# **Municipality of Shawville**

By-law Number 417

**Zoning By-law** 

Translation of: Règlement numéro 417 – Règlement de zonage

Certified by:

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## Chapter 1 DECLARATORY AND INTERPRETATIVE PROVISIONS

#### 1.1 Title of the By-law

By-law Number 417 is entitled: « Zoning By-law ». The rules of interpretation and administration of the planning by-laws governing this By-law are included in By-law Number 416 enacting the By-law for the Interpretation and Administration of the Planning By-laws.

# 1.2 Context of the By-law

This By-law constitutes a means of implementation, as part of a rational development policy for the physical development of the municipal territory. Thus, it is in conformity with By-law Number 415 enacting the Planning Program of the Municipality of Shawville.

# 1.3 Purpose of this By-law

For the purpose of providing an orderly framework for the activities conducted by the people who live in or who frequent the Municipality of Shawville, this By-law sets out the measures which encourage the desirable development of human establishments by determining the principles governing them, their location and the conditions governing their development.

More specifically, the purpose of this By-law is to promote quality of life and the common good by the development and consolidation of the downtown area as a major commercial area, the preservation and protection of significant historical and architectural buildings, the relocation of industries along Highway 148, the development and promotion of agriculture, as well as the development of recreation and tourism.

By-law Number enacting the Planning Program presents the general aims of land development policy for the territory of the Municipality of Shawville, the general policies on land use and land occupation densities, and the projected layout and type of the main thoroughfares, in accordance with Section 83 of the Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

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## 1.4 Coming into Effect

This by-law shall become effective in accordance with the provisions of the Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

# 1.5 Applicable Territory

This By-law, whose provisions are binding on individuals and legal entities in public or private law, applies to all the territory under the jurisdiction of the Municipality of Shawville.

## 1.6 Amended By-laws

By-law Number 349 enacting the Zoning By-law and its amendments are amended for all intents and purposes by this By-law. All municipal by-laws presently in force in the Municipality, which are incompatible with this By-law, are hereby amended for all intents and purposes and replaced by this By-law.

All other regulatory provisions incompatible with this By-law are also amended.

These replacements do not affect proceedings instituted under the authority of the by-laws thus replaced, which will continue under the authority of the said replaced by-laws until final ruling and execution. They do not affect permits issued under the authority of the by-laws thus replaced.

# 1.7 Validity of the By-law

Council shall adopt this By-law in its entirety and also part by part, chapter by chapter, division by division, sub-division by sub-division, section by section, paragraph by paragraph, sub-paragraph by sub-paragraph, line by line and word by word, in such manner that if a part, a chapter, a division, a sub-division, a section, a paragraph, a sub-paragraph, a line or a word of this By-law is or should be declared null and void, the other provisions contained in this By-law shall continue to apply.

#### **1.8** Amendment Procedure

The provisions in this By-law may only be adopted, amended or repealed by an approved by-law pursuant to sections 123 to 137 of the Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

# 1.9 Division of the Territory for Voting Purposes

At the time of amending this By-law or By-law Number 418 enacting the Subdivision

By-law susceptible to approval by way of referendum, each zone identified by an appellation number is a voting unit, in accordance with Section 113, Sub-paragraph 2, of the Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

#### 1.10 Zoning Plan

The Zoning Plan, which reference number is 417, with all the leaflets which compose it, duly authenticated by the Secretary-Treasurer of the Municipality, forms an integral part of this By-law for all legal purposes, and is appended to this By-law.

#### 1.11 Appended Documents

For all legal purposes, the following documents form an integral part of this By-law:

- The Planning Program of the Municipality of Shawville;
- The Zoning Plan, which reference number is 417, made up of leaflets duly authenticated by the Secretary-Treasurer, as well as the symbols, codes and other indications which it contains;
- The tables, diagrams, graphs and symbols contained in this By-law, and its appendices;
- The uses specification chart;
- The regulations set by the Québec Ministry of the Environment pertaining to septic facilities, and the amendments to these regulations;
- The maps contained in the graphic matrix for cadastral identifications.

# 1.12 Rules of Interpretation

Chapter 2 of By-law Number 416 enacting the By-law for the Interpretation and Administration of the Planning By-law strictly applies to this By-law. These rules include sections bearing on the interpretation of the text, tables, diagrams, graphics and symbols, as well as definitions and interpretations.

#### Chapter 2 PROVISIONS PERTAINING TO THE ZONING PLAN

# 2.1 Division of the Territory

For the purposes of regulating uses, the territory of the Municipality of Shawville is divided into zones shown on the Zoning Plan, which reference number is 417, and identified by a call number. At the time of amending this By-law or By-law Number 418 enacting the Subdivision By-law susceptible to approval by way of referendum, each zone identified by an appellation number is a voting unit.

# **2.1.1** Rules for the Interpretation of the Zoning Plan

- 1. The Zoning Plan, which reference number is 417, shows the division of the municipal territory into zones. Each of these zones is identified by a distinct number.
- 2. An existing or permitted dominant class of uses within this zone corresponds to each of these zones. The dominant class corresponds to the use attributed to it in By-law Number 415 enacting the Planning Program.
- 3. When these limits do not coincide with, or appear not to coincide with the lines listed in Sub-division 2.1.2., the delimitation of these zones on the maps constitutes the reference. The depth of these zones may not be less than the minimum lot depth stipulated in this By-law for each specific zone.
- 4. All the zones which have proposed public streets for their limits, as indicated on the Zoning Plan, which reference number is 417, will always have these streets for their limits, even if the layout of these streets has been changed when a subdivision plan is approved.
- 5. All zones which have waterways or bodies of water for their limits, such as these appear on the Zoning Plan, which reference number is 417, will always have these waterways or bodies of water for their limits, such as these limits appear on the original zoning plans, even if the limits of these waterways or bodies of water have undergone slight changes.

# 2.1.2 Rules for the Interpretation of the Zone Limits

The delineation of zones on the Zoning Plan, which reference number is 417, is performed using lines or tracings identified in the legend of the plan. When no measurements are indicated, distances are measured using the scale of the plan. In the case of any inaccuracy concerning the exact location of these limits, the following rules apply.

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#### 2.1.2.1 **General Rules**

These limits generally coincide with the following lines:

- The axis or extension of the axis of existing, expropriated, approved or proposed streets:
- The axis of waterways;
- The subdivision lines or their extensions;
- The limits of the Municipality of Shawville.

### 2.1.2.2 Special and Exceptional Cases

In the cases where there is any ambiguity, imprecision or confusion pertaining to the zone limits, owing to a re-division of the land, a change in the use of the land, or for any other reasons, Council may modify these limits by means of a By-law.

#### 2.1.2.3 Modification of Information Elements

The information elements included in the Zoning Plan, which reference number is 417, such as hydroelectric and other easements or the cadastre, may be corrected or updated without such action constitutes an amendment to the Zoning Plan or to this Bylaw.

# 2.1.2.4 Storage of All Waste Material

- Material must not be visible

#### 2.2 **Uses Specification Chart**

The uses specification chart brings together the groups and classes of uses permitted in each zone. It presents standards pertaining the layout and construction of buildings, and special provisions. In the case of inconsistency, the information and standards contained in the uses specification chart shall predominate over those contained in the text of this By-law.

#### 2.2.1 Rules for the Interpretation of the Uses Specification Chart

Perusal and understanding of the uses contained in the uses specification chart must be performed according to the following rules:

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- The permitted uses are identified on the uses specification chart by a symbol under a zone number;
- The permitted uses are given by groups of uses;
- Each group of uses is made up of several classes of uses.

#### 2.2.2 Dominance

The dominant use entered for each zone expresses, as an indicator, the use or uses which may dominate. Two zones having the same dominant use may not all have the same authorized uses?

#### 2.2.3 Definition of Abbreviations

#### Dominant use:

- Residential (RE);
- Commercial (C);
- Mixed Commercial (CM);
- Industrial (IN);
- Public (PU);
- Conservation (CO);
- Agricultural (AG).

#### 2.2.4 Use of the Uses Specification Chart

# 2.2.4.1 Uses Specifically Excluded

Any use indicated under this heading on the uses specification chart, are specifically prohibited, even if the class to which they belong is authorized within this zone. Unless indicated to the contrary, businesses dealing in parts of junked automobiles and scrapyards are excluded from all the zones.

## 2.2.4.2 Uses Specifically Permitted

Any use indicated under this heading on the uses specification chart, are specifically authorized, notwithstanding the fact that the class to which they belong is not authorized within this zone.

## 2.2.4.3 Layout Standards

- The setbacks, the side setbacks and the minimum yard depth are expressed in metres;
- The maximum number of storeys expresses the number of storeys permitted; however, an overage of one-half storey is accepted;
- The minimum floor area is expressed in square metres. It indicates the minimum floor area permitted within the zone.

## 2.2.4.4 Special Provisions

The uses specification chart refers to the sections for some special provisions pertaining to setbacks along waterways and in floodplains.

#### 2.2.4.5 Notes and Cross-references

The notes and cross-references written in the lower portion of the uses specification chart form an integral part of it. They are expressed in letters between parentheses.

# Chapter 3 CLASSIFICATION OF USES

For the purposes of this By-law, the uses are grouped according to their compatibility with regard to their physical characteristics. These groups are the following:

- Housing Group;
- Businesses and Services Group;
- Tourism and Recreation Group;

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- Industries Group;
- Public Group;
- Agriculture Group.

The classes of uses specify the nature of the uses permitted in each group.

# 3.1 Housing Group

In the Housing Group, the classes of uses include housing types related through their mass or their volume, the density of the occupancy which they represent and their effects on public services such as streets, water delivery systems, sewers, schools, parks, etc.

## 3.1.1 Low Density – Class R1

This class includes any and all free-standing housing units including one (1) dwelling unit only such as one-family houses and mobile homes.

## 3.1.2 Medium Density – Class R2

This class includes housing units including two (2) dwelling units or more such as semidetached houses, apartment duplexes, triplexes, quadraplexes and row housing units including a maximum of four (4) dwelling units.

# 3.1.3 High Density – Class R3

This class includes all types of multifamily housing units having five (5) or more units such as apartment buildings and row houses.

# 3.2 **Businesses and Services Group**

Commercial and service uses related through their nature, the occupancy of the land, the building of structures and the occupancy of buildings are gathered into classes under the Businesses and Services Group.

Establishments which are not included within these categories will be classified by Council further to the recommendations of the designated officer in charge of the application of the municipal planning by-laws, on the basis of similarity with the services listed in this By-Law. When such a decision is made by Council, this classification applies throughout the entire territory.

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## 3.2.1 Neighbourhood – Class C1

This class includes the uses of the retail sales type and services wherein the radius of action is limited essentially to a residential area and which meet the following requirements:

All operations are carried out within a building and no merchandise is stored outdoors;

- The merchandise sold is generally transported by customers themselves;
- The use does not present any undesirable effects on the neighbourhood;
- The only motive power used is electricity.

As an indication, the following establishments form a part of this class:

- Retail grocery store;
- Retail store dealing in general merchandises;
- Automatic teller of a financial institution;
- Bar, brewpub;
- Restaurant;
- Snack bar;
- Convenience store;
- Microbrewery or Wine Processing.

Although they do not share all the characteristics of this uses class, service stations are part of Neighbourhood – Class C1.

# 3.2.2 Municipal – Class C2

This class includes the uses of the retail sales type having a radius of action extending throughout the Municipality, and which satisfy the following requirements:

All operations are performed within a building and no merchandise is stored outside;

• The use does not generate smoke, dust, odours, heat, gases, and flashes of light, vibrations or any noise more intense than those found in the street at the limits of the lot.

As an indication, the following establishments, occupations and trades are found within this class:

- All uses included in the Neighbourhood Class C1;
- Travel agency;
- Sale of domestic animals;
- Bank and similar establishments (automatic tellers);
- Repair, rental and sale of bicycles;
- Jewellery;
- Sale of alcoholic beverages;
- Butcher shop;
- Laundry;
- Administrative, government and professional offices;
- Telephone exchanges;
- Cinemas, theatres;
- Medical clinics and other medical and paramedical services;
- Social clubs;
- Hairdressers, barbershops;
- Confectioners;
- Real-estate and stock brokers, insurance;
- Fashion designers;

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- Specialty schools (music, singing, body expression, sports, etc.);
- Florists;
- Daycare centres;
- Veterinarians;
- Bookshops;
- Stores dealing in grocery items retail sale;
- Stores dealing in general merchandise and clothing;
- Liquor stores;
- Sale of furniture and domestic appliances;
- Milliners;
- Pastry shops;
- Pharmacies;
- Restaurants, cafe terraces not providing drive-in service;
- Dance halls;
- Electronic games arcades, billiard halls;
- Reception halls;
- Bowling alleys;
- Entertainment facilities;
- Beauty salons;
- Funeral homes;
- Professional, administrative and financial services;
- Sale of tobacco;

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- Taxi stands;
- Caterers;
- Taverns;
- Sale of sport goods;
- Shopping centres grouping the uses included in the Neighbourhood Class C1 and Municipal – Class C2.
- Administrative Government and Professional offices in the class of municipal uses
- Gas Station
- Crematorium

#### 3.2.3 Semi-Industrial – Class C3

This class includes the uses of the retail sales group for which the radius of action extends throughout the Municipality and which satisfy the following requirements:

- All operations are conducted within a building, but merchandises may be stored outdoors;
- The use does not generate smoke, dust, odours, heat gases, and flashes of light, vibrations or any noise more intense than that found in the street at the lot limits.

As an indication, the following establishments, occupations and trades are included in this class:

- Slaughter house;
- Agricultural commercial uses;
- Trade workshops (iron-mongers, plumbers, cabinetmakers, electricians, engravers, building contractors, manufacturing business and workshop);
- Storage;
- Establishments for the sale, washing and repair of automobiles, including body and paint work;

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- Wholesalers;
- Handicraft industries;
- Tree nurseries;
- Commercial greenhouses;
- Sale of building materials;
- Businesses and garages for heavy trucks;
- Sale and repair of heavy machinery;
- Sale and repair of agricultural machinery;
- Garbage Dumpsters
- Manufacturing Business and Workshop

Unless there is any indication to the contrary included in the uses specification chart, businesses engaged in automobile scrapping operations are excluded from the entire municipal territory.

# 3.3 Tourism and Recreation Group

Private or public uses linked with the tourist industry and belonging to the recreation and accommodation sectors make up this group.

#### 3.3.1 Recreation and Leisure – Class RT1

This class includes, as an indication, open-air resorts, outdoor centres, summer camps, day camps, golf links, recreation trails, riding academies, cross-country skiing centres, snowmobile facilities, sugar bushes, major attractions and amusement parks.

Bars, brewpubs, restaurants and snack bars are allowed as accessory uses to the uses included in this class.

#### 3.3.2 Tourist Accommodation - Class RT2

This class includes accommodation establishments, such as hotels, motels and inns, as well as tourist homes, furnished apartments, holiday resorts, village clubs, youth hostels and camping grounds, in the sense of the Regulation on Tourist

Accommodation Establishments (R.S.Q., c. E-14.2, r.1).

Bars, brewpubs and restaurants are allowed as accessory uses to accommodation establishments.

### 3.4 Public Group

All sites and buildings usually falling under public ownership and serving the public as a whole make up this uses class.

## 3.4.1 Neighbourhood – Class P1

This class includes those public and semi-public uses which, placed under the aegis of organizations of the same type, serve the community as a whole. The following uses listed hereinafter make up a part of this uses class:

- Daycare centres;
- Community halls, recreational facilities and parish halls;
- Places of worship, cemeteries;
- Primary schools and kindergartens.

