

**ADMINISTRATIVE CODIFICATION**  
2024-02-21, including By-law 2593-2

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**CONSTRUCTION BY-LAW N° 2593**

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**WARNING:** This version of the Construction By-law n° 2593 is an administrative codification that has been prepared solely for the convenience of the reader – to facilitate reading and comprehension. Please note that this document itself has not been officially adopted by the City Council, therefore it is **unofficial**. For all legal purposes, the reader should consult the official version of the By-law and each of its amendments, which may be obtained from the City Clerk’s Office if necessary.

The original Construction By-law n° 2593 was adopted by City Council on February 14, 2022 and came into force on February 23, 2022.

ADOPTION PROCESS	
Adoption of By-law	2022-02-14
Effective date	2022-02-23

AMENDMENTS INCLUDED IN THE ADMINISTRATIVE CODIFICATION		
By-law n°	Effective date	Object
2593-1	2023-11-15	New provisions (solid fuel-burning, renovictions, noise)
2593-2	2024-02-21	Adjusted certain provisions

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## **CHAPTER 1. DECLARATORY, ADMINISTRATIVE, AND INTERPRETATIVE PROVISIONS**

### **1.1 DECLARATORY PROVISIONS**

#### **1.1.1 TITLE OF THE BY-LAW**

This present By-Law is entitled "Construction By-Law" of the City of Cote Saint-Luc n° 2593.

#### **1.1.2 SCOPE OF THE BY-LAW AND CONCERNED TERRITORY**

This By-law whose provisions bind individuals and public and private corporations under public or private law applies to the entire territory of the City of Cote-Saint-Luc.

#### **1.1.3 SUBJECT OF BY-LAW**

The Construction By-Law constitutes an integral part of all urban planning by-laws. It is, in that sense, interconnected with other urban planning by-laws which have been adopted by the City in the context of the *Act respecting land use planning and development* (RLRQ, c. A-19.1).

The present by-law aims at regulating constructions for the entire territory of the City of Cote-Saint-Luc according to the policy directions and the objectives set out to that effect in the Planning Program By-Law.

#### **1.1.4 CONTINUING APPLICATION**

The provisions of the present By-Law and other regulations to which they refer are permanent in nature and must be met, where appropriate, not only at the time when the permit is issued but at any time following the issuance until they are replaced or repealed by other By-Laws.

#### **1.1.5 AMENDMENT MODALITY**

The provisions of the present By-Law may only be modified or repealed by an adopted By-Law in compliance with the provisions of the *Act respecting land use planning and development* (RLR.Q., c. A-19.1) and of the *Cities and Towns Act* (R.S.Q., c. C-19).

#### **1.1.6 CHANGE IN OCCUPANCY OF AN EXISTING BUILDING**

If it is proposed to change the occupancy of a building, the applicant shall demonstrate that the building conforms to the requirements of the City of Cote Saint-Luc regulations, including the provisions of Annex "A" of the present By-Law concerning the proposed new occupancy.

Any change of occupancy resulting in an increase in the number of persons in any part of any floor shall be permitted only if the exits are made to conform to the requirements of the present By-Law.

#### **1.1.7 LAWS AND REGULATIONS**

None of this By-Law's provisions may be interpreted as having the effect of exempting a person from the application of a law or a Provincial or Federal by-law.

#### **1.1.8 SUBJECT INTERVENTIONS**

Following the coming into force of this bylaw for the entire territory of the City of Cote-Saint-Luc, any intervention (erection, modification, transformation, repair, demolition, transportation, etc.) regarding a

building or a lot (or part of it), including works, must be undertaken in compliance with the present By-Law. Moreover, the occupancy and the use of a building or a lot (or part of it) must be undertaken in compliance with the present By-Law. The failure to comply with any provision contained in the present by-law constitutes an infraction and is subject to penalties under Chapter 7.

2593-2, a. 1.

### **1.1.9 ANNEXED DOCUMENTS**

The following documents form an integral part of this present By-Law :

- 1° The "Construction Code" of Annex A
- 2° The criteria relating to the building permit application regarding driving of piles in Annex B.

### **1.1.10 TABLES, GRAPHS AND SYMBOLS**

A table, a graph, a symbol, an illustration and all forms of expression other than the actual text contained or to which refers this present By-Law, are an integral part of this by-law.

### **1.1.11 STRUCTURE OF THE BY-LAW**

The present By-Law is divided in chapters identified by a whole number (e.g., Chapter 1 ).

Each of these chapters is divided in sections which are identified by a number followed by a point and by another number (e.g., 1.1 ).

The sections comprise articles containing the first number of the chapter followed by the section number and lastly by a number according to the numeric order (e.g., 1.1.1 ). In some sections, an additional division containing four (4) numbers occurs in order to refer to a common article (e.g., 1.1.1.1). They are subarticles.

### **1.1.12 REPLACEMENT**

This By-Law replaces, for all legal purposes, the Building By-Law n° 2088 and all of its amendments.

Such replacement does not impact procedures initiated under the authority of the replaced regulations until final and binding judgement.

### **1.1.13 ADOPTION**

The Council adopts this present By-Law in its entirety and also. chapter by chapter, section by section, subsection by subsection, article by article, paragraph by paragraph, and subparagraph by subparagraph, so that if a chapter, section, subsection, article, paragraph, subparagraph of the present By-Law was or would come to be declared invalid by the court having jurisdiction in that matter, other provisions of this By-Law would remain valid and fully applicable.

## **1.2 ADMINISTRATIVE PROVISIONS**

### **1.2.1 REGISTER**

A register listing the repertoire of all permits issued must be maintained by the designated official. This register is comprised of :

- 1° A copy of all the permit applications obtained
- 2° The permits delivered by the City
- 3° The inspection reports issued by the designated official
- 4° Any other information considered to be relevant by the designated official.

### **1.2.2 ADMINISTRATION AND APPLICATION OF THE BY-LAW**

The administration and application of the present By-Law are assigned to the Director of the Urban Planning Division or to any other person assigned as a "designated official" by said Director.

### **1.2.3 DESIGNATED OFFICIAL**

The person (or persons) designated pursuant article 1.2.2 is, to the present By-Law, identified as the "designated official". The powers and duties of the designated official are stated in the following articles.

### **1.2.4 POWERS AND DUTIES OF THE DESIGNATED OFFICIAL**

If the designated official finds an offence to this By-Law, he must report the matter to the offender in one of two ways:

- 1° By a bailiff
- 2° By registered or certified mail

If the reported offence regards a structure under construction, already constructed, or a prohibited use, the said construction or occupancy must cease immediately on the reception of the notice. This construction or use can only be resumed when considered compliant with the present By-Law by the designated official.

If the offence doesn't regard any aspect that can, according to the designated official's notice, endanger public security, the owner or its mandatary must be compliant to the present By-Law within 10 days maximum.

2593-2, a. 2.

