

# ZONING BYLAW

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*In the case of discrepancy between the English version  
and the French version of this bylaw, only the French  
version is considered valid for application of the law.*

**Bylaw number 2012-002**

**Zoning**

WHEREAS on May 11<sup>th</sup>, 2010, the Îles-de-la-Madeleine Agglomeration Council adopted a revised Land Use Planning and Development draft which came into force on June 25<sup>th</sup>, 2010;

WHEREAS following the adoption of the abovementioned Land Use Planning and Development Plan, the Municipality of Grosse Ile is obligated to adopt or revise its subdivision bylaw in order to conform to the revised plan;

WHEREAS in accordance with the provisions of the Act Respecting Land Use Planning, this bylaw was submitted for consultation during a public meeting held on June 11, 2012;

WHEREAS a notice of motion was given at the sitting of council held on April 2, 2012 regarding the presentation of a bylaw as such;

WHEREAS a copy of this bylaw was given to all members of council two (2) working days before this meeting;

WHEREAS the members of council present declare having read the bylaw;

WHEREAS during the course of the sitting, the purpose and scope of the bylaw were briefly summarized;

THEREFORE

It is moved by Vanessa Goodwin  
Seconded by Geraldine Burke  
And unanimously approved by the councillors present

THAT bylaw number 2012-002, be adopted and that the following is ordered and decreed by the said bylaw:

## **CHAPTER 1**

### **DECLARATORY PROVISIONS**

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#### **Article 1.1 TITLE AND NUMBER OF THE BYLAW**

The bylaw number 2012-002 is entitled “Zoning Bylaw”.

#### **Article 1.2 PREAMBLE AND ANNEXES**

The preamble and the annexes of this present bylaw are an integral part thereof.

#### **Article 1.3 PURPOSE OF THE BYLAW**

The purpose of this bylaw is to ensure a rational, harmonious and integrated development of the Municipality of Grosse Ile:

- by localizing various land uses while taking into account the potential and constraints of the territory and the needs of the population, now and in the future;
- ensuring the quality of life of the milieu by enforcing consistent development standards, protection of the environment and highlighting the natural environment and its resources;

#### **Article 1.4 TERRITORY OF APPLICATION**

This bylaw applies to the entire territory under the jurisdiction of the Municipality of Grosse Ile.

#### **Article 1.5 PERSONS SUBJECT TO THIS BYLAW**

Any individual or corporation, association or society is subject to this bylaw.

#### **Article 1.6 THE BYLAW AND ARTICLES**

No article of this bylaw would be known to have an effect to exclude any person from enforcing a law from Canada or the province of Quebec.

#### **Article 1.7 PROVISIONS OF OTHER BYLAWS**

Any building that is erected, set up, reconstructed, enlarged, renovated or altered and any parcel of land or building occupied or used for authorized purposes, and in the manner dictated by this bylaw are, furthermore, subject to the specific provisions of other municipal bylaws that relate to them.

## CHAPTER 2

### INTERPRETATIVE PROVISIONS

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#### Article 2.1 DIVERGENCE WITH THE BYLAWS

If, in the interpretation of this bylaw, a divergence occurs with the texts of the zoning, construction, subdivision or the issuing of permits and certificates bylaws, the provisions of each of these bylaws will prevail as follows:

- If it is a question of localization of a structure or the category to which this structure belongs or the use to which it is put in relation to the zones determined in the zoning plan, the zoning bylaw will apply;
- If it is a question of materials or the ordering of materials that must be part of the structure, the construction bylaw will apply;
- If it is a question of the layout of lots, roads and parks, the subdivision bylaw will apply;
- If it is a question of conditions to respect prior to the construction phase, the bylaw concerning the issuing of permits and certificates will apply.

#### Article 2.2 DIMENSIONS AND MEASUREMENTS

All the dimensions and measurements used in this bylaw are expressed according to the units of the International System (IS) and converted into the English System.

1 meter = 3,2808 feet

1 centimeter = 0.39 inches

1 square meter = 10,763 sq. feet

In case of dispute, the dimensions and measurements of the International System (IS) prevail.

#### Article 2.3 TERMINOLOGY

In this present bylaw, unless the context implies a different meaning, the words or expressions that follow have the meaning or the signification that is given to them in this article. If a word or term is not specifically noted in this article, the usual interpretation given to the word or term is used.

##### CAR PORT (*abri d'autos*)

A structure composed of a roof supported by the main building, completely open on one or more sides and intended to shelter one or several automobiles. If a door closes the entrance, the shelter is considered a garage.

##### ENLARGEMENT (*Agrandissement*)

Work to increase the floor-space or the volume of a building or the dimensions of any other structure.

**APARTMENT OR LODGING** (*Appartement ou logement*)

A room or group of rooms with heat, sanitary and cooking facilities, which is intended to serve as a place of residence for one or several people. An apartment or lodging must have a private entrance.

**ASSEMBLING** (*Assemblage*)

The act of fitting pieces together to form a single unit.

**LEGAL ROAD BASIS** (*assiette de rue*)

A road with an edge and a sidewalk: The expression “legal road basis” implies the part of the easement of a road that includes the roadway, sidewalk and edge.

Road with a ditch: The expression “legal road basis” implies the part of the easement of a road that includes the roadway, shoulders and ditches.

**BALCONY** (*balcon*)

A platform on one or several sides of a building under an overhanging roof and surrounded by a rail.

**BUILDING** (*bâtiment*)

A structure having a roof supported by columns, walls, or both, and intended to house people, animals or objects.

Adjacent or Row Housing: (*bâtiment contigu ou en rangée*)

Group of three or more buildings completely or partly joined by one or more common walls, all of them forming a continuous band.

Isolated Building: (*bâtiment isolé*)

A main building erected on one or several distinct lots and detached from any other main building.

Duplex: (*bâtiment jumelé*)

A main building laterally joined in whole or in part to one other main building by a common wall.

Main Building (*bâtiment principal*)

The most important building erected on a landsite whether for use, purpose or occupancy. One building on a site becomes the main building, no matter the dimensions or the use to which it is put.

Secondary Building or Accessory: (*bâtiment secondaire/accessoire*)

A building detached from the main building and located on the same lot, for which the use is complementary to that of the main building: private garage, shed, storage building, greenhouse, barn, small hangar, etc.

Temporary Building (*bâtiment temporaire*)

A temporary structure intended for particular and authorized uses for a period of no more than one year.

**Outdoor Café-Terrace** (*café-terrasse*)

The terrace of a restaurant or café is a temporary outdoor use, covered or not, complementary to the main building and where beverages and food are permitted.

**Parking Space** (*case de stationnement*)

A single space for parking a motor vehicle other than a driveway or entranceway to a parking lot.

**Fence or Hedge** (*clôture ou haie*)

A construction or hedge used to separate a property or a part of a property from another property and/or to block access.

**Community Development and Planning Advisory Committee**

This implies the designated planning advisory committee in reference to the Act on land use planning and development.

**Condominium, co-ownership divide**

Any building that is subject to the registration of a co-ownership declaration in virtue of which the property of the building is divided into units between its owners including for each one an exclusive unit and a share of the joint units.

**Council or Municipal Council**

This implies the council of the Municipality of Grosse Ile.

**Construction**

Ordered assembly of one or several materials attached to the ground or fastened to any object that is attached to the ground, to be used as a shelter, a support or any other similar purposes including but not limited to; buildings, parking lots, signs, support walls, steps, patios, swimming pools, etc.

**Sanitary Cutting** (*coupe d'assainissement*)

A sanitary cutting consists of cutting down or harvesting trees in a tree plantation that are deficient, have a defect, withered, damaged or dead.

**Yard** (*cour*)

An usually open-air space corresponding to the perimeter of a main building and limited by the boundaries of the site. A yard is divided as a front yard, side yards and back yard and is determined in a way that is parallel to the road, driveway or access road. The way of locating each of these yards is specified in the following diagrams and this according to the different types of locations and the direction of the frontage.

**Front Yard** (*cour avant*)

For interior and angular lots, the front yard is the space between the front property line of the lot and the extension of the front wall of the main building as far as the side property lines, in a case where the building is established parallel to the front line. In a case where the building is established at an angle in relation to the front property line, the front yard is the space between the front line of the lot and the two lines parallel to the easement of the road, joining the side lines of the lot to the front corners of the main building.

**Side Yard** (*cour latérale*)

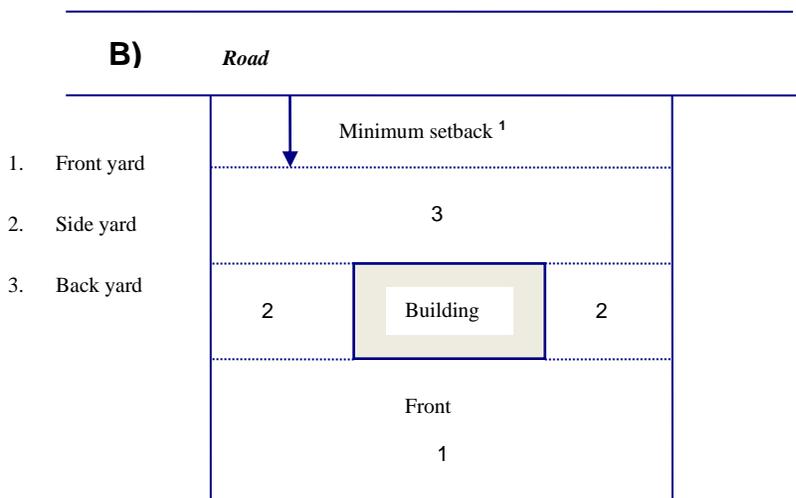
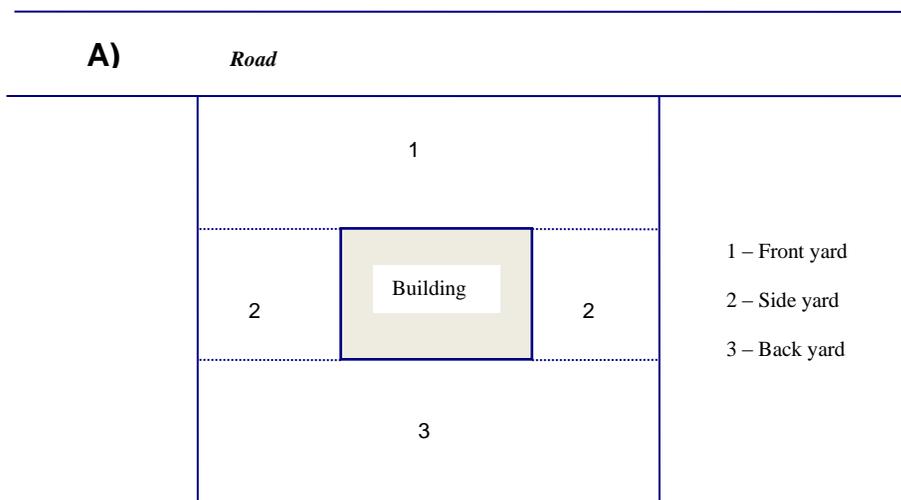
The space between the sides of a main building closest to the side property lines and are limited, in a case where the building is established parallel to the front property line, by the front and back wall extensions of the main building. In the case where the main building is established at an angle in relation to the front property line, the side yards are limited by the lines parallel to the front line and joining the side property lines of the lot to the front and back corners of the main building.

**Back Yard** (*cour arrière*)

The remainder space on a lot after subtracting the surface areas occupied by a main building and the side and front yards.

Yard Diagrams:

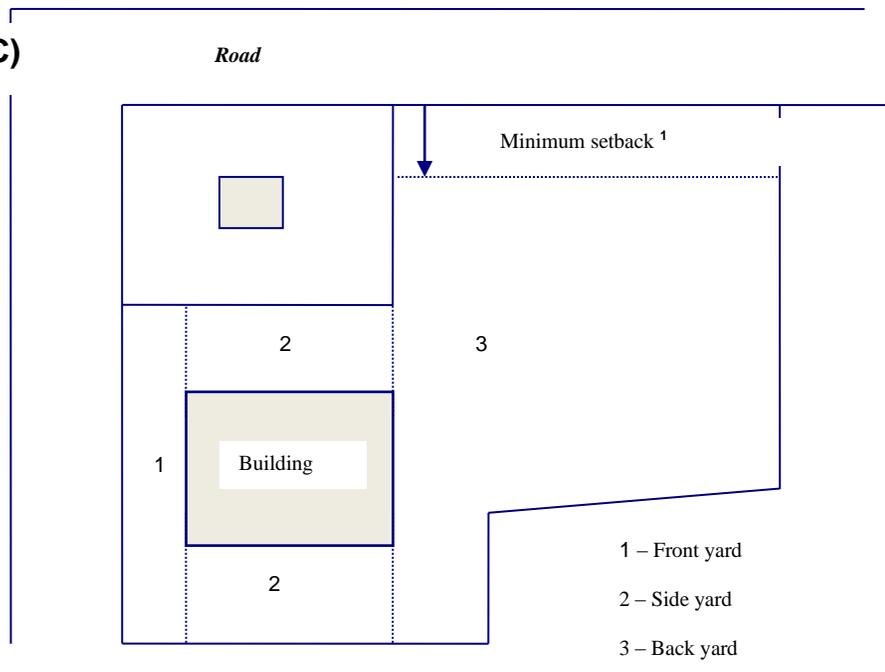
Note: To determine the yards, the side yard must be marked out first.



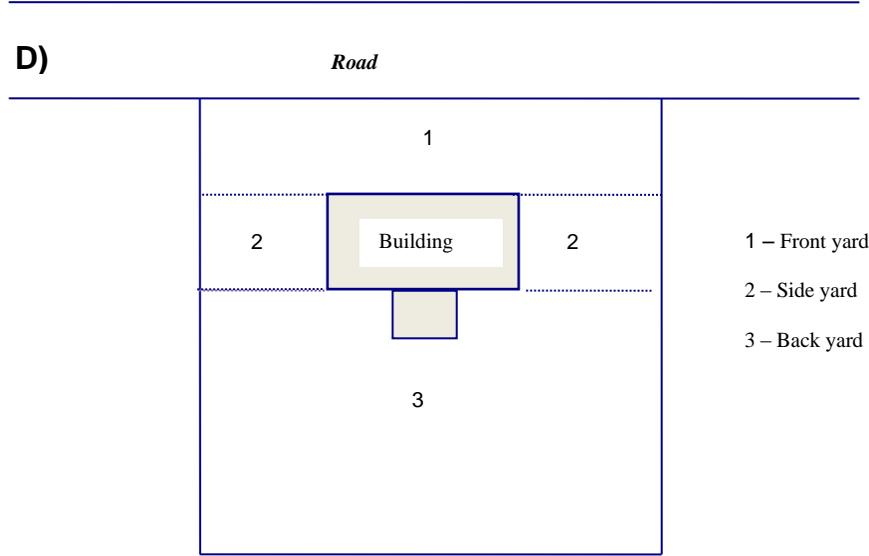
*Road*

<sup>1</sup> This only applies to a residential use

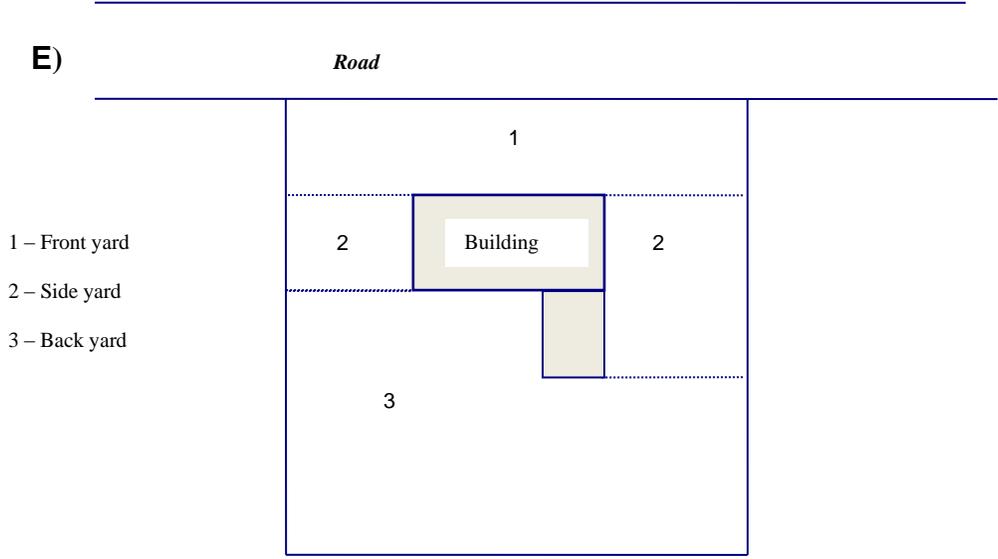
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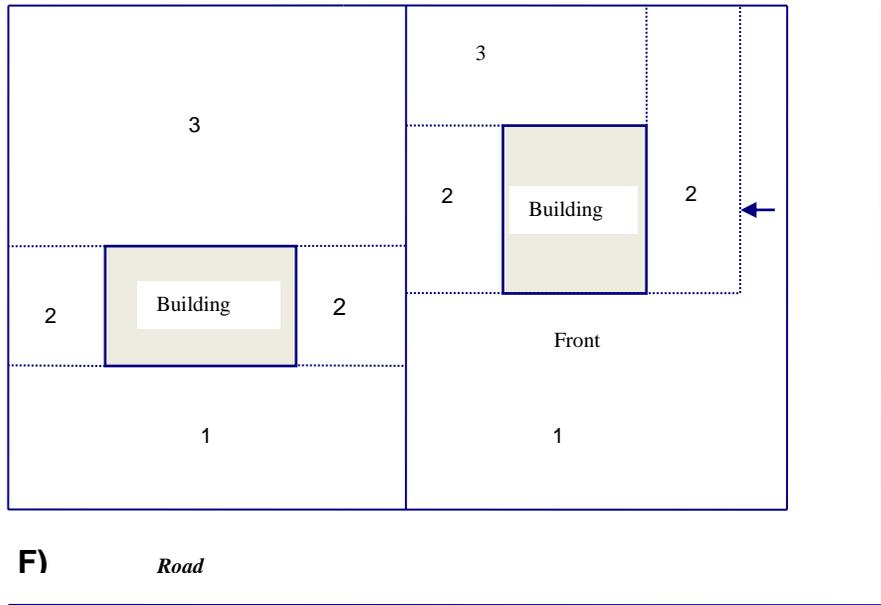
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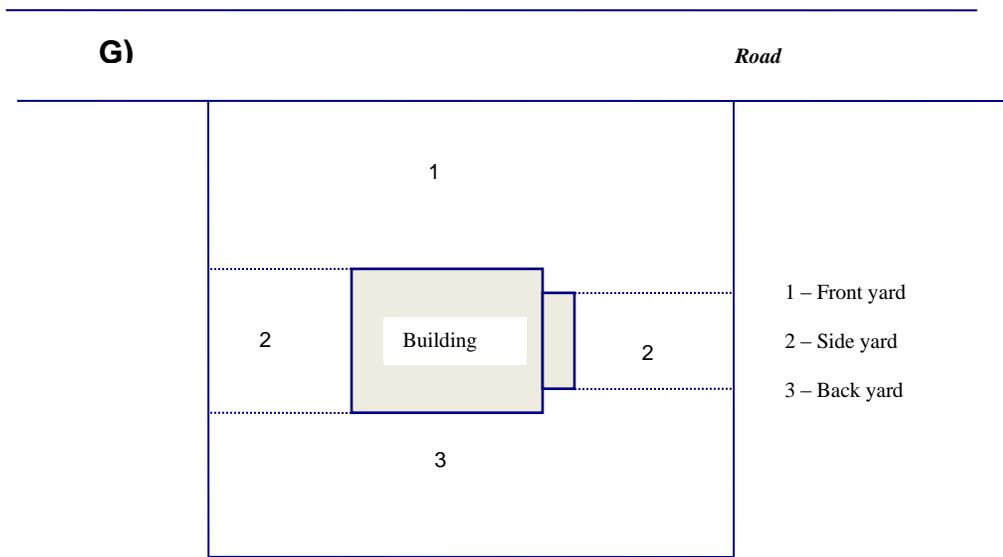
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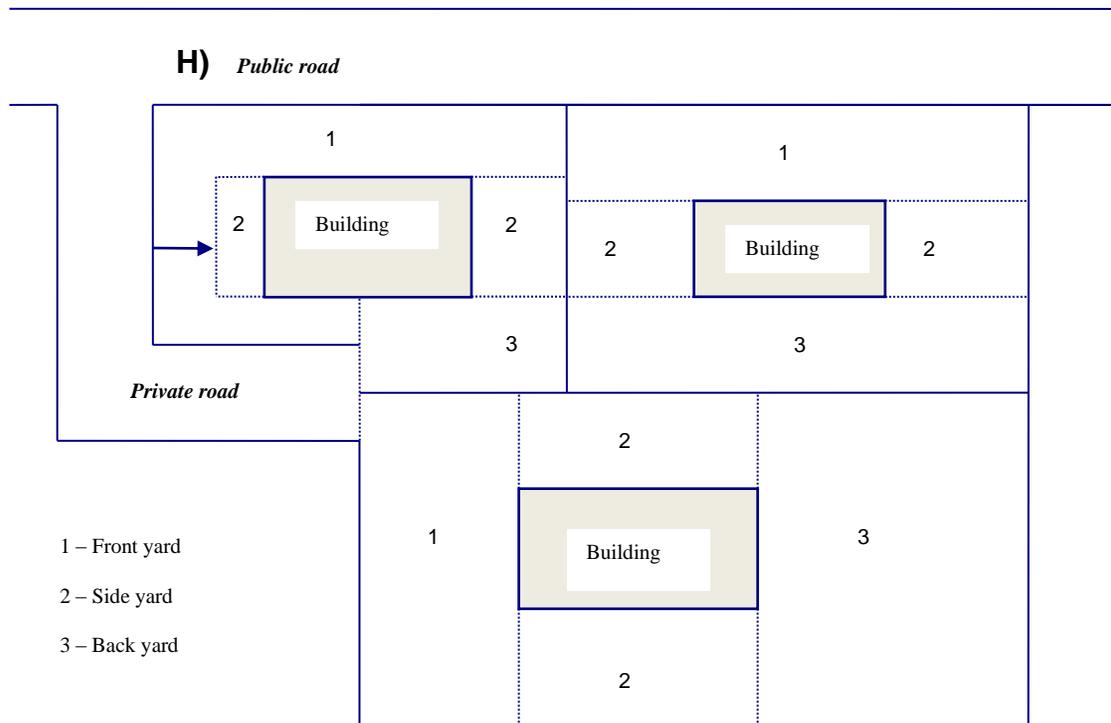


- 1. Front yard
- 2. Side yard
- 3. Back yard



\*The arrow pointing towards 2 – (side yard) represents the minimum setback





\*The arrow pointing towards 2 – (side yard) represents minimum setback margin

### **Waterways, Lakes and Bodies of Water**

This implies Gulf of St. Lawrence, lagoons, inside bays, lakes and waterways with a regular or intermittent flow, excluding road ditches and property line ditches.