# 3.4.2 Community – Class P2

This class includes the uses which have an influence extending throughout the Municipality as a whole. The following uses are included in this class:

- Libraries;
- Secondary (high) schools;
- Administrative establishments, provincial and municipal services;
- Museums;
- Cultural facilities;
- Sports facilities: tracks and grassed areas, swimming pools, skating rinks, arenas;
- Post offices;

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- Public security facilities;
- Retirement homes, convents, low-rental dwellings, senior citizens' homes.

#### 3.4.3 Parks and Green Spaces – Class P3

This class includes the following uses:

- Green spaces;
- Pedestrian walkways and bicycle paths;
- Sites and buildings intended for use in the context of preservation and interpretation of nature;
- Parks, playgrounds and natural areas;
- Buildings pertaining to one of these uses.

#### 3.4.4 Public Utilities – Class P4

This class includes those sites and buildings used to ensure public hygiene and health, such as:

- Dumpsites;
- Aeration basins;
- Sewage farms;
- Filtration facilities;
- Drinkable water intakes;
- Electrical distribution and transformer stations;

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- Cable broadcasting stations;
- Telephone exchanges;
- Water supply equipment;
- Street and road services

#### 3.5 Industries Group

This group includes manufacturing enterprises, factories, workshops, construction sites and warehouses. These activities are divided into three (3) classes, as determined hereinafter, according to the nature of the operations performed, the materials stored and the noxious effects they produce. Industries must at all time respect the standards set by the Québec Ministry of the Environment. No heavy industries are allowed throughout the entire territory of the Municipality.

## 3.5.1 Light Industry – Class I1

This class includes the uses and activities related to the assembly and processing of products which have little impacts on the neighbouring area or on the quality of the environment.

Within this uses class are found industrial plants, manufacturing businesses, workshops, factories, building sites, warehouses and other uses, if they satisfy and continue to satisfy the following requirements:

- Outdoor storage is made within the side and rear yards;
- The noise intensity corresponding to this use must not be greater than the normal noise intensity found in the street and with the traffic flow at the limits of the lot;
- The industrial operation does not induce any emission of smoke;
- Any dust or smoke passed the limits of the lot is prohibited;
- No blinding lights, either direct or reflected by the sky or otherwise, emanating from electric arcs, acetylene torches, spotlights or other industrial procedures of the same nature are visible from any area outside the lot limits;
- No heat emanating from an industrial process may be felt outside the lot limits;

- No ground vibrations may be perceptible at the lot limits;
- The use does not present any danger of explosion or fire.

#### 3.5.2 Medium Industry – Class I2

This class includes all activities and uses related to the processing and assembly of products with moderate impact on the neighbouring area and on the quality of the environment. This class includes all establishments:

- Where risks of fires or explosions are low;
- Where one or several noxious effects may be suffered by the neighbouring residents, owing to smoke, dust, noises, odours or any other similar harmful elements which are more pronounced than those permitted for the Light Industry – Class I1;
- Which do not pose any dangers caused by toxic emissions;
- Which require a great deal of outdoor storage of raw materials or finished products.

As an indication, this class includes the following uses:

Industries engaged in the first or second processing of wood.

#### 3.6 Agriculture Group

There are two (2) classes of uses in this group, which includes uses and activities that form the agricultural environment as defined in the Planning Program.

#### 3.6.1 Cultivation – Class A1

This class includes all the uses and activities related to the cultivation of plants and market gardening. The following uses and activities are found within this class:

- Farms for growing fruits and vegetables, grains and forage;
- Crop nurseries;
- Maple bushes;
- Tree farming

# 3.6.2 Breeding – Class A2

This group includes agricultural uses and activities related to agriculture in general and to animal husbandry, such as:

- Dairy farms;
- Animal husbandries;
- Breeding farms;
- Farms conducting various specialty operations;
- Farms with forestry operations.

# 3.7 Complementary Uses

#### 3.7.1 Domestic Use

A domestic use is a professional, handicraft, commercial, artistic or other activity of the same type performed either for profit or on a non-profit basis within a dwelling or within an accessory building. The following uses are specifically excluded from domestic uses: convenience stores, grocery stores, restaurants, snack bars, pharmacies, service stations and businesses dealing in general merchandise.

A domestic use ceases to be when its external land use refers to the outdoor storage, posting of signs and parking chapters. The domestic use is a privilege and does not permit any disturbance of the public peace by noise or odours at any time.

#### 3.7.1.1 List of Domestic Uses

- Word processing;
- Telephone sales office;
- Dressmaker;
- Tailor;
- Milliner;
- Beauty treatment;

- Advertising service;
- General and/or specialized contractor's office;
- Management and business consultant's office;
- Real-estate broker;
- Insurance broker;
- Hairdressing salon;
- Artistic activity;
- Shoe repair;
- Photographer;
- Distributor without storage;
- Repair of small electrical appliances;
- Promoter;
- Bed-and-breakfast;
- Home babysitting;
- Artisan;
- Professional services (doctors, lawyers, engineers, urban planners, architects, consultants of various types).

## 3.7.1.2 Provisions Applicable to Domestic Uses

A domestic use must be compatible with use as a dwelling and with its immediate surroundings. It can be held in a main or accessory building serving for habitation.

If such use has any undesirable effects on the neighbouring residents owing to noise, odours, dust, smoke, light, vibrations or traffic, as well as a danger for the neighbouring residents, the designated officer may request that Québec Superior Court judge issue an order to have the performance of the domestic use stopped.

Unless there are any provisions to the contrary, domestic uses are permitted in the main and accessory building, under the condition that the following standards are respected: No displays are to be visible from the exterior;

- No architectural modification of the dwelling is to be visible from the exterior;
- The use must take up less than twenty five per cent (25 %) of the total floor area of the ground floor or of the basement of the main building;
- No visible identification from the exterior indicating a domestic use is tolerated, with the exception of a professional sign having a maximum area of five hundred (500) square centimetres. This sign may be lighted only by a white-coloured bulb of the incandescent type, providing continuous illumination;
- No storage of materials or containers outside the buildings is permitted;
- The parking area is limited to five (5) vehicles;
- All other stipulations contained in the zoning and construction by-laws must be respected;
- The use is perform by the occupant(s) residing in the dwelling, and by a non-resident person at the most;
- The domestic use does not have any undesirable effects on the neighbourhood and, this in a non-limiting manner, owing to noise, odours, dust, smoke, light, vibrations or traffic, as well as a danger to the neighbouring residents.

A domestic use must cease if it does not respect all the provisions mentioned in sections 3.7.1.1 and 3.7.1.2 of this By-law.

Any person or organization which infringes upon the provisions relative to domestic uses shall receive written notice from the designated officer, enjoining him or her to conform to these provisions within a period of seven (7) days.

#### 3.7.2 Uses Complementary to Commercial Uses

In commercial and mix commercial zones, the following uses are authorized as being complementary to commercial uses: outdoor terraces attached to buildings and warehouses. In mix commercial zones, dwellings considered to be complementary uses must be in conformance with this By-law.

# 3.7.3 Uses Complementary to Industrial Uses

In industrial zones, the following uses are authorized, insofar as they are accessory to the main use, and necessary to the performance of this use:

- Administration;
- Reception, storage and shipping of raw materials and finished products;
- Parking for fleets of commercial vehicles;
- Maintenance, inspection and repair of products manufactured and/or distributed by the establishment, including the sale of spare parts;
- Sales counter for manufactured or assembled on the premises;
- Cafeteria for the employees;
- Day-care centre for the employees' children.

# **Chapter 4 PROVISIONS COMMON TO ALL ZONES**

#### 4.1 Setbacks and Yards

# **4.1.1** Distances for the Peripheral Lot Limits

This By-law stipulates that, in some zones, an obligatory space upon which no buildings are permitted must be provided within the area defined by the peripheral lines of the lot and an interior line parallel to this line, over the entire contour of the lot. The width of this setback is determined for each case in Chapter 7, as well as the uses authorized therein.

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#### 4.1.2 Setbacks

#### 4.1.2.1 General Rule

In some zones, this By-law stipulates an obligatory space upon which no buildings are permitted must be provided for each side of the lot, as well as a setback between the line of the street and an interior line parallel to this line. The width of this setback is determined for each case in Chapter 7. The provisions contained in Chapter 7 are subject to the provisions contained in this section.

#### 4.1.2.2 Particular Rule

On corner and through lots, the prescribed setbacks must be observed on all sides of the lot bordered by a street.

#### 4.1.3 Side Setbacks

In some zones, an obligatory space upon which no buildings are permitted must be provided between the side lot line and a line parallel to this line. The width of the side setbacks thereby created are, as well as the uses authorized for them, determined for each zone in Chapter 7. The provisions contained in Chapter 7 are, however, subject to the provisions contained in this section.

#### 4.1.4 Rear Yard

In some zones, an obligatory space upon which no buildings are permitted must be provided between the rear lot line and the rear wall of a building. The depth of the rear yard thereby created is determined for each zone in Chapter 7. The provisions contained in Chapter 7 are, however, subject to the provisions contained in this section.

In the case of corner lots, a side yard and a side setback may be considered as a rear yard.

In the case of transverse lots, one or the other of the front yard and half of the prescribed setback must be considered as a rear yard.

#### 4.1.5 Individual Character of Setbacks and Yards

A setback or a yard may be considered as such, under the terms of this By-law, for one lot only.

# 4.1.6 Rules Governing Exceptions: Instances Wherein Existing Structures Impinge on Setbacks

Without restricting the application of Sub-section 4.1.2, the rules governing exceptions hereinafter listed prevail when one or more adjacent lots has already been built up, and where the structure or structures impinge on the prescribed setback.

However, this setback can never be less than four (4) metres in all zones, except in the following zones: CM 1, CM 2, CM 3, CM 4, RE 6, CM 7, RE 8, PU 9, C 10, CM 11, RE 12, RE 13, RE 18, RE 20, PU 45 and C 69. In these zones, the minimum setbacks are indicated on the uses specification chart.

In the existing areas, the standards applied to establish the front setback are calculated using the following formulae, in which:

- R is the minimum setback for the planned structure;
- r' and r" are the setbacks in metres for each of the buildings on each of the adjacent lots (if such is the case);
- R' is the setback prescribed by this By-law.

# 4.1.6.1 Case Where Each of the Adjacent Lots Has Been Built Up

When each one of the adjacent lots has already been built up at the time when a construction permit is applied for, and these buildings impinge upon the setback prescribed in this By-law, the minimum setback for the planned structure between these lots is established by the following formula:

$$R = \frac{r' + r'' + 2R'}{4}$$

# 4.1.6.2 Instance Where Only One of the Adjacent Lots Has Been Built Up

When only one of the adjacent lots has already been built up and this building impinges upon the setback prescribed in this By-law, the minimum setback for the planned structure located alongside this building is established by the following formula:

$$R = \underline{r' + R'} \qquad 2$$

# 4.1.7 Visibility at Intersections

A sight triangle is obligatory on each corner lot. Within this triangle, no object, whatever this might be, may be more than zero decimal seventy-five (0.75) metre in height, in relation to the level of the roadway. This prohibition also applies to signs and to any and all parking areas.

One of the angles of this triangle is formed by each of the existing or proposed property lines. The sides forming this angle must each be eight (8) metres in length, measured from the meeting point of the two (2) street lines or their extensions. The third side of the triangle is a straight line joining the extremities of the two (2) sides.

On a lot located at the intersection of several streets, as many sight triangles are necessary as there are street intersections.

## 4.1.8 Lots along Waterways and Lakes

No work and no permanent or temporary structure, except for retaining walls approved by the designated officer according to the standards set by the Québec Ministry of the Environment, and no septic tank or facility is permitted within fifteen (15) metres of the high water line. Attached dwellings must always observe a setback of thirty (30) metres from the high water line.

## 4.1.9 Lots along Non-Conforming Roadways and Rights-of-Way

Any new building must be built at a minimum distance of eighteen (18) metres from the centre of the street or right-of-way, in the case where this building is constructed along a non-conforming street or right-of-way.

#### 4.1.10 Uses Permitted in Setbacks and Yards

As a general rule, no use is permitted within the setbacks and the side setbacks, and these spaces must be free from the ground to the sky. The space located in the front, rear and side yards must be kept free of any and all structures.

Only the following uses are permitted in front, side and rear yards:

- Stairways leading to the ground floor and the basement;
- Eaves and bay windows, insofar as such features do not extend more than sixty (60) centimetres beyond the building line;

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- Chimneys more than two hundred and forty (240) centimetres in width, built into the wall of the building, provided that these chimneys do not extend outward more than sixty (60) centimetres;
- Sidewalks, rock gardens, driveways or other landscape developments, fences and retaining walls;
- Posters and signs;
- Parking areas;
- Temporary carports;
- Porches, verandas, balconies and their eaves; insofar as these features do not impinge more than two (2) metres upon the front setback;
- In rear or side yards, a minimum setback of two (2) metres must be left between the lot line delimiting the lot and the porches, verandas or balconies.

#### 4.1.11 Prohibited Uses

The following uses are specifically prohibited in setbacks and side setbacks, as well as in front and side yards:

- Heating oil tanks;
- Propane cylinders;
- Clothesline

#### 4.2 Dimensions of the Main Building

Unless there is any indication to the contrary on the uses specification chart, the minimum area of a building shall be sixty-five (65) square metres, and the minimum width of the front of the building is seven (7) metres. In the instance of a dwelling more than one (1) storey in height, the minimum floor area is set at thirty-seven (37) square metres and the minimum width of the front of the building is six (6) metres. In all cases, the calculation of the floor area of a building and the width of the fronts excludes any attached garages.

## 4.3 Accessory Buildings and Structures

#### 4.3.1 Definition

For the purposes of this By-law, accessory buildings include, among other things, storage sheds, hangars, private garages, carports, and accessory structures include outdoor barbecues, swimming pools and freestanding structures, private greenhouses in the case they are detached from the main building, annexes and private garages twinned with the main building.

## 4.3.2 Standards Pertaining to Accessory Buildings

- a) A main building must be built on the lot before an accessory building is erected;
- b) Accessory buildings must be located on the same lot as the main building which they serve;
- c) Accessory buildings are prohibited within the setback and in the front yard, and must be located at least one (1) metre from any side or rear lot line;
- d) The provisions contained in paragraphs a) and b) do not apply in the instance of an agricultural building and of a building used to shelter animals.

# 4.3.3 Swimming Pool

Provisions on swimming pools are contained in the Municipal By-law respecting privately owned indoor or outdoor swimming pools.

# **4.3.4** Freestanding Structures

#### 4.3.4.1 General Rule

The provisions of this sub-section apply to antennas, parabolic antennas, windmills and masts. However, all antennas and parabolic antennas intended for industrial, scientific or institutional uses are not subject to the provisions of the following sections.

#### 4.3.4.2 Location

No freestanding structure may overhang a public thoroughfare, nor be installed within the setback or the front yard. However, in the industrial zones, a freestanding structure may be installed in the front yard, provided that the prescribed setback is observed. However, a parabolic antenna and the base to which it is connected must be installed on the ground only. Any other connection is prohibited.

Freestanding structures must abide by the setbacks which apply for the zone in which they are located, and their distance in relation to the lines of the lot must always be equal to their height.

