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在這里為你 • **εδώ για σένα** • **Aquí para você**
यहाँ आपके लिए • **כאן בשבילך** • **در اینجا برای شما**
هنا لأجلك • **Here for you** • **Qui per te**
এখানে তোমার জন্য • **ここにあなたのために**
یہاں آپ کے لئے • **lákwe's akwahsié:nen'**
Nitihtaanaan uuth che uhchi wiichihiitaah
Ikajulangavugut illinni

The Ombudsman de Montréal: a great institution, here - for you!

The Ombudsman de Montréal (OdM) is a great institution. Its founder, M^e Johanne Savard, was able to build an organization that helped Montrealers for more than 17 years. This institution has since served as a guiding light for other ombudsman offices across the country and around the world. But the OdM is also a great institution thanks to the quality of the team it employs. Each member of this team takes the utmost care to ensure that Montrealers receive explanations and are welcomed, served, listened to, reassured, convinced and informed (more than 25,000 files processed since 2003). The thoroughness of their work is equalled only by their dedication to propose solutions that are just, practical and fair.

I arrived in August of 2020, and for me, taking the helm of such an institution – not to mention such a team – has been, naturally, a source of tremendous pride, but above all else inspired in me an exceptional sense of responsibility: that of maintaining the highest standards to ensure that the citizens of Montreal continue to place their trust in us.

And it is to make sure we're there for them that the Ombudsman de Montréal team took a sharp turn in March 2020 while also continuing to offer the full range of its services to the population, except for in-person visits to our offices. In fact, the volume of complaints has again increased, notably online, which total 64 per cent of all requests received in 2020, compared with 34 per cent in 2019. We also conducted one of the most important systemic inquiries since the inception of the OdM: the inquiry concerning urban installations implemented in the summer of 2020.

A change like the one that resulted from the COVID-19 pandemic, when it cascades down to everyone going through the same hurricane, is perceived, given its widespread nature, as fairly simple, mandatory and obvious. Generally speaking, it is seldom questioned.


The same cannot always be said concerning more sensitive changes regarding the invisibility of part of the population: Montrealers who, during their lifetime, will suffer one form or another of discrimination or exclusion and who will not know how to ensure their rights are recognized nor with whom to share their suffering. The OdM has jurisdiction over this type of issue under the *Montréal Charter of Rights and Responsibilities*. And we intend to use the full scope of this competence in discrimination cases, so that those who endure it feel that it's worthwhile to seek our help.

To call on us, however, these individuals must be aware of us and consider us an accessible avenue of recourse. We will, therefore, engage with partners and communities with the aim of reaching out to invisible citizens, so that all individuals concerned know that having recourse to the OdM is within their reach and have confidence that by contacting us, they came to the right place. That they are indeed visible – and better still, stakeholders in Montréal's social fabric.

The pandemic rushed us into the 21st century from a technological viewpoint. The OdM is answering the call to the transition to live together in an inclusive and non-discriminatory manner.

As plenty of Montrealers already know, the OdM is here for you.

Nadine Mailloux



"But the OdM is also a great institution thanks to the quality of the team it employs. Each member of this team takes the utmost care to ensure that Montrealers receive explanations and are welcomed, served, listened to, reassured, convinced and informed (more than 25,000 files processed since 2003)."

**“As plenty of Montrealers
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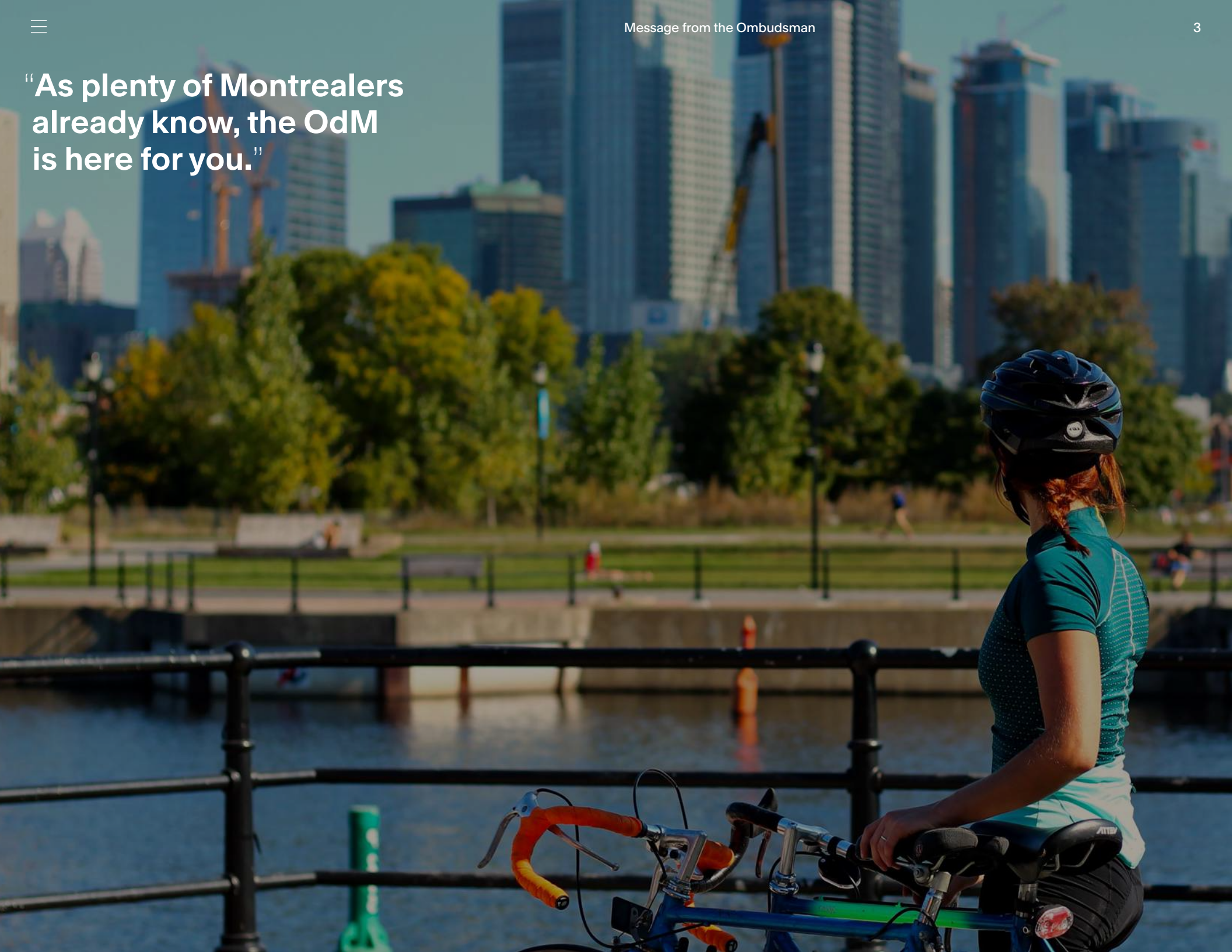


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About M^e Nadine Mailloux

"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."



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 vice-president of the Forum of Canadian Ombudsmen since 2017. She draws on the best practices and experiences of ombudsmen who are recognized throughout Canada for their expertise. She is also active with the 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 ombudsmen in Canada and internationally, and is aimed at experienced ombudsmen. For some 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.

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. 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.

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.

Our team



Anouk Violette



Lucie Legault



Laurence Delage



Josée Ringuette



Brigitte Ducas



Éliane Fournier-Pleau



Hugo Faria



Leslie Ning

Advisor to the Ombudsman

Anouk Violette is a lawyer and holds two certifications from the International Association of Privacy Professionals (IAPP); Certified Information Privacy Professional/Canada (CIPP/C), and Certified Information Privacy Professional/Europe (CIPP/E). She practiced employment and labour law at a major law firm, where she was a partner.

Team leader

Lucie Legault was admitted to the Quebec Bar in 1992. She is an accredited mediator for family, 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.

Advisor to the Ombudsman

Laurence Delage is a lawyer and an accredited mediator. Prior to joining the OdM team, she practiced law for some years at a private law firm and several community organizations in the fields of administrative law and immigration and refugee law. Committed to apprenticeship training for young people, she continues to be actively involved in an international organization promoting interculturalism.

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 penned a volume on writing, was a university lecturer and a consultant, conducting research and writing projects for various departments and organizations.

Legal advisor to the Ombudsman

Prior to joining the OdM team in 2014, **Brigitte Ducas** worked as a community lawyer, representing injured workers before administrative authorities. She articulated with the Labour Relations Board (now the Tribunal administratif du travail).

Executive assistant, first level

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.

Research and inquiry technician

Hugo Faria holds a Bachelor of Laws from Brazil and worked for two years as an employment lawyer, and later became a police officer. He arrived in Canada in 2017, where he studied in a paralegal program. After working for the Commission des droits de la personne et des droits de la jeunesse, he joined the OdM team.

Advisor to the Ombudsman

Leslie Ning holds degrees in Civil Law and Common Law from McGill University, as well as a Bachelor's degree in international relations and international law from UQÀM. Prior to her arrival at OdM, she ran the Mile End Legal Clinic in Montréal. She currently sits on the advisory committee of Pro Bono Students Canada.

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 in 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 we are 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 colour 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 analyse 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.”

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; and
- 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; and
- Assesses whether the three dimensions complementary of fairness have been respected:
- Procedural fairness, relational fairness and fairness on the merits.

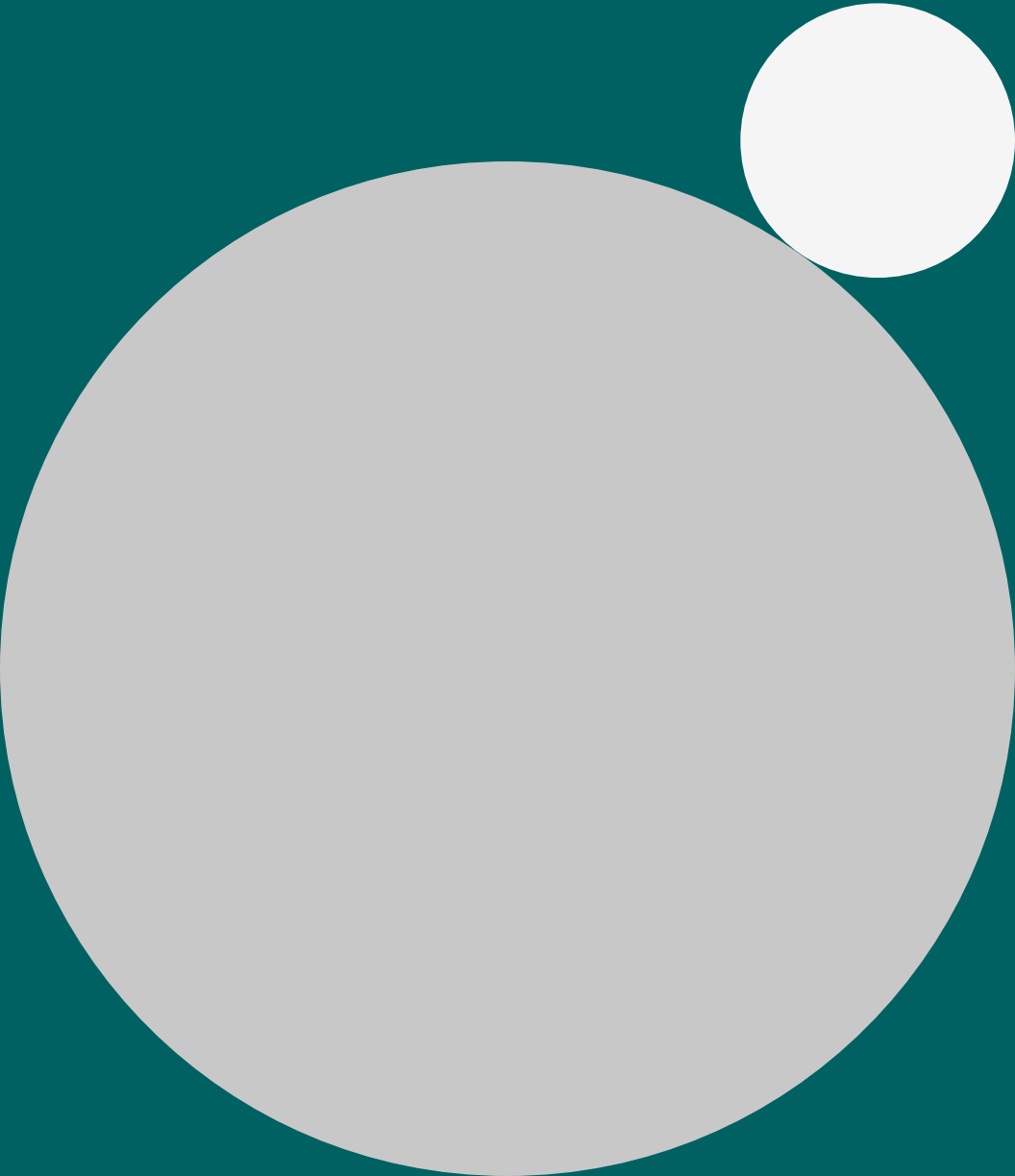
If one of these components is missing, the entire process can be compromised, which can create a sense of injustice for the person concerned: confidence in the whole system is undermined as a result.

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 merits:** The decision taken was reasonable and just.

Our files

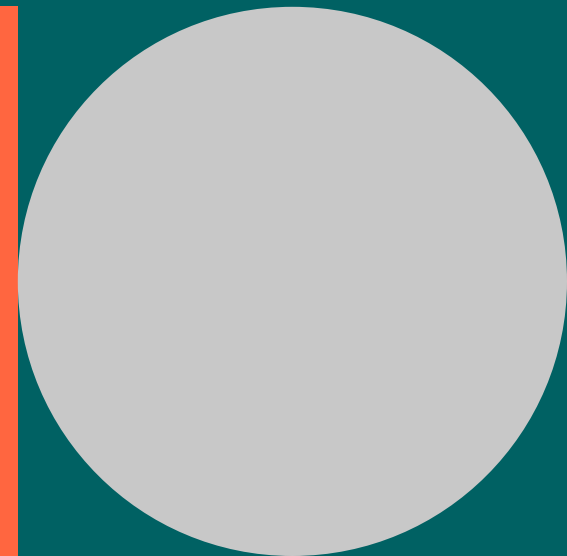
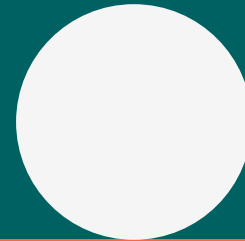
In solution mode



1



“A thousand times thank you for this quick, clear and useful reply. This is so welcome and quite remarkable, especially in the difficult times we’re living through these days. [...] Again, thanks for the quality and diligence of your service.”
— Citizen



General files

“The citizens obtained their refund!”

Arrondissement d’Ahuntsic-Cartierville Driveway entrance ... a vested right?

Listening

A citizen disputes the Borough decision to raise the driveway entrance in the front yard parking of her building because it would not be compliant with the by-law.

She claims a vested right for this parking and requests that the Borough reinstate the driveway. The exact date of the parking’s implementation is unknown but according to the citizen, it dates back to 1976 or prior.

To have the right to a driveway, it is necessary to have a valid parking area, that is, one that is compliant with current regulations or protected by a vested right. But a construction enjoys a vested right only if it can be shown that it had a legal status prior to the adoption of regulations that rendered it non-compliant.

Explaining

Our research shows that the Borough’s zoning rules since 1974 prohibit parking in the front yard, where the citizen’s parking is located. Prior to that date, nothing in the regulations forbids parking in the front yard. We explain to the citizen that her parking area violates regulations in effect and that to enjoy a vested right, she must provide proof

that it existed prior to 1974. At our behest, the citizen consults aerial views in Montreal’s archives and sends us a composite of aerial shots. On a 1973 picture, we can see a parking area in the front yard of her building.

We communicate this new element to the Borough.

Resolving

The Borough amends its stance and considers the parking authorized at the same time as the building’s construction in 1949.

The driveway entrance is redone and the citizen’s enjoyment of her private parking is restored.

Service des finances Uncashed cheques are re-issued for a total value of \$1.75 million

Listening

In 2007, after the OdM’s intervention, the Service des finances adopts a follow-up policy for expired tax-refund cheques. The goal: to trace the citizens and legal entities who did not cash a tax-refund cheque (starting at \$50) and re-issue the cheques.

We conduct an audit until 2013 to follow the enforcement of this new procedure. The service confirms it had re-issued more than 2,000 uncashed tax-refund cheques between 2007 and 2015 worth in excess of \$1 million.

However, a follow-up in 2018 reveals that the service interrupted this practice in 2015.

Explaining and resolving

The OdM deems this procedure important and intervenes again.

The service commits to reinstate this practice retroactively (2015) and to send us an annual review. It respects its undertakings: in 2019 and 2020, 744 expired cheques with a total value of about \$750,000 were processed and refunded to Montreal taxpayers.

Arrondissement du Sud-Ouest et Service des finances The cheque’s in the mail...

Listening

Some citizens obtain a refund for the installation cost of the public section of their water pipes. However, they denounce not receiving the payment.

Explaining

Upon verification, the OdM finds that a first refund cheque was mailed to the wrong address. Another cheque related to the same work could not be cashed by the citizen for the same reason.

When the request for a permit for the connection work was made, the wrong address was written beneath the name of the owner while the right address had been handwritten in the refund documents, which unfortunately resulted in the errors when the request was processed by the Service des finances.

Resolving

The OdM has ensured that henceforth, changes will be made directly in the system during the verification of information asking for a refund.

The citizens obtained their refund!

General files^(cont.)

Excerpts from the OdM's conclusions:
"You indicated that you are satisfied with the details we obtained from the Bureau des réclamations concerning the letter, of which you have received a copy."

Arrondissement de Verdun

A hefty bill for a citizen who must secure her building

Listening

In the fall of 2019, the Borough of Verdun sets up barricades close to a residence to establish a security perimeter after some bricks fell from a building wall.

A Hydro-Québec intervention is required before the refurbishment work can be done, which will take several months. At first, the intervention is planned for the spring of 2020, but is postponed to an unspecified date due to the COVID-19 pandemic.

A few months later, the building's owner installs her own barricades and those of the Borough are withdrawn. The bill for renting the barricades and for the temporary occupation of public land comes to about \$28,000.

The owner disputes this amount, arguing that she should not be penalized for a delay attributable to Hydro-Québec. The Borough agrees to reduce the amount to \$6,310, taking into account the date at which Hydro-Québec informs her of the delay. The citizen contacts us.

Explaining

Regulations stipulate that daily rental fees are billed for all equipment belonging to the Borough. The OdM has no ground to seek the annulment of these fees.

Resolving

We note, however, a calculation error that reduces the bill by about \$560 for this aspect. In light of our discussions and of new documents supplied by the owner, the Borough again cuts the occupancy period billed and demands payment for only the first seven days of occupancy, all of which reduces the bill by about \$1,940.

The OdM's intervention reduced the bill by \$2,500. The Borough showed great flexibility in this file and the citizen was not penalized for delays over which she had no control.

Arrondissement de Ville-Marie

When the City forwards your claim to a third party...

Listening

A citizen suspects that a broken sewer pipe belonging to the City and located in front of her dwelling could be causing the malfunction of her own hook-up as well as a rat infestation problem in her building. The Borough does not see any link with possible work on the road or in the citizen's dwelling. She makes a request to the Bureau des réclamations, which concludes that the City is not responsible and forwards the claim to a contractor whose work would be responsible. The citizen does not understand how the contractor could be responsible for the rupture of the pipe.

Explaining

The OdM inquiry reveals that there is indeed no direct link between the contractor's work and the broken sewer pipe. However, it may have played a role in the presence of rats in the area, which explains why the Bureau des réclamations redirected the citizen to the contractor.

Resolving

The citizen is satisfied with the clarifications and details provided by the OdM.

Excerpts from the OdM's conclusions:
"You indicated that you are satisfied with the details we obtained from the Bureau des réclamations concerning the letter, of which you have received a copy."



“A citizen disputes the City requirement to put a basket muzzle on her dog at all times while outside her residence.”

General files^(cont.)

Arrondissement d'Ahuntsic-Cartierville

Works near public trees: a warranted withholding?

Listening

A citizen disputes the Borough's retention of part of the deposit paid as a guarantee at the time of the issuing of his excavation permit for the construction of a building. He is blamed for damaging the roots of two public trees located close to the building's foundations. The citizen maintains he took adequate protective measures, in addition to having conducted expert investigations that showed the condition of the trees after the construction.

Explaining

The OdM inquiry cannot find the calculation specifics used by the Borough to determine the loss in value of the trees. At our request, however, the Borough agrees to conduct a new assessment based on the available data.

Our intervention shows that the protection requirements imposed by the Borough did not take into account the construction plans and that they were impossible to meet. For example, in this case, a five-metre protection zone was required for a construction located two metres from the tree.

Resolving

In response to our questions, the Borough states that it has adopted a new approach and greater cooperation between its teams (permits and arboriculture) to determine whether a public tree can or cannot be preserved in good condition and to establish the protection requirements to meet during construction.

The citizen received a refund of \$2,482 on the amount of \$4,194 he had paid for the security deposit that had been withheld.

Service de la concertation des arrondissements

Beware the dog!

Listening

A citizen disputes the City requirement to put a basket muzzle on her dog at all times while outside her residence.

A veterinarian believes the danger level is low, as long as the dog no longer goes to dog parks. Consequently, the Service de la concertation des arrondissements imposes the aforementioned safeguard condition.

The Service agrees to adjust this condition by allowing the owner to let the dog out in the backyard without the muzzle.

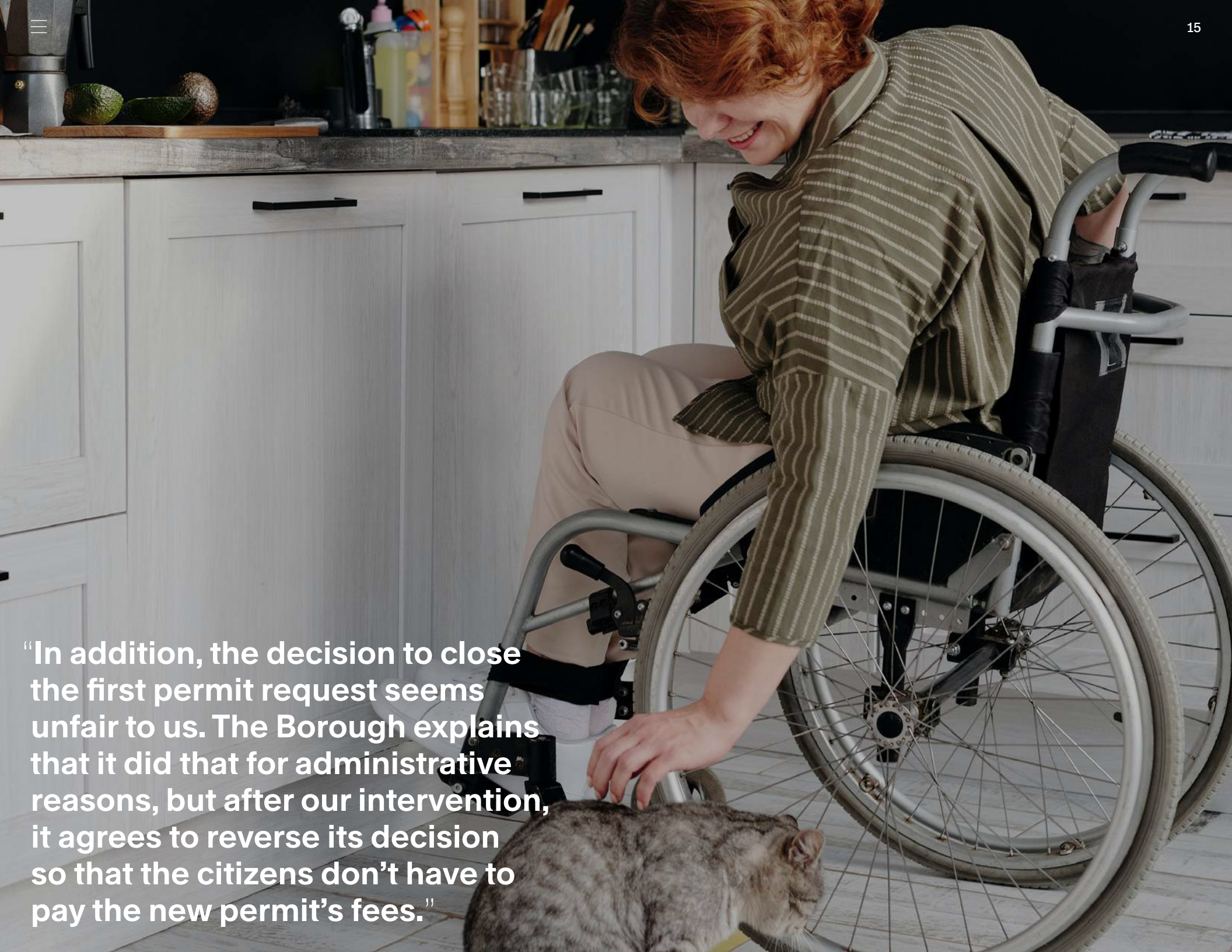
The *Règlement sur l'encadrement des animaux domestiques* states that the executive committee can adopt an order placing particular safeguard conditions on dogs that have not been declared potentially dangerous.

Such an order is adopted by the executive committee for dogs that have been assessed as presenting "low to moderate" danger levels. She will place the muzzle on the dog when it is outside of its guardian's dwelling.

Explaining and resolving

The OdM concludes that the condition imposed complies with the order, but obtains approval for a clarification of the letter sent to the citizen.

Excerpts from OdM's conclusions: "After discussing with you and considering your dog's needs, the Service adjusts this condition... The letter that confirms this adjustment is unclear. The Service confirms that an amended letter will be sent to you."

A woman with red hair, wearing a green and white striped long-sleeved shirt and beige pants, is seated in a silver wheelchair. She is smiling and petting a grey tabby cat on the floor. The setting is a kitchen with white cabinets and a wooden countertop. On the countertop, there are several avocados and some kitchen items. The floor is light-colored wood.

“In addition, the decision to close the first permit request seems unfair to us. The Borough explains that it did that for administrative reasons, but after our intervention, it agrees to reverse its decision so that the citizens don’t have to pay the new permit’s fees.”

General files^(cont.)

Arrondissement de Rosemont—La Petite-Patrie

Speaking together leads to better understanding ...

Listening

Some citizens undertake a major transformation project of their building. They complain about the Borough's processing of their file:

1

They believe that the Borough should not have issued them two statements of offence under various provisions, two days apart, for the same problem, without prior notice;

2

They don't understand why the Borough closed their request for an authorization permit to install a pool when there was an agreement on the measures to make the pool compliant;

3

They disagree with the Borough's position on work deemed non-compliant and on the requested modifications.

Explaining and resolving

The OdM's inquiry finds that the two statements of offence were issued under different regulatory provisions for the same non-compliance, three days apart in January 2020, even though the individuals in question had been advised of the problem just before the holidays and had taken steps to correct the issue.

Given the context and wishing to collaborate, the Borough asks that the statements be withdrawn, which was validated by the Municipal Court.