### **Corridor**

A closed structure joining two (2) buildings.

### **Waterside Corridor** (*Corridor riverain*)

The waterside corridor is a strip of land that borders lakes and waterways. This corridor extends inland from the high water mark; its width is measured horizontally. It is a distance of 300 m (984,24 ft.) along the edge of lakes and 100 m (328,08 ft.) along the edge of the Gulf of St. Lawrence, a lagoon, inside bay and any other waterway with a regular flow.

### **“Verbalization” Request** (*demande de municipalisation*)

A written agreement signed by the owners of the lots adjacent to a road requesting that the Municipality verbalize the abovementioned road and accepting to integrally respect the provisions of the municipal policy in the matter.

### **Acquired Right** (*droit acquis*)

A right acquired in regards to the land use planning bylaw that was carried out in accordance with the previous regulations and without illegalities. A right as such remains protected according to the provisions foreseen in this bylaw.

## **Dune**

An accumulation of sand (hills) piled up in ridges and peaks by the wind. The definition of “dune” pertains to and includes the following three types of environments: the erosion holes, and gaps, often stripped of vegetation and sometimes flooded. We identify them by their bumpy rough edges. The active or mobile dune, in which the vegetation is more or less dense depending on the areas, begins where we find the first traces of vegetation. The firm dune, entirely covered by vegetation, is identified by the presence of diversified species of lichen, herbaceous plants, small shrubs and sometimes trees.

## **Location** (*emplacement*)

One or more distinct and adjacent lots and used for or is able to be used for a single main use or a single dominating use.

## **Easement of a Road** (*Emprise de la rue*)

Land reserved to establish a public or private road.

## **Easement** (*Emprise*)

The area that is subject to a servitude or a property right on behalf of the provincial or municipal authorities or individuals and allotted for a traffic route (including the shoulder, sidewalks, as well as the edge of land parallel to them) or the passage of various public service networks.

## **Signs** (*Enseigne*)

A flat surface enclosed within a border and intended to be used to display print (letters, words or figures), any pictorial displays (illustration, design, engraving, image or decoration), any emblems (quotations, symbols or logo), any flags (banners, streamers or pennants) or any other illustration with similar characteristics that:

- is a structure or part of a structure, or is attached, or is painted on or that is represented in any way on a building;
- is used to warn, inform, announce, advertise, promote or draw attention;
- is visible from the exterior of a building.

## **Group of Commercial or Industrial Buildings** (*Ensemble immobilier*)

Group including more than 2 main buildings located in proximity of each other and being used for the same use or type of use or a complementary use. The buildings are managed by one individual or corporation, and must have in common one or several accessories: entry of water and electricity, communal dependency, etc.

## **Group of Buildings for Tourism Accommodations**

Group of buildings in which the architectural components are uniform, constructed for tourist accommodation purposes and have heating, sanitary and cooking facilities, managed by one individual or corporation and having in common one or more accessories: entry of water and electricity, communal dependency, etc.

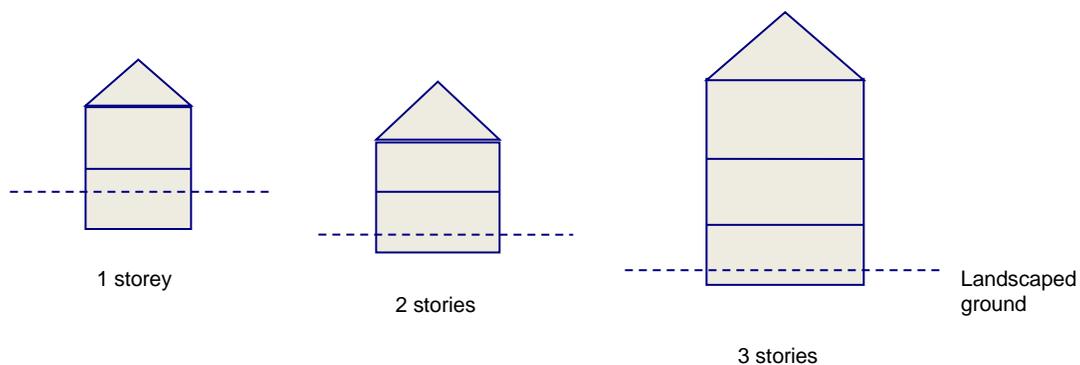
## **Buildable Space** (*Espace bâtissable*)

The remainder space after having subtracted the front setback, side setbacks and the rear setback. This space then corresponds to the precise localization of the maximum implantation permitted on the location.

### **Storey** (*Étage*)

A storey is the volume of a building contained between a floor, ceiling and walls. The first storey of a building is the one in which more than half of the volume is located at a higher level than the landscaped ground on at least two sides. This percentage must be calculated directly on the exterior surface of the foundations. If it is lived in, the attic space is considered a storey.

The height of a storey of a building intended for residential use is limited to 3 m (9,8 ft).



### **Facade**

The exterior side of a building on which the main entrance door opens onto the road, driveway or access road. The side may include a wind break.

### **Cliff** (*falaise*)

A rocky steep slope created by the work of the sea.

### **Designated Official** (*fonctionnaire désigné*)

The municipal official designated by the council to manage and enforce the land use planning bylaws.

### **Ditch** (*fossé*)

A ditch is a long narrow excavation dug in the earth, used for the drainage of surface water of neighbouring lots, such as road ditches, property line ditches that only drain adjacent lots as well as ditches used for water drainage of a single lot.

### **Gallery** (*Galerie*)

A platform that is longer than it is wide; covered and attached to the main building.

### **Commercial Garage** (*Garage commercial*)

Commercial establishment where maintenance and mechanical repairs are carried out on motorized vehicles.

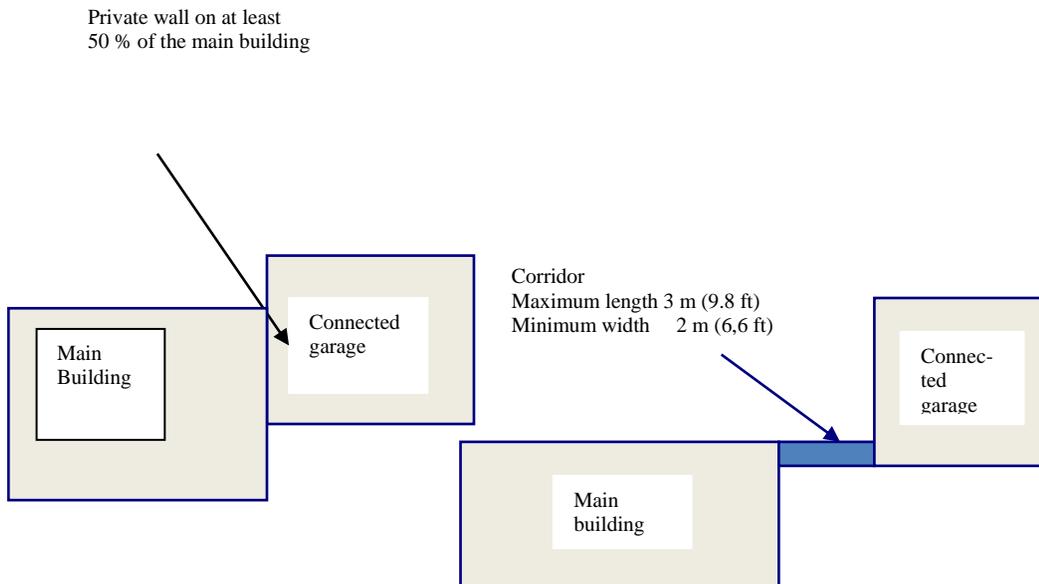
### **Private Garage** (*Garage privé*)

Secondary building integrated or separated from a main building and intended for domestic use and to shelter one or several private-use motor

vehicles. A private garage can be adjoined, incorporated into or separated from a main building.

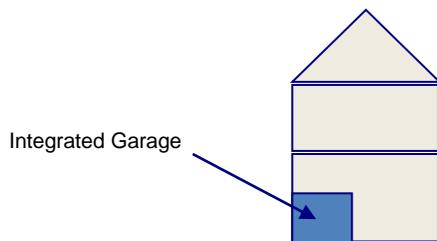
**Connected Garage** (*Garage attenant*)

An annex attached to the main building by a private wall or corridor in which the surface area is included in the total surface area of the main building.



**Integrated Garage** (*Garage incorporé*)

An area that is part of a main building having living spaces above, beneath or at the back.



**Separate Garage** (*Garage isolé*)

A building that isn't adjoined, integrated or attached in any way to the main building.

**Gazebo**

A structure that is not enclosed has a roof and is separate from the main building.

**Residence** (*Habitation*)

A building or part of a building intended for residential use and occupancy by one or several people.

The two-family, three-family or multi-family residences must be considered as being separate buildings if they are built on one property and detached from any other main building.

### **Collective Housing** (*Habitation collective*)

A building housing a group of people and including the following characteristics:

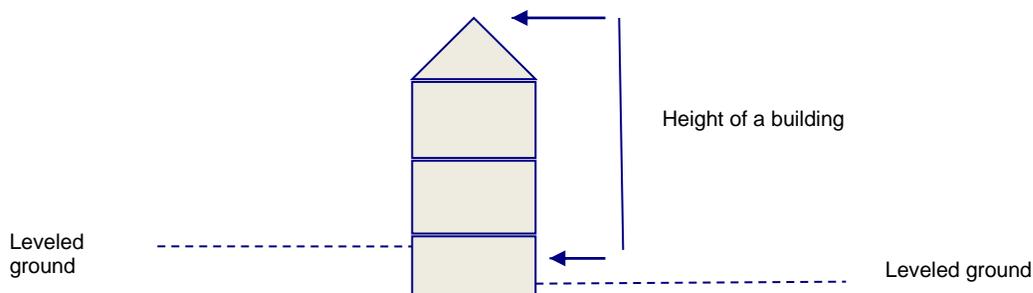
- generally speaking, the occupants are not related;
- the occupants are living there in a more or less permanent fashion compared to the transitory character of residents of hotels.

The following are considered as collective housing (but not limited to):

- seniors residences, transition homes (the chronically ill, delinquents), etc.;
- boarding houses.

### **Height of a Building** (*hauteur d'un bâtiment*)

The vertical distance between the section of average leveled ground and the highest point of a building excluding equipment, chimneys, antennas, steeples, elevator or ventilation shafts and other mechanical devices placed on a roof. In the case of a gabled roof, the highest section of the building is the height of the gable.



### **Height of a Sign** (*hauteur d'une enseigne*)

The height of a sign is the vertical distance between the ground and the highest point of the sign.

### **Skirting Around Sanitary Area of a Mobile Home**

Enclosure around a mobile home and/or trailer between the chassis and ground level to hide and protect the sanitary area found under a mobile home or trailer.

### **Front Line** (*ligne avant*)

The boundary of a lot facing a public or private road. This line can be continuous or broken in several segments.

**Road Line** (*ligne de rue*)

Separation line between a private lot and the lot designated as a road or street.

**High Water Mark** (*ligne des hautes eaux*)

For the purposes of enforcing this bylaw, the high water mark is the line that is used to delimit the littoral and the shoreline.

This “line” of high water mark is located at the ordinary high water mark, in other words:

- a) the area where predominately terrestrial plants succeed predominately aquatic plants or, if there are no aquatic plants, the area where terrestrial plant species no longer grow in the direction of the body of water.  
Plants that are considered aquatic are all the hydrophytes including the submerged, floating plants, emerging herbaceous and ligneous, characteristics of marshes and swamps nearby these bodies of water;
- b) in the case where there is a water retaining structure, at the maximum operating water level of the hydraulic structure for the upstream portion of the body of water;
- c) in the case where there is a legally erected retaining wall, from the top of the structure;

Failing to determine the high water mark by the previous criteria, it may be located in the following manner:

- d) if the information is available, at the two-year recurrent flood limit, which is equivalent to the line established according to the botanical criteria previously defined in point a).

**Littoral**

The section of a waterway or body of water that extends from the ordinary high water mark towards the center of the body of water or waterway.

**Lot**

A piece of land identified and delimited on the official cadastral plan, registered at the Quebec Ministry of Natural Resources.

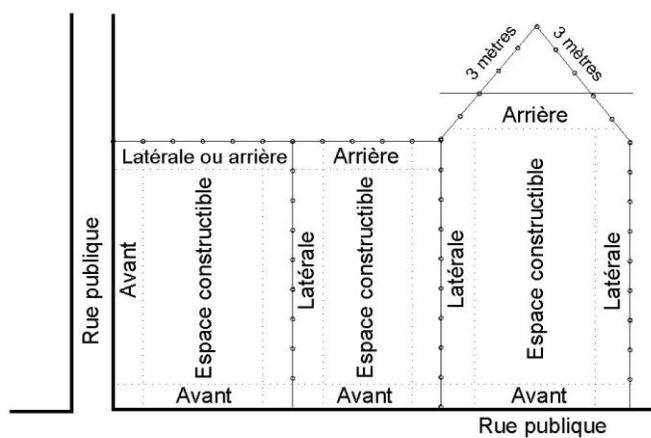
**Corner Lot** (*lot de coin*)

A lot located at the intersection of two roads.

**Setback** (*marge*)

Minimum depth of space permitted between a building and the front, rear and side boundaries of a lot.

**SETBACKS**



### **Marquee** (*marquise*)

A structure in the form of an over-hanging roof on a wall, or supported by posts and completely open at all times.

### **Wetlands** (*milieu humide*)

An area flooded or saturated by water during a long enough period of time to influence the nature of the soil and the composition of the vegetation. The species of plants found there are hydrophilic (having a preference for humid areas) or plants that can tolerate periodic flooding. The floods can be caused by the seasonal fluctuation of a body of water adjacent to a wetland or may result from an insufficient drainage when the wetland is not in contact with a permanent body of water. The ponds, marshes, swamps and peat bog represent the main wetlands.

Wetlands are classified according to the following quality ratings:

#### **RATING 1: Wetlands rated as low**

The wetland that is rated as low is generally one having a low ecological value. It does not have any particular species and there is very little variety of vegetation. In most cases, the water is present in a temporary manner, in springtime or during exceptional rises in water levels, but does not permit the establishment of diverse flora or fauna species. They are often very small wetlands, isolated and already altered because of human activities.

#### **RATING 2: Wetlands rated as average**

Usually, the wetland with a #2 rating is of better ecological quality than the previous wetland. In most cases, the difference is within the variety of plant species that is more heterogeneous. These wetlands often have less human activity. Often, water is present for a longer period of time, thus allowing the establishment of a more specific fauna and the contribution to the water table is possibly more important.

#### **RATING 3: Wetlands rated as high**

A wetland with a #3 rating is generally very rich; water is usually present on a permanent basis and open, thus ensuring a good drainage and oxygenation of the wetland. The plant species are also diversified. These wetlands are altered very little due to human activities. They usually cover a larger area than that of rating 2. They are wetlands that have a great value for the ecological heritage of the Îles-de-la-Madeleine.

#### **RATING 4: Wetlands rated as superior**

A wetland in this category shelters one or several species of particular fauna or flora. These wetlands are very rich, diversified, rare and exceptional.

### **Isolated wetland** (*milieu humide isolé*)

A wetland that is not connected to a waterway, another wetland, lake or the sea.

### **Municipality**

The Municipality of Grosse Ile.

**Cadastral Operation** (*Opération cadastrale*)

A division, subdivision, new subdivision, cancellation, correction, addition or a replacement of lot numbers made in virtue of articles of the Quebec Civil Code.

**Work** (*Ouvrage*)

Work implies an assembling of materials including but not limited to: buildings, fences, hedges, swimming pools, patios, parking areas, supporting walls and steps.

**Pergola**

A small structure made of girder supported by light pillars and can support climbing plants. The pergola is not considered a secondary building.

**Swimming pool** (*piscine*)

An artificial basin, permanent or not, exterior or interior having a minimum depth of 45 cm (1,5 ft), can be emptied or filled one or several times a year and designed for swimming or other aquatic activities.

**Flood Plain** (*Plaine inondable*)

For the purposes of this bylaw, the flood plain is an area occupied by a body of water (gulf, bay, lagoon, lake, etc.) or a waterway during the period when water levels rise. It corresponds to the geographical layout of flooded sectors in which the boundaries are identified in the annexes of this bylaw.

**Whoever** (*quiconque*)

The word “whoever” means any moral or physical person.

**Water Network** (*Réseau d'aqueduc*)

Signifies all of the public system of pipes and equipment mainly used for supplying drinking water to properties as well as firefighting operations and without limiting the general points just stated, the water network includes the valves, the boxes or chambers of the valves, air and water vents, fire hydrants, the connections as far as the easement line of the road, pressure reduction stations and pumping stations.

**Domestic Sewer Network (sanitary)** (*Réseau d'égout domestique*)

Signifies the public system of pipes that contain and carry liquid waste and includes the manholes and connections as far as the easement line of the road, as well as the pumping stations and treatment plants.

**Rainwater Sewer Network** (*Réseau d'égout pluvial*)

Signifies the public system of pipes and ditches that contain and carry rainwater, run-off waters and the water from the melting of snow and this includes the manholes, storm drains and the connections as far as the road easement line including ditches.

**Shoreline** (*rive*)

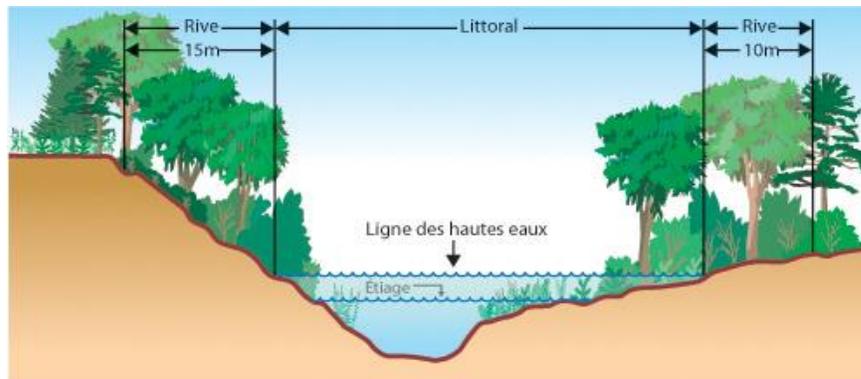
For the purposes of this bylaw, the shoreline is a strip of land that borders lakes and waterways extending inland from the high water mark. The width of the shoreline that is to be protected is measured horizontally:

The shore is a minimum of 10 m:

- when the slope is less than 30%, or;
- when the slope is greater than 30% and the embankment is less than 5 m high.

The shore is a minimum of 15 m:

- when the slope is continuous and greater than 30%, or;
- when the slope is greater than 30% and the embankment is 5 m high.



Moreover, within the framework of enforcing the Forestry Act (L.R.Q., c. F-4.1) and the regulations regarding the intervention standards in Crown forestry areas, particular protection measures are foreseen for the shoreline.

**Local Road** (*Rue locale*)

Road in which the major purpose is to give access to properties, especially in sectors of residential use. It is characterized by a small easement width aiming to limit the speed and volume of traffic.

**Collective Road** (*Rue collectrice*)

Road in which the main purpose is to be used as a servicing lane for the local road network by linking them to the main roads, while giving access to the properties that border it. It is characterized by an average easement width and in general, by a rather rectilinear layout.

**Private Road** (*Rue privée*)

Road or access not belonging to the municipality or another public authority.

**Public Road** (*Rue publique*)

Road or driveway under the jurisdiction of the municipality or another public authority (see pg. 10)

**Buffer Zone** (*Séparateur de coupe*)

A large enough strip of vegetation of the residual forest. Any treelike vegetation with a height greater than 4 m. (13.12 ft.) can be considered as the buffer zone.

### **Servitude**

Charge or burden imposed on an immovable. This charge obliges the owner of the right to permit, on behalf of the owner of dominating rights, certain uses or for him to abstain from carrying out certain inherited rights to the property. The servitude is subject to everything necessary in its practice.

### **Basement** (*sous-sol*)

Any volume of a building that does not exceed 1,5 m. (4,9 ft.) below ground level.

### **Spa (hot tub)**

A bubbling, whirling bath in which the water is recycled in a closed manner.

### **Total Surface Area of a Floor** (*Superficie totale de plancher*)

The surface area of the floors of a building measured within the exterior walls or from the center line of common walls, with exception to the sections of the building used for parking, heating installations and other similar equipment.

### **Alteration of material** (*Transformation de matériaux*)

Changes or modifications to materials from one context to another, like transforming sap into maple syrup.

### **“Municipalization Work”**

The expression “municipalization work” signifies all work related to municipal infrastructures and equipment and falls under one of the following categories:

- All construction and development work on a road, from the initial tree-cutting and excavations to the pavement, lighting and signs, including all intermediate phases such as road drainage work, ditches, construction and layout of culverts, construction of bridges, all work related to rainwater and drainage networks in order to provide a conform outlet for the water;
- All construction work of water and sewer connections, including all necessary work for the proper functioning of these networks such as pumping and pressure stations, systems for the treatment of liquid waste, retention basins as well as maintaining fire hydrants, etc.;
- All work related to the development of parks, playgrounds and green spaces, bicycle or multi-functional trails and pedestrian trails.

### **Use** (*usage*)

The purpose for which an immovable, building, structure, lot or one of their sections is used or occupied.

### **Secondary/Complimentary Use** (*usage complémentaire*)

Use commonly linked to and compatible with the main use; contributing to improve its usefulness, convenience and attractiveness.

Secondary Use – Domestic or Professional (*Domestique ou professionnel*)

Secondary use of the main residence that enables the resident (s) to carry out a profit-making activity under certain conditions stipulated by this bylaw.

Non-Conforming Use (*usage dérogatoire*)

A use is non-conforming when it does not conform to one or several provisions of this bylaw.

Main Use (*usage principal*)

Any use authorized within a zone and can only be carried out on a lot or in a building.

**Temporary Use** (*Usage Provisoire*)

A use that may be authorized for pre-determined periods of time, not exceeding 6 months.

**Ground Use** (*Utilisation du sol*)

The use of the ground or soil as support purposes for human activities.

**Trap-flake** (*vigneau*)

An above ground structure on which lobster traps can be stored.