#### 4.3.4.3 Height

The maximum height permitted for a mass is set at twenty (20) metres. The height of any freestanding structure is calculated from the lowest point of the structure or the base which supports it, up to its highest point.

## 4.3.4.4 Dangerous Structure

Freestanding structures must be maintained in good condition. The designated officer shall require, when the freestanding structure represents a risk for public, that the structure in question be repaired by its owner.

When the owner of the structure has not conformed to the written notice which he or she has received from the designated officer within a period of seven (7) days, the designated officer may have this structure demolished or repaired at the owner's expense.

## 4.4 Temporary Uses

#### 4.4.1 Definition

A temporary use is authorized for pre-established periods of time. A temporary use shall not be completely in conformance with the provisions concerning permanent uses.

# 4.4.2 Authorized Temporary Uses

The following uses shall be considered as temporary uses:

- Buildings erected to facilitate planned building activities and to shelter small tools and the documents necessary to perform this construction activity;
- Sale of Christmas trees;
- Circuses and carnivals;
- Swimming Pools (By-Law #218)
- Mobile restaurants or canteens;
- Any temporary or other structures for popular assemblies;

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- Buildings used for sales;
- Garages sales;
- Raffles;
- Festivals;
- Sales booth;
- Accessory buildings on vacant lots;
- Trailers and mobile homes used as sales offices for housing units or for the display
  of commercial products area authorized for a period of three (3) months maximum,
  and permits for use are renewable by the Municipality.

The temporary uses also include any other uses similar by their nature to those listed above.

# 4.4.3 Conditions Governing Authorization

The temporary uses are authorized under the following conditions:

- They are not specifically prohibited in a zone indicated on the uses specification chart;
- They do not violate regulations governing nuisances;
- They do not pose a danger to any future users because of their location;
- They do not impede the flow of vehicular and pedestrian traffic;
- They do not use converted vehicles, as defined in Sub-division 5.1 of By-law Number 351 enacting the Construction By-Law.

The authorization of a temporary use must be subject to reserves designed to fill the conditions listed above.

### 4.4.4 Responsibility for Issuing a Permit of Authorization

Unless prohibited within the zone, the responsibility for issuing a permit of authorization for a temporary use lies with Council. This responsibility may be delegated, in whole or in part, to the designated officer.

### 4.5 Building Relocation

No building or structure shall be moved or relocated within the limits of the Municipality, or from the outside to the inside of the Municipality, unless the building or structure is an authorized use and in conformance with all the conditions applicable to the zone in which the building or structure is to be installed. A permit to authorize such relocation must be issued in this regard by the designated officer.

## 4.6 Housing Restrictions

It is prohibited to any person to take up permanent residence in a private garage or in any truck, bus, trailer, recreational vehicle, streetcar, or any other vehicle.

### 4.7 Dwellings Located at the Rear of a Lot

Only one main building may be erected on a lot, except integrated complexes.

# 4.8 Additional Dwelling or Dwellings in the Residential and/or Commercial Zones

Allowing an additional dwelling or dwellings in commercial/residential buildings is in line with the objectives of the Land Use and Development Plan within the urban perimeter (see attached map for limits).

Each dwelling unit must be provided with at least two (2) exits.

However, a dwelling may be provided with only one (1) exit in the case of an exit separate from any other dwelling unit and that there is an exit door at ground level or in the proximity.

The number of parking places prescribed by this By-law for each of the dwelling units is provided and developed;

Services will be charged for each unit for garbage, sewage, water and any other special taxes.

## 4.9 **Development of Open Spaces**

All parts of a lot which are not used for vehicular or pedestrian traffic, parking, or occupied by the structure, must be developed with lawns, patios and/or plantings. In addition, these developments must be continuously maintained in a suitable manner.

- a) The owner must keep existing healthy trees and the natural features of the site.
- b) Any embankment must not have a slope greater than thirty (30) percent.
- c) The filling material must be composed of dry materials not subject to decay.
- d) Any lot shall be graded so that it drains toward the public street.

### 4.10 Outdoor Lighting

#### 4.10.1 General Information

Any outdoor or indoor lighting which causes a nuisance to adjacent properties or which is injurious to activities in the neighbourhood is prohibited.

## 4.10.2 Spotlights

Any and all spotlights must be provided with a shade, designed to provide perfect focusing of the beam at any point located outside the private property.

#### 4.10.3 Luminous Surfaces

The luminance of luminous surfaces of all shapes, with the exception of fluorescent devices, must never exceed four thousand (4,000) candelas per square metre for an observer placed at any point on the property line.

The luminance of fluorescent lighting devices must never be greater than one thousand (1,000) candelas per square metre for an observer placed at any point on the property line.

#### 4.11 Fences, Walls and Hedges

#### 4.11.1 Materials

Decorative fences in metal, stone, brick, cement blocks, wood, hedges and walls are permitted.

#### 4.11.2 Wood Fences

Wood fences must be constructed out of new and architectural quality materials, and be planed, painted, varnished or stained.

#### 4.11.3 Metal Fences

Metal fences must be ornamental in nature, and their design and finish must be such as to avoid any possibility of injury.

#### 4.11.4 Prohibited Materials

Fences built out of metallic wire (chicken wire), snow fencing, used unpainted sheet metal or with any other similar materials are strictly prohibited.

#### 4.11.5 Barbed Wire

The stringing of barbed wire is prohibited in residential zones. In the other zones, the stringing of barbed wire is allowed at the discretion of Council under the Planning Advisory Committee's recommendation.

## 4.11.6 Fences, Walls and Hedges on Public Property

Any hedge, wall, fence or other similar feature found on public property is tolerated at the owner's risk, and any movement required by work for the purposes of public utility shall, after notice, be performed by the owner at his or her own expense. If the owner refuses or neglects to perform the work necessitated for such movement, this work may be performed by the Municipality at the owner's expense;

The Municipality may not, either directly or indirectly, be held responsible for any damage which any hedge, wall, fence or other similar accessory installed on public property may suffer, nor may it be held responsible for any damage or bodily injury which persons may suffer there from.

## 4.11.7 Uses Requiring Security Measures

The height of fences, walls and hedges does not apply to penitentiaries, prisons and corrective facilities, electrical transformer stations and other uses requiring public security measures

### 4.11.8 Height of Fences, Walls and Hedges

a) The height of fences, walls and hedges shall not, at any time, be greater than two (2) metres (6.56 feet).

- b) However, fences for tennis courts may exceed this requirement, but must not be higher than three (3) metres (9.84 feet).
- c) Height of fences, walls and hedges in front court should not exceed 1.22 metres (4 feet).
- d) The height of the hedges will be two (2) meters (6.56 feet) along roadway. No height restrictions along rear and side lot lines providing they don't obstruct vision to oncoming traffic and they are well maintained

### 4.11.9 Height within the Sight Triangle

For corner lots, the height of fences, walls or hedges shall not exceed one (1) meter, or one hundred (100) centimetres in the sight triangle.

### 4.11.10 Outdoor Storage

In zones where outdoor storage is permitted, a fence or a wall, with or without openings, and having a minimum height of one hundred and eighty (180) centimetres, must be developed beyond the front setback and at a minimum distance of six (6) metres from the street allowance.

## 4.11.11 Agricultural Zone

In the agricultural zone, snow fences are permitted from November 15 to April 15 of the following year.

Subject to the provisions relating to sight triangles, and notwithstanding any other provisions, the height of fences, walls, hedges, snow fences or windbreaks on farms or agricultural operations may be increased to the height necessary for the smooth running of the operation.

## 4.11.12 Fire Hydrants

In the areas serviced with or about to be serviced with a water system, the erection of fences and the planting of hedges at a distance of less than one hundred and fifty (150) centimetres from any fire hydrant, is prohibited.

## 4.12 Maintenance and Upkeep of Properties

- a) Any and all buildings must be maintained in good condition and be repaired, as needed.
- b) All properties must be cleaned in the six (6) months following a disaster (fire, strong winds, etc.).
- c) All parcels of land, whether occupied or not, must be left free of ashes, waste water, garbage, debris, dead animals, faecal or organic matter, brush, rubbish, parts of vehicles or any other devices or parts of any abandoned mechanical device.
- d) A lot that has been affected by a demolition must be graded and recovered with at least three (3) centimetres of gravel.
- e) Lots must be maintained free of weeds and harmful and poisonous plants.
- f) No lot shall be used, at any time, for the storage of construction materials, except for the storage during the period for which a building permit concerning these materials is in force.
- g) All lots shall be free of any excavations, piles of earth, stones or all other materials of the same type which is a risk, or can not be recognized as making up an integral portion of the landscaping of the lot.

### 4.13 Off-Street Parking

#### 4.13.1 General Rule

Any and all uses must be served by a sufficient number of off-street parking places, as determined according to the provisions contained in this By-law.

This requirement applies to any work performed to modify or enlarge a use, to construction work for a new building, as well as a change in use of a building, either in whole or in part. In the case of an enlargement, only the enlarged portion is subject to this requirement.

The parking requirements set out by this By-law have an obligatory and continuous quality. They prevail as long as the uses served remain in existence.

It is illegal for the owner of a use contemplated by these regulations to eliminate, in any way whatever, any parking places prescribed by this Division. It is also illegal to use,

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without meeting the requirements of this Chapter, any building which, owing to any modification which has been made to it or to any subdivision of a lot, no longer possesses the required number of parking spaces.

A building permit or an occupancy certificate may not be issued before all the provisions contained in this Division have been respected. However, when weather conditions do not permit the immediate development of parking areas, the designated officer shall grant an additional time period not exceeding six (6) months.

## 4.13.2 Dimensions of Parking Stalls

a) Each parking stall must have the following minimum dimensions:

Length: 5.5 metres; Width: 2.5 metres.

b) According to the angle of the parking stalls in relation to the axis of the driveway, the minimum dimensions indicated on the table following must be respected when a parking stall is developed.

PARKING STALL ANGLE IN DEGREES					
Angle	90 °	60°	45°	30 °	0 °
Stall width (in metres)	2.5	2.5	2.5	2.5	2.5
Stall length (in metres)	5.5	5.5	5.5	5.5	5.5
Stall depth (in metres)	5.5	6.0	5.6	5.0	2.5
Driveway width (in metres)	7.3	6.4	5.5	4.6	3.65
Width of one (1) row + one (1) driveway (in metres)	12.8	12.4	11.1	9.6	6.15
Width of two (2) rows + two (2) driveways (in metres)	18.3	18.4	16.7	14.6	8.65
Width of three (3) rows + two (2) driveways (in metres)	31.1	30.8	27.8	24.2	14.8
Width of four (4) rows + two (2) driveways (in metres)	36.6	36.8	33.4	29.2	17.3

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## 4.13.3 Driveways

a) In all cases, driveways are prohibited within the sight triangle of an intersection.

- b) Parking of motor vehicles in driveways is prohibited.
- c) Driveways must provide access to parking stalls, in such a way as to allow vehicles to exit, without being required to move another vehicle. Any and all parking stalls must be linked by at least one (1) driveway. Only one driveway to the public thoroughfare is permitted for a lot having a frontage on the street equal to or less than forty-five (45) metres. The maximum number of driveways is two (2) for a lot having a frontage between forty-five (45) metres and one hundred (100) metres. This number is increased to three (3) for one (1) lot having a frontage greater than one hundred (100) metres.
- d) If the lot is bordered by more than one thoroughfare, the number of driveways permitted to the thoroughfare is applicable for each of the thoroughfares, without exceeding a total of four (4) driveways in total for one and the same terrain.
- e) A two-lane driveway used for both entering and exiting vehicles must have a minimum width of five (5) metres and a maximum width of seven (7) metres.
- f) A single-lane driveway must have a minimum width of three hundred and sixty-five (365) centimetres, and a maximum width of five hundred and fifty (550) centimetres.
- g) The distance between the two driveways must not be less than seven hundred and fifty (750) centimetres.
- h) No pole used for public utilities distribution purposes or any other purposes may be located in a parking stall or in a driveway.
- i) Parking areas for six (6) vehicles and more must be laid out in such a way that vehicles may enter and leave while moving in a forward direction.
- j) All new building which the parking space has more than ten (10) stalls must have one (1) two-lane driveway or two (2) one-lane driveway.
- k) Driveways must not have a slope greater than eight percent (8 %). These driveways must not begin their slopes within one (1) metre of the street allowance, nor be located less than six (6) metres from the intersection of two street allowances, so as to conform to the provisions governing the sight triangle.

I) A distance of sixty (60) centimetres must be observed between the driveway and the nearest side lot line. However, this does not apply in the case of shared driveways.

m) All driveway or entrances not respecting this By-law at the moment of its coming into force must conform to this one if a building permit is required and it affects the driveways.

## 4.13.4 Number of Parking Stalls Required

The minimum number of parking stalls required varies according to the type and requirements set out in Section 4.13.4.1 of this By-law.

When the product of the calculation used to set the minimum number of parking stalls required is a fraction, the following conventions apply. If the fraction is less than zero decimal five (0.5), the product is rounded off to the next lower whole number. If the fraction is equal to or greater than zero decimal five (0.5), the product is rounded off to the next greater whole number.

The words « square metres » must be interpreted as « square metres of floor area ».

The floor areas to be used to calculate the number of parking stalls required are the gross floor areas for the building.

When a building contains floor areas devoted to various uses, such as a hotel, for instance, the parking stalls required for each of these uses is calculated in relation to each one of these uses.

#### 4.13.4.1 Residential Uses

- a) Any building containing from one (1) to three (3) dwelling units: one parking stall per dwelling unit, plus one (1) additional parking stall.
- b) Any building containing more than three (3) dwelling units: one decimal five (1.5) parking stalls per dwelling unit.

#### 4.13.4.2 Business and Services Uses

a) Offices, banks, retail businesses, service stores or any use not indicated hereinafter: one (1) parking stall for every twenty-five (25) square metres of floor area, with a minimum of three (3) parking stalls.

- b) Hotels, motels, cabins, campgrounds: one (1) parking stall per cabin, site, room or apartment, plus one (1) additional parking stall for every twenty (20) square metres of floor space usable by the public.
- c) Theatres, arenas, halls, clubs, recreational establishments, other gathering places: one (1) parking stall for every five (5) seats or every three (3) metres of bench space, where fixed seating is not provided.
- d) Restaurants, bars, taverns, nightclubs, dining rooms: one (1) parking stall for every three (3) seats or one (1) parking stall for every ten (10) square metres of floor area, according to the formula which gives the greatest number of parking stalls to be provided.
- e) Industrial uses, wholesaling, storage, woodlots, repair depots: one (1) parking stall for every seventy (70) square metres of floor area, up to a total of two hundred (200) square metres, plus one parking stall for every additional two hundred (200) square metres.
- f) Retail sales establishments:
  - Floor area of less than five hundred (500) square metres: one parking stall for every twenty (20) square metres;
  - For the floor area exceeding five hundred (500) square metres: one parking stall for every fifteen (15) square metres.
- g) Funeral homes: five (5) parking stalls per viewing area, plus one (1) parking stall every ten (10) square metres of floor area used for viewing purposes.
- h) Convenience stores: one (1) parking stall for every ten (10) square metres of floor area.

#### **4.13.4.3 Public Uses**

- a) Elementary schools: one decimal five (1.5) parking stalls per classroom or learning area.
- b) Secondary (high) schools: four (4) parking stalls per classroom.
- c) Hospitals, rest homes, welfare institutions: one (1) parking stall for every three (3) beds or for every forty (40) square metres of floor area, with the formula which gives the greatest number of parking stalls to be provided.