In addition, the decision to close the first permit request seems unfair to us. The Borough explains that it did that for administrative reasons, but after our intervention, it agrees to reverse its decision so that the citizens don't have to pay the new permit's fees. As for the different non-compliance issues noted by the Borough, they appear founded, but our inquiry continues until the complete resolution of the file.

Arrondissement du Sud-Ouest

Expelled from a municipal pool – Follow-up

Listening

In the wake of a previous intervention by the OdM, the Borough committed to improve the procedure governing the expulsion of a user from a pool.

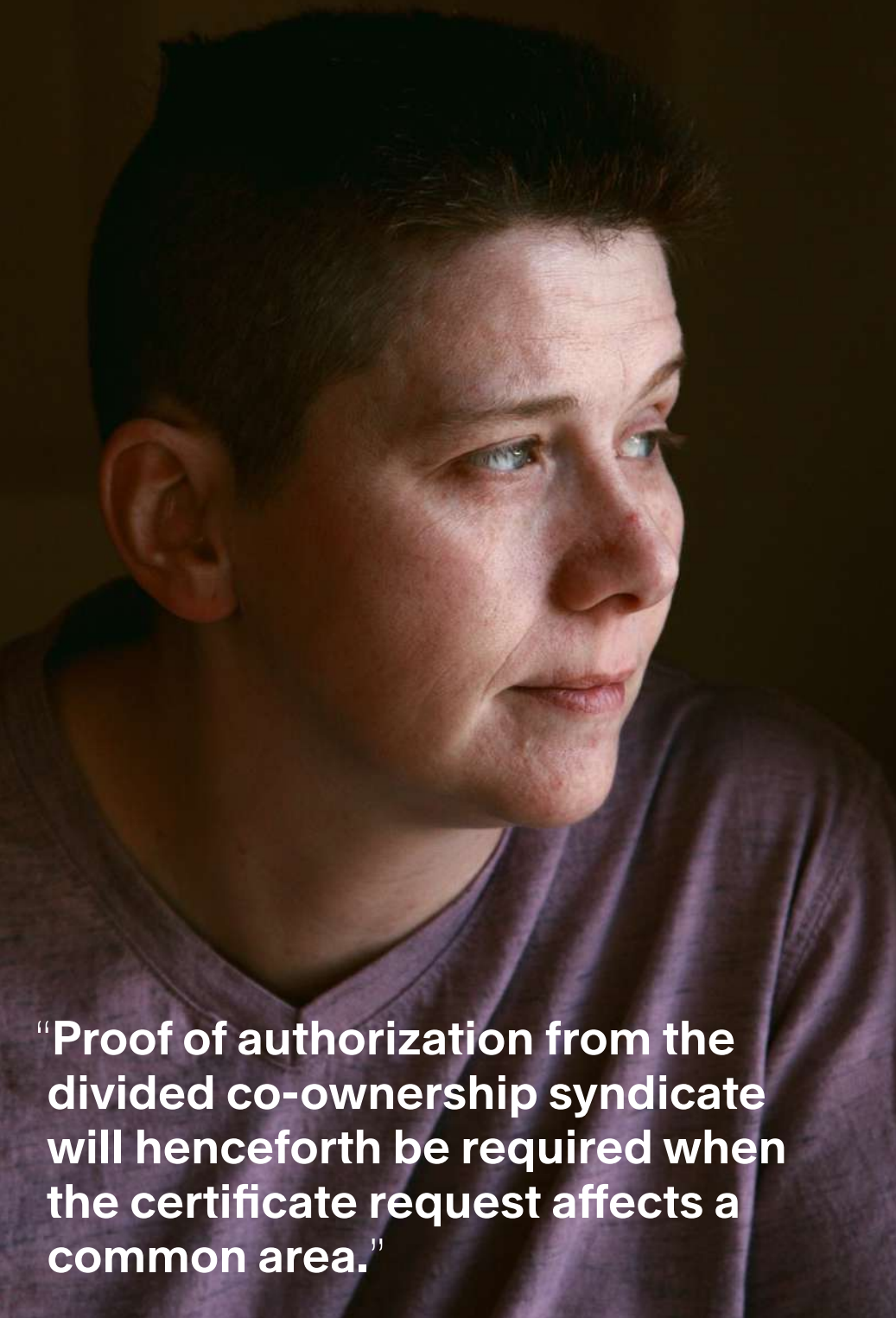
However, the procedure had not been reviewed. We therefore recalled the stakes identified during that inquiry:

- The principle of escalating penalties;
- The need to adjust the duration of an expulsion proportionately to the penalized behaviour;
- The importance of documenting the interventions;
- The importance of articulating clearly the reasons for an expulsion.

Explaining and resolving

The new procedure takes the OdM's comments into account and supervises the staff better concerning the management of a user who is likely to be expelled. In addition, the applicable pool rules have been collected in a single document, which will facilitate their consultation and application.

Excerpts from the OdM's conclusions: "[Our advisor] discussed the issues that had been identified with [the] new manager of the service [...]: The principle of escalating penalties and the need to adjust the duration of an expulsion proportionately to the penalized behaviour, the importance of documenting the interventions and of articulating clearly the reasons for the expulsion."



“Proof of authorization from the divided co-ownership syndicate will henceforth be required when the certificate request affects a common area.”



General files^(cont.)

Arrondissement de Ville-Marie Thanks for the info

Listening

A citizen complains that the Borough issued a development certificate to her divided co-owner for a parking area in the backyard of their dwelling (common area) without being informed or having agreed to it.

Explaining and resolving

After the OdM's intervention, the Borough will henceforth require a resolution from the divided co-ownership syndicate, when work affects common areas, for permits required under the *Règlement sur la construction et la transformation de bâtiments*, as well as those required under the *Règlement sur les certificats d'autorisation et d'occupation*, as in this case.

Excerpts from the OdM's conclusions: "Proof of authorization from the divided co-ownership syndicate will henceforth be required when the certificate request affects a common area."

Arrondissement Le Plateau-Mont-Royal Public land occupancy, yesterday and today...

Listening

A citizen owns a century-old building. Since its construction, some structures essential to the building's use encroach on public land. The OdM conducts some research. This type of encroachment was allowed in that era, and compliant with regulations; no fees were contemplated then for these situations. However, the Borough has claimed public land occupancy fees over the last few years. Other building owners on that street have the same type of layout and of structures that encroach on public land: but they are not billed by the Borough.

Explaining

The OdM believes that these fees should not be billed since it is unjust and unfair to apply today's rules to situations that were not contemplated in a previous era. In any case, it is impossible to put an end to the occupancy, given that the structures cannot be withdrawn; there are original components protected by urban planning by-laws. In fact, some Montreal Boroughs have adopted specific rules to regularize similar situations. Such a goodwill approach seems desirable to us.

Resolving

In the summer of 2020, the Borough undertakes to modify its regulations in order to settle the fairness issues that we raise.

The OdM also recommends that the Borough revise its calculations and refund the fees the citizen has paid to date (see [p. 39](#) for more details on the recommendations issued). The Borough follows through on its undertaking and modifies its regulations to stop billing this type of public land occupancy as of 2021. It accepts our recommendation to reimburse the plaintiff for the fees he has paid since 2014.

The OdM continues to intervene with other Boroughs concerning similar complaints (Ahuntsic-Cartierville, Le Sud-Ouest, Ville-Marie). Several of them have indicated their intention to review their regulations accordingly. This is a major win for citizens affected by this type of fees.

Excerpts from the OdM's conclusions: "Applying public land occupancy regulations to such cases produces absurd and unreasonable results that go against the objectives of regulations and of urban planning."

Service des finances Buyers: forewarned is forearmed!

Listening

In 2019 and 2020, some citizens contact the OdM seeking to cancel the purchase of lots acquired as part of the City's annual sale of lots for failure to pay taxes. The plaintiffs blame the City for not providing all the relevant information, mainly the fact that these lots cannot be developed.

Explaining

Our inquiry confirms that the applicable sales conditions clearly state that sales for failure to pay taxes are made without any guarantees. These conditions are published by the City long before the day of the sale and are reiterated on that day.

The courts also confirm that it is the buyer's responsibility to make the appropriate verifications prior to buying a lot or a building sold for non-payment of taxes. We could not, therefore, intervene on behalf of the citizens.

Resolving

We did, however, request that the conditions regarding the development of the lots put up for sale be presented even more clearly. These amendments were quickly published on the City's website. A banner has been added in a prominent position on the page that deals with sales for non-payment of taxes, which now draws attention to the applicable conditions.

General files^(cont.)

Arrondissement de Ville-Marie

Snow removal from alleys – where does it start, where does it stop?

Listening

A citizen notices that the snow in an alley bordering his building is no longer being cleared by the Borough, which is revising its snow removal processes. Consideration is being given to stopping removing snow from alleys which should be done by the property owners. We note, however, that some alleys are excluded from the Borough's snow removal route: we deem this situation unfair.

Explaining

The Borough sets certain criteria to determine whether or not snow will be removed. It must fulfill one of the following conditions:

- The building's address is located in the alley;
- It is a commercial alley;
- The collection of waste materials is done in the alley.

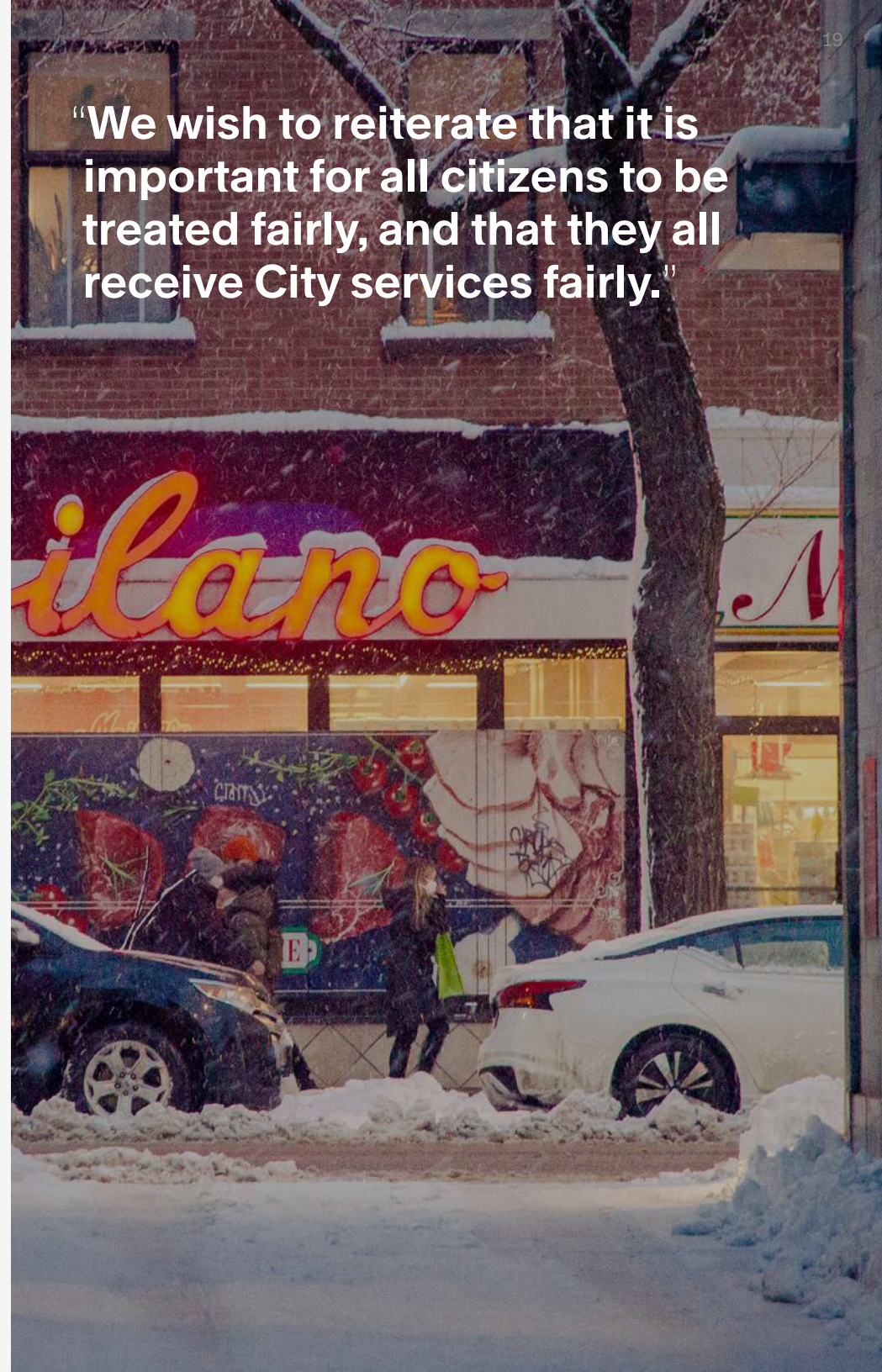
This process is due to be reviewed in the winter of 2020-2021. We remind the Borough about the importance of advising residents of this change within a reasonable timeframe, before the arrival of winter so that they may take the necessary arrangements, which the Borough has committed to do.

Resolving

In the fall of 2020, however, the Borough's elected officials postponed their decision concerning snow removal in these alleys. The Borough promises to send notices to the owners in question well in advance, when the decision is final, allowing them to take the necessary arrangements in a timely manner. The OdM will conduct a follow-up.

Excerpts from the OdM's conclusions: "We wish to reiterate that it is important for all citizens to be treated fairly, and that they all receive City services fairly."

"We wish to reiterate that it is important for all citizens to be treated fairly, and that they all receive City services fairly."



General files^(cont.)

Arrondissement d'Outremont

The OdM follows up on a housing project... that has caused quite a stir

Listening

In 2019, a citizens' group in Arrondissement d'Outremont complains about nuisances generated over several months at a worksite at 1420, boulevard Mont-Royal:

- Noises and intense vibrations caused by drilling into the Mont Royal rock;
- Truck traffic at the worksite and continuous operation of engines;
- Dust;
- Public land occupancy;
- Challenging communications among the Borough, the worksite developer and citizens, etc.

Explaining

Problems persist despite numerous interventions by the Borough. We launch an inquiry based on several of the Borough's commitments and responsibilities under municipal regulations and the *Montréal Charter of Rights and Responsibilities*, mainly related to air quality, the importance of limiting noise and traffic nuisances, communications with citizens, etc.

The OdM assembles a group of citizens involved, individuals who represent the Borough, the developer and his communications officer, and the engineer in charge of the construction project. The point is to allow the group affected by the nuisances to convey their concerns, to raise awareness with the site managers about their problem and to discuss about a rough estimate for the construction schedule. The developer makes many promises, but unfortunately, very few of them will be honoured, despite the Borough's efforts.

The OdM makes available a checklist of the contact information of all the entities to get in touch with, depending on the problem encountered, and intervenes in order to improve communications among all the stakeholders.

Resolving

In the summer of 2020, the Borough undertakes to:

- 1 Continue inspections and interventions, as needed;
- 2 Distribute the checklist to the citizens affected;
- 3 Remind the contractor regularly to update his Info-travaux page on the City's website;
- 4 Keep citizens informed about the next steps;
- 5 Hold a public hearing in the summer about amendments planned to the *Règlement sur le bruit*.

As part of our usual follow-up of undertakings, we note that several of them require reminders. Citizens notice that nuisances have resumed, mainly drilling, which has now persisted for more than two years.

“This worksite is particularly imposing and complex. Its implementation inevitably leads to nuisances for area residents. The Borough must ensure that they are not excessive and that regulations are obeyed.”

The OdM takes note of the Borough's close cooperation: we note a real desire to reduce as much as possible the nuisances to which the citizens are subjected. The limited regulatory powers of the Borough, however, combined with the lack of cooperation of the developer, makes the situation difficult to manage. But the Borough maintains its regular worksite follow-ups and will soon take steps to consult citizens about noise nuisances to ensure it meets its commitment to the OdM on the matter. We will continue to follow this file closely.

Excerpts from the OdM's conclusions:
“This worksite is particularly imposing and complex. Its implementation inevitably leads to nuisances for area residents. The Borough must ensure that they are not excessive and that regulations are obeyed.”

Files – Montréal Charter of Rights and Responsibilities

The role and content of the *Montréal Charter of Rights and Responsibilities* are explained on p. 59.

Service de l'habitation Mold and asbestos...

Listening

A citizen must abandon her dwelling due to health problems that she attributes to the presence of mold in her living room ceiling. She complains about the way the Service de l'habitation is processing her file.

Explaining

According to the Charter, the City is committed to “taking appropriate measures to ensure that housing meets public health and safety standards with regard to the health and safety of tenants.”

Our inquiry reveals that two contaminants, asbestos and mold, were present in the citizen's ceiling.

The decontamination work is unfolding in two stages: some of the mold is extracted during the asbestos removal by a specialized firm. After the citizen's departure from the dwelling, a second firm removes the remaining mold.

The *Protocole de décontamination – indices forts de croissance microbienne* demanded by the inspector requires the owner to provide details on the following issues, among others:

- Access or non-access to the dwelling by occupants during the work;
- The description of work to be done, including special measures during the work (management of contaminated materials, ventilation, clean-up, etc.);
- The work schedule.

This protocol, however, was not filed by the owner prior to the asbestos removal work. It was filed only for the second stage of the work.

It is therefore impossible to know whether all necessary safety precautions were taken concerning the mold at the start of the work, when the owner still lived in the dwelling.

“This protocol, however, was not filed by the owner prior to the asbestos removal work. It was filed only for the second stage of the work.”

Resolving

Following our intervention, the Service de l'habitation amends its procedures in order to take into account the rare cases where two contaminants co-mingle:

- The protocol must be approved by the Service de l'habitation before the work starts;
- Safety measures specific to the handling of one or another contaminant must be taken and documented.

Excerpts from the Odm's conclusions: “If the decontamination work involves both asbestos and molds, it must be done by stages. At all times the relevant protocol or protocols must be complied with. For any intervention on or manipulation of a contaminant, the specific safety measures applicable to that contaminant should be taken.”



“The Ombudsman de Montréal has chosen to separate facts from perceptions and to examine in depth the criticism levelled by the citizens who contacted her. We should stipulate that active transportation, sustainable development and other commitments included in the *Montréal Charter of Rights and Responsibilities* are commitments that the Ombudsman de Montréal has the duty to ensure are promoted and respected by the City.”



Files – Montréal Charter of Rights and Responsibilities^(cont.)

Inquiry on urban developments carried out in the summer of 2020 Mobility for all Montrealers – During and after the crisis.

Listening

In the spring of 2020, in the context of COVID-19, the City accelerates the implementation of a temporary network of bicycle paths to encourage active transportation, while also ensuring social distancing; the Active Safe Routes (ASR). Pedestrian streets and sanitary corridors are also installed in numerous boroughs.

At the same time, other bicycle-path projects that have been well thought out and designed several months earlier appear on Montreal streets, including the Express Bike Network (EBN) Berri/Lajeunesse/Saint-Denis (a permanent, all-season network of bicycle paths managed by the City's Central Division) and the EBN Bellechasse (operated entirely by the Rosemont—La Petite-Patrie Borough).

From the end of May to October 2020, the OdM receives more than 300 complaints regarding these developments. The individuals who contact us are unhappy on several fronts, notably about the lack of prior consultation, the removal of parking spaces, safety and traffic issues, universal accessibility problems, communications deficiencies, problems related to the diversion of bus routes, etc. We also take note of great confusion among the population about whether the changes are temporary or permanent.

Explaining

The OdM does not have jurisdiction over decisions taken by elected officials of Ville de Montréal. Accordingly, we intervened in accordance with the principles, commitments and responsibilities of the City as contained in the *Montréal Charter of Rights and Responsibilities*, as well as the administrative side of files, over which our jurisdiction is wider. Our aim: to ensure that the developments were compliant with the spirit and letter of the Charter concerning safety, universal accessibility, citizen participation and communications with and information for the population.

We have:

- Travelled on each of these developments several times, on foot, by bike and by car;
- Spoken with citizens on many occasions as well as with several dozen managers at Ville de Montréal.

In order to:

- Understand better the differences between each of these layouts;
- Discuss the problems identified;
- Conduct follow-ups to ensure that necessary corrections are applied;
- Discuss future improvement possibilities - and more.

We have:

- **Travelled on each of these developments several times, on foot, by bike and by car;**
- **Spoken with citizens on many occasions as well as with several dozen managers at Ville de Montréal.**

Resolving

The conclusions of our inquiry, which are detailed in a final report of more than 100 pages, contain 15 recommendations for Ville de Montréal and the Rosemont—La Petite-Patrie Borough. Some are more general in scope and/or are aimed at future developments in order to avoid the recurrence of problems observed in the summer. They are all based on the importance of abiding by principles, commitments and responsibilities that fall within the authority of the City under the Charter. See [p. 33 to 38](#) for the list of recommendations issued during this inquiry. A list of the stakes we noted was also included so that they can be applied to future projects of this type.

Excerpts from the OdM's conclusions: "The Ombudsman de Montréal has chosen to separate facts from perceptions and to examine in depth the criticism levelled by the citizens who contacted her. We should stipulate that active transportation, sustainable development and other commitments included in the *Montréal Charter of Rights and Responsibilities* are commitments that the Ombudsman de Montréal has the duty to ensure are promoted and respected by the City."

Files – Montréal Charter of Rights and Responsibilities^(cont.)

Arrondissement de Côte-des-Neiges—Notre-Dame-de-Grâce Bicycle paths on rue de Terrebonne

Listening

Near the end of the summer 2020, many citizens are concerned about the bicycle path project on rue de Terrebonne.

The first completed section is made up of bike lanes bound by bollards placed on the edge of the sidewalk on both sides of the street. A few weeks later, these lanes are extended to Cavendish Blvd. All parking spaces are removed.

Explaining

- We visit the site on bike;
- We note certain problems:
 - The numerous drop-off zones on this street often force bicyclists to take the vehicular traffic lane, which is already very narrow;
 - There are various deficiencies communicating with residents of this street concerning these changes;
 - We discuss all these elements with the Borough.

In September 2020, after a ruling by the Borough Council, the arrangement is dismantled. The Borough also puts into place a working committee composed of citizens and

organizations located on rue de Terrebonne whose mandate is to study the feasibility of a long-term bicycle path project.

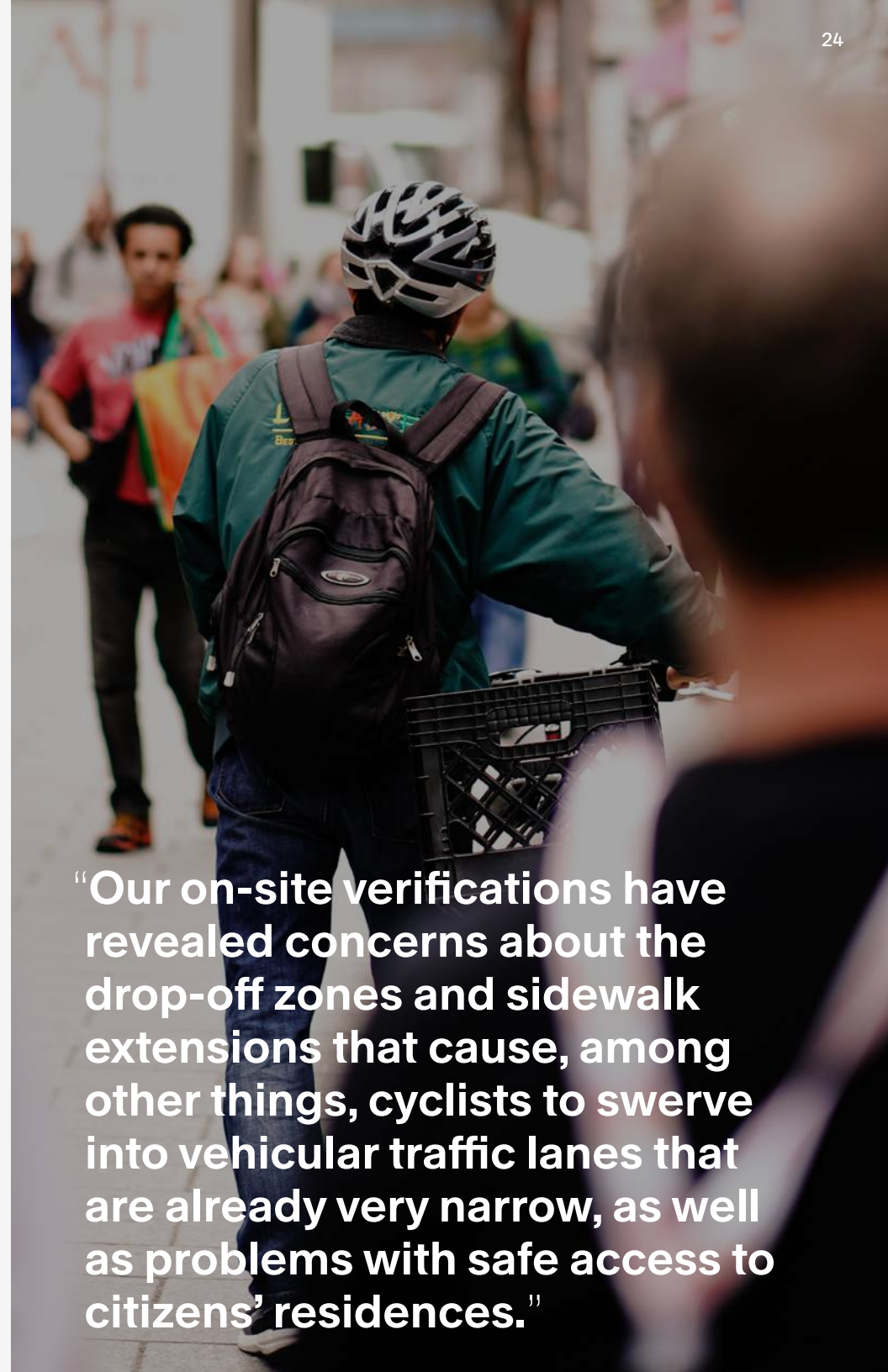
Resolving

The OdM issues many recommendations related to responsibilities and commitments contained in the *Montréal Charter of Rights and Responsibilities*. Our main recommendations are about:


- Sharing communications and information with citizens;
- The safety aspects to keep in mind;
- The importance of taking into account the area's special features, social acceptability and citizen participation.

We also recommend that the Borough convey all our conclusions to the members of the working committee. See [p. 31](#) for the recommendations issued as a result of this inquiry.

Excerpts from the OdM's conclusions: "Our on-site verifications have revealed concerns about the drop-off zones and sidewalk extensions that cause, among other things, cyclists to swerve into vehicular traffic lanes that are already very narrow, as well as problems with safe access to citizens' residences."



“Our on-site verifications have revealed concerns about the drop-off zones and sidewalk extensions that cause, among other things, cyclists to swerve into vehicular traffic lanes that are already very narrow, as well as problems with safe access to citizens’ residences.”



“Our intervention with the OMHM allows the citizen to keep his accommodation a few days longer, until October 31, inclusively. This extra help seems reasonable to us and avoids the need for that person to be without housing before taking possession of the sought-after dwelling.”

Files – Montréal Charter of Rights and Responsibilities^(cont.)

