



HERE
FOR
YOU

Annual
report
2021



OMBUDSMAN
de Montréal
Fairness and goodwill



Ombudsman de Montréal

Fairness and goodwill

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MESSAGE FROM THE OMBUDSMAN



The Ombudsman de Montréal: a human recourse

Behind the report you are about to read stand human beings. Persons who have experienced minor and major problems in their dealings with their City. People just like you, but also others who are very different from you and me. Some who are not inherently inclined to reach out to institutions, and consequently do not call on the Ombudsman de Montréal enough, but about whom we care every bit as much.

Some are forced to live in an insalubrious dwelling, badly heated, full of mold, infested with bedbugs or mice. People residing in areas where rental properties are particularly old and often dilapidated, who can efficiently be helped by the Ombudsman de Montréal. But many of them do not know us or don't necessarily trust institutions. Or believe that this kind of recourse is complicated or does not apply to them.

For others, the difference is visible. They express themselves in a different language, have a different skin color, take actions differently or feel – and are – marginalized. These individuals do not automatically turn to the Ombudsman de Montréal. And yet... we are the sole recourse with the power to defend the rights protected under the *Montréal Charter of Rights and Responsibilities*, which clearly grants us jurisdiction when people deem themselves victims of discrimination in regard to services they receive from Ville de Montréal.

There are also elderly, handicapped or vulnerable people who desperately need their dwelling to be adapted so that they can live there a while longer, surrounded by loved ones who want to continue to care for them, but need a helping hand to do so. People who do not have the luxury of waiting. People for whom an intervention by the Ombudsman makes all the difference.

And there are persons without a dwelling. Invisibles, whose living space is the corner of two busy Montréal streets, in front of a métro station or in a park. People who are sometimes thousands of kilometers from their original homes and culture. There also, the Ombudsman de Montréal can help. And we do – sometimes even without the knowledge of those concerned.

Then there are the homelessness files, at the heart of which there is no point in discussing flowcharts, lists of responsibilities, normative frameworks or boxes to check off. It is far more a question of a human organization of services, of taking charge efficiently and without excuses, of free-flowing communication between authorities concerned, of the impossibility of averting one's eyes and, above all, of lucidity and vision. So as not to keep repeating the same mistakes from one year to the next. To ensure year-round continuity in follow-ups and assistance. Because homelessness will not disappear as a symptom, and therefore as a characteristic, of our individualistic societies. It can be better addressed and aided. But let's avoid the trap of being guided solely by a list of wishes contained in a plan. Let's put forth concrete solutions that truly work, with visible and tangible results for whom they are intended.

In 2021, our team has processed and resolved files for all such people (see section *Our impact: in solution mode* p. 28). A sense of humanity and of openness are, needless to say, fundamental in these files, in addition to thoroughness.

Our whole team has sharpened its expertise, listening, understanding and resolving files involving insalubrious dwellings, discrimination, dwelling adaptation, homelessness and numerous other topics. We have continued our approaches to organizations that could help us reach those who need us but do not know us. Because the Ombudsman de Montréal is here for you, no matter who you are.

Nadine Mailloux



AQUÍ PARA TI
 ISIT LA POU OU
 здесь для вас
 در اینجا برای شما
 এখানে তোমার জন্য
 כאן בשבילך
 ਇੱਥੇ ਤੁਹਾਡੇ ਲਈ
 ههنا لأجلك
 QUI PERTE
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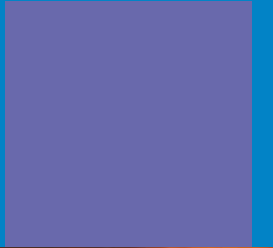


“Thanks to you, my daily life has improved greatly, as has that of many of my neighbours. It was a game-changer! [...] Please allow me to reiterate my heartfelt gratitude for the time and expertise that you devoted to this file.”

“Thank you for your patience and, above all, for taking the time to listen to me. This would be a better world if there were more people like you!”



THE OMBUDSMAN DE MONTRÉAL



The Ombudsman

About M^e Nadine Mailloux

M^e Nadine Mailloux graduated from the Faculty of Law at the Université de Montréal and was admitted to the Quebec Bar in 1999. She is an accredited mediator by the Quebec Bar and the Institut de médiation et d'arbitrage du Québec, and a member of the Arbitration and Mediation Institute of Canada.

M^e Mailloux is president of the Forum of Canadian Ombudsman. She draws on the best practices and experiences of ombudsmans who are recognized throughout Canada for their expertise. She also sits on the Comité des adhésions de l'Association des ombudsmans et médiateurs de la francophonie (AOMF).

M^e Mailloux codirects the "Advanced Issues in Ombuds Practice" certificate program at York University's Osgoode Hall Law School in Toronto.

The program is offered by renowned ombudsmans in Canada and internationally, and is aimed at experienced ombudsmans. Over the years, she has offered many training sessions devoted to the best ombudsman practices.

She is also one of three elected members who represent North America on the board of directors of the International Ombudsman Institute (IOI) and sits on the IOI's Comité de relations avec l'Organisation des Nations unies (ONU).

M^e Mailloux has been an ombudsman for more than 20 years. The majority of her career has focused on alternative methods of conflict resolution.



Throughout her career, M^e Mailloux has resolutely embraced a policy of cooperation, with a goodwill approach that aims at offering an alternative to plaintiffs who consider themselves aggrieved. Transparency, fair decision-making, respect, authenticity and openness are facets of her solution-seeking process and are undoubtedly the reasons for her success over the years in resolving situations that have been brought to her attention.

At first an ombudsman of second-instance at the Régie régionale de la santé et des services sociaux de Montréal-Centre, she then served in that capacity at a major university hospital centre, and subsequently at a university health and social services centre. She was named Ombudsman de la Ville de Laval by the Commission municipale du Québec in 2013 and opened the office, where she lent her expertise to that city's citizens until she was appointed Ombudsman de Montréal in August 2020.

For several years, M^e Mailloux coordinated a pro bono legal-aid clinic in poor communities. She is also pro bono ombudsman with The Lighthouse Children and Families, a non-profit organization that offers respite care and support for families of children afflicted with illnesses requiring complex care.

Our Team



From top to bottom
and left to right:

Anouk Violette
Lucie Legault
Goïkoya Kolié
Josée Ringuette
Brigitte Ducas
Leslie Ning
Éliane Fournier-Pleau
Rose-Michelle Durand
Laurence Delage

Anouk Violette

Advisor to the Ombudsman

Anouk Violette is a lawyer and advisor to the Ombudsman since 2016. Prior to that, she practiced employment and labour law as well as administrative law for almost 20 years as a lawyer and then as partner with the firm Ogilvy Renault (Norton Rose Fulbright). She holds two certifications from the International Association of Privacy Professionals (IAPP) for Canada (CIPP/C) and Europe (CIPP/E). In 2021, she completed the Osgoode Certificate in Privacy and Cybersecurity Law at York University's Osgoode Hall Law School.

Lucie Legault

Advisor to the Ombudsman

Lucie Legault was admitted to the Quebec Bar in 1992. She holds a Masters in Human Rights Law and is an accredited mediator for civil and commercial matters. Prior to joining the OdM in 2009, she practiced mediation and was editor-in-chief of a journal that promotes the rights of healthcare network users. She also completed various teaching, project coordination and legal drafting mandates.

Goïkoya Kolié

Research and inquiry technician

After working for more than a decade in customer service at Montréal's Municipal Court, Goïkoya Kolié joined the team in May 2021 as a research and inquiry technician. He holds a Bachelor of Laws from Université Laval and is completing a certificate in international cooperation at Udm.

Josée Ringuette

Legal Advisor to the Ombudsman

Legal Advisor to the Ombudsman since 2010, Josée Ringuette is an accredited mediator. She began her career as a research lawyer with the Quebec Court of Appeal. She has been a university lecturer and a consultant, conducting research and writing projects for various departments and organizations. She has published a book on writing for students.

Brigitte Ducas

Legal Advisor to the Ombudsman

Brigitte Ducas is a lawyer and an accredited mediator. Prior to joining the OdM team in 2014, she practiced in the field of labour and employment, at first as an intern at the Labour Relations Board and later for community groups, representing injured workers before administrative boards and tribunals.

Leslie Ning

Advisor to the Ombudsman

Leslie Ning is a lawyer and an advisor to the Ombudsman since 2019. Prior to that, she was executive director of the Mile End Legal Clinic, which provides pro bono legal services. She holds a degree in Civil Law and Common Law from McGill University, as well as a Bachelor's degree in international relations and international law from UQÀM. She currently sits on the advisory board of Pro Bono Students Canada.

Éliane Fournier-Pleau

Senior Executive Assistant

Éliane Fournier-Pleau is a career assistant with more than 10 years' experience coordinating office work with various public sector organizations. She has worked at Ville de Montréal since 2018 and supports the Ombudsman in her administrative and organizational duties.

Rose-Michelle Durand

Research and inquiry technician

Rose-Michelle Durand started her career as a paralegal in criminal and penal law at the Palais de justice de Montréal. She has been a master of the rolls at the Tribunal administratif du Québec and later became a court clerk and justice of the peace at Montréal's Municipal Court. With more than 20 years' experience in the legal field, she now works with the Ombudsman team as a research and inquiry technician.

Laurence Delage

Advisor to the Ombudsman

Laurence Delage is a lawyer and an accredited mediator. She joined the team in 2018. Prior to joining the OdM team, she practiced at a private law firm and several community organizations in the fields of administrative, immigration and human rights law. She is actively involved in an international organization promoting interculturalism and is currently completing a Master's in Public Administration.



THE OMBUDSMAN DE MONTRÉAL

What can the Ombudsman de Montréal do?



- We process complaints of citizens who believe they are adversely affected by a decision, action, omission or recommendation of Ville de Montréal or one of its representatives, paramunicipal agencies or City-controlled corporations.
- We launch own motion inquiries to identify and resolve problems in City operations (often systemic).
- We inform citizens about their municipal rights in plain language and through various means: meetings with community groups, training sessions, meeting the population and employees during tour of boroughs, publications on social media, etc.
- We raise the awareness by municipal decision-makers of municipal issues and, when appropriate, provide food for thought.
- We share acquired experience with City managers and with other ombudsmans and organizations.



Essential characteristics of the Ombudsman de Montréal

We thank the City for having always scrupulously respected the **OdM's** essential characteristics

- **Independence and autonomy** – The **OdM** is not subordinated to the *Direction générale* nor to Elected Officials. It is not bound by Ville policies and usual practices.
- **Accessibility** – Having recourse to the **OdM** is free of charge. The procedure to file a complaint is simple and straightforward..
- **Impartiality** – The **OdM** has no bias, whether toward plaintiffs or toward the City.
- **Confidentiality** – The identity and information gathered from a plaintiff or a City employee are disclosed only to the extent required to process the file. *The Cities and Towns Act* stipulates that the **Ombudsman** is not compellable before the courts and that our files are not subject to right-of-access legislation.
- **Accountability** – The **Ombudsman** must file an Annual Report of its activities. This report is public.
- **Power to make recommendations** – The **Ombudsman** cannot impose its conclusions. Its approach is one of cooperation and persuasion (moral suasion).

Values

Certain values color all our actions and interventions. We also promote these values ceaselessly:

- **Respect** – This must be mutual and non-negotiable.
- **Empathy** – We systematically attempt to understand how each interlocutor feels and adapt our approach accordingly.
- **Transparency** – The applicable procedures and rules must be clear. We explain the scope and limits of our powers.
- **Impartiality** – We approach every file without preconceived notions..
- **Thoroughness** – Before forming an opinion on a file, we review all relevant documents carefully, we go on site if need be, we analyze the relevant legislation and case law and we discuss with all stakeholders.
- **Fairness** – The rules must be just and applied fairly to all.
- **Integrity** – It is important to act honestly and with integrity. Any risk of a conflict of interest, real or perceived, must be avoided and reported.



Fairness: Where fairness fits in all of this!

A concern for fairness is a fundamental and constant principle in the Ombudsman's work.

Acting with fairness means:

- treating you with consideration and respect;
- giving you a reasonable chance to express your point of view;
- apply the rules that govern your situation, with sensitivity and without discrimination.

In every file we review, we verify that the entire administrative decision-making process in your case is fair.

It is important not to confuse fairness and equality of treatment, as fairness sometimes requires an adjustment of approach to fit the specific circumstances of a file.



The **OdM** team:

- identifies the relevant legal framework;
- assesses whether the three dimensions complementary to fairness have been respected : procedural fairness, relational fairness and fairness of the decision.

If one of these components is missing, the entire process can be compromised, which can create a sense of injustice for the person concerned: confidence in the whole system is undermined as a result..

In concrete terms, this means that the **OdM** team ensures:

- **Procedural fairness:** your complaint has been heard by an impartial decision-maker before the decision was made. The duty of procedural fairness imposes certain guarantees (e.g.: prior notice, opportunity to state one's point of view, motivation, etc.);
- **Relational fairness:** the Administration was attentive to your request and has been reasonably accessible, transparent and receptive;
- **Fairness on the decision:** the decision taken was reasonable and just.





“My lawyers [who practise in] a firm well-known for its real estate expertise, congratulated your office for a well-balanced and well-argued presentation. Thank you once again for all your work on this file.”

Custodian of the *Montréal Charter of Rights and Responsibilities*

The *Montréal Charter of Rights and Responsibilities* came into effect on January 1, 2006 and was amended in 2011, 2017 and 2021.

Its undertakings bind all staff members and elected officials of Ville de Montréal. These undertakings cover a range of municipal activities:

- Quality of municipal services;
- Universal accessibility;
- Citizen safety;
- Democracy and citizen participation, including a right of initiative that can lead to public hearings;
- Protection of the environment and air quality;
- Heritage preservation;
- Social inclusiveness and gender equality;
- Promotion of recycling and reduction at source;
- Sustainable development;
- Access to municipal services, including to leisure and libraries.

The **only possible recourse** to ensure compliance with commitments in the Charter is a complaint to the **OdM**. Citizens cannot use common law courts.

When a Charter undertaking is called into question, the **OdM** may not only intervene with the City's administration, but also on decisions voted on by the executive committee, the municipal council or the borough council.

In addition, when an inquiry concerns more than one undertaking contained in the Charter, the **OdM** makes sure to find the proper balance between them. For instance, in the inquiry regarding urban redesigns in the summer of 2020, the **OdM** team had to weigh the undertaking to promote mass and active modes of transportation against the supreme commitment to ensure the safety of all Montrealers. This is not a question of prioritizing, but of balancing.

In 2021, the **OdM** amended the way it classifies files. Why? In order to better reflect the number of inquiries in which a right protected under the Charter would not have been respected. This way, the profile of files in which the **OdM** has invoked the Charter is clarified and reflects more reliably its application in inquiries we conducted.

42

Number of inquiries launched in 2021 involving the *Montréal Charter of Rights and Responsibilities*.

To consult some summaries of files involving the *Montréal Charter of Rights and Responsibilities*, go to section [Our impact: in solution mode p. 29](#).



66

Principles, undertakings and responsibilities of the City under the *Montréal Charter of Rights and Responsibilities* are involved in our inquiries.

Details are as follows:

18 ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: principles, undertakings and responsibilities

Taking measures to reduce abusive irritants resulting from traffic	8
Taking measures to reduce abusive irritants resulting from noise	10

12 SECURITY: principles, undertakings and responsibilities

Developing its territory in a safe manner	6
Protecting people and their property	3
Taking measures to ensure citizen security in public spaces, notably in parks and community and recreational facilities	3



23 MUNICIPAL SERVICES:
principles, undertakings and responsibilities

Providing competent municipal services in a respectful and non-discriminatory manner	2
Promoting flexibility in supplying municipal services and in the use of public spaces to meet various citizen needs	2
Taking measures to limit any nuisances or obstacles that may interfere with citizens' ability to safely access their homes or the city's network of pedestrian walkways	1
Promoting universal access in developing its territory as well as universal access to municipal buildings, communications, programmes and services in general	2
Taking appropriate measures to ensure the cleanliness of public property	15
Promoting the supply and distribution of municipal services in an equitable manner	1

9 DEMOCRATIC LIFE:
principles, undertakings and responsibilities

Facilitating access to documents pertaining to municipal affairs	2
Ensuring the credibility, transparency and effectiveness of the public consultation process through the adoption and maintenance of appropriate procedures	3
Encouraging public participation and, to this end, providing citizens with useful information delivered in clear language and supporting the use of appropriate communication practices	4

4 ECONOMIC AND SOCIAL LIFE:
principles, undertakings and responsibilities

Taking the appropriate measures, with the support of its partners, to provide homeless persons with temporary and secure shelter, as quickly as possible, should such persons have expressed the need	2
Taking appropriate measures, with the support of partners, to prevent and fight poverty and social exclusion	2



Our Jurisdiction over Discrimination Issues

Discrimination may be described as a distinction, whether intentional or not but based on grounds relating to the personal characteristics of the individual or group, which has the effect of imposing burdens, obligations, or disadvantages on such individual or group not imposed upon others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of society.

(*Andrews c. Law Society of British Columbia*, [1989] 1 RCS 143)

In April 2021, Ville de Montréal amended the *Montréal Charter of Rights and Responsibilities* to specify certain responsibilities in its fight against all forms of discrimination. This updated version of the Charter reaffirms and strengthens the City's commitment to tackle discrimination based on, among other factors, one or several grounds listed in the document. These commitments, which concern several areas of life for citizens who are, at times, in precarious situations, have for objective:

- to eliminate direct, indirect, systemic and intersectional discrimination in municipal services;
- to establish a fair distribution of services offered to people;
- to improve citizens' quality of life;
- to provide social housing;
- to ensure the salubriousness of dwellings;
- to provide fair access to activities, parks and community facilities;
- to ensure universal accessibility to services and available facilities.

When the Ombudsman de Montréal receives complaints from citizens who feel that one of these commitments has not been respected, it can intervene if deemed necessary. The Ombudsman de Montréal can also intervene on its own initiative if a situation raises questions of discrimination.

A dedicated and well-equipped team

In addition to their legal training and experience in human rights and municipal law, the staff at Ombudsman de Montréal have been trained regarding various forms of discrimination as well as in investigative and analytical techniques specific to the processing of complaints on these issues. They have all obtained a certificate in gender-based analysis using an intersectional approach (ADS+).

More focused interventions

We notice that citizens who belong to certain ethnic or cultural groups make little use of our services. We also notice that this trend is even more pronounced in the poorer areas of Montréal where known problems, well-publicized by the media (housing issues, for instance), should in fact augment the need for recourse to our services.

Consequently, the Ombudsman de Montréal in 2021 redoubled its efforts to stress its jurisdiction regarding discrimination matters. We currently deploy more sophisticated methods to tabulate sociodemographic information about people who contact us so that we may adapt our services. Moreover, due to the major disparity in this respect and to specific issues that can exist in a borough, we will place a greater emphasis on neighbourhoods than on boroughs. In fact, we will continue our efforts to reach citizens who reside in or frequent these neighbourhoods.