- d) Assembly halls, places of worship: one (1) parking stall for every three (3) seats or one (1) parking stall for every ten (10) square metres of floor area, with the formula which gives the greatest number of parking stalls to be provided.
- e) Libraries: one (1) stall for every fifty (50) square metres of floor area.

#### 4.13.4.4 Recreational Uses

- a) Golf courses: four (4) parking stalls per hole.
- b) Beaches and picnic grounds: one (1) stall for every fifty-five (55) square metres of beach area.
- c) Hiking or cross-country ski trails: twenty-five (25) parking stalls for each developed access to the trails.

### 4.13.5 Location of Parking Spaces

- a) A parking space must never occupy in whole or in part the street allowance of a public roadway.
- b) A parking space is prohibited within the sight triangle at an intersection.
- c) The parking space serving a use must be located on the same lot as the use served.
- d) In commercial and mix commercial zones, the parking space may be located on an area of ground less than sixty (60) metres from the lot on which the use served is located, if the said lots are owned by one and the same owner.
- e) When the off-street parking places is located across from a window opening out of a habitable room in a basement, a grassed margin having a minimum width of two (2) metres must be developed between the parking space and the window, over the entire length of the parking space. In addition, fifty (50) percent of the area included in the front yard, including the front setback, must be developed as a grassed area.

## 4.13.6 Common Parking Areas between Two or Among Several Uses

The development of a common parking space for two or among several uses may be authorized by the designated officer:

a) When it has been demonstrated that the permanent nature of this parking space is guaranteed by a notarized easement or a lease registered as irrevocable, except in the case of discontinuation of the use for which the lease or easement has been granted.

b) When the uses and the common parking space form a single unit of real property.

In the case that a building or a series of buildings form at least two (2) uses of different nature and which the activities are not performed simultaneously, the number of parking stalls required may be lowered to a percentage that not exceed forty (40) percent of the total number required, if each use is considered individually, after a report made by the designated officer and a layout plan prepared by a road circulation engineer demonstrate that the parking needs for the uses are not simultaneous and complementary in the use of the parking stalls.

### 4.13.7 Development and Maintenance of Parking Spaces

All parking areas for a group of six (6) or more parking stalls must be developed and maintained according to the following provisions:

- a) Unpaved surfaces must be covered with a coating, in such a way as to eliminate any possibility that dust may be raised, as well as any formation of mud, in such a way as to render these surfaces suitable for use by vehicular traffic.
- On the side or sides of the lot facing one street or more, the owner shall develop, between the parking space and the street, a grassed strip measuring at least one hundred and fifty (150) centimetres in width, measured either from the street allowance or on the lot, or from both of them, and extending through the entire width of the lot, to the exclusion of the driveways.
- c) The maximum number of a series of parking stalls located side by side, and in a rectilinear order or an order which is almost rectilinear, is set at fifteen (15). The minimum distance, in this case, to separate two such rows of parking stalls is three (350) hundred and fifty centimetres.

## 4.13.8 Underground Drainage

In the areas served with an existing or planned sewer system, any parking space or any group of parking spaces must be provided with an underground drainage system. At least one (1) drain for every thousand (1,000) square metres of parking space is required.

### 4.14 Loading Areas

#### 4.14.1 General Rule

A building permit cannot be issued for any new building, except if loading or unloading areas are provided, in conformity with the provisions contained in this Sub-section.

### 4.14.2 Provisions Applicable to Loading Areas

Loading, unloading, shipping or receiving of animals or objects related to a commercial or industrial use must be performed on the same lot as the use in question is being conducted. Such activities must not be conducted within the street allowance of a public roadway.

The owner or the occupant of any terrain, structure or building located in a commercial, mix commercial or industrial zone must provide and maintain loading facilities on these premises, in accordance with the following provisions.

## 4.14.2.1 Dimensions of Loading Areas

Each loading area must be at least fourteen (14) metres in length, three hundred and fifty (350) centimetres in width, and have a vertical clearance of four hundred and fifty (450) metres.

## 4.14.2.2 Location of Loading Areas

Loading areas must be located on the same terrain as the buildings or structures which they must serve. The stalls must not form a part of the street or of an obligatory parking space.

#### 4.14.2.3 Surface

Loading areas and driveways must be covered in a stable material, such as concrete, asphalt, crushed stone or gravel.

## **4.15** Outdoor Storage

- a) Outdoor storage is permitted only in commercial and industrial zones.
- b) Any and all outdoor storage including must be surrounded by an opaque fence having a minimum height of one hundred and eighty (180) centimetres.

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c) Storage is permitted only in rear and side yards, and is not permitted in the front court of a lot and if a vacant lot no storage in setbacks.

d) The areas used for outdoor storage must be excluded from the parking spaces or the loading areas.

#### **4.16** Posting of Signs

## 4.16.1 Scope 5

Any and all signs installed within the Municipality must be installed in conformity with the regulations issued to this effect.

#### 4.16.2 General Provisions

The posting of any sign which runs counter to good order, public morality and the observance of generally accepted standards is prohibited.

## 4.16.3 Obligation to Obtain a Permit of Authorization to Post Signs

Anyone who intends to erect, rebuild, repair, increase or modify or move a sign must beforehand get a permit of authorization from the Municipality in accordance with this Bylaw and in Division 4.8 of By-law Number 416 enacting the By-law for the Interpretation and Administration of the Planning By-laws.

## 4.16.4 Signs Authorized Without a Permit of Authorization

The signs listed hereinafter do not require the obtaining of a permit of authorization. They are authorized in all areas of the Municipality, but must conform to this By-law:

- a) Permanent or temporary signs erected by a public, municipal, regional, provincial or federal authority.
- b) Signs prescribed by a law or by-law, which area is less than (1) square metre.
- c) Signs pertaining to an election or to public hearings held under the terms of a legislative act.
- d) Signs pertaining to traffic, to direct the public and ensure their convenience, provided that such signs are not more than five hundred (500) square centimetres in area.
- e) Flags of a political, civic, philanthropic, educational or religious organization.

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f) Signs commemorating a historical event or person, under the condition that such signs are not intended for, or associated with, a commercial use or other gainful purpose, which area is less than one (1) square metre.

- g) Signs concerning worship services and other religious activities, in which the area is less than one (1) square metre.
- h) A personal identification sign attached to the wall of a building and indicating only the name, the address, the occupation or the trade of the occupant, provided that this sign does not have an area greater than five hundred and fifty (550) square centimetres and is lighted only by a white-coloured light bulb, of the incandescent type and providing continuous light.
- i) Signs to identify a building, indicating the permitted use, the name and the address of the building or that of the operator, provided that such signs do not have an area greater than two square (2) metres, in public and industrial zones. Letters and numbers on a canopy may not be more than fifteen (15) centimetres in height.
- j) Temporary signs identifying a construction project, as well as the names of the architect, the engineer, the contractor and the subcontractors for this building project, provided that such signs are not more than three (3) square metres in area. These signs must be removed within fifteen (15) days of the termination of work.
- k) Temporary signs announcing the sale of a building or of a plot of land or the rental of offices and other facilities within residential, commercial and mix commercial zones, provided that their area is not greater than fifty-five (55) square centimetres. These signs must be erected on the same plot of land as the use to which they refer is being conducted.
- I) Temporary signs announcing the sale or rental of offices and other premises in the commercial, mix commercial and industrial zones, provided that their area is not greater than three (3) square meters. These signs must be erected on the same plot of land as the use to which they refer is being conducted.
- m) Temporary signs announcing events or advertising civic organizations recognized by resolution of Council, provided that these signs do not have an area greater than three (3) square metres.
- n) Directional signs, including signs indicating a risk, delivery entrances and other similar signs, provided that these signs do not have an area greater than two (2) square metres and are located on the same plot of land as the main use which they serve, is conducted. In other respects, these signs must be set at one hundred and

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fifty (150) centimetres minimum and two hundred and fifty (250) centimetres in height.

o) Electoral signs for a candidate or a political party or for an election campaign, provided that these signs are removed within seven (7) days following the day of election. Posting of signs or posters on trees, electrical or telephone poles is strictly prohibited.

### 4.16.5 Prohibited Signs

- a) Any sign on a roof.
- b) Any lighted sign having a colour or shape likely to result in confusion with traffic signals.
- c) Any flashing sign which imitates the lighted warning devices commonly used on police cars, ambulances and fire vehicles, or any other flashing sign of the same nature as these devices.
- d) Any sign having a flashing, pivoting or rotating light source.
- e) Any sign on the sides or summit of a mountain.
- f) Any advertising message painted on the exterior siding of a building, as well as on the paving or the fences of any property.
- g) Any sign advertising a real-estate development located outside the municipal territory.

## 4.16.6 Location of Signs

Any sign advertising a service or business must be installed on the plot of land where the service is rendered or where the business is conducted. An exception to this rule is the instance of businesses and services having a rental lease for the land on which the sign is located. Municipal signage is exempt.

- a) No sign may obstruct an emergency passage way. Exterior clearance of at least three (3) metres, measured perpendicularly from doors, windows, stairways, fire hoses and other features, is obligatory.
- b) The lower portion of a sign suspended less than thirty (30) centimetres back from the outside line of a sidewalk must be placed at a minimum height of three (3) metres.

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#### 4.16.7 Billboards

Billboards and notice boards are not permitted, except along public roadways. Billboards and notice boards are subject to provincial regulations.

## 4.17 Unstable Slopes

#### 4.17.1 Definition

Council may designate unstable areas of land in the light of appropriate technical studies.

## 4.17.2 Responsibility of the Owner

The responsibility for construction work in unstable areas of land devolves completely upon the applicant, who must sign a waiver prior to the issuance of the building permit.

#### 4.17.3 Minimum Standards

The following minimum standards do apply in the unstable areas of land:

- a) In the areas where risks are high, no structure, no subdivision, no septic tank, no embankment or excavation and changes in the vegetation are allowed at the foot and the top of the embankment.
- b) In the areas where risks are medium:
  - The minimum area of lots must be at least four thousand (4,000) square metres;
- Septic tanks, embankments at the top and excavation at the foot of the embankment are allowed;
- Clearing of trees of more than one thousand (1,000) square metres per plot of land is prohibited;
- Planting of vegetation in parts bared at the time of work must be carried out;
- Notwithstanding the above, subdivision and construction are only allowed if a study made by an engineer member of the Québec Order of Engineers demonstrates the feasibility to establish the use with no risk for the safety of individuals and possessions.
- c) In the areas where risks are low:
- Agricultural activities and one-family housing are allowed;
- All structures must have two (2) stories or less, including the ground floor;

- The area of each lot must be at least four thousand (4,000) square metres. The area of each lot may be reduced if a study made by an engineer member of the Québec Order of Engineers demonstrates the feasibility to establish the use with no risk for the safety of individuals and possessions;
- Clearing of trees of more than one thousand (1,000) square metres per plot of land is prohibited;
- Planting of vegetation in parts bared at the time of work must be carried out.
- d) In all types of areas of land where the soils are movable because of clay or sand, which slope exceeds twenty-five (25) percent, unless a study made by an engineer member of the Québec Order of Engineers demonstrates the feasibility to establish the use with no risk for the safety of individuals and possessions, the following structures are prohibited:
- Construction of residential buildings with two (2) stories or less, unless preserving protection strips equal to twice the height of the embankment at its top and once its height at the base;
- Construction of residential buildings with more than two (2) stories, non-residential buildings and streets, unless preserving protection strips equal to five (5) times the height of the embankment at its top and two (2) times its height at the base.

#### 4.18 Landfill Site

### 4.18.1 Provisions Pertaining to the Landfill Site

No construction work is permitted either on or within a radius of five hundred (500) metres from the sanitary landfill site identified on the Zoning Plan, which reference number is Z-349, except in the case of any building used in connection with the sanitary landfill site.

Any change in the use of the sanitary landfill site must be preceded by an application for notice from the Québec Ministry of the Environment. The performance of this planned use is conditional to the content of the notice from the Minister.

#### 4.19 Protection of the Lakeshores and Riverbanks

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#### 4.19.1 Urbanization Perimeter

All permanent lakes and watercourses in the urbanization perimeter are subject to the following standards.

#### 4.19.1.1 Shore - Definition

a) The shore is a strip of land bordering permanent lakes and watercourses and extending towards the interior of the land from the high water line. The width of the shore is measured horizontally.

The shore is at least ten (10) metres deep:

When the slope is less than thirty percent (30 %);

When the slope is more than thirty percent (30 %) and has an embankment of five (5) metres or less in height.

The shore is at least fifteen (15) metres deep:

When the slope is more than thirty percent (30 %);

When the slope is more than thirty percent (30 %) and has an embankment of more than five (5) metres in height.

b) The littoral is that part of lakes and watercourses extending from the high water line towards the centre of the body of water.

#### 4.19.1.2 Minimum Standards - Shore

The obtaining of a certificate of authorization is mandatory for any structure or works capable of destroying or changing vegetal cover of the lakeshores and riverbanks, to bare the land or to affect its stability, or encroach on the littoral. This authorization may be given by the designated officer in the form of a building permit or a separate authorization depending on the nature of the project.

The authorization of the officer designated by Council is granted when he or she considers that the works are conceived in such a way to not create concentrations of erosion and to re-establish the state and the natural aspect of the area, without excavation, drainage, grading, filling or other works of the same kind.

When the slope of the shore is less than thirty (30) percent, natural vegetation must be preserved. However, an opening of five (5) metres wide giving access to the lake or

watercourse may be developed by pruning trees and bushes. When the slope of the shore is more than thirty (30) percent, the natural vegetation must also be preserved. Only an opening of five (5) metres wide may be developed by pruning trees and bushes, as well as a path or stairs giving access to the lake or watercourse.

When the stabilisation of the shore is required, works must be done in a way to prevent erosion and to re-establish the vegetal cover and natural character of the area.

When the slope, the nature of the soil and the conditions of the land do not allow the reestablishment of the vegetal cover and the natural character of the shore, the stabilisation can be done with the help of ripraps, gabions or finally with the help of a retaining wall. In all cases, the priority must be given to the technique the most susceptible to facilitate the eventual growth of the natural vegetation.

However, the sum of the above-mentioned provisions pertaining to the shore do not apply to works for municipal, industrial or public purposes of for public access purposes, which must be authorized by the Québec Ministry of the Environment and, as the case may be, by any other ministry concerned.

Repair work and the straightening of an existing street, not subjected to the Environment Quality Act (R.S.Q., c. Q-2) or the Watercourses Act (R.S.Q., c. R-13), may be authorized by the designated officer when it is impossible to extend the infrastructure on the side of the street not adjacent to the lake or watercourse, on condition that no filling or digging is performed within the bed of a lake or watercourse and that any embankment erected in the protection strip is covered with vegetation in order to prevent erosion and furrowing.

#### 4.19.1.3 Minimum Standards – Littoral

On the littoral, the primary objective is to respect the integrity and the natural character of the area. If works are necessary, they must be conceived in such a way to not be detrimental to the free circulation of water without filling or dragging, which are prohibited.

Only the following structures are allowed in the littoral:

- a) Wharves, shelters or landing stages on piles, posts or cofferdams, or made up of floating platforms. Any part of these structures intended to be submerged or in contact with water may not be made by using tar-lined, painted or chemically treated wooden materials.
- b) Development of watercourse crossings related to fords, culverts and bridges.
- c) Equipment necessary for aquaculture.