Office municipal d’habitation de Montréal Extending temporary accommodations for a citizen without housing

Listening

A citizen finds himself without housing on July 1, 2020. He is temporarily housed in a hotel by the Office municipal d’habitation de Montréal (OMHM) under an assistance program for people in this situation. The OMHM twice extends his accommodation period, but declines a third such request. The accommodation is scheduled to end on October 26. The citizen tells us he is taking steps to sign a lease that would start on Nov. 1.

Explaining

The *Montréal Charter of Rights and Responsibilities* applies to the City and its paramunicipal agencies, including the OMHM. It includes commitments in terms of respecting the social and economic rights of citizens relating to housing, among others.

Article 18 c), notably, states that Ville de Montréal undertakes to “[take] into account, in the implementation of housing measures, the needs of vulnerable persons and particularly individuals and families with low or modest incomes.”

Resolving

Our intervention with the OMHM allows the citizen to keep his accommodation a few days longer, until October 31, inclusively. This extra help seems reasonable to us and avoids the need for that person to be without housing before taking possession of the sought-after dwelling.

Office municipal d’habitation de Montréal Safe access to residents’ dwellings ... even in winter

Listening

An OMHM tenant who uses a wheelchair complains that outdoor pedestrian walkways around her dwelling, located in a housing complex, are not properly cleared of snow and ice. She fears for her safety.

The OdM intervened in 2019:

- OMHM employees and the contractor responsible for snow removal and sanding/salting were made aware of the necessity of maintaining the walkways to ensure the safety of the citizen. Everyone’s responsibility is clarified;
- The OMHM widens the walkway in front of the citizen’s dwelling to facilitate access to it, unblocks some drains to make the water flow better to avoid ice build-up, etc.

Explaining and resolving

The following winter, the citizen again contacts us: some problems remain, as confirmed by our verifications. The OdM intervenes with the OMHM. New rules are established and task-sharing is reviewed: these measures allow for the continuous removal of snow and ice from the walkways, ensuring the tenants’ safety, including that of the citizen with reduced mobility, who is satisfied!

Excerpts from the OdM’s conclusions: “During our inquiry, we were able to note that the OMHM showed great openness and cooperation with respect to improving the site in winter to ensure your safety and that of the other tenants.”

Files launched at the initiative of the Ombudsman de Montréal

Service de la concertation des arrondissements

Procedural fairness in the management of dangerous dogs

Listening

In January 2020, the OdM asks the *Service de la concertation des arrondissements* about measures taken to ensure compliance with duty of procedural fairness in the decision-making process for the euthanasia order for a dog. Recent case law recognizes that this duty belongs to the Ville de Montréal in such circumstances and has said that in some files, it had not met its duty. The service confirms that it has changed its procedures in order to introduce these procedural guarantees.

Explaining

The OdM suggests, after the entry into force of the *Règlement d'application de la Loi visant à favoriser la protection des personnes par la mise en place d'un encadrement concernant les chiens* (a provincial regulation), amending current practices to reinforce some aspects of procedural fairness. The service agrees with our proposal.

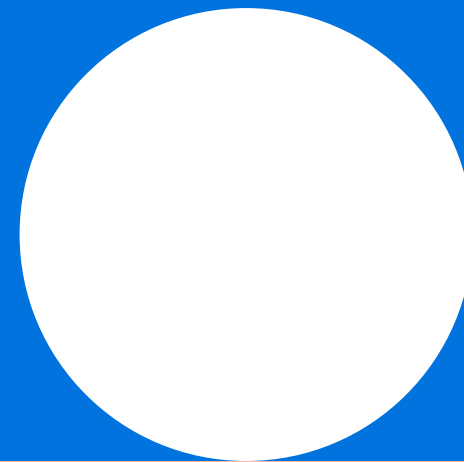
Resolving

- The *Service de la concertation des arrondissements* no longer orders the automatic euthanasia of a dog, as it did in the past;
- A behavioural evaluation is systematically conducted by an expert designated by the City before ordering a dog's euthanasia, declaring it potentially dangerous or imposing specific conditions on it;
- A written prior notice, together with the expert's report, is sent to the dog's owner/guardian before the decision is made, formally allowing 10 days to respond to the expert's conclusions or to produce additional documents;
- The owner/guardian may have a second opinion on the dog performed by a person whose expertise is recognized, which will be seriously considered by the City;
- The statement of grounds in the letters, including that explaining the final decision, has been enhanced. Henceforth, these letters make reference to all relevant arguments and display the analysis underlying the conclusions by referring to specific elements in the file.



“The OdM suggests, after the entry into force of the *Règlement d'application de la Loi visant à favoriser la protection des personnes par la mise en place d'un encadrement concernant les chiens* (a provincial regulation), amending current practices to reinforce some aspects of procedural fairness. The service agrees with our proposal.”

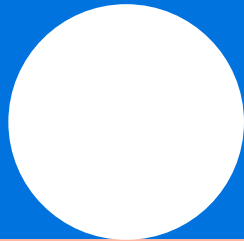
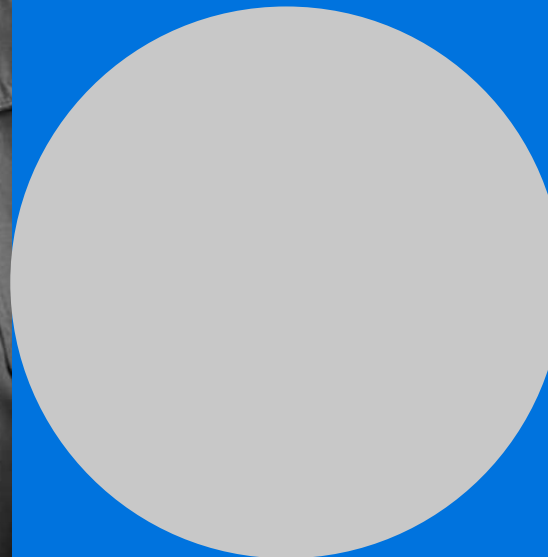
2020 recommendations and undertakings of the Ombudsman de Montréal

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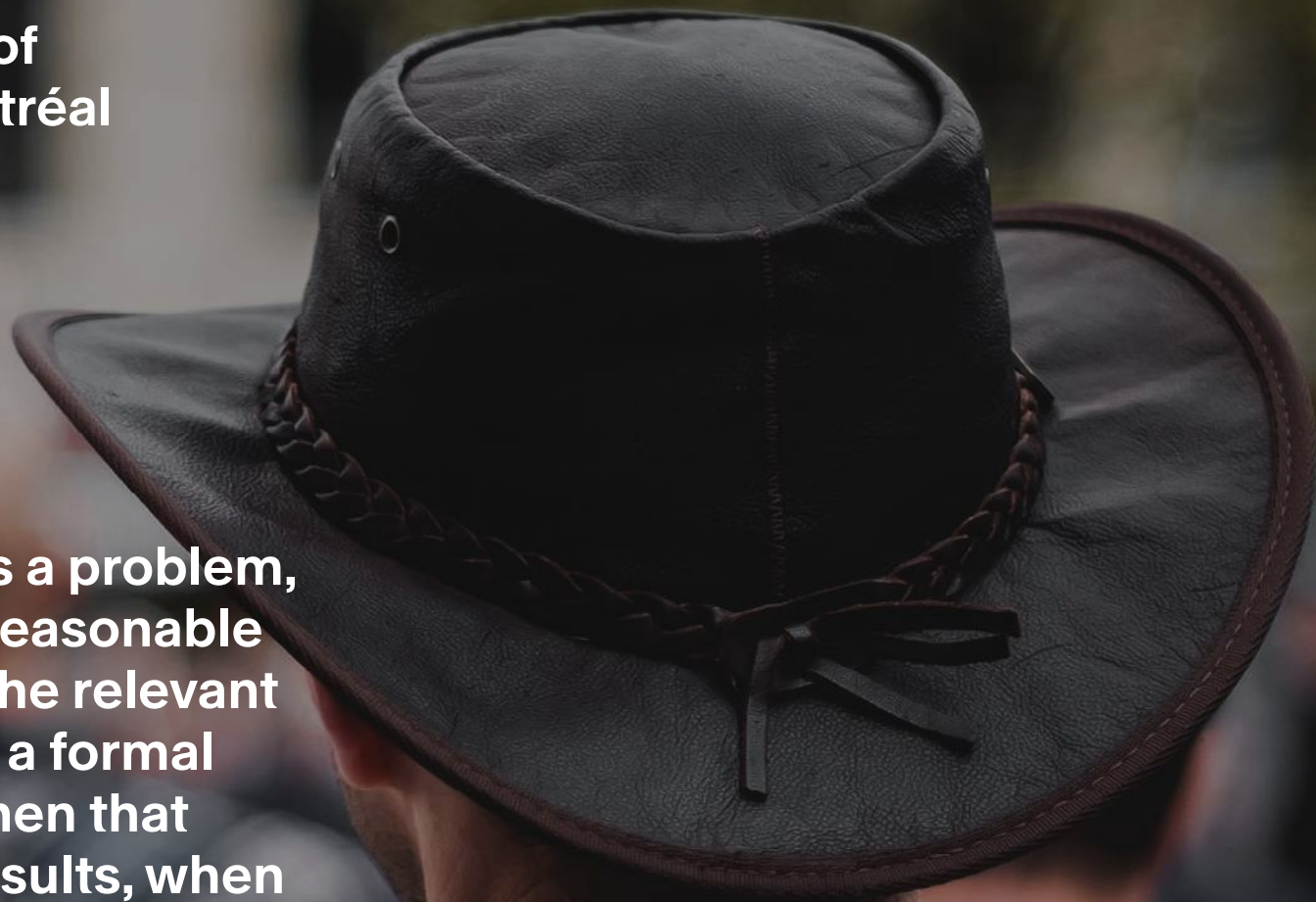
“I wanted to congratulate you as well as the entire Ombudsman team for your colossal work in the last few months on the EBN and ASR. I read every word of your report!”
— Citizen



2020 recommendations of the Ombudsman de Montréal

When an inquiry confirms a problem, we always try to reach a reasonable and viable solution with the relevant director. The OdM issues a formal recommendation only when that step does not produce results, when the cooperation of the stakeholders seems uncertain or, in certain cases, when the issuance of a recommendation seems necessary to obtain the desired result.

In 2020, four files were the subject of recommendations, three of which affect hundreds of people.



2020 recommendations of the Ombudsman de Montréal

Cycling facilities on rue de Terrebonne

Targeted Borough:
Côte-des-Neiges—Notre-Dame-de-Grâce

→ File summary: [p. 24](#)

Recommandation 1

The Ombudsman de Montréal recommends that the Côte-des-Neiges—Notre-Dame-de-Grâce Borough, take into account our observations in the context of the renewal of this project, if necessary, in order to avoid the recurrence of certain problems raised by citizens this summer, and noted by our office.

a) Communication and information

- Inform citizens of upcoming projects sufficiently in advance to enable them to participate in public discussions on the subject;
- Ensure equitable access for all to information disseminated by the borough (online, by post, in the field, etc.);
- Develop a system for managing and taking into account citizens' requests and complaints.

b) Security

- Include the Urban Planning and Mobility Service (SUM), the Montreal Fire Service (SIM), the Montreal Police Service (SPVM), Urgences Santé, Canada Post, and any other relevant entity during the elaboration of the project.

• Take into consideration:

- the narrowness of the traffic lanes, if two-way traffic lanes are maintained.
- issues of crossing cycle lanes for pedestrians and for users of paratransit, taxis, school buses, etc.
- security issues caused by the compulsory maintenance of landing stages on several sections of rue de Terrebonne.
- the impacts of the prohibition provided for by the Highway Safety Code for a vehicle (delivery trucks, taxis, citizens unloading their vehicles, etc.) to stop temporarily at the edge of the bike path, without hindering the entire the circulation.
- the numerous driveways on rue de Terrebonne and therefore visibility problems and possible accident risks.
- the protusions located at intersections so that cyclists have a lane reserved for them at all times.

c) Distinctive characteristics of the targeted sector

- Consider the demographics of the sector and accessibility to public transit.
- Take into account the construction sites (or other obstacles) in the surroundings, when removing parking spaces, in order to synchronize everything effectively.
- Take into account the parking rules that govern the operation of churches (for example, for processions).
- In the event that parking spaces are withdrawn, consider the possibility of creating or expanding on-street parking zones reserved for residents (SRRR) and making the criteria and evaluation deadlines more flexible, when necessary.
- Consult the institutions affected by these changes.
- Carry out impact studies on traffic and parking, prior to carrying out the work, and once the project has been completed.

d) Citizen participation:

- Although public consultation measures are not mandatory for projects of this kind, favor measures that mobilize important actors and concerned entities, in addition to citizens, such as the OMHM, church, schools, etc.
- In the event that an online consultation process is carried out, ensure:
 - that the survey be accessible to all.
 - that its announcement be made sufficiently in advance, and via different modes of communication (social media, email alerts, mailings), in order to reach all spheres of the affected population.
 - that the results are available to the public.

Recommandation 2

The Ombudsman de Montréal recommends that the Côte-des-Neiges—Notre-Dame-de-Grâce Borough sends this document to the members of the Working Committee for Mobility on rue de Terrebonne, in order to contribute to their reflection.



2020 recommendations of the Ombudsman de Montréal^(cont.)

Cycling facilities and pedestrian traffic: ASR, EBN and developments

Entities:

- Service de l'urbanisme et de la mobilité (SUM)
- Service des infrastructures et du réseau routier (SIRR)
- Service de la concertation des arrondissements
- Service de l'expérience citoyenne et des communications (SECC)
- Direction générale de la Ville de Montréal
- Rosemont—La Petite-Patrie Borough

→ File summary: [p. 23](#)

Recommandation 1 Safety – Sanitary corridors

In the event of the reinstallation of sanitary corridors, the City must specify clearly on signs for which category of users it is intended, cyclists or pedestrians.

Recommandation 2 Citizen information and communication – Future developments

In projects like the ASR (Active Safe Routes), the City must:

- Improve the coordination of teams and plan so that communications officers have enough time to perform the tasks required for improvements and implement the measures spelled out in this report concerning citizen information and communications.
- Clarify and standardize practices for the 311 service, as indicated in this report:
- Process all files and requests from citizens and document their follow-ups
- Assess all citizens' comments and complaints and take this assessment into account during the conception phase of future projects

Recommandation 3 Information and communications – EBN

For upcoming REV paths, the Ville de Montréal must:

- Update the EBN Web page on a regular basis and incorporate any new path prior to starting work.
- In all communications to citizens, refer to the project's specific Web page
- Plan to use communications channels other than the Internet.

2020 recommendations of the Ombudsman de Montréal^(cont.)

Recommandation 4 **Citizen information and communication –** **Rosemont—La Petite-Patrie**

The Rosemont—La Petite-Patrie Borough must:

- a) Convey clear and precise information to citizens as soon as a project is launched to avoid any confusion.
- b) Communicate this information long enough in advance so that citizens may express their views and organize in light of the changes proposed.

Recommandation 5 **Safety – Future developments**

In projects like the ASR, the City must:

- a) Analyze and weigh all concerns regarding safety matters listed in this report
- b) Take into account the post mortem assessments of the ASR project, conducted internally and within other relevant entities, such as the SIM, the SPVM and the STM.
- c) Allow enough time for the responsible entities to make verifications prior to implementing the project.





2020 recommendations of the Ombudsman de Montréal^(cont.)

Recommandation 6 Safety – EBN

The OdM recommends that the City continue the verifications undertaken and interventions launched regarding various safety aspects related to the EBN.

Recommandation 7 Universal accessibility (in general) – Future developments

In projects like the ASR, the City must:

- a) Take into account the universal accessibility issues related to cycling facilities along sidewalks.
- b) Take into account the comments and recommendations of the organization Société Logique.
- c) Consult at the outset organizations specializing in universal accessibility issues.
- d) Consult beforehand the establishments that serve special-needs clients and that are affected by the developments.

2020 recommendations of the Ombudsman de Montréal^(cont.)

Recommandation 8 **Universal accessibility (reserved parking spaces and drop-off zones) – Future developments**

In projects like the ASRs, the City must:

- a) Have at all times clear and up-to-date plans that depict the position of reserved parking spaces, drop-off zones and any other development that might affect universal accessibility.
- b) Consult at the outset the beneficiaries of reserved spaces and the establishments that serve citizens who require universal accessibility accommodations.

Recommandation 9 **Universal accessibility (public transit) – Future developments**

In projects like the ASRs, the City must:

- a) Take into account the impact of public transit and its universal accessibility before launching the project.
- b) Involve the STM at the outset, allowing it enough time to submit comments and to adjust accordingly.
- c) Ensure that every universally accessible bus stop remains so.
- d) Should the avenue du Mont-Royal and/ or de la rue Rachel projects be renewed, ensure that the impact of diverting bus routes is offset by one or more suitable alternatives.

Recommandation 10 **Universal accessibility – EBN**

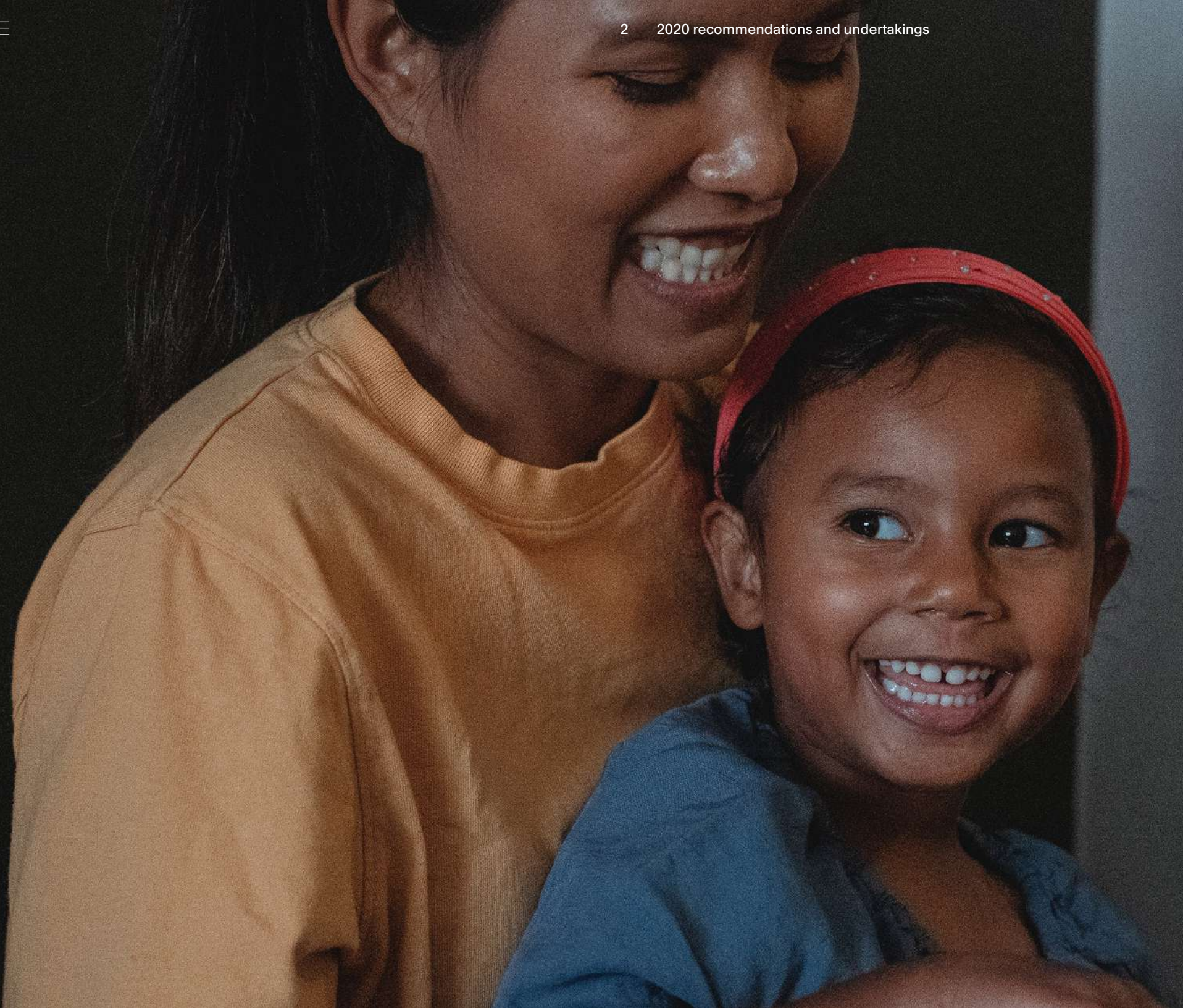
The OdM recommends that the City take into account all the comments in section 4.5 of this report for the entire EBN project.

Recommandation 11 **Citizen participation**

When the City takes steps to enlist citizen participation, it must ensure that:

- a) The process is fair and covers all sectors affected by the planned development.
- b) The modalities of participation are inclusive, notably by promoting them and disseminating them via various communications channels.





2020 recommendations of the Ombudsman de Montréal^(cont.)

Recommandation 12 **Citizen participation**

Ville de Montréal must take into account and reply quickly to complaints that citizens send to boroughs or to the 311 service.

Recommandation 13 **Impact of development –** **Future developments**

Before launching a development project, Ville de Montréal must:

- a) Consult the boroughs and allow them the time and resources required to conduct the necessary verifications.
- b) Consider the impact on traffic.
- c) Keep a north-south traffic lane sufficiently unobstructed to maintain proper access for emergency services.

Recommandation 14 **Monitoring – EBN Bellechasse**

The Rosemont—La Petite-Patrie Borough must:

- a) Ensure that its monitoring activities include meters placed at several points along the EBN, from east to west on rue de Bellechasse in order to provide information that is truly representative of its actual use.
- b) Continue current verifications concerning available parking spaces, particularly in winter, to catalogue all the relevant impacts.

Recommandation 15 **Charging stations for electric vehicles –** **General**

Ville de Montréal must:

- a) Ensure that relocating charging stations is carried out before development work starts so that they may remain available at all times.
- b) Have clear plans that are updated regularly regarding the location of charging stations to facilitate their relocation in a timely manner.

2020 recommendations of the Ombudsman de Montréal^(cont.)

Public land occupancy

Entity: arrondissement du Plateau-Mont-Royal

→ File summary: [p. 18](#)

Recommandation 1

1. Apply the exemption under article 50 al. 2 of the *Public Land Occupancy By-law* for the elements described in the 2006 certificate of location: front wall, foundations and curbstone;
2. Review and correct, entirely or partially, the calculation of the total area of encroachments derived from these elements, in compliance with the information and calculation submitted in our inquiry report dated May 28, 2018;
3. Subsequently, apply the provisions of article 50 al. 1 of the *Public Land Occupancy By-law*.

Recommandation 2 Unfairness of billing

1. Stop billing the owner of XXXX, public land occupancy rent until all other properties that encroach on public land are billed in a fair manner;
2. Given that this owner has disputed these charges from the beginning, reimburse him the extra charges paid until three years preceding the filing of his complaint to the OdM in 2014.



2020 undertakings of the Ombudsman de Montréal^(cont.)

Undertakings: follow-ups

In the course of OdM inquiries, it often happens that an entity pledges an undertaking in order to resolve an issue. It can be taking an action over a given period of time or a future action. In all cases, the OdM informs the plaintiff, officially confirms the undertaking with the entity and conducts a follow-up within a set timeline.

Undertaking by	Arrondissement du Sud-Ouest	Arrondissement du Sud-Ouest	Service des finances	Arrondissement d'Anjou	Service de l'environnement
Date of undertaking	Novembre 2018	January 2019	February 2019	July 2019	July 2019
Undertaking respected? (as of March 26 2021)	Follow-up is ongoing	Yes	Yes	Yes	Yes
Details	<p>The Borough must follow up to ensure that:</p> <ol style="list-style-type: none"> The Novatube factory completes its landscaping in accordance with the demolition permit obtained (25 trees planted on an embankment turned into a sound barrier); The factory keeps its doors closed during operations. 	<p>The Borough's Direction de la culture, des sports et des loisirs committed to improve its expulsion procedure of pool user so that staff members are supervised more closely.</p> <p>→ File summary: p. 16</p>	<p>The Service des finances interrupts the re-issuance of uncashed tax-refund cheques, a procedure adopted in 2009 after our intervention. Following a new intervention in 2018-19, the service undertakes to reactivate the procedure and to send us a record every year.</p> <p>→ File summary: p. 11</p>	<p>After a citizen complains about the lack of planning and safety deficiencies at a worksite near a primary school, the Borough undertakes to:</p> <ol style="list-style-type: none"> Institute a project office with specific tasks in terms of safety, planning and communications for every safety-critical worksite; near a school, a park, a day-care, a seniors' home or close to any institution housing vulnerable persons; Inform all relevant staff members about the new applicable measures as well as about concrete actions now required to manage critical sites. 	<p>The OdM intervenes in 2016 regarding the management of old quarries and former landfill sites by the Service de l'environnement. We wish to ensure that follow-ups required to identify safety issues are conducted, and if so, that remedial measures are adopted. The Campagne de surveillance du méthane and other measures implemented by this service are adequate. The service has also undertaken to continue this monitoring campaign.</p>

2020 undertakings of the Ombudsman de Montréal^(cont.)