“Thank you my dear for your concern.
You’re giving me hope again!”

OUR YEAR 2021 AT A GLANCE



27,656

Total number of files processed by the **OdM** since its creation

2,276

Number of files opened in 2021

2,365

Number of files processed in 2021 (including inquiries launched before 2021 and still active as of January 1, 2021)

89

Number of inquiries being processed as of January 1, 2021

211

Number of new inquiries and analyses launched in 2021

Of these inquiries:

40 were launched at our initiative

17 led to **undertakings**

2 led to the issuance of **recommendations**

3

Number of notices/advice provided in 2021

3.02

Business days
Response processing time to a complaint or request for information received in 2021

119.80

Business days
Processing time for inquiries and summary analysis concluded in 2021

Investigation processing time for inquiries and summary analyses concluded in 2021

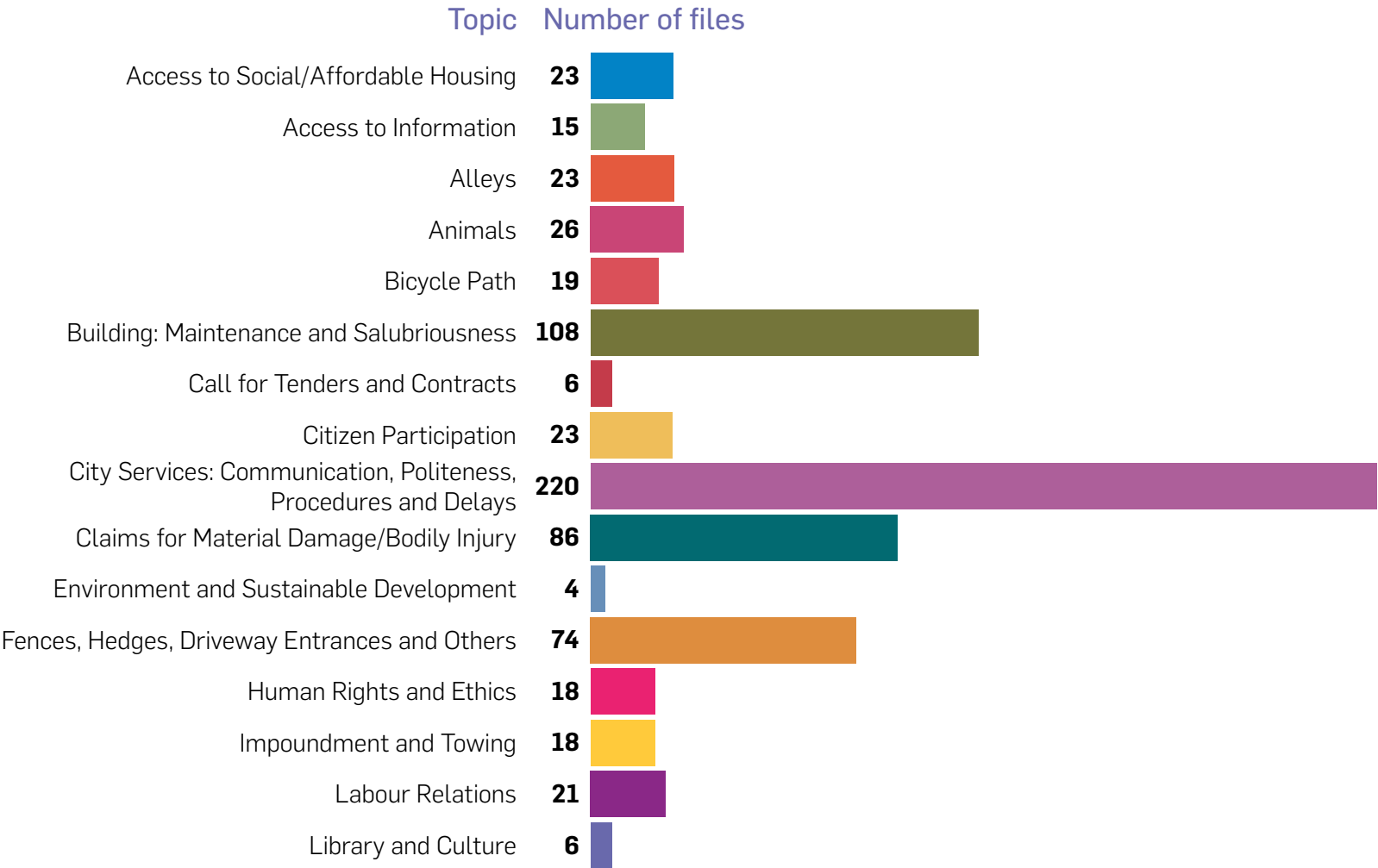


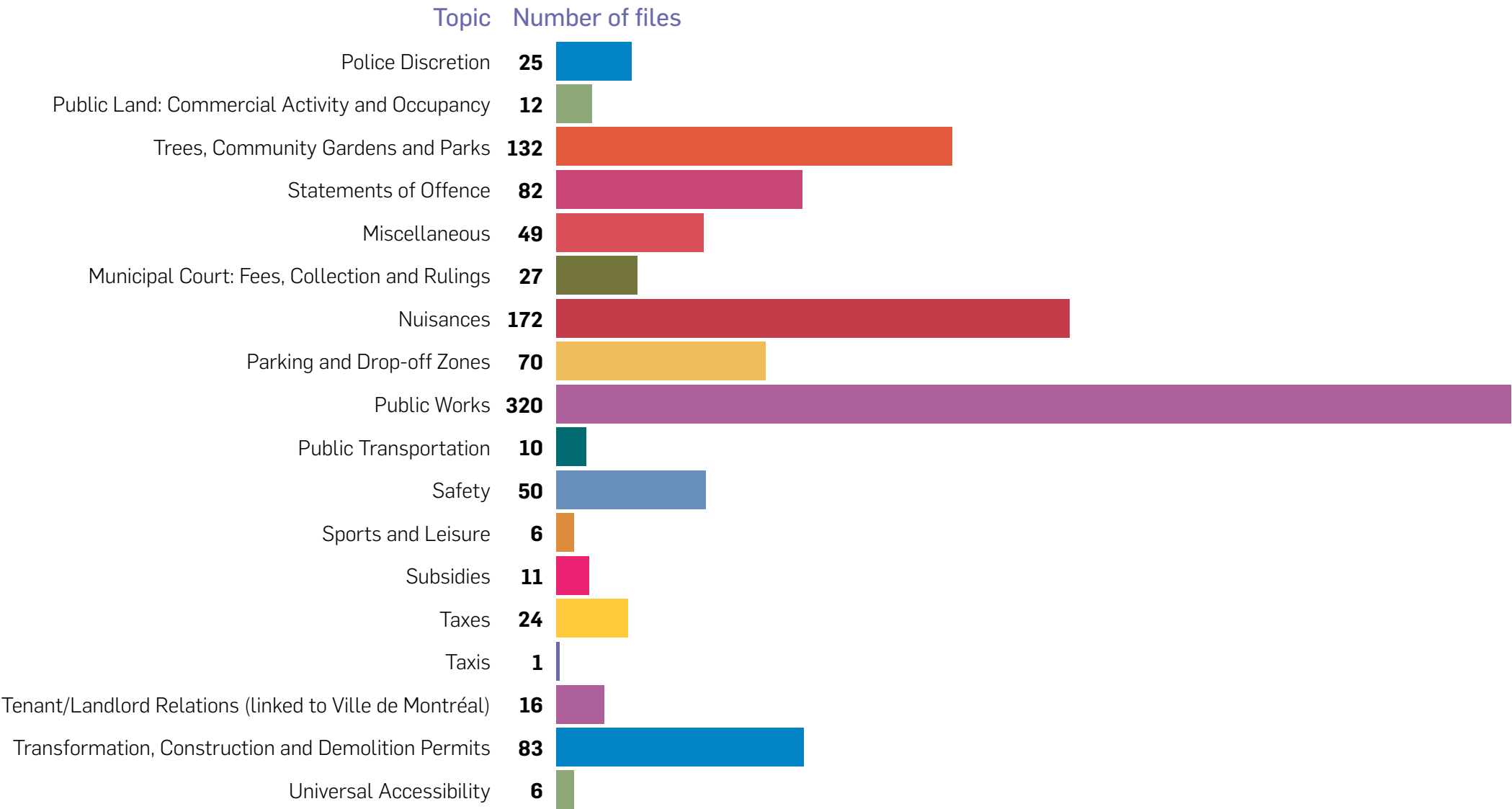
Number of business days	% of inquiries
0 – 30	29.26 %
31 – 60	20.52 %
61 – 90	14.85 %
91 – 150	13.97 %
151 – 365	16.16 %
More than one year	5.24 %

OUR YEAR 2021 AT A GLANCE



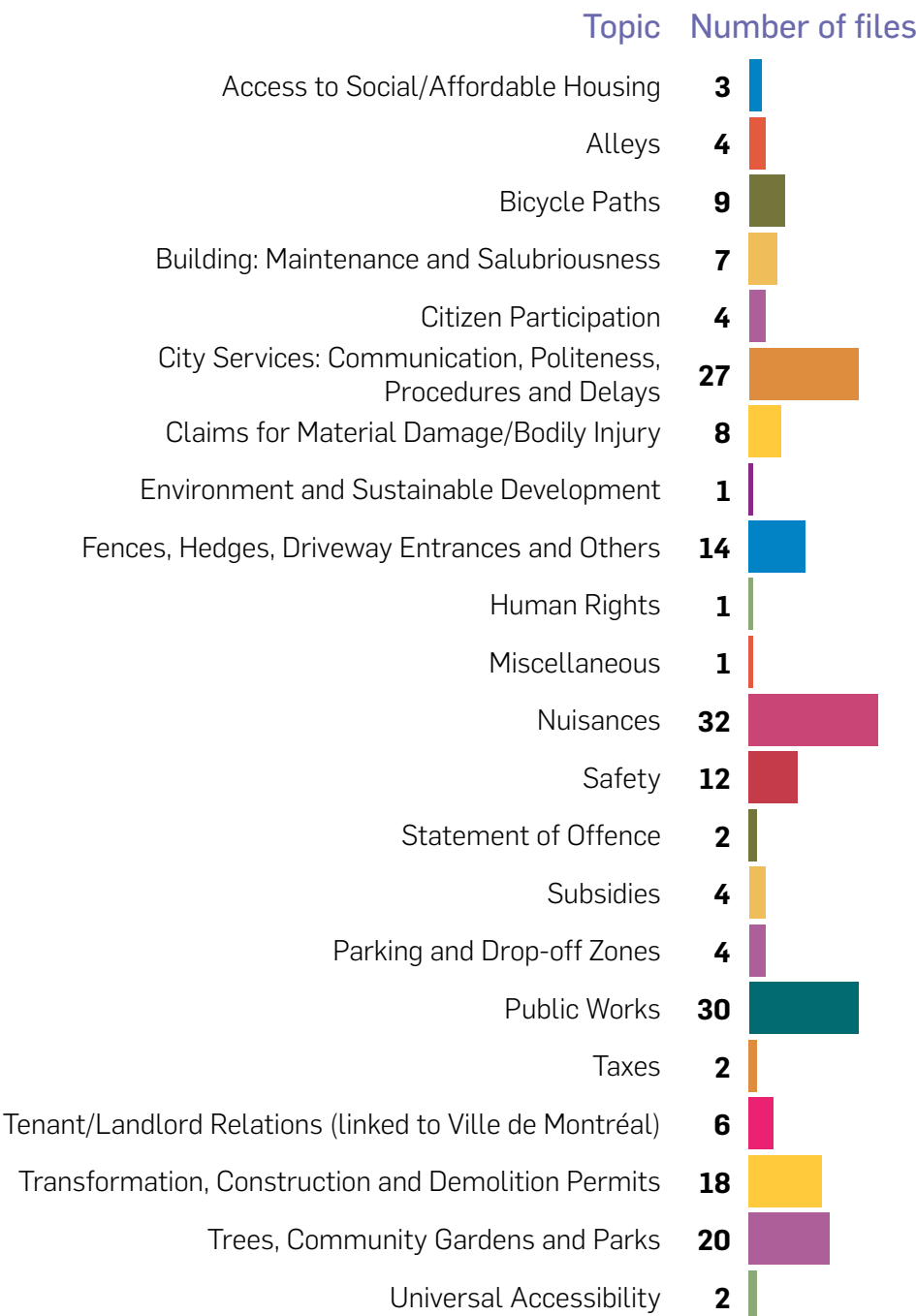
In 2021, we were told about...





OUR YEAR 2021 AT A GLANCE

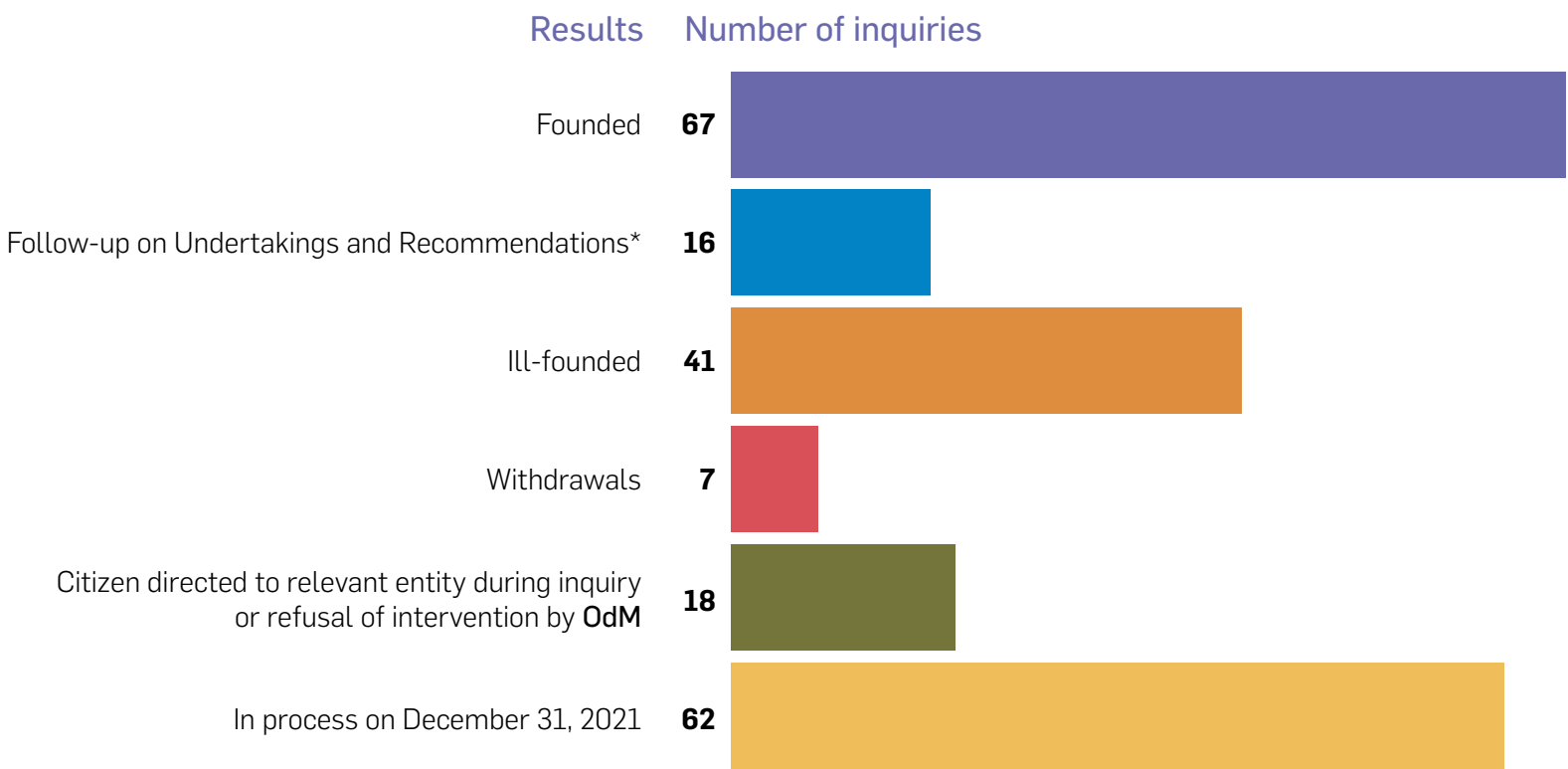
In 2021, we inquired about...



OUR YEAR 2021 AT A GLANCE



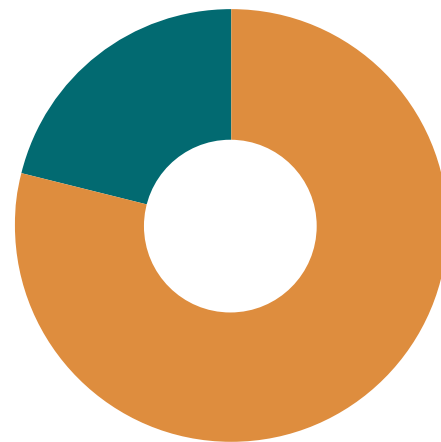
The results of our inquiries...



* For details about these follow-ups, see sections [Undertakings and follow-ups: in resolution mode p. 50](#) and [Our recommendations: in persuasion mode p. 57](#).

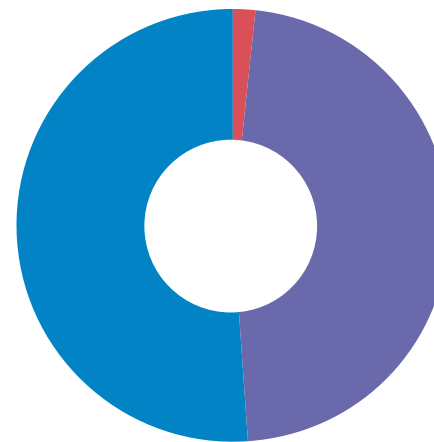
Who solicits the ODM?