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- d) Water intakes.
- e) Encroaching on the littoral as necessary for the undertaking of work authorized in the shore.
- f) Cleaning and maintenance works without excavation performed in the watercourses, in accordance with the power and obligations conferred by the Québec Municipal Code.
- g) Structures, works and work for municipal, commercial, industrial, public purposes or for public access purposes, when duly authorized by virtue of the Environment Quality Act (R.S.Q., c. Q-2), the Conservation and Development of Wildlife Act (R.S.Q., c. C-61.1) and the Watercourses Act (R.S.Q., c. R-13), or any other law.

## 4.19.1.4 Additional Protection Measures

This orientation does not exclude the possibility for the Municipality to adopt additional protection measures to adapt special situations.

### 4.19.2 Agricultural Zone

All permanent lakes and watercourses in the agricultural zone are subject to the following standards.

#### 4.19.2.1 Definition - Shore

In the agricultural zone, the shore is a three (3)-metre strip of land bordering permanent lakes and watercourses and extending towards the interior of the land from the high water line. The width of the shore is measured horizontally.

If there is an embankment whose top is located at less than three (3) metres from the high water line, the width of the shore must include an additional one (1) metre on the top of the embankment.

#### 4.19.2.2 Minimum Standards - Shore

- a) All work and works baring the soil are not allowed, with the exception of the following work that must be accompanied with re-naturalization measures:
- Seeding and plantation of vegetal species aimed to ensure a permanent and durable vegetation cover;
- Stabilisation work of shores through the modification of the embankments and establishment of the vegetation, or any other embankments stabilisation technique;

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- Various methods for harvesting grassy vegetation on the top of the embankment, if they do not bear the soil;
- Putting up of fences on the top of the embankment;
- Putting up and construction of outlets for underground or surface drainage networks and pumping stations;
- Work such as mowing, pruning and selective cutting aimed at controlling the growth or at selecting grassy, bushy and green vegetation by means other than chemical and burning. The work must not endanger the maintenance of the vegetal cover;
- Development of water crossings (fords, culverts, bridges, waterlines and sewers, gas and oil pipelines, telecommunications and electric lines, etc.);
- Construction of control accesses to the water;
   Equipment necessary for aquaculture;
- Restoration and management of the riparian and aquatic wildlife habitat;
- Wharves, shelters or landing stages on piles, posts or cofferdams, or made up of floating platforms;
- Water intakes, outlets and related pumping stations;
- Work connected to the production and transportation of electricity;
- Maintenance and repair of existing work;
- Construction of work for the preservation of the shores, the regulation and stabilisation of waters;

#### Removal of detritus, obstacles and work;

- Maintenance work for the improvement and management of watercourses carried out by the Québec Government, in accordance with the existing government programs and laws;
- Any maintenance or repair operations aimed at activities, work and works mentioned in this list.

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b) In the woodlots within the agricultural zone, a protection strip of at least ten (10) metres from the high water line must be preserved, within which harvesting of fifty (50) percent of the stems with at least ten (10) centimetres in diameter is allowed. In this protection strip, all work and works baring the soil are prohibited, with the exception of work mentioned in a) for the agricultural zone, which must be accompanied with re-naturalization measures.

#### 4.19.2.3 Other Protection Measures

In the agricultural zone, in a fifteen (15)-metre wide protection strip on the top of the embankment, including the woodlots, the following work are not allowed:

Any construction or enlargement of a building, including a platform, except any construction or enlargement of a livestock operation and manure storage facilities which remain subjected to the Regulation respecting the Prevention of Water Pollution in Livestock Operations;

Any equipment for the treatment of wastewater;

Any new public or private roadway, except the access to a watercourse crossing, farm and forestry roads, except road construction and improvement work, including the related work to the extent that it does not overflow the existing infrastructure. However, the repair and straightening of an existing road are authorized when it is impossible to extend the infrastructure on that side of the road not adjacent to the watercourse, on condition that no filling or digging is performed within the bed of the watercourse and that any embankment erected in this protection strip is covered with vegetation in order to prevent erosion and furrowing.

### 4.20 Special Provisions Pertaining to Peat Bogs and Marshes

No structure, no septic installation or no subdivision is authorized in a peat bog or marsh. Furthermore, these areas must not be subject to any types of modifications resulting in changes to their ecosystems.

### **4.21 Zones Where Land Occupation is Subject to Restrictions**

In zones where land occupation is subject to restrictions, a buffer zone free of any use is prescribed in order to minimize the effects of the constraint in question. Furthermore, the site or at least the sides of the site in the line of visions must be surrounded with a vegetation screen from a public roadway.

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RESTRICTION	Dwelling	Recreation site	Stream	Lake and river	Public roadway
Sanitary landfill site	500 m	300 m	150 m	300 m	150 m
Snow removal disposal site	150 m	75 m	75 m	150 m	150 m
Gravel pit, sandpit	150 m	150 m	60 m	60 m	35 m
Quarry	600 m	-	-	-	-
Electric or petroleum station	150 m	60 m	-	-	60 m

#### 4.22 Water Intakes

#### 4.22.1 Immediate and Near Protection Perimeter – Surface Water Extraction

A minimum protection area of thirty (30) metres wide applies to all equipment and installations necessary to the extraction of surface water (lake or river). With the exception the operation of the water intake, no activities, storage, land uses, embankment or excavation are allowed within the protection perimeter. The premises must be adequately fenced and locked, or be protected by other adequate means.

#### 4.22.2 Distance Perimeter – Surface Water Extraction

A minimum protection area is prescribed around the water intake for each of the uses mentioned in the following table.

USES	MINIMUM DISTANCES
	WATER INTAKES
In-trench disposal site	500 metres
Sandpit or gravel pit	1,000 metres
New animal production establishment using liquid or semi- liquid manure	300 metres

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New animal production establishment using solid manure	100 metres
Snow removal disposal site	150 metres
Residential and commercial uses	100 metres
Industrial uses	250 metres

## 4.22.3 Extraction of Underground Waters

Installations for the extraction of underground waters must conform to the Regulation respecting Groundwater Catchment (R.S.Q., c. Q-2, r.18.1.1).

### 4.23 Wood Harvesting

In the agricultural zone, clear cutting is allowed only for using the soils for agricultural purposes. Clear cutting must be justified by a written assessment made by an agronomist member of the Québec Order of Agronomists and preceded by an authorization from the Municipality.

### Chapter 5 SPECIAL CASES

## **5.1** Special Cases Pertaining to Quarries, Gravel Pits and Sandpits

#### **5.1.1** Minimum Distances

#### 5.1.1.1

Operating areas of any quarry must be located at a minimum distance of six hundred (600) metres from all new dwellings, except in the case of a dwelling belonging to or rented by the owner or to the person operating the quarry.

This paragraph also applies to all gravel pits and sandpits, except that the minimum standard distance is one hundred and fifty (15) metres.

#### 5.1.1.2

Any and all new quarries, gravel pits or sandpits must be located at a minimum distance of one thousand (1,000) metres from any water intake used to supply the municipal water system, unless the operator submits a hydro-geologic assessment in support of his or her application, demonstrating that the new quarry, gravel pit or sandpit does not affect the water intake.

#### 5.1.1.3

The operating area of any new quarry, gravel pit or sandpit must be located at a minimum distance of seventy-five (75) metres from any stream or river, and at least three hundred (300) metres from a lake or swamp.

However, this section does not apply in the case of a new quarry, gravel pit or sandpit if the operator submits an environmental impact assessment in support of his or her application, demonstrating that this operation does not result in soil erosion and does not have an adverse effect on the nesting or gathering areas of wild birds or on fish spawning areas.

#### 5.1.2 **Access Roads**

Access roads for all quarries, gravel pits or sandpits must be located at a minimum distance of twenty-five (25) metres from any structure or building.

#### 5.1.3 **Public Roadway**

The operating area for a new guarry must be located at a minimum distance of seventy (70) metres from any public roadway. This distance is set at thirty-five (35) metres in the case of a new gravel pit or sandpit.

#### 5.1.4 **Development Standards**

All activities pertaining to the operation of guarries, gravel pits or sandpits must abide by the provisions governing such operations in the Environment Quality Act (R.S.Q., c. Q-2) and the provincial regulation on guarries and sandpits (R.S.O., c. O-2, r.2).

#### **Permit of Authorization** 5.1.5

The operation of any sandpit or gravel pit must be the subject of a permit of authorization from the Québec Ministry of the Environment, in accordance with Section 22 of the Environment Quality Act (R.S.Q., c. Q-2).

#### 5.2 **Service Stations**

#### 5.2.1 **General Provision**

Notwithstanding the provisions indicated on the uses specification chart, the standards set out in this division shall take precedence over those specified for the zone.

#### 5.2.2 **Layout Standards**

The layout standards applicable to a service station are the following:

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By-law Number 417 Zoning By-law

Setback

Building: 12 metres Pumps: 8 metres Canopy: 8 metres

Side setbacks: 4.5 metres

Rear yard: 10 metres

Land surface coverage:

30 %

Minimum floor area

Service station: 65 square metres Gas pump: 8.5 square metres

Lot

Minimum area: 3,800 square metres

Minimum frontage: 50 metres Minimum depth: 50 metres

Building height:

1 storey

#### 5.2.3 **Restrooms**

Any and all service stations must be provided with heated restrooms for public use, with distinct facilities for men and for women.

#### 5.2.4 **Fuel Tanks**

Fuel must be stored in underground tanks, which must not be located under a building. Storage of more than five (5) litres of fuel in a building is prohibited.

#### 5.2.5 **Prohibited Uses**

The building of a service station may not be used for residential or industrial purposes. All operations must be conducted on the property.

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#### 5.2.6 Walls and Roofs

Service stations must have their outside and interior walls built out of brick, stone, concrete or other incombustible material. The roofing material must be fireproof.

The pumps may be covered by a roof contiguous with the principal building.

#### 5.2.7 Access to the Lot

The maximum width of an access road may be of ten (10) metres. The number of access roads to the lot is set at two (2) for each adjacent street, and their location shall be approved by the designated officer.

#### **5.2.8** Signs

Signs must be located at least four hundred and fifty (450) centimetres from the limits of a residential zone.

## **5.2.9 Development of Open Spaces**

With the exception of areas used for parking, manoeuvring and loading, pedestrian walkways and driveways, the entire free surface area of the lot must be grassed and landscaped.

- a) A minimum of ten (10) percent of the lot must be developed as green space.
- b) The lot must be marked out by a grassed strip having a minimum width of one hundred and fifty (150) centimetres, except for the lot frontage on a public roadway, where the grassed strip must have a minimum width of three (3) metres.
- c) Grassed surfaces must be protected by concrete curbs having a minimum height of fifteen (15) centimetres in relation to the adjacent paved surface.
- d) Landscaping of the site must be completed one (1) year after occupancy of the building, at the latest.

## **5.3 Septic Installations**

On the entire municipal territory, in areas not serviced with the municipal sewer system, septic installations must be built in accordance with the Regulation respecting the Disposal and Treatment of Wastewaters from Isolated Dwellings (R.S.Q., c. Q-2, r.8).

The development of a common septic system may be authorized by the designated officer, subject to approval from the Québec Ministry of the Environment.

#### 5.4 Terraces

#### 5.4.1 General Rule

A terrace may not be developed except as complementary use to a main use relating to an establishment providing restaurant or accommodation services.

#### **5.4.2 Parking Requirements**

No parking stall is required for a terrace. However, the minimum number of parking stalls serving the main use may not be reduced to develop the terrace.

#### 5.4.3 Dimensions

The area occupied by a terrace must not be greater than the ground area occupied by the building serving as the main use. Moreover, a terrace may not exceed a ground area of ninety (90) square metres.

#### 5.4.4 Location

A terrace must be located entirely on the same lot on which is performed the main use. It must be set back three (3) metres from the pavement of a public roadway, and set back one hundred and fifty (150) centimetres from all side lot lines and rear lot lines of the property.

#### **5.4.5** Development of Terraces

#### 5.4.5.1 Roofs, Awnings and Canopies

Roofs, awnings and canopies made out of moveable canvas are authorized, on condition that the materials are incombustible.

In addition, when a terrace is covered over, the area of the screening wall must not be greater than twenty-five (25) percent of the vertical area of the sides thus formed.

## 5.4.5.2 Ground Covering

The area occupied by a terrace, with the exception of an unused area, which may be grassed, must be covered in materials which do not result in any production of dust.

## 5.5 Automobile Graveyards, Scrap-Yards and Recycling Depots

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#### 5.5.1 General Rule

The Environment Quality Act (R.S.Q., c. Q-2), along with the regulations and amendments which complete it, shall apply and take precedence concerning any nuisance mentioned in this Sub-division. This use is permitted only in the specific zones indicated on the uses specification chart.

## **5.6** Historic Monuments and Heritage Sites

No one may alter, repair, change or demolish in whole or in part a historical monument or building situated in a heritage site before the obtaining of an authorization from Council.

Anyone who poses an action according to the first paragraph must abide by the conditions set by Council in the authorization.

No cemetery of private or public holding may be moved or removed.

#### Chapter 6 SPECIFIC PROVISIONS PERTAINING TO ZONES

#### 6.1 Residential Zones (RE)

Residential (RE) zones include the areas in which the dominant class is housing. A specific class or classes of uses is indicated on the uses specification chart for each zone.

## 6.2 Commercial Zones (C)

Commercial (C) zones include the areas in which businesses and services are the dominant class. A specific class or classes of uses is indicated on the uses specification chart for each zone.

## **6.3** Mixed Commercial Zones (CM)

Mixed Commercial (CM) zones include the areas in which businesses and services are the dominant class. In these zones, a good proportion of residential uses are also included. A specific class or classes of uses is indicated on the uses specification chart for each zone.

## 6.4 Public Zones (PU)

Public (PU) zones include the zones in which the dominant class of uses includes the public uses necessary to the Municipality, wherein space is reserved for municipal use compatible with the functions of these areas, as well as the areas where public uses having a provincially based nature are conducted.

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## 6.5 Industrial Zones (IN)

Industrial (IN) zones include the areas in which industrial activities are the dominant use. Industrial zones are intended to allow for the development of industries in the areas specifically designated for this purpose. In these zones, industrial activities are divided into two classes: light and medium.

## 6.6 Conservation Zones (CO)

Conservation (CO) zones include the areas in which activities related to conservation and the use of the natural environment, are the dominant use. These zones may also serve as a buffer zone between incompatible uses with high impact on the neighbourhood.

## 6.7 Agricultural Zones (AG)

Agricultural (AG) zones include the uses and activities related to agriculture, that is to say the cultivation of soils and crops, leaving land not cropped or using it for forestry purposes, or the raising of livestock and, for these purposes, the making, construction or utilization of works, structures or buildings, except immovable used residential purposes.

Integration of Decision Number 377560 of the CPTAQ to the Complementary Document of the Land Use and Development Plan

In the Complementary Document, Section 4.6 – Application of Collective Scope Provisions (Decision No. 377560 of the CPTAQ) is added and includes all of the following elements;

Provisions for the Establishment of New Residences within the Dynamic Agricultural Designation

No new residences are allowed with the dynamic within the dynamic agricultural designation identified in Appendix E (THE MAP) of the Land Use and Development Plan, except;

- 1) To follow up on a valid notice of compliance issued by the CPTAW allowing the construction or reconstruction of a residence build in accordance with Articles 31.1 (single block vacant property of 100 hectares or more), 40 (farm residences), and 105 of the LPTAA:
- 2) For the construction of residences having already obtained authorization from the CPTAW as of June 25, 2013;

- 3) For the replacement of residences having an acquired right or privileges (personal right (under Articles 31, 31.1 and 40 of the LPTAA, according to the provisions for the extinguishment of such rights under the Law;
- 4) To follow-up on the two types of applications for residential purposes still admissible at the CPTAQ that is;
  - a) To move, on the same land unit, a residence authorized by the CPTAQ or having rights under Articles 101, 103, and 105 (acquired right) of the LPTAA, or Article 31 the owner of a vacant lot as the effective date of the law could build a residence on a vacant lot between 1978 and 1988)
  - b) To allow the conversion for residential purposes of a parcel of land having an authorization or an acquired right other than residential under Articles 101 and 103 of the LPTAA.