**Zone**

Any part of a territory delimited by regulations and appearing on the zoning plan adopted in this bylaw.

## CHAPTER 3

### DIVISION OF THE TERRITORY

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#### **Article 3.1 DIVISION OF THE TERRITORY IN ZONES**

For the purposes of enforcing this bylaw, the territory of the municipality is divided into the following zones that appear on the zoning plan and identified by the following letters:

Residential Zone	Ra – Rb – Rc – Rd
Village Core Zone	NV
Industrial Zone	Ia – Ib – Ic – Id
Public Zone	Pa – Pb
Forestry Zone	Fa
Agricultural Zone	Aa – Ab
Recreational Zone	RECa – RECb – RECc
Conservation Zone	Va

#### **Article 3.2 RULES FOR INTERPRETING THE ZONING PLAN**

On the zoning plan, the zone boundaries are formed with lines or traces identified in the legend of the plan. In case of imprecision with regards to the exact location of these boundaries, they are presumed to coincide with one or another of the following lines:

- the subdivision lines or their extensions;
- a line parallel to the road line and diverging from it for a distance indicated in the Municipality's zoning plan and measured from the plan's scale;

**CHAPTER 4**  
**CLASSIFICATION OF USES**

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**Article 4.1**    **CATEGORIES AND CLASSES OF USES**

For the purposes of enforcing this bylaw, the main uses are grouped together according to their nature, the compatibility of their physical characteristics and according to their degree of interdependence.

<b><u>Category</u></b>	<b><u>Classes of Use</u></b>
Residential	H1    single-family dwelling H2    two-family dwelling H3    three-family dwelling H4    multi-family dwelling H5    mobile or modular home
Commercial	C1    light commerce and services C2    moderate commerce and services C3    heavy commerce and services
Industrial	I1    light and moderate industry I2    industry related to exploiting marine resources I3    Heavy Industry I4    industry related to extraction of resources
Public	P1    municipal institutions P2    public or general public institutions P3    heavy municipal institutions
Recreational	REC1 light recreational activity REC2 moderate recreational activity REC3 heavy recreational activity
Agricultural	A1    light agricultural activity A2    moderate agricultural activity A3    heavy agricultural activity
Forestry	F1    forestry activity
Conservation	V1    conservation

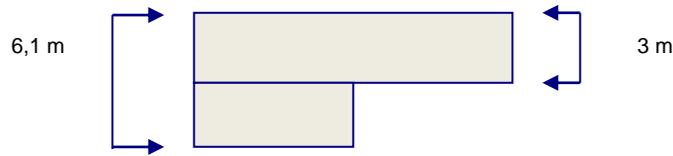
**4.1.1**    **Residential Category**

The residential group is divided into five (5) use classifications having similarities in regards to their mass, volume and the density of the population they represent.

Exception to the general rule, only in the case of isolated or duplex single-family dwellings the basement lodging is not calculated in the total number of lodgings. Only one basement lodging is authorized per dwelling.

In all cases, the basement lodging must conform to the parking area requirements.

The minimum width of any dwelling, on at least half of the length and in a continuous manner, is 6,1 m (20 ft.).

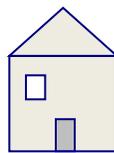


Exceptionally, mobile and modular homes as well as dwellings permitted in the vacation zone may have a width inferior to 6,1 m (20 ft.).

**Single-Family Dwelling (H1)**

Isolated single-family

Dwelling with only one lodging, detached from any other building.

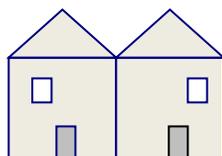


Isolated single-family

Minimum floor area per storey: 44,6 sq. m. (480 sq. ft.)

Single-family Duplex

Dwelling with only one lodging, joined to another single-family dwelling by a common wall.



Single-family duplex 1 storey

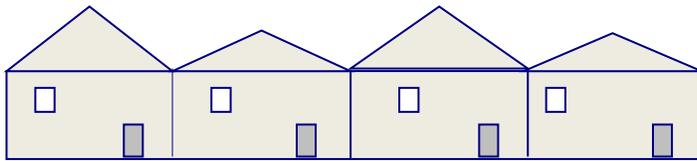
Minimum floor area per storey: 89,2 sq. m. (960 sq. ft.)

This type of building can also be a dwelling with two lodgings separated by a private wall and constitutes a single property.

Single-family adjacent or row housing

Group of dwellings in which each of them only has one lodging and joined by a common wall, except for the end houses which only have one common wall.

The displacement of this type of dwelling must be variable and each of the lodgings offset one in relation to the other, in a way that ensures a non-linear front alignment. The level of the roofs must be different and flat roofs are prohibited. The exterior finishing must be of wood (cedar shingles, manufactured boards placed horizontally or vertically) or brick and each lodging must have a private entrance.



Single-family adjacent 4 units joined by a common wall

Minimum number of units: 3

Maximum number of units: 4

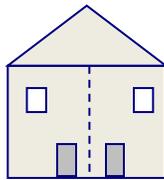
Minimum floor area per storey: 133,8 sq. m. (1440 sq. ft.)

This type of building can also be a dwelling having 3 or 4 lodgings separated by a private wall and constituting a single property.

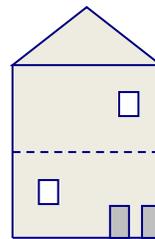
### **Two-family Dwelling (H2)**

#### **Isolated two-family**

Dwelling having only two lodgings, detached from any other dwelling.



Isolated two-family, 1 storey

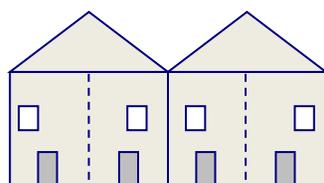


Isolated two-family, 2 stories

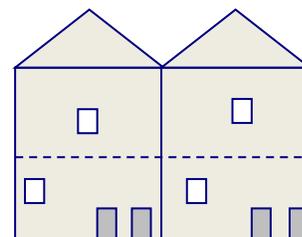
Minimum floor area per storey: 89,2 sq. m. (960 sq. ft.)

#### **Two-family Duplex**

Two dwellings each with only two lodgings and joined by a common wall.



Two-family duplex, 1 storey



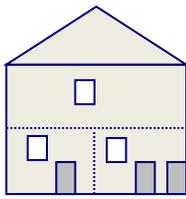
Two-family duplex, 2 stories

Minimum floor area per storey: 178,4 sq. m. (1920 sq. ft.)

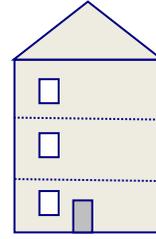
### **Three-family Dwellings (H3)**

#### **Isolated three-family**

Dwelling with only three lodgings, detached from any other dwelling.



Isolated three-family, 2 stories



Isolated three-family, 3 stories

Minimum number of stories: 2

Maximum number of stories: 3

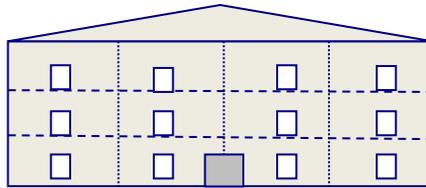
Minimum floor area, 2 stories: 89,1 sq. m. (960 sq. ft.)

Minimum floor area, 3 stories: 74,3 sq. m. (800 sq. ft.)

### **Multi-family Dwelling (H4)**

#### **Isolated multi-family**

Dwelling with 4 or more lodgings, detached from any other dwelling. Maximum: 12 lodgings.



Multi-family 3 stories 12 lodgings

Minimum number of stories: 2

Maximum number of stories: 3

Minimum floor area, 2 stories: 89,1 sq. m. (960 sq. ft.)

Minimum floor area, 3 stories: 89,1 sq. m. (960 sq. ft.)

### **Mobile and Modular Homes (H5)**

Isolated single-family dwelling with a minimum width of 3,5 m. (11,5 ft.) and a minimum length of 9 m. (30 ft.), factory made, designed to be lived in year round and moved to its final destination on its own chassis. Any similar construction with smaller dimensions is considered a trailer.

Also part of this class of use is the modular home, having dimensions similar to those of the mobile home, is factory made and moved to its final destination on a trailer.

## **Article 4.1.2 Commercial Category (C)**

The commercial group is divided into three classifications of commercial and service uses having similarities in their type, occupation of the site, erection and occupation of the buildings. No commercial use, with exception to temporary uses, can be carried out on a lot where there is no main building constructed in conformity to the provisions of this bylaw.

At ground level, only uses permitted in each of the commercial zones are authorized. Authorized uses on the ground floor are also permitted in the higher levels provided that they have interior

access with a stairway or an elevator. However, the emergency stairway can be located outside.

The minimum surface area of any building housing a commercial use is 37 sq. m. (400 sq. ft.) with a minimum width of 6 m. (20 ft.). This provision does not apply to kiosks (stands) constructed for selling fruits and vegetables or flowers.

### **Light Commerce and Services (C1)**

#### General characteristics

Included in this category is commerce such as retail sales and service commerce that generally provide services at the local level, they occupy small areas and only deal with a small stock.

#### Basic requirements

All the operations are done inside the main building.

The merchandise sold is generally carried by the customer himself. No merchandise is stored outside for any given period of time, with the exception of flower, fruit and vegetable displays.

In no circumstance will the surface area exceed 250 sq. m. (2691 sq. ft.) and the number of stories is limited to 3.

#### Authorized Uses

General and specialized food stores such as: grocery, butcher shop, fruit and vegetable shops, bakeries, candy and confectioner's, milk products, delicatessens;

Businesses that sell common consumer products such as: florists, shoe stores, clothing stores, hardware, tobacco shops (limited variety), convenience stores without gas pumps, drugstores, auto part stores;

Financial, personal or professional services such as: repairs to household appliances, hairdressers, beauty salons, laundries, repair shops, locksmiths, tailors, cleaners, banks, doctors, accountants;

Daycares;

Restaurant, relaxation and accommodation services such as: rooming houses and inns (maximum 6 rooms including that of the owner), cafés, café-terraces, canteens, restaurants;

Warehouses with a small surface area.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **Moderate Commerce and Services (C2)**

#### Characteristics

Included in this category is retail sales or services commerce that occupy larger areas and deal with a medium-sized stock.

### Basic Requirements

All the operations are done within the interior of a building, with the exception of a café-terrace or a restaurant with outdoor service.

Outdoor storage is only permitted in the back yards and must be enclosed. Otherwise, no merchandise is stored outside for any given period of time, with the exception of flower, fruit or vegetable displays.

The transformation and assembling of materials are prohibited in all yards.

The building used for this purpose is limited to three (3) stories.

### Authorized Uses

The establishments in C1 when the surface area exceeds that required for C1;

Restaurant, relaxation and recreational businesses such as bars, entertainment bars (except for those exploiting eroticism), pubs, café-terraces, reception rooms, cinemas, theaters, and gaming rooms;

Restaurants with or without outdoor service;

Inns, motels, hotels, with a maximum of 20 rooms;

Premises and multi-purpose halls serving community, cultural, sports and educational purposes, as well as the premises of associations and social clubs;

Government services: (executive, legislative, judicial and preventive), postal services.

Gas stations with maintenance services and car washes;

Warehouses and garages of artisan entrepreneurs;

Wholesale distributors, warehouses, offices, sales areas and shops linked to the trades of the construction industry such as: electricians, plumbers, tin smith, carpenters, painters, welders, artisan entrepreneurs, on the condition that the floor area does not exceed 350 sq. m. (3 767 sq. ft.)

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### Heavy Commerce and Services (C3)

#### General Characteristics

Included in this category are retail sales and wholesale businesses and services that are provided at a regional level and they occupy larger areas, in which a part can be used for displays and outdoor storage as well as assembling materials.

### Basic Requirements

Exterior storage and assembling of materials are permitted in the rear and side yards provided that the area is enclosed, with exception for merchandise that needs to be on display such as automobiles, trailers, tent-trailers.

However, exterior storage of vehicle parts or carcasses, tires, construction scraps, parts for recuperation or recycling is strictly forbidden.

The building used for this purpose is limited to 3 stories.

### Authorized Uses

Establishments from Class C1 and C2;

Motels and hotels with more than 20 rooms;

Wholesale businesses such as: distributors of soft drinks, beer, food supplies;

Businesses linked to the transformation and sale of food and drinks such as: bakeries, cheese factories, breweries;

Businesses that deal with automobiles such as: service stations with or without maintenance services, garages, establishments for sale and storage, automobile rental agencies;

Businesses that sell and repair plough equipment, and sell heavy machinery and parts;

Businesses that sell construction materials;

Ambulance services;

Businesses that sell and rent equipment or recreational vehicles, such as: trailers (campers), tent-trailers, trailers, semi-trailers, small pleasure boats, pools, etc.;

Sales offices and areas for displaying mobile homes, pre-fabricated homes and cottages or cabins;

Wholesale distributors, warehouses, offices, sales areas and shops linked to the trades of the construction industry, such as: electricians, plumbers, tin smiths, carpenters, painters, welders which exceed 350 sq. m. (3 767 sq. ft.);

Warehouses and garages of artisan entrepreneurs;

Manufacturing businesses of basic consumables;

Commercial centers.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### 4.1.3

#### **Industrial Category (I)**

The industrial group is divided into five (5) classifications of use: manufacturing enterprises, factories, and shops that can, due to the nature of their operations or stockpiled materials, cause certain inconveniences for the neighbourhood.

#### **Light and Moderate Industry (I1)**

##### General Characteristics

Included in this group are industries that occupy small surface areas and their activities causes little inconvenience for the neighbourhood.

##### Basic Requirements

Outdoor storage and assembling of materials is permitted in the rear and side yards provided that the area is fenced in. Storage in the front yard is strictly forbidden.

The dismantling of vehicles is strictly forbidden.

The building used for this purpose is limited to three (3) stories.

##### Authorized Uses

Class C3 establishments are authorized but classes C1 and C2 which are usually included with C3 are not;

Auto body repair shops;

Impound yards;

Heavy transport and trucking enterprises;

Vehicle towing services.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

#### **Industry Related to the Exploitation of Marine Resources and Harbour Activities (I2)**

##### General Characteristics

Included in this group are the industries, equipment, infrastructures and services related to fishing and aquaculture activities as well as other sea-related activities.

##### Basic Requirements

Outdoor storage is permitted in the rear and side yards but must be fenced in.

The building used for this purpose is limited to 3 stories.

##### Authorized Uses

Fish processing plants and related uses;

Offices and warehouses related to marine transportation and the shipment of merchandise;

Wharves and all harbour infrastructures;

Marinas and related uses;

Sites for hauling boats and boatyards;

Shops for repairing and constructing boats;

Establishments for selling or repairing fishing gear or marine engines;

Offices and areas related to activities such as fishing, research and marine and fisheries management.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **Heavy Industry (I3)**

#### General Characteristics

Included in this group are industries that occupy large areas and the activities may cause inconveniences for the neighbourhood.

#### Basic Requirements

Outdoor storage is permitted in the back and side yards and must be fenced in. Storage of aggregates is permitted without being fenced in.

The building used for this purpose is limited to three (3) stories.

#### Authorized Uses

Distributors of petroleum products;

Stations for the transmission of energy and power stations;

Cement and asphalt plants;

Mines;

Distributors of propane gas;

Scrap yards;

Treatment plants for residue resulting from the fishing industry;

Dumping sites for snow.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

## **Industry Related to the Extraction of Resources (I4)**

### General Characteristics

Included in this group are activities related to the extraction of gravel and sand as well as extracting from the soil.

### Basic Requirements

The operations respect the standards of the Ministère du Développement durable, de l'Environnement et des Parcs du Québec.

### Authorized Uses

Quarries

Sandpits

Warehouses for aggregates and their processing (crushing and filtering)

Warehouses for dry materials.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

## **4.1.4 Public Category (P)**

The public category is divided into three (3) classes of use that affect buildings and public and general public areas in which their main activities are the following: administration, education, leisure, cultural, religious or public activities.

### **Municipal Institutions (P1)**

#### General Characteristics

Included in this category, but not limited to, is municipal equipment which, by its nature, can be compatible with the residential group.

#### Basic Requirements

The building used for this purpose is limited to 3 stories.

#### Authorized Uses

- Municipal offices;
- Town hall;
- Fire station;
- Interior and exterior recreational equipment;
- Cultural equipment;

- Rest areas, public parking lots.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **Public or General Public Institutions Other Than Municipal (P2)**

#### General Characteristics

Included in this category of uses, but not limited to, are cultural and religious establishments, public health or educational equipment, and the following general public or community establishments:

#### Basic Requirements

The building used for this purpose is limited to four (4) stories.

#### Authorized Uses

- Churches;
- Schools
- Cemeteries;
- Parish halls;
- Social club halls;
- Health and social services centers;
- Rehabilitation centers;
- Seniors residences;
- Daycare centers;
- Police stations;
- Airports;
- Government service offices;
- Exceptionally, private business offices and those associated with personal and professional services are also authorized in this category.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **Heavy Municipal Institutions (P3)**

#### General Characteristics

Included in this category, but not limited to, is municipal equipment that, by its nature, is not very compatible with the residential group.

#### Basic Requirements

The building used for this purpose is limited to three (3) stories.

#### Authorized Uses

- Area for the disposal or transfer of waste or dry materials;
- Purification pond;
- Centers for the management of residual materials;

- Municipal garages;
- Dumping sites for snow.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

#### **4.1.5 Recreational Category**

The recreational category includes three classes of activities related to extensive recreation.

##### **Light Recreational Activity (REC1)**

###### General Characteristics

Included in this category are equipment and infrastructures that only have a very slight impact on the natural surroundings.

###### Basic Requirements

The building used for this purpose is limited to 2 stories.

###### Authorized Uses

- Pedestrian or equestrian, cross-country skiing and bicycle trails; complementary construction and development;
- Rest areas, relaxation parks;
- Development for observation and interpretation of nature;
- Group camps and organized camps.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

##### **Moderate Recreational Activity (REC2)**

###### General Characteristics

Included in this category are heavier equipment and infrastructures that need larger areas and can have certain impacts on the natural surroundings and neighbourhood.

###### Basic Requirements

The building used for this purpose is limited to 2 stories.

###### Authorized Uses

- Equipment and infrastructures included in REC1;
- Golf clubs;
- Outdoor recreational centers, vacation camps and health centers such as spas;
- Campgrounds, including related services

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **Heavy Recreational Activity (REC3)**

#### **General Characteristics**

Included in this category are heavy equipment and infrastructures having an impact on the natural environment or neighbourhood, particularly because of the noise generated by the activities associated with them.

#### **Basic Requirements**

The building used for this purpose is limited to two (2) stories.

#### **Authorized Uses**

- Equipment and infrastructures included in REC1 and REC2;
- Gun clubs;
- Amusement parks;
- Harness racing tracks;
- Automobile and motorized vehicles race track.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

## **4.1.6**

### **Agricultural Category (A)**

The agricultural category is divided into three (3) classifications of activities that are directly linked to agriculture.

#### **Light Agricultural Activity (A1)**

##### **General Characteristics**

Included in this group are light agricultural activities, generally complementary uses of the residential category, which meet domestic needs and have very little impact on the neighbourhood.

##### **Basic Requirements**

The activity only causes very slight impacts for the neighbourhood.

The land on which the breeding of farm animals is carried out must have a minimum area of 4000 sq. m. (43 055 sq. ft.).

With the exception of poultry, the allotted space for breeding must be fenced in.

The secondary building that houses this activity must respect the provisions foreseen in Chapter 9 of this bylaw.

The building used for this purpose is limited to two (2) stories.

##### **Authorized Uses**

- Cultivation of a vegetable garden or a greenhouse;
- Cultivation of hay and grains provided that the ploughing operations are carried out between April 15<sup>th</sup> and October 15<sup>th</sup>. Under no circumstance is the soil to lay bare and the ploughing of soil must be located at a minimum distance of 30 m. from a residence that is located on an adjacent lot;

- The spreading of fertilizing residual matter must respect the standards of the Ministère du Développement Durable, de l'Environnement et des Parcs du Québec, while maintaining a minimum distance of 30 m. from a building housing a residential use that is located on an adjacent lot;
- The areas and structures used for the purposes of animal breeding must be limited to the following species and quantities:

**TABLE 1: Authorized uses according to species in A1**

Group or category of animals	Number of animals equivalent to an animal unit (A.U.)	Light (A1)	
		A.U. maximum permitted	Maximum quantity of animals
Cows, bulls, horses	1	5	5
Calves or foals (of the year)	2	5	10
Sheep	4	1	4
Goats	6	1	6
Pork, boar	4	0,5	2
Rabbits	40	0,5	20
hens, chickens, roosters, pheasant	125	0,2	25
Turkeys	75	0,2	15
Quail	1500	0,1	150
Partridge	300	0,1	30
Maximum total quantity permitted :		5	

**Notes:**

The authorized quantity of sheep, goats, pork, boar, rabbits and poultry does not include the young of the year;

Different species may be combined provided that the total number of animal units (A.U.) is not greater than 5, while respecting the maximum number of animal units permitted per animal group or category;

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

**Moderate Agricultural Activity (A2)**

General Characteristics

This category includes moderate agricultural activities that can generally have an impact on the neighbourhood.

Basic Requirements

The activity may emit dust and odours but its installations and operations respect the standards of the Ministère du Développement Durable, de l'Environnement et des Parcs du Québec.

The livestock manure must be maintained in its solid state with or without a storage reservoir or in the form of dehydrated liquid manure.

The agricultural use must respect the directives in regards to odours caused by livestock manure resulting from agricultural activities adopted in virtue of the Act Respecting La Protection du Territoire et les Activités Agricoles C.P-41.1,r.5.

The pasture area for the animals must be enclosed.

The building used for this purpose is limited to two (2) stories.

Authorized Uses

- Class A1 activities, excluding the ground ploughing restrictions;
- Areas and structures used for the purpose of cultivating soil and plants, the transformation and marketing of farm produce;
- Areas and structures used for the purposes of animal breeding provided that they are limited to the following species and quantities:

**TABLE 2: Authorized uses according to species in A2**

Group or category of animals	Number of animals equivalent to an animal unit (A.U.)	Moderate	
		A.U. maximum permitted	Maximum quantity of animals
Cows, bulls, horses	1	100	100
Calves or foals (of the year)	2	50	100
Sheep	4	100	400
Goats	6	75	450
Pork, boar	4	5	20
Rabbit	40	5	200
Hen, rooster	125	5	625
Corn-fed Chicken	250	5	1250
Pheasant	300	5	1500
Turkey	75	5	375
Quail	1500	5	7 500
Partridge	300	5	1 500
Total maximum quantity permitted :		125	

**Notes:**

The authorized quantity of sheep, goat, pork, boar, rabbit and poultry does not include the young of the year.