### **1.2.5 POWERS CONFERRED BY THE BY-LAW**

The designated official may exercise any power conferred by the present By-Law. In particular, he may:

- 1° Upon presentation of a piece of identification, visit and examine any property as well as the inside or outside of dwellings, constructions, or any other buildings to verify their compliance with this by-law, and for the purpose of conducting intermediate and final inspections of a construction site. The owner, tenant or occupant of the property must allow the designated official to enter the premises at their discretion and convenience. Failure to comply with this authority constitutes an infraction and is subject to penalties under Chapter 7.
- 2° Issue a notice to the owner, tenant, occupant, mandatary or anyone contravening a provision of this By-Law prescribing to solve a situation which constitutes an infraction to this By-Law.
- 3° Issue a statement of offence to the owner, tenant, occupant, mandatary or anyone contravening a provision to this By-Law and which constitutes an infraction.
- 4° Institute a penal proceeding on behalf of the city for any contravention to this By-Law.
- 5° Issue any permit set forth in this By-Law.



- 6° Require the owner, tenant, occupant or mandatary to suspend the dangerous or non-compliant work and the exercise of a use contravening this By-Law, whether the works are executed on a new construction or an existing construction.
- 7° Require tests of materials that must be used or that have already been used for any construction.
- 8° Require any report prepared by a registered engineer member of the *Ordre des ingénieurs du Québec* in order to confirm the structural integrity of any construction.
- 9° Take any necessary measure to cease a contravention to this By-Law.
- 10° Require to stop or solve works when the test result prove that the provisions of this By-Law are not complied with.
- 11° Require to evacuate provisionally any building that may constitute a danger to persons.
- 12° Require to carry out any repair work if he thinks it expedient for the stability of a construction and for the safety of persons and to recommend any urgent measure to the Council.
- 13° Require to fence a lot, or part of it, or a construction where there is a danger to persons.

2593-2, a. 3.

#### 1.2.6 TESTS OF MATERIAL AND TESTS OF BUILDING

- 1° Any material test shall be made in an approved laboratory.
- 2° Any certified report of the tests shall be given to the designated official.
- 3° Any test of materials is carried out at the applicant's or owner's expense.
- 4° When the test of materials prove that a building material does not meet the requirements of this By-law, the designated official shall prohibit the use of the material.
- 5° When the designated official has reasons to believe that part of a construction is not structurally sound, he may require that tests and calculations are performed in relation to any part of the construction that he has identified.
- 6° Any test and calculation shall be undertaken by an architect, an engineer or a technologist and a written report must be submitted to the designated official. Test and calculation are at the expense of the applicant or the owner.
- 7° If the applicant or owner neglects to allow proceeding to any test or calculation, the designated official can carry them out at the expense of the applicant or the owner.
- 8° If any test or calculation reveals a building construction weakness, the applicant or the owner must bring it into conformity with the requirements in the professional or laboratory report.

#### 1.2.7 PROFESSIONAL RESPONSIBILITY

When a person retains the services of a land surveyor, an engineer, a technologist in order to prepare a required document under this By-Law or any other urban planning regulation, these professionals or technologists shall prepare plans and documents in compliance with the provisions of these regulations and laws or instructions that apply to this subject matter.

#### 1.2.8 HOLIDAY

If the fixed delay for a procedure or for any achievement expires on a statutory holiday, that delay is extended until the next following day that is not a holiday.

## **1.2.9 UNITS OF MEASURE**

Dimensions, areas, and other measures set forth in this By-Law are expressed in metric units of the International System (IS).

## **1.2.10 REFERENCES**

All references to another regulation contained in this By-Law are open, meaning that they expand to any future amendment of the concerned regulation to which it refers.

## **1.2.11 OFFENCES, CONTRAVENTIONS, PENALTIES AND RECOURSES**

The provisions relating to offences, contraventions, penalties, and recourses are enacted in the Chapter 7 of this By-Law.

## **1.3 INTERPRETATIVE PROVISIONS**

### **1.3.1 INCOMPATIBILITY OF PROVISIONS**

In case of incompatibility between two provisions of this By-Law or between a provision of this By-Law and a provision contained in another regulation, a specific provision prevails over a general provision.

In case of incompatibility between restrictive or prohibitory provisions contained in this By-Law or in case of incompatibility between a restrictive or a prohibitory provision contained in this By-Law and a provision contained in another regulation, the most restrictive or prohibitory provision prevails, unless otherwise indicated.

### **1.3.2 PRECEDENCE**

In the present By-Law, unless otherwise noted, the following rules apply:

- 1° In case of contradiction between the text and the title, the text prevails.
- 2° In case of contradiction between the text and all forms of expression the text prevails.
- 3° In case of contradiction between data from a table or from a graphs, table data prevails.
- 4° In case of contradiction between the French version and the English version of this by-law, the French version shall prevail.

### **1.3.3 TEXT INTERPRETATION**

In the present By-Law, unless otherwise noted, the following rules apply:

- 1° Singular includes plural and vice versa.
- 2° Masculine includes feminine and vice versa.
- 3° The use of the words "MUST" and "SHALL" implies an absolute obligation.
- 4° The use of the word "CAN" and "MAY" implies an option.
- 5° The word "WHOEVER" includes individuals, public and private corporations under public or private law, and associations.

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#### 1.3.4 TERMINOLOGY

The expressions, terms and words used in the present By-Law have the meaning and application attributed to them in the Zoning By-Law in force. The expressions, terms and words used that aren't defined in this By-law shall be interpreted according to their conferred meaning in the current reference publications including acts, codes, and dictionaries.

Notwithstanding the first paragraph, the Construction Code must be interpreted in accordance with the applicable definitions and rules of interpretation.

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## **CHAPTER 2. CODES, ACTS AND REGULATIONS REGULATING BUILDING CONSTRUCTION**

### **2.1 GENERALITIES**

- 1° Codes, laws, and regulations identified in the present Chapter form an integral part of this By-Law.
- 2° Amendments to these codes, acts, and regulations following the entry into force of the current By-law form an integral part of this By-Law without it being necessary to adopt a new by-law for the application of each amendment brought about in this way.
- 3° No building permit required as established by the By-Law can be delivered unless the application is compliant with the provisions of the codes, laws, and regulations identified in the present chapter.
- 4° A building that has a change of use must be made compliant with the provisions of the codes, acts and regulations identified in the present chapter.

### **2.2 QUEBEC CONSTRUCTION CODE AND NATIONAL BUILDING CODE OF CANADA**

For all buildings that are exempted from the application of *Chapter 1 – Building of the Quebec Construction Code*, the French version of *Chapter 1 – Building of the Quebec Construction Code and the National Building Code of Canada – Canada 2010 (amended)* and its annexes form an integral part of this By-Law and constitute Annex "A".

The provisions of Annex "A" of this By-Law, of the *Chapter 1 – Building in the Quebec Construction Code*, apply to any building, or part of a building that is exempted from the application of *Chapter 1 – Building, of the Code de construction du Quebec*, as stipulated in article 1.04 of the *Construction Code (R.L.R.Q. c B-1.1)* and shall be subject of construction or transformation works following the entry into force of the present By-Law.

The contractors and homebuilders must satisfy the standards provided for in Annex "A" of this By-Law for any construction or transformation works touching any building or part of it that is subject to the same Annex pursuant to the present By-Law.

The present By-Law does not apply to:

- 1° Bridges
- 2° Viaducts
- 3° Tunnels
- 4° Accessory buildings if the area of the building does not exceed 5 m<sup>2</sup> and does not hold a foundation
- 5° Public or private networks of water distribution.

### **2.3 PLANS AND SPECIFICATIONS**

If required by law or government regulation, a plan or a specification relating to the erection, preparation, transformation, extension of a building must be signed and sealed by a professional specifically authorized to do so pursuant to the acts and regulations regulating the exercise of his profession.