### **Chapter 7 USES SPECIFICATION CHART**

The uses specification chart brings together the groups and classes of uses permitted in each zone. It presents standards pertaining to the layout and construction of buildings, and special provisions. In the case of inconsistency, the information and standards contained in the uses specification chart shall predominate over those contained in the text of this By-law.

The rules for the interpretation of the uses specification chart are contained in Division 2 of this By-law.

Notwithstanding the following, the minimum rear setback for the uses belonging to Class R1 – Low Density is two (2) metres in Zone RE 15. In Zone C 39, the minimum front setback is seven decimal six (7.6) metres on Willow Street.

#### **Municipality of Shawville**

By-law Number 417 Zoning By-law

Zone Number	1	2	3	4	5	6	7	8	9	10
Dominant Use	CM	CM	CM	CM	PU	RE	CM	RE	PU	С
1. DWELLING GROUPS										-
Low density – Class R1		Х	Х	Х		Х	Х	Х		
Medium density – Class R2	Х	Х	Х	Х		Х		Х	Х	
High density – Class R3			Х			Х			Х	
2. COMMERCIAL AND SERVICES GRO	UPS									-
Neighbourhood - Class C1	Х	Х	Х	Х			Х			Х
Municipal – Class C2	Х	Х	Х	Х			Х		Х	Х
Semi-industrial – Class C3			Х							
3. TOURISM AND RECREATION GROU	JPS									-
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS			•		•		•	•	•	
Light industry – Class I1										
Medium industry – Class I2										
5. PUBLIC GROUPS			•		•		•	•	•	
Neighbourhood – Class P1					Χ				Х	
Community – Class P2	Х	Х							Х	Х
Parks and green spaces – Class P3										
Utilities – Class P4										
6. AGRICULTURE GROUPS										
Cultivation – Class A1										
Breeding – Class A2										
7. FORESTRY GROUPS			•		•		•	•	•	
Forest management – Class F1										
<u> </u>				1	U	1				
USES SPECIFICALLY EXCLUDED										
See Notes		(a)	(a)	(a)		(a)	(a)	(a)		
USES SPECIFICALLY ALLOWED					•				•	
See Notes								(e)		
MINIMUM LAYOUT STANDARDS			•		•		•		•	
Front setback (m)	2	2	2	2	4	2	2	1	1	2
Side setback (m)	0	1	1	1	2	1	1	1	1	1
Rear setback (m)	2	2	2	2	2	2	2	2	1	2
SPECIAL PROVISIONS						•				
Lakes and watercourses										
Setback from Highway 148 or 303										
Authorization from CPTAO										

## **NOTES**

#### **Uses specifically excluded**

(a) Mobile home

## Uses specifically allowed

- b)
- Dumpsite Commercial greenhouse Parking of one heavy truck per separate lot Crematorium (c) (d)
- (e)

#### **Municipality of Shawville**

By-law Number 417 Zoning By-law

Zone Number	11	12	13	14	15	16	17	18	19	20
Dominant Use	CM	RE	RE	PU	RE	СО	С	RE	PU	RE
1. DWELLING GROUPS										
Low density – Class R1	Х	Х	Х		Х			Х		Х
Medium density – Class R2		Х	Χ		Χ			Х		Х
High density – Class R3					Χ					Х
2. COMMERCIAL AND SERVICES GRO	UPS									
Neighbourhood - Class C1	Х						Χ			
Municipal – Class C2	Х						Χ			
Semi-industrial – Class C3										
3. TOURISM AND RECREATION GROU	JPS									
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS			•			•	•			
Light industry – Class I1										
Medium industry – Class I2										
5. PUBLIC GROUPS			l .					1		
Neighbourhood – Class P1				Х					Х	
Community – Class P2		Х								
Parks and green spaces – Class P3						Х				
Utilities – Class P4										
6. AGRICULTURE GROUPS			l .					1		
Cultivation – Class A1										
Breeding – Class A2										
7. FORESTRY GROUPS			l .					1		
Forest management – Class F1										
	ı			1	l.	- II	L	I.	l.	
USES SPECIFICALLY EXCLUDED										
See Notes	(a)	(a)	(a)		(a)			(a)		(a)
USES SPECIFICALLY ALLOWED						•	•			
See Notes										1
MINIMUM LAYOUT STANDARDS				•	•					
Front setback (m)	2	2	2	4	6	-	4	2	4	3
Side setback (m)	1	1	1	2	2	-	2	1	2	2
Rear setback (m)	2	2	2	2	6	-	3	2	2	2
SPECIAL PROVISIONS	•	•			•	•	•	•		
Lakes and watercourses						Х				
Setback from Highway 148 or 303		1			1					
Authorization from CPTAQ										

#### **NOTES**

## Uses specifically excluded

Mobile home

## Uses specifically allowed

- (b) Dumpsite
- (c) (d)
- Commercial greenhouse
  Parking of one heavy truck per separate lot

Zone Number	21	22	23	24	25	26	27	28	29	30
Dominant Use	RE	RE	С	CM	С	RE	RE	С	СО	IN
1. DWELLING GROUPS	-			•	•	•	•	•		
Low density – Class R1	Х	Х	Х	Х		Х	Х	Х		
Medium density – Class R2		Х								
High density – Class R3		Х								
2. COMMERCIAL AND SERVICES GRO	UPS						•			-
Neighbourhood - Class C1				Х						
Municipal – Class C2									Х	Х
Semi-industrial – Class C3			Х		Х			Х	Х	Х
3. TOURISM AND RECREATION GROU	JPS	•	•			•				
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS	•	•	•			•			•	
Light industry – Class I1										Χ
Medium industry – Class I2										
5. PUBLIC GROUPS	•	•	•			•			•	
Neighbourhood – Class P1										
Community – Class P2										
Parks and green spaces – Class P3		Χ				Х	Х		Х	
Utilities – Class P4										
6. AGRICULTURE GROUPS			U							
Cultivation – Class A1	Х	Χ							Х	Х
Breeding – Class A2										
7. FORESTRY GROUPS					•					
Forest management – Class F1										
<u> </u>	•	•	•			•			•	
USES SPECIFICALLY EXCLUDED										
See Notes	(a)	(a)	(a)	(a)		(a)		(a)		
USES SPECIFICALLY ALLOWED							•			-
See Notes										
MINIMUM LAYOUT STANDARDS										
Front setback (m)	7.6	7.6	7.6	6	15	7.6	7.6	7.6	-	10
Side setback (m)	2	2	2	2	4	2	2	2	-	4
Rear setback (m)	7	7	2	2	4	7	7	2	-	2
SPECIAL PROVISIONS					•	•				
Lakes and watercourses										
Setback from Highway 148 or 303										
Authorization from CPTAQ										

#### **NOTES**

#### Uses specifically excluded

(a) Mobile home

## Uses specifically allowed

- (b) Dumpsite(c) Commercial greenhouse(d) Parking of one heavy truck per separate lot

NOTE: CO29 AND IN30 ARE PART OF ZONE C34

Zone Number	31	32	33	34	35	36	37	38	39	40
Dominant Use	IN	IN	С	С	С	RE	PU	RE	С	PU
1. DWELLING GROUPS			•		•	•		•		•
Low density – Class R1								Х	Х	
Medium density – Class R2						Χ			Χ	
High density – Class R3						Х			Х	
2. COMMERCIAL AND SERVICES GRO	UPS									
Neighbourhood - Class C1					Х				Х	
Municipal – Class C2				Х	Х				Х	
Semi-industrial – Class C3	Х	Х	Χ	Х					Х	
3. TOURISM AND RECREATION GROU	JPS		•		•	•	•	•		•
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2			Χ	Х	Х					
4. INDUSTRIES GROUPS			·							
Light industry – Class I1	Х	Х								
Medium industry – Class I2										
5. PUBLIC GROUPS			l .							
Neighbourhood – Class P1							Χ			
Community – Class P2										
Parks and green spaces – Class P3										Х
Utilities – Class P4										Х
6. AGRICULTURE GROUPS			•		•	•		•		•
Cultivation – Class A1	Χ	Х	Χ	Χ						
Breeding – Class A2										
7. FORESTRY GROUPS			l .							
Forest management – Class F1										
<u> </u>			l .							
USES SPECIFICALLY EXCLUDED										
See Notes								(a)	(G)	
USES SPECIFICALLY ALLOWED			•		•	•				•
See Notes				(G)						
MINIMUM LAYOUT STANDARDS			•		•	•		•		•
Front setback (m)	10	10	10	10	10	4	10	7.6	6	-
Side setback (m)	4	4	4	4	4	2	4	2	2	-
Rear setback (m)	2	2	4	4	1	2	10	7	2	-
SPECIAL PROVISIONS	•	•		•			•			•
Lakes and watercourses										Х
Setback from Highway 148 or 303		1	10	10	10				10	10
Authorization from CPTAO										

#### **NOTES**

#### **Uses specifically excluded**

(a) Mobile home

#### **Uses specifically allowed**

- (b) Dumpsite
- (c) Commercial greenhouse
- (d) Parking of one heavy truck per separate lot
- (G) For Business along Hwy 148 will be allowed uses from CLASS C3 NOTE: C34 includes part of Zone CO29 and part of zone IN30

#### **Municipality of Shawville**

By-law Number 417 Zoning By-law

Zone Number	41	42	43	44	45	46	47	48	49	50
Dominant Use	RE	RE	RE	С	PU	RE	PU	RE	PU	С
1. DWELLING GROUPS										
Low density – Class R1	Х	Х	Х	Х		Х		Х		
Medium density – Class R2						Х				
High density – Class R3										
2. COMMERCIAL AND SERVICES GRO	OUPS	•			•	•		•		
Neighbourhood - Class C1										
Municipal – Class C2										Х
Semi-industrial – Class C3				Х						Х
3. TOURISM AND RECREATION GRO	UPS	•			•	•		•		
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS	•	•			•	•		•		
Light industry – Class I1										
Medium industry – Class I2										
5. PUBLIC GROUPS	•	•			•	•		•		
Neighbourhood – Class P1					Χ					
Community – Class P2					Χ					
Parks and green spaces – Class P3					Χ		Х		Х	
Utilities – Class P4										
6. AGRICULTURE GROUPS	•	•			•	•		•		
Cultivation – Class A1										
Breeding – Class A2										
7. FORESTRY GROUPS	•	•			•	•		•	•	
Forest management – Class F1										
<del>-</del>										
USES SPECIFICALLY EXCLUDED										
See Notes	(a)	(a)	(a)	(a)		(a)		(a)		
USES SPECIFICALLY ALLOWED										
See Notes										
MINIMUM LAYOUT STANDARDS										
Front setback (m)	7.6	5	4	6	3	4	-	4	10	10
Side setback (m)	2	2	2	4	2	2	-	2	4	4
Rear setback (m)	7	4	2	2	3	6	-	6	10	4
SPECIAL PROVISIONS										
Lakes and watercourses								Х	Х	Х
Setback from Highway 148 or 303										
Authorization from CPTAQ										

## **NOTES**

#### Uses specifically excluded

(a) Mobile home

## Uses specifically allowed

- (b)
- (c) (d)
- Dumpsite Commercial greenhouse Parking of one heavy truck per separate lot

By-law Number 417 Zoning By-law

Zone Number	51	52	53	54	55	56	57	58	59	60
Dominant Use	IN	AG	PU	RE	RE	AG	AG	AG	RE	PU
1. DWELLING GROUPS	•	•	•	•			•			
Low density – Class R1				Х	Х	Х		Χ	Χ	
Medium density – Class R2										
High density – Class R3										
2. COMMERCIAL AND SERVICES GRO	UPS	•	•	•						
Neighbourhood - Class C1										
Municipal – Class C2										
Semi-industrial – Class C3	Х									
3. TOURISM AND RECREATION GROU	JPS		U			1				
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS			U			1				
Light industry – Class I1	Х									
Medium industry – Class I2										
5. PUBLIC GROUPS	- I	I.		1	I	1				L
Neighbourhood – Class P1										
Community – Class P2										Х
Parks and green spaces – Class P3		Х				Х	Х			Х
Utilities – Class P4			Х							
6. AGRICULTURE GROUPS			U			1				
Cultivation – Class A1		X					Х	Х	Х	
Breeding – Class A2		Х						Х		
7. FORESTRY GROUPS	- I	I.		1	I	1				L
Forest management – Class F1										
	1	ı		1	1	ı	1		1	
USES SPECIFICALLY EXCLUDED										
See Notes				(a)	(a)	(a)		(a)	(a)	
USES SPECIFICALLY ALLOWED	- I	I.		1 (-)					(-)	L
See Notes										
MINIMUM LAYOUT STANDARDS	- I	I.		1	I	1				L
Front setback (m)	10	10	10	4	7.6	7.6	-	10	7.6	-
Side setback (m)	4	4	4	2	2	2	-	10	2	-
Rear setback (m)	4	4	10	2	7	7	-	10	7	-
SPECIAL PROVISIONS		1 -			ı	1	1			1
Lakes and watercourses	Х	Х	Х					Х	Х	
Setback from Highway 148 or 303	<del>  ^</del>			1						
Authorization from CPTAO	1	Х		1		Х	Х	Х		<del>                                     </del>

#### **NOTES**

#### **Uses specifically excluded**

Mobile home

- Dumpsite (b)
- Commercial greenhouse Parking of one heavy truck per separate lot (c) (d)

By-law Number 417 Zoning By-law

Zone Number	61	62	63	64	65	66	67	68	69	70
Dominant Use	PU	СО	RE	PU	RE	RE	PU	RE	С	RE
1. DWELLING GROUPS	•		•	•				•		•
Low density – Class R1			Χ		Χ	Х		Χ		Χ
Medium density – Class R2						Х				
High density – Class R3										Χ
2. COMMERCIAL AND SERVICES GRO	OUPS		•	•				•		•
Neighbourhood - Class C1									Χ	
Municipal – Class C2									Χ	
Semi-industrial – Class C3										
3. TOURISM AND RECREATION GRO	UPS	1	U			1				
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS	•					•				
Light industry – Class I1										
Medium industry – Class I2										
5. PUBLIC GROUPS		1	U			1				
Neighbourhood – Class P1				Х			Х			
Community – Class P2	Х									
Parks and green spaces – Class P3	Х	Х			Х					
Utilities – Class P4		Х								
6. AGRICULTURE GROUPS			U			1				
Cultivation – Class A1										
Breeding – Class A2										
7. FORESTRY GROUPS		1	U			1				
Forest management – Class F1										
<u> </u>		1	U			1				
USES SPECIFICALLY EXCLUDED										
See Notes			(a)		(a)	(a)		(a)		(a)
USES SPECIFICALLY ALLOWED	•			•						
See Notes								(d)	(c)	
								(f)	ì	
MINIMUM LAYOUT STANDARDS	•					•				
Front setback (m)	5	-	7.6	10	7.6	7.6	8	7.6	3	7.6
Side setback (m)	4	-	2	4	2	2	4	2	2	2
Rear setback (m)	8	-	7	2	7	7	7	7	2	7
SPECIAL PROVISIONS	•					•				
Lakes and watercourses		Х								
Setback from Highway 148 or 303										
Authorization from CPTAQ	1			İ					1	
NOTES			1	1					1	

