



MUNICIPALITY OF KAZABAZUA

BY-LAW 2017-006

By-law number 2017-006 « By-law amending Zoning By-law No. 201 of the Municipality of Kazabazua to incorporate standards to establish measures for the protection of surface waters, shoreline and river banks protection

Notice of motion given February 7, 2017
By-Law adopted April 4, 2017
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Adopting resolution 2017-04-120

**CANADA
PROVINCE OF QUÉBEC
MRC VALLÉE-DE-LA-GATINEAU**

MUNICIPALITY OF KAZABAZUA

BY-LAW NUMBER 2017-006

BY-LAW AMENDING ZONING BY-LAW NO. 201 OF THE MUNICIPALITY OF KAZABAZUA TO INCORPORATE STANDARDS TO ESTABLISH MEASURES FOR THE PROTECTION OF SURFACE WATERS, SHORELINE AND RIVER BANKS PROTECTION

WHEREAS the Regional County Municipality of La Vallée-de-la-Gatineau adopted interim control bylaw number 1983-07 on September 21, 1983;

WHEREAS the interim control bylaw 1983-07, contained standards for shoreline and riverbank protection that respected the government requirements in this area;

WHEREAS the Regional County Municipality of La Vallée-de-la-Gatineau has adopted a management plan accompanied by a complementary document containing standards for the protection of shorelines and the riverbank respecting the government directives in this matter;

WHEREAS the development plan of the MRC of La Vallée-de-la-Gatineau came into force on October 13, 1988;

WHEREAS the local municipalities of the MRC of La Vallée-de-la-Gatineau have adopted their urban plan and By-Law since 1991;

WHEREAS the zoning by-laws of the local municipalities of the Vallée-de-la-Gatineau MRC all contain more restrictive shoreline and riverbank protection standards than those included in the supplementary document of the development plan and the government directives in order to Ensure the conservation of the water environment in their respective territories;

WHEREAS on 18 March 1998, the Regional County Municipality of La Vallée-de-la-Gatineau adopted the interim control by-law (RCI) number 98-105, which included additional protection measures on the shores and on the inland shoreline Of the Lac Heney watershed in the municipalities of Lac-Sainte-Marie and Gracefield (Northfield before the municipal amalgamation);

WHEREAS the said by-law came into force on May 6, 1998;

WHEREAS the Government of Québec has requested the regional county municipalities to modify their management plan to include protection measures for banks, riverbanks and floodplains in accordance with the most recent version (2005) of the policy Government policy in this area entitled "Policy for the protection of shorelines, riverbank and flood plains";

WHEREAS the quality of the water environment of the MRC of La Vallée-de-la-Gatineau is a guarantee of its economic development;

WHEREAS RCI 2009-206 of the MRC of La Vallée-de-la-Gatineau and its amendments protect the shores, the littoral of lakes and watercourses throughout the territory of the MRC;

WHEREAS the RCI 2009-206 was amended on 7 February 2012 by the amending By-Law 2009-206-1;

WHEREAS measures to protect surface water and follow-up are necessary to ensure the maintenance of the water heritage of the municipality;

WHEREAS the municipality wishes to integrate these standards into its zoning by-law no 201 in order to no longer be subject to the RCI 2009-206 and its amendments;

THEREFORE, IT IS MOVED by Sandra Lacharity, **SECONDED** by Tanya Gabie and resolved

THAT the council of the municipality of Kazabazua hereby orders and rules as follows:

ARTICLE 1

The Preamble is an integral part of this By-Law.

ARTICLE 2

Zoning By-law No. 201 is amended by replacing the title and the text of Chapter XI with the following title and text:

« Chapter XI General provisions for the protection of the shores and riverbank of plans and watercourses »

11.1 Terminology relating to the protection of the shores and riverbank of plans and watercourses

For the purposes of this chapter, the following definitions apply and supersede all other definitions contained in this By-Law.