Language
(when known)



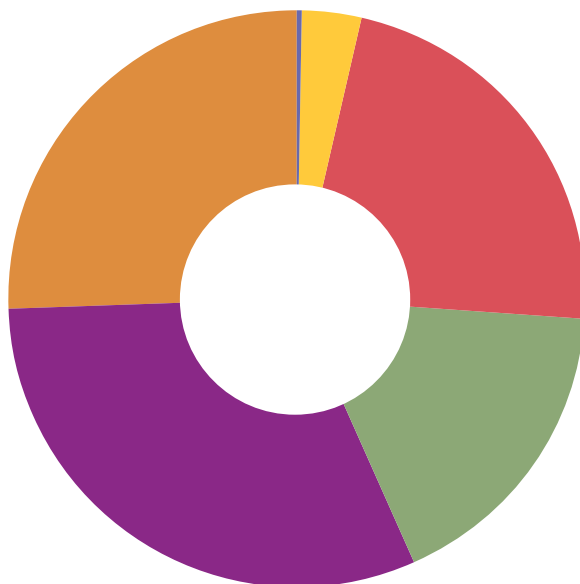
French	79.11 %
English	20.89 %

The means citizens used
to contact the ODM



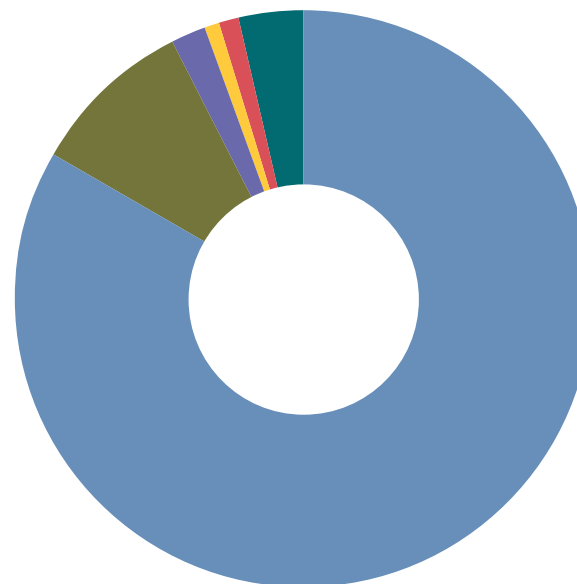
Social media	1.70 %
Email, mail or fax	47.32 %
Telephone	50.98 %

Age
(when known)



Under 18 years	0.20 %
18-25 years	3.56 %
26-40 years	22.57 %
41-50 years	17.03 %
51-64 years	31.10 %
65 years and older	25.54 %

Ethnic background, by region
(when known)



North America	83.38 %
Europe	9.13 %
Caribbean	2.13 %
Latin, Central and South America	0.69 %
Africa	1.24 %
Asia	3.43 %

Visible minority
(when declared)



Arab	35.88 %
Asian	26.91 %
Latin American	12.29 %
Black	24.92 %

OUR IMPACT: IN SOLUTION MODE





OUR IMPACT: IN SOLUTION MODE

Examples of inquiry files

In a given year, the **OdM** is called upon to inquire on a very wide variety of topics, whether stemming from an individual complaint or from its own motion. The forms of and grounds for our interventions are numerous. In some cases, the *Montréal Charter of Rights and Responsibilities* is not only the jurisdictional basis but also plays a leading role in the resolution of a file.

Here is a preview of a few inquiry files processed in 2021. This overview is a concrete illustration of the broad range of our activities and how we work with our counterparts and various City entities. In the first section, the file summaries deal with a variety of topics. In the second, they are classified under four subjects: green alleys, fairness, nuisances and vested rights.

 This pictogram denotes a file launched at the **OdM's** own initiative, as opposed to a file launched by a complaint by one or several individuals.

 This pictogram denotes a file that deals with a right or undertaking by the City in the context of the *Montréal Charter of Rights and Responsibilities*, whether invoked by the plaintiff or by the **OdM**.



Arrondissement de Mercier–Hochelaga–Maisonnette



Work in the context of a divided co-ownership –
Which authorizations are required?

Listening

After a previous inquiry, we noted that the borough had issued a permit for works in the common areas of a building on the basis of a document that was invalid on its face, after one of the two co-owners had expressed opposition to the work to the borough.

Although the file was settled in the end, the **OdM** wishes to ensure that the borough takes measures or changes certain practices to prevent such a situation from reoccurring.

Explaining and resolving

Following discussions and follow-ups in the file, the borough suggests creating a fact sheet useful to citizens and to employees to clarify which documents and authorizations are required for works in divided and undivided co-ownership buildings. We provide comments, which the borough takes into account in drafting the fact sheet, which is implemented in the spring of 2021.

We note that since 2020, under the *Règlement sur la construction et la transformation de bâtiments* (By-law concerning the construction and conversion of buildings), when it comes to a divided co-ownership building, a permit applicant (or authorized representative) must show the authorization from the co-ownership syndicate for all works to be performed in a common area.

Irregularity in the referendum approval process for
a 24-dwelling building project

Listening

Two citizens are dissatisfied with the way the borough handled the consultation and referendum approval process for a project to build a residential building with 24 dwellings in their neighbourhood, close to their property.

They deplore an insufficient signage display and dispute the rejection of some requests filed with the borough during the referendum registry process, and believe that if these applications had not been rejected, a referendum on this particular project would have been held. They say that they were denied the opportunity to rectify the anomalies and argued that in the midst of a pandemic and without support from the City, it was difficult for them to assemble the required signatures with proper identification documents.

Explaining

During the pandemic, the rules governing a referendum registry are adapted and replaced with a 15-day remotely-held registry process for qualified voters. Under these rules, sending written applications to the borough takes the place of a registry.

We carefully examine the originals of the 52 applications submitted to the borough. To hold a referendum, 45 applications are required. Of the 11 rejected applications, we identify four that should have been accepted.

These applications were rejected on the grounds that the birth dates on the photocopies of the provided pieces of identification were illegible. However, on three of them, the health insurance number, which includes the year of birth, is clearly visible. On the fourth, the date on the driver's licence is a little blurry, but the year is decipherable and the picture leaves no doubt as to the age of the licence holder. What's more, his contact information included in the request would have made it easy for the borough to get in touch with him.

In its Guide d'application de la procédure de demande de scrutin référendaire dans le contexte de la pandémie, the Ministre des Affaires municipales et de l'Habitation asks clerks to apply verification criteria so as to encourage the full participation of qualified voters, considering the extraordinary nature of demands imposed by a remotely-held referendum.

The **OdM** deems that there was an irregularity in the referendum approval process, which is a public order process.

We believe that the borough was not sufficiently flexible to facilitate the full participation of qualified voters. We conclude, therefore, that the certificate of the registry results produced by the borough is incorrect.

We also note that the size of the poster and where it was displayed did not meet the requirements regarding public display (in full view on the site). This element may have had an impact on public participation at various stages of the referendum approval process.

Resolving

We consider the situation worrisome for all citizens of the borough – and of Montréal – and we recommend that the borough restart the whole approval process for the particular project.

The borough rejects our recommendation, arguing that the process of adopting the resolution complied with applicable laws. But it concedes that it could have shown more flexibility in analyzing certain identification documents.

As for the public display, the borough maintains that it was compliant with regulations, but adds that it will henceforth ensure that posters and signs are placed at the edge of public land, and visually unobstructed.

The borough also approves two undertakings seeking to address certain concerns expressed by citizens concerning this project.

See [Our recommendations: in persuasion mode p.58](#)



Installation of a disabled passenger drop-off zone

Listening

A group of residents of a seniors' home demands the addition of a drop-off zone in front of the building for disabled persons, denouncing the fact that they must move 30 meters away from the entrance to the spot where the sidewalk is lowered (at the corner of a bicycle path), since the direction of the traffic on this street allows the paratransit vehicles to deploy their ramps solely toward the traffic, not toward the sidewalk.

The situation worsens in 2019 after the addition of a bike lane against the flow of traffic in front of the same residence. People must now navigate crossing two bicycle paths. Moreover, in winter, snow accumulation on the sidewalk often limits access to paratransit.

The borough confirms that it will consider a change of the direction of traffic on this street for 2022, which would solve the issue. In the meantime, it believes that the maneuvers by paratransit vehicles in the bike lane are dangerous for cyclists. It implements two temporary drop-off zones 50 meters from the entrance.

Explaining

The **OdM** expresses reservations. These drop-off zones are too far from the entrance and removing snow from them could cause problems, which citizens confirm on several occasions in the following weeks. We intervene with the borough on each occasion. We note that the temporary drop-off zones are not used. The Société de transport de Montréal (STM) explains to us that bus drivers must exit their vehicles to help users get there and that when doing so, they are required to maintain visual contact with their vehicle, which is impossible when the drop-off zones are so far away.

We also note that these drivers have the training to carry out safe maneuvers, even across bike lanes, and that the law allows them to stop in these lanes. We share these observations with the borough and remind them of the commitments under the *Montréal Charter of Rights and Responsibilities* in terms of universal accessibility. .

We believe that this situation adversely affects people with reduced mobility, who are the most vulnerable road users.

Since paratransit applies across the bike lane, we ask the borough to build forthwith a drop-off zone in front of the residence with a lowered sidewalk.

Resolving

After a meeting at the site with representatives from the STM, citizens, a residence manager and the **OdM**, the borough confirms that a drop-off zone will be built in front of the building by the end of summer.

This file highlights the importance of integrating universal accessibility principles at the design stage of new projects.

We have asked the borough to confirm its undertaking regarding universal accessibility issues in its current and future urban design plans.

See [Undertakings and follow-ups: in resolution mode p.51](#)



Arrondissement de Montréal-Nord

M Non-compliant places of worship –
The borough continues the implementation
of its action plan

Listening

We launch our own motion intervention in 2016, after a file brought to light the non-compliance of several places of worship in the Montréal-Nord borough in terms of zoning and fire safety.

The borough indicates that to ensure the situation is managed in a comprehensive manner, it will develop an action plan that includes updating the applicable regulatory framework and a procedure to help make existing or relocated places of worship compliant, after analyzing each file.

Explaining

This approach seems reasonable to us. However, in the meantime, we have concerns for the safety of persons who attend these places of worship, in view of the fire risks observed in several buildings during inspections conducted by the borough and by the Service de sécurité incendie de Montréal (SIM). We express this to the borough, which is receptive and continues inspections and follow-ups together with the SIM. And in 2019, it also starts implementing its action plan.

Resolving

The borough has undertaken to continue its efforts, so we stop our intervention at the start of 2020, noting that we will follow up in 2021. This new intervention confirms that the borough continued its inspections of places of worship and that the implementation of its action plan is ongoing. We will follow up in 2022 as well.

See [Undertakings and follow-ups: in resolution mode p.53](#)



“Thank you for your intervention, it had a huge positive impact on the quality of life of residents on the avenue.”

Arrondissement du Plateau-Mont-Royal and Service de la diversité et de l'inclusion sociale



Milton Parc – Between exasperation and despair

Listening

Citizens are worried about safety in their neighbourhood since the arrival of an organization providing respite for homeless persons. Coexistence is problematic with this community, predominantly of Inuit origin. Citizens witness rude behaviour, severe intoxication, drug dealing, prostitution and procuring, assaults and traffic accidents. They feel they are not listened to by the borough. They believe that the authorities' approach is inadequate and that intervention and shelter resources are insufficient.

The borough and the City fund front-line community services. However, this situation exceeds municipal jurisdiction and the City tries to enlist the support of the health and social services network, to no avail. Quickly, we understand that the situation is critical and requires an approach based on the needs of every person affected, whether housed or homeless.

Explaining

The **OdM** contacts the health and social services network. At our request, a crisis unit is set up. It brings together several City services and partners in the healthcare and community sector as well as Indigenous and Inuit organizations. The **OdM** joins as an observer. Our investigation is divided into three priorities: safety, shelter as well as support and coexistence.

Resolving

Our investigation leads us to question ourselves on the role and jurisdiction of the City as well as on the implementation of the Charter and action plans concerning homelessness.

Our investigation is ongoing as of the end of 2021.

Arrondissement de Verdun

Major shift in direction and lack of flexibility in a project assessment

Listening

A citizen deplores the lack of transparency and coherence of the Verdun borough over its handling of his request regarding a special construction, transformation or occupancy project (PPCMOI). The project is for a single-family home on a vacant lot behind the triplex that is also owned by the citizen and where he hopes to house his adult children, one of whom is quadriplegic.

Explaining

The citizen has several preparatory meetings with the borough to review the project's plans prior to submitting his application. The borough writes to inform him that the project is, in general, an interesting option, suggesting a minor amendment. To his astonishment, the citizen later learns that in its presentation of the file to the Comité consultatif d'urbanisme (CCU), the borough issued an unfavorable opinion, saying that it preferred the construction of a two-dwelling building, to increase the density of the lot.

This major shift in direction was not shared with the citizen in the course of his exchanges with the borough. He should have been told of such a switch to allow him, or not, to alter his project. Citizens have the right to expect such a level of service. The borough admits that such a major shift in direction during an analysis is usually shared in a timely manner with an applicant, but that it was not done in this case.

The borough asks the citizen to show that building a duplex is not possible. The citizen presents a plan explaining that the sole possible duplex option would comprise two 3 ½ dwellings spread over four levels. This option would not meet the citizen's need to house his children and family. The borough, on the other hand, is of the opinion that this plan confirms the possibility to increase the occupancy of the lot and reiterates its unfavorable recommendation of the single-family project.

Resolving

The **OdM** believes that the borough's stance does not show the desired flexibility, does not sufficiently take into account the atypical features of the lot (small and irregularly shaped) or of the aims of the project, to bring together a family (one of whose member is quadriplegic) in an intergenerational way.

We also note that increasing the lot occupancy, the borough's main argument in its project assessment, is not among the evaluation criteria in the PPCMOI regulations.

In October 2021, the borough council, the final decision-making body for PPCMOI applications, rejected the citizen's request.

Arrondissement de Ville-Marie



**A troublesome utility pole –
The borough intervenes instead of Hydro-Québec,
for the benefit of citizens**

Listening

Co-owners of a building in the Ville-Marie borough notice that their brick wall bordering a sidewalk is being damaged every winter during snow removal operations. This issue is caused by the fact that a Hydro-Québec pole is located on the sidewalk, close to the wall; the snow ploughs that have to circulate in this very narrow space damage the wall in the process.

Explaining

The problem persists despite the borough's efforts to improve snow removal techniques. The only practicable option is eventually narrowed to moving the pole. The borough tries to set a timeframe with Hydro-Québec to do the work and, at the request of the **OdM**, commits in 2020 to conduct the required follow-ups in order for the pole to be moved during the spring of 2021. Numerous approaches to Hydro-Québec are, however, unsuccessful.

Resolving

After several months of follow-ups, Hydro-Québec at last installs another pole, outside the sidewalk and at a sufficient distance from the building. However, the problematic pole remains in place and Hydro-Québec is slow to intervene.

**To avoid additional delays and with winter approaching, the borough,
instead of Hydro-Québec, decides to remove it.**

See Undertakings and follow-ups: in resolution mode p.54

Service des affaires juridiques de la Ville de Montréal (cour municipale)



**Statement of offence while driving a rented vehicle –
Can it be disputed?**

Listening

A citizen receives a statement of offence for parking while driving a rental vehicle. He wishes to plead not guilty and contacts the municipal court's customer service. He speaks with several representatives who give him contradictory information on the steps to follow. He then learns that the rental company paid the fine and billed him for the amount.

Explaining

In the absence of jurisdiction regarding the cancellation of the statement of offence or reimbursement of the amount billed, the **OdM** still wishes to check the quality of the services provided. The *Service des affaires juridiques* concedes that the information given to the citizen was contradictory and that its staff requires better training regarding this subject.

Resolving

Following our intervention, the Service des affaires juridiques issues an information sheet to its staff which states that:

- the statement of offence is sent to the rental company, which can plead not guilty. The driver of the vehicle does not have that possibility;**
- if the company pleads not guilty, an authorized representative must be present at the hearing. The citizen may act as a witness and provide complementary information;
- if the company opts to pay the fine plus the costs, the file is automatically closed.



“I thank you for all your efforts, for paying attention, for listening and for taking the file in hand. It’s reassuring to know that as citizens, we are not being abandoned by the City.”

Service des affaires juridiques (Direction des affaires civiles – Bureau des réclamations)



Works by a Ville de Montréal
sub-contractor – Clearer information
regarding claims

Listening

A citizen asks to be reimbursed for expenses he incurred due to works conducted on his street by Ville de Montréal. The Bureau des réclamations denies his claim: the work was done by a private contractor commissioned by the City. A letter, to which is attached the citizen's claim notice, is sent to him. The citizen receives a copy, but does not receive a formal letter from the Bureau des réclamations explaining the refusal and the re-routing of his claim to the contractor. The citizen does not understand that he must personally contact the contractor.

Explaining

When work is performed by a private contractor, the City is generally not responsible for damages and hence, is not involved in the rest of the process.

Resolving

The Bureau des réclamations will henceforth send an email to claimants explaining the re-routing of a request and the process to follow. This way, the procedure becomes clearer for everyone.

Service de l'habitation

Montréal's Programme d'adaptation de domicile (PAD) – When delays become a societal issue

Listening

The citizen and his spouse are seniors with disabilities and Montréal residents.

The citizen who suffers from Parkinson's disease, among other things, needs help in his daily activities and his spouse struggles to provide it due to her own physical condition.

In December 2019, he files an aid request to the Programme d'adaptation de domicile (PAD), then managed by the Société d'habitation du Québec (SHQ), to perform adaptation work that will allow him to receive hygiene care. In March 2020, the citizen's file is transferred to the City. In a report of October of that year, an occupational therapist recommends that the work be done.

Explaining

In January 2021, the service told us that the waiting time for a request to a PAD by a subsidy evaluator from the Service de l'habitation is between 14 and 16 months from the date of registration. A staff shortage and the pandemic would delay projects, due to required home visits that cannot be done. At the time, there were 515 active files at the PAD.

There are no statistics for the number of people who terminated their project due to the fact that they were forced to go to a healthcare facility and files are processed chronologically. The citizen's file does not meet the exceptional criteria for prioritization.

An action plan that took effect in February 2021 calls for additional resources and streamlining the work flow. Nonetheless, the **OdM** insists on the fact that the systemic problem of delays in administering this program remains worrisome and that it's still apt to end up as a denial of essential services for many vulnerable people.

Resolving

Following our intervention, the processing of the citizen's file is accelerated. It is finally taken care of at the end of May 2021 and the decision to grant him a subsidy is handed down in mid-September 2021. He will have waited 20 months or more than a year and a half.

The service accepts our proposal to amend the application form for priority treatment that must be signed by the occupational therapist to take into account the risk of harm resulting from a possible delay, including the institutionalization of the claimant.

The service believes that henceforth, a file of this type can be processed in 10 to 12 months. Our office remains concerned by this timeframe, especially in view of the 60-plus complete files still waiting to be processed.

After discussions and at the request of the **OdM**, the **Service de l'habitation undertakes to** document, compile and communicate its weekly statistics to keep delays under control. It also undertakes to review files periodically to prevent some of them remaining inactive needlessly and to monitor their prioritization. The service also undertakes to reduce by **March 1, 2022** the number of complete files awaiting processing to **25**, and to **not exceed this limit in future**.

We hope that all these actions will help improve management of the PAD and to reduce the risk that vulnerable people be forced to leave their residence because their dwelling cannot be adapted in time.

All this is not only for the benefit of people who have the right to take advantage of this program, but also in the public interest.

See Undertakings and follow-ups: in resolution mode p.52



All boroughs, Service des grands parcs, du Mont-Royal et des sports



Big crowds in the parks, not enough sanitary facilities – Not a great mix!