### **2.4 ALTERNATIVE SOLUTIONS**

Notwithstanding the provisions under article 2.2 of the present By-Law, the Council may accept by resolution alternative solutions allowing to reach a minimal level of performance, following the recommendations of the Director of urban development and of the fire department.

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This request for alternative solutions must be signed by a member of the *Ordre des architectes du Québec* or the *Ordre des technologues professionnels du Québec* and prove that the objectives of the *Quebec Construction Code – Chapter I – Building* and of the *National Building Code of Canada – Canada 2010 (amended)* relating to safety, health, accessibility, and building fire protection provide an equivalent performance to the acceptable solutions.

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## CHAPTER 3. PROVISIONS RELATING TO BUILDINGS

### 3.1 APPLICABLE PROVISIONS TO FOUNDATIONS AND FOOTINGS

#### 3.1.1 FOUNDATIONS

A main building except mobile homes or factory-built homes in demonstration (model home), must lay on continuous foundations in concrete with the appropriate footings, frost proof, and of adequate stability to support the building.

It is also permitted to erect a main building on a structural raft slab with the following conditions:

- 1° That the plans of the structural raft slab have been prepared and signed by a competent engineer in that field, member in good standing of the *Ordre des ingénieurs du Québec*.
- 2° That a soil study on its bearing capacity has been carried out prior to the engineering plans

An accessory detached building of which its built area is 20 m<sup>2</sup> or more must be erected on a permanent foundation embedded in the ground or over a structural slab. Walls must be anchored to the foundation or to the raft.

2593-2, a. 4.

#### 3.1.2 PILE FOUNDATIONS

Pile foundations are permitted in the following cases:

- 1° They support a main building or part of the main building as per the terms of article 3.1.1 of the present By-law
- 2° For any accessory buildings, subject to provisions of the *Quebec Construction Code – Chapter I – Building* and of the *National Building Code of Canada – Canada 2010 (amended)* such as landings, verandas, gallery, porches, patios, and accessory buildings.
- 3° In cases where they support a structural slab-on-grade or a foundation footing.

#### 3.1.3 AUTHORIZED MATERIALS

- 1° The only authorized materials for the construction of the foundations are poured concrete and steel.
- 2° In cases of piles and stilts, they must be made of treated wood, concrete or steel.

### 3.2 PROVISIONS RELATING TO SUSTAINABLE CONSTRUCTION TECHNIQUES

#### 3.2.1 INSULATION MATERIALS

Any type of insulation material is authorized according to norms, except sawdust and straw that is not in bales, for the roof and walls of main buildings so long as it is covered with an exterior cladding material authorized under the Zoning By-Law.

#### 3.2.2 GEOTHERMAL SYSTEM

Any new geothermal system must comply with the *Water Withdrawal and Protection Regulation* (Q-2, r. 35.2).

### 3.2.3 GREEN ROOFS

Extensive or intensive green roofs are authorized with the following conditions:

- 1° The slope of the roof is less than 4 :12 (33%)
- 2° Roof access is provided, inside or outside the building. Exterior roof access must be located in the rear or side yard.
- 3° The applicant must prove the roofs bearing capacity according to the proposed green roof type. The bearing capacity must be calculated by an engineer, member in good standing of the *Ordre des ingénieurs du Québec*.

### 3.2.4 WATER SAVING

Any new building that is water fed must be equipped with the following appliances aiming at reducing the water consumption:

- 1° Low-flush toilets evacuating a maximum consumption of 6 L / flush
- 2° Faucets and shower heads for which the maximum flow is 9,5 L / min.

### 3.2.5 PRESSURE-REDUCING VALVE

Where the waterworks network exists, any owner of a connected building thereto must install a pressure-reducing valve immediately at the entrance of the building and prior to the distribution to prevent any possible failure caused by an excessive pressure originating from the City's waterworks.

In default of valve installation or of its maintenance in good state of operation, the City is not held responsible for damages caused to the building or to its components after failure of any nature.

Furthermore, in all buildings with a height of more than six (6) storeys, an automatic booster pump must be installed with its necessary valves along the main water service pipe, to maintain a sufficient and continuous supply of water in all the distribution system.

Existing buildings must comply with the present provision within 60 months following the effective date of the present By-law.

2593-2, a. 5.

### 3.2.6 SOLAR COLLECTOR

A solar collector may be installed on a main building's roof, ground, on the supports provided for that purpose or on a building's wall. If the solar collector is installed on the roof, it is subject to the following requirements:

- 1° To be installed parallel to the roof
- 2° To have a maximal projection of 0.3 m from the roof.

When a solar collector is installed on the ground, rules relating to its layout apply under the Zoning By-Law in force.

### 3.2.7 CHARGING STATIONS FOR ELECTRIC VEHICLES

For any new construction, every building must be equipped of an external electric output of 30 A, 240 V into a weatherproof junction box and ready to receive a charging station for an electric vehicle.

### 3.3 PROVISIONS APPLICABLE TO SANITARY AND RAINFALL WATER

#### 3.3.1 GARAGE DRAINAGE

Notwithstanding the provisions of the *Quebec Construction Code – Chapter III – Plumbing*, and of the *National Plumbing Code of Canada – 2010 (amended)*, it is forbidden to install a siphon on the floor drain of the garage. The floor drain must be directly connected to a retention pit which its minimum dimensions are 450 mm by 600 mm by 450 mm, connected to the sanitary water evacuation network of the main building. The pit must be installed and maintained to prevent sand, solids, oil, or grease from draining into the sanitary water evacuation network.

When a main building is not served by the municipal sewer network or for a detached garage for which a retention pit is installed, the water originating from that pit must be directed toward an absorbing well or a draining channel located at least at 5 m from the building's foundation wall.

For an integrated garage to a residence which floor comprises a structural slab in reinforced concrete, the sump demanded under this article is not required. However, the finishing of a slab enabling draining water towards a floor drain must be provided and shall be connected to the sanitary sewer of the building in compliance with the *Construction Code – Chapter III – Plumbing*, and of the *National Plumbing Code of Canada – 2010 (amended)*, or, if the building's not served by the municipal sanitary sewer network directing towards an absorbing well or a drainage ditch located at least of 5 m from the building's foundation wall.

#### 3.3.2 INSTALLATION OF CHECK VALVES (OR NON-RETURN VALVES)

- 1° Where there is a municipal sanitary sewer network, any building's owner must install one or many check valves onto horizontal connections collecting used or infiltration waters from the plumbing devices such as sumps, floor drains, retention pits, interceptors, tanks, pour-flush toilets, tubs, and other traps and accessories installed in the basement and caves to prevent backflows inside the building.
- 2° Such a check valve must be installed in compliance with the requirements of the *Quebec Construction Code – Chapter III – Plumbing*, and of the *National Plumbing Code of Canada – 2010 (amended)*.
- 3° The aforesaid must be installed on a secondary pipe. It shall never be directly installed on the exit pipe of a floor drain. No check valve must be installed on a building's drain. The use of a thread plug enabling to close the aperture of a floor drain is permitted but does not constitute a check valve for the purpose of this By-Law.
- 4° When a horizontal connection is equipped with a check valve, it must never collect rainfall water nor used water coming from devices that are located on upper storeys. However, in case of a backflow hazard, the City demands check valves on the connections that collect rainfall water originating from exterior surfaces below ground level of the neighboring lot and those that are adjacent to the building such as the parking garage ramp or exterior entrances.
- 5° Notwithstanding section 4.9.5 of the *Quebec Construction Code – Chapter III – Plumbing*, and the *National Plumbing Code of Canada – 2010 (amended)*, the use of a non return valve of compression type is prohibited. It is understood that this provision is not intended to prevent from the use of any other type of non return valve that is compliant with the aforesaid code.
- 6° In no case, shall a non-return valve be installed on the main (domestic) sanitary collectors.