Tributary: A stream that flows into another stream or water body.

Tree: Means a woody plant indigenous to Canada or not, with a single upright and perennial stem that branches off at a certain height and which, at maturity, will have a trunk with a diameter of at least 10 cm, At a height of 1.3 meters above the highest level of the adjacent soil, and a minimum height of at least 7 meters at maturity. For the purpose of this definition, all willow and birch species with more than one stems from the same root system shall be considered as trees if they reach the diameter and height required by this definition at maturity.

Shrub: Means a single stem woody plant whose height to maturity is less than 7 meters. For the purposes of this By-Law, a shrub that is a woody plant with a height of less than 7 meters, whose stem is rooted from the base is considered to be a shrub.

Sedimentation basin: means an artificial structure whose purpose is to capture the suspended matter contained in the water of a ditch in order to rid the water of its impurities before it is discharged into a water body or stream.

Building: Means a structure with a fixed or temporary roof of any material supported by columns, columns and / or walls resulting from the assembly of one or of materials and arranged to serve one or For any purpose.

Main building: An expression meaning a building in which the main use authorized by a planning by-law or protected by rights acquired by virtue of a planning by-law is exercised on a site.

Accessory Building: An expression meaning a building detached or attached to a main building, to enhance the utility, convenience and amenity of a main building.

Sanitation Cut: An expression meaning the felling or harvesting of trees that are deficient, tainted, decayed, damaged or dead in the tree stand.

Watercourse: Expression means a clearly defined depression in the soil through which the surface water flows downstream or downstream by gravity. Excluded from this definition are ditches used to drain surface water from neighboring land, such as road ditches, line ditches that drain only adjacent land, and ditches used to drain only one ground.

Intermittent watercourse: Watercourse or part of watercourses whose flow depends directly on precipitation and whose bed is completely dry for certain periods of the year.

Vegetation cover: Expression means the layer of vegetation above the ground formed by the foliage of trees, shrubs and plants.

Forest cover: A more or less regular covering of branches and foliage formed by the tops of neighboring trees.

Excavation: Means soil, rock or soil removal to level or dig the soil.

Crown diameter: Expression means the arithmetic mean between the largest and the smallest transverse dimension of the projection of a crown on the horizontal plane.

Denunciation: means a declaration by the owner of a waterfront property in which he declares that he wishes to re vegetate the shore within a fixed period according to a plan prepared by a professional qualified in botany.

Dependency: means a building or part of a building that is converted into a rental unit and subordinate to a main building connected to commercial recreational activities whose main functions are the accommodation and / or the practice of leisure and outdoor activities.

Surface Waters: An expression of stagnant and current waters found on the surface of the earth, forming oceans, seas, lakes, rivers, streams, streams, ponds, ponds, etc.

Rainwater Absorption Pond: Expression means a structure constructed of an impermeable or poorly permeable soil designed to receive drainage from the roof (s) of a main building. This structure must be designed to permit the slow infiltration of water collected in the soil. The plans of this work must be prepared by an engineer who is a member of the Ordre des ingénieurs du Québec and submitted with the application Permit for reconstruction of the building.

Leveling: Means the lowest level reached by a river or lake.

Ditch: Means a developed channel used to drain land adjacent to the work, ie road ditches, line ditches that drain only adjacent land, and ditches used to drain only one lot.

High-water mark: An expression that refers to the place where one moves from a predominance of aquatic plants to a predominance of terrestrial plants or if there are no aquatic plants, where the terrestrial plants Stop in the direction of the body of water. The expression high water limit may be used with the same meaning.

Littoral: Means the part of the plans and streams that extends from the high water mark to the center of the plan or water.

Wetland: Means flooded or water-saturated land for a period of time long enough to influence the nature of the soil and the composition of the vegetation. Ponds, marshes, swamps and peat bogs, without being limiting, are wetlands for the purposes of this by-law.