Listening

In the summer of 2021, still in full pandemic mode, parks are besieged. We receive many complaints from people who live on the edges of some of these parks complaining about people urinating and defecating on their property or in their parking areas, about soiled tissue paper not thrown in the garbage or about nauseating odors.

Among the reasons invoked to explain this phenomenon are long waiting lines at the few sanitary facilities, fewer available toilets and chemical toilets deemed insalubrious.

The insufficient number of trash cans in Laurier, Lafontaine, Jeanne-Mance, des Carrières, Sainte-Bernadette, Saint-Viateur, Outremont and Jarry parks is also mentioned.

Explaining

Number of sanitary facilities

Although some parks have enough facilities and although temporary toilets and trash cans have been added at the initiative of boroughs, the Sainte-Bernadette, des Carrières, Laurier and Jeanne-Mance parks still have salubrity issues.

Cleanliness of sanitary facilities

Many chemical toilets are drained and cleaned several times a day, which helps encourage their usage. Others not often enough, though, which deters people from using them. It is occasionally due to contractual issues, about which we have asked boroughs to provide an account, should such measures be renewed.

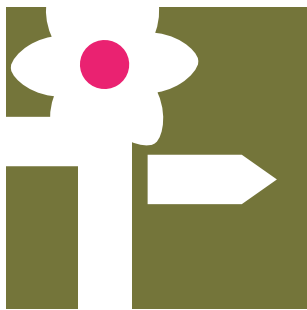
Resolving

Following discussions with the Rosemont–La Petite-Patrie borough, a chemical toilet is added in the Parc des Carrières, which instantly solves the problems in that area. Following up on our suggestion, the borough also adjusts the signage in Parc Sainte-Bernadette, indicating at strategic spots the presence of nearby sanitary facilities. A similar problem is solved in the same way by Ville-Marie borough, North of Parc Jeanne-Mance.

We wish to emphasize the excellent cooperation of the boroughs concerned by this inquiry, which reacted promptly and eagerly to resolve the observed issues.

“It was a very long struggle, but the results made it worthwhile. Bravo – and thank you once again for your support and dedication; I could never have succeeded without your precious help.”





Green alleyways

Green alleyway projects are citizen initiatives with proven environmental, social and security benefits. They are overseen, supported and funded by boroughs, which approve them or not in accordance with criteria spelled out in their respective guides. A green alleyway project often starts with relatively modest greening arrangements. In later stages, the project may require major work or barring vehicular access to the alleyway.

Residents affected by their implementation are not always unanimous in their praise of green alleyway projects, as attested by two files processed by the **OdM** in 2021 and summarized below.

These situations have led to improvements of the processes for setting up green alleys to ensure their transparency and an adequate participation by persons affected by this kind of project. They also highlight the scope of boroughs' informational obligations to their residents.



Green alleyway projects – How and why Arrondissement d'Outremont

Listening

In 2021, a number of residents bordering the alleyway between avenues Ducharme, Van Horne, Davaar and Rockland oppose a green alleyway project at that location – a project that was accepted by the borough in 2020. The group invokes the *Montréal Charter of Rights and Responsibilities* and maintains that the process guiding this project would not have been transparent nor compliant with the borough's *Guide d'aménagement d'une ruelle verte*.

The group raises several other concerns regarding the planned development work, including, among others, the effect on the integrity of residents' properties, the continuity of services via the alleyway as well as its accessibility and safety. The group asks that the project be stopped.

Explaining

Our inquiry discloses gaps in the process followed:

- the *Guide* was not respected concerning citizen involvement because the borough considered that it was phase 2 of the project, which was approved in 2018;
- considering the major changes proposed for phase 2, the borough should have demanded that the green committee once again receive a 25-per-cent approval rate for the renewed project;
- the information submitted at the first presentation meeting was not clear or complete from a technical standpoint and therefore did not meet the legitimate expectations of people affected;
- during the inquiry, at a second meeting for opponents, the borough does not divulge beforehand the updated project, even though the **OdM** had encouraged it to do so and several people requested it. The borough also declines the request that the invitation to the meeting be officially sent to all residents of the alleyway.

Resolving

- The green committee is responsible for communications for the project. It is also in charge of liaison with residents. This, however, does not absolve the borough from any obligation to inform the stakeholders.

Using the experience acquired in this file, the borough on the one hand undertakes to demand a **separate mobilization initiative** by the green committee for any new phase of a green alleyway that includes major work or changes such as demineralizing the alleyway or closing one or several of its access points. On the other hand, it undertakes to send documents in its possession about a green alleyway project **directly** to any person who requested them to the green committee, but was unable to obtain them, documents to which that person has the right to access under access laws the *Montréal Charter of Rights and Responsibilities*.

There is no guarantee that problems will not crop up in the course of implementation of new developments, but the **OdM** is satisfied that the borough is adequately fulfilling its duties regarding planned works and that it has taken the necessary preventive measures.

See Undertakings and follow-ups: in resolution mode p.52

Support for the green alleyway project is called into question Arrondissement du Sud-Ouest

Listening

Faced with the imminence of development work for a green alleyway behind her residence, a citizen maintains that the process that led to acceptance of the project by the borough in 2020 is tainted by irregularities and was not transparent.

Explaining

The inquiry reveals flaws in the process under the *Guide d'aménagement d'une ruelle verte*, as well as omissions in the vote tabulation chart.

Votes from four households that are part of the alleyway quadrangle, but not adjacent to it, were counted, contrary to stipulations in the *Guide*.

Excluding these four households, we conclude that the project did not have the support required to be considered by the borough (support of 50 percent plus one of voters who met the established criteria).

Resolving

After having shared our observations with the borough and seen the imminence and modest nature of the work, the borough maintains its stance and goes forward with the green alleyway development.

However, it undertakes to review the Guide to eliminate any ambiguity regarding the definition of “résidente riveraine ou de résident riverain” and their eligibility to vote on a green alleyway project. It also commits to improve communications with stakeholders, particularly at the selection stage of projects.

See [Undertakings and follow-ups: in resolution mode p.52](#)



Fairness

Promoting fairness is at the heart of the Odm's mission.

This year, for example, we ensured that the City respects certain guarantees of procedural fairness, in the first instance by recommending that it issues a notice to citizens before disposing of their property, and in the second by giving adequate reasons for decisions that affect the rights of a plaintiff as well as any future decision of this nature. This prior notice and the duty to state reasons are indeed important guarantees of procedural fairness for anyone affected by a City decision and the intensity of which depends on the specific context.

The Odm also intervenes on questions of fairness in the application of regulations in effect.

At our suggestion, procedures have been implemented so that specific regulatory provisions are applied by a borough to all persons in identical circumstances, uniformly and systematically, non-arbitrarily and reasonably, which was not the case in the past.

In another situation, our involvement led to amendments by the competent authorities to redress unfair effects or regulations applicable to old buildings.



Follow-up of an undertaking for a new procedure – Disposing of property left in a dwelling Office municipal d'habitation de Montréal (OMHM)

Listening

In 2020, a citizen asks us to intervene after the OMHM disposed of, without notice, property she had left in her dwelling after moving. This property was deemed abandoned and was quickly thrown out.

Explaining

Our inquiry shows that, like any landlord, the OMHM has legal obligations regarding property left in a dwelling by a tenant after he/she has moved.

Under the circumstances, it seems unfair to us that the OMHM threw out the property in question without first telling the tenant.

Resolving

The OMHM committed to reviewing the applicable procedures in such circumstances. We follow up in the spring of 2021.

The OMHM shows us its new procedure. We think there is still room for improvement. After discussions, the procedure is revised so that a 48-hour prior notice will be given to tenants who would have left property in their old dwelling and who can be reached.

See [Undertakings and follow-ups: in resolution mode p.53](#)



**Provide reasons for a refusal –
A question of fairness**
Office municipal d'habitation de Montréal (OMHM)

Listening

In 2019, during an inquiry regarding the validity of the refusal by the OMHM to grant a dwelling change, we note that letters sent in reply to these kind of requests do not include any reason explaining the OMHM's decision and do not mention the option of contesting it before the Tribunal administratif du logement (TAL).

Explaining

This way of doing things does not respect the basic principles of procedural fairness. At our request, the OMHM amends its letter template to include the recourse to the TAL and the entity undertakes to put into place a system allowing for the reasons for a refusal to be mentioned.

Resolving

After many follow-ups and reminders, the requested changes are implemented.

The refusal letters now include personalized reasons providing assurance to tenants that all their requests have been taken into consideration.

And allow them to state their position before the TAL on a sound basis.

See [Undertakings and follow-ups: in resolution mode p.53](#)

Procedure for refurbishment of a street and driveway entrance – Clearly an unfair situation Arrondissement de Pierrefonds-Roxboro

Listening

The borough reduces the width of a citizen's driveway entrance during refurbishment work on his street while other addresses with a non-compliant entrance on the same street that should have been corrected do not receive the same treatment. He feels the situation is unfair and would like his entrance to be returned to its full width.

Explaining

The inquiry finds that the citizen's driveway entrance is indeed non-compliant under applicable rules. Consequently, the **OdM** cannot demand that it be returned to its original width.

However, we are very concerned about the unfair treatment accorded to different owners on the same street during a refurbishment project. It is naturally reasonable for the borough to regularize non-compliant situations in the course of repairing streets, borders or sidewalks.

On the other hand, a systematic approach based on a prior comprehensive analysis of non-compliant situations is necessary before changes are made.

Rectifying noncompliances with regulations at certain addresses but not others for no particular reason is unfair to citizens.

In fact, our research indicates that there are several non-compliant entrances on the street (width, parking partly on public land, land line distance). In the course of public works, these entrances were still refurbished without correcting any noncompliances, perpetuating their irregular situation.

Resolving

The borough maintains that it is not possible to repair the work already conducted due to the high cost of such an operation, but asserts that its position regarding non-compliant driveway entrances in the course of any street reconstruction project, including replacing borders or sidewalks, has been clarified, as has been the procedure to follow in such cases.

At our insistence, the borough agrees to redo the compliance analysis of the street's driveways to catalog all the addresses where they are non-compliant to ensure that they are corrected after any subsequent request for a permit or when the City next conducts work.

Buildings erected many dozens of years ago – For fair fees for encroachments on public land Arrondissement d'Ahuntsic-Cartierville

Listening

A citizen applies for a permit to renovate his front staircase which was built in the 1960s, when the building was constructed. The borough determines that part of the stairs encroaches on public land and explains to the citizen that in future, he'll have to pay a fee. We note that in view of the configuration of the space, it would be difficult for the citizen to build a new staircase that would be compliant with construction standards and that do not occupy public land.

Explaining

We conduct a thorough inquiry, notably regarding the history of municipal regulations. In 2019, we submit a report to the borough, providing detailed results.

The building's design plans and the inspection file dating back to its construction were still available. According to these documents, the building was compliant with the plans submitted and with regulations in effect at the time.

We submit to the borough that it is unfair to charge public land occupancy fees to owners of buildings erected several dozens of years ago, when regulations, practices and technical tools were different. In fact, it's often impossible for these owners to remove structures that occupy public land. We were also concerned about the fairness of imposing encroachment fees, because such an imposition did not seem uniformly applied to all the properties in the area.

Resolving

 The **OdM** conducts numerous follow-ups with the borough to advance its thinking on these issues of fairness.




In 2021, the borough decides to amend its regulations so that this type of public land occupancy is no longer considered a noncompliance that justifies imposing fees. A similar file processed in the arrondissement du Sud-Ouest was also resolved in the same way.



Nuisances

Nauseating smells, vibrations and excessive noise: whether stemming from activities by the City, private or public construction sites, a business or a residence, nuisances have an impact on the quality of life and can be an infringement of applicable regulations.

Year after year, our office handles many such cases. There are plenty of challenges with this kind of file, often complex ones, and we have to meet these challenges in cooperation with our City counterparts according to clear parameters:

-  **Classifying the situation:** Determine whether we're dealing with a normal inconvenience or a serious one that can harm the health or well-being of a third party or of a community within the meaning of municipal regulations or relevant general principles.
-  **Cause and cure:** Identify the cause of the nuisance and, where appropriate, the optimal way to reduce it, taking into account relevant circumstances and the rights and interests of various stakeholders.
-  **Resolving:** If necessary, implement chosen solutions diligently and efficiently.

As the following examples show, **sometimes we must be creative and persevere when dealing with nuisances.**

Vacant lot belonging to the City – Measures to end nuisances Arrondissement d'Ahuntsic-Cartierville and Service de la gestion et de la planification immobilière (SGPI)

Listening

A citizen who lives close to a vacant lot that belongs to the City would like the fence around it to be repaired. People gain access to the lot and engage in activities that cause nuisances (e.g., motocross races, barking dogs, etc.). He complains to the borough, to no avail.

Explaining

We receive information from the borough and visit the site. We note breaches at certain spots and some spaces not fenced in. The borough specifies that the lot falls under the jurisdiction of the Service de la gestion et de la planification immobilière (SGPI), which it appeals to again in the wake of our inquiry. We also monitor the follow-up.

Resolving

Following these steps, the SGPI undertakes to repair the fence and refurbish it, assess the efficiency of the protection afforded by cement blocks located on one side of the lot and, if necessary, replace them with a fence.

During our visit at the start of the year, we note that the fence is fixed and that access to the lot is better protected. After the analysis of the efficiency of the cement blocks, the SGPI concludes that the measures taken meet the challenge, but that it will follow up the situation with the borough. The borough conducts maintenance on the land and makes additional repairs to the fence in the fall of 2020. The lot is now integrated into its maintenance work schedule and an inspection will be conducted in the spring of 2022.



Nuisances and noises high up – Where to place the sound survey? Arrondissement d'Ahuntsic-Cartierville

Listening

A citizen who lives in a condo located on the 3rd and 4th floors of a building complains about noise from heat pumps in that building, as well as on the 3rd and 4th floors of the adjacent building. She is dissatisfied with the borough's interventions, notably regarding the sound surveys taken at ground level.

Explaining

Our inquiry finds that the borough did indeed take sound measurements at ground level in the backyard, while the nuisances come from the 3rd and 4th floors and are felt at those levels.

This method, however, complies with an ordinance adopted by the borough council which states that in inhabited spaces, noise stemming from a household mechanical device like a heat pump must not exceed the threshold stated in the ordinance **at the boundary of the land on which it is generated**.

Resolving

The borough's interpretation of the regulation is indeed accurate, but we believe that the rules are a problem and do not allow it to intervene satisfactorily when household mechanical devices that generate noise are located high up.

We remind the borough that under the *Montréal Charter of Rights and Responsibilities*, the City undertakes to take measures to limit abusive irritants resulting from noise (article 24 g).

The borough confirms that it will review its regulatory approach in terms of noise instead of a one-time amendment. This proposal seems reasonable to us and the borough undertakes to find a solution to this problem. As always, the **OdM** will follow up on the undertaking.

Noise and vibrations caused by poor road conditions on rue Notre-Dame Arrondissement de Mercier–Hochelaga-Maisonneuve and Service de l'urbanisme et de la mobilité

Listening

Some citizens who live close to rue Notre-Dame Est, on a side street, have complained for some years about excessive noise and vibrations caused by vehicular traffic, particularly trucks. The nuisances would have been linked to the poor conditions on that road.

Explaining

The Service de l'urbanisme et de la mobilité informs us that planning refurbishment and resurfacing work on that street section is complex due to, among other factors, the bridge/tunnel shutdown and the need to maintain mobility lanes. According to the service, resurfacing is the best option for reducing nuisances, even though it would not eliminate vibrations completely due to soil conditions.

Resolving

The service confirms to the **OdM** that the work is allocated in the schedule of the program to rehabilitate roadways in 2022.

The intervention on the section that launched the complaint will be temporary, but more extensive work will be planned later.



A shared alleyway is born, reconciling the needs of both sides Arrondissement du Plateau-Mont-Royal

Listening

Residents of Plateau-Mont-Royal borough contact us in 2019 to denounce excessive delivery truck traffic in an alleyway that serves two businesses.

The group complains about a host of problems: risks to pedestrian traffic, material damage to alleyway residents' properties from trucks, excessive noise (including back-up alarms), etc.

In spite of developments by the borough in 2018-2019 so that deliveries are carried out on the street side, trucks continue to drive through the alleyway.

Explaining

Our analysis of the situation and our findings onsite confirm that the issues denounced exist and that the status quo is unacceptable. The borough recognizes that the situation is dangerous and that nuisances are excessive.


A consultation process with residents and businesses bordering the alley follows. The **OdM** participates. There are information meetings. A company with expertise in traffic obtains a mandate from the borough to validate planning scenarios that are later presented to stakeholders via a survey. The results are shared with them.

Resolving

This process leads to the development in the fall of 2021 of a shared alleyway along the section previously used by delivery trucks. This section is henceforth closed to all vehicular traffic.

The shared alley includes a corridor in which there are plants, trees, large stones and a micro-library for use by the neighbourhood. On the other side of the alley is an asphalt corridor that leads to the rear of the businesses, making forklift deliveries possible.

In this file, coexistence between residential and commercial uses presented a set of challenges.

 The implemented solution made possible the reconciliation of the need for safety and tranquility with the operational needs of merchants.

We are delighted to have contributed to this exercise in reconciliation. We stress the excellent cooperation from the borough throughout our intervention.



Nuisances emanating from Clos des Carrières
Arrondissement de Rosemont–La Petite-Patrie,
Service de la gestion et de la planification immobilière,
Service du matériel roulant et ateliers,
Service de l'environnement

Listening

Citizens who live along the border of the Clos des Carrières complain about nuisances linked to municipal activities. They believe the site should be relocated or that the City should institute noise reduction measures.

Explaining

The site has been operated by various municipal entities for nearly a century. On site, there are the borough's road works, public works, lighting, signage and markage teams, a mechanic workshop, a pumping station, a truck-cleaning station, parking spaces for vehicles from the Agence de mobilité durable and warehouses. This coexistence restricts the available work and circulation space, which contributes to nuisances.

Resolving

This long-term inquiry was conducted in a specific context in which these municipal installations are pre-existing and are essential to services rendered to the citizens as well as to the smooth functioning of Ville de Montréal. It opened channels of communication with all the concerned entities.

The **OdM's** inquiry has resulted in multiple gains for residents: replacing back-up alarms with quieter models, resurfacing a problematic section of the pavement of rue des Carrières and of the site, adding speed signs, giving specific directives to supervisors, replacing and relocating some equipment, etc.

A master plan for the Clos is also being studied in order to optimize space, relocate some activities and put in place physical noise reduction measures. We will follow up in a few months to monitor the file's progress.


Noise irritants and vibrations resulting from the impact of work on the Pie-IX BRT Project, an expected and appreciated solution by residents of avenue Bourbonnière
Arrondissement de Rosemont–La Petite-Patrie,
Service des infrastructures du réseau routier (SIRR)

Listening

Since the summer of 2019, a citizens' group residing on avenue Bourbonnière, between rue Rachel and avenue du Mont-Royal is subjected to nuisances caused by traffic rerouted from boulevard Pie-IX due to the works on the Integrated Pie-IX BRT (bus rapid transit) Project: the grievances were filed due to vibrations in dwellings, cracks, noise from heavy-duty vehicles driving in the worksite, diverted buses and transit traffic.

