
A stylized bird logo in the background, composed of thick, curved lines in shades of red and yellow. The bird is facing right, with its head and beak visible. The lines are thick and have a hand-drawn, artistic feel.

By-law on minor exemptions No 2025-03-907

The Municipal Council hereby decrees the following:

By-law on minor exemptions No 2025-03-907	i
CHAPTER 1: DECLARATORY, ADMINISTRATIVE AND INTERPRETATIVE PROVISIONS	Erreur! Signet non défini.
Section 1.1: Declaratory provisions	5
1.1.1: Title of by-law	Erreur! Signet non défini.
1.1.2: Scope of the by-law and jurisdiction	Erreur! Signet non défini.
1.1.3: Concurrence with other regulations or by-laws	5
1.1.4: Replacement	5
1.1.5: Amendment	5
1.1.6: Part-by-part adoption	5
Section 1.2: Administrative provisions	6
1.2.1: By-law administration and enforcement	6
1.2.2: Powers of the designated officer	Erreur! Signet non défini.
1.2.3: Application compliance	6
Section 1.3: Interpretation of provisions	7
1.3.1: Interpretation of provisions	Erreur! Signet non défini.
1.3.2: Numbering	8
1.3.3: Terminology	8
CHAPTER 2: ELIGIBILITY AND APPLICATION PROCEDURES	Erreur! Signet non défini.
Section 2.1: Application eligibility	9
2.1.1: Jurisdiction	Erreur! Signet non défini.
2.1.2: Provisions of the zoning by-law that may be the subject to a minor exemption	Erreur! Signet non défini.
2.1.3: Provisions of the subdivision by-law that may be subject to a minor exemption	Erreur! Signet non défini.
2.1.4: Eligible requests	9
2.1.5: Requirements for the approval of a minor exemption	9
Section 2.2: Procedure for requesting a minor exemption	Erreur! Signet non défini.
2.2.1: Filing and content of the application	Erreur! Signet non défini.
2.2.2: Study fees	Erreur! Signet non défini.
2.2.3: Complete application	12
2.2.4: Application verification	12
2.2.5: Application transmitted to the Planning Advisory Committee	Erreur! Signet non défini.
2.2.6: Study and recommendation by the Planning Advisory Committee	Erreur! Signet non défini.
2.2.7: Public notice	12
2.2.8: Town council decision	12
2.2.9: Minor exemption within a site subject to special constraints	13
2.2.10: Registry of minor exemptions	Erreur! Signet non défini.
2.2.11: Issuance of permit or certificate	Erreur! Signet non défini.
2.2.12: Minor exemption expiry	Erreur! Signet non défini.
2.2.13: Minor exemption exclusivity	14
CHAPTER 3: FINAL PROVISIONS	15
Section 3.1: Effective date	15
3.1.1: Effective date	15

CHAPTER 1: DECLARATORY, ADMINISTRATIVE AND INTERPRETATIVE PROVISIONS

Section 1.1 : Declaratory provisions

1.1.1 : Title of by-law

This by-law is entitled “By-law on minor exemptions” and is numbered 2025-03-907.

1.1.2 : Scope of the by-law and jurisdiction

The provisions of the present by-law apply to all individuals and to the entire territory of the Municipality of Grenville-sur-la-Rouge.

1.1.3 : Concurrence with other regulations or by-laws

Compliance with this by-law does not exempt you from the obligation to comply with any other law or regulation of provincial or federal jurisdiction or with any other applicable municipal by-law.

1.1.4 : Replacement

This by-law replaces RU-907-04-2018, entitled “By-law concerning minor exemptions of the Municipality of Grenville-sur-la-Rouge”, as well as all its amendments, previous versions and has precedence over any other provision or version.

1.1.5 : Amendment

The minor exemption by-law may be amended or repealed in accordance with the *Loi sur l'aménagement et l'urbanisme* (RLRQ, c. A-19.1).

1.1.6 : Part-by-part adoption

The Municipal Council of the Municipality of Grenville-sur-la-Rouge hereby declares that it adopts the present by-law chapter by chapter, section by section, article by article, so that, in the event that any part of the by-law is declared null and void by a court of law, this decision will not affect any other part of the by-law, unless it modifies or alters the meaning and scope of the by-law or any of its provisions.