#### **NOTES**

#### **Uses specifically excluded**

(a) Mobile home

- (b) Dumpsite
- (c) Commercial greenhouse
- (d) Parking of one heavy truck per separate lot
- (F) Administrative, Government and Professional Offices

By-law Number 417 Zoning By-law

Zone Number	71	72	73	74	75	76	77	78	79	80
Dominant Use	RE	RE	СО	PU	PU	PU	AG	AG	AG	AG
1. DWELLING GROUPS										
Low density – Class R1	Х	Χ						Х		Χ
Medium density – Class R2										
High density – Class R3	Х									
2. COMMERCIAL AND SERVICES GRO	UPS									
Neighbourhood - Class C1										
Municipal – Class C2										
Semi-industrial – Class C3								Х		
3. TOURISM AND RECREATION GROU	JPS									
Recreation and Leisure – Class RT 1										
Tourist Accommodation – Class RT2										
4. INDUSTRIES GROUPS	•			•	•	•	•	•	•	
Light industry – Class I1										
Medium industry – Class I2										
5. PUBLIC GROUPS				ı	U					
Neighbourhood – Class P1							Χ			
Community – Class P2				Х	Х					
Parks and green spaces – Class P3			Χ	Х	Χ	Х			Х	
Utilities – Class P4				Χ				Х		
6. AGRICULTURE GROUPS				ı	U					
Cultivation – Class A1		Χ	Χ	Х			Х	Х	Х	Χ
Breeding – Class A2								Х		Х
7. FORESTRY GROUPS				ı	U					
Forest management – Class F1								Х		Х
	- I			I.		- I	I.			
USES SPECIFICALLY EXCLUDED										
See Notes	(a)	(a)						(a)		(a)
USES SPECIFICALLY ALLOWED				•	•	•	•		•	
See Notes	(f)						(b)			
MINIMUM LAYOUT STANDARDS				ı	U					
Front setback (m)	7.6	7.6	-	10	10	-	4	10	-	10
Side setback (m)	2	2	_	4	4	-	2	10	-	10
Rear setback (m)	7	7	-	10	10	-	12	10	-	10
SPECIAL PROVISIONS			1		-	1				
Lakes and watercourses			Х							
Setback from Highway 148 or 303	1					1				
Authorization from CPTAQ	1					1	Х	Х	Х	Х

#### **NOTES**

#### Uses specifically excluded

(a) Mobile home

- (b)
- (c)
- (d)
- Dumpsite Commercial greenhouse Parking of one heavy truck per separate lot Administrative, Government and Professional Offices (f)

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1. DWELLING GROUPS   Low density - Class R1	Zone Number	81	82								
Low density - Class R1   Medium density - Class R2   High density - Class R3   X	Dominant Use						1				
Medium density - Class R2	1. DWELLING GROUPS		1		· ·		l.		L		ı
High density - Class R3	Low density – Class R1										
High density - Class R3	Medium density – Class R2										
2. COMMERCIAL AND SERVICES GROUPS   Neighbourhood - Class C1			х								
Municipal - Class C2   Semi-industrial - Class C3   Semi-industrial - Class C5   Semi-industrial - Semi-industrial		UPS	•	•		•		•	•	•	
Semi-industrial - Class C3	Neighbourhood - Class C1										
3. TOURISM AND RECREATION GROUPS   Recreation and Leisure - Class RT 1	Municipal – Class C2										
3. TOURISM AND RECREATION GROUPS   Recreation and Leisure - Class RT 1	Semi-industrial – Class C3										
Tourist Accommodation - Class RT2  4. INDUSTRIES GROUPS  Light industry - Class I1		IPS	•	•		•		•		•	
A. INDUSTRIES GROUPS	Recreation and Leisure – Class RT 1										
Light industry - Class I1	Tourist Accommodation – Class RT2										
Medium industry - Class I2	4. INDUSTRIES GROUPS		•					•			
Neighbourhood - Class P1	Light industry – Class I1										
Neighbourhood - Class P1	Medium industry – Class I2										
Community - Class P2	5. PUBLIC GROUPS		•	•		•		•		•	
Parks and green spaces – Class P3  Utilities – Class P4  6. AGRICULTURE GROUPS  Cultivation – Class A1	Neighbourhood – Class P1										
Utilities - Class P4	Community – Class P2										
Cultivation – Class A1	Parks and green spaces – Class P3										
Cultivation - Class A1         X           Breeding - Class A2         X           7. FORESTRY GROUPS         Image: Class F1           Forest management - Class F1         X           USES SPECIFICALLY EXCLUDED         Image: Class F2           See Notes         Image: Class F2           USES SPECIFICALLY ALLOWED         Image: Class F2           See Notes         Image: Class F2           MINIMUM LAYOUT STANDARDS         Image: Class F2           Front setback (m)         10           Side setback (m)         10           Rear setback (m)         10           SPECIAL PROVISIONS           Lakes and watercourses         Image: Class F2           Setback from Highway 148 or 303         Image: Class F2	Utilities – Class P4										
Breeding - Class A2	6. AGRICULTURE GROUPS	•									
7. FORESTRY GROUPS Forest management – Class F1	Cultivation – Class A1	Х									
Forest management – Class F1 X USES SPECIFICALLY EXCLUDED See Notes USES SPECIFICALLY ALLOWED See Notes MINIMUM LAYOUT STANDARDS Front setback (m) 10	Breeding – Class A2	Х									
USES SPECIFICALLY EXCLUDED           See Notes	7. FORESTRY GROUPS										
See Notes         USES SPECIFICALLY ALLOWED           See Notes         Image: Comparison of the comparison	Forest management – Class F1	Х									
See Notes         USES SPECIFICALLY ALLOWED           See Notes         Image: Comparison of the comparison											
USES SPECIFICALLY ALLOWED           See Notes           MINIMUM LAYOUT STANDARDS           Front setback (m)         10           Side setback (m)         10           Rear setback (m)         10           SPECIAL PROVISIONS           Lakes and watercourses         Setback from Highway 148 or 303	USES SPECIFICALLY EXCLUDED										
See Notes   <											
MINIMUM LAYOUT STANDARDS           Front setback (m)         10           Side setback (m)         10           Rear setback (m)         10           SPECIAL PROVISIONS           Lakes and watercourses         Setback from Highway 148 or 303											
Front setback (m)         10           Side setback (m)         10           Rear setback (m)         10           SPECIAL PROVISIONS           Lakes and watercourses         Setback from Highway 148 or 303											
Side setback (m)         10           Rear setback (m)         10           SPECIAL PROVISIONS           Lakes and watercourses         Setback from Highway 148 or 303	MINIMUM LAYOUT STANDARDS										
Rear setback (m) 10 SPECIAL PROVISIONS Lakes and watercourses Setback from Highway 148 or 303	Front setback (m)	10									
SPECIAL PROVISIONS  Lakes and watercourses  Setback from Highway 148 or 303											
Lakes and watercourses Setback from Highway 148 or 303	( )	10									
Setback from Highway 148 or 303	SPECIAL PROVISIONS										
	Lakes and watercourses										
Authorization from CPTAQ X	Setback from Highway 148 or 303										
	Authorization from CPTAQ	X									

#### **NOTES**

#### Uses specifically excluded

(a) Mobile home

- (b)
- (c)
- Dumpsite Commercial greenhouse Parking of one heavy truck per separate lot

#### **Chapter 8 SPECIAL PROVISIONS CONCERNING AGRICULTURAL ACTIVITIES**

The following provisions aim at the development of a sustainable agriculture and a harmonious coexistence of activities in the rural environment.

#### 8.1 Separating Distances Relating to Breeding Operations

The minimum separating distances between a breeding operation and a protected immovable, a dwelling, the urbanization perimeter of the Municipality of Shawville or a public street or road are computed by using a formula that combines the seven (7) following parameters:

#### Separating distance = B x C x D x E x F x G

- Parameter A is the number of animal units according to the table at Section 8.1.1;
- Parameter B represents the basic distance according to the table at Section 8.1.2; Parameter B is established according to the number of animal units, which is Parameter A;
- Parameter C is the odour load according to the table at Section 8.1.3;
- Parameter D corresponds to the type of manure according to the table at Section 8.1.4;
- Parameter E is the type of the project according to the table at Section 8.1.5;
- Parameter F is the attenuation factor according to the table at Section 8.1.6;
- Parameter G is the usage factor according to the data at Section 8.1.7.

#### 8.1.1 Parameter A - Number of Animal Units

Group or category of animals	Number of animals equivalent to an animal unit
Cow or heifer, bull, horse	1
Calf or heifer weighing from 225 to 500 kilograms	2
Calf weighing less than 225 kilograms	5
Breeding pig weighing from 20 to 100 kilograms	5
Sow and piglet not weaned during the year	4
Piglet weighing less than 20 kilograms	25
Laying hen or rooster	125
Roasting or broiling chicken	250
Growing pullet	250
Turkey weighing more than 13 kilograms	50
Turkey weighing from 8.5 to 10 kilograms	75
Turkey weighing less than 5.5 kilograms	100
Female mink (male and offspring not included)	100
Female fox (male and offspring not included)	40
Sheep and lamb of the year	4
Goat and kid of the year	6
Female rabbit (male and offspring not included)	40
Quail	1,500
Pheasant	300

The preceding table serves as an indication. A complete table will have to be prepared by reducing the differences between the categories. The basis for computation remains 500 kilograms per animal unit. When a weight is indicated in the table, it is the weight of the animal at the end of the period of growth. For any other species of animal, a gross weight of 500 kilograms is equal to one animal unit.

5 7 1411

#### 8.1.2 Parameter B - Basic Distance

Parameter B is set by searching in the following table the basic distance corresponding to the value for Parameter A.

to ti	ic vo	ilue	101	raia	met	CI A	•												
U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.
1	86	51	297	101	368	151	417	201	456	251	489	301	518	351	544	401	567	451	588
2	107	52	299	102	369	152	418	202	457	252	490	302	518	352	544	402	567	452	588
3	122	53	300	103	370	153	419	203	458	253	490	303	519	353	544	403	568	453	589
4	133	54	302	104	371	154	420	204	458	254	491	304	520	354	545	404	568	454	589
5	143	55	304	105	372	155	421	205	459	255	492	305	520	355	545	405	568	455	590
6	152	56	306	106	373	156	421	206	460	256	492	306	521	356	546	406	569	456	590
7	159	57	307	107	374	157	422	207	461	257	493	307	521	357	546	407	569	457	590
8	166	58	309	107	375	158	423	208	461	258	493	308	522	358	547	407	570	458	591
-	-					-													
9	172	59	311	109	377	159	424	209	462	259	494	309	522	359	547	409	570	459	591
10	178	60	312	110	378	160	425	210	463	260	495	310	523	360	548	410	571	460	592
11	183	61	314	111	379	161	426	211	463	261	495	311	523	361	548	411	571	461	592
12	188	62	315	112	380	162	426	212	464	262	496	312	524	362	549	412	572	462	592
13	193	63	317	113	381	163	427	213	465	263	496	313	524	363	549	413	572	463	593
14	198	64	319	114	382	164	428	214	465	264	497	314	525	364	550	414	572	464	593
15	202	65	320	115	383	165	429	215	466	265	498	315	525	365	550	415	573	465	594
16	206	66	322	116	384	166	430	216	467	266	498	316	526	366	551	416	573	466	594
17	210	67	323	117	385	167	431	217	467	267	499	317	526	367	551	417	574	467	594
18	214	68	325	118	386	168	431	218	468	268	499	318	527	368	552	418	574	468	596
19	218	69	326	119	387	169	432	219	469	269	500	319	527	369	552	419	575	469	596
20	221	70	328	120	388	170	433	220	469	270	501	320	528	370	553	420	575	470	596
21	225	71	329	121	389	171	434	221	470	271	501	321	528	371	553	421	575	471	596
22	228	72	331	122	390	172	435	222	471	272	502	322	529	372	554	422	576	472	596
23	231	73	332	123	391	173	435	223	471	273	502	323	530	373	554	423	576	473	597
24	234	74	333	124	392	174	436	224	472	274	503	324	530	374	554	424	577	474	597
25	237	75	335	125	393	175	437	225	473	275	503	325	531	375	555	425	577	475	598
26	240	76	336	126	394	176	438	226	473	276	504	326	531	376	555	426	578	476	598
27	243	77	338	127	395	177	438	227	474	277	505	327	532	377	556	427	578	477	598
28	246	78	339	128	396	178	439	228	475	278	505	328	532	378	556	428	578	478	599
29	249	79	340	129	397	179	440	229	475	279	506	329	533	379	557	429	579	479	599
30	251	80	342	130	398	180	441	230	476	280	506	330	533	380	557	430	579	480	600
31	254	81	343	131	399	181	442	231	477	281	507	331	534	381	558	431	580	481	600
32	256	82	344	132	400	182	442	232	477	282	507	332	534	382	558	432	580	482	600
33	259	83	346	133	401	183	443	233	478	283	508	333	535	383	559	433	581	483	601
34	261	84	347	134	402	184	444	234	479	284	509	334	535	384	559	434	581	484	601
35	264	85	348	135	403	185	445	235	479	285	509	335	536	385	560	435	581	485	602
36	266	86	350	136	404	186	445	236	480	286	510	336	536	386	560	436	582	486	602
37	268	87	351	137	405	197	446	237	481	287	510	337	537	387	560	437	582	487	602
38	271	88	352	138	406	188	447	238	481	288	511	338	537	388	561	438	583	488	603
39	273	89	353	139	406	199	448	239	482	289	511	339	538	389	561	439	583	489	603
40	275	90	355	140	407	190	448	240	482	290	512	34.0	538	390	562	440	583	490	604
41	277	91	356	141	408	191	449	241	483	291	512	341	539	391	562	441	584	491	604
42	279	92	357	142	409	192	450	242	484	292	513	34.2	539	392	563	442	584	492	604
43	281	93	358	143	410	193	451	243	484	293	514	343	540	393	563	443	585	493	605
44	283	94	359	144	411	194	451	244	485	294	514	34.4	540	394	564	444	585	494	605
45	285	95	361	145	412	195	452	245	486	295	515	345	541	395	564	445	586	495	606
46	287	96	362	146	413	196	453	246	486	296	515	346	541	396	564	446	586	496	606
47	289	97	363	147	414	197	453	247	487	297	516	347	542	397	565	447	586	497	606
48	291	98	364	148	415	198	454	248	487	298	516	348	542	398	565	448	587	498	607
49	293	99	365	149	415	199	455	249	488	299	517	349	543	399	566	449	587	499	607
50	295	100	367	150	416	200	456	250	489	300	517	350	543	400	566	450	588	500	607
30	2.50	100	OD!	100	710	2.50	430	2.50	433	200	211	550	540	400	550	400	330	550	5.77

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**Municipality of Shawville** By-law Number 417 Zoning By-law

