CHAPTER 5: BUILDING BYLAWS

MUNICIPALITY OF LOW TOWNSHIP

BYLAW NUMBER _____

EFFECTIVE DATE

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SECTION 1: DECLARATORY PROVISIONS

1.1 Title of the bylaw

These regulations are entitled "Building Regulations of the Municipality of Low."

1.2 Purpose

These regulations are intended to govern the building sector. The issuance of a permit or certificate in accordance with these regulations does not exempt the applicant from complying with provincial laws and regulations, as well as the Quebec Building Code, which the Municipality has neither the power nor the duty to enforce.

1.3 Bylaw replaced

These building regulations replace, for all legal purposes, Regulation No. 15-926 and its amendments.

1.4 Territory covered

This Bylaw applies, with some exceptions, to all areas designated in the zoning Bylaw and its amendments of the Municipality of Low.

1.5 Persons affected

These regulations apply to all natural and legal persons.

1.6 Entry into force

These regulations shall enter into force in accordance with the law.

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SECTION 2: INTERPRETATIVE AND ADMINISTRATIVE PROVISIONS

2.1 Relationship between different urban planning regulations

1) The use of the words "these regulations" refers to both these regulations and all urban planning regulations. These regulations apply concurrently with other urban planning regulations, which, where applicable, may be used to interpret these provisions.

2) All interpretative and administrative provisions, as well as the penalties applicable in the event of a breach of these regulations, can be found in the regulations on permits and certificates.

3) In the event of any conflict between the zoning regulations and the building and subdivision regulations, the provisions of the zoning regulations shall prevail.

4) In the event that any part or clause of these regulations is declared invalid by a recognized court, the validity of all other parts or clauses shall not be called into question. The council hereby declares that it adopts the regulations part by part, regardless of whether one or more of these parts may be declared null and void by the Court.

2.2 Responsibilities of the architect, engineer, or construction manager

1) In connection with Article 3.1.2.3 of the regulations on permits and certificates, the following codes shall be applied under the joint and mutual responsibility of the owner, the designer and the contractor:

2) In connection with section 3.1.2.3 of the Permit and Certificate Regulations, the owner, the plan designer, and the contractor are jointly and severally responsible for the application of the following codes:
   a. National Building Code (Parts 1, 2, 5, and 9); we do not apply the Building Code
   b. Quebec Construction Code,
   c. National Fire Prevention Code,
   d. Plumbing Code,
   e. Safety Code for the Construction Industry;

3) All persons responsible for work carried out within the territory of the Municipality of Low Township must ensure that the work complies with the various existing codes, whether or not they apply to the work in question.

   Amendments to the above codes, after the coming into force of this bylaw, are likewise applicable upon their coming into force as decreed by the authorities responsible for each of them.

2.3 Approval by the municipality of a plan required by a government department or agency

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1) The Municipality does not grant any prerogative to its municipal officers to sign for approval a plan required by a government department or agency when it has not been prepared by the municipality or one of its representatives.

2) This plan must be approved by a competent professional in the field by affixing their signature and seal.

SECTION 3: STANDARDS RELATING TO THE CONSTRUCTION OF BUILDINGS

3.1 Maintenance of buildings

All buildings, both principal and accessory, must be kept in good condition and repaired as necessary to ensure their appearance and cleanliness while maintaining their integrity or safety in accordance with applicable code requirements.

3.2 Treatment and maintenance of exterior materials

The exterior surfaces of all buildings shall be maintained so that they remain uniform in appearance, are not deprived of their weather covering or protection in any place, and are not damaged. Exterior cladding on all surfaces of the building shall be installed without the air barrier being visible.

3.3 Prohibited exterior cladding materials

All buildings, whether main or ancillary, must have exterior cladding.

Subject to specific provisions, the use of the following materials is prohibited for the exterior cladding (including roofing) of any building, regardless of the zone:

a) paper and cardboard and coatings imitating or tending to imitate stone, brick or other natural materials;

b) tar paper or mineralized paper and similar papers;

c) insulating materials or products such as polyurethane;

d) galvanized or aluminum sheet metal and panels, unfinished, unpainted, factory pre-baked, non-anodized, non-enamelled or non-plasticized. Galvanized sheet metal is, however, permitted for agricultural buildings erected in agricultural zones;

e) plywood (e.g., veneer) and particleboard (e.g., pressed wood), painted, stained or unpainted, and other wood panels not specifically intended as exterior cladding materials;

f) fiberglass, asbestos, felt cardboard, or fiberboard panels;

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g) asphalt shingles (except for roofs and dormers);

h) canvas, polyethylene or other similar materials;

i) used materials of various types, shapes or colors for the same part of a building;

j) materials that are partially or totally deteriorated, rotten or rusted;

k) Untreated or unpainted natural wood, except for cedar, which may remain in its natural state, and structural pieces of wood that also form the exterior cladding of walls for a log-cabin-type building.