Different species may be combined provided that the total number of animal units (A.U.) is not higher than 125, while respecting the maximum number of animal units permitted per animal group or category;

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **Heavy Agricultural Activity (A3)**

#### General Characteristics

Included in this category are all types of agricultural activities and especially those that are industrial.

#### Basic Requirements

The activity may emit dust and give off odours but its installations and operations respect the standards of the Ministère du Développement Durable, de l'Environnement et des Parcs du Québec.

The livestock manure must be maintained in its solid state with or without a storage reservoir or in the form of dehydrated liquid manure.

The agricultural use must respect the directives in regards to odours caused by livestock manure resulting from agricultural activities adopted in virtue of the Act Respecting La Protection du Territoire et les Activités Agricoles C.P-41.1,r.5.

The pasture area for the animals must be enclosed.

The building used for this purpose is limited to two (2) stories.

#### Authorized Uses

- Class A1 and A2 activities excluding the ground ploughing restrictions;
- Areas and structures used for the purposes of animal breeding provided that they are limited to the following species and quantities:

**TABLE 3: Authorized uses according to species in A3**

Group or category of animals	Number of animals equivalent to an animal unit (A.U.)	Heavy	
		A.U. maximum permitted	Maximum quantity of animals
Cows, bulls, horses	1	100	100
Calves or foals (of the year)	2	100	200
Sheep	4	100	400
Goat	6	100	600
Pork, boar	4	15	60
Rabbit	40	25	1 000
Hens, rooster	125	120	15 000
Pheasant	300	100	30 000
Corn-fed chicken	250	120	30 000
Turkey	75	100	7 500
Quail	1500	50	75 000
Partridge	300	50	15 000
Total maximum quantity permitted :		150	

**Notes:**

The authorized quantity of sheep, goat, pork, boar, rabbit and poultry does not include the young of the year.

Different species may be combined provided that the total number of animal units (A.U.) is not higher than 150, while respecting the maximum number of animal units permitted per animal group or category;

Breeding fur animals is authorized but limited to foxes and mink. In both cases, the number of animals must not exceed 900 reproducing females.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

**4.1.7 Forestry Category (F)**

**Forestry (F1)**

General Characteristics

There is only one class of use in the forestry category, specifically referring to the cutting and planting of trees.

Basic Requirements

Forestry activity must be carried out in accordance with the conditions stipulated in article 5.17 of this bylaw.

The building used for this purpose is limited to two (2) stories.

#### Authorized Uses

- Tree cutting;
- Tree planting;
- Buildings and spaces related to forestry work;
- Group camps or organized camps;
- Using yurts and tepees for recreational purposes;

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

### **4.1.8 Conservation Category (V)**

#### **Conservation (V1)**

##### General Characteristics

Included in this category of uses are activities that acknowledge first and foremost the ecological value of the territory.

##### Basic Requirements

The activities must be related to the interpretation and conservation of nature or be relatively necessary to community services or infrastructures.

A building used for this purpose is limited to two (2) stories.

##### Authorized Uses

- Sites for observation and interpretation of nature, walking trails, etc.;
- Public infrastructures due to their necessity (road, parking lot, energy and telecommunication distribution);
- Accessory equipment for recreational and sport activities provided that it is temporary, such as hygiene services, temporary shelters, etc.;
- Special events provided that the required authorizations were obtained and issued by the concerned authorities;
- Light agricultural activities on the protected land for their scenic characteristics and not including any fragile ecosystem.

Also included in this classification of uses are establishments and activities that meet the basic requirements but are not listed in the previous sub-categories.

**Article 4.2 CATEGORIES OF USE BY ZONES**

The following table specifies the authorized uses by types of zones.

<b>TYPES OF ZONES</b>	<b>AUTHORIZED USES</b>
<b>Residential (R)</b>	
Ra	H1-A1
Rb	H1-H5-A1
Rc	H1-C1-A1
Rd	H1
<b>Village Core (NV)</b>	
NV	H1-H2-H3-H4-C1-C2-P1-P2
<b>Industrial (I)</b>	
Ia	I1
Ib	I1 I2 I3 P3
Ic	I2
Id	I4
<b>Public (P)</b>	
Pa	P1-P2
Pb	P3
<b>Recreational (REC)</b>	
RECa	REC1
RECb	REC2
RECC	REC3
<b>Agricultural (A)</b>	
Aa	A1-A2-REC1
Ab	A1-A2-A3-REC1
<b>Forestry (F)</b>	
Fa	A1-F1-REC1
<b>Conservation (V)</b>	
Va	V1

Notes:

1. Exceptionally, sand may be taken from conservation zones but is subject to obtaining an authorization from the Ministère du Développement Durable, de l'Environnement et des Parcs du Québec.
2. The zoning plan can be found in annex A of this bylaw.

## CHAPTER 5

### **SPECIFIC AND PARTICULAR PROVISIONS IN REGARDS TO CERTAIN SITES, ZONES, USES AND SECTORS**

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#### **Article 5.1 SPECIFIC PROVISIONS FOR THE SECTOR ALONG THE INSIDE RIDGE AT OLD HARRY**

Notwithstanding the provisions provided for in the previous chapter *Classes of Uses by Zones*, in the sector along the inside ridge in Old Harry, delimited by the zone Fa9, the following dispositions shall apply and take precedence over all other dispositions of this present bylaw without excluding uses already authorized by this present bylaw.

##### **5.1.1 Authorized Uses (as outlined in this current zoning bylaw)**

- Light, moderate and heavy recreational uses
- Light agricultural uses

#### **Article 5.2 PROVISIONS REGARDING GROUPS OF TOURIST ACCOMMODATION BUILDINGS**

Groups of tourist accommodation buildings must respect the provisions in article 5.9 of this bylaw.

#### **Article 5.3 SPECIFIC PROVISIONS REGARDING DRINKING WATER SUPPLY AREAS**

##### **5.3.1 Protection of the supply sources**

The owners of sites for the catchment of spring water, mineral water or groundwater supplying more than 20 people must take the necessary measures to preserve the quality of groundwater, particularly by delimiting an immediate protection area established within a radius of at least 30 m (98,4 ft.) from the water catchment system. This distance can be decreased if a hydro-geological study, carried out by a certified engineer or geologist, shows the presence of a natural protection barrier, for example a layer of clay.

For enforcing this bylaw, the expressions “spring water” and “mineral water” have the meaning given to them in the *Act Respecting Bottled Water (R.R.Q., 1981, c. Q-2, r. 5)*.

A security fence with a minimum height of 1,8 m. must be erected around the limits of the protection area for a water catchment site in which the average flow rate is greater than 75 m<sup>3</sup> per day. A sign must be posted indicating the presence of a groundwater supply intended for human consumption.

Within the immediate protection area the following are prohibited: activities, installations, materials or objects that risk the contamination of groundwater, except for the necessary equipment, securely installed, for operating the water catchment system.

The finishing grade of soil within the immediate protection area must be carried out in such way to prevent water run-off.

The owners of sites for the catchment of spring water, mineral water or groundwater intended to supply drinking water and in which the average flow rate is greater than 75 m<sup>3</sup> per day, must obtain the following documents from a certified engineer or geologist:

1. the localization plan of the supply area;
2. the localization plan of the bacteriological and viral protection areas, which correspond to the sections of the supply area of the water catchment site as it is delimited by using a groundwater migration period over the course of 200 days (bacteriological protection) and of 550 days (viral protection);
3. the evaluation of the vulnerability of groundwater in the areas defined in paragraph 2 by using the DRASTIC method;
4. the inventory of activities and work located within the areas defined in paragraph 2 that are susceptible to modify the microbiological quality of groundwater, such as liquid waste treatment systems, structures or sites for storing or spreading animal waste or farm compost, or exercise yards for breeding animals.

In the case of water catchment sites intended for drinking water purposes in which the average flow rate is less than 75 m<sup>3</sup> per day and supplying more than 20 people, the bacteriological protection area is established within a 100 m radius from the water catchment site and the viral protection area within 200 m. For enforcing chapter III, section 2 of the provincial Act (c.Q-2, r.1.3), the ground water is said to be vulnerable. However, the protection areas may be different if they are established in conformity with the provisions of paragraph 2 of this article, and if the vulnerability of the groundwater was evaluated by using the DRASTIC method.

The inventory mentioned in paragraph 4 must be kept up to-date and the information listed in paragraphs 2, 3 and 4 must be available upon request from the Ministère du Développement durable, de l'Environnement et des Parcs.

### **5.3.2 Particular provisions for the agricultural sector**

#### **Spreading of waste**

The spreading of animal waste, farm compost, mineral fertilizers and fertilizing waste is prohibited within 30 m (98,4 ft) from any water catchment system intended for human consumption. This distance is extended to 100 m (328 ft) when it pertains to sludge from municipal sanitary liquid waste treatment systems or any other sanitary treatment or collection system pertaining to liquid waste, or substances containing such sludge, and that this sludge or substances are not certified to comply with the CAN/BNQ 0413-200 or CAN/BNQ 0413-400 standards.

The spreading of animal waste, farm compost or fertilizing waste, except the fertilizing waste certified to comply with the CAN/BNQ 0413-200, CAN/BNQ 0413-400 or BNQ 0419-090 standards, is prohibited in the bacteriological protection area of a groundwater catchment site when it is said to be vulnerable or when the

DRASTIC rating of vulnerability is equal to or greater than 100 on any given section of this area.

The spreading of sludge from municipal sanitary liquid waste treatment systems or any other treatment or collection system pertaining to sanitary liquid waste, or substances containing such sludge, is prohibited in the viral protection area of a groundwater catchment site when it is said to be vulnerable or when the DRASTIC rating of vulnerability is equal to or greater than 100 on any given section of this area. This restriction does not apply to sludge or substances containing sludge certified to comply with the CAN/BNQ 0413-200 or CAN/BNQ 0413-400 standards.

The spreading of animal waste, farm compost, fertilizing waste, except the fertilizing waste certified to comply with the CAN/BNQ 0413-200, CAN/BNQ 0413-400 or BNQ 0419-090 standards, within the boundary of the restricted zones decreed by this present article, must be carried out in a manner that prevents run-off in these same zones.

### **Animal breeding**

The erection or layout of a breeding facility or a storage facility for animal waste is prohibited:

1. at less than 30 m (98,4 ft.) from any groundwater catchment system intended for human consumption;
2. within a bacteriological protection area of a groundwater catchment site, when it is said to be vulnerable or when the DRASTIC vulnerability rating is equal to or greater than 100 on any given section of this area.

For the layout of a winter enclosure for beef cattle, the distance foreseen in paragraph 1 is extended to 75 m (246 ft.).

This present article does not apply to the breeding of canidae and feline as well as fish breeding, zoos, parks and zoological gardens.

### **Storage directly on the ground**

Storage directly on the ground of animal waste, farm compost or fertilizing waste in a crop field is prohibited:

1. at less than 300 m (983,3 ft.) from any groundwater catchment system intended for human consumption;
2. within a bacteriological protection area of a groundwater catchment site, when it is said to be vulnerable or when the DRASTIC vulnerability rating is equal to or greater than 100 on any given section of this area.

Storage in a crop field, directly on the ground, of sludge from municipal sanitary liquid waste systems or any other treatment or collection system pertaining to sanitary liquid waste, or substances containing such sludge, is prohibited in the viral protection area of a groundwater catchment site when it is said to be vulnerable or when the DRASTIC rating of vulnerability is equal to or greater than 100 on any given section of this area. This restriction does not apply to sludge and substances containing sludge certified to comply with the CAN/BNQ 0413-200 or CAN/BNQ 0413-400 standards.

**Article 5.4 SPECIFIC PROVISIONS REGARDING LANDFILL SITES**

No construction permit is to be issued in regards to a closed landfill site and this for a period of 30 years following its closing. Also, no construction will be permitted within a distance less than 200 m (656 ft.) from a site that was used as a landfill.

The list and delimitation of these landfill sites can be found in annex C.

**Article 5.5 SPECIFIC PROVISIONS REGARDING SECTORS IDENTIFIED AS PANORAMIC CORRIDORS**

The sectors identified as panoramic corridors correspond to the following zones:

- Rb2 (sector chemin Wide and Rock Mountain)
- Fa5, Va6 (sector route 199 between East Point and Old Harry)

In these zones, the establishments must respect the following requirements:

- The installation of mobile homes or camping trailers is prohibited.
- The systematic alignment of buildings is prohibited. In addition, there should always be a variance with regards to the setback of buildings installed in relation to the buildings already existing.
- The height of an isolated single-family dwelling is limited to two (2) stories and the floor area does not exceed 92,9 sq. m. (1000 sq. ft.).
- The height of a secondary building in relation to the isolated single-family dwelling is limited to one storey and its floor area does not exceed 37 sq. m. (400 sq. ft.).
- The establishment of an isolated single-family dwelling can only be accompanied by a single secondary building. Exceptionally, in addition to the secondary building, the installation of a greenhouse for domestic purposes with a maximum surface area of 18,6 sq. m. (200 sq. ft.) is authorized.

Note: In a case where one or the other of these zones is subject to the provisions of a regulation regarding implantation plans and architectural integration (PIIA), the standards in the said plans have priority.

**Article 5.6 SPECIFIC PROVISIONS REGARDING HERITAGE BUILDINGS**

The demolition of any heritage building is strictly forbidden. All repairs or modifications are authorized on the condition that the form, volume, structure and exterior finishing materials of the original building are respected. The following has been identified as heritage buildings:

- St. Peter`s-By-The-Sea Church
- C.A.M.I.

**Article 5.7**     **SPECIFIC PROVISIONS REGARDING NATURAL HERITAGE AND ARCHEOLOGICAL SITES**

Any work that has an effect to permanently modify the natural relief of the land, such as excavation, backfill and leveling work is forbidden in the sectors identified as natural heritage in this bylaw. Also, the exploiting of any quarry or sandpit is prohibited in these sectors. Furthermore, the establishment of any residence must be carried out in a way that minimizes the transformation of the natural environment. The following sites have been identified:

- East Point National Wildlife Park
- Bird Rock
- Brion Island

As for potential archeological sites, no disturbance of soil or construction can be authorized before informing the Ministère de la Culture, des Communications et de la Condition féminine and, if necessary, that the excavations be carried out when the potential of the site warrants. The following site has been identified:

- Moore`s Mountain

**Article 5.8**     **SPECIFIC PROVISIONS REGARDING EMBANKMENT AND EXCAVATION OPERATIONS**

Embankment or excavation work will only be authorized when the following conditions are respected:

- the final slopes created by this work does not exceed 30 degrees;
- the ground that is stripped will be re-covered with a layer of humus to enable re-vegetation.
- the work carried out does not obstruct the free circulation of surface waters or encroach on a marsh or an aquatic environment;
- with exception to sand extraction or other industrial or public interventions, it is strictly forbidden to proceed with excavation or leveling work directly on the foredune, that being the mound of sand more or less solid that is in constant activity and part of the beach;
- embankment and excavation work must be completed within the 60 days following the issuing of the permit.

**Article 5.9**     **SPECIFIC PROVISIONS REGARDING GROUPS OF TOURISM ACCOMMODATION BUILDINGS**

**5.9.1**     **Authorized zones**

Groups of tourism accommodation buildings are authorized in all zones except the following: forestry, agriculture, conservation and industrial zones.

### **5.9.2 Number of units and surface area of the lots**

A group of accommodation buildings must include a minimum and a maximum of three (3) accommodation units, each of them established within a distinct building and on a lot having a minimum surface area of 3000 sq. m. (32 289 sq. ft.).

### **5.9.3 Additional units**

In a case where the group of tourism accommodation buildings is established on a lot in which the surface area is greater than 3000 sq. m. (32 289 sq. ft.), the number of units may exceed the maximum number indicated in the previous article by adding a supplementary unit for every 929 sq. m. (10 000 sq. ft.) of additional surface area.

Under no circumstance is the total number of units on a given lot to exceed six (6).

### **5.9.4 Surface area and height**

Each accommodation unit must occupy a minimum surface area of 29,7 sq. m. (320 sq. ft.) and maximum of 57,9 sq. m. (624 sq. ft.) and its height must not exceed one storey.

Exceptionally, one of the units can be used for a reception building and as a reserved space for clientele services; this unit can be 2 stories with a maximum surface area of 120 sq. m. (1 300 sq. ft.).

### **5.9.5 Architectural Characteristics**

The architectural characteristics of the accommodation units such as the shape, volume, openings and ornamentation must demonstrate uniformity and the exterior finishing must be a wood product, in other words, cedar shingles or manufactured boards placed horizontally. Each of the accommodation units must be sitting on a concrete foundation.

### **5.9.6 Connection to public services**

Connections to public services that are generally carried out in an aerial manner, in this case electricity or cable distribution, are obliged to be underground.

### **5.9.7 Location of the building**

No accommodation unit can be established at less than 7,5 m (24,6 ft.) from the boundary of the lot on which it is located.

A distance of 6,1 m (20 ft.) must be left open between each of the buildings housing a tourism accommodation unit.

Moreover, the ground implantation must respect the natural environment by minimizing the disturbance of soil and avoiding important embankment and excavation work.

### **5.9.8 Secondary Building**

The number of secondary buildings associated with a group of tourism accommodations is limited to one (1) per location. It must

resemble the other buildings which are part of the accommodation units in regards to its shape and exterior finishing.

The secondary building associated with the group of buildings may also be used as a service building to shelter such things as the electrical and water entries or laundry and reception equipment.

However, the floor area of a building as such can not exceed 57,9 sq. m. (624 sq. ft.) and in all cases the setback can not be less than 2 m (6,6 ft.).

**5.9.9 Required information for the study of a construction permit request regarding a group of tourism accommodation buildings**

In addition to providing the required information of the municipality's official construction permit request, the applicant must also provide the following information:

- A scale implantation plan showing the location of each of the buildings that are subject to the permit request, the location of any building subsequently planned and the boundaries of the lot;
- A scale drawing showing the elevations of the buildings that are subject to the permit request as well as the elevations of any building subsequently planned. These drawings must specify the materials that will be used for the exterior finishing.

**Article 5.10 SPECIFIC PROVISIONS REGARDING GROUPS OF COMMERCIAL OR INDUSTRIAL BUILDINGS**

**5.10.1 Number of units and surface area of the lots**

A group of commercial or industrial buildings is authorized on a location that specifically permits commercial and industrial uses and must include a minimum of three (3) and a maximum of four (4) buildings.

**5.10.2 Surface area and height**

Each building must respect the provisions foreseen within the category of use to which it belongs.

**5.10.3 Architectural characteristics**

The architectural characteristics of the buildings such as the shape and the exterior finishing must demonstrate uniformity.

**5.10.4 Location of the building**

Each of the buildings must be considered as a main building and respect the implantation standards foreseen in chapter 6 of this bylaw.

**Article 5.11 SPECIFIC PROVISIONS REGARDING THE SHORELINE, LITTORAL, FLOODPLAINS AND WETLANDS**

This article applies to all waterways, lakes and bodies of water.

### **5.11.1 Shore**

All constructions, structures and works are forbidden on the shore. However, the following constructions, structures and works can be authorized, on the condition that a permit is issued by the municipality and other competent authorities, and if their realization is consistent with other protection measures recommended for floodplains:

- a) The maintenance, repair and demolition of existing constructions and structures used for purposes other than municipal, commercial, industrial, public or public access purposes;
- b) Constructions, structures and works for municipal, commercial, industrial, public or public access purposes, including their maintenance, repair and demolition, if they are subject to an authorization in virtue of the Act Respecting Environment Quality;
- c) The construction or expansion of a main building for purposes other than municipal, commercial, industrial, public or public access, with the following conditions:
  - the dimensions of the lot no longer allow the construction or expansion of this main building once the shore's protection strip has been established and provided that it can not be reasonably located elsewhere on the land;
  - the subdivision was done before the coming into force of the first applicable municipal bylaw prohibiting construction on the shore;
  - the lot is not located in a high risk erosion or landslide zone as identified in the MRC's *schema d'aménagement*;
  - it is mandatory that a minimum five (5) m. protection strip be preserved in its actual state or preferably returned to its natural state, if it is not already.
- d) The construction or erection of an accessory building such as a garage, storage building, shed or pool, is only possible on the section of the shore that is no longer in its natural state and with the following conditions:
  - the dimensions of the lot no longer allows the construction or erection of this accessory building once the shore's protection strip has been established;
  - the subdivision was done before the coming into force of the first applicable municipal bylaw prohibiting construction on the shore;
  - it is mandatory that a minimum five (5) m. protection strip be preserved in its actual state or preferably returned to its natural state, if it is not already.
  - the accessory building must be built on the lot without excavation or backfill.

e) The following work related to vegetation:

- forestry management activities in which the realization is subject to the Forestry Act and the regulations pursuant to this Act;
- sanitary cutting;
- harvesting of 50% of the stems 10 cm or more in diameter, provided that at least 50% of the forest covering is maintained on private woodlots used for forestry or agricultural purposes;
- the required tree cutting for the establishment of an authorized construction or structure;
- the required tree cutting to create a 5 m wide access to a body of water when the shore has a slope less than 30%;
- the required pruning and trimming to create a 5 m wide opening, when the shore has a slope greater than 30%, or to create a trail or a stairway giving access to the body of water;
- for the purpose of restoring a permanent and sustainable vegetation covering, seeding or planting of plants, trees or shrubs and the required work involved;
- various methods used to harvest herbaceous vegetation when the shore has a slope less than 30% and only when the slope is greater than 30% on the top of the bank.

f) Cultivation of soil for agricultural purposes is permitted provided that a strip of vegetation of at least 3 m wide is preserved, measured from the high-water mark. Moreover, if there is a bank and that its top is less than 3 m from the high-water mark, the width of the vegetation strip to be preserved must have a minimum width of 1 m at the top of the bank.

g) The following structures and works:

- installation of fences;
- installation or the realization of underground or surface drainage network outlets and pumping stations;
- installation of water crossing structures pertaining to fording, culverts and bridges as well as related access roads;
- necessary aquaculture equipment;
- all septic installations in conformity to the regulations concerning the evacuation and treatment of liquid waste of isolated residences dictated in virtue of the Act *Respecting Environment Quality*;
- when the slope, soil type and site conditions prevent the restoration of the vegetation covering and the shore's natural state, vegetation or mechanical stabilization works such as riprap, gabions or finally retaining walls, by giving

priority to the technique most likely to facilitate the eventual establishment of natural vegetation;

- private wells;

- the reconstruction or widening of an existing route or road, including farm and forestry roads;

- the necessary work in order to accomplish the construction, structures and work authorized within the littoral in accordance with the provisions of article 2.2;

- forestry management activities subject to the Forestry Act and its regulations pertaining to intervention standards for Crown owned forests.

h) The construction of new buildings or the expansion of existing buildings when these works are foreseen within the territorial boundaries of the historical site of La Grave (PIIA) and La Pointe de Grande-Entrée(PPU).