### **3.4 SPECIFIC PROVISIONS**

#### **3.4.1 FIRE SEPARATION IN A DETACHED SINGLE FAMILY DWELLING**

Notwithstanding section 9.10.9 of the *Quebec Construction Code – Chapter I – Building*, and the *National Building Code – Canada 2010 (amended)*, it is not mandatory to have a fire separation between a suite of a home office occupancy as a complementary use and the rest of a detached or semi-detached single- or two-family dwelling.

#### **3.4.2 CARBON MONOXIDE ALARM**

At least one carbon monoxide alarm must be installed in all dwelling units:

- 1° That include a garage access
- 2° That include a heating system, fireplace, appliance or other equipment operating with combustible fuel excluding a drying device for clothes.

The carbon monoxide detector shall be compliant with the standard CAN/CSA-6.19 01, and must be in a state of operation, be installed at garage level and bedroom level(s), be connected to the electricity supply system, and be provided with a battery supply enabling to operate during the event of a power failure.

In the case of a rented dwelling, the owner of the building is responsible for the installation and the replacement of the aforesaid detector in the cases where it is not operating or has been installed more than ten (10) years ago. The tenant is responsible to verify if it operates adequately and to notify the owner otherwise. The tenant is also responsible for the replacement of the batteries, if needed.

In the case of a dwelling unit which is being occupied by the owner or his beneficiaries. the owner is responsible for the installation of the detector, for its replacement in the cases where it is not operating adequately or for its required replacement every 10 years.

The installation of a carbon monoxide detector system connected to a security station does not restrain the owner from the obligation of having an independent system designed and installed in accordance with this section.

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2593-2, a. 6.

#### **3.4.3 AUTOMATIC SPRINKLER SYSTEMS**

All applicable buildings and structures must satisfy their respective requirements and standards pertaining to automatic sprinkler systems, which are set out in section 3.2.2 of the *Quebec Construction Code – Chapter I, Building*, and in the *National Building Code – Canada 2010 (amended)*.

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2593-2, a. 7.

#### **3.4.4 REFUSE, ORGANIC WASTE AND RECYCLABLES CHUTE**

All buildings containing more than twelve (12) dwelling units and three (3) or more stories must offer a chute that accommodates all three (3) waste materials: refuse, organic waste, and recyclables, and must remain functional and unobstructed at all times.

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2593-2, a. 8.

### 3.4.5 HEATING AND AIR CONDITIONING

All new buildings must be equipped with a permanent heating and air conditioning system that serves all dwellings, minimum and maximum permitted temperatures shall be established by the Building Sanitation and Maintenance By-Law in force.

### 3.4.6 SOLID FUEL-BURNING

No solid fuel-burning or woodburning devices shall be installed inside new buildings or added to replace fuel burning or woodburning devices inside existing buildings.

As of January 1, 2025, no solid fuel-burning device or fireplace in existing buildings may be used or left to be used, unless it is recognized by the Canadian CSA standard or by the US EPA standard as part of a certification process, establishing that it has an emission rate equal to or less than 2.5 g / hr of fine particles into the atmosphere.

The following acts are prohibited:

- 1° The use of a non-certified system as of January 1, 2025, except for an EPA or CAN/CSA-B415.1 certified pellet device installed prior to the present by-law coming into effect.
- 2° The burning of any fuel other than those for which a device is certified, and the burning of certain noxious fuels such as treated or painted wood, plastics, Styrofoam, etc.
- 3° The use of a solid-fuel-burning device or fireplace when a smog warning issued by Environment Canada is in effect for the Montreal Region.

However, in the event of a power outage that lasts over three (3) hours, it is permitted only in the duration of the power outage to temporarily use both certified and non-certified solid fuel burning devices.

2593-1, a. 1.

### 3.4.7 MECHANICAL EQUIPMENT INSTALLED OUTSIDE OF A BUILDING

Generators must not produce noise levels that exceed those applicable in the table below:

Location of measurement	Max. daytime noise limit (7 AM to 11 PM)	Max. nighttime noise limit (11 PM to 7 AM)
Inside a bedroom in residential or healthcare buildings	65 dBA	60 dBA
Inside other rooms in residential buildings	65 dBA	60 dBA
On a balcony or a patio	70 dBA	65 dBA
Inside an office building	65 dBA	60 dBA
Along a property line (land line), at a min. distance of 10 ft. (3.05 m) from the noise source	75 dBA	70 dBA

Any other mechanical equipment installed outside or on the roof of a building, such as heat pumps, pool pumps, air conditioning or ventilation units, must not produce noise levels that exceed those applicable in the table below:

Location of measurement	Max. daytime noise limit (7 AM to 11 PM)	Max. nighttime noise limit (11 PM to 7 AM)
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Inside a bedroom in residential or healthcare buildings	45 dBA	38 dBA
Inside other rooms in residential buildings	48 dBA	43 dBA
On a balcony or a patio	50 dBA	45 dBA
Inside an office building	48 dBA	48 dBA
Along a property line (land line), at a min. distance of 10 ft. (3.05 m) from the noise source	55 dBA	50 dBA

2593-1, a. 2.

### **3.5 PROVISIONS RELATING TO NURSING HOMES**

#### **3.5.1 SMOKE ALARM**

Every room must be equipped of an electrical smoke alarm. These alarms must be interconnected in a way to activate automatically as soon as one smoke alarm is set off.

#### **3.5.2 PORTABLE EXTINGUISHER**

Any residence must be equipped of at least one portable extinguisher on each storey near the exit doors. Every portable extinguisher must be compliant with the standard NFPA-10 of category 2-A, 5-B, C.

### **3.6 PROVISIONS REGARDING FORTIFICATION AND PROTECTION OF MAIN BUILDINGS AND ACCESSORIES**

#### **3.6.1 ANTI-FORTIFICATION STANDARDS**

The use, assembly, and maintenance of materials to ensure the shielding or the fortification of any building against firearm projectiles, use of explosives, shock, or vehicle ramming, or other type of assault are prohibited on the entire territory.

Without limiting the generality of other provisions, are also prohibited:

- 1° The installation and the maintenance of open or opaque protective steel plates in the interior or exterior of the building.
- 2° The installation and the maintain of bullet-proof protective shutters or any other material resistant to explosives or shocks around the openings of the building.
- 3° The installation and the maintain of an armoured or specially reinforced door to resist the impact of firearm projectiles.
- 4° The installation and the maintain of a grating or metal bars, whether for the access to the entrance, doors, or windows, except for those in the basement, in the cave, or in a crawl space. However, this protection system must be portable in a way that it is possible to completely clear the window to enable occupants to evacuate. It must be possible to unlock and to activate the system from the inside without keys or knowledge.
- 5° However, the prohibition of the foregoing subparagraph does not apply to gratings and protection bars against robberies installed in the windows, doors of establishments part of the group of occupancy "Commerce and offices", "Industries", "Public and institution" and "Agriculture".
- 6° The installation of laminated glass (H-6) or of any other bullet-proof glass in the windows and doors.