In October 2020, the group discovers that as of March 19, 2021, avenue Bourbonnière will again be changed to become, this time, a two-way thoroughfare to meet the requirements of the integrated Pie-IX BRT project; this means 300 buses passing through on a daily basis, excluding the worksite vehicles.

Explaining

 Right from the start, the SIRR recognizes that it must act.

Seismographic measurements are taken. In July 2021, the Service des infrastructures du réseau routier (SIRR) sends us the conclusions of the expert report and confirms to us that the road will be rehabilitated.

Resolving

For its part, the borough takes the necessary measures to meet the group's demands concerning speed.

In August 2021, asphalt and levelling work was performed on avenue Bourbonnière. The street's residents say they have noticed a clear improvement on both fronts, noise and vibrations. Their quality of life is much improved as a result.



Nuisances emanating from municipal workshops Arrondissement de Saint-Laurent

Listening

Citizens and their families, whose residences are next to the yard of municipal workshops, complain about various nuisances linked to operations (noises, odors, dust). The group believes that the borough is slow to implement mitigating measures.

Explaining

When we begin our intervention, the borough has already started thinking about the issue and has implemented mitigating measures for impacts linked to operations in the yard of the municipal workshops that serve the borough. The implementation of the main measure, however, has been delayed by circumstances: the redesign of the site, and specifically of the enclosures for bulk materials that are located close to residences and generate a lot of noise, dust and smells.

Resolving

We ensure the implementation of suggested solutions and ask to improve certain measures. We examine concerns raised and answer them as soon as we are able to confirm the borough has taken charge of them adequately. The yard's redesign is completed and the borough undertakes to continue assessing results from the relocation of the enclosures with new sound studies.



Nuisances linked to an auto body shop Arrondissement de Saint-Laurent

Listening

A group of individuals complains about nuisances linked to the activities of an auto body shop: noises, work outside the building, high traffic, constant back and forth of vehicles, brightness of headlights, paint odors, activities unauthorized by the usage licence, taking up parking spaces on the street, clogging up courtyards, etc. Citizens who live close to the shop are dissatisfied with the borough's interventions.

A new company started doing business in the building in February 2020 and seems to operate in a more intensive manner than the previous occupant, which is creating frictions in the neighbourhood.

Explaining

We have numerous exchanges with several stakeholders at the borough, the Agence de mobilité durable, the Service de sécurité incendie and the Service de l'environnement. We review hundreds of emails, pictures and videos sent by citizens. We also visit the site on several occasions and analyze the applicable regulations and jurisprudence.

It emerges from our inquiry that starting in the summer of 2020, the borough intervenes actively in the file. It meets with citizens in the summer and fall of that year. Sound readings are conducted over one month by an expert firm and show the authorized thresholds have not been exceeded. The borough, however, amends its Règlement sur les nuisances in the summer of 2021 to make sure that activities taking place in a garage or workshop are done behind closed doors. After the borough's interventions, there are notable improvements in the maintenance of the yards by the operators. Inspections and verifications are conducted in cooperation with the Service de l'environnement: the installations are deemed compliant and a new permit is issued for emission into the atmosphere. The borough also asks for the cooperation of the Agence de mobilité durable for inspection blitzes to ensure that parking prohibitions on the street are respected. The Service de sécurité incendie verifies to ensure safety at the site.

The file's main issue concerns the scope of the authorized uses for the site and the existence of vested rights. The company has an occupancy certificate from the borough for the main use – *Atelier de carrosserie – Réparation de voitures accidentées* (body shop – collision repairs for cars). It appears from research conducted that the site enjoys vested rights for the usage of body work, which includes activities ancillary to mechanical automotive work. Car mechanics, however, cannot be a main activity.

Regular inspections starting in September 2020 do not disclose any breaches of authorized uses. Citizens' observations, however, are all to the contrary. Our verifications tend to show that non-mechanical automotive services are indeed offered by the operator. So we insist that the borough deploy other inspection strategies. New inspections conducted by the borough and an expert firm do reveal breaches of allowed uses. Statements of offence are issued to the operator and the building owner.

Resolving

At the conclusion of the file, the borough undertakes to continue taking steps to ensure that the operators respect the authorized uses and to adopt the means required to succeed. If needed, the borough will continue its interventions regarding the other aspects of the file. The plaintiffs are informed of the limits of interventions by the borough.



“We note the closing of the file and thank you once again for your exemplary work. Your follow-up brought us serenity and confidence in the next stage of our project.”



Vested rights

You do something for many years without any problems, and suddenly, that something is prohibited or you are asked to respect new environmental or salubrity standards: can you invoke vested rights and be exempted from these regulatory requirements? The two files below, in particular, have examined this question: one of them discloses, among other things, the way to establish prevailing conditions for the recognition of vested rights in the municipal area and the other is an illustration of a situation where a vested rights defence is inadmissible.

A business recovers the use of its private parking spaces Arrondissement du Plateau-Mont-Royal

Listening

The Plateau-Mont-Royal borough asks a citizen who owns a 40-year-old family business to stop using her parking spaces because the practice violates current regulations.

The citizen immediately complies with the request, which has a major impact on her business activities: she no longer has space for her three delivery trucks. Her clientele gradually abandons the business because of the hassles of parking on the street in that area. The company's survival is at stake, and several jobs are threatened.

After undertaking various costly and unsuccessful steps, the citizen is very worried by this situation and contacts the **OdM**.

Explaining

Since the parking spaces are not compliant with current by-laws, the citizen may keep them solely if she shows that they enjoy vested rights.

The applicable principles are:

- the construction or use was legal prior to the rules that now render them non-compliant;
- tolerance of a use or construction cannot in itself create vested rights;
- the absence of a permit does not necessarily preclude recognition of vested rights;
- it is possible to enjoy a vested right to an accessory use (parking, in this case) to a principal use (the business, in this case).

We search the history of the building's permits and the relevant regulations to determine the date at which the parking spaces started to derogate from the by-laws and whether the instant parking spaces were set up before or after the coming into force of said by-laws. We determine 1994 as the cutting date.

With our guidance, the citizen is able to assemble the proof required to invoke her vested rights, including, among other things, pictures that show that one of the parking spaces was installed in or around 1989.

Resolving

The borough revises its position and concludes that the two parking spots are covered by vested rights. Relieved, the citizen resumes their use.



Public salubrity standard – No vested rights Arrondissement de Saint-Léonard

Listening

The citizen's house is located close to the backyard of several businesses on boulevard Lacordaire, where there are waste bins.

The citizen complains that the trash containers often overflow, causing nuisances and visual pollution. He asks that one of the containers, which is visible from his house, be hidden behind a fence or an enclosure.

Explaining

Regulations state that a waste container in a backyard must be hidden behind an opaque screen and that land used for commercial purposes near a property with a dwelling must be fenced in.

At the start of the inquiry, the borough seems to suggest that the owner of the container would enjoy vested rights and, therefore, would not have to comply with these requirements, since the regulations came into force long after the building went up and occupancy permits were issued.

We notify the borough that tribunals have often reiterated the principle that states that there is no vested right that abrogates an obligation to install a fence, whether for reasons of public safety or of protection of the environment. The municipal court has also emphasized in another case that vested rights cannot be invoked for issues regarding environmental standards for public salubrity.

Resolving

In light of our observations and after verifying with the **Service des affaires juridiques**, the borough urges the owner in question to respect the relevant provisions of the *Règlement de zonage 1886*.

The owner is very receptive and the fence, as well as the opaque screen, are installed, as required.

OUR IMPACT: IN SOLUTION MODE

Our front-line interventions: in quick resolution mode

Front line

Front-line members of our team are the first point of contact citizens have with our office: they field the calls, emails and complaint forms. They take the time to listen to the citizens' requests, and make sure they are well understood.

When persons who contact us have not exhausted all other recourses available to them, the team redirects them to the borough or relevant service. When their request does not concern Ville de Montréal, the team directs them to a resource likely to help them.

It also happens that front-line members of our team settle complaint files at this stage of the process. Occasionally, a missing piece of information or a confirmation is enough to close a file, or members explain the complaint to the entity concerned so that the latter takes charge of the file.

In some cases, all recourses have not been exhausted, but our front-line team decides to take the file in hand in view of its urgency or of the vulnerability of the persons who filed the complaint.

Here are a few examples of interventions by our front-line team in 2021

- Two citizens call us regarding a brick wall in an adjacent building that threatens to collapse. They worry about the safety of passers-by and denounce the fact that the building's owner has taken no steps in this regard. A member of our team contacts the borough's management to explain the situation and ensure the file be taken in hand quickly. An inspector is dispatched to the site and the passage is closed.
- A citizen calls us after she cannot obtain a loan from a banking institution due to a mention on the land registry of unpaid municipal taxes. The amount owing was paid, but the debt was not expunged. The citizen is shuffled from one service to the next. A member of our team consults the Service du greffe and the Service des finances de la Ville. The error is found and the debt is expunged.
- A citizen who worked for the municipal elections complains that she still has not been paid for the hours she worked and says she doesn't know who to turn to. First, we give her the telephone number of Élections Montréal, which oversaw the municipal elections. A few weeks later, the citizen calls again and says she still hasn't been paid, so we do some research and contact directly the Ville de Montréal individuals responsible for the file to ensure a follow-up with the citizen.

By listening, by their empathy and their knowledge of Ville de Montréal, front-line members of our team provide a service that makes all the difference for many citizens.




UNDERTAKINGS AND FOLLOW-UPS: IN RESOLUTION MODE





UNDERTAKINGS AND FOLLOW-UPS: IN RESOLUTION MODE



Undertakings pledged in 2021 and not due

On a regular basis in the course of our inquiries, an entity pledges an undertaking in order to resolve a situation. It can consist of an action to take within a given period or a future deed. In all cases, the **OdM** informs the plaintiff, officially confirms the undertaking with the entity and conducts a follow-up within the set timeframe.

 This pictogram denotes a file launched at the **OdM's** own initiative, as opposed to a file launched by a complaint by one or several individuals.

 This pictogram denotes a file that deals with a right or undertaking by the City in the context of the *Montréal Charter of Rights and Responsibilities*, whether invoked by the plaintiff or by the **OdM**.




Entity	Date of undertaking	Projected completion date	Description	Our impact: in solution mode
Anjou	28/10 2021	30/06 2022	After a non-compliant inflatable pool is installed in the backyard of the plaintiffs' apartment, the borough undertakes to conduct an inspection in June 2022 to check on the compliance of a prospective pool.	
Ahunatic-Cartierville	26/10 2021	31/10 2022	The borough undertakes to review its procedures for processing pruning requests and improve procedures for such cases.	
Ahunatic-Cartierville	24/11 2021	01/06 2022	The borough undertakes to collect traffic data before June 1, 2022, concerning speeding on a street section, analyze it and, if necessary, implement additional traffic-calming measures.	
Côte-des-Neiges–Notre-Dame-de-Grâce	28/09 2021	12/07 2022	The borough will intervene in 2022 regarding ragweed in the chemin de la Côte-des-Neiges area bordering Notre-Dame-des-Neiges cemetery.	
Côte-des-Neiges–Notre-Dame-de-Grâce	09/07 2021 and 03/11 2021	29/04 2022 and 15/04 2022	Compliance of a disabled parking zone: the borough undertakes to reassess in the spring of 2022 whether to maintain it and implement a procedure to review permits issued for this kind of use as well as for drop-off zones.	
LaSalle	10/11 2021	31/03 2022	The borough undertakes to draft a directive concerning required preliminary verifications to identify possible technical issues that could have an impact on construction projects that require the preservation of a public tree.	
Mercier–Hochelaga-Maisonneuve	08/12 2021	31/05 2022	The borough undertakes to install two rows of bollards as well as speed analysis panels to validate the efficiency of a traffic-mitigating measure in a given street section.	
Mercier–Hochelaga-Maisonneuve	14/07 2021	31/12 2021	Installation of a disabled passenger zone drop-off and its safe coexistence with a bike lane: the borough undertakes to study the feasibility of a change of a street's direction. A follow-up of this undertaking will take place in 2022.	 See p. 31, 32

Entity	Date of undertaking	Projected completion date	Description		Our impact: in solution mode
Outremont	02/11 2021	28/01 2022	Unreasonable delays in processing requests for access to information: at our request, the borough adopts a new procedure and undertakes to compile monthly statistics on the processing delays and to try to work through the backlog by the end of 2021.		
Outremont	23/08 2021	29/09 2022	The borough undertakes to require a separate mobilization initiative from the green committee for any new phase of a green alleyway that includes major work or changes. It also undertakes to send documents about a green alleyway project in its possession and that are accessible by law and under the MCRR directly to any person who requests them.		See p. 40
Rivière-des-Prairies–Pointe-aux-Trembles	29/07 2021	15/06 2022	Non-compliant private parking spaces: In an action plan, the borough undertakes to regularize non-compliances gradually, prioritizing those that pose safety risks.		
Service de l'habitation	10/12 2021	01/03 2022	Systemic delay problems in processing financial-aid requests under the Programme d'adaptation de domicile (PAD) de Montréal: the service undertakes to: <ul style="list-style-type: none"> ■ compile and document weekly statistics about processing delays so as to keep control over them; ■ periodically review each file, take any action required to advance the request expeditiously and reassess its prioritization. ■ provide a monthly account to management about the steps mentioned above; ■ reduce to 25 the number of complete files awaiting processing by March 1, 2022 and to not exceed this limit in future. 		See p. 37, 38
Sud-Ouest	30/07 2021	20/05 2022	Construction work on a residential building outside the permitted hours: the borough undertakes to penalize any new infraction against regulations regarding schedules and to ensure the safety of emergency exits once the work is completed.		
Sud-Ouest	16/09 2021	31/05 2022	The borough undertakes to clarify the definition of "résidentes et résidents riverains" and the criteria concerning their eligibility to vote in its <i>Guide d'aménagement d'une ruelle verte</i> . It also undertakes to improve communications with residents, particularly at the selection stage of projects.		See p. 41



UNDERTAKINGS AND FOLLOW-UPS: IN RESOLUTION MODE

Undertakings respected

Entity	Date of undertaking	Projected completion date	Confirmation date of completion	Description	Our impact: in solution mode
Anjou	15/04 2020	28/09 2021	28/09 2021	Development of a second exit from the service road on boulevard des Galeries-d'Anjou: the borough had undertaken to ensure the safety of the new design and of its harmonious integration with the existing wall that borders the service road.	
Service de l'environnement	15/01 2021	15/01 2022	17/12 2021	Residential chimney smoke in the plaintiff's neighbourhood: the service had undertaken to conduct compliance visits at identified addresses. They were very diligently carried out by the service, which ensured that all the relevant owners respected the applicable by-law.	
Office municipal d'habitation de Montréal (OMHM)	18/01 2021	01/05 2021	13/12 2021	The OMHM had undertaken to implement a new procedure with a 48-hour prior notice to recover property left behind in a dwelling after a move, for tenants who can be contacted.	See p. 41, 42
Office municipal d'habitation de Montréal (OMHM)	24/09 2019	Start 2020	04/06 2021	Refusal letters sent to tenants that did not include reasons for the refusal nor the possible recourse to the Tribunal administratif du logement: the letter templates and procedures were amended by the OMHM.	  See p. 42
Saint-Léonard	22/05 2020	31/05 2021	30/07 2021	Flow and speeds on a residential street: the borough analyzed traffic data collected every two months for one year with the help of photo radars and sent them to us with the same frequency. The results fall within acceptability standards.	
Sud-Ouest	27/11 2020	31/05 2021	25/10 2021	Speed survey in an alley: the borough conducted the survey following a new design in a green alleyway; results confirm that vehicular traffic diminished greatly.	
Sud-Ouest	01/03 2017	15/06 2017	01/10 2021	Speed problems on rue Woodland: the borough respected its undertakings to implement adequate traffic-calming measures and, after several reminders from the OdM , to validate their efficiency.	
Mercier-Hochelaga-Maisonneuve and Service de l'urbanisme et de la mobilité	29/03 2021	01/11 2021	01/11 2021	The Service de l'urbanisme et de la mobilité refurbished a very problematic section of a street in Mercier-Hochelaga-Maisonneuve borough, as it had undertaken.	
Montréal-Nord	15/01 2020	10/09 2021	28/09 2021	A place of worship is located in an area where this usage is not allowed: the borough continued its interventions, leading the establishment in question to relocate to another address.	
Montréal-Nord	15/01 2020	Continuous	27/09 2021	Action plan aimed at Montréal's non-compliant places of worship: the review of the regulatory framework and inspections continued. Interventions at exempted places of worship took place and the integration procedure into the action plan for any new non-compliant establishment was put into place. Next follow-up in 2022.	 See p. 32

Entity	Date of undertaking	Projected completion date	Confirmation date of completion	Description		Our impact in solution mode
Côte-des-Neiges–Notre-Dame-de-Grâce	14/08 2019	27/09 2021	27/09 2021	The borough had undertaken to continue its efforts to cut its backlog of tree-pruning requests awaiting processing. The backlog has been significantly reduced. A new follow-up is scheduled in 2022.		
Côte-des-Neiges–Notre-Dame-de-Grâce	11/06 2020	14/12 2020	23/02 2021	Tree cut down urgently by the borough: door-hangers are placed on the doors of relevant citizens to advise owners or occupants of possible fees associated with cutting down trees and that, if applicable, they will be informed a month after at the latest.		
Plateau-Mont-Royal	12/07 2021	24/09 2021	27/09 2021	The borough had undertaken to issue a demolition authorization certificate by September 27, 2021 at the latest.		
Ville-Marie	12/10 2021	30/11 2021	16/11 2021	A notice was distributed to residents of an alley reminding them of the prohibition to deposit snow from their property onto public land and of the fines imposed for such infractions.		
Ville-Marie	23/11 2020	01/04 2021	11/08 2021	Hydro pole impedes traffic of snow-removal machines and causes damage to the front of a building. Hydro-Québec is slow to move it. The borough removes the pole itself.		See p. 35
Rosemont–La Petite-Patrie	24/09 2021	15/09 2021	03/12 2021	Removal of the REV Bellechasse bollards in winter and safety issues: the borough implements an action plan to reinstall them and to monitor that they are kept in place.		
Outremont	10/06 2020	10/12 2020	15/01 2021	Implementation of an action plan to improve the waste-collection system and to ensure that citizens respect the drop-off schedule: various means have been deployed, including an amended ordinance, assigning a dedicated project inspector, increased patrol frequency, better signage, adding awareness-raising actions, etc.		
Service des finances	28/02 2019	Partial completion as at 09/01 2020 and 15/01 2021	Completed as at 31/12 2021	Procedure aimed at reissuing (once only) the uncashed tax refund cheques of \$50 and more after a six-month delay: a follow-up in 2018 revealed that this practice had been discontinued in 2015. The service undertook to re-apply it and to process the accumulated backlog. At the end of 2021, the backlog had been eliminated and the service is now up to date in processing these cheques.		