3.4 Building insulation

The following materials are prohibited for insulating any building:

a) Urea formaldehyde foam;
b) Sawdust;
c) Wood flour.

3.5 Foundations

1) All main buildings, except mobile homes, must have one of the following:
    a. Continuous concrete or cement block foundations that are waterproof and have footings at a depth that is protected from freezing to support the building;
    b. Screw piles;
    c. Concrete or steel piles designed for this purpose;
    d. A reinforced concrete slab poured on site;
    e. A treated wood foundation;
    f. Any other type of foundation provided for in the National Building Code.

2) The pile technology used must comply with the National Building Code or be accredited by the Bureau de Normalisation du Québec or the Canadian Standards Council.

3) All foundation walls, piles, or pilings must be driven down to solid rock or to the level of the ground with the required strength to ensure stability and counteract the effects of frost.

4) The lower level of any foundation wall other than a slab-on-ground system and a foundation wall resting on rock must not be less than one meter forty (1.40 meters) below ground level.

3.6 Building shape

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Any building in the shape of an animal, human, part of the human body, container, fruit, vegetable, or tending by its shape to symbolize them or any other natural or manufactured product is prohibited within the territory of the Municipality.

Any building with a semi-circular shape or appearance, whether prefabricated or not, generally consisting of a roof and side walls in one piece, is also prohibited everywhere except for agricultural use.

3.7 Measures to prevent infiltration from radon

For all new residential buildings with a basement living area, a radon mitigation measure involving active soil depressurization must be installed. The radon mitigation measure must comply with the provisions on protection against underground gases in the National Building Code in force.

3.8 Provisions relating to the construction of a septic system

Septic tank installation work must comply with provincial regulation Q-2, r. 22 on wastewater disposal and treatment for isolated dwellings in force, which forms an integral part of this bylaw.

Amendments to this bylaw are part of this bylaw as if they had been adopted by the municipality.

3.9 Provisions relating to the construction of a structure for water withdrawal and protection

The construction of a structure for water withdrawal must comply with provincial regulation Q-2, r. 35.2 on water withdrawal and protection in force, which forms an integral part of this bylaw.

Amendments to this bylaw shall form part of this bylaw as if they had been adopted by the municipality.

3.10 Connection to the network

When a building is erected on land served by a water and/or sewer system, the connection must be connected to the system. The following requirements for connection to the water or sewer system must be met:

1) Every owner of a building served by the sewer service must install, at their own expense, and maintain in good working order a safety valve (non-return valve) to prevent the backflow of sewage from all appliances, including floor drains, holding tanks, interceptors, tanks, and all other siphons installed in basements and cellars. This safety valve must be easily accessible for maintenance and cleaning.

2) No safety valve or other type of valve shall be installed on a building drain;

3) When a theoretically horizontal connection is equipped with a safety valve, it must not at any time receive rainwater or wastewater from appliances located on upper floors. However, if there is a danger of backflow, the municipality may require safety valves on connections that receive rainwater

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from outdoor surfaces below the level of the neighboring property and adjacent to the building, such as garage driveways, outdoor entrances, or French drains.

4) The use of a threaded plug to close the opening of a floor drain is permitted, but does not exempt the owner from the municipality's requirement to install a safety valve.

5) The installation and maintenance standards for safety valves (check valves) are those prescribed by the national codes in force;

6) All amendments to the National Plumbing Code after the effective date of this bylaw are also an integral part of this bylaw.

7) In the case of an existing building, the owner has one year from the date of entry into force of this bylaw to comply with this requirement.

8) In the event that the owner fails to install and maintain such valves (non-return valves) in good working order in accordance with this Bylaw, the Municipality shall not be liable for any damage to the building or its contents resulting from the consequences of sewer backups.

3.11 Installation of new water and sewer systems

1) The installation of new water and sewer systems is, with some exceptions, authorized only within urbanization perimeters.

2) The installation of any new water or sewer system is prohibited outside urbanization perimeters, except in areas covered by integrated projects or comprehensive projects.

