

HOW TO REQUEST A CONDITIONAL USE

Request admissibility

A conditional use request is admissible only if the proposed use corresponds to one of the categories specified in chapter 2, 3, 4, 5, 6 and 6.1 of the [Conditional Uses By-law PC 2791](#) and if it is located in a zone subject to the provisions of this By-law.

Presenting the request

Any application for authorisation of a conditional use shall be submitted to the Planning Department, by the owner of the immovable to which the application relates or by his duly authorised representative by a written proxy, at least three weeks prior to the meeting of the Planning Advisory Committee (PAC). This request should include the following:

1. The documents required by the [Permits and Certificates By-law](#) for a building permit, a certificate of occupancy, or a certificate of authorisation to modify a landsite, as the case may be;
2. The identification of the establishment(s) that will occupy the building, and a description of the conditional uses to be undertaken in the premises;
3. The number of employees in each establishment and a calculation of the required parking spaces as per the [Zoning By-law](#);
4. The market research, statistical analyses and data, and business plan upon which the occupancy project is based;
5. A land use plan showing:
 - a) The boundaries and the dimensions of the landsite;
 - b) All existing servitudes on the landsite;
 - c) The location of all existing and proposed structures;
 - d) The location, shape and dimensions of all parking areas, parking spaces, and thoroughfares;
 - e) The location and width of each street access;
 - f) The proposed landscaping, including the levels of the land in relation to the level of the sidewalk, street curb or centre of the street, and the location of trees and shrubs to be planted, walls, fences, and other landscaping features;
 - g) The ground-cover materials;
6. Any other related document to support and justify the application, such as texts, maps, plans, architectural sketches, models, perspective drawings and audio-visuals, and any data or information that would demonstrate that the project is in accordance with the provisions of this by-law.
7. The applicable fees (420\$)

Planning Advisory Committee

The director of the department presents the request at the Planning Advisory Committee (PAC) meeting. These closed-door meetings take place every 4 to 5 weeks throughout the year. The PAC, which is combined of citizens, Council members and the Director of the Planning department, reviews the request and formulate recommendations that are presented to Council for consideration during a caucus meeting.

Council's preliminary decision

Further to PAC recommendations, the Council can decide:

- To request additional information. The applicant will be contacted and will be asked to submit the necessary documents; or
- To agree to continue with the conditional use procedure. The applicant will receive a written response; or
- Not to agree to continue with the conditional use procedure. The applicant will receive a written response as to why the request was refused.

Public notice

Not later than 15 days before the holding of the meeting at which the Council is to rule on the application for authorisation of a conditional use, a notice will be published in a local newspaper and a sign will be placed in full view on the site to which the application relates, indicating the date, time and place of the meeting, the nature of the application and that any person interested may be heard at the meeting in relation to the application.

Decision by Council

After due consideration at the public meeting, Council will make a decision concerning the conditional use request. The applicant will receive a copy of the resolution from the City's Clerk's office and, if the response is favourable, can then submit a request for a Certificate of occupancy or a Building Permit by following the established procedure.

Applicable fees

A minimum of 210\$ processing fees non-refundable apply (payable to the order of the City of Pointe-Claire). Moreover, an amount of 210 \$, to cover publication fees is required, only if the Council agree to continue with the conditional use procedure.

Important points to consider before making an application:

- There is no guarantee that an authorisation for a use will be granted by Council.
- The conditional use procedure takes two to four months to complete.
- The minimum non-refundable cost is 210\$.