Section 1.2 : Administrative provisions

1.2.1 : By-law administration and enforcement

The administration and enforcement of this by-law are entrusted to persons designated by resolution of the municipal council, hereinafter referred to as the “designated officer”.

1.2.2 : Powers of the designated officer

The powers of the designated officer are set out in the *Règlement d'administration des règlements d'urbanisme*.

1.2.3 : Application compliance

Any application for a minor exemption must comply with the provisions of this by-law.

Section 1.3 : Interpretation of provisions

1.3.1 : Interpretation of provisions

When two regulations or provisions of the present by-law apply to a use, building, lot or other object governed by the present by-law, the following rules apply:

1. The standard or specific provision takes precedence over the general provision;
2. The most restrictive provision prevails.

Unless the context suggests otherwise, it is understood that:

1. The use of the verb “MUST” indicates an absolute obligation;
2. The use of the verb “MAY” indicates an optional meaning, except in the expression “CAN'T” which means “MUST NOT”;
3. The word “ANYONE” refers to any individual or legal entity;
4. The use of the verb in the present tense also includes the future tense;
5. The singular includes the plural and vice versa, unless the context specifies otherwise;
6. The masculine form includes the feminine form, unless the context specifies otherwise.

The table of contents and the titles of the chapters, sections and articles of these regulations are provided for ease of understanding. In the event of any contradiction between the text and the titles or table of contents, the text shall prevail.

Plans, appendices, tables, graphs, symbols and any other form of expression, apart from the text itself, form an integral part of the present by-law for all legal purposes. In the event of any contradiction between a table or graph and the text, the data in the table or graph shall prevail.

Dimensions, surface areas and other measurements mentioned in the regulations are expressed in units of the international system.

1.3.2 : Numbering

The numbering system used in these regulations is as follows: when an article does not include a number for a paragraph or sub-paragraph, it is referred to as an indent:

- 1. Chapter
- 1.1 Section
- 1.1.1 Article
- Line
- 1. Paragraph
- a) Subparagraph

1.3.3 : Terminology

Unless otherwise specified or if the context does not dictate, expressions, terms and words have the meaning and application attributed to them by the Zoning By-law.

CHAPTER 2: ELIGIBILITY AND APPLICATION PROCEDURES

Section 2.1 : Application eligibility

2.1.1 : Jurisdiction

The present by-law, the provisions of which apply to all persons, extends to all zones identified on and in the zoning plan forming an integral part of the Zoning By-law, with the exception of a zone or portion of a zone where land use is subject to restrictions for reasons of public safety.

2.1.2 : Provisions of the zoning by-law that may be the subject to a minor exemption

The provisions of the Zoning By-law may be the subject of an application for a minor exemption, except those pertaining to:

1. Uses;
2. Land use density, measured in housing units per hectare.

2.1.3 : Provisions of the subdivision by-law that may be subject to a minor exemption

The provisions of the Subdivision By-law may be subject to a request for a minor exemption, with the exception relating to:

1. The contribution for parks, playgrounds and natural areas.

2.1.4 : Eligible requests

Application for a minor exemption must be submitted at the same time as the application for a permit or certificate, in accordance with the *Règlement d'administration des règlements d'urbanisme*, and must comply with the provisions of the zoning, subdivision and building by-laws, except those covered by the application for a minor exemption.

2.1.5 : Requirements for the approval of a minor exemption

Requirements for the approval of a minor exemption are:

1. The enforcement of the regulatory provisions covered by the application, or of any one of them, would cause significant prejudice to the applicant if the minor exemption is not granted;
2. The application complies with the planning objectives and guidelines set out in the Municipality's Master Plan;
3. The minor exemption shall not adversely affect the proprietary rights of adjacent property owners. However, Council may grant an exemption if it leads to an increase in the inconvenience associated with agricultural activities;
4. The minor exemption must not worsen safety or public health hazards or adversely affect the quality of the environment or the general public welfare;

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5. In an area where land use is subject to special constraints for reasons of safety, public health, environmental protection or general well-being, an exemption may not be granted regarding the regulatory provisions adopted pursuant to paragraph 16° or 16.1° of the second paragraph of section 113 or paragraph 4° or 4.1° of the second paragraph of section 115 of the *Loi sur l'aménagement et l'urbanisme* (RLRQ, c.A-19.1) ;
 6. The general rule is that any request for an exemption must be made and accepted prior to any work being carried out. If this rule is breached, the work must be stopped immediately. An exemption application must then be completed. If the application is accepted, the work can be legally resumed. In the event of refusal, the work must be retracted and the site restored to its original state.