3) The installation of any new water and sewer network is prohibited except for reasons of public health and safety. However, it is possible to install or extend existing networks in the case of residential developments that existed before this bylaw came into force. The purpose of such work shall not be to increase the number of residential buildings, but to resolve environmental and health problems (saturated sanitary facilities, drinking water supply problems, etc.).

3.12 Lift pump

It is the responsibility of the owner, if deemed necessary, to connect the French drain to a holding tank equipped with a lift pump for a building with a basement, cellar, sunken driveway, exterior entrance, or crawl space located below ground level.

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SECTION 4: PROVISIONS RELATING TO SUSTAINABLE CONSTRUCTION

4.1 Geothermal

Two types of geothermal systems are permitted by the regulations: those that use extracted water (or open-loop systems) and those that do not extract water (or closed-loop systems) since they use a heat transfer fluid that circulates within a closed loop.

1) All geothermal systems must be subject to a permit application.

2) The installation of any geothermal system must comply with the applicable standards set out in the Water Withdrawal and Protection Regulation (Provincial Regulation Q-2, r. 35.2) and its amendments, as well as all other legal provisions;

3) The contractor or installer must comply with all manufacturer's warranties.

4) A geothermal system development report must be submitted to the municipality within thirty (30) days of the completion of the work. This report must meet the requirements set out in provincial regulation Q-2, r. 35.2 and its amendments.

4.2 Flat or green roofs

1) For any flat roof or roof with a slope of less than 1:6, the following roof coverings are permitted:
    a. Green or vegetated roofs comprising at least a waterproofing layer, a growing medium, and a vegetation layer;
    b. Roofs with white material, white-painted material, or covered with a reflective coating or white ballast;
    c. Roofs with a material with a solar reflectance index (SRI) of at least 78, as certified by the manufacturer's specifications;
    d. Any combination of the above-mentioned coatings.

2) In the case of green or vegetated roofs, the applicant must demonstrate the load-bearing capacity of the roof based on the type of green roof planned.

3) For all types of roofs, the integration of solar panels is permitted. The provisions of section 6.3.3 of the zoning Bylaw apply.

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SECTION 5: BUILDING SAFETY AND SECURITY STANDARDS

5.1 Safety of buildings

All buildings must be constructed in such a way as not to compromise public safety.

5.2 Armoring or Fortification of Buildings

The use of materials and the assembly of building materials for the purpose of shielding or fortifying a building against projectiles from firearms, explosions, impact or the force of vehicles or other types of assault is prohibited throughout the territory.

Without limiting the scope of other provisions, the following are also prohibited:

a) The installation and maintenance of perforated or opaque steel protective plates inside or outside the building;

b) The installation and maintenance of bulletproof shutters or any other material offering resistance to explosives or impact around the openings of the building;

c) The installation and maintenance of armored or specially reinforced doors designed to withstand the impact of firearms;

d) Installation and maintenance of metal grilles or bars on access entrances, doors, or windows, except for those in basements, cellars, or crawl spaces. However, this protection system must be movable so that the window can be completely cleared to allow occupants to evacuate. It must be possible to unlock and open the system from the inside without a key or special knowledge;

e) However, the prohibition in the previous paragraph does not apply to protective grilles and bars against theft installed in windows and doors of establishments belonging to the "Commerce and services," "Industry," "Public," and "Agricultural" groups of uses.

f) The installation of laminated glass (H-6) or any other "bulletproof" glass in windows and doors;

g) The installation of walls or parts of walls inside or outside the building or of an observation tower, made of reinforced or non-reinforced concrete or specially reinforced to withstand the impact of firearms;

h) The following buildings or parts of buildings are exempt from this provision if their use, in accordance with municipal regulations, is as follows:

1. Financial institutions;

2. Cash-in-transit companies;

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3. Firearms and ammunition depositories;
4. Police stations and detention facilities;
5. Municipal workshops;
6. Jewelry stores;
7. Fur stores and warehouses;
8. Computer shops and warehouses;
9. Scientific and technological research building;
10. ATM;
11. Vault or secure room designed for the storage and protection of collections, artifacts, works, or other archival documents;
12. A museum, archive center, or library.

5.3 Barbed wire fencing

Without limiting the scope of the preceding articles, it is prohibited on land designated for residential use to install or construct barbed wire fences consisting of elements whose main function is to cause injury upon contact.

5.4 Snow guards on roofs

All structures whose roof slope could cause snow or ice to fall onto a street, alley or public parking lot must be equipped with a snow guard attached to the wall or roof to keep snow and ice on the roof.