Undertaking by	Arrondissement de Rosemont—La Petite-Patrie	OMHM	Arrondissement de Côte-des-Neiges—Notre-Dame-de-Grâce	Arrondissement de Pierrefonds-Roxboro	Arrondissement de Ville-Marie
Date of undertaking	Audust 2019	October 2019	January 2020	Fébruary 2020	Fébruary 2020
Undertaking respected? (as of March 26 2021)	Yes	Follow-up is ongoing	Yes	Follow-up is ongoing	During the follow-up on undertaking, we learned that the gradual termination of snow removal from alleys was suspended. The Borough, however, undertook to send a notice within the agreed timeframe when this decision is taken.
Details	<p>A citizen contacts our office in 2019 to denounce her dwelling's frigid temperature in the fall and winter. The Borough undertakes to perform an inspection during the 2019-20 winter in order to ensure that:</p> <ol style="list-style-type: none"> 1. The heating system is able to reach 21°C; 2. The crawl space is equipped with a permanent heating mechanism that maintains a minimum temperature of 15°C; 3. The windows are airtight. <p>Should the owner fail to meet these regulatory requirements, the Borough will intervene and, if necessary, issue a notice and/or statement of offence.</p>	<p>The OdM notes that letters refusing requests to change dwelling sent to OMHM tenants do not include reasons supporting the refusal and provide no explanation about any available recourse to appeal. The OMHM undertakes to amend the letters to explain in detail the reasons for the refusal and to include an explanation about possible recourse.</p>	<p>The Borough undertakes to amend an information door-hanger aimed at citizens to include work done on sewers in addition to water.</p>	<p>After recognizing a problem of compulsive accumulation and storage of waste in the back- and sideyards of a citizen's immediate neighbours, the Borough intervenes. The situation improves. At the request of the OdM, the Borough also undertakes to:</p> <ol style="list-style-type: none"> 1. Continue follow-ups and conduct periodic visits onsite to ensure that the problem of accumulation of harmful or unclean waste in the yards is corrected. These inspections will be conducted twice weekly; 2. Send reminders to offenders; 3. Send to offenders a notice confirming that there will be inspections to check how the clean-up is progressing and the condition of the premises in question. 	<p>We will follow up in 2021.</p> <p>The Borough is conducting a review of public alleys from which it clears the snow. Some people were not kept adequately informed beforehand of the decision to stop removing snow from the alley behind or bordering their dwelling or were not told early enough. To avoid such a situation from reoccurring, the Borough undertook to send a notice within a reasonable timeframe (prior to September 30, 2020) to the relevant owners so that they can take the appropriate measures for removing the snow from their alley before the first snowfall.</p> <p>→ File summary: p. 19</p>

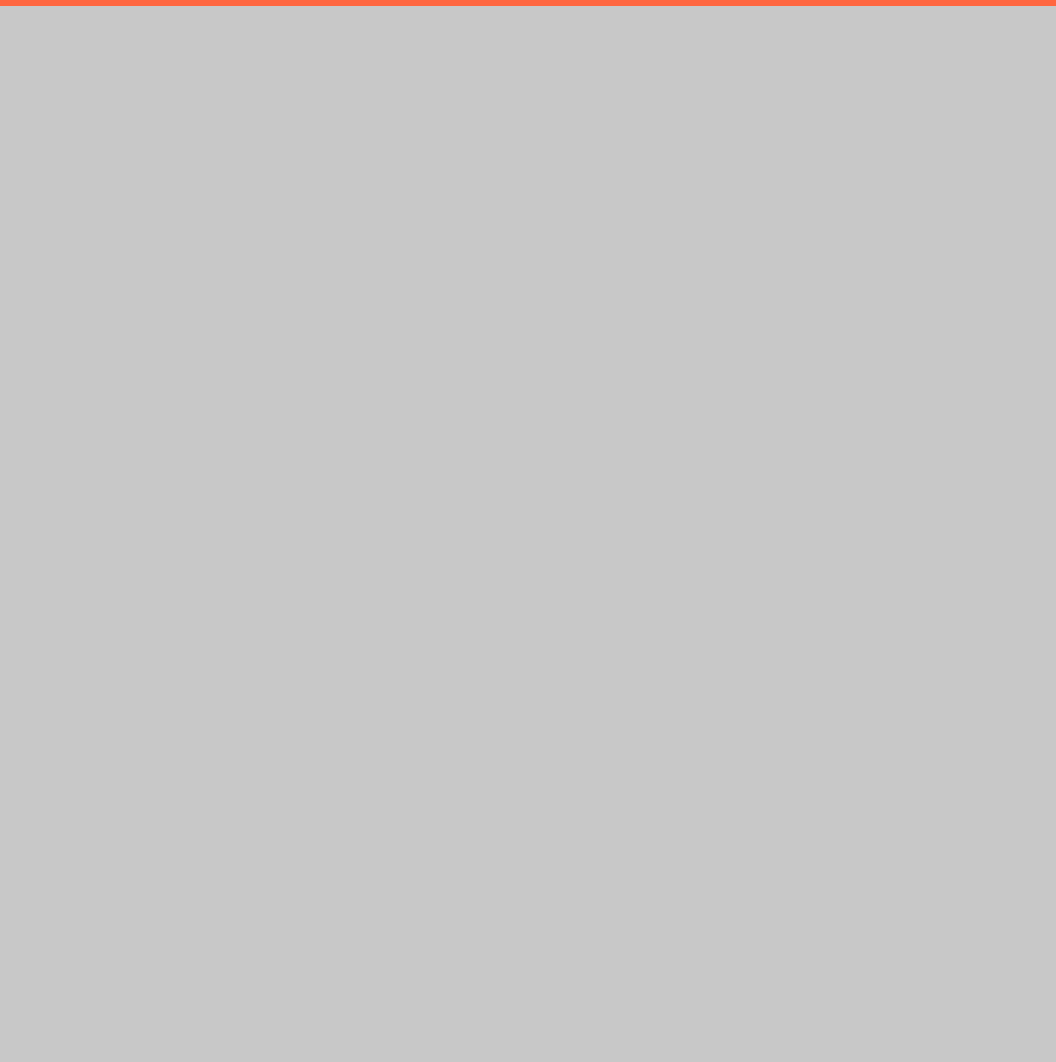


2020 undertakings of the Ombudsman de Montréal^(cont.)

Undertaking by	Arrondissement de Côte-des-Neiges—Notre-Dame-de-Grâce	Arrondissement de Rosemont—La Petite-Patrie	Arrondissement du Plateau-Mont-Royal	Arrondissement d’Outremont
Date of undertaking	June 2020	June 2020	June 2020	July 2020
Undertaking respected? (as of March 26 2021)	Yes	Yes	Yes	Follow-up is ongoing
Details	<p>The OdM notes procedural and communication deficiencies when a tree is cut down urgently by the Borough, which undertakes to amend its intervention procedure. A door-hanger must now be placed at the residence in front of which a tree is cut down urgently. The hanger must indicate that expenses may be claimed from a citizen who causes damages to a public tree. Moreover, in such a case, the Borough must inform the relevant person quickly (one month or less following the cutdown) that she/he will receive such an invoice.</p>	<p>A citizen complains about safety issues at the intersection of rue Bélanger and 43e Avenue. The Borough undertakes to add a stop sign at the intersection.</p>	<p>After a long inquiry, the OdM concludes that it is unfair to apply the public land occupancy rules to buildings erected dozens of years, even 100 years ago, at a time when encroachments were allowed. We suggest to the Borough to amend its regulation. The Borough undertakes to:</p> <ol style="list-style-type: none"> 1. Research and analyze best practices for managing encroachments on public land by buildings or their accessories built prior to entry into force of current rules; 2. Submit to the Borough Council in the fall of 2020 a regulatory amendment project with the aim of regularizing unfair situations stemming from the application of current rules to buildings that were built in an era when these encroachments were not illegal nor subject to annual charges. <p>→ File summary: p. 18</p>	<p>A group of individuals residing near a worksite at 1420, boulevard du Mont-Royal, complains about various issues related to the site: incessant drilling, work hours not respected, communications deficiencies, confusion about available information, etc.</p> <p>In the summer of 2020, the Borough undertakes to:</p> <ol style="list-style-type: none"> 1. Continue inspections and interventions as needed; 2. Distribute the checklist to the citizens affected; 3. Remind the contractor regularly to update his Info-travaux page on the City’s website; 4. Keep citizens informed about the next steps; 5. Hold a public hearing in the summer about amendments planned to the <i>Règlement sur le bruit</i>. <p>→ File summary: p. 20</p>

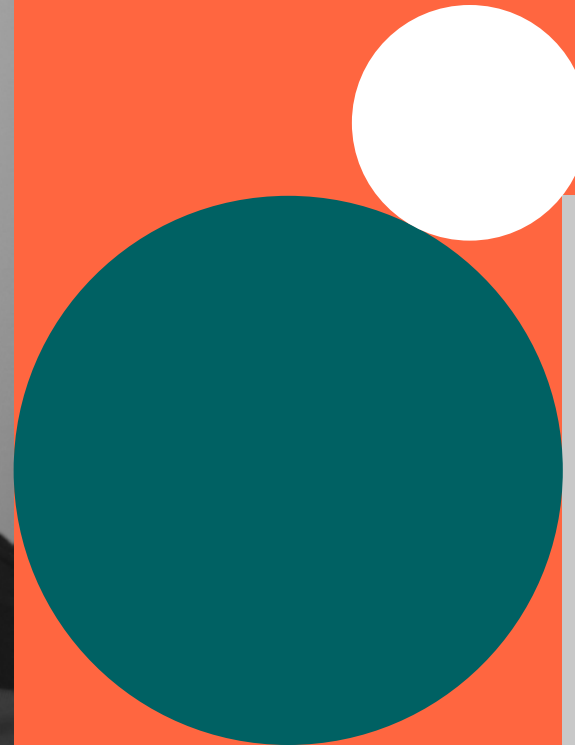


Notice/Advice: In influence mode





“I have noted your report regarding the ASR and EBN and various other City developments during the state of emergency caused by the COVID-19 pandemic, and I thank you for it. I believe several of your recommendations will be very useful and beneficial, incorporating the needs and concerns of Montrealers.”
— Service manager



Notice/Advice: In influence mode

“The point of these requests is not to obtain a formal notice nor to seek the OdM’s approval, but to stimulate current or future reflection.”

A photograph of two people standing on a rooftop, looking out over a city skyline. The person on the left is wearing a blue jacket and dark pants, while the person on the right is wearing a dark jacket and red pants. The city features various buildings, including a prominent skyscraper on the left and a large, modern building on the right. The sky is clear and blue.

On occasion, the OdM conveys its comments and concerns to the City’s stakeholders with respect to issues that, we believe, warrant their attention - sometimes immediate. These are targeted interventions that we do not consider formal inquiries. There are also occasions when City entities come to us in connection with questions about services provided to the public, improvements in their procedures, etc. The point of these requests is not to obtain a formal notice nor to seek the OdM’s approval, but to stimulate current or future reflection.

That’s part of our role, and we are pleased to respond.

Here are a few examples →

Notice/Advice: In influence mode

Management of social media: In 2019, we conducted a lengthy inquiry allowing to identify principles applicable to the management of social media by the City administration, respecting citizens' right to freedom of expression. This inquiry, as reported in our 2019 annual report, sparked considerable interest from members of the municipal administration and elected officials who had concerns about, among other issues, citizens' right to criticize the City on social media and on sanctions that could be imposed in the case of publications deemed problematic. In response to these requests, the OdM sent a note to the 19 borough directors, the Service de l'expérience citoyenne et des communications as well as to Ville de Montréal's Direction générale in order to share with them the analysis that resulted from our inquiry. This note lays out the extent and limits of freedom of expression on the social media platforms of a municipal administration, as well as applicable principles governing sanctions for excessive comments. In her note, the ombudsman invites the City to establish the mechanisms required to ensure these rules are respected.

Urban redesigns during the pandemic:

In the spring of 2020, the City announces several projects to redesign streets and sidewalks so that the population can take advantage of these public spaces while also abiding by mandatory social distancing. In May, at the outset of the redesigns, the OdM sent a notice of concern to the 19 borough directors, the Direction générale as well as to all the borough mayoresses and mayors and to the mayoress of Ville de Montréal. The purpose of this communication is to remind officials about the importance of ensuring, among other things, the safety of users, universal accessibility of the new configurations and the maintenance of vehicular lanes for drivers and emergency services during the planning and implementation of these projects. Our notice also invites the City to:

- Inform properly and consult citizens, emergency services, truck drivers and all other relevant groups about the intended measures;
- Take their comments into account;
- Monitor the impact of the redesign after their completion;
- Take corrective measures, if necessary.

In spite of this notice of concern, some of the reconfigurations were at the root of safety and universal accessibility issues. In the summer and fall of 2020, we received more than 300 complaints on this subject and we launched several inquiries.

→ File summary: [p. 23](#)

Dangerous brick wall: after a citizen flagged a brick wall in the Plateau-Mont-Royal Borough that seemed dangerous to her, the OdM brings the situation to the attention of borough directors. A quick intervention follows that confirms the citizen's concerns. The Borough sets up a safety perimeter at the foot of the wall and takes charge of the situation.

Complaint management: in 2020, at their request, we had the opportunity to discuss with the Côte-des-Neiges—Notre-Dame-de-Grâce Borough and with the Agence de mobilité durable de Montréal about their procedures for managing complaints. These requests were made with a view to improving continuously practices and procedures in effect at these organizations.



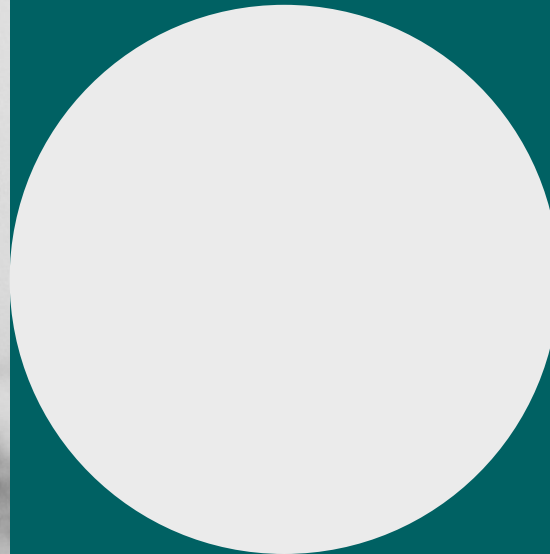
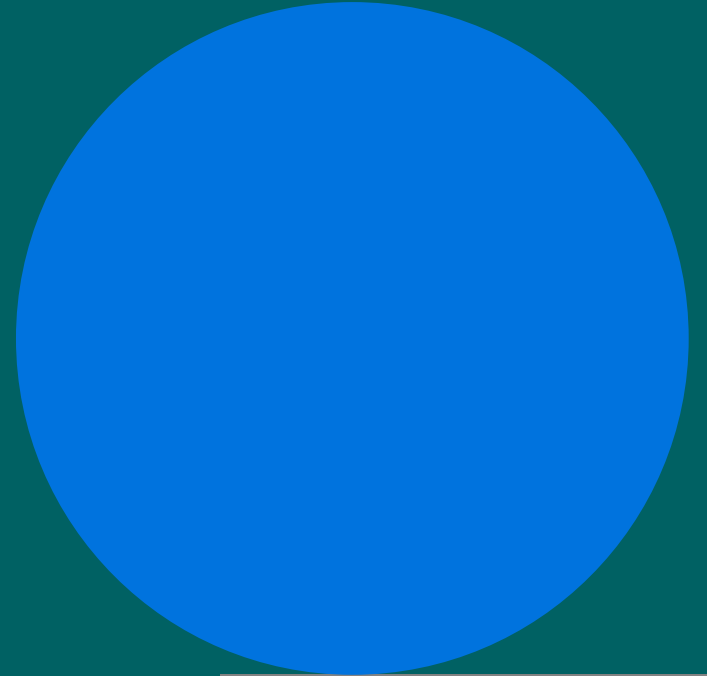
Our year 2020 by the numbers



4



**“A very big thanks for your work and support – models of efficiency.”
— Citizen**



General figures

25,380

Total number of files processed by the OdM since its creation

2150

Files processed in 2020 (including inquiries launched in 2020 and before)

1992

Files opened in 2020

Among these files:

498

New inquiries/analysis

10

Notices/advice

Among these inquiries:

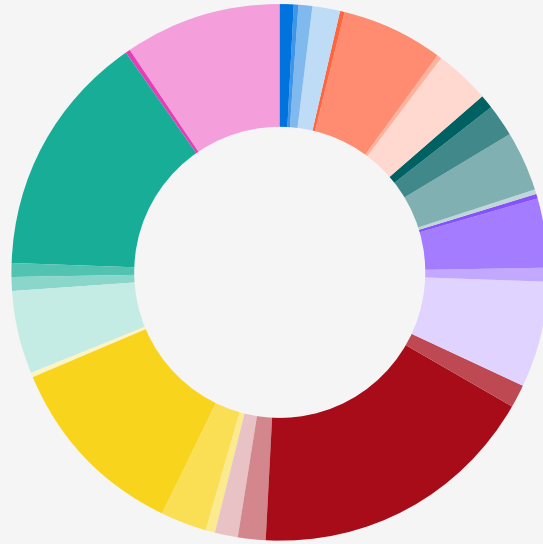
20

were launched at the initiative of the OdM

14

are follow-ups on undertakings pledged in 2020 or in preceding years

We were told about...



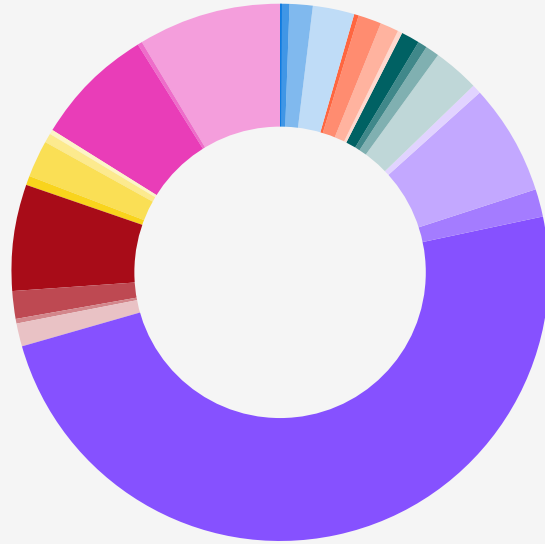
- 18 Access to Information
- 3 Universal accessibility
- 15 Peace Officer (excluding politeness)
- 28 Animals
- 2 Calls for Tenders – Contract
- 102 Trees, Community Garden and Parks
- 3 Library – Culture
- 54 Statements of Offence and Municipal Court
- 16 Public Land
- 30 Miscellaneous
- 59 Material Damage – Bodily Injury

- 5 Environment – Sustainable Development
- 8 Human Rights and Ethics
- 66 Building: Maintenance and Salubrity
- 13 Access to Social – Affordable Housing
- 107 Nuisances
- 25 Citizen Participation
- 285 Bicycle Path
- 30 Labour Relations
- 20 Landlord – Tenant Relations (linked to VdM)
- 11 Alleys

- 45 Safety
- 188 City Services – Communication, Politeness, Delays and Procedures
- 7 Sports and Leisure
- 83 Parking and Drop-off Zones
- 13 Subsidies
- 14 Taxes
- 239 Public Works
- 6 Public Transportation
- 154 Zoning – Urban Planning



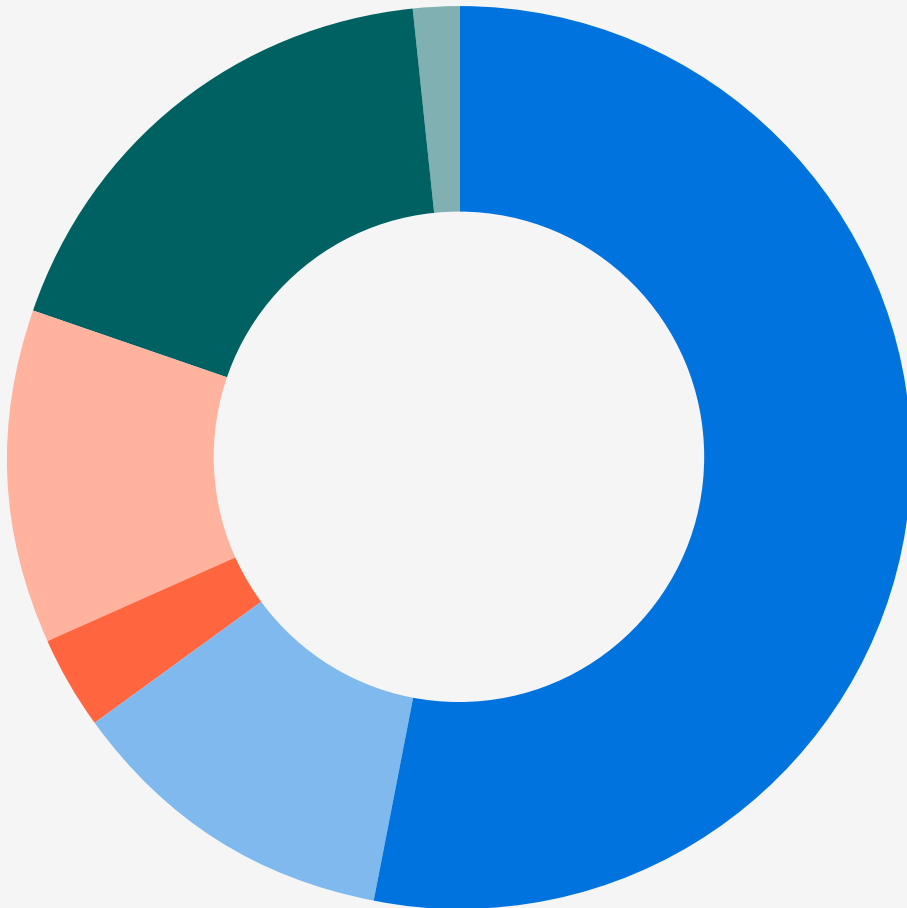
We inquired about...



- | | | | | | |
|------|---|-------|---|------|--|
| ● 1 | Access to Information | ● 3 | Human Rights and Ethics | ● 32 | City Services – Communication, Politeness, Delays and Procedures |
| ● 2 | Universal accessibility | ● 14 | Building: Maintenance and Salubrity | ● 3 | Sports and Leisure |
| ● 7 | Animals | ● 3 | Access to Social – Affordable Housing | ● 11 | Parking and Drop-off Zones |
| ● 13 | Trees, Community Garden and Parks | ● 33 | Nuisances | ● 3 | Subsidies |
| ● 1 | Library – Culture | ● 9 | Citizen Participation | ● 1 | Taxes |
| ● 7 | Statements of Offence and Municipal Court | ● 243 | Bicycle Path | ● 37 | Public Works |
| ● 5 | Public Land | ● 7 | Landlord – Tenant Relations (linked to VdM) | ● 1 | Public Transportation |
| ● 2 | Miscellaneous | ● 2 | Alleys | ● 42 | Zoning – Urban Planning |
| ● 6 | Material Damage – Bodily Injury | ● 7 | Safety | | |
| ● 3 | Environment – Sustainable Development | | | | |

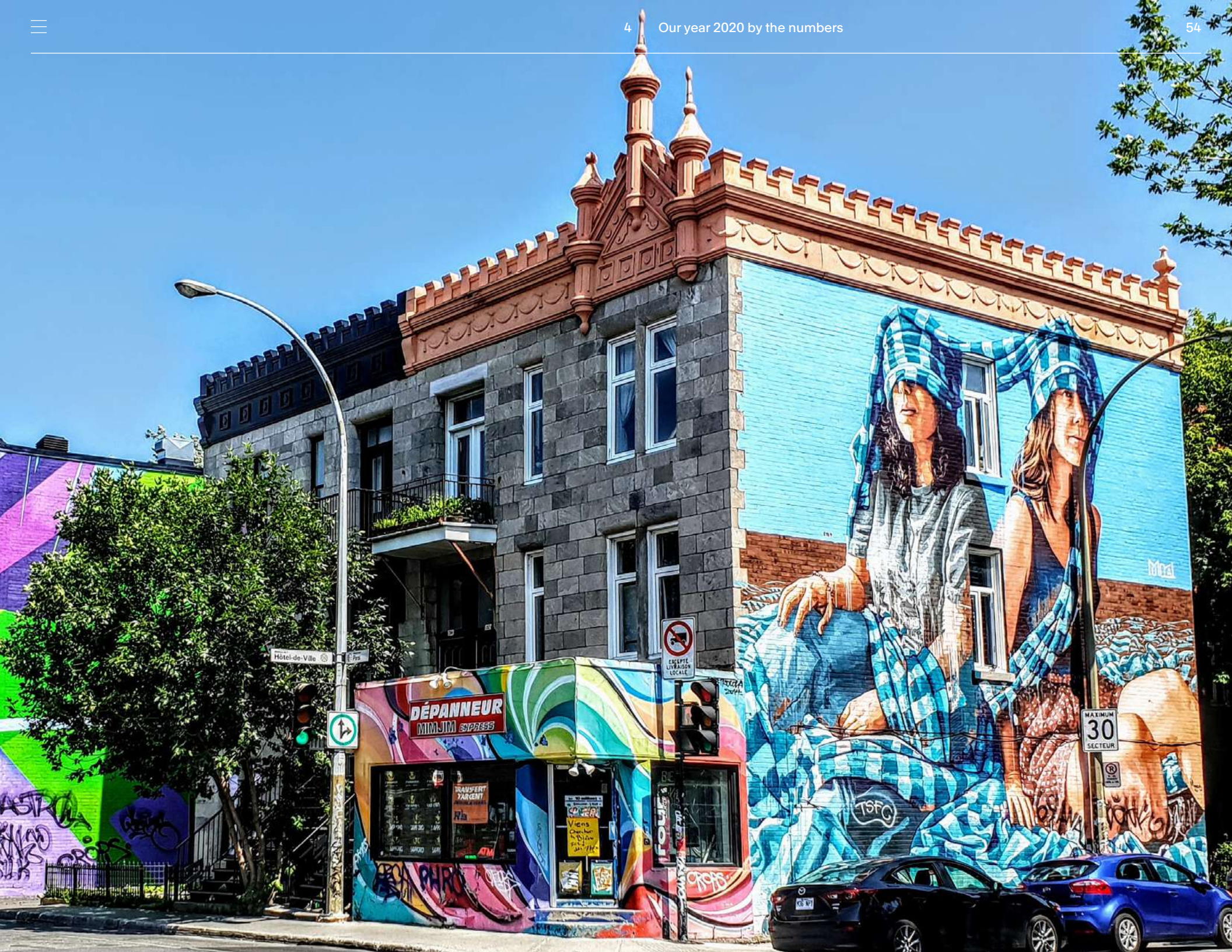


The results of our inquiries...



- 265 Founded
- 60 Ill-founded
- 16 Withdrawals or lack of cooperation of citizen
- 60 Citizen directed to relevant entity, during inquiry or lack of intervention by OdM
- 89 Pending
- 8 Follow-up of a pledged undertaking





Who calls on the OdM?



