ photomontages or perspectives showing the relationship between the proposed structures and the adjacent ones
- ☐ for an occupancy of an existing building, a plan showing the work that will be done to ensure the building complies with the intended use, as well as a report from a professional certifying that the modified building will meet the applicable building code requirements
- ☐ a list of tenants for the 12 months prior to the date the application is submitted, rent amounts, lease terms and a statement detailing plans for the transfer and compensation of tenants
- ☐ occupancies of public land shown on a plan, if applicable
- ☐ a plan showing vehicular and pedestrian access (including universal access) and parking spaces and access ramps, as well as wheelchair ramps, if applicable
- ☐ proposals for the enhancement of original architectural features
- ☐ studies necessary to evaluate the project with regard to sun, wind, noise, fumes and heritage
- ☐ an indication of the risk of soil contamination
- ☐ project plans: 2 paper copies (11 in x 17 in) and 1 electronic copy are required.

For a thorough evaluation of the application, additional documents or information may be required. You are therefore advised to provide as much information as possible to facilitate the evaluation of your proposal. This will allow the members of the Urban planning advisory committee (UPAC) to make an informed recommendation to the borough council.

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Name of urban planning advisor consulted  
*Division des permis et des inspections*

.....  
Name of professional who processed application  
for preliminary review (if applicable)

### Declaration:

*I, the undersigned, declare that the above information is true and complete and agree to comply with the provisions of the current regulations.*

*I also authorize the borough to present the plans prepared under this project at the public consultation held by the Urban Planning Advisory Committee, and I waive the confidentiality of the documents and plans tabled.*

.....  
SIGNATURE

.....  
DATE