5.5 Construction of semi-detached or attached buildings

1) Any party wall between two (2) buildings must be constructed as a fire barrier.

2) The different parts of a semi-detached or attached building must be constructed at the same time or, if this is not possible, the side intended to be semi-detached or attached must be covered with a facing similar to the other facades.

3) Notwithstanding paragraph 2, it is permitted to build half of a building in cases where a new unit is built against an existing party wall of equal or greater area.

4) The extension or modification of semi-detached residential buildings must be in harmony with their immediate neighbors:
    a. Any exterior extension or modification must be in harmony with the existing building;

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b. Any extension, modification of the outline or addition of a projecting element to the building must blend in with the existing built environment and not distort the overall appearance.
c. The first extension or exterior modification determines the choices for any future extensions or modifications by the immediate neighbor.
d. The choice of materials and colors must be made taking into account those found on existing buildings;

5.6 Fire protection for commercial and industrial buildings

Any fire protection system installed in a building used for commercial or industrial purposes must be approved by the fire department.

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SECTION 6: SAFETY AROUND A CONSTRUCTION OR DEMOLITION SITE OF A MAIN BUILDING

6.1 During construction or demolition of a main building

During construction or demolition of a main building, all construction and demolition sites must comply with the following provisions:

1) It is the responsibility of the contractor and the owner to ensure public safety at all times and in all places.

2) All excavations must be surrounded by a fence at least one hundred and eighty (180) centimeters high to protect the public at all times.

3) If an excavation is filled in, it must not be filled with construction materials or demolition debris. If the owner does not comply with the notice given to this effect by the responsible officer within thirty (30) days of the notice, the municipality may take the necessary steps to have the work carried out at the owner's expense.

4) All work carried out within three (3) meters of public property must be surrounded by a fence at least one hundred and eighty (180) centimeters high.

5) Construction debris and rubble must be properly stored on the site.

6) Under no circumstances may construction materials be buried on the property. Materials must be disposed of at a recognized eco-center.

7) Demolition for the immediate reconstruction of a building protected by acquired rights is permitted under the conditions set out in section 5.5.1 of the zoning Bylaw.

8) At all times, both during the construction and demolition of a main building, the civic number must be displayed on the site.

6.2 Measures to be taken at the end of a construction project

1) Any excavation left open and any unused open foundation may not remain in place for more than three (3) months following the demolition or relocation of a building, excluding the frost period from the calculation. After this period, the foundation must be demolished and the excavation backfilled to the same level as the ground.

2) The land must be seeded or turfed to promote rapid vegetation recovery if the site is not subject to any development or construction project for which a permit or certificate has been submitted.

3) The foundation must be removed from the site, if applicable.

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6.3 Measures to be taken after the demolition or relocation of a building

Any open excavation and any unused foundation in the open shall not remain in place for more than three (3) months after the demolition or relocation of a building, excluding the period of frost. After this period, the foundation must be demolished and the excavation backfilled to ground level.

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SECTION 7: BUILDING RECONSTRUCTION WORK

7.1 Reconstruction standards

1) The reconstruction or repair of any building that has been destroyed, has become dangerous, or has lost at least half of its value as a result of a fire or any other cause must be carried out in accordance with the regulations in force at the time of such reconstruction or repair.

2) If the building had a recognized acquired right, the reconstruction must take into account the provisions of Section 5 of the zoning bylaw concerning acquired rights. In this regard, before any reconstruction or repair, the owner must verify whether the building can be brought into greater compliance with the regulations in force.

3) A livestock facility destroyed in whole or in part by fire or a natural disaster may be rebuilt in accordance with the provisions of Section 5.5.2 of the zoning Bylaw.

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SECTION 8: DANGEROUS, UNOCCUPIED, UNFINISHED, DILAPIDATED, DESTROYED, OR DAMAGED BUILDINGS

8.1 Dangerous, unoccupied, unfinished, dilapidated, destroyed or damaged construction

1) Any construction that is unused or whose construction has been halted or suspended for a period exceeding one hundred and eighty (180) days is considered dangerous, unfinished, or abandoned.

2) Any dangerous, unoccupied, unfinished, dilapidated, destroyed, damaged or burned building must, immediately, when its condition presents a risk of collapse or a risk to public safety, be properly enclosed or barricaded with wooden boards or panels that are securely fastened to prevent access.

3) The site must be completely cleaned up within ninety (90) days. In the case of a burned-down structure or building, all material damaged by fire must be removed.