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U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.	U.A.	m.
1501	857	1551	866	1601	875	1651	884	1701	892	1751	900	1801	908	1851	916	1901	923	1951	931
1502	858	1552	867	1602	875	1652	884	1702	892	1752	900	1802	908	1852	916	1902	924	1952	931
1503	858	1553	867	1603	875	1653	884	1703	892	1753	900	1803	908	1853	916	1903	924	1953	931
1504	858	1554	867	1604	876	1654	884	1704	892	1754	900	1804	908	1854	916	1904	924	1954	931
1505	858	1555	867	1605	876	1655	884	1705	892	1755	901	1805	909	1855	916	1905	924	1955	932
1506	858	1556	867	1606	876	1656	884	1706	893	1756	901	1806	909	1856	917	1906	924	1956	932
1507	859	1557	867	1607	876	1657	885	1707	893	1757	901	1807	909	1857	917	1907	924	1957	932
1508	859	1558	868	1608	876	1658	885	1708	893	1758	901	1808	909	1858	917	1908	925	1958	932
1509	859	1559	868	1609	876	1659	885	1709	893	1759	901	1809	909	1859	917	1909	925	1959	932
1510	859	1560	868	1610	877	1660	885	1710	893	1760	901	1810	909	1860	917	1910	925	1960	932
1511	859	1561	868	1611	877	1661	885	1711	893	1761	902	1811	910	1861	917	1911	925	1961	933
1512	859	1562	868	1612	877	1662	885	1712	894	1762	902	1812	910	1862	917	1912	925	1962	933
1513	860	1563	868	1613	877	1663	886	1713	894	1763	902	1813	910	1863	918	1913	925	1963	933
1514	860	1564	869	1614	877	1664	886	1714	894	1764	902	1814	910	1864	918	1914	925	1964	933
1515	860	1565	869	1615	877	1665	886	1715	894	1765	902	1815	910	1865	918	1915	926	1965	933
1516	860	1566	869	1616	878	1666	886	1716	894	1766	902	1816	910	1866	918	1916	926	1966	933
1517	860		869	1617	878		886	1717	894	1767	903	1817	910	1867	918	1917	926	1967	933
1517		1567 1568		1618		1667 1668		1717		1768		1818		1868		1917		1967	
lacksquare	861		869	-	878	-	886	_	895	_	903	_	911	_	918	_	926		934
1519	861	1569	870	1619	878	1669	887	1719	895	1769	903	1819	911	1869	919	1919	926	1969	934
1520	861	1570	870	1620	878	1670	887	1720	895	1770	903	1820	911	1870	919	1920	926	1970	934
1521	861	1571	870	1621	878	1671	887	1721	895	1771	903	1821	911	1871	919	1921	927	1971	934
1522	861	1572	870	1622	879	1672	887	1722	895	1772	903	1822	911	1872	919	1922	927	1972	934
1523	861	1573	870	1623	879	1673	887	1723	895	1773	904	1823	911	1873	919	1923	927	1973	934
1524	862	1574	870	1624	879	1674	887	1724	896	1774	904	1824	912	1874	919	1924	927	1974	934
1525	862	1575	871	1625	879	1675	888	1725	896	1775	904	1825	912	1875	919	1925	927	1975	935
1526	862	1576	871	1626	879	1676	888	1726	896	1776	904	1826	912	1876	920	1926	927	1976	935
1527	862	1577	871	1627	879	1677	888	1727	896	1777	904	1827	912	1877	920	1927	927	1977	935
1528	862	1578	871	1628	880	1678	888	1728	896	1778	904	1828	912	1878	920	1928	928	1978	935
1529	862	1579	871	1629	880	1679	888	1729	896	1779	904	1829	912	1879	920	1929	928	1979	935
1530	863	1580	871	1630	880	1680	888	1730	897	1780	905	1830	913	1880	920	1930	928	1980	935
1531	863	1581	872	1631	880	1681	889	1731	897	1781	905	1831	913	1881	920	1931	928	1981	936
1532	863	1582	872	1632	880	1682	889	1732	897	1782	905	1832	913	1882	921	1932	928	1982	936
1533	863	1583	872	1633	880	1683	889	1733	897	1783	905	1833	913	1883	921	1933	928	1983	936
1534	863	1584	872	1634	881	1684	889	1734	897	1784	905	1834	913	1884	921	1934	928	1984	936
1535	864	1585	872	1635	881	1685	889	1735	897	1785	905	1835	913	1885	921	1935	929	1985	936
1536	864	1586	872	1636	881	1686	889	1736	898	1786	906	1836	913	1886	921	1936	929	1986	936
1537	864	1587	873	1637	881	1687	890	1737	898	1787	906	1837	914	1887	921	1937	929	1987	936
1538	864	1588	873	1638	881	1688	890	1738	898	1788	906	1838	914	1888	921	1938	929	1988	937
1539	864	1589	873	1639	881	1689	890	1739	898	1789	906	1839	914	1889	922	1939	929	1989	937
1540	864	1590	873	1640	882	1690	890	1740	898	1790	906	1840	914	1890	922	1940	929	1990	937
1541	865	1591	873	1641	882	1691	890	1741	898	1791	906	1841	914	1891	922	1941	929	1991	937
_				_		_						_		_		_		_	-
1542	865	1592	873	1642	882	1692	890	1742	899	1792	907	1842	914	1892	922	1942	930	1992	937
1543	865	1593	874	1643	882	1693	891	1743	899	1793	907	1843	915	1893	922	1943	930	1993	937
1544	865	1594	874	1644	882	1694	891	1744	899	1794	907	1844	915	1894	922	1944	930	1994	937
1545	865	1595	874	1645	883	1695	891	1745	899	1795	907	1845	915	1895	923	1945	930	1995	938
1546	865	1596	874	1646	883	1696	891	1746	899	1796	907	1846	915	1896	923	1946	930	1996	938
1547	866	1597	874	1647	883	1697	891	1747	899	1797	907	1847	915	1897	923	1947	930	1997	938
1548	866	1598	875	1648	883	1698	891	1748	899	1798	907	1848	915	1898	923	1948	931	1998	938
1549	866	1599	875	1649	883	1699	891	1749	900	1799	908	1849	915	1899	923	1949	931	1999	938
1550	866	1600	875	1650	883	1700	892	1750	900	1800	908	1850	916	1900	923	1950	931	2000	938
								_				_				-	_	_	

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### 8.1.3 Parameter C – Odour Load

Group or category of animals	Parameter C
Slaughter cattle - in a closed building - on an outdoor feed area	0.7 0.8
Milk cattle	0.7
Duck	0.7
Horse	0.7
Goat	0.7
Turkey - in a closed building - on an outdoor feed area	0.7 0.8
Rabbit	0.8
Sheep	0.7
Pig	1.0
Hen - caged laying hen - reproduction hen - roasting hen/large chicken - pullet	0.8 0.8 0.7 0.7
Fox	1.1
Heavy calf - milk calf - grain calf	1.0 0.8
Mink	1.1

**Note:** For any other animal species, use Parameter C = 0.8.

### 8.1.4 Parameter D - Type of Manure

Management method of farm fertilizers	Parameter D
Management of solid	
- slaughter and milk cattle, horse, sheep	0.6
<ul><li>and goat</li><li>other groups or categories of animals</li></ul>	0.8
Management of liquid	
<ul><li>slaughter and milk cattle</li><li>other groups and categories of animals</li></ul>	0.8 1.0

## 8.1.5 Parameter E - Type of Project

Increase up to (a.u.)	Parameter E	Increase up to (a.u.)	Parameter E		
10 or less	0.50	181-185	0.76		
11-20	0.51	186-190	0.77		
21-30	0.52	191-195	0.78		
31-40	0.53	196-200	0.79		
41-50	0.54	201-205	0.80		
51-60	0.55	206-210	0.81		
61-70	0.56	211-215	0.82		
71-80	0.57	216-220	0.83		
81-90	0.58	221-225	0.84		
91-100	0.59	226-230	0.85		
101-105	0.60	231-235	0.86		
106-110	0.61	236-240	0.87		
111-115	0.62	241-245	0.88		
116-120	0.63	246-250	0.89		
121-125	0.64	251-255	0.90		
126-130	0.65	256-260	0.91		
131-135	0.66	261-265	0.92		
136-140	0.67	266-270	0.93		
141-145	0.68	271-275	0.94		
146-150	0.69	276-280	0.95		
151-155	0.70	281-285	0.96		
156-160	0.71	286-290	0.97		
161-165	0.72	291-295	0.98		
166-170	0.73	296-300	0.99		
171-175	0.74	300 and more	1.00		
176-180	0.75	new project	1.00		

It should be noted that the number of animals of which to be added in the herd must be considered, whether there is or not an extension or construction of a building. For any project leading to a total of 300 animal units and more, as well as for any new project, Parameter E=1.

#### 8.1.6 Parameter F - Attenuation Factor

Technology	Parameter F
Roof on storage premises	F <sub>1</sub>
<ul><li>absent;</li><li>permanent rigid;</li><li>temporary (layer of peat, layer of plastic).</li></ul>	1.0 0.7 0.9
Ventilation	F <sub>2</sub>
- natural and forced with multiple air outlets ;	1.0
- forced with regrouped air outlets and air outlets above the roof;	0.9
forced with regrouped air outlets and air cleaning with air scrubbers or biological filters.	0.8
filters.	
Other technologies	F <sub>3</sub>
- new technologies may be used to reduce the distances when their efficiency is proven.	Factor to be determined at the time of accreditation

### 8.1.7 Parameter G - Usage Factor

This parameter is related to the type of neighbouring unit considered:

- For a **protected immovable**, we get the separating distance by multiplying all the parameters between themselves,  $\mathbf{G} = \mathbf{1.0}$ ;
- For a dwelling house, G = 0.5;
- For the urbanization perimeter of the Municipality of Shawville,
   G = 1.5;
- For a **public street or road**, **G** = **0.1**, but the installations must in all cases take into account the minimum distance of six (6) metres from a lot line.

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#### 8.2 Acquired Rights

Parameter E bearing on the type of project acknowledges an acquired right related to the expansion of existing agricultural enterprises. For establishments of one hundred animal units (100 a.u.) and less, the replacement of the breeding type is allowed on condition to maintain the same number of animal units and to continue the same management of breeding effluents or a more favourable management with respect to the inconvenience associated with odours whereas for the other establishments, the replacement of the type of breeding is only possible by respecting the computation parameters for separating distances.

# 8.3 Separating Distances Relating to Storage Premises for Farm Manure Located at More than 150 Metres from a Breeding Farm

In situations where farm manure is stored outside the animal operation, separating distances must be respected. These separating distances are established by considering that one animal unit requires a storage capacity of 20 m<sup>3</sup>.

Minimum separating distances, in metres, between storage premises for farm manure located at more than 150 metres from a breeding farm and a protected immovable, a dwelling, an urbanization perimeter or a public road are obtained by combining the seven parameters presented at Section 8.1 with the following changes:

- 1. For Parameter A, each reservoir capacity of 1,000 m³ corresponds to 50 animal units;
- 2. Once the equivalent is completed, we can find the value of Parameter B; then the formula for the separating distance B x C x D x E x F x G does apply; the following table shows the cases where C, D, E and F are equivalent to 1, only Parameter G varies depending on the neighbouring unit in guestion;
- 3. Separating distances related to storage premises for liquid manure<sup>1</sup> located at more 150 metres from a breeding installation.

Storage capacity		Separating (	distances (m)	
(m³)²	Dwelling	Protected immovable	Urbanization perimeter	Public street or road
1,000	148	295	443	30
2,000	184	367	550	37
3,000	208	416	624	42
4,000	228	456	684	46
5,000	245	489	734	49
6,000	259	517	776	52
7,000	272	543	815	54
8,000	283	566	849	57
9,000	294	588	882	59
10,000	304	607	911	61

- 1. For liquid manure, multiply the above distances by 0.8.
- 2. For other storage capacities, complete the necessary computation by using a proportional rule or data of Parameter A.

#### 8.4 Separating Distances Relating to the Spreading of Farm Fertilizers

Farm fertilizers must be able to be applied on all cultivated fields. Minimal separating distances between a place where manure is spread and any dwelling house, any urbanization perimeter or any immovable protected by virtue of the Act respecting the Preservation of Agricultural Land and Agricultural Activities (R.S.Q., c. P-41.1) are established in the following table.

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#### Separating distances relating to the spreading of farm fertilizers<sup>1</sup>

		Required distance from a dwelling house, the urbanization perimeter or a protected immovable (m)		
Туре	Method of spreading		June 15 to August 15	Other times
LIQUID MANURE	Spraying from the air	nozzle	300	300
		cannon	300	300
		liquid manure left on the surface more than 24 hours	75	25
		liquid manure incorporated in less than 24 hours	25	x
	Spraying	by ramp	25	Х
		by tangle	X	Х
	Simultaneous incorporation		Х	Х
SOLID MANURE	Fresh, left on the surface more than 24 hours		75	Х
	Fresh, incorporated in less than 24 hours		Х	х
	Deodorized compost		Х	Х

<sup>1.</sup> X =Spreading allowed up to the limits of the field.

The above table does not apply in the case of uninhabited urbanization perimeters. In this case, spreading is allowed up to the limits of the field.

#### 8.5 Reciprocity Principle and Distance Standards

In the agricultural zone, an individual who wants to erect a dwelling house, a protected immovable or a public road on a lot must respect in relation to agricultural operations the following distances:

Public street road : 37 metres ;
 Protected immovable : 367 metres ;
 Dwelling house: 184 metres.

The Municipality may not issue a building permit when these standards are not respected by the owner of the lot involved in the application, unless the latter provides for the purpose of registration at the *Bureau de la publicité et des droits* a declaration to the effect that he forgoes any recourse that he could have invoked with regard to

each of neighbouring operation that must abide by such a distance standard if he had himself respected the standards imposed.

This declaration has the effect of a true easement notwithstanding Section 1,181 of the Québec Civil Code. This easement is established by a registered declaration against the lot involved in the application and against each of those on which are located buildings or infrastructures used for agricultural activities subject to standards for the separating distance.

#### 8.6 Residences in the Agriculture Zone

Separating Distances for the Management of Odours Applicable to New Residences in the Agricultural Zone

To promote cohesion of uses in the Agricultural zone and reduce the inconveniences related to odours, the establishment of new residences in the agricultural zone is subject to minimum separating distances with regard to all farming facilities. These separating distances are defined in the flowing table:

Type of Production	Livestock Units	Minimum Required
		Distance (m)
Cattle or grain-fed calf	Up to 225	150
Cattle (fattening)	Up to 400	182
Milk	Up to 225	132
Swine (maternity, nursery)	Up to 225	236
Swine (fattening, farrowing,	Up to 599	267
finishing)		
Poultry (chicken, turkey, etc.)	Up to 400	236
Other productions	Distances provided in the 150	
	Provincial planning	
	Guidelines for 225 livestock	

In the event that livestock units are greater than the values shown in the above table, the distances that do apply are those provided by the provincial planning guidelines.

In the event that the residence being established is located near a livestock production facility whose certificate of authorization from the Department of Sustainable Development the Environment and the Fight Against Climate Change provides for a distance that is greater than the one indicated in the above table, it is the distance that the livestock production facility would have to comply with in the case of a new establishment that applies for the establishment of the residence.

By-law Number 417 Zoning By-law

A residence, established according to the conditions stated above, cannot restrict the development of a livestock production facility existing before its establishment. I twill therefore not be taken into account in the calculation of the applicable separating distances for an extension or modification projection for an existing livestock production facility on the date of issue of a permit or certificate of authorization.