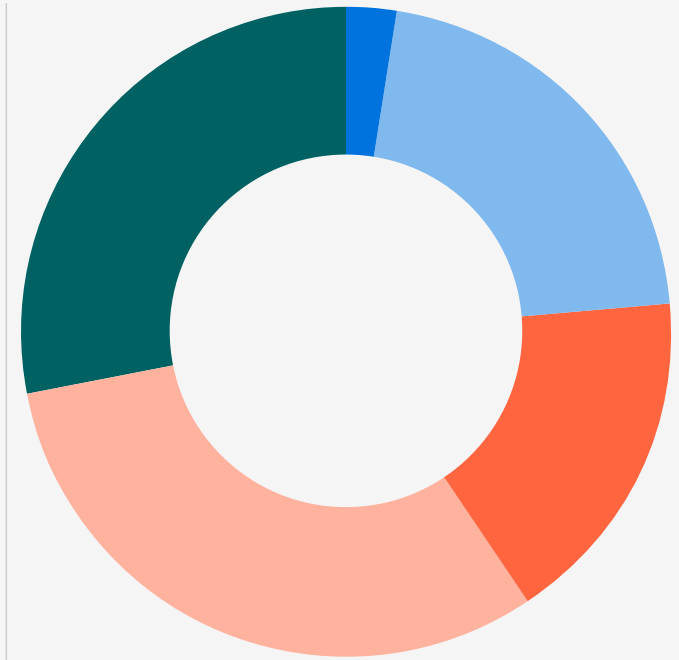
Sex

- 49.52% Women
- 50.48% Men



Language

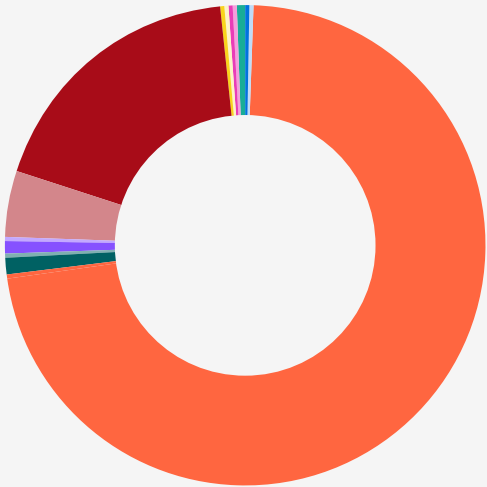
- 85.12% French
- 14.88% English



Age

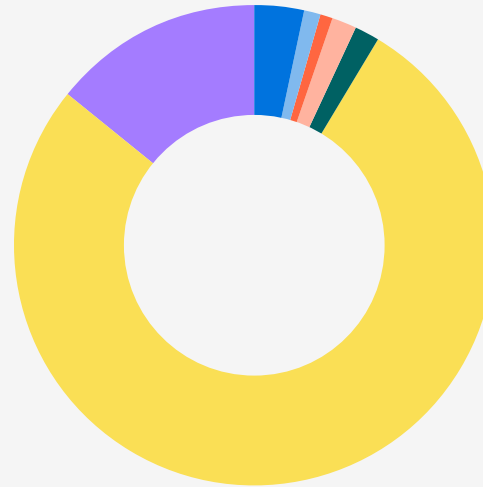
- 2.64% 18-25 years
- 21% 26-40 years
- 16.95% 41-50 years
- 31.42% 51-64 years
- 27.99% 65 years and older

Country of origin (when declared)



● 1	Afghanistan
● 4	Algeria
● 4	Germany
● 2	United States
● 1	Australia
● 2	Brazil
● 1282	Canada
● 3	China
● 1	Colombia
● 2	Egypt
● 21	France
● 7	Greece
● 10	Haiti
● 3	India
● 2	Iran
● 80	Italy
● 1	Morocco
● 1	Peru
● 327	Unknown country
● 3	Poland
● 3	Portugal
● 3	Romania
● 3	Russia
● 3	Syria
● 3	Ukraine
● 8	Vietnam

Visible minority (when declared)



● 66	Arabic
● 22	Asian
● 11	South Asian
● 34	Latin American
● 30	Black
● 1442	No
● 263	Unknown

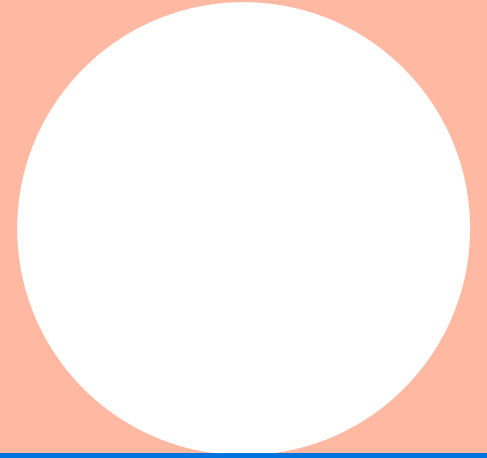
The means citizens used to contact the Odm

1.63%	Social medias
64.06%	Email or online complaint form
1%	In person (**until March 2020)
1.05%	Mail
32.26%	Phone or Fax

Our average processing times (working days)

90	Thorough inquiries and follow-ups of undertakings
12	Summary inquiries
3	Complaints received
3	Information requests

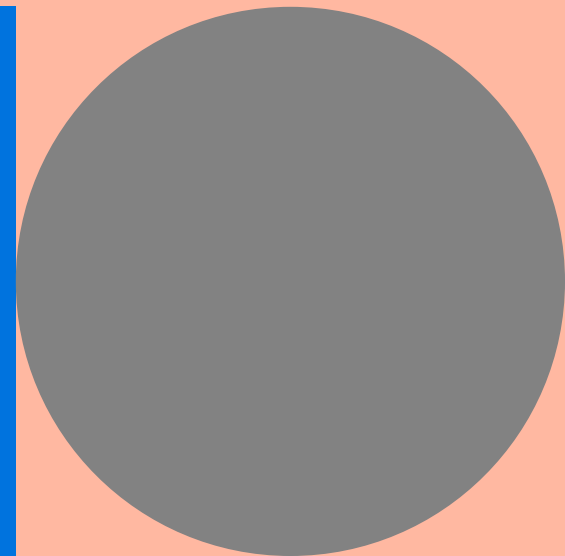
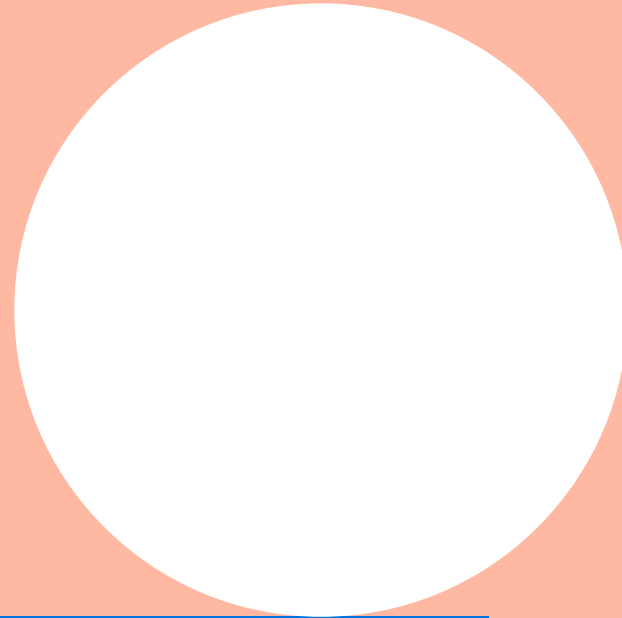
The Montréal Charter of Rights and Responsibilities



5



“I thank you sincerely for all your help with our issue.” — Citizen



The Montréal Charter of Rights and Responsibilities

The *Montréal Charter of Rights and Responsibilities* entered into force on January 1, 2006 and was amended in 2011 and 2015.

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

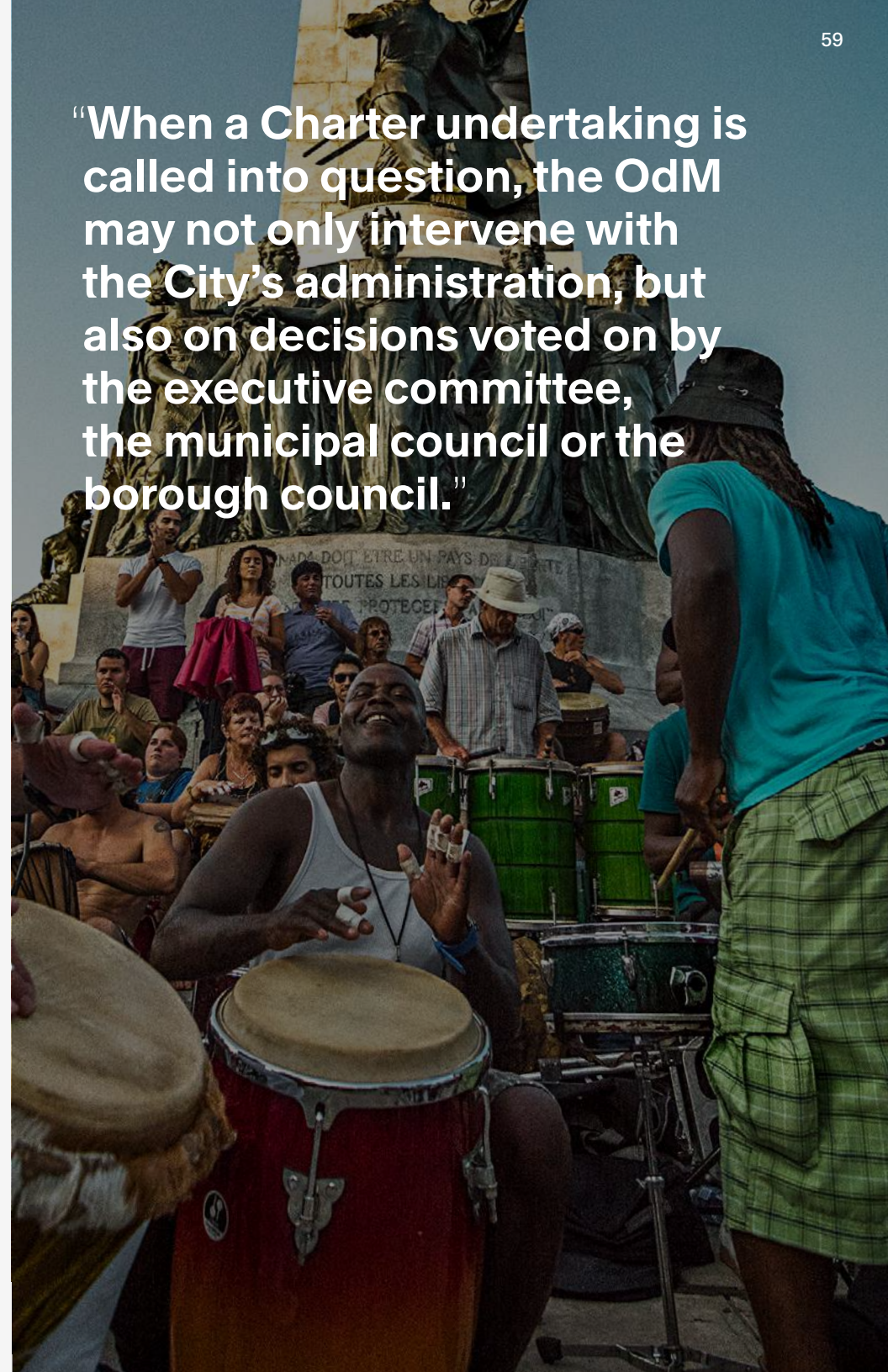
- Quality of municipal services;
- Universal accessibility;
- Citizen safety;
- Democracy and citizen participation, including a right of initiative that can lead to public hearings;
- Protection of the environment and air quality;
- Heritage preservation;
- Social inclusiveness and gender equality;
- 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.

“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.”



The Montréal Charter of Rights and Responsibilities^(cont.)

Number of inquiries launched in 2020 involving the *Montréal Charter of Rights and Responsibilities*:

316

To consult some summaries of files involving the *Montréal Charter of Rights and Responsibilities*: [p. 25-31](#)

Number of principles, undertakings and responsibilities of the City in the *Montréal Charter of Rights and Responsibilities* involved in these inquiries:

1,220

This figure breaks down as follows:

Environment and sustainable development	39	Safety	316	Municipal services	402
Fostering the protection and enhancement of natural environments and the urban forest	7	Developing its territory in a safe manner	175	Promoting flexibility in supplying municipal services to meet various citizen needs	1
Promoting access to the city's shorelines and green spaces;	1	Taking measures to ensure citizen security in public spaces, notably in parks and community and recreational facilities	2	Promoting universal access in developing its territory as well as universal access to municipal buildings, communications, programmes and services in general	192
Fostering the continuous improvement of the quality of air	4	Protecting people and their property	139	Taking appropriate measures to ensure the cleanliness of public property	3
Taking measures to reduce abusive irritants resulting from the wrongful dumping of garbage	3			Taking measures to limit any nuisances or obstacles that may interfere with citizens' ability to safely access their homes	2
Taking measures to reduce abusive irritants resulting from traffic	1			Providing competent municipal services in a respectful and non-discriminatory manner	204
Taking measures to reduce abusive irritants resulting from noise	21				
Preserving biodiversity and fostering its expansion in parks and green spaces	1				
Promoting responsible civic behaviours that show respect for the social and natural environments.	1				

The Montréal Charter of Rights and Responsibilities^(cont.)

Democratic life

458

Providing information in clear language (promoting citizen participation)	5
Providing useful information (promoting citizen participation)	185
Promoting public participation	78
Ensuring the credibility, transparency and effectiveness of a public consultation process	1
Supporting the use of appropriate communication practices (to encourage public participation)	189

Economic and social life

5

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	1
Taking measures to ensure dwellings are compliant with salubrity standards when health and safety are at stake	4



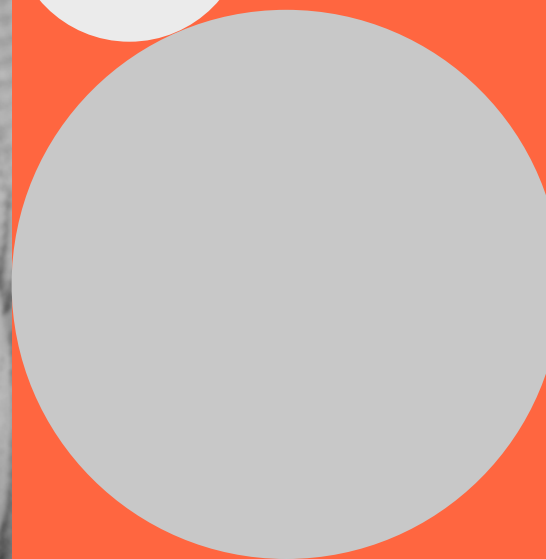
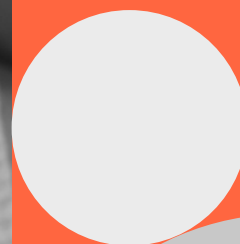
Profile of complaints and inquiries by Borough and administrative unit

A large, white, stylized number '6' is centered within a large, light gray, rounded shape that resembles a person's silhouette. The background of the slide is a vibrant orange-red color. To the left of the silhouette is a vertical rectangular area with a lighter, peach-colored gradient. In the top right corner, there is a smaller, solid light gray circle.

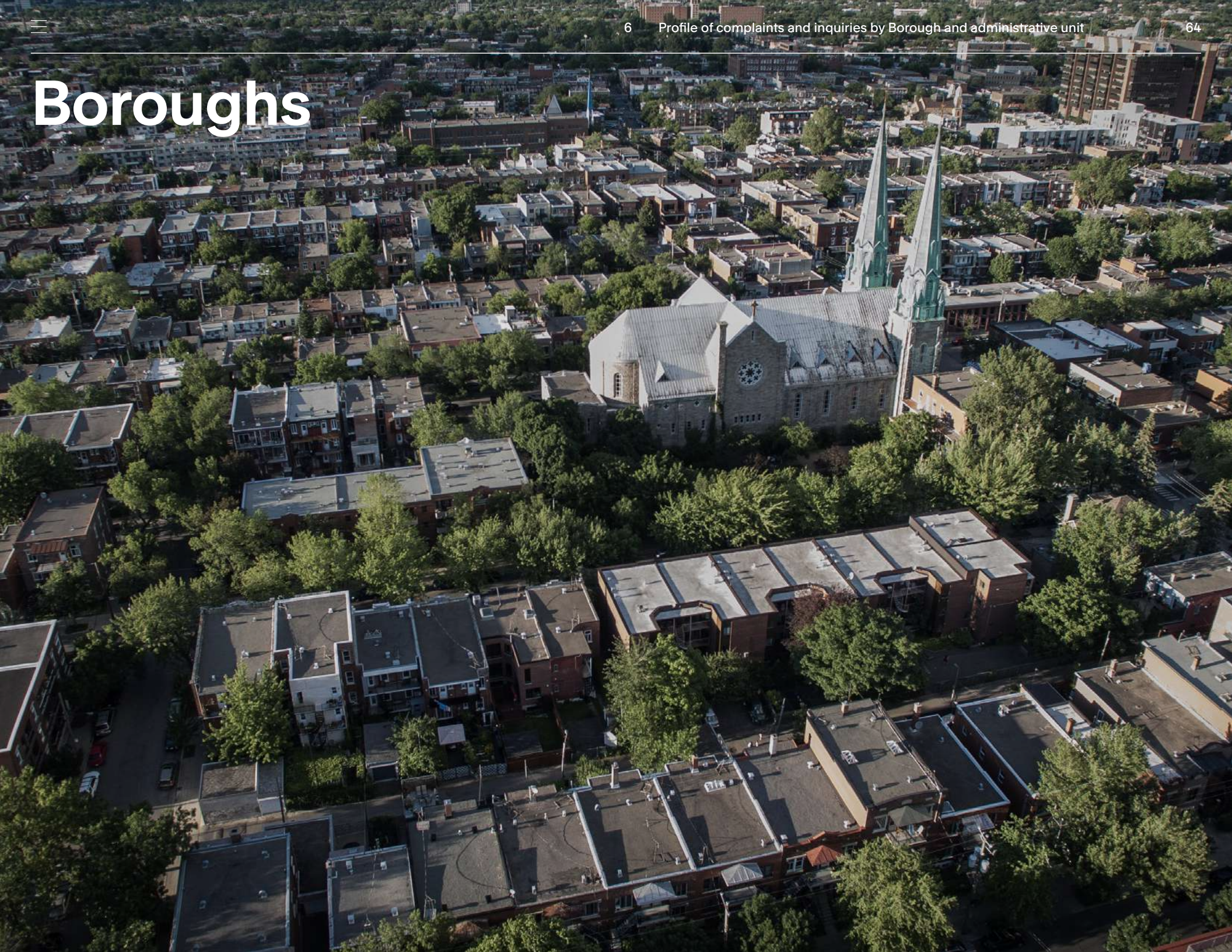


“I really appreciate your help; at least now I have a clear reply to my request and I know that the Borough [...] is working to resolve this issue.”

— Citizen



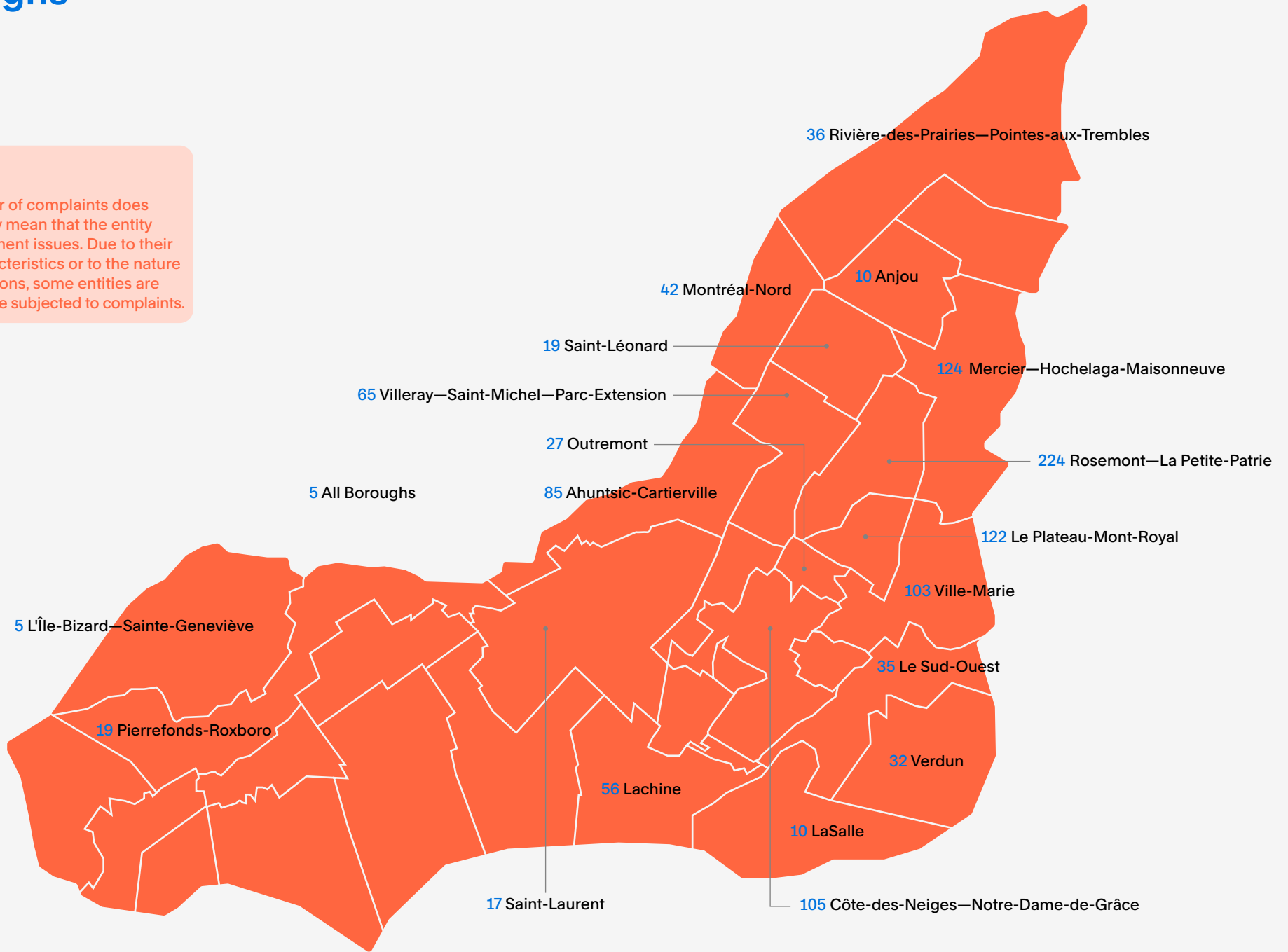
Boroughs



Boroughs

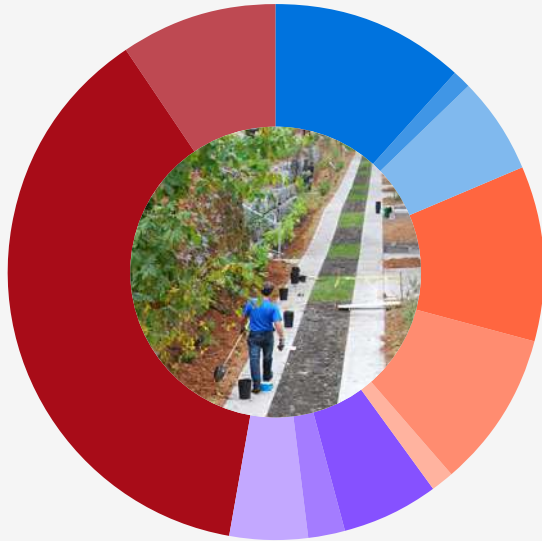
Caution

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.



Ahuntsic-Cartierville

Complaints received in 2020: **85**
 Inquiries launched in 2020: **23**
Topics of complaints and inquiries



- 10 Trees, Community Garden and Parks
- 1 Miscellaneous
- 5 Building: Maintenance and Salubriousness
- 9 Nuisances
- 8 Bicycle Path
- 1 Safety
- 5 City Services/Communication, Politeness, Delays and Procedures
- 2 Sports and Leisure
- 4 Parking and Drop-off Zones
- 32 Public Works
- 8 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	6
Complaint founded – Recommendation issued	1
Complaint founded – Undertaking pledged	1
Complaints ill-founded	8
Withdrawal of plaintiff	1
Citizens referred to the Borough during inquiry	2

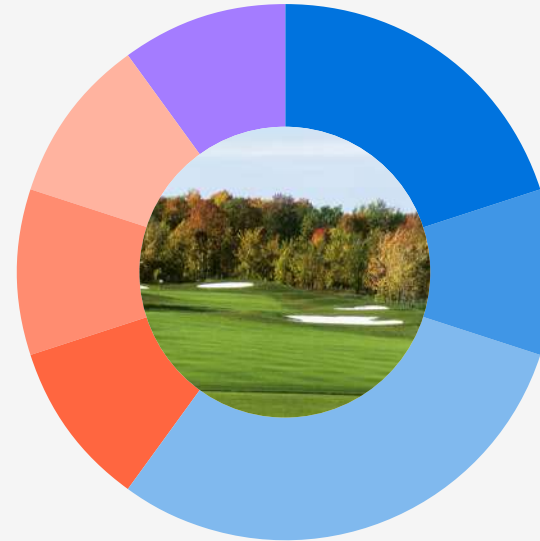
Inquiries pending as of December 31, 2020: **6**

Average processing time of inquiries closed in 2020: **50 business days**

→ [p. 11](#)
 → [p. 14](#)

Anjou

Complaints received in 2020: **10**
 Inquiries launched in 2020: **5**
Topics of complaints and inquiries



- 2 Trees, Community Garden and Parks
- 1 Building: Maintenance and Salubriousness
- 3 Nuisances
- 1 Safety
- 1 City Services/Communication, Politeness, Delays and Procedures
- 1 Public Works
- 1 Zoning/Urban Planning

Result of inquiries completed in 2020:

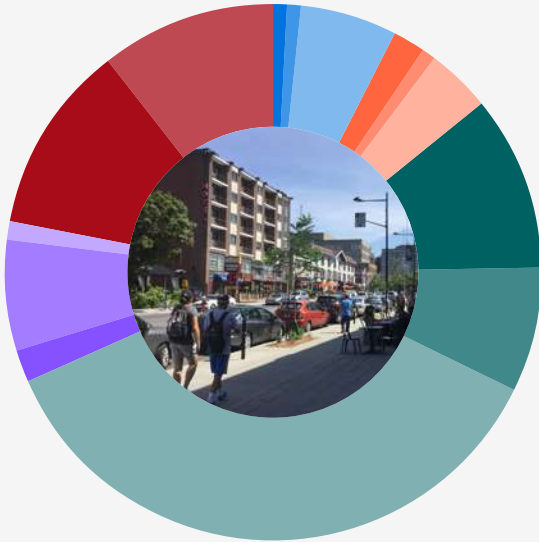
Complaints founded and resolved	2
Follow-up on previous undertaking – respected	1
Withdrawal of plaintiff	1
Citizen referred to the Borough during inquiry	1
Refusal to intervene	1

Average processing time of inquiries closed in 2020: **56 business days**



Côte-des-Neiges— Notre-Dame-de-Grâce

Complaints received in 2020: **105**
 Inquiries launched in 2020: **57**
Topics of complaints and inquiries



- 1 Access to Information
- 1 Animals
- 6 Trees, Community Garden and Parks
- 2 Statements of Offence and Municipal Court
- 1 Public Land
- 4 Material Damage/ Bodily Injury
- 12 Building: Maintenance and Salubrity
- 8 Nuisances
- 38 Bicycle path
- 2 Safety
- 7 City Services/ Communication, Politeness, Delays and Procedures
- 1 Parking and Drop-off Zones
- 12 Public Transportation
- 11 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	2
Complaints founded – Recommendation issued	38
Complaint founded – Undertaking pledged	1
Follow-up on previous undertaking – respected	1
Complaints ill-founded	5
Withdrawal of plaintiff	1
Citizens referred to the Borough during inquiry	4
Refusal to intervene	1

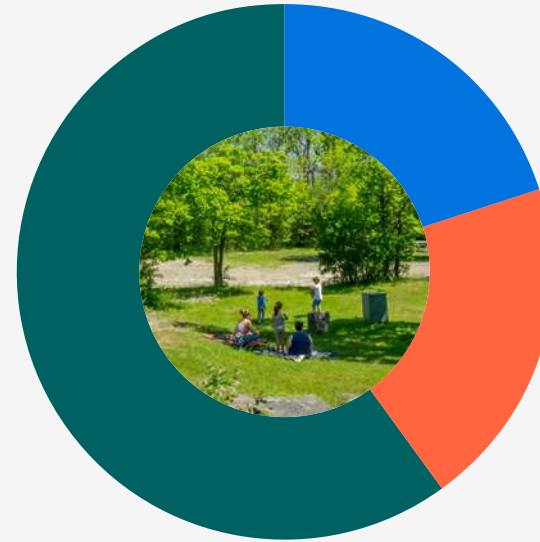
Inquiries pending as of December 31, 2020: **6**

Average processing time of inquiries closed in 2020: **64 business days**

→ [p. 24](#)