Section 2.2 : Procedure for requesting a minor exemption

2.2.1 : Filing and content of the application

Applicants requesting a minor exemption must submit a written request, using the form provided to this end, to the designated official, along with the following required documents:

1. Owner's full contact details (name, address and telephone number);
2. When the application is submitted by an authorized representative, a power of attorney from the owner authorizing the representative to act on the owner's behalf;
3. Title deeds proving that the property to which the application refers is owned by the applicant;
4. Land description, either on a cadastral map or on a certificate of location;
5. A certificate of location prepared by a land surveyor for an existing construction;
6. A site plan to scale, including the necessary information to assess the application for the proposed construction;
7. In the case of height-related requests, detailed measurements of the existing construction, building or structure, carried out by a professional;
8. Recent photographs, no more than one (1) year old, of the buildings, structures, works or land where the work is to be carried out, as well as any structures located on adjacent properties;
9. Full details of any planned and existing exemptions, including the reasons why the project cannot be carried out in accordance with current regulations;
10. Proof of prejudice caused to the claimant;
11. Proof that the minor exemption will not interfere with the neighboring property owners' enjoyment of their rights of ownership;
12. Any additional information required for an in-depth understanding of the request.

The plans and documents required in this article are additional to those required by the *Règlement d'administration des règlements d'urbanisme* for a permit and certificate application.

2.2.2 : Study fees

Applicable fees for the study and handling of a request for a minor exemption can be found in Appendix 5 of the by-law regarding the fees for certain goods, services, activities and other administrative charges. These fees are non-refundable and non-transferable. They do not cover the cost of issuing a permit or certificate. They do, however, include the cost of publishing the public notice as required by law.

Notwithstanding the above, when an application covers several exemptions at the same time, the fee for studying and handling the first application is a flat fee. For each additional exemption included in the same application, a fee will be charged. These fees are also specified in Appendix 5 of the fee structure regulations. These fees are non-refundable and non-transferable, and do not cover the cost of issuing a permit or certificate. They do, however, include the cost of publishing the public notice as required by law.

If an application for exemption must be republished for a specific situation, the cost of republication is borne by the applicant.

2.2.3 : Complete application

The application for a minor exemption is considered complete when the study fees have been paid, and all required documents and plans have been submitted to the designated officer.

2.2.4 : Application verification

The designated officer will verify that the application complies with this by-law. Upon request, the applicant must provide additional information required for the complete understanding of the application.

2.2.5 : Application transmitted to the Planning Advisory Committee

Once the application is considered complete and the designated officer has confirmed its conformity, the application for a minor exemption is forwarded to the Planning Advisory Committee for review within 45 days. If the applicant submits new elements during the study period, or if professional assessments are required, this period may be extended to 60 days.

2.2.6 : Study and recommendation by the Planning Advisory Committee

The Planning Advisory Committee will issue a written opinion in the form of a recommendation, based on the provisions of the present by-law and the specific circumstances of each application. Each case will be studied individually, without considering any exemptions previously granted by the Municipality, and this opinion will then be forwarded to the Municipal Council.

At the meeting of the Planning Advisory Committee, members may hear interested parties, provided they submit a prior request to the designated officer.

2.2.7 : Public notice

The clerk or deputy clerk of the municipality must, at least 15 days before the meeting at which the municipal council will rule on the application for a minor variance, publish a notice in accordance with the legislation in force governing the municipality.

Fees for the publication of this notice are included in the fees for the study and handling of the application.

The notice must specify the date, time and place of the municipal council meeting, as well as the nature and effects of the exemption requested. It must also mention the address of the building concerned, either indicating the road and building number or, in the absence of a road number, the cadastral number. The notice must also specify that any interested party may be heard by the municipal council concerning the request.