### **5.11.2 Littoral**

All constructions, structures and works are forbidden in the littoral. However, the following constructions, structures and works can be authorized, on the condition that a permit is issued by the municipality and other competent authorities, and if their realization is consistent with other protection measures recommended for floodplains:

a) Wharves, shelters, docks on piles, posts or made of floating platforms;

b) installation of water crossings pertaining to fording, culverts and bridges;

c) necessary aquaculture equipment;

d) water intakes

e) creation, for agricultural purposes, of inlet or diversion channels for water samples in a case where an authorization must be obtained in virtue of the *Act Respecting Environment Quality* for the creation of such channels;

f) required encroachment on the littoral for works authorized on the shore;

g) cleaning and maintenance work of the waterways, without excavation, carried out by a municipal authority in accordance to the powers and duties assigned to him by the Law;

h) Constructions and works for municipal, industrial, commercial, public or public access purposes, including their maintenance, repair and demolition, subject to obtaining an authorization in virtue of the *Act Respecting Environment Quality*, the *Act Respecting the Conservation and Development of Wildlife*(L.R.Q., c. C-61.1) , the *Act Respecting Watercourses*(L.R.Q., c. R-13) or any other Act;

- i) maintenance, repair and demolition of existing constructions and structures that are not used for municipal, industrial, commercial, public or public access purposes.

### **5.11.3 Floodplains**

#### **Prior authorization for interventions within floodplains**

The floodplains can be found in annex G.

All constructions, structures and work that are susceptible to modify the water status, to harm the free circulation of water during flood periods, to disrupt fauna and flora habitats or to endanger the security of individuals and property are subject to a prior authorization. This regulation is subject to the issuance of a permit or other types of authorizations by the municipal authorities or by the government, its ministries or organizations, according to their respective powers. The prior authorizations that will be granted by the municipal or governmental authorities will take into consideration the scope of the anticipated intervention through measures pertaining to floodplains and will see that the integrity of the environment is protected as well as maintaining the free circulation of water.

The constructions, structures and work regarding forestry management activities, which are subject to the *Forestry Act* and its regulations, and agricultural activities carried out without excavations and embankment are not subject to prior authorization from the municipality.

#### **Permitted constructions, structures and works**

Despite the principles previously stated, the following constructions, structures and works may be permitted in those zones provided that they are compatible with the protection measures applicable to the shores and the littoral:

- a) work intended to maintain the land in good condition, to maintain, repair, modernize or demolish existing structures, provided that this work does not increase the area of the property exposed to flooding; however, during infrastructure modernization and reconstruction work affecting a public road, this area of the work exposed to flooding can be increased by 25% for public security reasons or to render an infrastructure as such in conformity with applicable standards; in all cases, major work on a construction or structure shall result in flood-proofing the entire construction or structure;
- b) installations by governments, their ministries and organizations that are necessary for marine traffic activities, such as wharves, breakwaters, canals, locks and fixed navigation aids; appropriate flood-proofing measures shall be taken for the sections of the structures situated under the 100-year recurring flood level.

- c) Linear, underground installations of public service utilities such as pipelines, electricity and telephone lines, water and sewer pipes that have no service entrance for constructions and structures located in the high velocity zone;
- d) Construction of underground water or sewer systems in existing constructed areas, but not provided with these services, in order to only connect the constructions and structures that existed on the date that the first municipal bylaw came into force restricting new implantations;
- e) septic installations intended for existing constructions and structures; the anticipated installation must be in conformity with the *Regulation Respecting the evacuation and treatment of liquid waste disposal systems for isolated dwellings* dictated in virtue of the Act Respecting Environment Quality;
- f) improvement or replacement of a domestic well or that of an existing business establishment by a tubular well, built in a way to eliminate contamination risks by sealing the annular space with durable watertight materials and to prevent submersion;
- g) an open-air facility, for recreational purposes, other than a golf course, that does not require excavation or embankment work;
- h) reconstruction of a structure that was destroyed by a disaster other than a flood; the reconstructed structures shall be flood-proofed in conformity to the following requirements:

Authorized constructions, structures and work must be carried out by respecting the following flood-proofing regulations, adapted to the context of the concerned infrastructure:

No opening (window, basement window, door, garage, etc.) can be lower than the 100-year recurring flood level;

No ground floor can be lower than the 100-year recurring flood level;

Disposal drains must have a check valve;

For any structure or part of a structure built below the 100-year recurring flood level, that a study be carried out demonstrating the structure's resistance to this flood level, and include calculations relating to:

- waterproofing;
- structural stability
- necessary reinforcement;
- seepage water pumping capacity;

- resistance of the concrete to compression and tension.

Backfilling of land must be restricted to protecting the immediate area surrounding the concerned construction or structure and not extend to the entire landsite; the average slope downward from the top of the backfill adjacent to the protected structure should not be less than 33 1/3% (vertical to horizontal ratio 1:3).

When implementing flood-proofing measures, if the 100-year recurrent flood elevation was not established at the time when the limits of a mapped floodplain were delineated, the elevation of the highest reference floodwater level should be used to replace the 100-year flood elevation in determining the limits of the floodplain, to which 30 cm. should be added for safety measures.

- i) development of wildlife habitats that do not require backfilling and those that do but, in the latter case, only if they are subject to obtaining an authorization in virtue of the *Act Respecting Environment Quality*;
- j) land drainage work;
- k) forest management activities without excavation and backfill work and that are subject to the *Forestry Act* and its regulations;
- l) agricultural activities that do not require excavation or backfill work.

#### **Constructions, structures and works eligible for a derogation**

Certain constructions, structures and works may also be authorized if they are compatible with other protection measures applicable to shores and the littoral and if they are subject to a derogation in accordance to the provisions of the *Act Respecting Land Use Planning and Development* (L.R.Q., c. A-19.1).

In order to decide if a derogation is deemed acceptable all applications must be supported by sufficient documents for evaluation purposes. This request must provide a detailed cadastral description of the proposed intervention site and show that the planned work, structures or construction will meet the following five criteria:

1. Ensure the safety of individuals and the protection of public and private property by integrating the appropriate flood-proofing and protection of individuals measures;
2. Ensure the natural flow of water; the impacts on the possible changes to the waterway's hydraulic regime must be determined and specifically identify the constraints concerning ice movement, reduction in flow area, potential erosion risks and risk of an increase in the upstream flood level that may be caused by the

work being carried out or the establishment of a construction or structure;

3. Ensure the integrity of these territories by avoiding backfilling and by demonstrating that the proposed works and structures cannot be reasonably located somewhere other than in the floodplain;
4. Protect the water quality, the flora and wildlife typical to the wetlands, their habitats and, in particular, endangered or vulnerable species by guaranteeing that they will not be harmed; the environmental impacts that the structures or works could generate must be assessed by taking into account the characteristics of the materials used for flood-proofing;
5. Demonstrate public interest where construction, structures and works are concerned.

**Constructions, structures and works eligible for an exemption are the following:**

- a) projects to widen, raise, create an entrance or exit to bypass or realign the current axis of an existing roadway;
- b) roadways crossing bodies of water and their access;
- c) any project to install new aboveground public utilities such as pipelines, power and telephone lines, infrastructures connected to water and sewer systems, with the exception of new roadways;
- d) communal wells used for the catchment of groundwater;
- e) a structure used for the catchment of aboveground surface water;
- f) liquid waste treatment plants;
- g) flood protection works undertaken by governments, their ministries or organizations, and by municipalities, to protect against flooding the already built areas as well as specific work to protect existing constructions and structures used for public, municipal, industrial, commercial, agricultural or public access purposes;
- h) flood prevention work designed to protect from flooding the zones bounded by land which is higher than the 100-year recurring flood zone and that can only be flooded by the backing up of pipes;
- i) any intervention intended:
  - to expand a shipbuilding, marine shipping or port facility;
  - to expand an agricultural, industrial, commercial or public facility;
  - to expand a structure and its accessory buildings without changing the zoning typology;

- j) commercial fishing and aquaculture installations;
- k) development of land for recreational purposes, forestry or agricultural activities involving excavation or backfill work such as roads, walking and bicycle trails; flood protection works and golf courses are not eligible for a derogation;
- l) development of a wildlife habitat that requires backfill work that is not subject to an authorization in virtue of the *Act Respecting Environment Quality*;
- m) barriers used for municipal, industrial, commercial or public purposes, for which an authorization must be obtained in virtue of the *Act Respecting Environment Quality*;

#### **5.11.4 Wetlands**

All works including excavation and backfilling are strictly prohibited when they risk altering or modifying a wetland.

Exceptionally, it is permitted to backfill a wetland provided that all of the following requirements are respected:

- the wetland is not located within an agricultural, forestry or conservation zone;
- the surface area of the wetland is less than 0,5 hectare;
- quality rating is 1 or 2;
- the wetland is isolated.

Exceptionally, due to their necessity and when no reasonable alternative can be found, interventions and work related to public infrastructures and equipment such as a roadway or access road, parking lot, power and telecommunication distribution networks will be authorized.

The reference document regarding wetlands can be found in annex H.

### **Article 5.12 SPECIFIC PROVISIONS REGARDING EROSION ZONES**

#### **5.12.1 Protection strip**

For enforcing this present article, a protection strip is established in the following manner:

##### **Type A Zone “high erosion level”**

Measured inland from the top of the cliff or the bank; this strip is 30 m (98,4 ft.) wide.

##### **Type B Zone “low erosion level”**

Measured inland from the top of the cliff or the bank; this strip is 15 m (49,2 ft.) wide.

Note: The protection strips are illustrated in annex I.

### **5.12.2 Restriction**

In the erosion zones specified and illustrated in annex I of this bylaw, the following constructions and uses are forbidden within the protection strip:

- the construction of any building, including secondary buildings;
- septic system installations, unless it is connected to an existing building and is situated at more than 15 m (49,2 ft.) from the high-water mark;
- removal of the vegetation covering and tree cutting;
- installing a water or sewer pipe;
- construction of a new road;
- work to stabilize or protect the embankment;

### **5.12.3 Conditions regarding the lifting of a restriction**

On the basis of a geotechnical or geological expertise prepared by a qualified expert, the municipal council may lift one or more of the restrictions set forth in article 5.12.2. The expertise must inform the council concerning the possibility of authorizing a prohibited construction, use or structure without endangering individuals and property over a perspective of 45 years or more.

In the case of an expertise concerning stabilization or protection work of the banks, it must certify that the stabilization or protection measures will not cause prejudice to neighbouring properties in the short, average and long term.

If the expert decides that the permit can be issued, he can make recommendations about the conditions that must be imposed on the applicant in order to ensure the safety of the site.

The municipal council, in light of the expertise and the recommendation of the Urban Planning and Environment Advisory Committee, can authorize that the permit or certificate be issued. The council can, in regards to applicable constraints, subject this permit issuance to respect any condition that can particularly target the realization of the work.

The inspector issues the permit and certificate once he receives a true certified copy of the resolution by which the municipal council authorizes the work.

In addition to the provisions of this article, the expertise does not permit to go against all other provisions of the regulations currently in force within the territory of the municipality.

#### **5.12.4 Exception to the general rule**

Notwithstanding article 5.12.2, the restriction to build in sectors identified as erosion zones does not apply to the following infrastructures and equipment:

- the construction and protection of light infrastructures and equipment used for recreational or tourism purposes such as walking and bicycle trails, observation sites, etc.;
- the construction and protection of public infrastructures and equipment, due to their necessity when no other reasonable alternative exists, such as power distribution lines, a road, etc.;
- the construction and protection of infrastructures and equipment linked to the fishing industry and navigation aids such as lighthouses, fishing harbours or a building used for receiving and processing marine products.

#### **5.12.5 Non-conforming construction protected by acquired rights**

When a non-conforming construction protected by acquired rights is located within the protection strip linked to an erosion zone, the following work is prohibited:

- increasing the floor area of a main or secondary building;
- the reconstruction following a fire or other disaster if more than 50% of the building's value was lost.

### **Article 5.13 SPECIFIC PROVISIONS REGARDING THE PLANTING AND CUTTING OF TREES**

#### **5.13.1 Authorization certificate**

Any property owner wishing to cut trees on his land must obtain an authorization certificate from the municipal inspector.

#### **5.13.2 In forestry zones**

##### Maximum surface area cuttings

Any deforestation of a surface area greater than 1000 sq. m. (10 764 sq. ft.) on a single piece of land is forbidden. All cutting areas separated by a distance less than 20 m (65,6 ft.) are considered a single piece of land.

This provision does not apply when the deforestation is foreseen in a plantation affected by an insect epidemic or a disease in order to prevent spreading.

Also, it does not apply when the deforestation is foreseen in a plantation in which 70% of the stems are blown down.

##### Buffer zones

Between two areas of cutting, a minimum width of 20 m (65,6 ft.), referred to as the buffer zone, must be preserved intact. Harvesting

of trees within the buffer zone is permitted when the restoration of the harvested sites (adjacent) has attained 3 m (10 ft.).

#### Total surface area of cutting sites on a single property

On any private-owned property, the total surface area of all cutting sites must not exceed 30% of the total wooded surface area of the property every 10 years, including cut-in roads.

#### Partial cutting and thinning

Partial cuttings or thinning must not exceed a proportion of more than 20% of the plantation's surface area. This maximum 20% proportion applies to the removed volume. However, we must preserve a minimum of 3000 trees per hectare in the residual plantation. It is to be noted that these silvicultures are forbidden within the edges used for buffer zones.

This provision does not apply when the deforestation is foreseen in a plantation having experienced damages (blown down trees, insect epidemics, diseases) of more than 20% of its surface area.

#### Wooded edge along neighbouring properties

A wooded edge must be preserved alongside any neighbouring property in which the bordering space is a wooded area composed of woody species with an average height of 3 m (10 ft.) or more. This wooded edge must have a minimum width of 4 m (13 ft.).

#### Wooded edge bordering fragile environments

A wooded edge with a minimum width of 20 m (65,6 ft.) must be preserved in the area surrounding any environment that is considered to be fragile such as permanent and intermittent streams, ponds, lakes, lagoons, marshes and swamps as well as brittle cliffs and steep slopes that are subject to erosion.

#### Tree planting

In forestry zones, reforestation is authorized in a non-restrictive manner. All harvesting work on sites having an inadequate restoration in order to return to an equivalent plantation must be followed by a reforestation (planting or replenishing) within a 5 year period.

### **5.13.3 In agricultural zones**

#### Cutting of trees

The cutting of trees is authorized on any private-owned property located in an agricultural zone provided that at least 70% of the existing wooded surface area is preserved.

This provision does not apply when the deforestation is foreseen in a plantation affected by an insect epidemic or disease in order to prevent spreading to the rest of the trees.

Also, it does not apply when the deforestation is foreseen in a plantation in which 70% of the stems are blown down.

#### Tree planting

In agricultural zones, tree planting is authorized provided that it is carried out within or alongside the existing wooded areas or

groves, along the property lines or on sites where agricultural activities cannot be carried out.

#### **5.13.4 Recreational trails in wooded areas**

Any individual, association or organization who plans to make a recreational trail within the forest covering must obtain an approval from the Municipality.

### **Article 5.14 SPECIFIC PROVISIONS REGARDING KENNELS**

Any individual who keeps more than three (3) dogs, with exception to animal grooming salons, pet shops and veterinary clinics, must obtain, from the Municipality, a certificate authorizing him to keep these dogs or to operate a kennel.

#### **Installation standards**

A kennel must be located in an agricultural or forestry zone. The infrastructures used for operating the kennel must be located at least 100 m (328 ft.) from a waterway or well, 100 m (328 ft.) from any public road, 200 m (656 ft.) from any dwelling unit (with exception to the owner's residence) and at least 500 m (1640 ft.) from any residential zone boundary.

Moreover, the owner's main residence must be situated on the same location as the kennel.

### **Article 5.15 SPECIFIC PROVISIONS REGARDING UNCONSTRUCTABLE LAND DUE TO CIVIL SECURITY**

It is strictly forbidden to establish any construction on a lot in which the owner was compensated following a natural phenomenon obliging the relocation of individuals and their possessions.

### **Article 5.16 SPECIFIC PROVISIONS REGARDING PARKS, PLAYGROUNDS AND RECREATIONAL TRAILS**

For the purposes of this bylaw, public parks and playgrounds and recreational trails are authorized in all zones.

## CHAPTER 6

### PROVISIONS FOR SETBACK MARGIN OF A MAIN BUILDING

#### Article 6.1 SETBACK MARGINS

With exception to groups of buildings, it is prohibited to erect more than one main building on a site.

The siting of the main building must be carried out within the setbacks outlined in the following table:

**Table 6.1.1** Common standards for all zones according to use

TYPE OF USE	FRONT SETBACK	SIDE SETBACK	REAR SETBACK
H1	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
H2	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
H3	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
H4	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
H5	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
C1	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
C2	7,5 m (25 ft)	4 m (13 ft)	6 m (20 ft)
C3	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
I1	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
I2	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
I3	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
I4	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
I5	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
P1	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
P2	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
P3	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
REC1	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
REC2	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
1 T h REC3	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
e A1	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
s A2 <sup>1</sup>	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
i A3 <sup>1</sup>	7,5 m (25 ft)	6 m (20 ft)	6 m (20 ft)
t			

<sup>1</sup>The siting must respect the directives concerning odours caused by animal dejections resulting from agricultural activities adopted in virtue of the Act *Respecting La protection du territoire et des activités agricoles C.P-41.1,r.5.*

#### Article 6.2 PARTICULAR RULE CONCERNING PROPERTIES SEPARATED BY A COMMON WALL

Exceptionally, a 0 setback margin is authorized when it is to separate integrated properties of the same building by a property line.

**Article 6.3**     **PARTICULAR RULE CONCERNING SETBACK MARGINS ON A NON-CONFORMING LOT**

Notwithstanding the setback margins specified in article 6.1, the following exception rule applies to a lot on the cadastre before May 4<sup>th</sup>, 1982, the date that the first bylaw for temporary control came into force for the entire territory of the Îles-de-la-Madeleine MRC, and in which the surface area and dimensions are less than what is required in virtue of the municipality's subdivision bylaw.

- On this lot, for a main building, it will be exceptionally permitted to reduce one of the required setbacks by half. In no case will it be permitted to reduce the front setback margin.

**CHAPTER 7**

**CONSTRUCTIONS AND WORK AUTHORIZED IN YARDS**

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**Article 7.1**     **YARDS AND THEIR USE**

Front, rear and side yards are spaces defined by the word “yard” in the terminology. As these definitions were established with the purpose of using a “buildable” space to its maximum potential it will be necessary, in this chapter, to consider that the unused building space increases the size of the yards by applying the definitions not only to the limits of the buildable space, but rather whether the real siting of the building conforms to the provisions of chapter 6. In addition, an owner who will be constructing a building smaller than the buildable area may be able to increase the authorized encroachments between the wall of the building and the limit of the buildable space facing this same wall. In the case of a front yard, this scope may be limited because, for certain work, the maximum standards calculated from the front wall of the main building have been established.

**Article 7.2**     **CONSTRUCTIONS AND WORK AUTHORIZED IN THE FRONT YARD**

**7.2.1**     **General rule**

No construction or structure is permitted in the front yard and this space must be wide open. All storage of material is strictly prohibited in the front yard of occupied sites as well as the entire space of vacant lots, except for the authorized uses in the class C3 commerce category.

**7.2.2**     **Exceptions to the general rule**

Despite the general rule, the following structures and work are authorized in the front yard:

- awnings, eaves, balconies, steps, marquees, stairways and terraces provided that these constructions do not exceed 4 m (13,1

ft.) from the front wall of the building and they are at least 4,5 m (14,8 ft.) from the front property line;

- in commercial zones, the marquees may extend into the front yard up to a maximum of 1,5 m (4,9 ft.) from the easement of the road, except at service and gas stations and car washes where they must be at least 3,5 m (11,5 ft.) from the front property line and not exceed the height of the main building;

- bay windows, conservatory windows and chimneys that are more than 2,5 m (8,2 ft.) in width and are part of the building, provided that the encroachment does not exceed 65 cm (2,1 ft.) into the setback margin;

- exterior stairways;

- greenhouses, porticos, porches, verandas and other closed structures are authorized provided that they respect the front setback margin required by this bylaw and are attached to the main building. Furthermore, the closed authorized structures must be architecturally incorporated into the main building and respect the esthetics of the said main building. The materials used must be compatible and harmonize with those of the main building;

- driveways, sidewalks, flower beds (plants) and other landscaping developments in accordance with the provisions of this bylaw;

- private, decorative lamp posts provided that they are no higher than the main building and that the lighting beam remains within the limits of the property;

- supporting walls perpendicular to the road. Parallel supporting walls must not infringe on the easement of the road and their maximum height is established at 1,5 m (4,9 ft.). When several supporting walls parallel to the road are necessary, they must be erected at least 1 meter (3,3 ft.) from each other and be landscaped. The materials used must be new and specifically designed for this use;

- garages, car ports, gas pumps, in accordance with the provisions foreseen in chapters 9 and 15 of this bylaw;

- parking areas, in accordance with the provisions of chapter 14 of this bylaw;

- outdoor cafes, in accordance with the provisions of chapter 16 of this bylaw;

- signs, in accordance with the provisions of chapter 13 of this bylaw;

- kiosks (stands) for selling agricultural produce, in accordance with the provisions in chapter 18 of this bylaw.

## **Article 7.3 CONSTRUCTIONS AND WORK AUTHORIZED IN THE SIDE YARDS**

### **7.3.1 General rule**

No construction or structure is authorized in the side yards and these spaces must be wide open.