- 7° The installation of a wall or part of an interior or exterior wall of a building or of an observation tour, in reinforced concrete or not or specially reinforced to resist the impact of firearm projectiles.
- 8° Are removed from this provision, buildings or parts of building whose use, practiced in accordance with the regulations of the City is the following:
  - a. Financial institution
  - b. Money transportation company
  - c. Firearm and munition custodians
  - d. Police station and detention facility
  - e. Municipal garage
  - f. Jewelry
  - g. Fur sales shop and warehouse
  - h. Software commerce and warehouse
  - i. Scientific and technologic research building
  - j. Banking machine
  - k. Vault or secured room intended to store and to protect collections, artifacts, art works or documents in a museum, archive center or in a library.

### **3.7 PROVISIONS RELATING TO INCOMPLETE, UNOCCUPIED, DESTROYED, DAMAGED OR DILAPIDATED BUILDINGS**

#### **3.7.1 SECURITY**

Any incomplete, unoccupied, or unused building must be closed off or barricaded from within the building to prevent any accident.

Any excavation hole and any foundation that are not immediately used of an incomplete or damaged building must be completely enclosed by a minimum 2 m-high fence.

#### **3.7.2 INCOMPLETE BUILDINGS**

The owner, the creditor, the purchaser of an incomplete building has the obligation to proceed to the completion of the works in compliance with the delays and requirements that are provided for this matter in the By-Law regarding permits and certificates.

#### **3.7.3 DAMAGED OR DILAPIDATED BUILDINGS**

Any damaged, dilapidated, or partially destroyed building must be repaired or demolished and the lot must be completely cleaned.

#### **3.7.4 BUILDINGS DESTROYED OR DAMAGED BY A DISASTER**

Any building destroyed or damaged by a disaster must be demolished, the foundations must be demolished or filled-in and the lot must be entirely levelled within the next 12 months following the disaster. In such a case, reconstruction works shall begin within that period of 12 months following the disaster.

Reconstruction or restoration of a destroyed or potentially dangerous building and having lost at least half of its value by a fire or any other case must be carried out in accordance with the provisions in this By-Law.

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During the period from disaster to demolition or the beginning of reconstruction works, the building must be conveniently closed off or barricaded or, if needed, surrounded by a fence in compliance with the provisions of article 4.1.2.

### **3.7.5 WORKS TO BE CARRIED OUT AT THE OWNER'S EXPENSE**

If, within the 48 hours of its notification, the owner does not comply with the notice given by the designated official relating to this Chapter's provisions, the required protection works will be carried out by the City at the owner's expense without waiving the possibility of further recourse provided for in this By-Law.

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## CHAPTER 4. PROVISIONS RELATING TO CONSTRUCTION AND DEMOLITION WORKS

### 4.1 SECURITY ON A CONSTRUCTION OR DEMOLITION SITE

#### 4.1.1 GENERALITIES

- 1° A building construction or repair must not constitute a disturbance for the adjacent properties' occupants and shall not expose public and private security to any danger.
- 2° No excavation or foundation can remain out in the open for more than six (6) months. At the expiration of this delay, the foundations shall be demolished, and the excavation must be filled with soil.
- 3° All construction or demolition sites must always be clean and well maintained.
- 4° It is forbidden, on a demolition site, to burn debris or rubble resulting from works.
- 5° Debris or demolition materials shall be appropriately treated to avoid dust emissions.
- 6° Surrounding streets and sidewalks must always be clean and well maintained.

#### 4.1.2 OBLIGATION OF FENCING

The installation of a fence ensuring public security is mandatory throughout:

- 1° Excavation works of more than 60 cm deep
- 2° Excavation works during the course of a pool construction which enables water accumulation
- 3° Demolition works
- 4° New construction and major outdoor renovation works
- 5° Use of a lot or site where storing all the necessary equipment and/or material to carry out the works
- 6° Works being carried out at less than 2 m away from a public thoroughfare
- 7° Any potentially dangerous situation for the public that is identified by the designated official.

A security fence must be installed for a period starting at the beginning of the works and must be removed no more than ten (10) days following the end of it.

A security fence must satisfy the following requirements:

- 1° To be a solid wood or metal structure
- 2° To have a minimum height of 2 m and a maximum height of 2.4 m
- 3° Openings in the fence must not let through a spheric object superior to 100 mm
- 4° Entrances and exits must be equipped with barriers and be clearly identified. When the construction site is closed, these entrances and exits shall be locked.
- 5° To be adequately maintained until the day of its dismantlement.

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2593-2, a. 9.

#### 4.1.3 CLEANING OF LOTS AFTER DEMOLITION

In the two (2) days following the end of demolition works, the lot must be cleaned from all debris and rubble and properly levelled. Debris and rubble resulting from demolition shall be transported off-site and be placed in an authorized site to this end by Quebec's *Ministère de l'Environnement*.

The building's foundations must be removed, and the excavation must be filled-in within the same delay of two (2) days except in the case where an engineer certifies that the foundations are reusable for a new construction.

Service connection to an aqueduct or a sewer network must be closed, and the designated official shall approve the aforesaid works before the connection is buried.

In the case where a building is connected to a system of purification or of wastewater evacuation, if the construction hasn't been undertaken within the next 12 months following the expiration of the certificate of demolition authorization, septic tanks, retention tanks and any other tank or reservoir part of a primary, secondary, and tertiary treatment system must be disposed of, without any other delay, according to the manner provided for in the *Regulation respecting waste water disposal systems for isolated dwellings* (R.R.Q., 1981, c. Q-2, r.22).

#### **4.1.4 CLEANLINESS OF LOTS**

During a building construction or demolition, it is forbidden to leave scrap of any nature, messy materials and substances on site which could potentially provoke the spread fire to the adjacent properties. Airborne materials must be removed.

During construction or demolition, any owner must keep his lot, buildings, and complementary uses in good state of conservation and of cleanliness. He must make sure that all yards and vacant lots are cleared of branches, brush, weeds, debris, scrap, rubbish, trash, paper, empty bottles, or foul substances to not pollute the environment.

If the owner, tenant, or occupant fails to comply with the provisions of this By-Law, the municipal Council is entitled to clean the lot or building, at the owner's expense, pursuant to the Law.

#### **4.1.5 EQUIPMENT ON CONSTRUCTION SITE**

For any construction or demolition project, the owner or the work executor must be equipped with a container to collect debris resulting from construction or demolition works. Containers must be emptied regularly and covered if the designated official deems necessary.

Any fixture or equipment installed on a construction or demolition site must be removed within the next 30 days following the end of the works.

The owner and work executor are responsible for any accident, damage to the individual or to public or private property following the works subsequently.