UNDERTAKINGS AND FOLLOW-UPS: IN RESOLUTION MODE

Undertakings partially respected

Entity	Date of undertaking	Projected completion date	Date of confirmation of partial completion	Description
Rivière-des-Prairies–Pointe-aux-Trembles	20/09 2019	31/08 2021	31/08 2021	Communications plan to inform citizens better regarding interventions requiring moving or removing private fences that encroach illegally on public land: the borough postpones its deployment in 2022 and confirms having respected one of the three items in the plan.
Outremont	16/07 2020	01/09 2020	27/10 2021	Follow-up of the management of a worksite at 1420, boulevard Mont-Royal Est: the borough pledged five undertakings, four of which are respected. However, an important undertaking to consult citizens regarding noise regulations is not respected. During our follow-up, the borough agrees to resume consultations, as requested.
Mercier–Hochelaga-Maisonneuve	02/02 2021 and 11/03 2021	01/06 2021 and 01/09 2021	01/06 2021 and 01/09 2021	Making several public streets one-way in the same sector: the borough undertakes to monitor them and to improve its communications plan for projects that have a major impact on citizens. The file remains in process, because monitoring is not completed and the communications plan still needs clarifications.












Undertaking not respected

Entity	Date of undertaking	Projected completion date	Date of confirmation of non-respect	Particulars
Verdun	09/10 2019	30/08 2021	02/12 2021	Redesign project on Île-des-Sœurs: the methodology used to conduct an external review of the deployment of the canopy over the next 15 years means that the current canopy has been undervalued and the future one overvalued. The borough undertakes to review the methodology used for this type of calculation in the approval process for urban projects. In 2021, the borough did not respect its undertaking but says it wants to respect it by the end of August 2022.

UNDERTAKINGS AND FOLLOW-UPS: IN RESOLUTION MODE

Undertakings pending as of December 31, 2021 (pledged in 2021 or before)

Entity	Date of undertaking	Projected completion date	Description	
Pierrefonds-Roxboro	26/02 2020	27/11 2020	Problem of accumulation of dirty and harmful matters on private properties: the borough pledged several undertakings in order to prevent this problem from reoccurring and to plan for proper measures to take. Several actions produced results, but the file remains active and the situation will be reassessed in the spring of 2022.	
Côte-des-Neiges–Notre-Dame-de-Grâce	28/09 2021	No fixed date	Cleanliness on avenue Ridgewood: the borough undertook to pay particular attention to this street to ensure its cleanliness, maintenance of private properties and compliance with drop-off schedules for waste collection, subject to fines.	
Verdun	28/09 2021	No fixed date	Drivers fail to comply with the pedestrian crossing at the intersection of rues Wellington and Rhéaume: the borough has undertaken to conduct a safety analysis of the site and to plan additional safety measures if this analysis confirms such a need.	
Verdun	18/03 2020	No fixed date	Follow-up of an undertaking pledged in a previous file to hold a second and final consultation with area merchants and residents following a bike-lane pilot project on rue de Verdun (2019 to 2021). Follow-up is ongoing.	
Montréal-Nord	21/09 2021	No fixed date	A deteriorating low wall on a private property has partially collapsed onto an adjacent property: the borough states its intention to continue interventions so that the wall's owner repairs it as soon as possible.	
Ville-Marie	16/10 2020	01/12 2021	A prior notice (at the latest on September 30 preceding the start of the winter in question) will be sent by the borough to relevant citizens when the process to review the plan for snow removal in public alleys is launched and the termination of snow clearing is ordered.	
Service de police de la Ville de Montréal	13/12 2010	Initially on 13/11/2020, then October 2021	Errors identifying a vehicle when issuing statements of offence for parking by police: the SPVM undertakes to amend its electronic ticketing system (ETS) by requiring a two-step check before issuing a statement of offence and to ensure that the description of the vehicle from the Centre de renseignements policiers du Québec matches that of the offending vehicle.	
Sud-Ouest	21/12 2018	End of November 2019	The borough had undertaken to conduct follow-ups at the company Novatube to ensure that the factory: 1) completes its landscaping design and plants 25 trees on its property in 2020, and 2) keeps its doors closed when conducting activities. The trees were planted in July 2021. Some inspections were conducted in the summer of 2021.	 

OUR RECOMMENDATIONS: IN PERSUASION MODE








OUR RECOMMENDATIONS: IN PERSUASION MODE

Occasionally, the **OdM** issues a recommendation following an inquiry that confirmed a problem. Although we always try to come to a reasonable and viable solution with the relevant management, the **OdM** may also issue a formal recommendation when that process has failed, when the cooperation of the entity seems uncertain or, in some cases, when the issuance of a recommendation seems necessary to obtain the desired results.

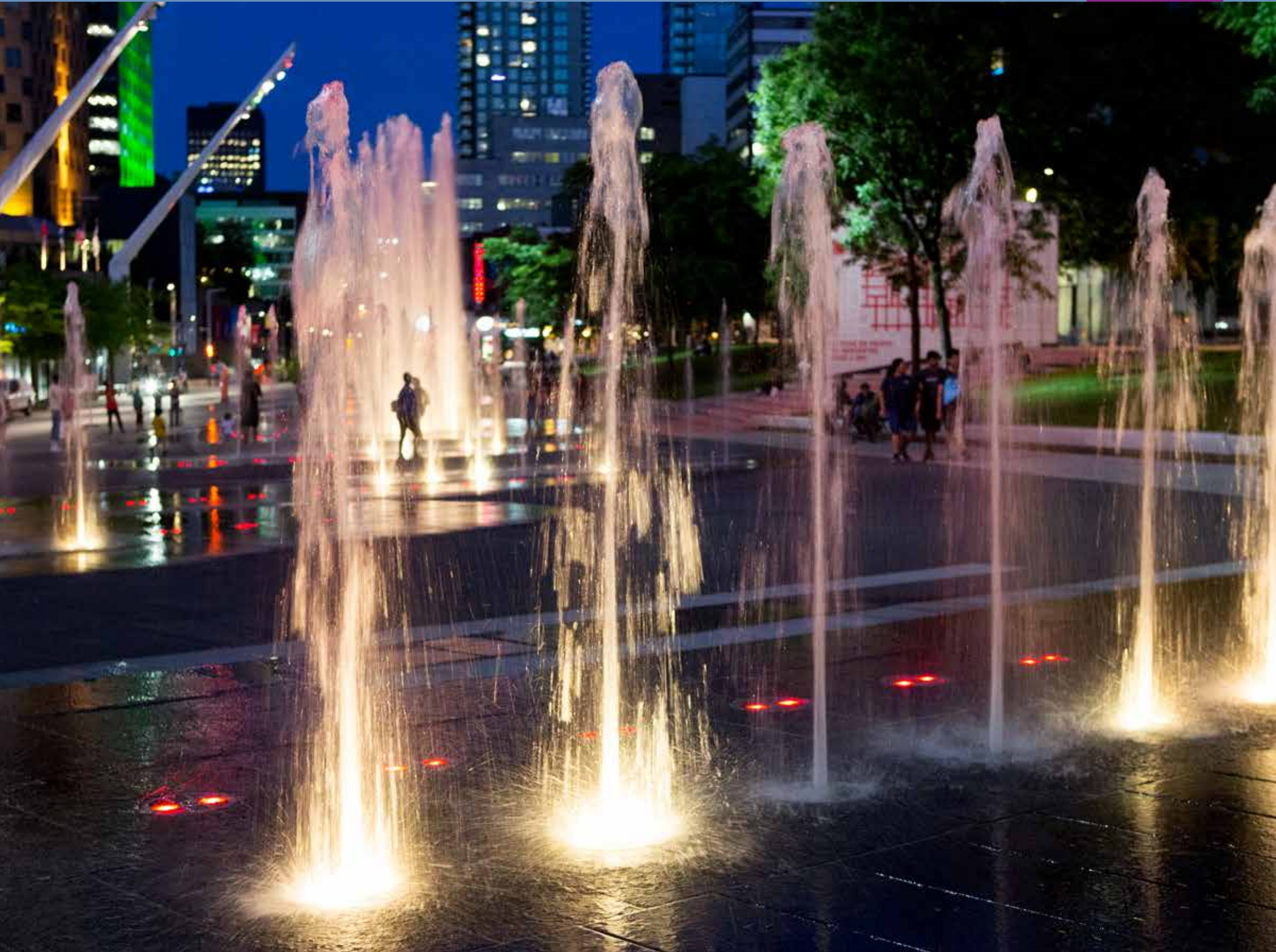
Recommendation issued in 2021 and refused

Entity	Date of the recommendation	Date of reply	Description	Our impact: in solution mode
Mercier–Hochelaga-Maisonneuve	29/09 2021	08/10 2021	Faced with the borough's decision not to remedy the situation, and believing the latter to be worrisome for all citizens of Mercier–Hochelaga-Maisonneuve and Montréal, the OdM recommends to start over the whole process to approve the 27-0290 particular project .	See <u>p. 30, 31</u>

Recommendations accepted and respected

Entity	Date of the recommendation	Date of confirmation the recommendation was accepted	Description	
Service de l'expérience citoyenne et des communications et Service de l'urbanisme et de la mobilité	01/12 2020	03/08 2021	All the recommendations issued to the City, detailed in the Rapport concernant des aménagements urbains réalisés à l'été 2020 : Mobilité pour tous à Montréal en temps de crise et après , where various problems and improvement opportunities concerning the temporary facilities for cyclists installed in the spring and summer of 2020 were raised, have been respected.	 
Rosemont–La Petite-Patrie	01/12 2020	03/12 2021	All the recommendations issued to the borough regarding various aspects of the REV Bellechasse, detailed in the Rapport concernant des aménagements urbains réalisés à l'été 2020 : Mobilité pour tous à Montréal en temps de crise et après , have been respected.	 
Côte-des-Neige–Notre-Dame-de-Grâce	01/12 202	N/A	As the bike path on rue de Terrebonne that was installed in 2020 was not reinstated in 2021, the recommendations issued did not have to be applied. However, we asked that should the project be renewed, our recommendations be studied and taken into account by the new borough council and by those responsible for traffic studies.	

OUR NOTICES AND ADVICE: IN INFLUENCE MODE



OUR NOTICES AND ADVICE: IN INFLUENCE MODE

On occasion, we send City stakeholders our comments and concerns regarding issues that in our opinion are worthy of their attention – sometimes immediate attention. These are targeted interventions that we do not consider formal inquiries. Conversely, City entities also consult us at times with questions on services provided to the population, on improving their procedures, etc. The point of these requests is not to obtain our formal opinion or approval, but to encourage current or future deliberations. This is part of our mandate and we are delighted it is.

Here are a few examples:

OMBUD 2021-1308 (OdM)

All Montréal boroughs Existing servitudes during works: how can the City better inform citizens?

CONTEXT

A duplex owner denounces the borough's decision to issue two transformation permits to her neighbour and to have failed to consider the existence of a private servitude of view , even though she showed proof of one.

EXPLANATION

The permits were issued by the borough in compliance with the *By-law concerning the construction and conversion of buildings (11-018)*.

When a borough issues a permit, it must apply the regulations in effect. It does not have to consider the existence of a private servitude in a request meant for a pre-existing building, even if it so informed. It must simply check that the project complies with regulations and applicable codes, and not get involved in private litigation. Citizens can use common law courts.

RAISING AWARENESS

Although the borough is under no obligation to mention the existence of a servitude or to take one into account, we thought it worthwhile to address the issue with the relevant stakeholders. We suggested inserting a warning in documentation meant for citizens specifying that they are responsible for factoring in private issues when doing work, which applies notably in cases involving servitudes.

This warning avoids creating false expectations with permit applicants regarding their work's compliance. It also allows citizens to avoid significant financial and legal impacts by failing to take into account existing servitudes. The problems caused by ignoring a servitude generally occur when the work has been started or completed.

The borough welcomed our proposal. We thought it useful to inform all City boroughs. To date, the boroughs of Anjou, Outremont, Montréal-Nord, Verdun and Villeray–Saint-Michel–Parc-Extension have confirmed adding a note to that effect in the permits they will issue.



Sometimes, boroughs or services ask us for advice in certain files.

OMBUD AC-2021-003

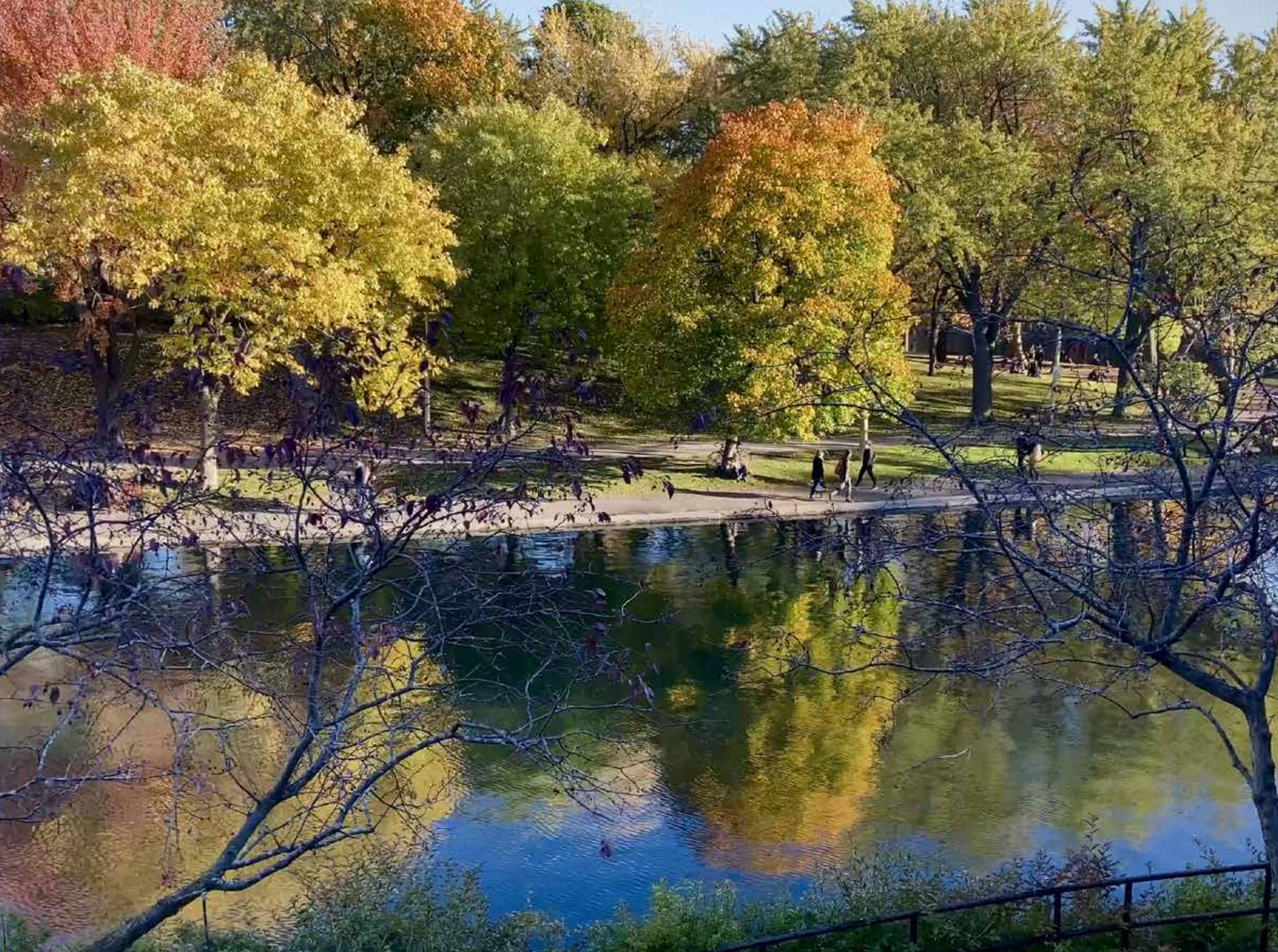
A borough grappling with a conflict situation between neighbours on the same street calls on us when the neighbours escalate cross-complaints and the situation becomes difficult to manage for the borough and its employees.

The borough usually intervenes in citizen complaints, but in this case, this seems to magnify and prolong the conflict. The borough wonders how to handle this kind of case, while also providing the best possible service and ensuring proper management of its resources.

We discuss the situation with the borough and suggest various strategies, including sending a letter to residents of the area appealing for tolerance and to explaining to them that the borough will continue to process all complaints, but that it will intervene only when it deems it necessary. Indeed, in certain situations, cities generally have a degree of discretion in applying their regulations, to the extent that they act in a reasonable and diligent manner, and in good faith. The borough adopts the suggestion and sends a letter to the persons in question, which seems to have achieved the desired appeasement affect.