4) Any excavation left open and any unused or unfinished foundation must be surrounded by a fence at least one meter eighty (1.80 meters) high to protect the public at all times. If the owner does not comply with this requirement within fourteen (14) days of receiving notice, the Municipality may take the necessary steps to have the work done at the owner's expense.

5) Any excavation left open and any unused foundation in the open shall not remain in place for more than three (3) months after the installation of the fence, excluding the period of frost. After this period, the foundation shall be demolished and the excavation backfilled to the same level as the ground.

SECTION 9: CONSTRUCTIONS, STRUCTURES, AND WORK PERFORMED IN A FLOOD PLAIN

9.1 Construction, structures and work carried out in a flood plain (0-100 years)

No construction, works or work is permitted in a flood plain (0-100 years).

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SECTION 10: STANDARDS FOR TRAILERS AND MOBILE HOMES

10.1 Standards for the placement of trailers

1) Trailers may only be installed on campgrounds and construction or industrial sites. In the latter case, trailers may only be installed for the duration of the work. At the end of the work, they must be removed.

2) It is strictly prohibited to convert a trailer into a residence. Trailers may be temporarily stored on residential property with a main building, provided that they are not used as permanent dwellings under any circumstances.

10.2

Any project to build, convert, or expand a mobile home is subject to the provisions of Articles 7.2.1 to 7.2.10 inclusive.

10.2.1 Foundation

Any type of foundation on which a mobile home is built must not be more than one meter (1 m) above the adjacent ground.

10.2.2 Platform

If there is no foundation, a platform must be constructed of gravel, asphalt or other suitable material at each mobile home site so as to support the maximum anticipated load of a mobile home in all seasons without settlement or other movement.

On this platform, the mobile home must be supported and secured by piers, posts, or other acceptable means installed at a depth sufficient to prevent movement caused by frost and to support the anticipated load at the frame points indicated by the manufacturer or determined by CSA standards.

10.2.3 Water leveling and drainage

The entire area under the mobile home and any extensions must be covered with asphalt or well-compacted gravel. The entire area of the ground surrounding the mobile home platform must be leveled so that surface water flows away from the platform. When the mobile home platform is covered with gravel, it is recommended that a low wall be provided at the bottom of the crawl space perimeter to prevent the gravel from being scattered.

10.2.4 Technical void belt of a mobile home

1) A mobile home must have a crawl space extending from the bottom of the unit to the ground with a removable panel at least 1 meter wide and 0.6 meters high to allow access to water and sewer connections. The finish of the technical void belt must be made of materials authorized by the regulations.

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2) A technical void belt must be ventilated either naturally or by a mechanical ventilation system.

3) The technical void belt of a mobile home must be installed within 30 days of the unit being placed on its platform.

10.2.5 Transport device

All fastenings and other non-fixed rolling equipment must be removed within thirty (30) days of the unit being placed on its platform.

10.2.6 Stairs

All mobile homes must be equipped with steps, landings, and ramps leading to all entrances, in accordance with the National Building Code for residential construction.

10.2.7 Mobile home placement

The height, distance, and angle of mobile home sites in relation to access streets must be calculated so that mobile homes can be installed and removed without encroaching on another property and without the house frame coming into contact with the ground.

10.2.8 Finishing

The underside of the mobile home must be completely enclosed and sealed with waterproof materials of the same quality as the finishing materials of the mobile home within thirty (30) days after the installation of a mobile home on the lot.

10.2.9 Tank and cylinder

Heating oil tanks and gas cylinders may not be installed inside or underneath a mobile home or auxiliary building, nor may they be buried less than one and a half meters (1.50 m) from any exit of a mobile home.

10.2.10 Connection of a mobile home to municipal services

1) A mobile home must be connected to municipal or private water and sewer systems or, where applicable, to a source of potable water and a septic tank, in accordance with the Environment Quality Act (R.S.Q., c. Q-2) and the regulations enacted under it, as well as any future amendments.
2) Connections to services must be located in accordance with the positions indicated in the CSA Code for Mobile Home Parks.

10.3 Standards for converting a mobile home into a residence

The conversion of a mobile home into a single-family residence must comply with the requirements described below:

1) Mobile homes may be permitted as single-family residences in areas where such use is permitted.

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As such, zoning, subdivision, and construction standards for single-family dwellings apply to these areas.

2) The conversion project is subject to the Site Planning and Architectural Integration Regulations.

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SECTION 10: Residential Swimming Pool Safety Bylaw (RESIDENTIAL SWIMMING POOL SAFETY ACT - CHAPTER S-3.1.02, S. 1).

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