

## By-laws of the Town of Hampstead

PROVINCE OF QUEBEC  
TOWN OF HAMPSTEAD

### BY-LAW N<sup>o</sup> 775-1

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### BY-LAW AMENDING BY-LAW N<sup>o</sup> 775 CONCERNING SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAM (SPAIP)

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**WHEREAS** Notice of Motion of the present By-Law was given at the Special Council Meeting held on September 26th, 2011;

**WHEREAS** the Draft By-law N<sup>o</sup> 775-1 was adopted at the Special Council Meeting held on September 26th, 2011;

**WHEREAS** all Members of Council have received a copy of By-law N<sup>o</sup> 775-1 and declare to have read it;

### **ON NOVEMBER 7TH, 2011, THE COUNCIL DECREES AS FOLLOWS:**

1. Paragraph 5 of Article 2.4.2 of By-law N<sup>o</sup> 775 concerning site planning and architectural integration program (SPAIP) is replaced with the following :

#### **“2.4.2 Study of the Application by the Planning Advisory Committee**

(...)

5. *The Council may require, as a condition of approval of the plans, that the owner assumes the cost of certain components of the plans or studies, such as the cost of infrastructure or public services, demolition of existing buildings or structures, that he implements his project within a fixed period or that he furnishes financial guaranties.”*

2. The two following sub-paragraphs of Article 2.4.2 of By-Law N<sup>o</sup> 775 are **removed:**

***“The notice referred to herein must be posted at least 14 calendar days prior to the Council meeting in question.***

***Nothing in this process shall be construed to undermine the authority of Council to approve or not approve the application.”***

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3. Article 2.5.1 of By-Law N° 775 is replaced with the following:

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**2.5 FINAL PROVISIONS**

**2.5.1 Violations, Penalties and Recourse**

1. Anyone who contravenes the conditions of approval of his application commits an infraction and is liable, including the costs, to a fine of:
  - a) for a first infraction, a minimum of \$ 500 if the offender is a physical person and \$ 1000 and if the offender is a legal person and a maximum of:
    - I. \$1,000 if the offender is a physical person,
    - II. \$2,000 if the offender is a legal person;
  - b) for a repeat infraction, a minimum of \$ 1000 if the offender is a physical person and \$ 2000 if the offender is a legal person and a maximum of:
    - I. \$2,000 if the offender is a physical person,
    - II. \$4,000 if the offender is a legal person.
2. After notification by the building Inspector, every day during which the work is carried on shall be accounted as a repeat infraction.

**SUBMISSION OF APPLICATION**  
The applicant submits the application to the officer responsible, including all required documents and information useful to the evaluation of the project.

**PLANNING ADVISORY COMMITTEE (PAC)**  
Evaluation of the application by the PAC, which makes a preliminary recommendation to the Council.

**COUNCIL RESOLUTION**  
Approval or rejection of the application via Council resolution.

**APPROVAL OF PROJECT**  
Applicant is provided with a certified true copy of the resolution listing all conditions that must be met in the course of completing the project.

**REJECTION OF PROJECT**  
Applicant is provided with a certified true copy of the resolution explaining the rejection.

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4. The present By-law will come into force in accordance with the law.

(s) William Steinberg

Dr. William Steinberg, Mayor

(s) Nathalie Lauzière

Me Nathalie Lauzière, Town Clerk