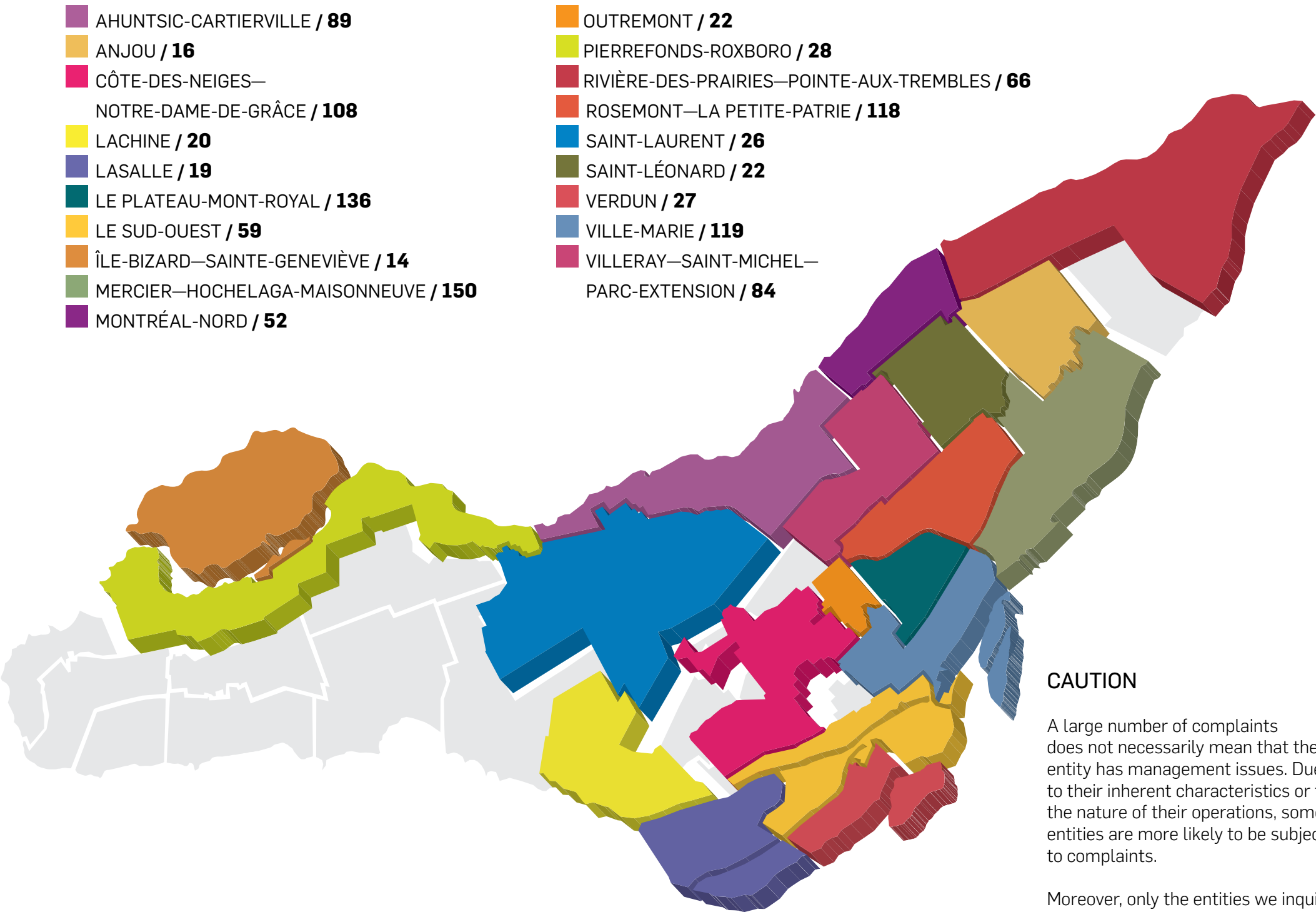


PROFILE OF COMPLAINTS AND INQUIRIES BY ENTITY



PROFILE OF COMPLAINTS AND INQUIRIES BY ENTITY

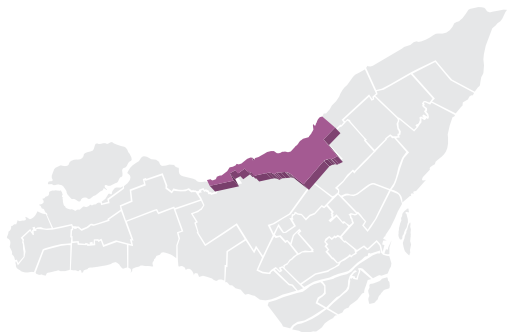
Complaints, requests for information and inquiries by borough



CAUTION

A large number of complaints does not necessarily mean that the entity has management issues. Due to their inherent characteristics or to the nature of their operations, some entities are more likely to be subjected to complaints.

Moreover, only the entities we inquired about appear in the following section.



EXPLANATORY NOTE

Our inquiries lead to many results. We consider a complaint **founded** when the inquiry shows that the plaintiff has indeed been aggrieved by a decision, an action or an omission by the concerned entity.

We consider a complaint **founded and resolved** when the action we engage in with the entity concludes itself with, for instance, the improvement of a procedure, work being carried out, the recognition of a problem, a file handled, a refund sent or an internal directive issued.

A complaint, however, can prove itself to be **ill-founded** when our inquiry does not allow us to agree with an alleged problem or when we deem the entity's actions reasonable, just and adequate under the circumstances. Naturally, we understand that our conclusion may disappoint the plaintiff. But it is important to bear in mind that we do not question the perception that a plaintiff may have and that we appreciate the efforts that this person agreed to when she/he contacted the **OdM**.

The result labelled **other**, for its part, indicates a plaintiff's withdrawal, for example, or refusal to cooperate, or because the person was referred to the relevant entity during the inquiry. Also, we sometimes indicate our **refusal to intervene**, when a legal recourse seems more appropriate, for instance, if our constitutive regulation does not permit us to inquire on a topic, or if more than one year has elapsed since the event that triggered the complaint.

Ahuntsic-Cartierville

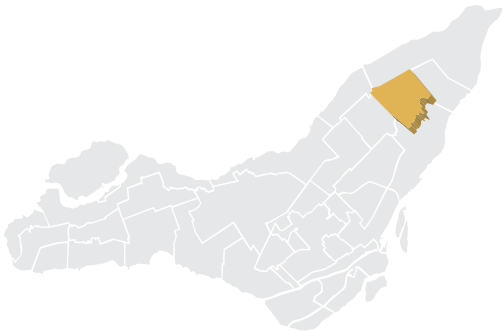
Complaints and information requests received in 2021	82
Inquiries launched in 2021	7
Inquiries pending as of January 1, 2021	8
Average processing time of inquiries closed in 2021 (business days)	272.4
Inquiry pending as of December 31, 2021	1

Topics of inquiries launched in 2021	Results of inquiries closed in 2021
Nuisances 1	Refusal to intervene by OdM 1
City Services: 1	Founded and resolved 9
Delays and Procedures	Founded, undertaking 2
Public Works 3	Ill-founded 2
Zoning/Urban Planning: Permits 1	
Transformation, Construction and Demolition Permits 1	





Anjou



Complaints and information requests received in 2021	13
Inquiries launched in 2021	3
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	34
Inquiry pending as of December 31, 2021	0

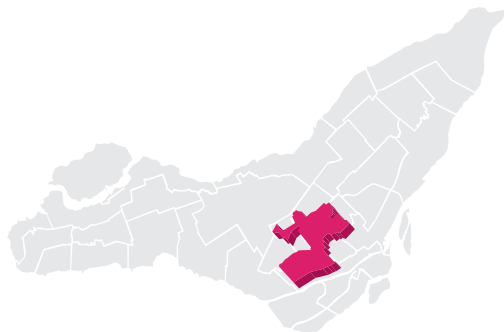
Topics of inquiries
launched in 2021

Safety **2**
City Services: **1**
Communications,
Politeness, Delays
and Procedures

Results of inquiries
closed in 2021

Founded and resolved **1**
Founded, undertaking **1**
Follow-up of undertaking:
respected **1**

Côte-des-Neiges—
Notre-Dame-de-Grâce



Complaints and information requests received in 2021	91
Inquiries launched in 2021	17
Inquiries pending as of January 1, 2021	7
Average processing time of inquiries closed in 2021 (business days)	71.59
Inquiries pending as of December 31, 2021	5

Topics of inquiries
launched in 2021

Trees **2**
Statements of Offence **1**
Nuisances **2**
Parks **1**
City Services: **2**
Delays and Procedures
Parking and Drop-off Zones **1**
Public Works **4**
Bicycle Path **1**
Transformation, Construction
and Demolition Permits **3**

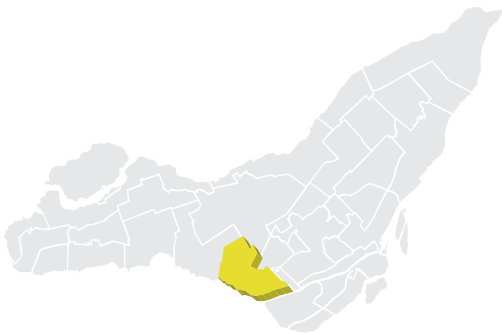
Results of inquiries
closed in 2021

Founded and resolved **3**
Founded, undertaking **3**
Ill-founded **7**
Refusal to intervene by OdM **3**
Withdrawal **1**
Follow-up of undertaking:
respected **2**





Lachine



Complaints and information requests received in 2021	19
Inquiry launched in 2021	1
Inquiries pending as of January 1, 2021	7
Average processing time of inquiries closed in 2021 (business days)	153.75
Inquiry pending as of December 31, 2021	1

Topic of inquiry launched in 2021

Safety 1

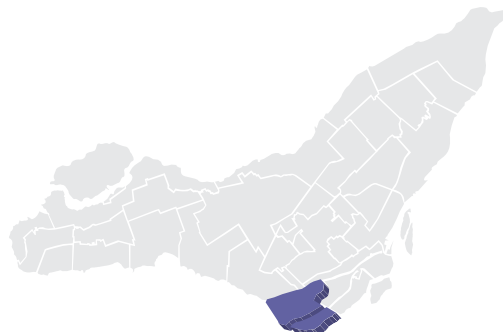
Results of inquiries closed in 2021

Founded and resolved 3

Ill-founded 3

Referred during inquiry 1

LaSalle



Complaints and information requests received in 2021	15
Inquiries launched in 2021	4
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	85.2
Inquiry pending as of December 31, 2021	0

Topics of inquiries launched in 2021

Trees 1

Building: Maintenance
and Salubriousness 1

City Services:
Communications,
Politeness, Delays
and Procedures 1

Transformation, Construction
and Demolition Permits 1

Results of inquiries closed in 2021

Founded and resolved 1

Founded, undertaking 1

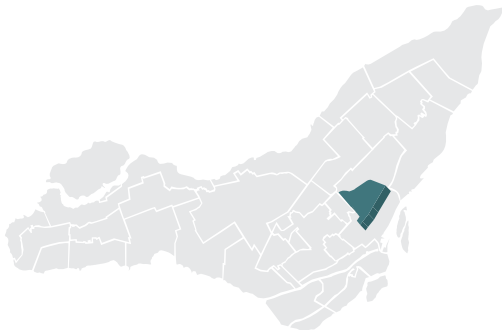
Ill-founded 1

Refusal of citizen to cooperate 1

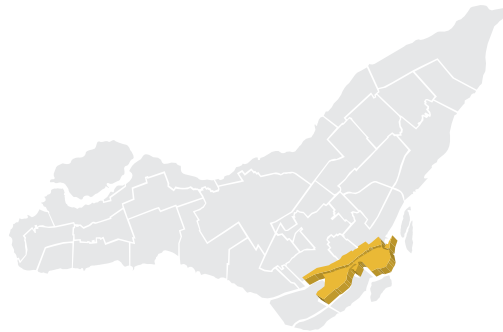
Withdrawal 1



Le Plateau-Mont-Royal



Le Sud-Ouest



Complaints and information requests received in 2021	112
Inquiries launched in 2021	24
Inquiries pending as of January 1, 2021	6
Average processing time of inquiries closed in 2021 (business days)	106.23
Inquiries pending as of December 31, 2021	8

Complaints and information requests received in 2021	53
Inquiries launched in 2021	6
Inquiries pending as of January 1, 2021	7
Average processing time of inquiries closed in 2021 (business days)	520
Inquiries pending as of December 31, 2021	6

Topics of inquiries launched in 2021

Claim for Bodily Injury and Material Damage	1
Nuisances	2
Parks	8
Safety	3
City Services: Delays and Procedures	1
Subsidies	1
Public Works	1
Bicycle Path	1
Transformation, Construction and Demolition Permits	6

Results of inquiries closed in 2021

Citizen referred to relevant entity during inquiry	1
Founded and resolved	14
Founded, undertaking	1
Follow-up of undertaking: respected	1
Ill-founded	3
Withdrawals	2

Topics of inquiries launched in 2021

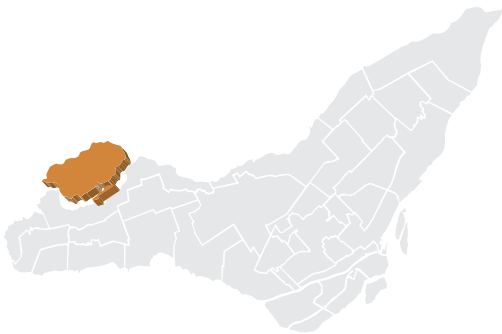
Nuisances	1
Alleys	1
Safety	1
Parking and Drop-Off Zones	1
Fences, Hedges, Driveways and Others	1
Transformation, Construction and Demolition Permits	1

Results of inquiries closed in 2021

Follow-up of undertaking: respected	2
Founded and resolved	1
Ill-founded	2
Founded, undertaking	2



Île-Bizard–
Sainte-Geneviève



Complaints and information requests received in 2021	12
Inquiries launched in 2021	2
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	112
Inquiry pending as of December 31, 2021	0

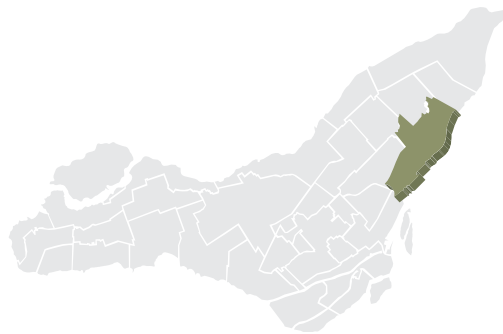
Topics of inquiries
launched in 2021

Building: Maintenance and Salubriousness	1
Public Works	1

Results of inquiries
closed in 2021

Founded and resolved	2
Withdrawal	1

Mercier–Hochelaga-
Maisonnette



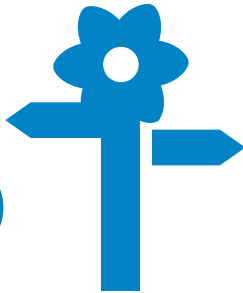
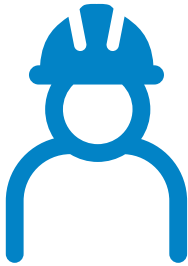
Complaints and information requests received in 2021	130
Inquiries launched in 2021	21
Inquiries pending as of January 1, 2021	14
Average processing time of inquiries closed in 2021 (business days)	134.5
Inquiries pending as of December 31, 2021	9

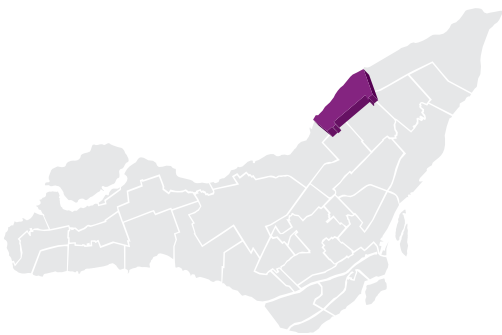
Topics of inquiries
launched in 2021

Nuisances	6
Parks	2
Citizen Participation	3
Alleys	2
Safety	2
City Services: Communications, Politeness, Delays and Procedures	1
Public Works	3
Fences, Hedges, Driveways and Others	1
Transformation, Construction and Demolition Permits	1

Results of inquiries
closed in 2021

Founded and resolved	9
Founded, recommendations	2
Founded, undertaking	5
Ill-founded	7
Refusal to intervene by Odm	1
Withdrawals	2





Montréal-Nord

Complaints and information requests received in 2021	47
Inquiries launched in 2021	5
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	56.5
Inquiry pending as of December 31, 2021	1



Outremont

Complaints and information requests received in 2021	18
Inquiries launched in 2021	4
Inquiries pending as of January 1, 2021	2
Average processing time of inquiries closed in 2021 (business days)	106.4
Inquiry pending as of December 31, 2021	1

Topics of inquiries launched in 2021

Building: Maintenance and Salubriousness	2
Nuisances	1
Fences, Hedges, Driveways and Others	1
Transformation, Construction and Demolition Permits	1

Results of inquiries closed in 2021

Follow-up of undertaking: respected	2
Founded, undertaking	1
Ill-founded	1

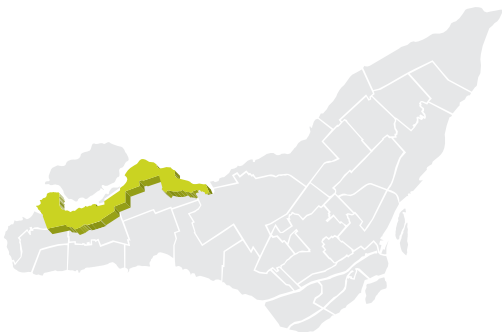
Topics of inquiries launched in 2021

Access to Information	1
Nuisances	1
Alleys	1
Public Works	1

Results of inquiries closed in 2021

Founded and resolved	1
Follow-up of undertaking: respected	2
Founded, undertaking	2





Pierrefonds-Roxboro

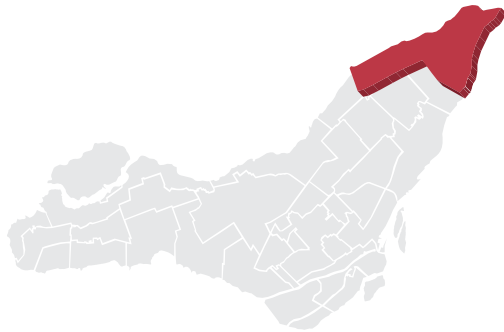
Complaints and information requests received in 2021	23
Inquiries launched in 2021	5
Inquiries pending as of January 1, 2021	5
Average processing time of inquiries closed in 2021 (business days)	180
Inquiries pending as of December 31, 2021	5

Topics of inquiries
launched in 2021

Nuisances	2
City Services: Communications	1
Parking and Drop-Off Zones	1
Fences, Hedges, Driveways and Others	1

Results of inquiries
closed in 2021

Ill-founded	2
Founded and resolved	2
Refusal to intervene by OdM	1



Rivière-des-Prairies-
Pointe-aux-Trembles

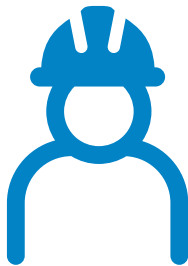
Complaints and information requests received in 2021	59
Inquiries launched in 2021	7
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	70.3
Inquiries pending as of December 31, 2021	2

Topics of inquiries
launched in 2021

City Services: Delays and Procedures	1
Public Works	3
Fences, Hedges, Driveways and Others	3

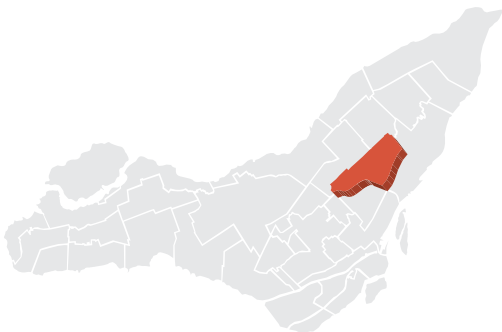
Results of inquiries
closed in 2021

Founded and resolved	2
Ill-founded	2
Founded, undertaking	1
Follow-up of undertaking: partially respected	1

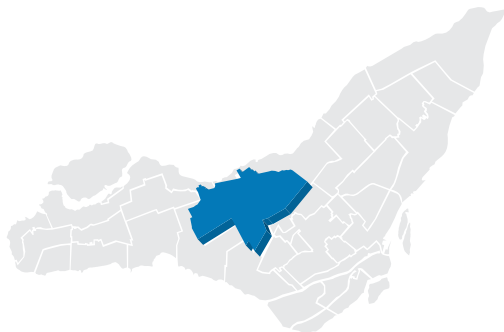




Rosemont–
La Petite-Patrie



Saint-Laurent



Complaints and information requests received in 2021	89
Inquiries launched in 2021	29
Inquiries pending as of January 1, 2021	15
Average processing time of inquiries closed in 2021 (business days)	92.48
Inquiries pending as of December 31, 2021	23