2.2.8 : Town council decision

The municipal council will render its decision at the scheduled meeting on the date stated in the public notice, once it has considered the recommendation of the Planning Advisory Committee. This

recommendation, although considered, is not binding on Council. Council must study each case individually, without considering any exemptions previously granted by the Municipality and hear any interested parties wishing to express their opinion on the application.

However, if the Council considers that additional time is required to analyze the request in greater detail or to gather additional information, the handling of the request may be postponed to a later meeting. In this case, a new public notice must be published, specifying the date of such meeting.

The decision by which the municipal council renders its decision may include conditions, depending on the municipality's jurisdiction, to mitigate the impact of the exemption.

A copy of the decision must be sent to the applicant applying for the minor exemption.

When the minor exemption is granted in a zone where land use is subject to specific safety or public health regulations, or where it compromises the quality of the environment or the general well-being, a copy of the decision must be also be forwarded to the Regional County Municipality of Argenteuil.

Within 90 days of receiving a copy of the decision, the Council of the Regional County Municipality of Argenteuil may, if it considers that the decision poses an increased risk to public health or safety or jeopardizes the quality of the environment or general well-being, impose additional conditions to mitigate these risks or impacts. It may also modify the conditions established by the Council of the Municipality of Grenville-sur-la-Rouge, or if mitigation is not possible, cancel or reject the decision authorizing the exemption.

The Municipality of Argenteuil's decision must be communicated to the applicant, or in the absence of a decision, the applicant must be informed of the effective date of the decision authorizing the exemption.

2.2.9 : Minor exemption within a site subject to special constraints

A minor exemption granted in a zone where land use is subject to special constraints for reasons of safety, public health, environmental protection or general welfare applies in the following cases:

1. On the date on which the Regional County Municipality of Argenteuil informs the Municipality of Grenville-sur-la-Rouge that it does not wish to exert the authority provided for in the preceding article;
2. On the effective date of the Regional County Municipality of Argenteuil decision imposing or modifying conditions applicable to the minor exemption;
3. Upon expiry of the 90-day period provided for in this section, if the Regional County Municipality of Argenteuil has not exercised its powers under section 145.7 of the *Loi sur l'aménagement et l'urbanisme* (RLR Q.c. A-19.1).

2.2.10 : Registry of minor exemptions

The application for a minor exemption and the council's decision are recorded in the registry provided for this purpose.

2.2.11 : Issuance of permit or certificate

The permit or certificate may be granted by the designated officer upon receiving a certified copy of the municipal council's decision approving the minor exemption.

The designated officer will issue the permit or certificate if the application adheres to the current planning by-laws, except for the aspects covered by the minor exemption, and if the conditions outlined in the approval decision are fulfilled.

2.2.12 : Minor exemption expiry

The minor exemption expires if work has not begun within 18 months of the municipal council's decision.

In addition, the minor exemption expires if the work has been modified to comply with the applicable planning by-laws, or if the structure, construction or development that is the subject of the minor exemption has been destroyed, has become dangerous or has lost at least 50% of its value because of a disaster or other cause.

2.2.13 : Minor exemption exclusivity

When an applicant obtains a minor exemption for a building in accordance with the present by-law, this exemption cannot be applied to another building. Furthermore, a minor exemption does not authorize exemption from other provisions of the *Zoning By-law* or *Subdivision By-law* that have not been specifically authorized

CHAPTER 3:

FINAL PROVISIONS

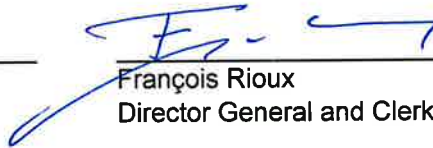
Section 3.1 : Effective date

3.1.1 : Effective date

This By-law comes into force in accordance with the law.



Tom Arnold
Mayor



François Rioux
Director General and Clerk-Treasurer

NOTICE OF MOTION:	April 8, 2025
ADOPTION OF THE DRAFT BY-LAW:	April 8, 2025
ADOPTION OF BY-LAW:	April 22, 2025
EFFECTIVE DATE:	April 23, 2025