### **7.3.2 Exceptions to the general rule**

Despite the general rule, the following structures and work are authorized in the side yards:

- awnings, eaves, stairways and marquees, provided that they are at least 2 m (6,6 ft.) from any limit of the site;
- balconies, steps, platforms, porches and terraces, provided that they are a minimum distance of 2 m (6,6 ft.) from any property line;
- verandas, porticos and other closed constructions, provided that they are attached to the main building and respect the required setbacks in chapter 6 of this bylaw. Moreover, the authorized closed structures must be architecturally incorporated into the main building and respect the esthetics of the said building. The materials used must be compatible and harmonize with those of the main building;
- bay windows, conservatory windows and chimneys that are more than 2,5 m (8,2 ft.) in width and are part of the building, provided that the encroachment does not exceed 65 cm (2,1 ft.) into the setback margin;
- driveways, sidewalks, patios, flower beds (plants) and other landscaping developments, in accordance with the provisions foreseen in this bylaw;
- private lamp posts provided that they are no higher than the main building and that the lighting beam remains within the limits of the property;
- supporting walls with a maximum height of 2 m (6,6 ft.). When several supporting walls are necessary, a minimum horizontal distance equal to at least the average height of the walls must be maintained between each of the vertical sections of these walls and be landscaped. The materials used must be new and specifically designed for this use;
- outdoor fireplaces, in accordance with the provisions of chapter 9 of this bylaw;
- accessory buildings, in accordance with the provisions of chapter 9 of this bylaw;
- trap flakes in accordance with the provisions of chapter 9 of this bylaw;
- propane and heating oil tanks;
- swimming pools, in accordance with the provisions of chapter 9 of this bylaw;
- heat exchange units, in accordance with the provisions of chapter 9 of this bylaw;
- parking spaces, conforming to the provisions of chapter 14 of this bylaw;
- temporary winter storage of boats and camping vehicles, provided that this use does not infringe on the side setback margin;

- outdoor cafes/terraces, conforming to the provisions of chapter 16 of this bylaw;
- structures that are completely underground, other than public utility services, provided that they are at least 2 m (6,6 ft.) from any property limit, (ex. Underground storage and parking).

**Article 7.4 CONSTRUCTIONS AND WORK AUTHORIZED IN THE BACK YARD**

**7.4.1 General rule**

No construction or work is permitted in the back yard and this space must be wide open.

**7.4.2 Exceptions to the general rule**

Despite the general rule, the following constructions and work are authorized in the back yard:

- awnings, eaves, stairways and marquees, provided that these structures are at least 1 m (3,3 ft.) from the side limits of the lot and 3 m (9,8 ft.) from the rear limit;
- balconies, steps, platforms, porches and terraces, provided that these structures are a minimum distance of 2 m (6,6 ft.) from any property line;
- private lamp posts provided that they are no higher than the main building and that the lighting beam remains within the limits of the property;
- verandas, porticos and other closed constructions, provided that they are attached to the main building and respect the required setbacks in chapter 6 of this bylaw. Moreover, the authorized closed structures must be architecturally incorporated into the main building and respect the esthetics of the said building. The materials used must be compatible and harmonize with those of the main building;
- bay windows, conservatory windows and chimneys more than 2,5 m (8,2 ft.) wide and are part of the building, provided that the infringement into the rear setback and side setback margins does not exceed 65 cm (2,1 ft.);
- supporting walls with a maximum height of 2 m (6,6 ft.). When several supporting walls are necessary, a minimum horizontal distance equal to at least the average height of the walls must be maintained between each of the vertical sections of these walls and be landscaped. The materials used must be new and specifically designed for this use;
- driveways, sidewalks, patios, flower beds (plants) and other landscaping developments, in accordance with the provisions foreseen in this bylaw;
- satellite dishes provided that they are located at 3 m (10 ft.) from any property line;
- heat exchange units, in accordance with the provisions of chapter 9 of this bylaw;

- outdoor fireplaces, in accordance with the provisions of chapter 9 of this bylaw;
- accessory buildings, in accordance with the provisions of chapter 9 of this bylaw;
- propane and heating oil tanks;
- swimming pools, in accordance with the provisions of chapter 9 of this bylaw;
- parking spaces, conforming to the provisions of chapter 14 of this bylaw;
- trap flakes in accordance with the provisions of chapter 9 of this bylaw;
- temporary winter storage of boats and camping vehicles, provided that this use does not infringe on the rear setback margin;
- domestic windmills, provided that the serviced building is located in an agricultural or forestry zone

**CHAPTER 8**

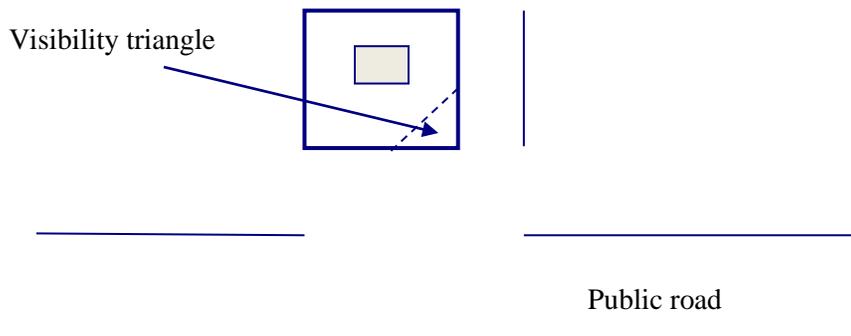
**PROVISIONS REGARDING FENCES AND OTHER EXTERIOR DEVELOPMENTS**

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**Article 8.1 GENERAL RULES REGARDING EXTERIOR DEVELOPMENTS**

**8.1.1 Visibility Triangle**

When a lot is located at an intersection of two public roads or at the intersection of a public and private road, a space referred to as the visibility triangle must be left clear of any object with a height greater than 60 cm. (2 ft.). The sides of this triangle must be 6 m (20 ft.) in length, calculated from their point of intersection; the third side is a line joining the extremities of the other two sides.



### **8.1.2 Fire hydrants**

No development is permitted around fire hydrants within a 3 m (10 ft.) radius and this includes planting of trees or shrubs.

### **8.1.3 Development of open spaces**

Around a building, the unused open spaces must be vegetated or landscaped no later than six (6) months after the building is occupied.

### **8.1.4 Planting of trees or shrubs**

Trees and shrubs can be planted under the following conditions:

- Poplars and willows are considered as trees which can cause nuisances and must be planted at a minimum distance of 6 m (20 ft.) from a main building, septic tank or a site of public water and sewer systems.

In regards to other species:

- do not block a waterway.
- do not hide road signs and traffic lights.
- Any owner must carry out the necessary pruning to correct any problems caused by trees.
- Any tree or shrub that could fall and endanger public safety must be removed by the owner within 15 days following the notice from the Municipality.
- There are no acquired rights in the case of any kind of trees and shrubs that may cause nuisances.

## **Article 8.2 FENCES**

### **8.2.1 General rule**

Any owner wishing to construct a fence of any kind, with exception to pasture fences, must obtain a permit.

Any wooden fence must be safe and in good condition. Any fence, except for those made with poles or the equivalent, must be constructed with planed lumber on both sides and covered with a coating of paint, stain, creosote, varnish, etc.

Any metal fence must be made of factory-made pre-enameled material on two sides or factory-coated with vinyl or other similar material.

### **8.2.2 Installation standards**

Fences made of wood and metal, open-work or not, hedges and decorative masonry low walls, harmonizing with their surroundings, may be installed in yards and along the property lines of the site with the following restrictions:

#### **Front yard**

Decorative fences, low walls parallel to the road, hedges or other similar layouts are authorized in the front yard provided that they

are located 1 m (3,2 ft.) from the road easement and that the height of any section of the fence does not exceed 1 m (3,2 ft.).

#### Side and back yards

Decorative fences, low walls, hedges or other similar layouts are authorized in the side and back yards and along the side and rear property lines provided that their height does not exceed 2 m (6,6 ft.).

#### School yards and playgrounds

It is permitted to install fences with a maximum height of 2 m (6,6 ft.) around school yards and playgrounds; including along the road lines.

#### Industrial or commercial use with exterior storage

A fence must surround any part of a landsite affected by exterior storage, from the moment that this part of the site is used for this purpose. The fence must be a minimum height of 1,80 m (5,9 ft.) and maximum of 2,8 m (9 ft.) for all industrial and commercial uses, including the barbs at the top of such fences.

This provision does not apply to the storage of aggregates used for industrial activities.

#### Snow fence

A snow fence intended to protect trees and shrubs during the winter is authorized between October 15<sup>th</sup> of one year and May 15<sup>th</sup> of the following year. It must be located 1 m (3,2 ft.) from the road line.

#### Fence sheltering a patio

Any fence used to shelter a patio must not exceed 3 m (9,8 ft.), including the ground clearance height of the patio.

### **Article 8.3 HEDGES**

#### **8.3.1 Installation standards and height**

Hedges are authorized in the front yard and can not be installed at less than 2,5 m (8,2 ft.) from the road line. For hedges perpendicular to this road line, the maximum height is set at 2 m (6,6 ft.), except when they are located in a visibility triangle where the height must not exceed 60 cm (2 ft.) the average level of the adjacent road.

For hedges parallel to the road line, this maximum height is 1 m (3,2 ft.). When the hedges encroach on or are located in the road easement, the Municipality is not responsible for breaks or damage caused to them.

**Article 8.4 VACANT LOT BORDERING A SERVICED ROAD**

**8.4.1 Obligation of the owner**

A vacant lot located in a residential and commercial zone must be leveled and not have any hazards which may cause accidents. No ground covering is authorized except for grass or natural vegetation. The grass must be mowed at least every four weeks (between May 15<sup>th</sup> and October 1<sup>st</sup>) in order to prevent unduly high grass. This article applies to all the front section of the public road and a depth of at least 15 m (49,2 ft.) on the lot.

**CHAPTER 9**

**PROVISIONS REGARDING ACCESSORY BUILDINGS, CONSTRUCTIONS AND USES**

**Article 9.1 GENERAL RULES REGARDING ACCESSORY BUILDINGS, CONSTRUCTIONS AND USES**

**9.1.1 Conditions for siting a secondary building**

In all cases there must be a main building located on the site before establishing any secondary building or accessory construction authorized by this bylaw.

Within the framework of a construction project of a main building, it is exceptionally permitted to begin the installation of a secondary building, provided that the erection of the main building is planned within the 6 months following the issuance of the permit relative to the secondary building.

**9.1.2 Number of accessory buildings**

Unless otherwise stated, the total number of accessory buildings (isolated garage, bathhouse, shed, barn, isolated greenhouse) is limited to three (3) per location. Open-concept gazebos and pergola are not considered accessory buildings.

In all cases, a distance of 3 m (10 ft.) must be left open between two (2) accessory buildings.

**9.1.3 Surface area and height**

With exception to buildings foreseen in agricultural or forestry zones, the total of the secondary buildings can not exceed 111,5 sq. m (1200 sq. ft.) and the height can not be greater than that of the main building to which it is linked.

**9.1.4 Restriction**

It is strictly forbidden to use a yurt or tepee as a secondary or accessory building.

**Article 9.2 INTEGRATED OR CONNECTED GARAGE TO THE MAIN BUILDING**

**9.2.1 General provisions**

Except for professional uses, any integrated or connected garage must strictly serve the exclusive purposes for which the

construction permit was issued, that is to say storage of a motorized vehicle. The storage of domestic articles is authorized provided that it remains a complementary use to the main use.

#### **9.2.2 Surface area**

The surface area of an integrated or connected garage is limited to 74,3 sq. m. (800 sq. ft.).

#### **9.2.3 Installation standards**

Integrated or connected garages are permitted in the front yard provided that they do not encroach on the front setback margin.

These garages are subject to the same setback margins as those foreseen for the main building to which it is integrated.

### **Article 9.3 TEMPORARY OR PERMANENT CARPORTS**

#### **9.3.1 General rule**

Any car shelter must strictly serve the exclusive purposes for which the construction permit was issued this is to say, for sheltering a motorized vehicle. Storage of domestic articles is authorized provided that this remains a complementary use to the residential use.

#### **9.3.2 Installation standards**

Permanent car shelters and attached to the main building are permitted in the front and side yards as long as they do not infringe on the applicable setback margin of the building to which they are integrated.

Temporary car shelters are permitted, from October 15<sup>th</sup>, of one year to April 15<sup>th</sup>, of the following year, in the full depth of the front setback margin up to 1,5 m (4,9 ft.) from the road chain or the property line if there is no road chain and any fire hydrant. Temporary car shelters must be installed on an access road to the parking lot or in a parking lot and must be covered with uniform materials.

### **Article 9.4 ISOLATED GARAGE, STORAGE BUILDING AND SHED**

#### **9.4.1 General rule**

Any isolated garage, building or shed must exclusively conform to the domestic and complementary needs of the building to which it is linked. In no case, (with exception to a professional use foreseen in this bylaw) can one or another of these secondary buildings shelter or serve as a commercial or industrial use or activity. Moreover, using this type of building as a permanent or seasonal residence is strictly forbidden.

#### **9.4.2 Surface area and installation standards**

The maximum surface area of an isolated garage, building or shed can not exceed 111.5 sq. m. (1200 sq. ft.).

Any isolated garage, building or shed, having a surface area equal to or less than 37 sq. m. (400 sq. ft.) may be placed in the side and back yards provided that it is located 2 m (6,6 ft.) from the property limits.

Any isolated garage, building or shed, having a surface area greater than 37 sq. m. (400 sq. ft.) can only be placed in the back yard and under the condition that it is located 2 m (6,6 ft.) from the property line.

However, in all cases and in order to take into account the exterior finishing, a 5 % excess in the total surface area is exceptionally authorized.

**Article 9.5**    **ACCESSORY BUILDING ASSOCIATED WITH A COMMERCIAL USE**

**9.5.1**    **General rule**

Any type of commerce can have one (1) accessory building on its site to store merchandise or equipment associated with the main use.

**9.5.2**    **Surface area and installation standards**

The installation of a building as such is only authorized in the back yard and the setback margins to respect are the same as those required for the main building to which it is associated with.

In all cases, the maximum surface area of the accessory building associated with a business can not exceed 74,3 sq. m. (800 sq. ft.).

**Article 9.6**    **AGRICULTURAL BUILDING**

**9.6.1**    **General rule**

In agricultural zones

Any secondary building may shelter any agricultural use provided that this use is authorized in the zone where the building is located.

In zones other than agricultural

Any secondary building used for agricultural purposes must exclusively respond to the domestic needs as described in article 4.1.6 of this bylaw.

**9.6.2**    **Surface area and installation standards**

In agricultural zones

In agricultural zones, no restrictions are imposed in regards to the surface area and number of secondary buildings used for agricultural purposes. Moreover, this type of building is permitted in all the yards provided that it is located at a minimum distance of 7,5 m (25 ft.) from the front property line and 2 m (6,6 ft.) from the side and rear property lines.

In zones other than agricultural

In zones other than agricultural, the maximum surface area of a secondary building used for agricultural purposes can not exceed 74,3 sq. m. (800 sq. ft.). This type of secondary building can only be placed in the back yard and on the condition that it is located 10 m (32,8 ft.) from the main building and 10 m (32,8 ft.) from the property lines.

**Article 9.7 PRIVATE GREENHOUSE**

**9.7.1 General rule**

Any non-commercial private greenhouse is authorized as a secondary building and must exclusively respond to the domestic needs.

**9.7.2 Surface area and installation standards**

In all cases, the maximum surface area of a private greenhouse can not be greater than 37 sq. m. (400 sq. ft.). This type of secondary building can be placed in the back and side yards on the condition that it is located at a minimum distance of 2 m (6,6 ft.) from the limits of the site.

**9.7.3 Exterior finishing materials**

Only the following materials are authorized for exterior finishing: polyethylene at least 6 mm thick, glass and acrylic. Any opaque wall that is part of the greenhouse must be of finished materials.

The polyethylene must be placed in a way so it will not beat in the wind and be replaced as soon as there is a break/tear. In the event where the finishing materials are removed, they must be replaced immediately, if not the Municipality may require the demolition of the frame.

It is permitted to install a greenhouse annexed to the main building as long as the transparent materials are rigid and the opaque materials are of the same nature as the materials covering the main building.

**Article 9.8 HEAT EXCHANGE UNIT**

**9.8.1 Installation standards**

Heat exchange units or heat pumps are only authorized in the back and side yards. These units must be located 5 m (16,4 ft.) from any property line.

**Article 9.9 OUTDOOR FIREPLACES**

**9.9.1 Installation standards and use**

Outdoor fireplaces are authorized in the side and back yards at a minimum distance of 1 m (3,3 ft.) from any property line.

This type of equipment must only be used for cooking or camp fire purposes. It is formally prohibited to use them to incinerate waste resulting from the various activities of the property owners.

**Article 9.10 SWIMMING POOLS AND SPA (HOT TUBS)**

**9.10.1 General rule**

For the purposes of this bylaw, a swimming pool or spa (hot tub) is considered to be a construction and is subject to a construction permit. Inflatable pools are also subject to the provisions of this article.

**9.10.2 Installation standards**

Pools and hot tubs are only authorized in the side and back yards and the distance between the exterior wall of the pool and any structure associated with it (platform, steps, fence, etc.) and the limits of the site must not be less than 2 m (6,6 ft.).

In the eventuality that there will be collective underground pipes/lines (sewer, telephone, electricity), the installation of an above-ground pool or hot tub on a servitude as such is prohibited.

### **9.10.3 Security**

All swimming pools are subject to the provisions foreseen in the Loi sur la sécurité des piscines résidentielles (L.R.Q., c.S-3.1.02,a.1,2e al).

### **9.10.4 Supply, evacuation and cleanliness**

All swimming pools or hot tubs must be supplied with private pipes/hoses and it can not be filled with water using a hose connected to a fire hydrant.

All pools and hot tubs must be equipped with a type of filtration unit that is recognized for this type of operation.

At all times the water must be kept clean, free of dirt and not release any foul odour.

When draining a pool or hot tub, it is forbidden to spill water on the adjacent land.

### **9.10.5 Lighting**

Any device intended for lighting a pool or hot tub must be set up in a way that no rays of light will be projected outside the site where the pool or hot tub is located.

## **Article 9.11 TRAP FLAKES**

### **9.11.1 Installation standards**

Storing traps for commercial fishing purposes on a trap flake is authorized in the back or side yards, provided that it is located at a minimum distance of 3 m (9.8 ft.) from any property line.

Storing traps for commercial fishing purposes on a trap flake that is on a vacant lot must respect a front setback of 7.5 m(25ft)

It is strictly forbidden to use traps, intended for fishing, for property delimitation purposes, fences, shelter or other similar layouts.

## **CHAPTER 10**

### **BASEMENT LODGINGS**

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#### **Article 10.1      APPLICABLE DOMAIN**

The provisions of this chapter are applicable to all basement lodgings, regardless of the category of use to which it belongs.

#### **Article 10.2      HEIGHT**

The basement apartment must have a minimum height of 2,3 m (7,6 ft.).

#### **Article 10.3      ACCESS TO BASEMENT APARTMENT**

An independent entrance is necessary in order to access the apartment located in the basement.

#### **Article 10.4      WINDOWS**

For an apartment located in the basement, at least one opening window must be located above ground level.

#### **Article 10.5      BATHROOM AND TOILET**

Each apartment must have a large enough space to contain a bathtub or shower, toilet and sink.

#### **Article 10.6      PARKING**

For each basement apartment, one additional parking space must be provided in accordance with the provisions of chapter 14 of this bylaw.

## CHAPTER 11

### COMPLEMENTARY USES

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#### Article 11.1 PROVISIONS REGARDING COMPLEMENTARY USES

##### 11.1.1 General rule

No complementary use can be authorized on a site where there is no main use.

A complementary use is only authorized if it is associated with a dwelling in the H1 category.

##### 11.1.2 Complementary uses of a dwelling

The following are complementary uses of a dwelling:

Garages and car ports, sheds and buildings, pools and hot tubs, greenhouses, in accordance with the provisions of chapter 9 of this bylaw;

Play equipment such as swings, slides, sandboxes, trampoline, etc.;

Solar panels used as a source of energy;

Domestic agriculture such as a vegetable garden provided that this activity does not cause any nuisances in the neighbourhood;

Domestic or professional complementary uses in conformity to article 11.1.3.

##### 11.1.3 Domestic and professional complementary uses

Only one type of domestic and professional use is authorized per main building and under the following conditions:

###### Within a main building

With exception to bed & breakfasts, rooming houses and home-based daycares, a maximum of 50% of the floor area may be used for this use;

No retail sales are carried out on site, except for products specifically associated with the applicable activity;

No displays or storage is authorized outside of the main building and no display is visible from the exterior of the main building;

The use is carried out by the owner or the occupant of the building;

Other than the owner or occupant, the activity can only have one employee;

With exception to storage of fishing gear and equipment of an artisan entrepreneur, a domestic and professional use must have two (2) more parking areas than that stated in chapter 14 of this bylaw;

The signs must respect the provisions of chapter 13 of this bylaw.

###### Authorized uses:

Bed & breakfasts or rooming houses (maximum of 6 rooms including that of the owner);

Hairdressing salons, beauty salons, seamstress shops, tailors, milliner;

Art and craft trades such as photography, painting, sculpture, pottery;

Professional offices such as notary, lawyer, dentist, accountant, doctor, architect;

Home-based daycares;

Small artisan businesses that make food products;

Within a secondary building:

A maximum of 74 sq. m. (800 sq. ft.) can be used for this use;

No retail sales are carried out on site, except for products specifically associated with the applicable activity;

No displays or storage is authorized outside of the building and no display is visible from the exterior of the building;

The use is carried out by the owner or the occupant of the main building;

Other than the owner or occupant, the activity can only have one employee;

With exception to storage of fishing gear and equipment of an artisan entrepreneur, a domestic and professional use must have two (2) more parking areas than that stated in chapter 14 of this bylaw;

The signs must respect the provisions of chapter 13 of this bylaw.

Authorized uses:

Storage and repair of fishing gear of a professional fisherman;

Storage and repair of machinery of an artisan entrepreneur, provided that the equipment (trucks, excavators, etc.) is limited to two (2). Parking trucks, heavy equipment or buses on a vacant lot is strictly prohibited.

Shops associated with art and crafts trades such as photography, painting, sculpture, pottery;

Small artisan businesses that make food products.

## CHAPTER 12

### COLLECTIVE HOUSING AND HOUSING FOR SENIORS

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#### **Article 12.1 General rule**

Collective housing is authorized in all zones where “H” classes of use are authorized.

#### **Article 12.2 INSTALLATION STANDARDS FOR NEW CONSTRUCTIONS**

Any new collective housing construction is subject to the installation standards applicable to the “H” classes of use to which it refers.

#### **Article 12.3 NUMBER OF RESIDENTS**

In the case of residences for seniors, transition homes, homes for the chronically ill, delinquents or boarding houses, the number of residents per building must be greater than three (3).

#### **Article 12.4 CONVERSION OF A BUILDING INTO COLLECTIVE HOUSING OR HOUSING FOR SENIORS**

Notwithstanding the provisions of chapter 19 in regards to buildings, uses and non-conforming sites protected by acquired rights, the conversion of a building into collective housing may be carried out even if the previous use, landsite and/or the present building is non-conforming.

However, the conversion of a building into collective housing must not intensify the observed derogation(s) or create a new derogation.

## CHAPTER 13

### SIGNS

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#### **Article 13.1 GENERAL RULE**

##### **Scope of the regulations**

The regulations of this chapter define what signs are permitted without an authorization certificate, prohibited signs and those that require an authorization certificate.