Complaints and information requests received in 2021	23
Inquiries launched in 2021	3
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	137.25
Inquiry pending as of December 31, 2021	0

Topics of inquiries
launched in 2021

Nuisances	13
Parks	3
City Services:	1
Delays and Procedures	
Public Works	5
Bicycle Path	3
Fences, Hedges, Driveways and Others	2
Transformation, Construction and Demolition Permits	2

Results of inquiries
closed in 2021

Founded and resolved	8
Founded, undertaking	1
Ill-founded	10
Follow-up of undertaking: respected	1
Follow-up of recommendations: respected	1

Topics of inquiries
launched in 2021

Nuisances	1
City Services:	1
Communications	
Transformation, Construction and Demolition Permits	1

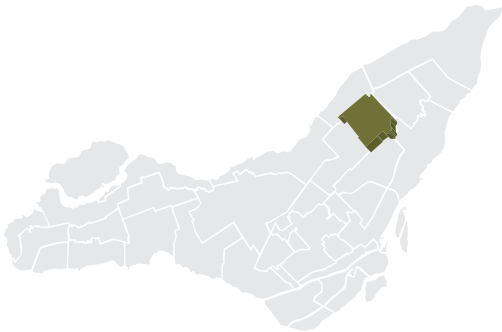
Results of inquiries
closed in 2021

Founded and resolved	2
Ill-founded	2





Saint-Léonard



Complaints and information requests received in 2021	19
Inquiries launched in 2021	3
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	79
Inquiry pending as of December 31, 2021	1

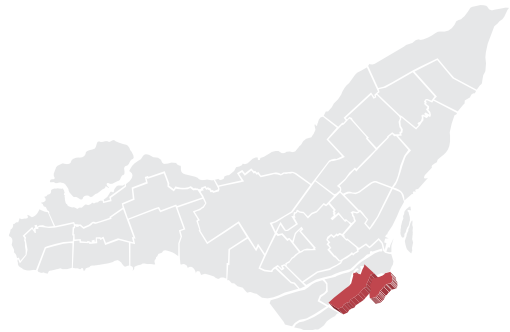
Topics of inquiries
launched in 2021

Nuisances	1
Parking and Drop-Off Zones	1
Fences, Hedges, Driveways and Others	1

Results of inquiries
closed in 2021

Follow-up of undertaking: respected	1
Founded and resolved	1
Ill-founded	1

Verdun



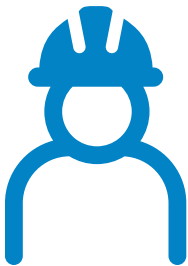
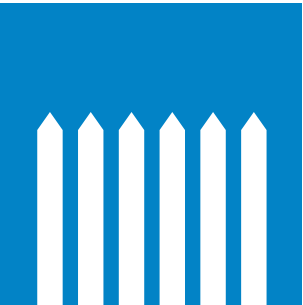
Complaints and information requests received in 2021	19
Inquiries launched in 2021	8
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	51.83
Inquiries pending as of December 31, 2021	2

Topics of inquiries
launched in 2021

Trees	1
Building: Maintenance	1
Citizen Participation	1
Public Works	2
Bicycle Path	2
Transformation, Construction and Demolition Permits	1

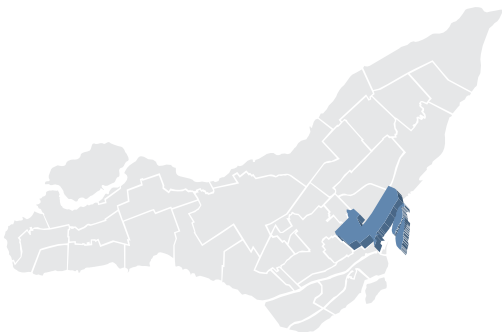
Results of inquiries
closed in 2021

Founded and resolved	2
Ill-founded	1
Founded, undertaking	1
Follow-up of undertaking: not respected	1
Refusal to intervene by Odm	1

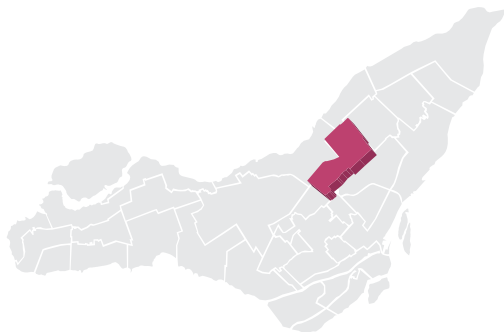




Ville-Marie



Villeray–
Saint-Michel–
Parc-Extension



Complaints and information requests received in 2021	112
Inquiries launched in 2021	7
Inquiries pending as of January 1, 2021	8
Average processing time of inquiries closed in 2021 (business days)	81.4
Inquiries pending as of December 31, 2021	5

Complaints and information requests received in 2021	73
Inquiries launched in 2021	11
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	37.17
Inquiries pending as of December 31, 2021	5

Topics of inquiries
launched in 2021

Building: Maintenance	1
Community Gardens	1
Public Works	5

Results of inquiries
closed in 2021

Founded and resolved	2
Founded, undertaking	1
Ill-founded	4
Refusal to intervene by OdM	1
Follow-up of undertaking: respected	2

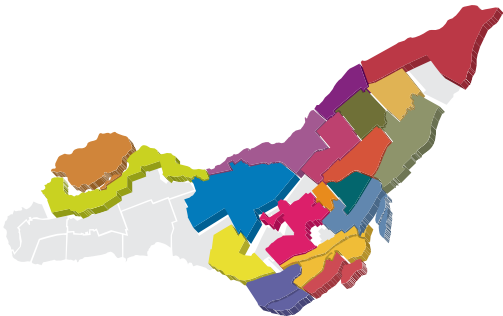
Topics of inquiries
launched in 2021

Claims for Material Damage	1
Parks	1
Safety	2
City Services: Courtesy and Politeness	2
Public Works	1
Bicycle Path	1
Fences, Hedges, Driveways and Others	3

Results of inquiries
closed in 2021

Founded and resolved	2
Ill-founded	3
Withdrawal	1





All boroughs

Complaints and information requests received in 2021	6
Inquiry launched in 2021	1
Inquiries pending as of January 1, 2021	8
Average processing time of inquiries closed in 2021 (business days)	54
Inquiry pending as of December 31, 2021	0

Topic of inquiry
launched in 2021

Public Works 1

Result of inquiry
closed in 2021

Founded and resolved 1



“Thank you for your promptness in contacting me. I have never received such service elsewhere in town.”



PROFILE OF COMPLAINTS AND INQUIRIES BY ENTITY

Central Departments

Service des affaires juridiques Direction des affaires civiles

Complaints and information requests received in 2021	80
Inquiries or analyses launched in 2021	4
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	44
Inquiry pending as of December 31, 2021	0

Topics of inquiries launched in 2021

Claims for Bodily Injury and Material Damage **4**

Results of inquiries closed in 2021

Refusal to intervene by OdM **1**
 Founded and resolved **1**
 Ill-founded **2**

Service des affaires juridiques Direction des projets spéciaux, du soutien général et du service à la clientèle (cour municipale)

Complaints and information requests received in 2021	114
Inquiries or analyses launched in 2021	7
Inquiries pending as of January 1, 2021	2
Average processing time of inquiries closed in 2021 (business days)	26
Inquiries pending as of December 31, 2021	2

Topics of inquiries launched in 2021

Statements of Offence **1**
 City Services: Communications, Delays and Procedures **6**

Results of inquiries closed in 2021

Refusal to intervene by OdM **4**
 Founded and resolved **3**

Service de la concertation des arrondissements

Complaints and information requests received in 2021	7
Inquiries or analyses launched in 2021	2
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	54
Inquiry pending as of December 31, 2021	1

Topics of inquiries launched in 2021

City Services: Delays and Procedures **1**
 Public Works **1**

Result of inquiry closed in 2021

Founded and resolved **1**

Service de l'urbanisme et de la mobilité

Complaints and information requests received in 2021	2
Inquiries or analyses launched in 2021	2
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	127.3
Inquiry pending as of December 31, 2021	1

Topics of inquiries launched in 2021

Safety **1**
 Bicycle Path **1**

Results of inquiries closed in 2021

Founded, undertaking **1**
 Follow-up of recommendations: respected **1**

Service du développement économique

Complaint and information request received in 2021	1
Inquiry or analysis launched in 2021	1
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	90
Inquiry pending as of December 31, 2021	0

Topic of the inquiry launched in 2021

Subsidies **1**

Result of the inquiry closed in 2021

Founded and resolved **1**

Service de l'eau

Complaints and information requests received in 2021	13
Inquiries or analyses launched in 2021	3
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	64
Inquiry pending as of December 31, 2021	1

Topics of inquiries launched in 2021

Material Damage **2**

City Services: **1**
Communications

Results of inquiries closed in 2021

Founded and resolved **2**

Service de l'environnement

Complaints and information requests received in 2021	2
Inquiry or analysis launched in 2021	1
Inquiries pending as of January 1, 2021	5
Average processing time of inquiries closed in 2021 (business days)	25.7
Inquiries pending as of December 31, 2021	3

Topic of the inquiry launched in 2021

Environment and Sustainable Development **1**

Results of inquiries closed in 2021

Ill-founded **1**

Founded, undertaking **1**

Follow-up of undertaking: respected **1**

Service de l'expérience citoyenne et des communications

Complaints and information requests received in 2021	12
Inquiry or analysis launched in 2021	1
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	112
Inquiry pending as of December 31, 2021	0

Topic of the inquiry launched in 2021

Bicycle Path **1**

Result of the inquiry closed in 2021

Follow-up of recommendations: respected **1**

“Thank you so very much for your intervention with the borough manager. Without you I’d probably still be waiting until doomsday.”



Service des finances

Complaints and information requests received in 2021	20
Inquiries or analyses launched in 2021	2
Inquiry pending as of January 1, 2021	1
Average processing time of inquiries closed in 2021 (business days)	89.67
Inquiry pending as of December 31, 2021	0

Topics of inquiries launched in 2021

City Services: **1**
Delays and Procedures
Taxes **1**

Results of inquiries closed in 2021

Refusal to intervene by OdM **1**
Founded and resolved **1**
Ill-founded **1**

Service de la gestion et de la planification immobilière

Complaints and information requests received in 2021	4
Inquiries or analyses launched in 2021	14
Inquiries pending as of January 1, 2021	7
Average processing time of inquiries closed in 2021 (business days)	129.6
Inquiries pending as of December 31, 2021	16

Topics of inquiries launched in 2021

Nuisances **9**
Safety **1**
City Services: **2**
Delays and Procedures
Zoning/Urban Planning: Others **2**

Results of inquiries closed in 2021

Désistement **1**
Ill-founded **1**
Founded and resolved **3**

Service des grands parcs, du Mont-Royal et des sports

Complaints and information requests received in 2021	6
Inquiries or analyses launched in 2021	4
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	43
Inquiry pending as of December 31, 2021	1

Topics of inquiries launched in 2021

Miscellaneous **1**
Nuisances **1**
Parks **1**
Public Works: Cleanliness **1**

Results of inquiries closed in 2021

Founded and resolved **3**

Service de l'habitation

Complaints and information requests received in 2021	6
Inquiries or analyses launched in 2021	5
Inquiries pending as of January 1, 2021	4
Average processing time of inquiries closed in 2021 (business days)	156.86
Inquiries pending as of December 31, 2021	2

Topics of inquiries launched in 2021

Buildings: Maintenance and Salubriousness **2**
Subsidies **2**
Zoning/Urban Planning: Others **1**

Results of inquiries closed in 2021

Refusal to intervene by OdM **1**
Ill-founded **3**
Founded, undertaking **1**
Founded and resolved **2**

Service des infrastructures du réseau routier

Complaints and information requests received in 2021	2
Inquiries or analyses launched in 2021	8
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	73
Inquiries pending as of December 31, 2021	2

Topics of inquiries launched in 2021

Nuisances	3
City Services: Communications, Delays and Procedures	2
Public Works	3

Results of inquiries closed in 2021

Refusal to intervene by OdM	1
Founded and resolved	5

Service du matériel roulant et des ateliers

Complaint and information request received in 2021	0
Inquiries or analyses launched in 2021	8
Inquiries pending as of January 1, 2021	6
Average processing time of inquiries closed in 2021 (business days)	n/a
Inquiries pending as of December 31, 2021	14

Topics of inquiries launched in 2021

Nuisances	8
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Service de police de la Ville de Montréal

Complaints and information requests received in 2021	54
Inquiry or analysis launched in 2021	1
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	10
Inquiry pending as of December 31, 2021	0

Topic of analysis launched in 2021

City Services: Communications	1
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Result of analysis closed in 2021

Refusal to intervene by OdM	1
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Service de sécurité incendie de Montréal

Complaints and information requests received in 2021	9
Inquiry or analysis launched in 2021	1
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	n/a
Inquiry pending as of December 31, 2021	1

Topic of the inquiry launched in 2021

Zoning/Urban Planning: Others	1
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“I would like to thank Ms. X for her patience and for listening to me, but also for her perseverance and tolerance during all her interventions with the borough.”



PROFILE OF COMPLAINTS AND INQUIRIES BY ENTITY

Paramunicipal Agencies and City-Controlled Corporations

Agence de mobilité durable

Complaints and information requests received in 2021	23
Inquiry or analysis launched in 2021	1
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	n/a
Inquiry pending as of December 31, 2021	1

Topic of the inquiry launched in 2021

Universal Accessibility 1

Société d'habitation et de développement de Montréal (SHDM)

Complaints and information requests received in 2021	5
Inquiry or analysis launched in 2021	1
Inquiry pending as of January 1, 2021	0
Average processing time of inquiries closed in 2021 (business days)	n/a
Inquiry pending as of December 31, 2021	1

Topic of the inquiry launched in 2021

Tenant/Landlord Relations (linked to Ville de Montréal) 1

Office municipal d'habitation de Montréal (OMHM)

Complaints and information requests received in 2021	56
Inquiries or analyses launched in 2021	14
Inquiries pending as of January 1, 2021	6
Average processing time of inquiries closed in 2021 (business days)	110.1
Inquiries pending as of December 31, 2021	4

Topics of inquiries launched in 2021

Human Rights 1
 Buildings: Maintenance and Salubriousness 2
 Access to Affordable Housing 3
 Nuisances 1
 Tenant/Landlord Relations (linked to Ville de Montréal) 5
 City Services: Communications, Delays and Procedures 2

Results of inquiries closed in 2021

Founded and resolved 4
 Founded, undertaking 1
 Citizens referred to relevant entity during inquiry 3
 Ill-founded 5
 Follow-ups of undertakings: respected 2
 Withdrawal 1

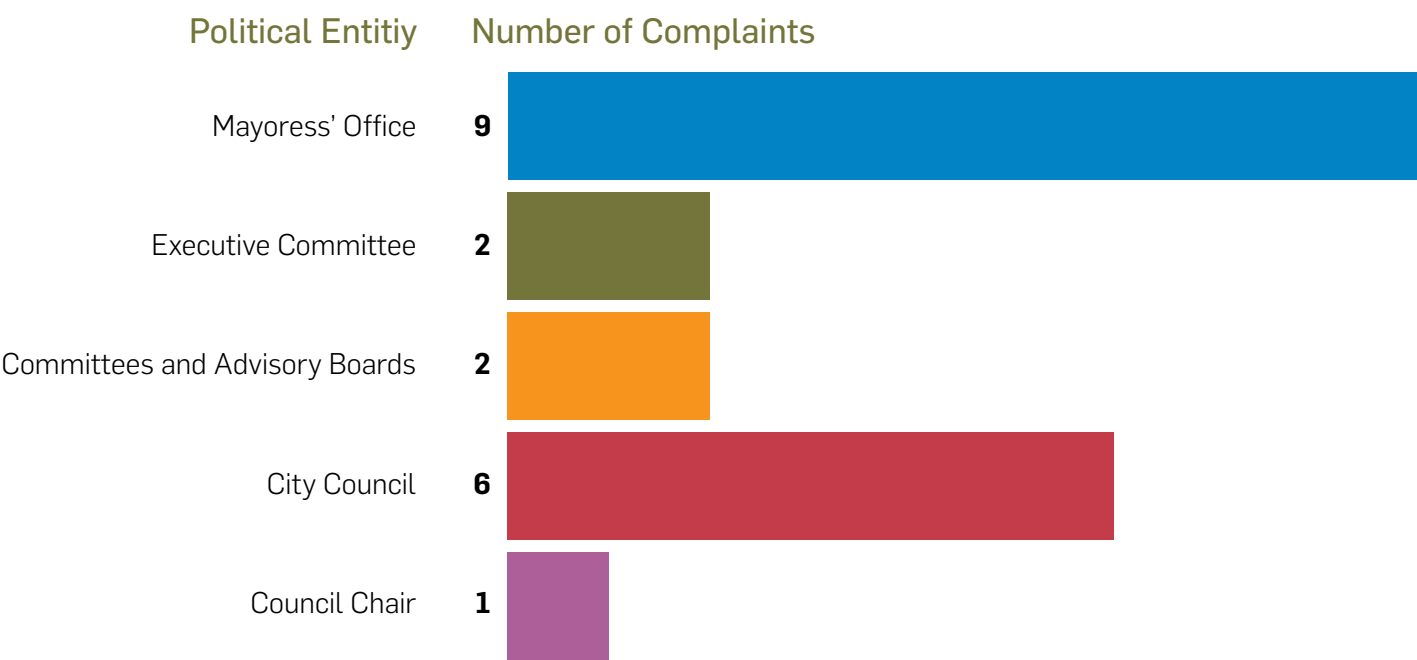
“Thank you for your quick callback,
it’s comforting to know that you are here
for us – even in pandemic times.”



PROFILE OF COMPLAINTS AND INQUIRIES BY ENTITY



Political Entities



No inquiry was launched in 2021.

PHOTOS CREDITS

Portraits de Montréal

Thibault Carron
Samuel V. Rocheleau
Mikaël Theimer

Cover and back, as well as pages 6, 7, 12, 13, 14, 15, 17, 20, 23, 23, 24, 25, 26, 29, 32, 33, 36, 38, 39, 47, 49, 52, 54, 60, 61, 74, 75, 78, 81, 83 and 84

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Martine Doyon
Pages 10, 21, 28, 50, 57, 59 and 62

AQUÍ PARA TI
ISIT LA POU OU
здесь для вас
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এখানে তোমার জন্য
בשבילך כאן
ਇੱਥੇ ਤੁਹਾਡੇ ਲਈ
هنا لأجلك
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YOU
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VOCÊ
ICI
POUR VOUS
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HIER FÜR DICH
Nitih̓taanaan uuth che
εδώ για σένα uhchi wiichihiitaah̓t
HAPA KWAKO
ここにあなたのために