L'Île-Bizard— Sainte-Genève

Complaints received in 2020: **5**
 Inquiry launched in 2020: **1**
Topics of complaints and inquiry



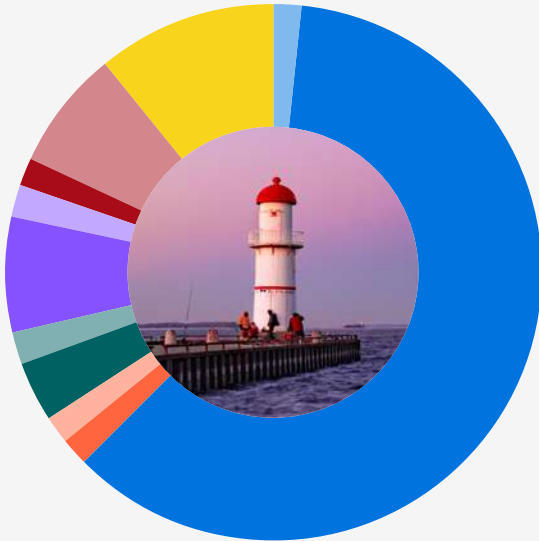
- 1 Building: Maintenance and Salubrity
- 1 Safety
- 3 Public Works

Result of the inquiry launched in 2020:

Pending as of December 31, 2020: **1**

Lachine

Complaints received in 2020: **56**
 Inquiries launched in 2020: **9**
Topics of complaints and inquiries



- 1 Animals
- 34 Trees, Community Garden and Parks
- 1 Building: Maintenance and Salubrity
- 1 Bicycle path
- 2 Alleys
- 1 Security
- 4 City Services/Communication, Politeness, Delays and Procedures
- 1 Sports and Leisure
- 1 Parking and Drop-off Zones
- 4 Public Works
- 6 Zoning/Urban Planning

Result of inquiries completed in 2020:

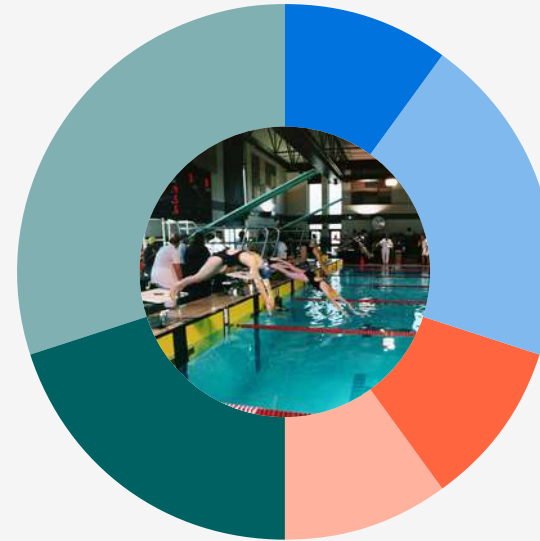
Citizens referred to the Borough during inquiry	2
Refusal to intervene	1

Inquiries pending as of December 31, 2020: **6**

Average processing time of inquiries closed in 2020: **18 business days**

LaSalle

Complaints received in 2020: **10**
 Inquiry launched in 2020: **1**
Topics of complaints and inquiry



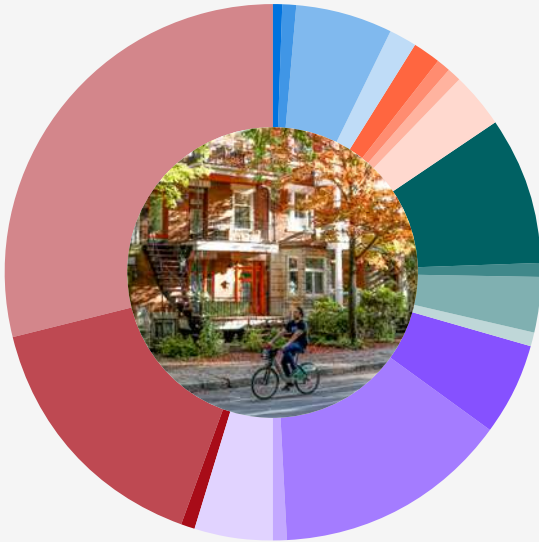
- 1 Access to Information
- 2 Trees, Community Garden and Parks
- 1 Public Land
- 1 Human Rights and Ethics
- 2 Public Works
- 3 Zoning/Urban Planning

Result of the inquiry launched in 2020:

Pending as of December 31, 2020	1
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Le Plateau-Mont-Royal

Complaints received in 2020: **122**
 Inquiries launched in 2020: **16**
Topics of complaints and inquiries



● 1	Access to Information	● 4	Bicycle Path
● 1	Animals	● 1	Alleys
● 7	Trees, Community Garden and Parks	● 7	Safety
● 2	Public land	● 17	City Services/Communication, Politeness, Delays and Procedures
● 2	Miscellaneous	● 1	Sports and Leisure
● 1	Material Damage/Bodily Injury	● 6	Parking and Drop-off Zones
● 1	Human Rights and Ethics	● 1	Subsidies
● 4	Building: Maintenance and Salubrity	● 19	Public Works
● 11	Nuisances	● 35	Zoning/Urban Planning
● 1	Citizen Participation		

Result of inquiries completed in 2020:

Complaint founded – Recommendation issued	1
Complaints ill-founded	5
Withdrawal of plaintiffs	2
Citizens referred to the Borough during inquiry	3
Refusal to intervene	3

Inquiries pending as of December 31, 2020: **4**

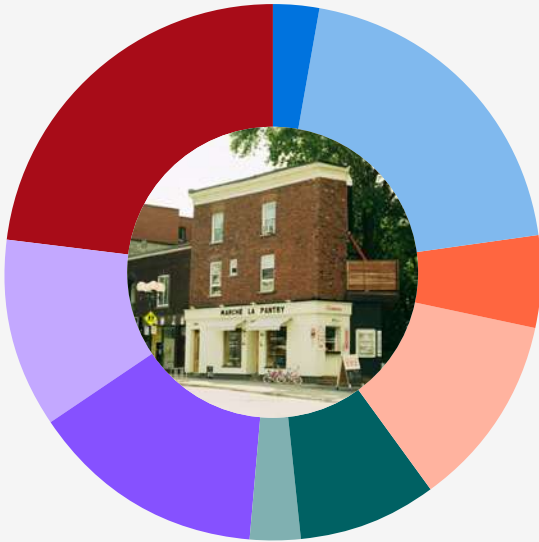
Average processing time of inquiries closed in 2020: **22 business days**

→ [p. 18](#)



Le Sud-Ouest

Complaints received in 2020: **35**
 Inquiries launched in 2020: **8**
Topics of complaints and inquiries



- 1 Animals
- 7 Nuisances
- 2 Bicycle path
- 4 Safety
- 3 City Services/Communication, Politeness, Delays and Procedures
- 1 Sports and Leisure
- 5 Parking and Drop-off Zones
- 4 Public Works
- 8 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	2
Follow-up on previous undertaking – respected	1
Citizen referred to the Borough during inquiry	1

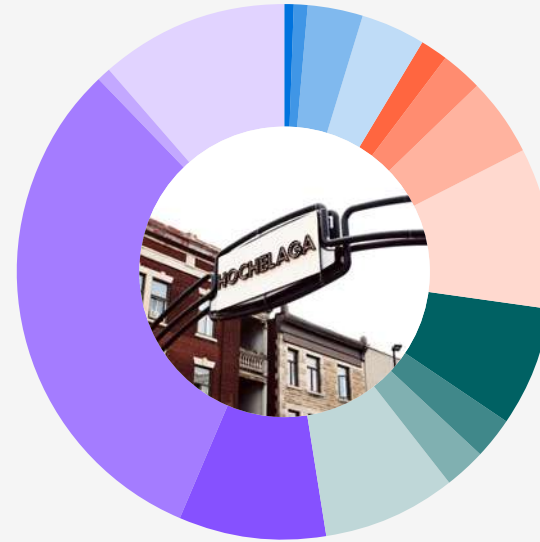
Inquiries pending as of December 31, 2020: **4**

Average processing time of inquiries closed in 2020: **53 business days**

→ p. 11
 → p. 16

Mercier—Hochelaga-Maisonneuve

Complaints received in 2020: **124**
 Inquiries launched in 2020: **25**
Topics of complaints and inquiries



- 1 Access to Information
- 1 Universal accessibility
- 4 Animals
- 5 Trees, Community Garden and Parks
- 2 Public Land
- 3 Material Damage/Bodily Injury
- 6 Building: Maintenance and Salubriousness
- 12 Nuisances
- 9 Bicycle Path
- 3 Alleys
- 3 Safety
- 10 City Services/Communication, Politeness, Delays and Procedures
- 11 Parking and Drop-off Zones
- 39 Public Works
- 1 Public Transportation
- 14 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	2
Complaints ill-founded	5
Withdrawal of citizen plaintiffs	2
Citizens referred to the Borough during inquiry	3
Refusal to intervene	2

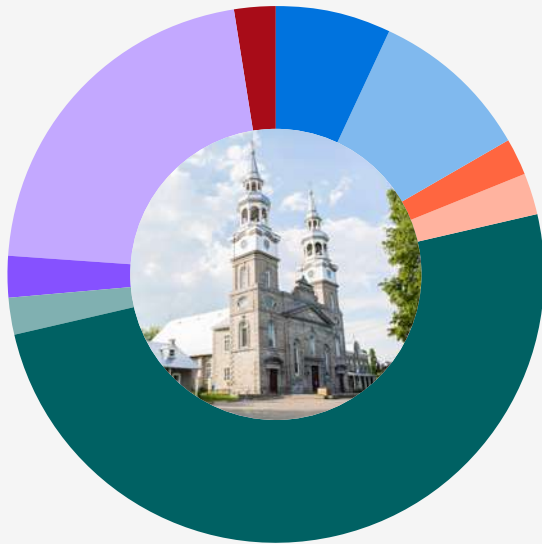
Inquiries pending as of December 31, 2020: **12**

Average processing time of inquiries closed in 2020: **23 business days**



Montréal-Nord

Complaints received in 2020: **42**
 Inquiries launched in 2020: **21**
Topics of complaints and inquiries



- 3 Trees, Community Garden and Parks
- 4 Building: Maintenance and Salubriousness
- 1 Nuisances
- 1 Citizen Participation
- 21 Bicycle Path
- 1 Safety
- 1 City Services/Communication, Politeness, Delays and Procedures
- 9 Public Transportation
- 1 Zoning/Urban Planning

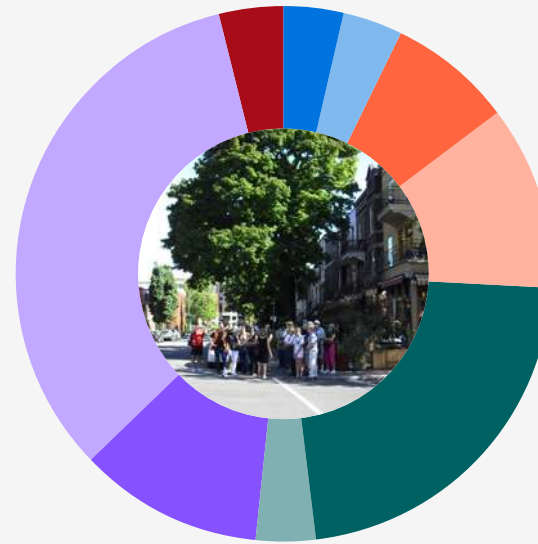
Result of inquiries completed in 2020:

Complaints founded – Recommendations issued	19
Complaint ill-founded	1
File closed due to the refusal of the plaintiff to cooperate	1

Average processing time of inquiries closed in 2020:
82 business days

Outremont

Complaints received in 2020: **27**
 Inquiries launched in 2020: **10**
Topics of complaints and inquiries



- 1 Trees, Community Garden and Parks
- 1 Public Land
- 2 Human Rights and Ethics
- 3 Nuisances
- 6 Citizen Participation
- 1 City Services/Communication, Politeness, Delays and Procedures
- 3 Parking and Drop-off Zones
- 9 Public Works
- 1 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaint founded – Undertaking pledged	1
Complaints ill-founded	3
Withdrawal of citizen plaintiffs	2
Citizen referred to the Borough during inquiry	1
Refusal to intervene	3

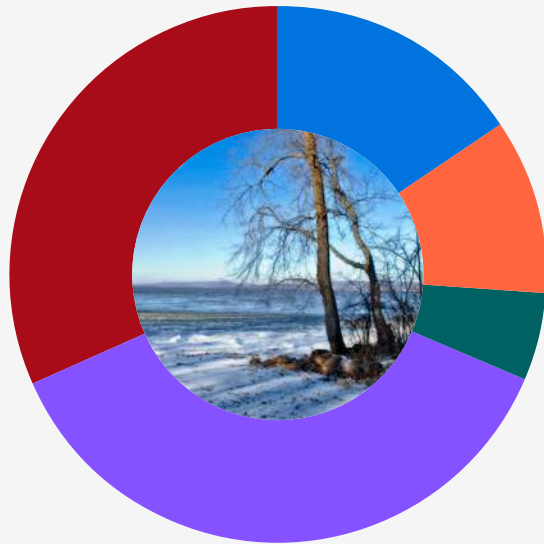
Inquiries pending as of December 31, 2020: **2**

Average processing time of inquiries closed in 2020:
39 business days

→ [p. 20](#)
 → [p. 43](#)

Pierrefonds-Roxboro

Complaints received in 2020: **19**
 Inquiries launched in 2020: **7**
Topics of complaints and inquiries



- 3 Building: Maintenance and Salubrity
- 2 Nuisances
- 1 City Services/Communication, Politeness, Delays and Procedures
- 7 Public Works
- 6 Zoning/Urban Planning

Result of inquiries completed in 2020:

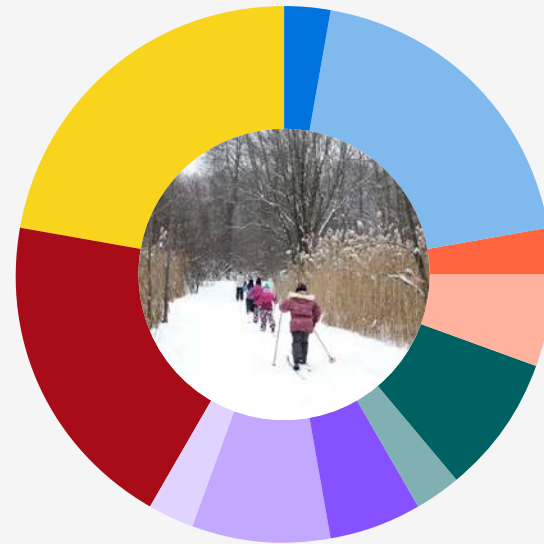
Complaint ill-founded	1
Citizen referred to the Borough during inquiry	1
Refusal to intervene	1

Inquiries pending as of December 31, 2020: **5**

Average processing time of inquiries closed in 2020: **39 business days**

Rivière-des-Prairies—Pointe-aux-Trembles

Complaints received in 2020: **36**
 Inquiries launched in 2020: **4**
Topics of complaints and inquiries



- 1 Animals
- 7 Trees, Community Garden and Parks
- 1 Material Damage/Bodily Injury
- 2 Building: Maintenance and Salubrity
- 3 Nuisances
- 1 Bicycle Path
- 2 Safety
- 3 City Services/Communication, Politeness, Delays and Procedures
- 1 Parking and Drop-off Zones
- 7 Public Works
- 8 Zoning/Urban Planning

Result of inquiries completed in 2020:

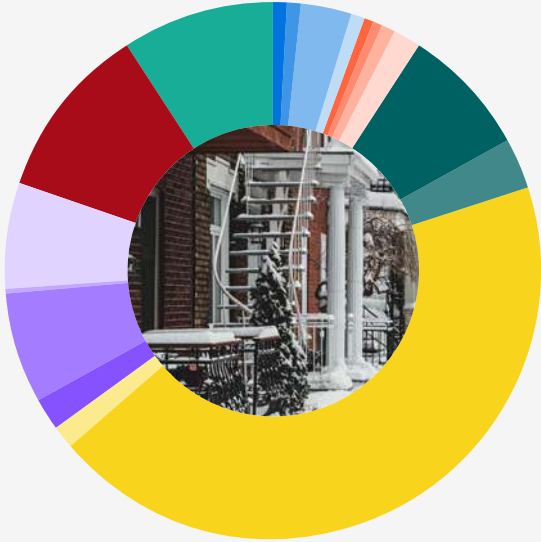
Complaints ill-founded	2
File closed due to a private agreement pledged during inquiry	1

Inquiries pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020: **94 business days**

Rosemont—La Petite-Patrie

Complaints received in 2020: **224**
 Inquiries launched in 2020: **118**
Topics of complaints and inquiries



● 2	Access to Information	● 7	Citizen Participation
● 2	Animals	● 98	Bicycle Path
● 7	Trees, Community Garden and Parks	● 3	Alleys
● 2	Library/Culture	● 4	Safety
● 1	Statements of Offence	● 15	City Services/Communication, Politeness, Delays and Procedures
● 1	Public Land	● 1	Sports and Leisure
● 2	Environment/Sustainable Development	● 14	Parking and Drop-off Zones
● 4	Building: Maintenance and Salubrity	● 24	Public Works
● 17	Nuisances	● 20	Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	6
Complaints founded – Recommendations issued	84
Complaint founded – Undertaking pledged	1
Follow-ups on previous undertakings – respected	2
Complaints ill-founded	14
Withdrawal of plaintiff	1

Inquiries pending as of December 31, 2020: **12**

Average processing time of inquiries closed in 2020: **85 business days**

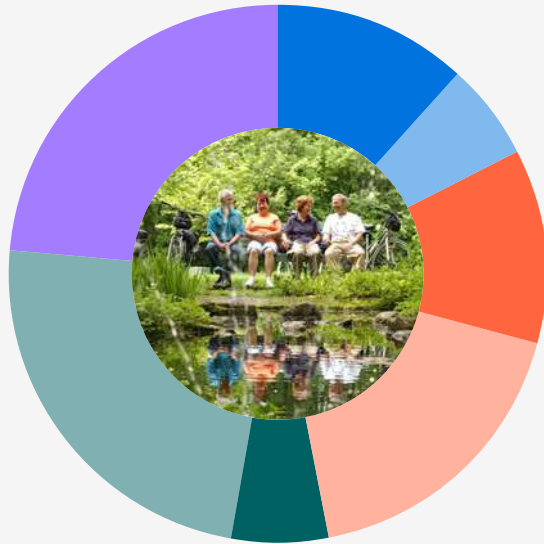
→ [p. 16](#)





Saint-Laurent

Complaints received in 2020: **17**
 Inquiries launched in 2020: **4**
Topics of complaints and inquiries



- 2 Trees, Community Garden and Parks
- 1 Building: Maintenance and Salubriousness
- 2 Nuisances
- 3 City Services/Communication, Politeness, Delays and Procedures
- 1 Parking and Drop-off Zones
- 4 Public Works
- 4 Zoning/Urban Planning

Result of the inquiry completed in 2020:

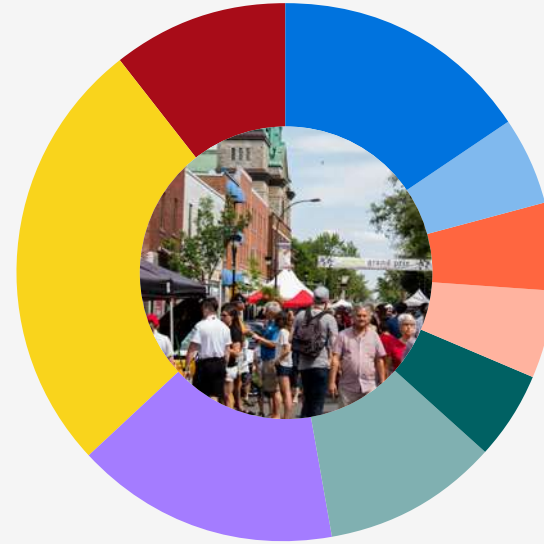
Citizen referred to the Borough during inquiry 1

Inquiries pending as of December 31, 2020: **3**

Average processing time of inquiries closed in 2020: **12 business days**

Saint-Léonard

Complaints received in 2020: **19**
 Inquiries launched in 2020: **5**
Topics of complaints and inquiries



- 3 Trees, Community Garden and Parks
- 1 Material Damage/Bodily Injury
- 1 Environment/Sustainable Development
- 1 Building: Maintenance and Salubriousness
- 1 Nuisances
- 2 City Services/Communication, Politeness, Delays and Procedures
- 3 Parking and Drop-off Zones
- 5 Public Works
- 2 Zoning/Urban Planning

Result of inquiries completed in 2020:

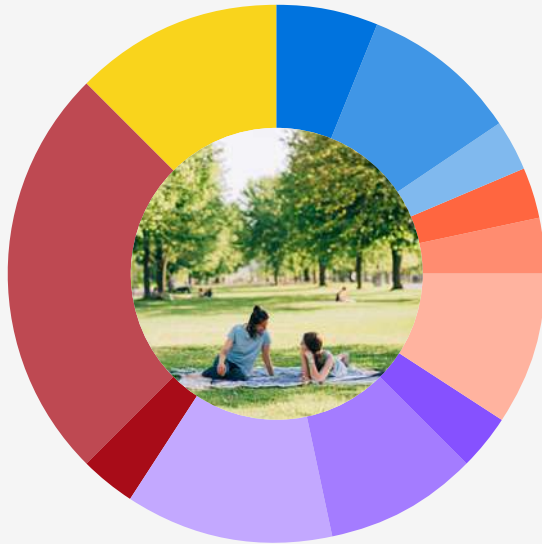
Complaint founded and resolved 1
 Complaints ill-founded 3
 Refusal to intervene 1

Inquiry pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020: **32 business days**

Verdun

Complaints received in 2020: **32**
 Inquiries launched in 2020: **3**
Topics of complaints and inquiries



- 2 Animals
- 3 Trees, Community Garden and Parks
- 1 Library/Culture
- 1 Public Land
- 1 Building: Maintenance and Salubriousness
- 3 Nuisances
- 1 Citizen Participation
- 3 City Services/ Communication, Politeness, Delays and Procedures
- 4 Parking and Drop-off Zones
- 1 Taxes
- 8 Public Works
- 4 Zoning/Urban Planning

Result of inquiries completed in 2020:

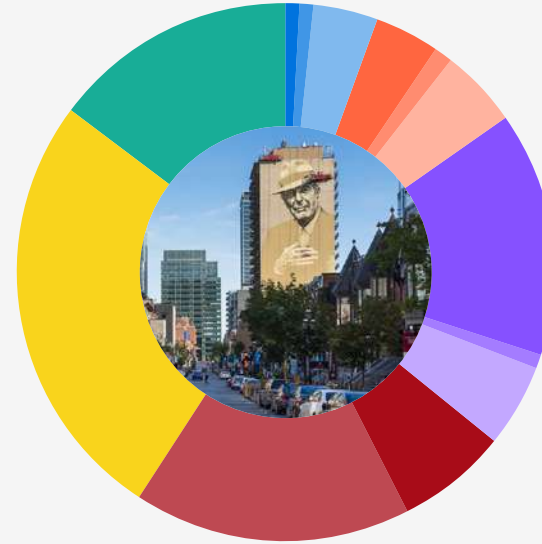
Complaints founded and resolved	2
Citizen referred to the Borough during inquiry	1
Refusal to intervene	1

Average processing time of inquiries closed in 2020: **33 business days**

→ [p. 12](#)

Ville-Marie

Complaints received in 2020: **103**
 Inquiries launched in 2020: **15**
Topics of complaints and inquiries



- 1 Access to Information
- 1 Animals
- 4 Trees, Community Garden and Parks
- 4 Public Land
- 1 Environment/ Sustainable Development
- 5 Building: Maintenance and Salubriousness
- 15 Nuisances
- 1 Bicycle Path
- 5 Safety
- 7 City Services/ Communication, Politeness, Delays and Procedures
- 17 Parking and Drop-off Zones
- 27 Public Works
- 15 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	6
Follow-up on previous undertaking – not respected	1
Complaints ill-founded	6
Citizens referred to the Borough during inquiry	2
Refusal to intervene	1

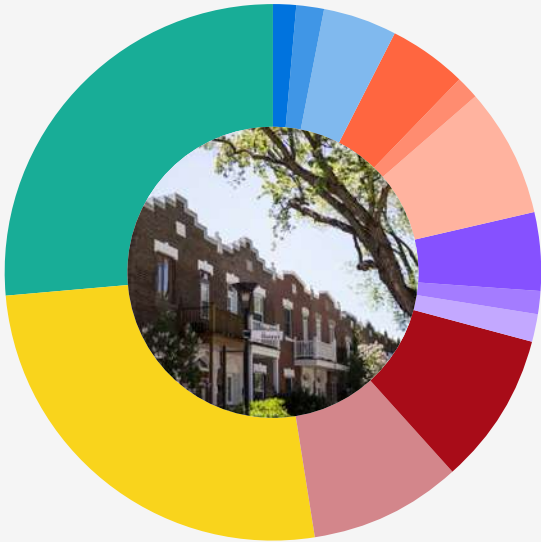
Inquiries pending as of December 31, 2020: **8**

Average processing time of inquiries closed in 2020: **61 business days**

→ [p. 12](#)
 → [p. 18-19](#)
 → [p. 41](#)

Villeray—Saint-Michel—Parc-Extension

Complaints received in 2020: **65**
 Inquiries launched in 2020: **9**
Topics of complaints and inquiries



- 1 Universal accessibility
- 1 Animals
- 3 Trees, Community Garden and Parks
- 3 Public Land
- 1 Material Damage/Bodily Injury
- 5 Building: Maintenance and Salubrity
- 3 Nuisances
- 1 Bicycle Path
- 1 Safety
- 6 City Services/Communication, Politeness, Delays and Procedures
- 6 Parking and Drop-off Zones
- 17 Public Works
- 17 Zoning/Urban Planning

Result of inquiries completed in 2020:

Complaints founded and resolved	3
Complaints ill-founded	2
Citizens referred to the Borough during inquiry	4
Refusal to intervene	1
File closed due to the refusal of the plaintiff to cooperate	1