#### **4.1.6 USE OF PUBLIC PROPERTY**

No person may use public property in the context of works prior to having obtained a public domain occupancy permit. The following provisions apply:

- 1° During the daytime, the occupied space must be delimited by cones, barriers, a fence, or another device for public protection.
- 2° During the nighttime, besides the device that is provided for in subparagraph 1, streetlights and/or reflective panels approved by the designated official must delimit the occupied space.
- 3° At least one (1) sidewalk must be always kept free and if the works are likely to provoke the falling of materials or objects on the sidewalk, a temporary construction shall be erected over it to protect pedestrians.

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- 4° The applicant is held responsible for the maintenance of a portion of a public space that is occupied during the works, and is also held responsible, at the end of that period, to entirely clear it and to clean it to remove all debris, to the satisfaction of the designated official.
  - 5° The applicant is responsible for the deterioration of any public property resulting from the occupation of the public space and must assume the repair costs.
  - 6° The person in charge of the works must possess and maintain in force for the duration of the public space's occupation, an insurance policy covering his responsibility regarding any damage or injury that a person may suffer from the public space's occupation.

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2593-2, a. 10.

#### **4.1.7 PROTECTION OF TREES**

When one (1) or more trees must be preserved pursuant to the urban planning regulations, the holder of the construction or demolition permit shall protect them with a protection cage or with fences for the entire duration of the work.

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## CHAPTER 5. PROVISIONS RELATING TO THE PERMIT APPLICATIONS

### 5.1 CONSTRUCTION PERMITS

#### 5.1.1 GENERALITIES

For the entire territory of the City of Côte Saint-Luc, all works listed below require a construction permit issued prior to the commencement of said work:

- 1° All new construction
- 2° Alteration, restoration, renovation, enhancement, modification, arrangement, occupation, usage, transportation, demolition, or major repairs to an existing building or structure
- 3° The enlargement or extension of an existing building
- 4° Necessary excavation pertaining to the above
- 5° Replacement of the heating or air conditioning system for another type of system
- 6° Boring holes or pile driving
- 7° The erection of any temporary structure: temporary carport, construction site crane or office, tent, signage, etc.
- 8° No construction permit is required for regular maintenance or minor repairs. All works listed below, but not limited to, are considered as normal maintenance works of a building or structure:
  - a. Replacement or repair of the finishing on interior walls provided that the use of materials is identical, equivalent of nature or superior and that no modification is brought neither to the structure nor to its insulation materials
  - b. Air vent installation
  - c. Painting work (interior)
  - d. Creosoting works for walls, roof and roof tarring
  - e. Ventilation works provided that the structure is not being modified or manipulated
  - f. Installation or replacement of gutters
  - g. Repair of mortar joints
  - h. Repair of damaged or deteriorated elements of a balcony, gallery, patio or other structure of such type, provided that they aren't extended or modified (handrail, steps, floorings, etc.)
  - i. Installation of an alarm system
  - j. Installation of a smoke evacuator (venting hood) in case of a strictly residential occupation
  - k. Repair or construction of shelves and cupboards except in the case of a complete kitchen renovation
  - l. Landscaping which only includes flower plantations or sod laying.

The exemption from the obligation to obtain a building permit does not exempt from the obligation to comply with the present By-Law and with any other applicable By-Laws, nor waive the obligation to make inquiries to the designated official in case of any doubt.

#### 5.1.2 VALIDITY OF A BUILDING PERMIT

The following requirements must be satisfied to ensure the validity of a building permit:

- 1° Construction works may not start prior to the issuing date of the building permit. Moreover, the installation of a security fence is required and must satisfy the provisions of section 4.1.2 of this By-law. Anyone contravening this provision commits an infraction.

- 2° Construction works must be carried out or completed in accordance with the plans and documents approved by the designated official at the permit's issuance.
- 3° The building permit must be visibly displayed in a window or at the main entrance on the construction site and must remain in place until completion of the aforesaid works.
- 4° Any permit application must comprise all the listed elements in section 5.1.4 of this By-Law. Also, any application shall be signed by the owner or its representative subject to a written authorization from said owner.

2593-2, a. 11.

### **5.1.3 VALIDITY OF A CONSTRUCTION PERMIT FOR BOREHOLE OR DRIVING OF PILES**

In addition to the prescribed requirements of section 5.1.2, the City of Cote-Saint-Luc may not issue a building permit neither for a borehole nor for the driving of piles without obtaining a previous confirmation from the Water Service of the City of Montreal establishing that the comprised information in the building permit application for a borehole or pile driving is compliant with the criteria in Annex "B" of this By-Law.

### **5.1.4 INFORMATION AND REQUIRED DOCUMENTS FOR ANY BUILDING PERMIT APPLICATION**

#### **5.1.4.1 MAIN BUILDING**

A building permit application must be accompanied by the following information and documents:

- 1° A duly completed building permit application form comprising:
  - a. Date of application
  - b. Name and address of applicant or authorized representative
  - c. Telephone number and e-mail address of applicant or authorized representative
  - d. All relevant information aiming at identifying the work executor(s)
  - e. A written proof of details and costs incurred by the works (invoice, estimate, etc.)
  - f. The existing and projected use of the building or part of the building that is covered by the application as well as the building's gross area and volume, or the projected extension.
- 2° Three (3) copies of the following documents:
  - a. A certificate of location prepared by a land surveyor
  - b. Plans, elevations, sections, sketches, and specifications, prepared, signed and stamped by a registered professional member in good standing of Quebec's recognized professional ordres, and competent in that field of expertise. These plans must be drawn to scale and show all building parts to be built in detail.
  - c. As an example, but without limitation, the following may be required:
    - i. Architectural plans
    - ii. Structural plans
    - iii. Mechanical plans (plumbing, heating, air conditioning and ventilation)
    - iv. Electrical plans
    - v. Sprinkler plans
    - vi. Landscaping plans
    - vii. Signage plans
    - viii. Samples of materials
    - ix. Trees and green spaces protection plan including site preparation

- x. Certificate of location including the height in meters of the neighboring buildings.

In addition to the required paper copies of the form and the documents listed above, they must also be transmitted in electronic format to the designated official.

#### **5.1.4.2 ACCESSORY BUILDING**

The permit application for an accessory building must be accompanied by the following information and documents:

- 1° A duly completed building permit form comprising:
  - a. Date of application
  - b. Names and address of applicant or authorized representative
  - c. Telephone number and e-mail address of applicant or authorized representative
  - d. All relevant information aiming at identifying the work executor(s)
  - e. A written proof of details and costs incurred by the works (invoice, estimate, etc.)
  - f. The existing and projected use of the building or part of the building that is aimed at in the application and the building's area, gross volume of the projected accessory building.
- 2° Three (3) copies of the following documents:
  - a. A certificate of location prepared by a land surveyor
  - b. Plans drawn to scale including showing all parts of the projected building to be built in detail
  - c. Without limitation, the following plans may be required:
    - i. Architectural plans
    - ii. Landscaping plans.

In addition to the required paper copies of the form and the documents listed above, they must also be transmitted in electronic format to the designated official.

#### **5.1.4.3 CALCULATION FORMULA**

The gross area and volume of the building or its extension is calculated in the following manner:

- 1° Volume: includes the entire space that is encompassed by the building and its foundations, and all spaces comprised under the roof.
- 2° Gross floor area : The sum of each floor's area of a building excluding the basement, crawl space and the open balconies, measured from the exterior face of the building's walls.

#### **5.1.4.4 REQUIREMENTS RELATING TO THE CERTIFICATE OF LOCATION**

When a certificate of location is required, it must be prepared by a land surveyor. The document must include a written description of the property and a plan of location drawn to scale.