The provisions of this chapter are applicable to all signs already erected or that will be in the future.

Any request for the altering of a sign that will change the form and the dimensions of the graphical support makes it obligatory to respect this bylaw with regards to installation and area of the sign. However, the modifications dealing with a change in commercial name, graphics, colour or the general maintenance of the sign, while subject to the provisions of this bylaw, do not mean that it is necessary to relocate a non-conforming sign.

For all signs already in existence when this bylaw came into force, when the area of a sign differs from the maximum area set by this bylaw by 5% or less, it must be considered as conforming to the bylaw; a variation of more than 5% renders the sign non-conforming.

**Article 13.2 Prohibited signs**

Lighted signs with colours and shapes that may be confused with traffic signs or the caution lights of public utility vehicles (ambulances, fire trucks, snow plows and blowers, tow trucks, police cars, etc.);

Signs with flashing lights, in other words lighted signs for which the intensity of the artificial light and colour are not constantly maintained and stationary;

Signs mounted on a roof, rescue gallery, in front of a window or door, on trees, poles, fences or on fence walls, watchtowers and above-roof constructions;

Signs illuminated by reflection if the light source projects a ray of light outside of the site where a sign as such is installed;

Publicity signs (signs attracting attention to a business, profession, product, service or entertainment held, sold or offered on another site other than the one where the building is located) with exception to specifically authorized signs by the Ministry of Tourism;

Signs on wheels or trestles, designed to be easily moved and intended to announce a specific event or to promote any kind of product or service or any other similar purpose.

**Article 13.3 SIGNS AUTHORIZED WITHOUT AN AUTHORIZATION CERTIFICATE**

Permanent or temporary signs issued by a public, municipal, regional, provincial, federal and educational authority;

Signs located inside buildings;

Historical inscriptions or commemorative plaques;

The crests, letterings and figures made with the construction materials of the building;

Painted pictures on exterior walls of a building to embellish the site and does not advertise in favour of any product or business;

Traffic signs and signals, stop signs and vehicle parking signs;

Permanent directional signs for the orientation and convenience of the public, including signs indicating danger, delivery entrances and other similar things, provided that they are no more than 0,5 sq. m. (5,4 sq. ft.) and are located on the same landsite as the main use they serve;

Temporary directional signs (maximum 4 per site) provided that their height does not exceed 2 m (6,6 ft.) and they are no more than 0,5 sq. m. (5,4 sq. ft.);

With the exception of signs indicating the entrances and exits of permanent parking areas, temporary directional signs must be removed when the purpose for which they were installed ceases;

Signs regarding an election or a public consultation held in virtue of a legislative Law; however, these signs must be removed 30 days after the date of the election or consultation;

Electoral signs of a candidate or political party during a federal, provincial, municipal or school election campaign;

Flags or emblems of a non-profit organization as well as a temporary sign announcing a campaign, event or activity of an organization as such, up to 3 sq. m. (32,3 sq. ft.) in area. Before installing a sign as such, the non-profit organization must obtain an authorization from the owner of the site where the sign will be installed; however, these signs must be removed 30 days after the end date of the campaign, event or activity to which they are associated;

Signs commemorating an historical fact or person, provided that they are not destined or associated with a profit-making use and that they are no larger than 3 sq. m. (32,3 sq.ft.);

Signs indicating the time of religious services and activities, placed on the landsite of the worship building, provided that they are no larger than 0,9 sq. m. (10 sq.ft.);

Unlit signs with a maximum surface area of 0,4 sq. m. (4 sq. ft.) placed directly on the buildings announcing apartment or room rentals or sections of the building for rent, only concerning the buildings where the signs are posted and only one sign for each case;

Temporary signs (unlit) advertising the sale of a building or land or rental of apartments, rooms, offices and other premises, provided that their surface area does not exceed 0,5 sq. m. (5,4 sq. ft.). These signs must be erected on the same site as the use to which they refer;

Unlit signs with a maximum surface area of 1,1 sq. m. (12 sq. ft.) placed on a vacant landsite advertising the rental or sale of the land where they are placed and only one sign in each case;

Signs placed on construction sites for the duration of the work, provided that they do not measure more than 22,8 m (75 ft.);

Signs pertaining to worship and other religious activities, provided that they are not more than 3 sq. m. (32,3 sq. ft.);

Removable signs designed to be easily moved and intended to advertise a product provided that they are placed on the same site as the business to which they refer and removed outside of business hours. In no case can the height of this type of sign exceed 1 m (3,3 ft.).

## **Article 13.4 SIGNS PERMITTED WITH AN AUTHORIZATION CERTIFICATE**

### **13.4.1 General points**

Anyone who wishes to erect, enlarge, reconstruct, alter, move or place a sign that is not mentioned in the previous article must first obtain an authorization certificate from the building inspector, in accordance with the bylaw regarding permits and certificates.

All signs must be kept clean and in good condition and must not endanger public safety. This responsibility lies with the owner of the building, landsite or the sign.

### **13.4.2 Types of authorized signs**

Two types of signs are authorized by this bylaw:

Signs detached from a building. These signs must be suspended, supported or placed on a post or a low wall; in no case are they to be installed from the ground;

Signs placed on a wall of a building;

Among the lighted signs, only the translucent lighted signs and signs illuminated by reflection are authorized.

Unlit signs, professional or others, referring to an authorized domestic or professional complementary use stated in chapter 11 of this bylaw. The posting is authorized provided that it is only one sign and indicating nothing other than the name, address and type of activity practiced by the occupant. The area of this type of sign cannot exceed 0,5 sq. m. (3,4 sq. ft.) when placed on a wall and 1 sq. m. (10,8 sq. ft.) when detached from the building.

#### **13.4.3 Number of signs**

A site may have a maximum of three (3) signs, in which 2 are placed on a wall of the building and only one detached from the building. This amount does not include signs permitted without an authorization certificate.

### **Article 13.5 INSTALLATION OF SIGNS DETACHED FROM A BUILDING**

#### **13.5.1 General installation terms**

Unless otherwise stated in this bylaw, a sign is a secondary use related to and on the condition that there is a main use for which it constitutes an advertisement or publicity.

All signs must be installed on the same site as the use to which it refers.

The installation of a sign may only be done inside the front yard. The setback margin as well as the minimum and maximum heights to be respected is defined in article 13.8, as well as the authorized distances and surface areas.

All signs must be safely designed with a permanent structure; each of its sections must be solidly attached so it remains stationary.

#### **13.5.2 Minimum clearance**

All signs that are less than 2 m (6,6 ft.) from the ground must have a particular layout in order to block pedestrians and automobiles from passing under the said sign.

#### **13.5.3 Particular situations**

##### Limits for residential and public uses

No sign for residential or public purposes will be authorized if it is less than 6 m (19,7 ft.) from the limits of the site.

##### Specific provisions for service stations, gas stations and car washes

Service station, gas station and car wash signs must be at least 12 m (39,4 ft.) from the boundary of a site used for residential purposes.

Only one publicity sign is authorized in addition to the authorized display area. This sign must refer to a national publicity campaign and be attached to the detached sign of the building or in the area of the gas pumps. It must not exceed 1,5 sq. m. (16,1 sq. ft.).

#### **13.5.4 Stipulated distance from road borders**

The distance setback is calculated beginning at the limit of the road easement to the closest part of the sign projecting from the ground.

#### **13.5.5 Calculating the area of a detached sign**

Calculating the area of a detached sign is determined by taking into account the following provisions:

##### Definition of the area of a sign

Notwithstanding the definition of the word “sign” in the terminology, the area of a sign is the measure of the surface delimited by a continuous line, real or imaginary, surrounding the graphical support, including the frame and the sign itself.

##### Specific provisions concerning signs with print on two or more sides

When a sign has identical print on two sides, the area is that of only one of the sides, provided that the average distance between the two sides is not more than 60 cm. If, on the other hand, the sign has identical print on more than two sides, the area of each additional side is considered as a separate sign.

##### Specific provisions concerning pivotal signs

In the case of a pivotal or rotating sign, the area is equal to one and a half (1,5) times the area of the largest side.

### **Article 13.6 INSTALLATION OF SIGNS ATTACHED TO A WALL**

#### **13.6.1 General installation terms**

Notwithstanding the provisions of article 13.4.3, each business in a commercial center or another building that regroups several businesses, may have one sign attached to a wall and installed in accordance with the standards of table 13.8.

#### **13.6.2 Height of signs**

No individual or grouped sign on a wall of a building can exceed the level of the first floor ceiling by more than 1 m.

#### **13.6.3 Area of signs**

The maximum area of a sign attached to a wall of a building is established according to the group of uses to which it refers in accordance with the standards of table 13.8.

In the case of a sign attached to a wall and made up of independent modules, the area is calculated according to the surface delimited by a single continuous and imaginary line surrounding the complete exterior perimeter of the modules.

**Article 13.7 INSTALLATION OF TEMPORARY SIGNS**

**13.7.1 Temporary subdivision and new construction signs**

In the case of lot subdivision and new constructions, certain signs may be authorized as a temporary use for a limited period, provided that they conform to all other pertinent bylaw provisions and that a prior authorization certificate was issued. The authorized signs are the following:

A sign indicating a “group operation” or announcing that one or more lots were subdivided into sites in order to sell or rent them, provided that the area of this sign does not exceed 3 sq. m. (32,3 sq. ft.). There may not be more than two per “group operation”;

A sign announcing the construction of a project on a lot of at least 4000 sq. m. (43 055,6 sq. ft.) in a mixed zone, a zone for multi-family dwellings, a public or commercial zone, provided that its surface area does not exceed 7 sq. m. (75,3 sq. ft.). A sign as such may also announce a residential development in a residential zone provided that the project includes at least 10 lodgings. In other cases, a sign as such must not exceed a surface area of 3 sq. m. (32,3 sq. ft.);

A sign advertising the rental of lodgings in a multi-family dwelling under construction, provided that the surface area does not exceed 3 sq. m. (32,3 sq.ft.);

Temporary signs authorized in virtue of this article must be located on the same landsite as the use to which they refer. The authorization certificate can only be issued at the same time or after the issuance of the subdivision (lots for sale, group project) or construction permit and its validity period is limited to a maximum of 12 months. These signs must be removed once the purpose for which they were installed is complete.

**Article 13.8 INSTALLATION STANDARDS ACCORDING TO GROUP OF USE**

	DETACHED FROM BUILDING			ATTACHED TO WALL	
	Maximum area permitted	Maximum height of the sign <sup>1</sup>	Distance in regards to the road line	Maximum area permitted according to the frontage of the commerce	Maximum area permitted
<b>GROUP 1</b>					
COMMERCE AND LIGHT SERVICES (C1)	4 m <sup>2</sup> (43,1 ft <sup>2</sup> )	5,5 m (18 ft)	3 (10 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
COMMERCE AND MODERATE SERVICES (C2)	5 m <sup>2</sup> (53,8 ft <sup>2</sup> )	6 m (20 ft)	3 m (10 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
COMMERCE AND HEAVY SERVICES (C3)	7 m <sup>2</sup> (75,3 ft <sup>2</sup> )	6 m (20 ft)	6 m (20 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
<b>GROUP 2</b>					
LIGHT AND MODERATE INDUSTRIAL (I2)	7 m <sup>2</sup> (75,3 ft <sup>2</sup> )	6 m (20 ft)	6 m (20 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
MARINE RESOURCES INDUSTRIAL (I2)	7 m <sup>2</sup> (75,3 ft <sup>2</sup> )	6 m (20 ft)	6 m (20 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
HEAVY INDUSTRIAL (I3)	10 m <sup>2</sup> (107,6 ft <sup>2</sup> )	6 m (20 ft)	6 m (20 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
<b>GROUP 3</b>					
MUNICIPAL PUBLIC (P1, P3)	3 m <sup>2</sup> (32,3 ft <sup>2</sup> )	3 m (10 ft)	3 m (10 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )
PUBLIC OTHER THAN MUNICIPAL (P2)	3 m <sup>2</sup> (32,3 ft <sup>2</sup> )	3 m (10 ft)	3 m (10 ft)	10 %	4,5 m <sup>2</sup> (48,4 ft <sup>2</sup> )

<sup>1</sup>Notwithstanding the permitted height standards, no sign or part of a sign may exceed the height of the building to which it refers. The height is measured from the ground to the highest part of the sign including the support structure.

## CHAPTER 14

### OFF-ROAD PARKING, OPENING TO THE ROAD, SPACES FOR LOADING AND UNLOADING

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#### Article 14.1 GENERAL RULES

##### 14.1.1 Obligation to plan parking spaces

No new building can be constructed unless parking spaces have been planned in accordance with the provisions of this chapter.

No change in use or purpose of a building is permitted unless off-road parking spaces have been planned for the new use.

No enlargement, alteration or addition of a building is authorized unless off-road parking spaces have been planned. In the case of an enlargement or addition, only they are subject to the obligations of this chapter.

##### 14.1.2 Permanence of parking spaces

The off-road parking requirements established by this bylaw are obligatory and continuous and prevail as long as the building or use remains in existence and requires that the off-road parking spaces are in virtue of the provisions of this chapter.

It is therefore prohibited for the owner of a “use” to eliminate in any manner whatsoever the required parking, loading and unloading spaces. It is also prohibited for an individual, company or corporation to use, without the specified requirements, a building which no longer has the required parking spaces due to a modification or subdivision of the site.

##### 14.1.3 Maintenance of openings to the road and parking spaces

The maintenance of the entrance is the responsibility of the waterside property owner. He must maintain his entrance in good condition in order to ensure good water drainage and, consequently, ensure protection of the roadway. Finally, as in the case of a construction, all unauthorized changes made to an entrance could bring about procedures leading to its demolition and at the owner’s expense.

It is forbidden to park a vehicle that is not in working order in all yards, with exception to zones where a use as such is authorized.

Any owner or tenant of a house, business or industry must keep all the access areas and parking spaces free of snow and other material during the winter season.

##### 14.1.4 Development plan for parking spaces

No construction permit can be issued unless a plan for developing parking spaces has been completed in accordance with the provisions of this chapter and approved by the building inspector.

The development plan must be accompanied by all the information required for a construction permit and the following information and documents:

- the localization of the parking spaces;

- the form and dimensions of the parking spaces and lanes, the design and location of borders;
- the number of parking spaces and the necessary information to justify it;
- the location of the entrances and exits.

When changes or modifications affect the development plan of parking spaces, a new plan will be required.

## **Article 14.2 ROAD OPENINGS**

### **14.2.1 General rule**

Before acquiring access to a property from a public road, an authorization must be obtained from the Municipality or the Quebec Ministry of Transport when the public road is under that department's jurisdiction. In this way, an access permit will be issued and will specify, among others, the suitable width for the entrance, the length and diameter of the culvert, the slope of the embankment and the longitudinal and transversal profiles of the entrance.

### **14.2.2 Class of residential uses**

#### Opening

The opening of an entrance onto the road is set at a maximum of 9 m (29,5 ft.) with a radius of 2 m (6,6 ft.).

#### Culvert

Each entrance must have a culvert with a minimum diameter of 45 cm (18 inches). Only culverts made of concrete, corrugated sheet metal and plastic are authorized and they must be covered with class B gravel.

#### Number of entrances

Only one entrance is usually permitted per site. However, interior sites with a frontage of 25 m (82 ft.) or more may have two entrances onto the road, one of which could be a maximum of 9,2 m (30 ft.) and the other would be limited to 6 m (19,7 ft.). However, these 2 entrances must be at least 8 m (26,2 ft.) apart.

General rule, only one entrance onto the road is permitted per site. However, two entrances will be authorized provided that the width of the site is large enough so that the installation of the entrances does not cause any problems for the drainage of surface water. Moreover, if an entrance must be adjacent to another entrance located on the neighbouring site, a space of at least 1,5 m (5 ft.) must be left open between these two entrances in order to facilitate access to and cleaning of the culverts. In no case, can there be a distance of less than 0,7 (2,5 ft.) between an entrance and the side limit of the site.

#### Layout

Both sides of each entrance must be constructed with a slope and be backfilled with soil and seeded or sodded.

### Particular provisions for certain non-standard sites and for angular sites

Two entrances are permitted for angular sites; one must be a maximum width of 9,1 m (30 ft.) and the other is limited to a maximum width of 6 m (19,7 ft.).

These entrances must be located on different sides of the site.

Furthermore, all previous standards remain in effect in accordance to each of the entrances.

The parking spaces and road opening cannot be located less than 6 m (19,7 ft.) from the intersection of two road easements.

### **14.2.3 Commerce, industrial, recreational and public classes of use**

#### Opening

The opening of an entrance to the road is set at a maximum width of 9,2 m (30 ft.), calculated on the front property line of the site.

#### Culvert

Each entrance must have a culvert with a minimum diameter of 45 cm (18 inches). Only culverts made of concrete, corrugated sheet metal and plastic are authorized and they must be covered with class B gravel.

#### Number of entrances

Only one entrance is permitted for a site with a width of 25 m (82 ft.) or less. However, a site with a width of 25 m (82 ft.) or more may have two entrances to the road; they must be at least 8 m (26,2 ft.) apart.

If the site is bordered by more than one public road, the number of authorized entrances to the road is applicable for each of the roads. All entrances onto the road cannot be located less than 6 m (19,7 ft.) from the intersection of the two road easements.

#### Specific provisions for service stations, gas stations and car washes

The width of an access can be a maximum of 12 m (39,3 ft.) to the property line.

In the case of a service station, gas station or car wash, if the site is more than 30,5 m (100,1 ft.) wide, two entrances may be authorized; these two entrances to a same site must be at least 8 m (26,2 ft.) apart.

In the case of an angular site, a distinct calculation pertaining to the number of authorized entrances is carried out for each side of the site adjacent to a road. However, the parking area or road opening cannot be located less than 6 m (19,7 ft.) from the intersection of two road easements.

## Article 14.3 Parking Spaces

### 14.3.1 Location of the parking spaces

Parking is permitted in all yards with exception to the 3 m (9,8 ft.) wide strip in the front yard, calculated from the road line and it must be reserved for landscaping.

Unless otherwise stated in this bylaw, the parking spaces must be located on the same site as the use for which they are required and located at least 1 m (3,3 ft.) from any wall of the building and at least 1 m (3,3 ft.) from any property line.

When it is impossible to locate a part or all of the parking spaces on the same site as the use, additional spaces can be located on an adjacent site or on a site that is less than 150 m (492,1 ft.) from the use, provided that this parking area was subject to a notarized and registered servitude between the concerned parties, for a duration similar to that of the use for which these parking spaces are required and stipulating that it will be used exclusively for that purpose.

#### Communal parking

The development of a communal parking space to serve more than one use can be authorized provided that this space meets the following requirements:

- the use of the parking space is guaranteed by a notarized and registered servitude;
- the number of parking spaces is determined by the cumulative sum of the standards stipulated in this bylaw for each of the concerned uses;
- is illustrated on a detailed plan.

The development of a communal parking area to serve more than one use can be authorized by presenting a proof of servitude or a lease available at the *Bureau de la publicité et des droits* according to the Law uniting the concerned applicants.

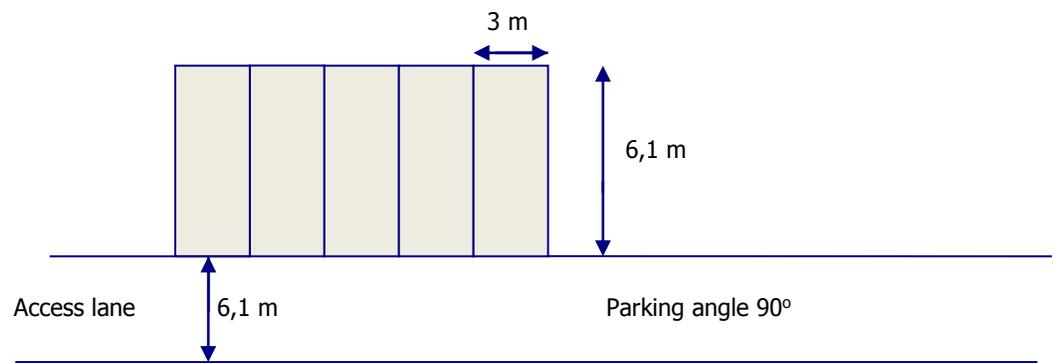
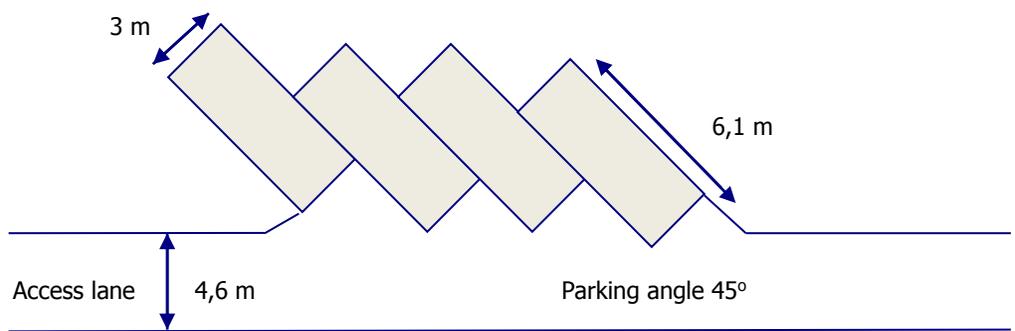
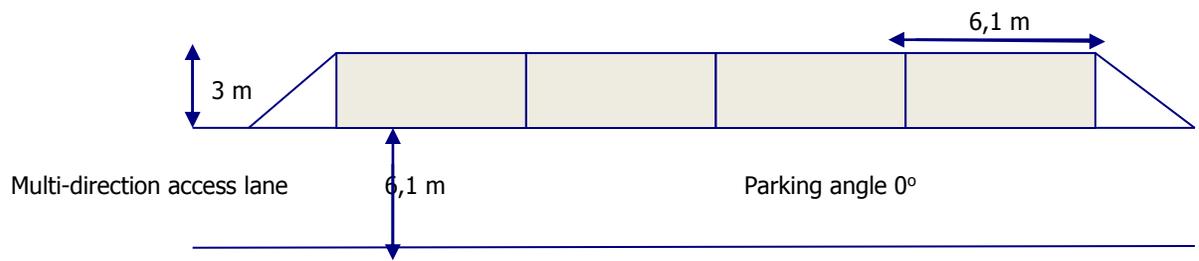
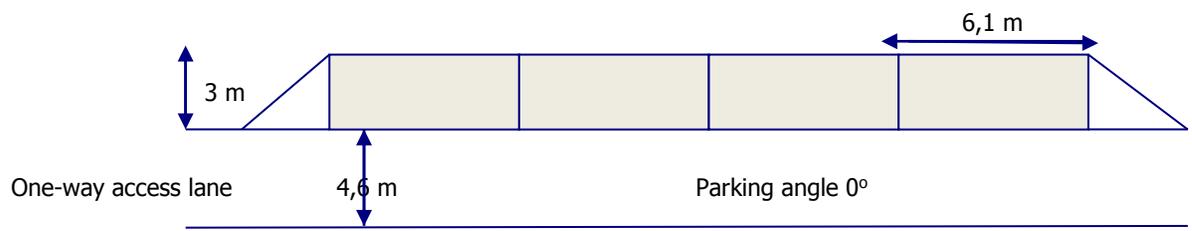
Any change or cancellation of the servitude or lease must be approved by the designated official. The occupancy certificate is only valid for the period stipulated in the said agreement.