Average processing time of inquiries closed in 2020:
25 business days

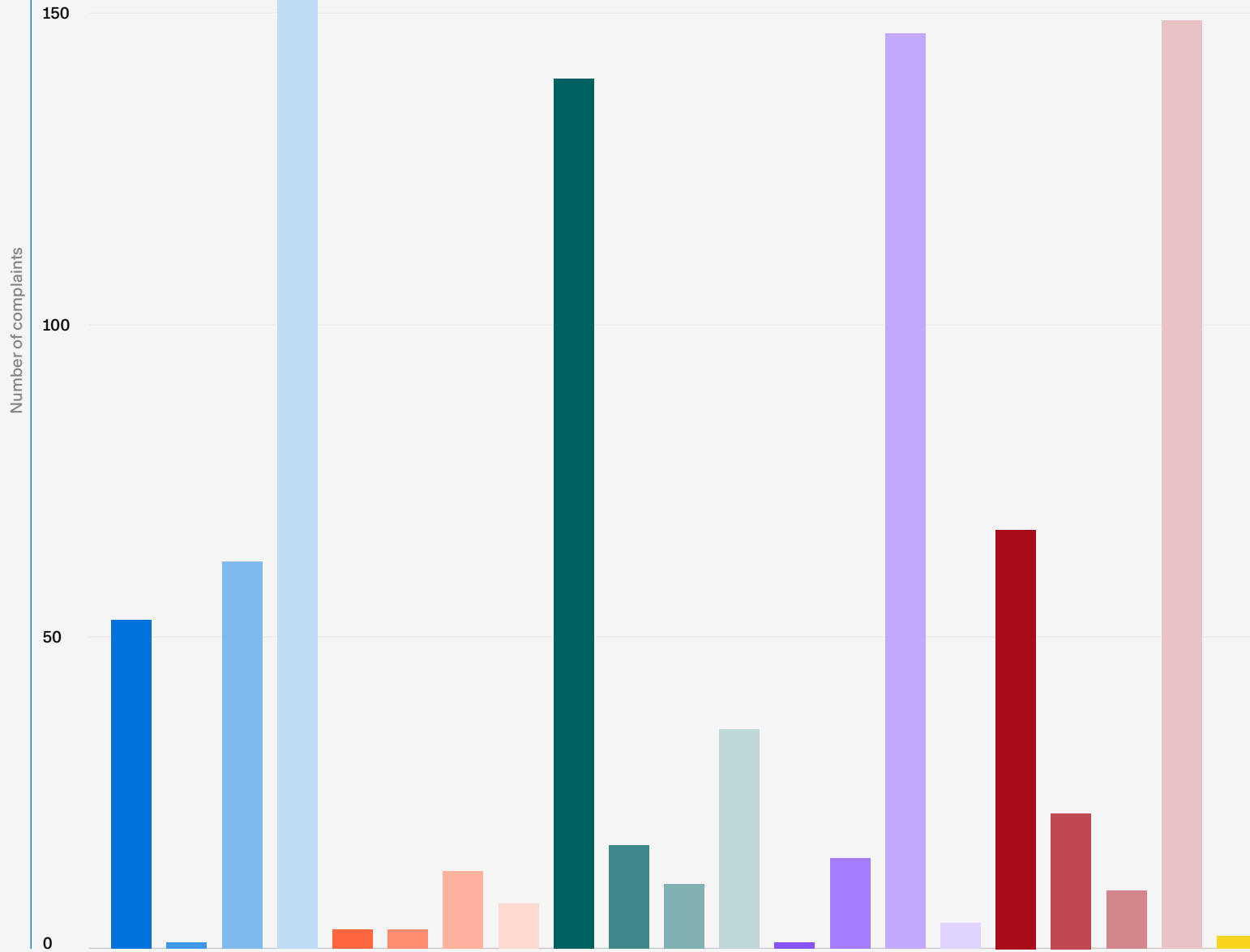


The administrative units (Central Departments)



The administrative units (Central Departments)

Complaints



- 51 Affaires juridiques – Direction des affaires civiles

- 1 Affaires juridiques – Direction des poursuites pénales et criminelles

- 60 Affaires juridiques – Direction des services judiciaires (cour municipale)

- 154 Concertation des arrondissements

- 3 Développement économique

- 3 Eau

- 12 Environnement

- 7 Évaluation foncière

- 135 Expérience citoyenne et communications

- 16 Finances

- 10 Gestion et planification immobilière

- 34 Grands parcs, verdissement et Mont-Royal

- 1 Greffe

- 14 Habitation

- 142 Infrastructures du réseau routier

- 4 Matériel roulant et ateliers

- 65 Police

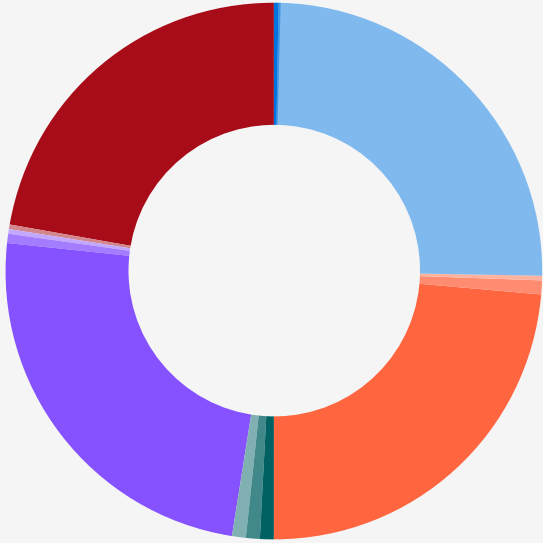
- 21 Ressources humaines (The Ombudsman de Montréal has no jurisdiction over labour relations)

- 9 Sécurité incendie

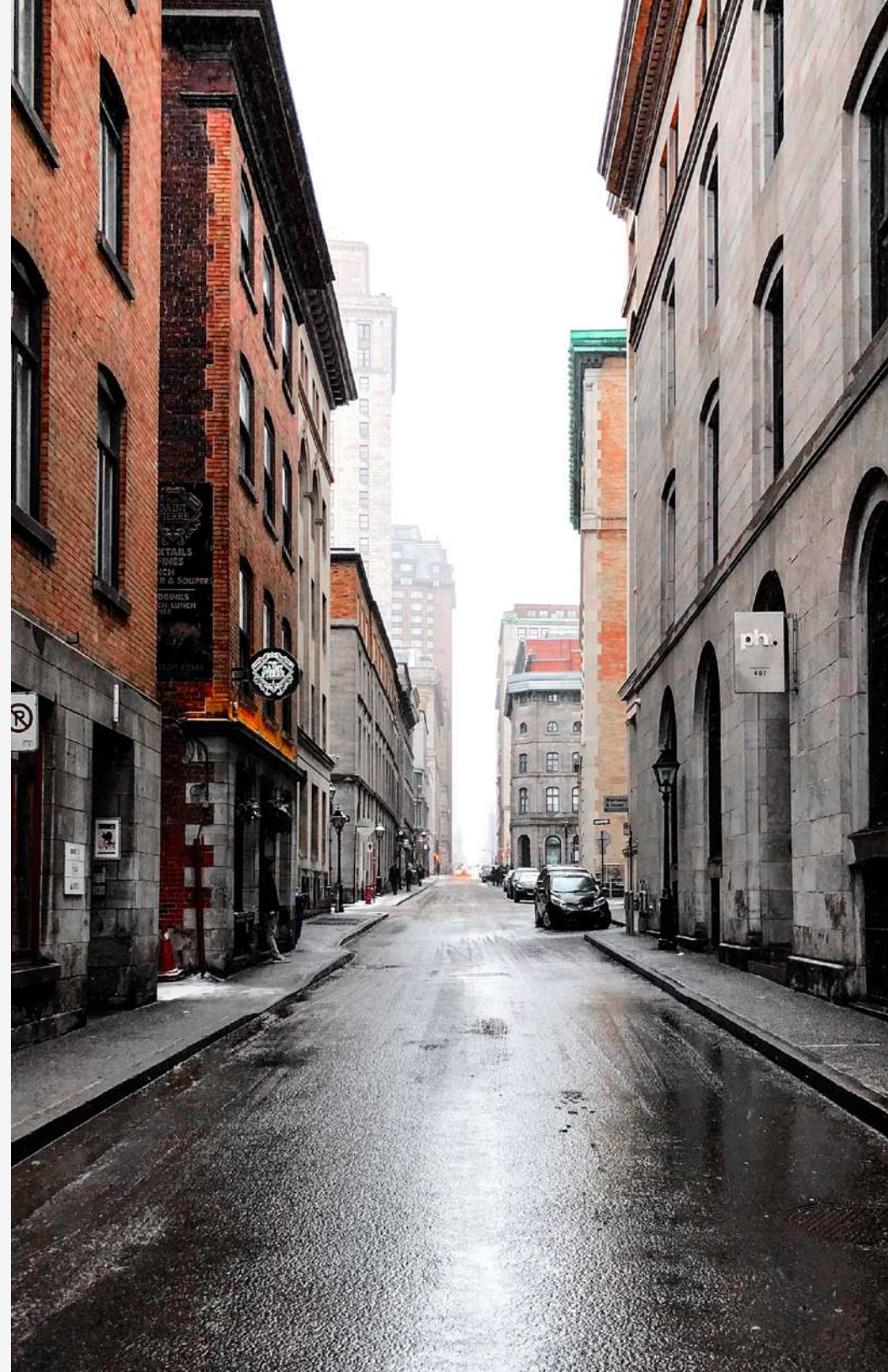
- 144 Urbanisme et mobilité

- 2 Direction générale : Contrôleur général

Inquiries launched in 2020 concerning Central Departments



- 2 Affaires juridiques - Direction des affaires civiles
- 1 Affaires juridiques - Direction des services judiciaires (Cour municipale)
- 141 Concertation des arrondissements
- 1 Eau
- 5 Environnement
- 134 Expérience citoyenne et communications
- 5 Finances
- 4 Gestion et planification immobilière
- 5 Habitation
- 137 Infrastructures du réseau routier
- 4 Matériel roulant et ateliers
- 1 SPVM
- 1 Sécurité incendie
- 126 Urbanisme et mobilité



Overview of Ville de Montréal services that were the object of the highest number of inquiries launched by the Ombudsman de Montréal in 2020

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.



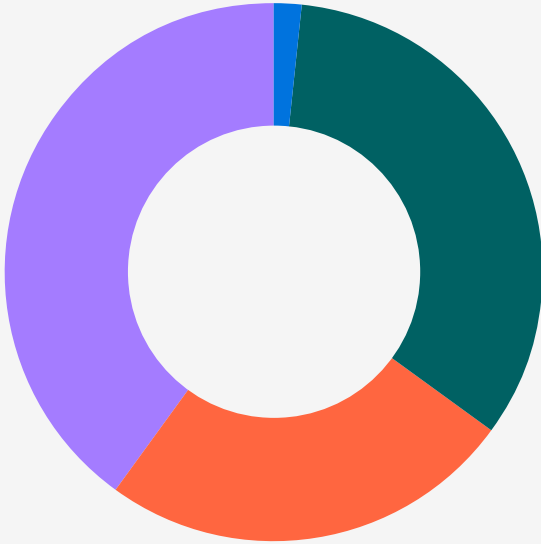
Affaires juridiques

Direction des services judiciaires (cour municipale)

Complaints received in 2020: **60**

Inquiries launched in 2020: **7**

Topics of complaints and inquiries



- 1 Access to Information
- 20 Statements of Offence
- 15 Municipal Court
- 24 City Services/Communication, Politeness, Delays and Procedures

Result of inquiries completed in 2020:

Complaints founded and resolved	2
Complaint ill-founded	1
Citizens referred during inquiry	2
Refusal to intervene	5

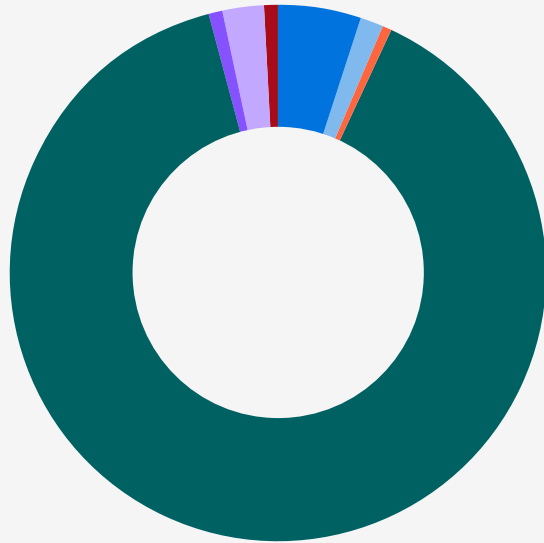
Inquiry pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020: **12 business days**



Service de la concertation des arrondissements

Complaints received in 2020: **154**
 Inquiries launched in 2020: **142**
Topics of complaints and inquiries



- 8 Animals

- 2 Statements of Offence

- 1 Material Damage

- 137 Bicycle Path

- 1 Labour Relations

- 4 City Services/Communication, Politeness, Delays and Procedures

- 1 Public Works

Result of inquiries completed in 2020:

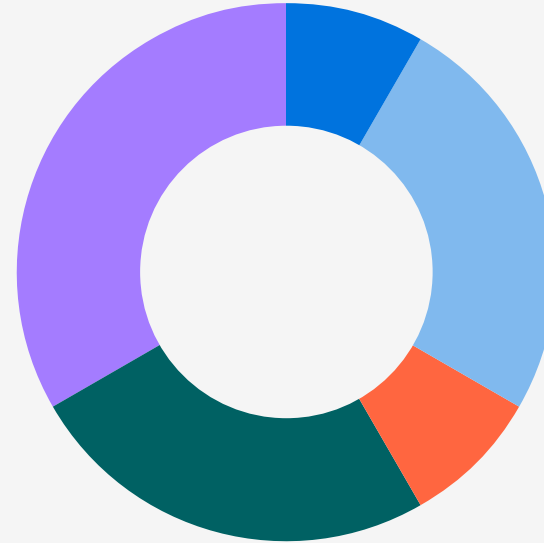
Complaints founded and resolved	3
Complaints founded – Recommendation issued	135
Complaints ill-founded	2
Withdrawal of the plaintiff	1
Refusal to intervene	1

Average processing time of inquiries closed in 2020:
108 business days

- [p. 14](#)
- [p. 23](#)
- [p. 27](#)

Service de l'environnement

Complaints received in 2020: **12**
 Inquiries launched in 2020: **5**
Topics of complaints and inquiries



- 1 Access to Information

- 3 Environment/Sustainable Development

- 1 Building: Maintenance and Salubriousness

- 3 Nuisances

- 4 City Services/Communication, Politeness, Delays and Procedures

Result of the inquiry completed in 2020:

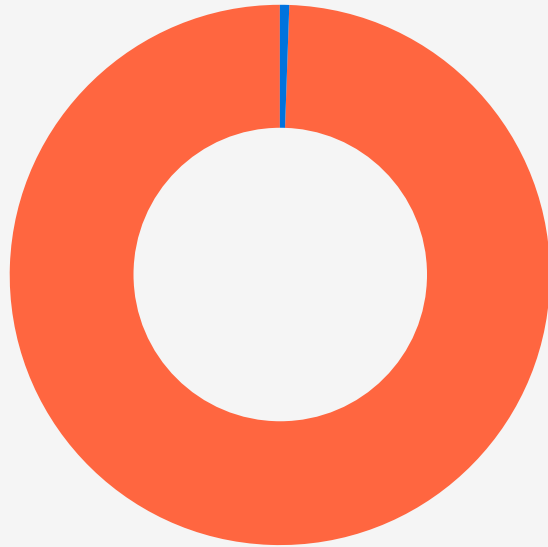
Follow-up on previous undertaking – Respected	1
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Inquiries pending as of December 31, 2020: **4**

Average processing time of inquiries closed in 2020:
42 business days

Service de l'expérience citoyenne et des communications

Complaints received in 2020: **135**
 Inquiries launched in 2020: **134**
Topics of complaints and inquiries



- 1 Citizen Participation
- 134 Bicycle Path

Result of inquiries completed in 2020:

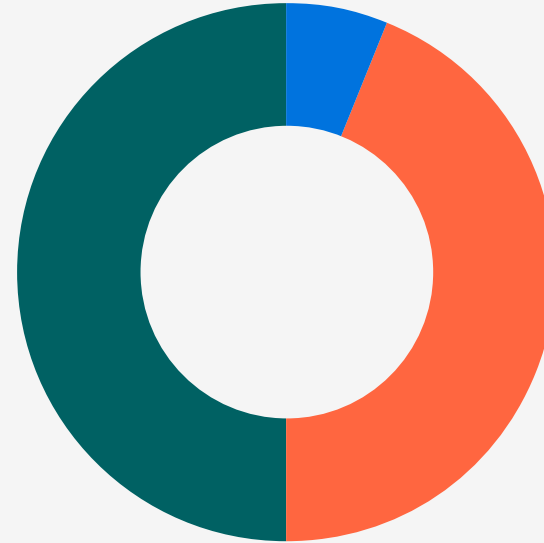
Complaints founded – Recommendation issued	133
Withdrawal of the plaintiff	1

Average processing time of inquiries closed in 2020:
110 business days

→ [p. 23](#)

Service des finances

Complaints received in 2020: **16**
 Inquiries launched in 2020: **6**
Topics of complaints and inquiries



- 1 Labour Relations
- 7 City Services/Communication, Politeness, Delays and Procedures
- 8 Taxes

Result of inquiries completed in 2020:

Complaints founded and resolved	2
Follow-up on a previous undertaking – Respected	1
Complaint ill-founded	1
Citizen referred during inquiry	1

Inquiry pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020:
17 business days

→ [p. 11](#)
 → [p. 18](#)



Service de la gestion et de la planification immobilière

Complaints received in 2020: **10**
 Inquiries launched in 2020: **5**
 Topics of complaints and inquiries



- 1 Miscellaneous
- 4 Nuisances
- 2 Alleys
- 3 City Services/Communication, Politeness, Delays and Procedures

Result of inquiries completed in 2020:

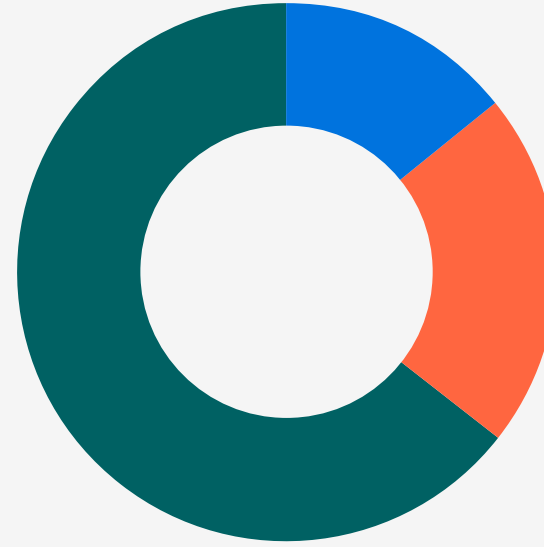
Complaint founded and resolved	1
Complaint ill-founded	1
Refusal to intervene	1

Inquiry pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020: **17 business days**

Service de l'habitation

Complaints received in 2020: **14**
 Inquiries launched in 2020: **5**
 Topics of complaints and inquiries



- 2 Building: Maintenance and Salubrity
- 3 City Services/Communication, Politeness, Delays and Procedures
- 9 Subsidies

Result of the inquiry completed in 2020:

Complaint founded and resolved	1
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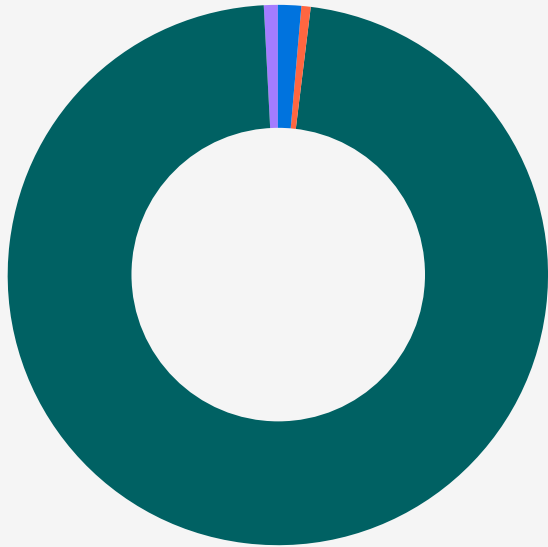
Inquiries pending as of December 31, 2020: **5**

Average processing time of inquiries closed in 2020: **166 business days**

→ [p. 21](#)

Service des infrastructures du réseau routier

Complaints received in 2020: **142**
Inquiries launched in 2020: **139**
Topics of complaints and inquiries



- 2 Material Damage/Bodily Injury
- 1 Nuisances
- 138 Bicycle Path
- 1 Safety

Result of inquiries completed in 2020:

Complaints founded – Recommendation issued	135
Withdrawal of the plaintiff	2
Citizen referred during inquiry	1

Inquiry pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020: **108 business days**

→ [p. 23](#)

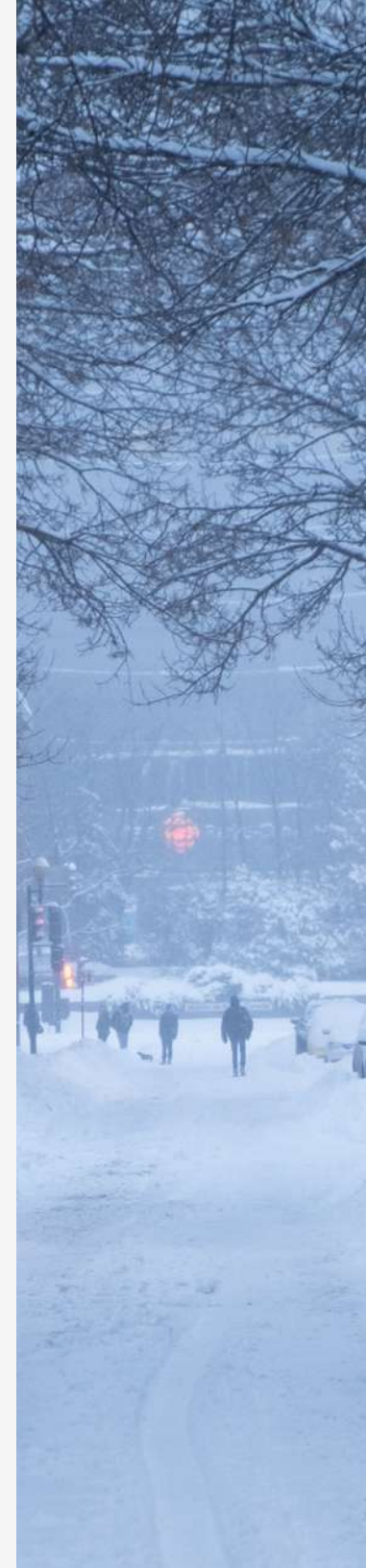
Service du matériel roulant et des ateliers

Complaints received in 2020: **4**
Inquiries launched in 2020: **4**
Topics of complaints and inquiries



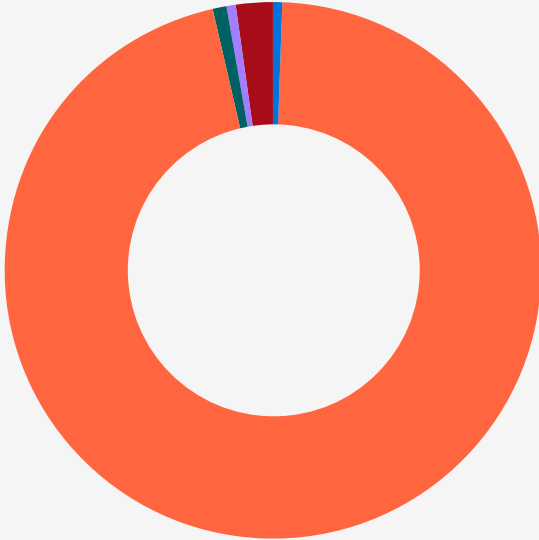
- 4 Nuisances

Inquiries pending as of December 31, 2020: **4**



Service de l'urbanisme et de la mobilité

Complaints received in 2020: **144**
 Inquiries launched in 2020: **141**
 Topics of complaints and inquiries



- 1 Citizen Participation

- 138 Bicycle Path

- 1 Parking and Drop-off Zones

- 1 Safety

- 3 Public Works

Result of inquiries completed in 2020:

Complaints founded – Recommendation issued	135
Complaint ill-founded	1
Withdrawal of the plaintiff	2
Citizen referred during inquiry	1
Refusal to intervene	1

Inquiry pending as of December 31, 2020: **1**

Average processing time of inquiries closed in 2020: **107 business days**

→ [p. 23](#)

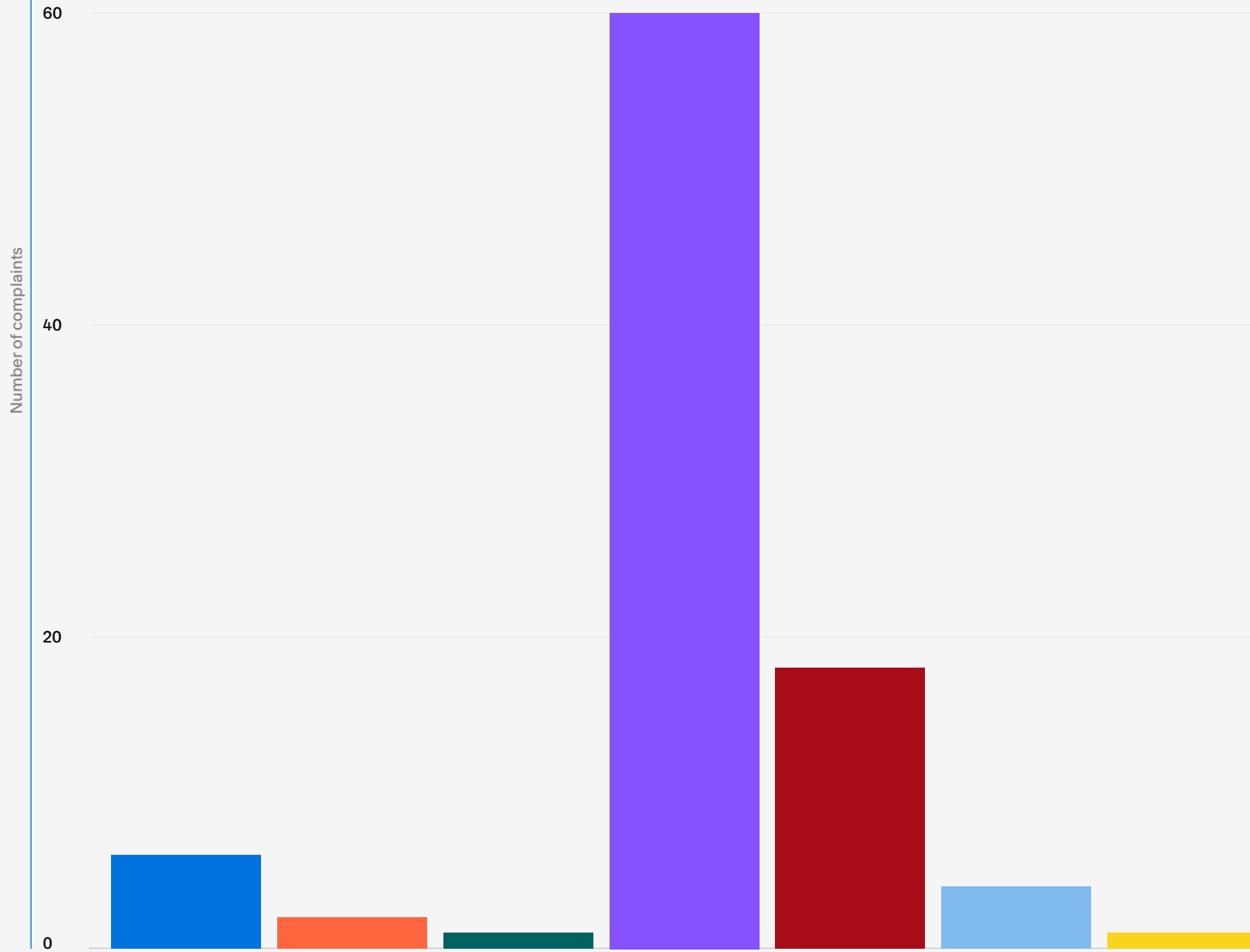


Paramunicipal Agencies and City-controlled Corporations



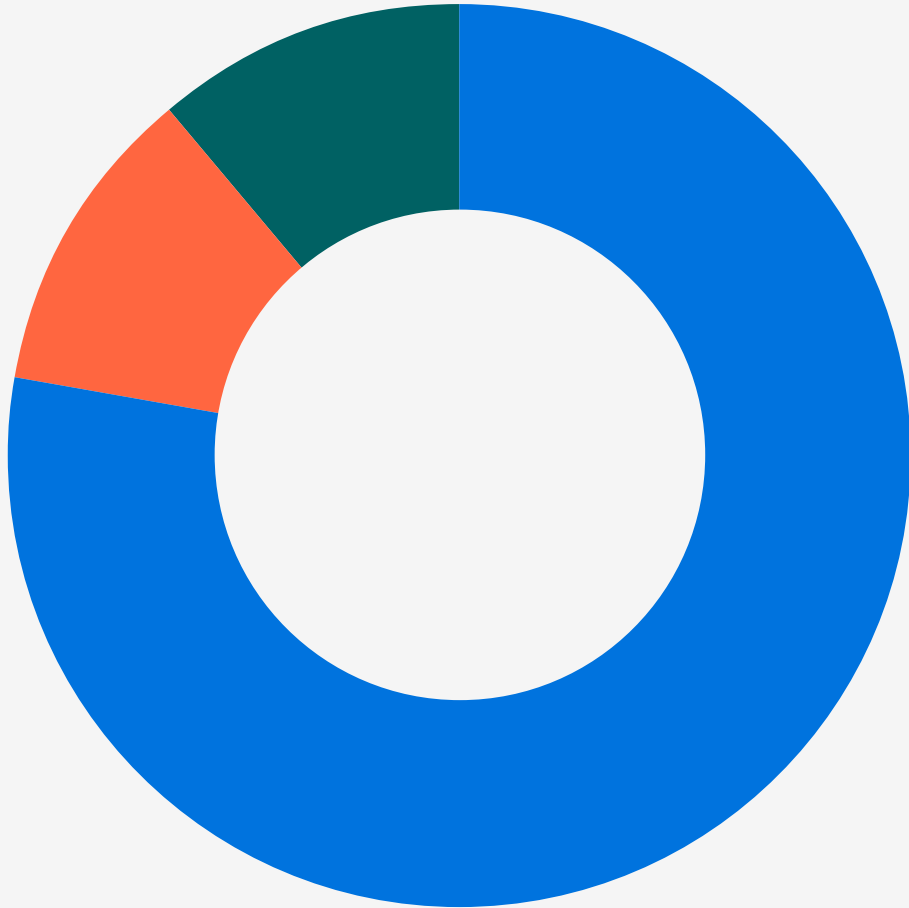
Paramunicipal Agencies and City-controlled Corporations