#### **5.1.4.5 REQUIREMENTS RELATING TO THE PLAN OF LOCATION**

When a location plan is required, it must be prepared by a land surveyor, be drawn to scale and must also include the following information:

- 1° Limits, dimensions, lots' areas constituting the land and the cadastral number
- 2° Streets near the lot
- 3° All existing or projected servitudes

- 4° Location of existing lakes and watercourses, high-water mark, and shoreline limits. If such is the case, the height and the shore's bank slope of the shore shall be indicated.
- 5° Location of wetlands
- 6° Limits of a floodplain
- 7° Location and dimensions of any construction and of any work, their distance in relation to other constructions and to the property lines
- 8° Location and dimensions of parking units, maneuvering areas and any exterior parking area. In the case where parking units reserved for handicapped persons are provided for, they shall also be identified on the plan.

#### **5.1.4.6 REQUIREMENTS RELATING TO PLANS, SECTIONS, AND ARCHITECTURAL OR STRUCTURAL DETAILS**

When plans, sections and architectural or structural details are required, they must include the following elements:

- 1° Plans of every floor showing their respective perimeter, area, room division, use, openings that are practiced thereto, all structural details and dimensions of walls, rooms, corridors and openings
- 2° Plans of the roofs, including slopes and use of materials
- 3° Detailed elevations of all facades, including openings, types and proportions of siding materials and proposed colours, and all dimensions of the facades, including the ones regarding the floors' openings
- 4° Sections as well as architectural and structural details which are necessary to ensure the understanding of the project and to verify its compliance

The plans referred to in the first paragraph above must be drawn to scale. When requested, these plans must be signed and sealed in accordance with the *Architects Act* (R.L.R. Q., c. A-21) and the *Engineers Act* (R.L.R.Q., c. 1-9).

#### **5.1.4.7 BUILDING OR PART OF A BUILDING EXEMPTED OF THE APPLICATION OF CHAPTER I – BUILDING, OF THE QUEBEC CONSTRUCTION CODE**

All plans, elevations, sections, sketches, and specifications showing the required details to verify the compliance of a building or part of it with the standards established in Annex "A" of the By-Law (*Chapter I – Building*, of the *Quebec Construction Code*), must be carried out and signed by a registered professional member in good standing of a professional order in Quebec and competent in that field of expertise when required by an Act or By-Law.

#### **5.1.5 OBLIGATION TO PROVIDE CERTAIN ADDITIONAL INFORMATION AND DOCUMENTS**

According to the nature of the application, the designated official may ask the applicant or authorized representative additional information and documents of those required under the present By-Law if they are essential to verify the compliance of the aforesaid application with the applicable provisions of the urban planning regulations.

### **5.1.6 EXEMPTION TO PROVIDE CERTAIN DOCUMENTS**

According to the nature of the application, the designated official may indicate to the applicant the information and documents among those listed in this By-Law, the ones which are not required for the application's analysis and, therefore, that are not to be provided.

### **5.1.7 MODIFICATION OF A BUILDING PERMIT**

When approved, the building permit may not be modified. The owner or applicant who wants to modify the plans and specifications during construction must file with the designated official a new application for a permit indicating in a precise manner the modifications proposed.

No work entailing the proposed modifications to the plans and specifications may be carried out prior to the issue of a new permit approving the modifications.

### **5.1.8 RESPONSIBILITY OF THE OWNER OR THE APPLICANT**

The owner or applicant obtaining a building permit must ensure that all vehicles and equipment engaged in the construction work and travelling over City streets to and from the construction site, do not constitute a nuisance.

For this current section, a nuisance comprises trails, tracks or litters of mud, soil, stone, brick, debris, or any other type of construction materials. The City is entitled to clean up such nuisances daily at the permit holder's expense, without waiving the possibility of further recourse provided for in this By-Law.

### **5.1.9 DELIVERY CONDITIONS OF BUILDING PERMITS**

The designated official issues the permit if:

- 1° The application complies with all of the urban planning regulations in force
- 2° The permit application form, described in this By-Law, is completed and signed
- 3° The application is accompanied with all the required plans and documents by this By-Law
- 4° All construction must be served by municipal sewer and waterworks networks
- 5° The proposed building must have a facade which faces an existing street
- 6° All expenses have been duly paid
- 7° Prior to the issuance of a permit for major works that require evacuation, written documentation must be provided demonstrating that affected tenants have agreed, in writing, to either temporarily relocate or voluntarily vacate their dwellings during the work. Tenants who have agreed to temporarily relocate must have been presented with a clear expected timeline for their return. The contact information of each affected tenant must be provided.

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2593-1, a. 3.

### **5.1.10 BUILDING PERMIT DELIVERY DELAY OR REFUSAL**

The designated official shall have 30 consecutive calendar days starting from the date where all required documents have been filed for the permit's delivery or refusal. In case of a refusal, the designated official must give back to the applicant a written document mentioning the elements which were not compliant with the regulation in force.

If the permit application is subject to Site Planning and Architectural Integration Programs By-Law (SPAIP) and/or the By-Law on Minor Exemptions, a maximum delay period of 30 consecutive calendar days starts the day of the adoption of the resolution by the Council who approves the plans or the minor exemption request.

No project may start without obtaining a permit.

#### **5.1.11 BUILDING PERMIT CANCELLATION AND NULLITY**

A building permit becomes null and void in the following cases:

- 1° The works have not started within a delay of 180 days following the date of delivery of the permit
- 2° The works are interrupted during a period of more than 90 consecutive days
- 3° The following works are incomplete within a period of 90 days:
  - a. A modification of a building
  - b. The demolition of a building
  - c. The installation of fence or hedge
  - d. The construction of a garden shed
  - e. The installation of a sign
  - f. The installation of a swimming pool
  - g. The construction of a driveway.
- 4° The construction or extension of single-family dwellings and duplexes are incomplete within a delay of 12 months
- 5° The construction or extension of a multi-family, commercial, public, or industrial building are incomplete within a delay of 18 months
- 6° Any owner or applicant whose building permit becomes null and void by the above provisions may not recommence the construction work before filing a new application for a building permit, within a delay of maximum 30 days following the expiration date of the permit. The aforesaid application shall be subject to the provisions of this By-Law and the required fees which are based upon the value of the outstanding works to be completed, are yet again applicable.
- 7° If there is no new building permit application or if the new building permit expires without the resumption of the work, the City may require the demolition of uncompleted construction work at owner's or applicant's expense.
- 8° A lot on which an excavation has been carried out in accordance with a building permit must be put back to its original state if there is no constant progression in the works one month after the said excavation has been substantially completed.
- 9° The building permit shall become null and void if any documentation or information provided during the permit application process is found to be misleading, untruthful, or inaccurate.

2593-1, a. 4.

## **5.2 OPERATING PERMIT FOR A SEMI-PRIVATE OR PUBLIC SWIMMING POOL**

### **5.2.1 GENERALITIES**

On the entire territory of the City of Cote-Saint-Luc, no semi-private or public swimming pool may be operating and used without the owner having obtained an annual permit for a swimming pool. The permit must satisfy the following conditions:

- 1° A permit of annual operation for a semi-private or public swimming pool is valid for a period of 12 months only. All semi-private or public pools must abide by the *Regulation respecting safety in public baths* (B-1.1, r.11) and the *Regulation respecting water quality in swimming pools and other artificial pools* (Q-2, r.39) as well as all the applicable urban planning regulations in effect.
- 2° Fees for the delivery of the permit must be paid.