In a case as such, when it is shown that the parking needs for each of the uses are not simultaneous, the total number of required spaces is equal to the largest number of spaces required by the uses that simultaneously use the parking area.

### 14.3.2 Dimensions of the parking spaces

The minimum dimensions of parking spaces and access lanes between the spaces must conform to the following:

Angle of the spaces in regards to access lanes	Width of the access lane (meter)	Width of the space (meter)	Depth of the space (meter)
0°	4,6 (15,1ft)	3 (9,8 ft)	6,1 (20 ft)
45°	4,6 (15,1ft)	3 (9,8 ft)	4,6(15,1 ft)
90°	6,1 (20 ft)	3 (9,8 ft)	6,1 m(20 ft)



### **Number of required parking spaces**

The minimum number of required spaces to meet the needs of a use is established hereafter and all served uses must be considered separate in the total calculation of the number of spaces. Any fraction of a space greater than 0,5 must be converted to a complete space.

#### **Residential uses**

The minimum number of required spaces is established hereafter:

##### **Single-family dwelling:**

2 spaces per lodging

##### **Two-family, three-family and multi-family dwellings:**

1,5 space per lodging

##### **Group of tourism accommodation buildings:**

1 space per accommodation unit

##### **Dwellings intended to house permanent occupants but used for room rentals:**

1 space per room rented, in addition to the minimum number required for a main use

##### **Community lodging buildings:**

1 space per dwelling unit

#### **Commerce, industrial and public**

**Retail sales establishments with a small surface area such as general and specialized food stores (groceries, butchers, fruit and vegetables, candy stores), businesses selling common consumer goods (shoe stores, clothing stores, hardware stores, tobacco shops, convenience stores)**

Less than 500 sq. m. (5 382,0 sq. ft.):

1 space/25 sq. m. (269,1 sq. ft.) of the surface area of the building

More than 500 sq. m. (5 382,0 sq. ft.):

20 spaces + 1 space/additional 20 sq. m. (215,3 sq. ft.)

##### **Wholesale distributors such as beer distributors, warehouses**

1 space/employee + 1 additional space/every 5 employees

**Businesses that sell construction materials; rent or sell equipment or recreational vehicles, warehouses**

1 space/75 sq. m. (807 sq. ft.) of the surface area of the building

**Financial services and office buildings such as banks, caisse populaires, government buildings**

1 space/25 sq. m. (269,1 sq. ft.) of the surface area of the building

Professional services such as medical, dental and accountant offices

3 spaces/1 professional

Restaurant, relaxation and entertainment establishments such bars, pubs, cinemas, theaters, restaurants

1 space/3 seats, including the seats at the bar and counters

Accommodation establishments such as hotels and motels

1 space/room for the first 50 rooms, plus

1 space/2 rooms exceeding 50

All industrial categories

2 spaces/3 employees

Public uses such as churches and worship buildings

A minimum number of 20 spaces + 1 space per 5 seats

Library and museums

1 space/37 sq. m. (400 sq. ft.)

Hospitals

1 space/25 sq. m. (269,1 sq. ft.) of the surface area of the building.

Educational institutions and daycares

Primary and secondary level: 2 spaces/class

College level: 1 space/2 students plus 1 space/employee

Daycare

1 space/5 children

Administrative, community and recreational centers

1 space/15 sq. m. (161,5 sq. ft.) of the floor area

Seniors residences, retirement homes

1 space per lodging or per room

Service stations, gas stations and car washes

All service stations and gas stations must have a minimum of five parking spaces. For car washes, each car wash unit must have a space large enough to park at least 3 vehicles in the waiting line;

one space 2,5 m (8,2 ft.) wide by 5,5 m. (18 ft.) long, on the site of the carwash.

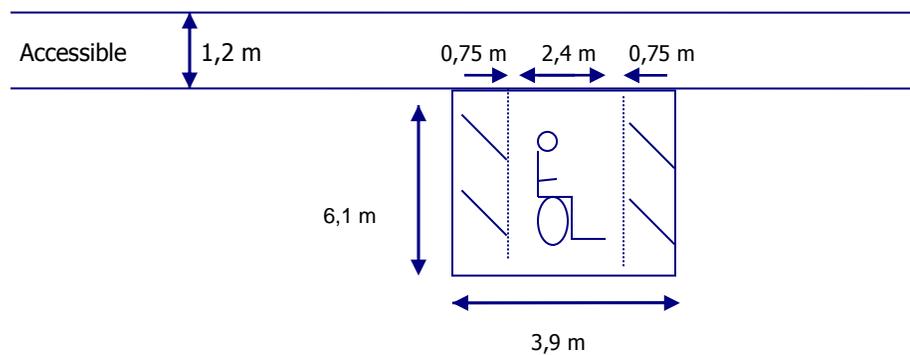
When a service station, gas station or car wash is jointly operated with another business, the required number of parking spaces must be planned for each of the additional businesses.

### 14.3.3 Number of spaces for vehicles used by handicap persons

Total number of spaces	Number of spaces reserved for wheelchairs
1 - 25	1
26 - 100	2
101 - 200	3
200 and +	4

All parking areas must include spaces that are reserved for vehicles used by handicap persons in regards to the Act Respecting the rights of handicap persons (L.R.Q. chapter E-20.1).

The parking spaces used by physically handicap persons must be at least 3,9 m (12,8 ft.) wide. They must be located as close as possible to the entrances of the building.



All parking areas that have a reserved parking space must have one access lane to the building for wheelchairs.

The reserved spaces must be identified with a sign panel illustrating the international symbol for physically handicap persons. The said symbol can also be painted inside the parking space.

### 14.3.4 Maintenance of parking spaces

All parking spaces, including access lanes, must be developed and maintained according to the following provisions:

The parking areas must be paved or covered with crushed gravel or any other hard surface covering in order to prevent dust and water accumulation.

All unfenced parking lots with a surface area greater than 100 sq. m. (1076,4 sq. ft.) must be surrounded by a border made of concrete, asphalt, rock or damp-proof treated beams, at least 0,15 m high and located at least 1,20 m from the lines separating the adjacent properties.

The longitudinal and transversal slopes of the parking areas must not be greater than 5% nor less than 1,5%.

Any parking lot with a surface area greater than 100 sq. m. (1076,4 sq. ft.) cannot be drained towards the road but must have a surface drainage system.

When the parking spaces are located close to the main building and established perpendicular to it, the parking area must have a curb/edge made of concrete or bituminous concrete.

#### **14.3.5 Spaces for loading and unloading**

All new commercial, industrial or public buildings more than 100 sq. m. (1 076,4 sq. ft.) must have, on their lot, at least one space for loading and unloading in order to allow off-road operations.

This space must be a minimum of 15 m (49,2 ft.) long by 3 m (9,8 ft.) wide, cannot be substituted for a parking space and must also be adjacent to the concerned building. In no case, should this space be located in the front yard.

The loading and unloading spaces and their overall operations must be entirely located on the site of the use they serve and within the setbacks and the side and back yards.

At no time are loading and unloading spaces to infringe on the parking areas required in virtue of the provisions of this bylaw.

These requirements apply whether the work is to enlarge a use or to construct a new building

## CHAPTER 15

### SERVICE STATIONS, GAS STATIONS AND CAR WASHES

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#### Article 15.1 GENERAL RULE

##### 15.1.1 Site and surface area

A service station, gas station or car wash can only be installed on a site with a width of at least 30 m (98,4 ft.) and a minimum depth of 50 m (164,0 ft.)

The floor area of a service station, gas station or car wash must be at least 93 sq. m. (1 001 sq. ft.).

##### 15.1.2 Other uses

A service station, gas station or car wash can be jointly operated with any other commerce authorized in the zone.

##### 15.1.3 Prohibited uses

A building that has a service station, gas station or car wash cannot be used for residential or industrial purposes.

#### Article 15.2 SERVICE STATIONS AND GAS STATIONS

##### 15.2.1 Constructions and work permitted in the front yard

Pumps and lampposts are authorized in the front yard, including in the setback margin. However, a space of at least 3,70 m (12,1 ft.) must be left between the pumps and the front property line. These pumps may be covered by a roof connected or not to the main building. A roof as such must be at least 3,5 m (11,5 ft.) from the front line and not be higher than that of the main building.

##### 15.2.2 Maintenance premises

All service stations must have an enclosed area for maintenance, repair and cleaning and/or washing automobiles. These various operations must be carried out inside the said area.

##### 15.2.3 Toilets

All service stations and gas stations must have a heated toilet area for public use, one for each gender.

##### 15.2.4 Gas reservoirs

Gas must be stored in underground reservoirs which must not be located under the building.

#### Article 15.3 CAR WASHES

##### 15.3.1 Elimination of dirty water

Car washes must respect the provisions stipulated in the bylaw currently in effect for the territory of the Municipality regarding disposal in the sanitary sewer network.

## CHAPTER 16

### OUTDOOR CAFES (CAFÉ-TERRACES)

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#### **Article 16.1 GENERAL RULE**

Outdoor cafes are authorized for all classes of commercial uses C1, C2 and C3, provided that they are complementary to a restaurant, relaxation or entertainment commerce such as restaurants, fast-food restaurants, pubs, bars, etc.

#### **Article 16.2 BASIC REQUIREMENTS**

- a) A permit must be obtained from the Building Inspector for the construction or development of an outdoor café;
- b) The installation of an outdoor café is authorized in all yards;
- c) An outdoor café is a temporary extension of an existing business which remains in operation during the period for which it is open. The surface area of an outdoor café is not calculated in the floor area of the main use;
- d) The period in which an outdoor café may open is from May 1 – October 31.
- e) An outdoor café must be the extension of a main commercial use;
- f) Roofs, awnings and marquees of removable canvas are authorized provided that they are made of incombustible and fireproof materials;
- g) The minimum number of required parking spaces must not be reduced in order to develop an outdoor café;
- h) An outdoor café cannot be installed less than 2 m (6,6 ft.) from the road easement, with the exception of roads bordered by a sidewalk, in which case this installation may begin at the sidewalk;
- i) An outdoor café cannot be the object of any acquired right.

## CHAPTER 17

### **BUFFER ZONES**

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#### **Article 17.1 GENERAL RULE**

Buffer zones are required when a zone of type Rc, Nv, Pu, Ia, Ib or Ic is adjacent to a residential zone. In this case, if a commercial class C3 use or an industrial use from class I1, I2, I3 is planned on a site located within the limits of the zone and adjacent to another site used by a “RESIDENTIAL” (H) use, the side or rear setbacks that are generally required are replaced by the buffer zone. In the case where a use needs to create a buffer zone before the construction of a residential use on an adjacent lot, the enlargement is not subject to article 17.2

When a commercial class C3 use or an industrial use of class I1, I2 or I3 is located in a residential zone and protected by an acquired right, any enlargement of a main or secondary building must foresee a buffer zone when it is planned on a site adjacent to a site occupied or that may be occupied by a residential use.

This space referred to as the buffer zone must be left open.

#### **Article 17.2 DEVELOPMENT OF A BUFFER ZONE**

The buffer zone must be established in the following manner:

Any main or secondary building must be located at a distance of at least 9 m (29,5 ft.) from the property line of a site that is adjacent to a site used for a “RESIDENTIAL” use in the case of C3 uses or 18 m (59,1 ft.) in the case of industrial uses I1, I2, I3. The installation of a fence is necessary and must be installed on the property where the use requiring a buffer zone is practiced, on the side of the site lines adjacent to the concerned “RESIDENTIAL” (H) use. The fence must be a minimum height of 2,5 m (8,2 ft.) and the space between the ground and the base of the fence cannot be greater than 10 cm (0,3 ft.). The installation of the fence must be finished in the 6 months following the completion of the construction of the main building or its enlargement.

For sites where a commercial class C3 use is practiced and is adjacent to a site of “RESIDENTIAL” (H) uses, exterior storage, when permitted, is limited to a maximum height of 2,5 m (8,2 ft.) in each of the yards where it is authorized.

## CHAPTER 18

### TEMPORARY USES

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#### **Article 18.1 AUTHORIZED TEMPORARY USES WITHIN THE TERRITORY**

Only the following are considered as temporary uses and are subject to an authorization certificate issued by the inspector:

- temporary buildings or trailers, erected on or transported to the work site to serve as a shelter for employees, tools and documents required on the site. However, these buildings must be demolished or removed within the thirty (30) days following the end of the work or the use for which they were authorized;
- temporary garages and car ports in the setback margin, from November 1<sup>st</sup> of one year to May 1<sup>st</sup> of the following year, subject to the provisions of chapter 9 of this bylaw;
- premises for candidates of a municipal, school board, provincial or federal election;
- any construction, temporary or otherwise, for gatherings or popular holidays; their duration must not exceed 60 days;
- the sale of Christmas trees, during a period that does not exceed 30 days, in a zone other than "RESIDENTIAL";
- the use of tents, tepees or yurts for special events is permitted in all zones; their duration must not exceed 90 days;
- wilderness camping in a tepee or a yurt is permitted in forestry zones and under the following conditions:
  - the activity must always be temporary;
  - public services do not service the equipment;
- popular celebrations, fairs or activities taking place on public property with prior authorization from the organization responsible for the activity;
- itinerant sale is permitted under the following conditions:
  - the activity is temporary, no longer than 48 consecutive hours;
  - the activity does not take place on public property;
  - the site where the activity is to take place already has a building on it;
  - the owner of the land where the activity is to take place provides a written authorization before the activity is held.

## CHAPTER 19

### THE MANAGEMENT OF ACQUIRED RIGHTS (NON-CONFORMING CONSTRUCTION AND USES)

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#### Article 19.1 GENERAL PROVISIONS

This chapter governs constructions and uses that do not conform to the provisions of this bylaw, but are protected by acquired rights.

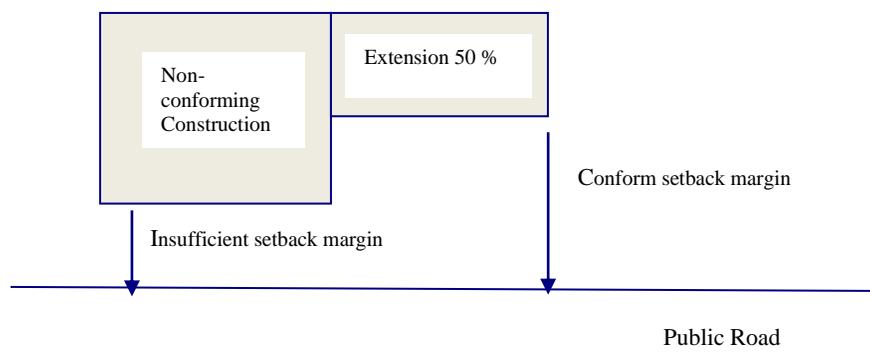
- Non-conforming construction: Construction in which the installation is non-conforming to the provisions of the zoning bylaw or in which the materials or their assembling are non-conforming to the provisions of the construction bylaw.
- Non-conforming use: Use carried out within a building and non-conforming to the provisions of the zoning bylaw.
- Non-conforming use of the soil: Use carried out on a landsite excluding the activity or use practiced within a building.

#### Article 19.2 SPECIFIC PROVISIONS FOR A NON-CONFORMING CONSTRUCTION

##### Extension or modification

The extension of a non-conforming building is authorized under the following conditions:

- this extension does not increase by more than 50% the existing floor area when this bylaw comes into force;
- this extension must not aggravate the existing situation regarding the setback margins;



- any non-conforming building protected by acquired rights that is modified in a manner to make it conform, cannot be re-modified afterwards and made non-conforming again. Also, any non-conforming building that is modified to reduce its non-conformity, without, however, making it completely disappear, cannot be re-modified in order to bring back the non-conforming elements that no longer exist.

##### Replacement

A non-conforming building cannot be replaced by another non-conforming building.

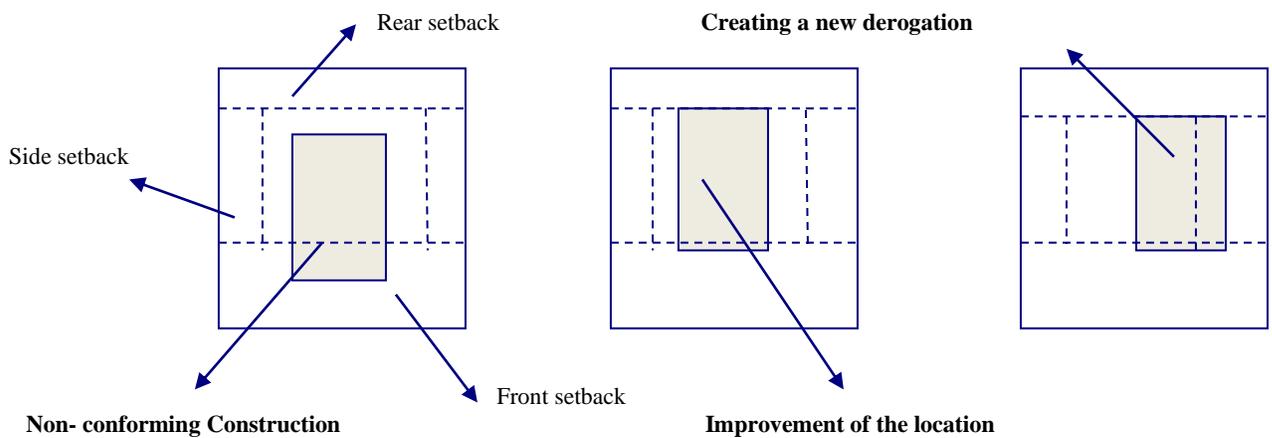
Exceptionally, if it is a main building and it was destroyed by fire or some other disaster, its reconstruction is permitted up to a maximum surface

area corresponding to that of the original building before the disaster, so long as the standards in force in regards to the minimum setback margins are respected. In the exceptional case where it would be impossible to integrally respect these margins, we must attempt to reduce as much as possible the difference between the required margins and those that previously existed. In an extreme case where it proves to be impossible to meet these conditions, the reconstruction must be carried out according to the previous installation and respecting the initial surface area. However, this provision does not apply if the building is located in an erosion or flood zone identified in this bylaw.

### Moving

Moving a non-conforming building on the same lot must be considered as a new installation and must, therefore, respect the specific installation rules applicable to the category of use or to the zone where it is located.

If it is impossible to respect the installation rules, we must attempt to improve the previous situation without creating a new derogation or making the existing one worse.



### Repairing

A non-conforming building may be repaired and maintained in an appropriate way to serve its purpose without becoming a health and safety risk for individuals.

## **Article 19.3 SPECIFIC PROVISIONS FOR A NON-CONFORMING USE**

### Abandonment, cession or interruption

When a non-conforming use has been abandoned, ceased or interrupted during a period determined hereafter, a use as such may not be carried out again without conforming to the provisions of this bylaw.

This period varies according to the group to which the concerned use belongs.

- Use linked to residential: 12 months
- Use linked to commerce, public, recreational, agricultural, forestry and industrial: 18 months with exception to extraction activities which is 48 months.

The only exception to this rule; a non-conforming use as such that is interrupted because of fire or any other disaster may resume after the

reconstruction of the building and taking into account the stipulated terms in this chapter.

#### Replacement

A non-conforming use may be replaced by a conforming use or another use from an inferior classification. For the application of this article, the following list of classifications may be used:

In descending order: Industrial I3, Industrial I2, Industrial I1, Commercial C3, Commercial C2, Commercial C1, all Residential categories.

#### Extension

The extension of a non-conforming use is authorized on the condition that it does not increase the existing floor area by more than 50% when this bylaw comes into force;

A non-conforming use in a zoning bylaw from a former municipality within the MRC of Îles-de-la-Madeleine as of December 31<sup>st</sup>, 2001 and that already benefited from a measure of exception as such, can no longer, in any way, increase the existing floor area when this present bylaw comes into force.

### **Article 19.4 SPECIFIC PROVISIONS FOR A NON-CONFORMING USE OF THE SOIL**

ReplacementA non-conforming use of the soil can only be replaced by a conform use.

#### Extension

An extension of a non-conforming use of the soil is formally prohibited.

## **CHAPTER 20**

### **FINAL PROVISIONS**

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#### **Article 20.1 PENALTIES**

Anyone who violates one or another of the provisions in this bylaw commits an infraction and is liable to a penalty, with or without fees; the amount of this penalty is as follows:

1. If it is an individual:
  - For a first offence, a penalty of 100\$ and maximum of 1000\$.
  - For a second offence within a one year period, a minimum penalty of 300\$ and maximum of 2000\$.
2. If it is a corporation:
  - For a first offence, a penalty of 600\$ and maximum of 2000\$.
  - For a second offence within a one year period, a minimum penalty of 1000\$ and maximum of 4000\$.

A continuous violation of one or another of the provisions of this bylaw constitutes, day-by-day, a separate and distinct infraction.

#### **Article 20.2 VIOLATION REPORT**

When the designated municipal officer notices a violation to this bylaw, he is authorized to issue a violation report. He forwards a copy to the offender.

#### **Article 20.3 LEGAL PROCEEDINGS**

The Municipalité can use the necessary legal action against anyone who violates this bylaw.

#### **Article 20.4 LEGAL PROCEEDINGS INITIATIVE**

Only the council is entitled to authorize legal proceedings.

#### **Article 20.5 CIVIL OR CRIMINAL COURT**

In order to respect the provisions of this bylaw, the Municipalité can exercise consecutively or alternately the proceedings foreseen in this bylaw, as well as any other appropriate civil or criminal legal action.

#### **Article 20.6 COMING INTO FORCE**

This bylaw will come into force conforming to the provisions of the Act Respecting Land Use Planning (L.R.Q.,c.A-19.1).

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Rose Elmonde Clarke  
Mayor

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Janice Turnbull  
Director General

NOTICE OF MOTION: April 2, 2012  
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ADOPTION: November 5, 2012