Complaints



- 6 Agence de mobilité durable (formerly named « Stationnement de Montréal »)
- 2 Bureau du taxi de Montréal
- 1 Commission des services électriques de Montréal
- 60 Office municipal d'habitation de Montréal
- 18 Société de transport de Montréal (STM) (No inquiry was launched in view of our lack of jurisdiction over the STM)
- 4 Société d'habitation et de développement de Montréal
- 1 Société du parc Jean-Drapeau

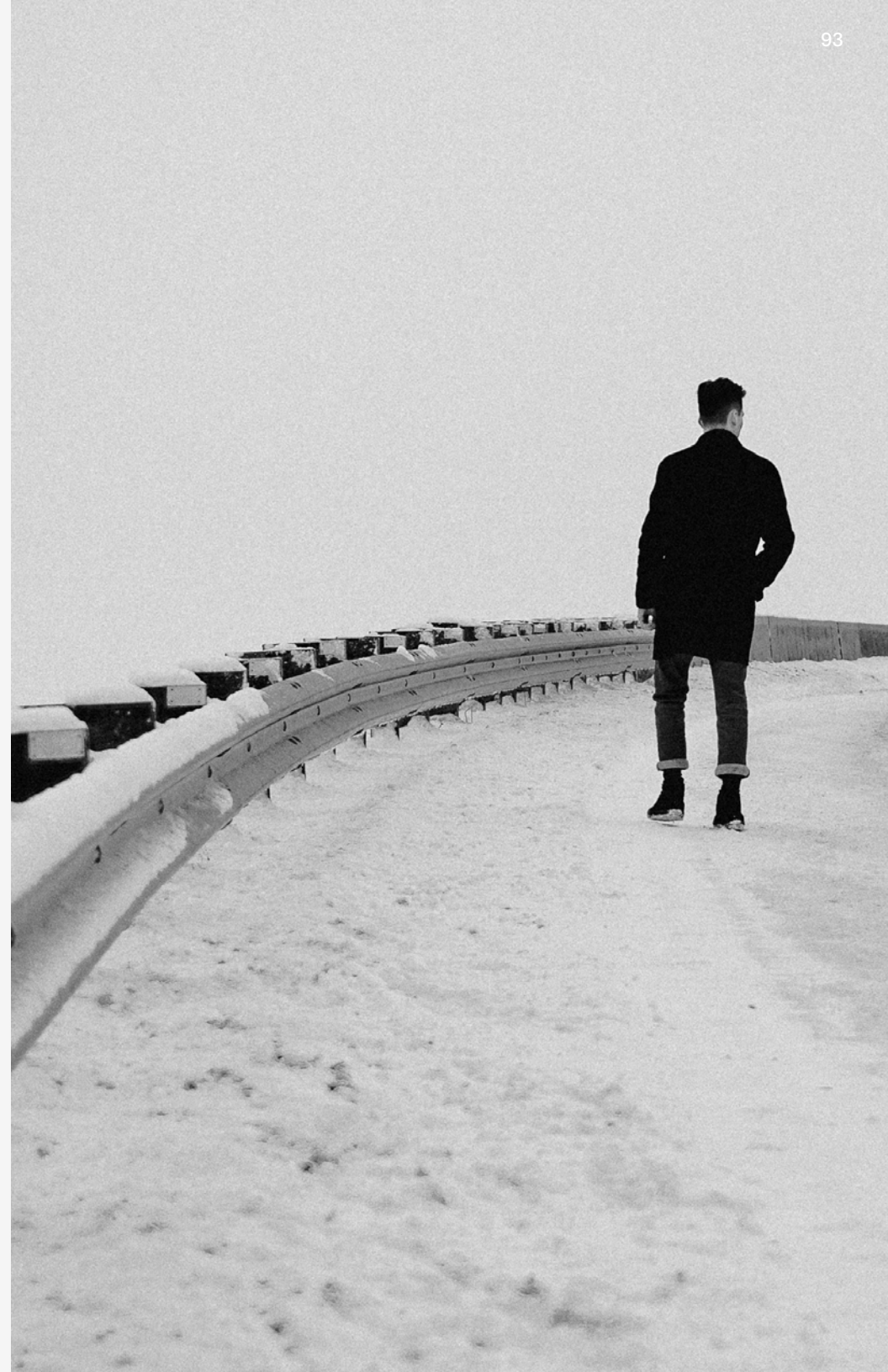
Inquiries launched in 2020



● 7 Office municipal d'habitation de Montréal

● 1 Société d'habitation et de développement de Montréal

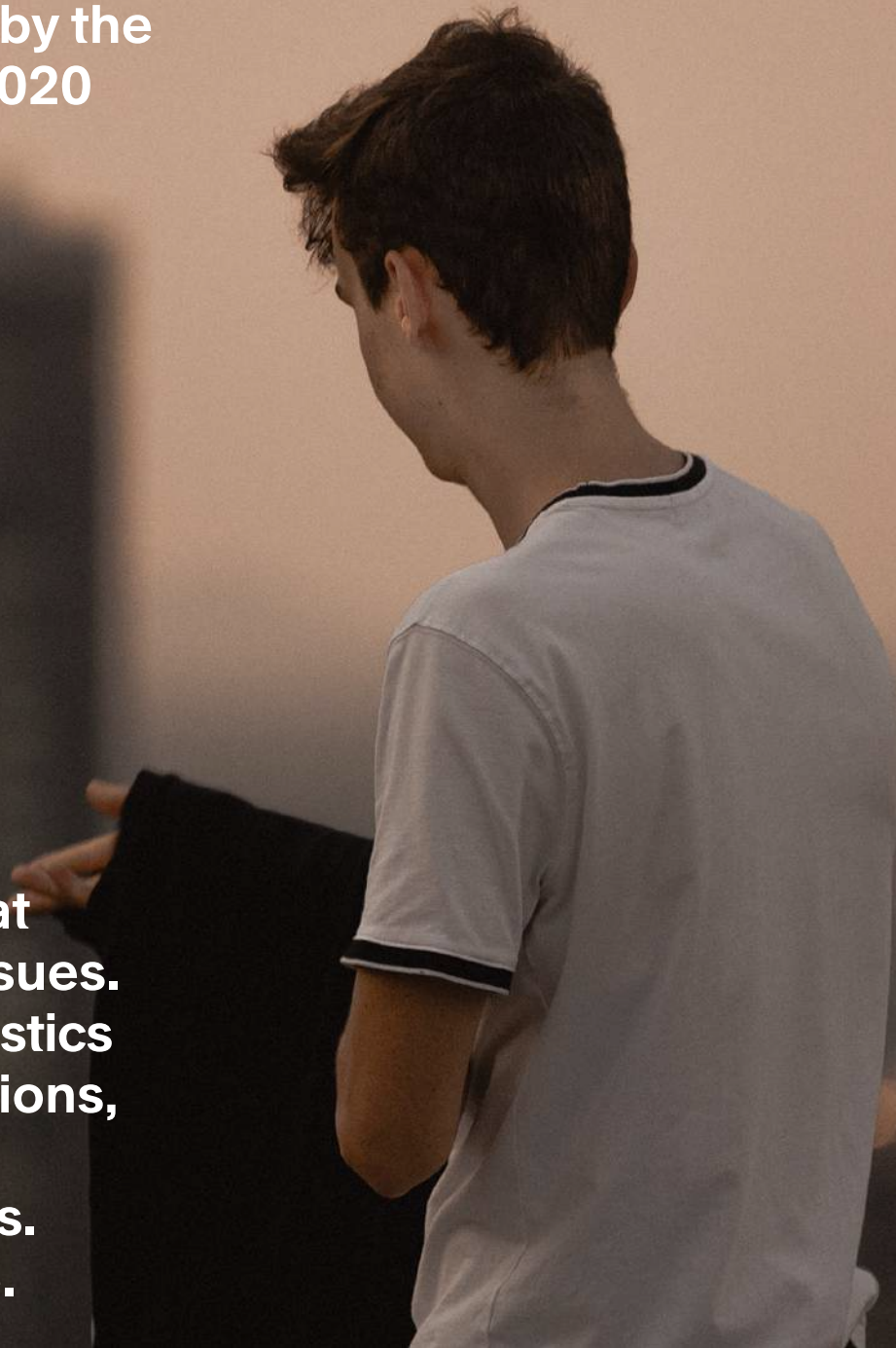
● 1 Société du parc Jean-Drapeau



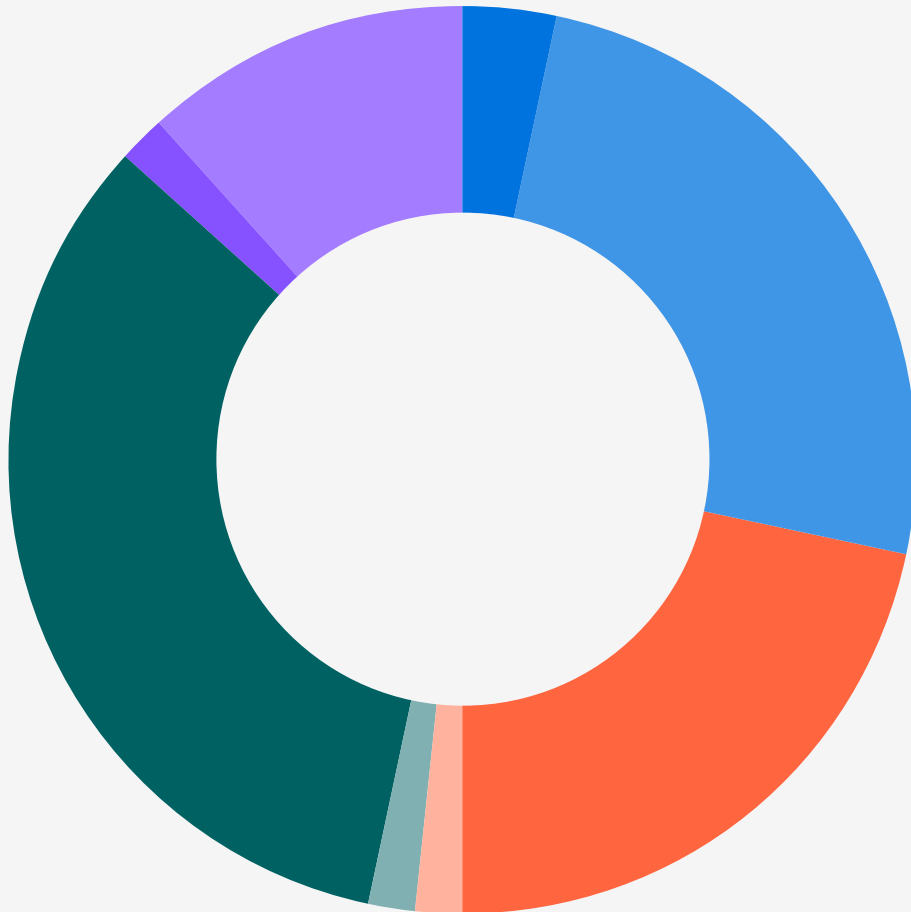
Overview of the main paramunicipal agency that was the object of a number of inquiries launched by the Ombudsman de Montréal in 2020

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 the subject of complaints. The OMHM is a good example.



Office municipal d'habitation de Montréal



Complaints received in 2020: **60**
 Inquiries launched in 2020: **19**
Topics of complaints and inquiries

- 2 Access to Information

- 15 Building: Maintenance and Salubrity

- 13 Access to Social/Affordable Housing

- 1 Nuisances

- 1 Citizen Participation

- 20 Landlord/Tenant Relations

- 1 Safety

- 7 City Services/Communication, Politeness, Delays and Procedures

Result of inquiries completed in 2020:

Complaints founded and resolved	2
Complaints ill-founded	2
Citizens referred during inquiry	9
Refusal to intervene	5

Inquiries pending as of December 31, 2020: **2**

Average processing time of inquiries closed in 2020: **26 business days**

→ [p. 26](#)

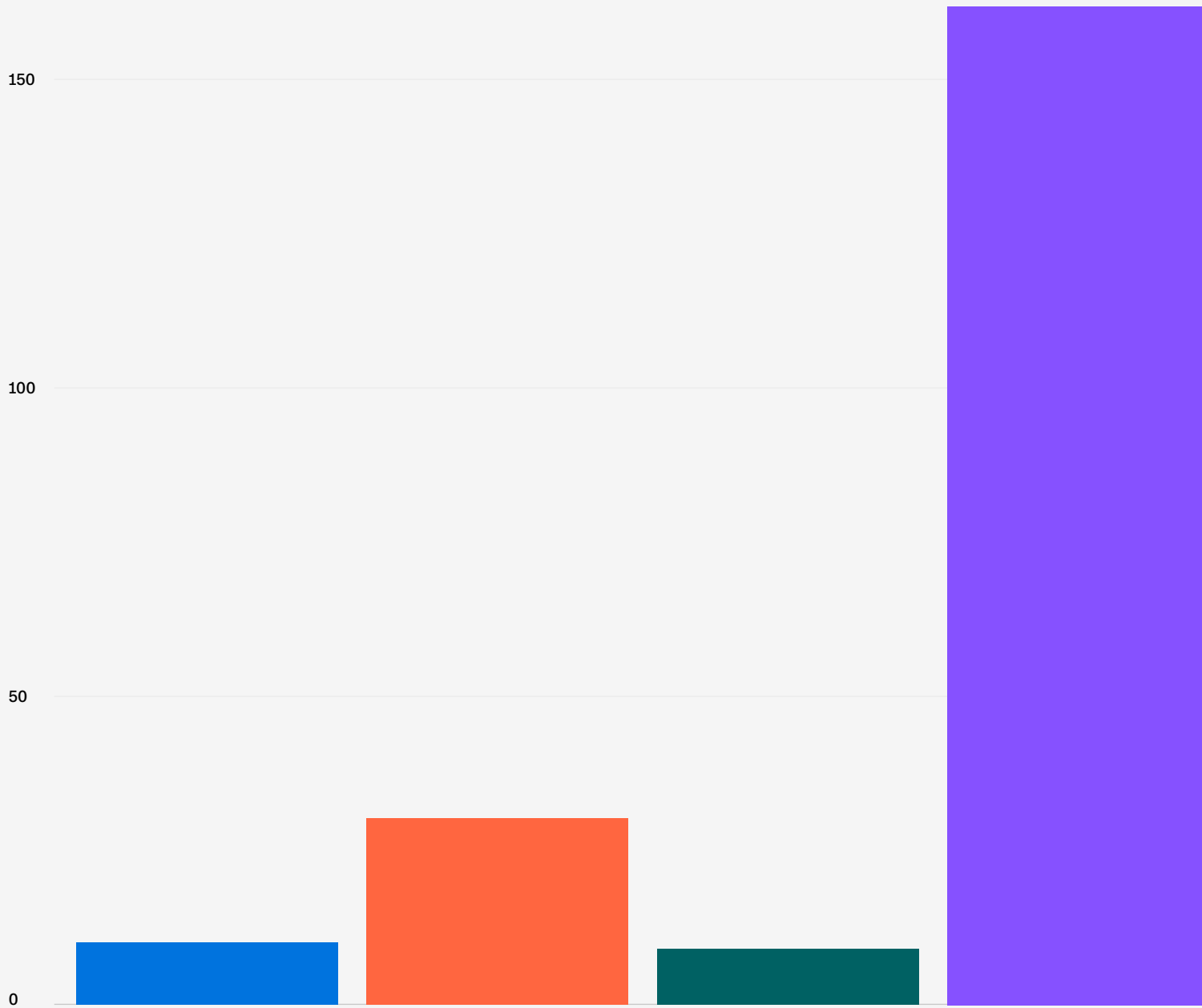
Political Entities



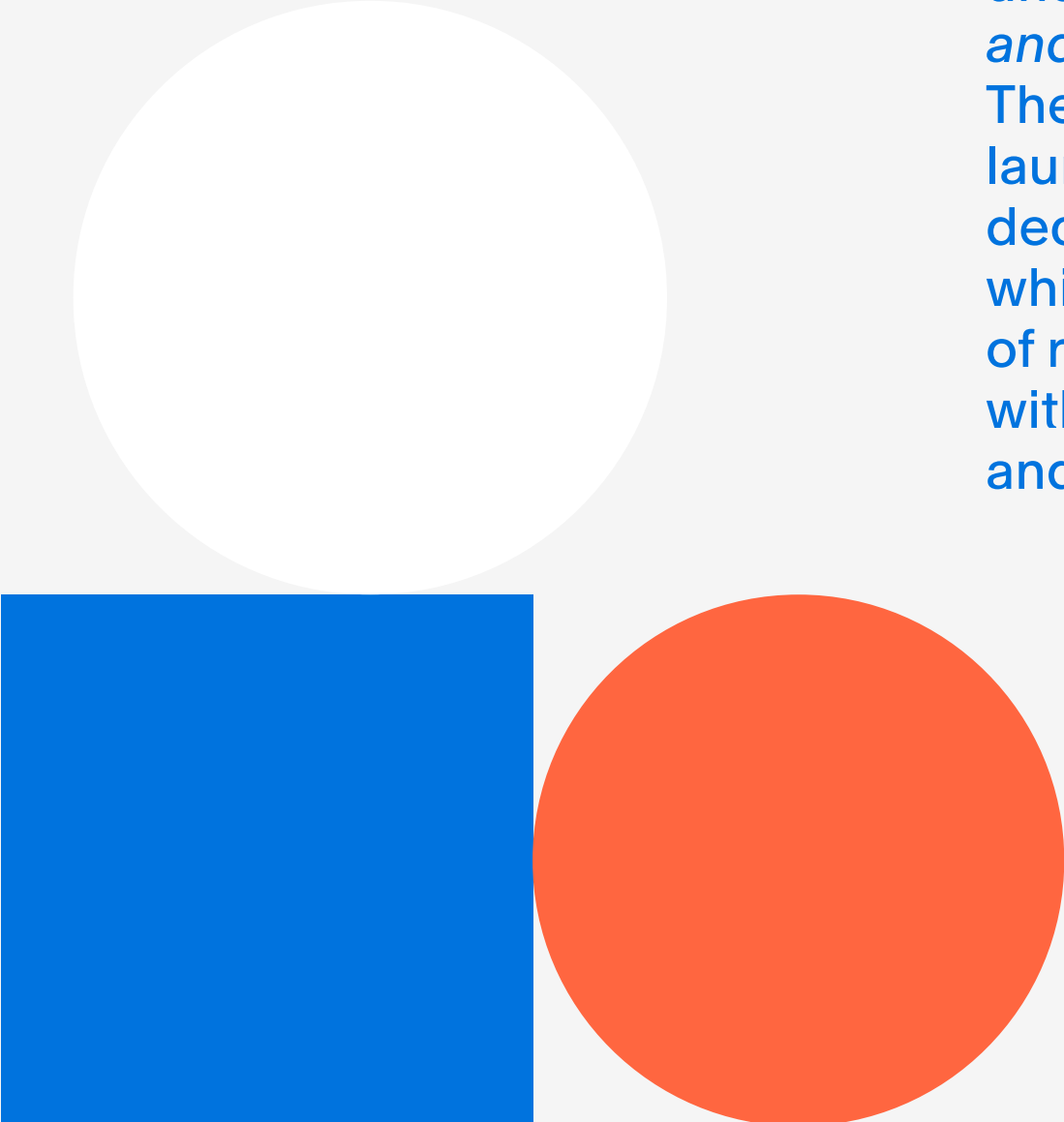
Political Entities

Complaints

Number of complaints



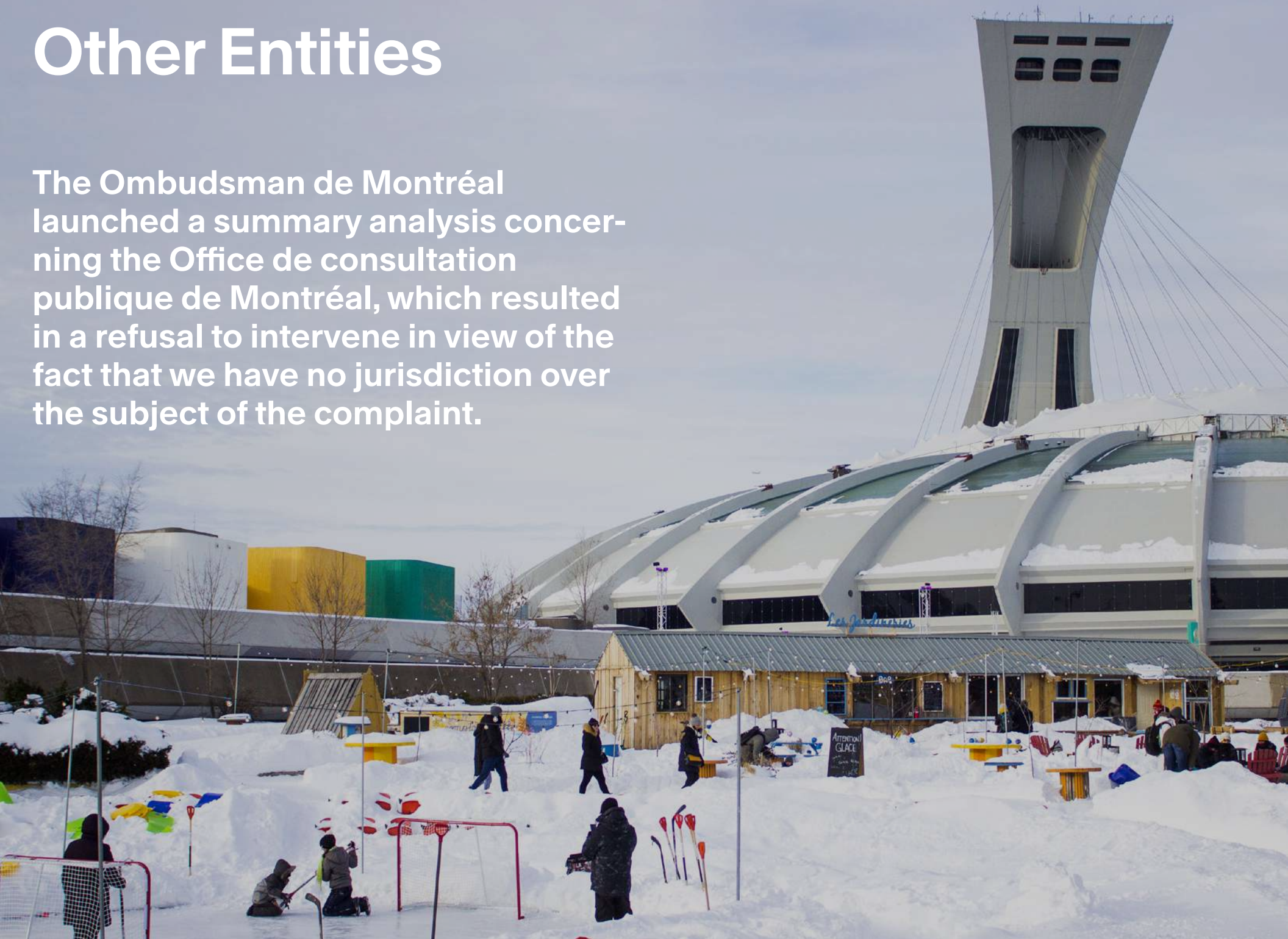
- 10 Mayor's/Mayoress' Office
- 30 Executive Committee
- 9 Committees and Advisory Boards
- 161 City Council



The Ombudsman de Montréal has jurisdiction over certain decisions taken by Ville de Montréal's political authorities when an undertaking under the *Montréal Charter of Rights and Responsibilities* is at stake. The Ombudsman de Montréal has launched 137 inquiries regarding decisions taken by the City council, which resulted in the issuance of recommendations in 133 files, one withdrawal, one refusal to intervene and two ill-founded complaints.

Other Entities

The Ombudsman de Montréal launched a summary analysis concerning the Office de consultation publique de Montréal, which resulted in a refusal to intervene in view of the fact that we have no jurisdiction over the subject of the complaint.





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« La seule intelligence qui vaille la peine, c'est celle qui nous permet de nous mettre à la place de l'autre [...] »

— L'Art presque perdu de ne rien faire (2011) de Dany Laferrière



**Ombudsman
de Montréal** **Bienveillance
et équité**

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