## 5.2.2 REVOCATION

A permit of annual operation for a semi-private or public swimming pool may be revoked at any time by the designated official if he realizes that the owner committed an infraction to the *Regulation respecting safety in public baths* (B-1.1, r.11) and the *Regulation respecting water quality in swimming pools and other artificial pools* (Q-2, r.39) as well as all the applicable urban planning regulations in effect.

Any owner of a semi-private or public pool, must, at any time, allow open access of his pool to the designated official.

## 5.3 OCCUPANCY PERMIT

### 5.3.1 GENERALITIES

Any building or part of a building that is newly erected for which its use or destination has been changed or that has been subject to an occupancy change, may not be occupied without obtaining an occupancy permit.

### 5.3.2 APPLICATION FOR AN OCCUPANCY PERMIT

All requests of authorization regarding the first occupation of a new construction or building or part of an altered building may only be presented when the construction or transformation work has been substantially completed.

All applications for an occupancy permit shall be presented in writing to the designated official and must include a certificate of location prepared by a land surveyor.

2593-2, a. 12.

### 5.3.3 ISSUANCE CONDITIONS

An occupancy permit may not be issued if the construction or the proposed use contravenes the requirements of this By-Law or any other urban planning regulations of the City of Côte Saint-Luc.

The designated official must issue the occupancy permit once he verifies that the work is compliant with all the regulations in force and under the City's jurisdiction, within a delay of 15 days following the deposit of the application.

An occupancy permit may only be issued if the fees, as well as a security deposit when required, have been paid by the owner or the applicant, and if all of the required documents have been provided.

2593-2, a. 13.

### 5.3.4 APPROVAL OF OCCUPANCY

At his discretion, in compliance with the conditions listed below, the designated official may deliver an occupancy permit for all or for part of a building even if the work has not been completed, subject to:

- 1° The structure of the building being completed including the roof
- 2° The enclosing walls of the building being completed up to the roofing including the exterior finish
- 3° The walls enclosing the space to be occupied being completed including the balcony guards
- 4° All required fire separations and closures being completed on all storeys to be occupied from the uppermost level down to grade level and below to lower storeys
- 5° All required exists being completed and fire separated, including all doors, door hardware, selfclosing devices and all required guardrails and hand-rails being completed from the uppermost floor to be occupied down to grade level and below to lower storeys
- 6° All shafts, including closures being completed to the roof and having the required fire separation as well as the required fire protection up to and including the floor/ceiling assembly of the storey above the storey to be occupied
- 7° Measures having been taken to prevent access by the public to parts of the building and site that are incomplete or still under construction, and to install proper signs clearly identifying these areas
- 8° Floors, halls, lobbies and required means of egress being kept free of loose material and other hazards
- 9° The required fire separations being completed and all closures being installed for those service rooms which must be in operation
- 10° All required plumbing, sprinkler and electrical equipment, fixtures, systems and rooms being installed and/or completed and operational
- 11° Required fire alarm system (emergency communication system), smoke alarms, standpipe, fire department connections, stairwell pressurization, emergency power and fire pumps being complete and operational up to the roof
- 12° Required pressurized water extinguishers having been installed on all storeys to be occupied
- 13° Garage(s) and basement(s) being completed and protected by required sprinkler system(s), complete with fire department connections, and free of all and any combustible structure and/or materials
- 14° Required fire-fighting access routes being provided and accessible
- 15° Required elevator service being operational when the level of the third storey is ready to be occupied. However, when a fire elevator is required in a building, it shall be operational before any permit of occupancy may be issued
- 16° All requirements of the Fire Security/Prevention Service being met.

The permit of occupancy will be issued for a given storey only once all of the dwellings located thereon will be completed. Also, the permit of occupancy will be issued in the following order starting from the ground floor level, and thereafter consecutively for each storey in ascending order, up to the roof level.



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## **CHAPTER 6. PROVISIONS RELATING TO THE RESPONSABILITIES OF THE APPLICANT AND TO CERTAIN CONSTRUCTIONS**

### **6.1 RESPONSABILITIES OF THE APPLICANT**

#### **6.1.1 GENERALITIES**

The owner or authorized representative has the obligation to ensure that works are carried out according to the provisions of this By-Law.

The obtaining of the building permit, the approval of the plans or specifications and the inspections made by the City will not relieve the owner or its authorized representative from executing the works according to the requirements of this By-Law.

It is prohibited to start the works including excavation or soil transportation prior to the issuance of the building permit.

All the information relating to the application of this By-Law as well as the inspections made by the designated official, in the context of his mandate, does not entail or engage the responsibility of neither the designated official nor the City.

#### **6.1.2 OBLIGATIONS**

All owners or authorized representatives wishing to carry out works engage to:

- 1° Obtain, when necessary, all the essential permits and authorizations linked to the proposed work(s)
- 2° Notify the designated official 48 hours minimum before the start of the proposed works.

#### **6.1.3 MANDATORY DOCUMENTS**

During the construction period, the owner or authorized representative shall ensure to keep on the construction site a copy of all plans and specifications stamped and approved by the City for the issuance of the building permit. The aforementioned documents must be available as a reference when the designated official inquires about it.

## CHAPTER 7. OFFENCES AND PENALTIES

### 7.1 OFFENCES AND PENALTIES

#### 7.1.1 GENERALITIES

Any person contravening a-provision of this By-Law, or tolerating or permitting such a contravention commits an infraction and is liable to one of the following fines:

Type of offender	Minimum fine	Maximum fine
<b>First infraction</b>		
• Physical person	\$250	\$1,000
• Moral person	\$500	\$2,000
<b>Second infraction</b>		
• Physical person	\$500	\$2,000
• Moral person	\$1,000	\$4,000

#### 7.1.2 CONTINUOUS INFRACTION

Any continuous infraction to a provision of this By-Law constitutes, day by day, a separate and distinct infraction.

#### 7.1.3 FEES

The fines provided in this By-Law are subject to administration fees. In default of payment of such fine and costs imposed by the judge within the delay that he has fixed, the said judge shall impose penalties and order the procedures for execution of the judgment as are set forth in the *Code de procédure pénale* (R.L.R.Q., c.C-25-1).

#### 7.1.4 RECOURSE

The City may, for the purposes of ensuring compliance with the provisions of this By-Law, exercise cumulatively or alternatively with those which are provided for in this By-Law or any other adequate recourse of its civil or criminal nature.

For the City, the fact of issuing a statement of offence pursuant to the present By-Law does not prevent the City from initiating proceedings provided for in other municipal By-Laws.

#### 7.1.5 FORCE AND EFFECT OF BY-LAW

The present By-Law Shall come into force in accordance with the Law.

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#### ANNEX "A"

CONSTRUCTION CODE, CHAPTER I – BUILDING  
NATIONAL BUILDING CODE OF CANADA: CANADA 2010 (AMENDED)

#### ANNEX "B"

CRITERIA RELATING TO THE BUILDING PERMIT APPLICATION FOR THE DRILLING AND THE DRIVING OF PILES