Structure: means any structure, structure, building, or any work that may result in a change in the natural features of the shore or shoreline.

Percentage of slope: Expression meaning the description of the relief by expressing in percentage the ratio between the difference in level and the horizontal distance of the drop in a terrain.

Submerged beach: An expression that means the part of the riverbank between the high water mark and the mean low water level of a low water level during a low-water period.

Body of water: An expression designating a natural or artificial body of water, inland, of low current and the slow renewal of its waters as opposed to a watercourse. For the application of riverbank and littoral requirements, a basin or reservoir with a small area that is mainly watered by a mechanical system is not considered a water body.

Herbaceous plant: An expression meaning a non-woody perennial plant whose aerial parts die at the end of each growing season; It grows in spring from buds on the surface of the soil or under the soil. For the purposes of this By-Law, vegetable or vegetable herbaceous plants are not considered to be herbaceous plants.

Storm drainage well: An expression for a bottomless tank designed to receive dripping from the roof or roofs of a main building, prefabricated in accordance with NQ3682-850, based on a gravel or crushed stone thickness of 30 centimeters at the base and 15 centimeters around the walls. The plans of this work must be prepared by an engineer member of the Ordre des ingénieurs du Québec and presented with the application for a permit for the reconstruction of the building. "

Embankment: Means earthworks to elevate the profile of a terrain or to fill a depression in the ground.

Re vegetation of the shore; Expression meaning work involving the implantation of herbaceous, shrub and tree plant species, according to the recommended methods

In the Department of Sustainable Development, Environment and Climate Change (MDDELCC) Good Practice Guidelines for the Protection of Shores, Shores and Flood Plains.

Shore: Means a strip of land that borders shorelines and streams and extends inland from the high water mark. The width of the shore to be protected is measured horizontally. The shoreline has a minimum of 10 meters where the slope is less than 30% or where the slope is greater than 30% and has a slope of less than 5 meters in height. The shoreline has a minimum of 15 meters where the slope is continuous and has a slope percentage greater than 30% or where the slope percentage is greater than 30% and has a slope of 5 meters or more in height.

Impervious soil: An expression designating a soil whose percolation time is equal to or greater than 45 minutes per centimeter or whose permeability coefficient is equal to or less than 6×10^{-5} cm / s or which, depending on the correlation between texture and permeability established in accordance with Schedule I of the By-Law respecting the evacuation and treatment of wastewater from isolated dwellings (c. Q-2, r.22), is located in the impermeable zone.

Low permeability soil: An expression designating a soil whose percolation time is equal to or greater than 25 minutes and less than 45 minutes per centimeter or whose permeability coefficient is greater than 6×10^{-5} cm / s and equal to or less than 2×10^{-4} cm / s or which, based on the correlation between texture and permeability established in accordance with Schedule I to the (Residential Wastewater Removal and Sewage Treatment By-Law, c. Q-2, r.22) , is located in the low permeability zone.

Permeable soil: An expression designating a soil whose percolation time is equal to or greater than 4 minutes and less than 25 minutes per centimeter or whose permeability coefficient is greater than 2×10^{-4} cm / s and equal to or less than 4×10^{-3} cm / s or which, based on the correlation between texture and permeability established in accordance with Schedule I of the By-Law respecting the evacuation and treatment of sewage in isolated dwellings (c. Q-2, r.22), is in the permeable zone.

Very permeable soil: An expression designating a soil whose percolation time is less than 4 minutes per centimeter or whose coefficient of permeability is greater than 4×10^{-3} cm / s or which, depending on the correlation between texture and established permeability in accordance with Schedule I to the By-Law respecting the evacuation and treatment of wastewater from isolated dwellings (c. Q-2, r.22), is located in the highly permeable zone.

Source: Means a place where groundwater naturally emerges at a point on the surface of the soil, originally, usually from a surface watercourse.

Talus: Means, for the purposes of this by-law, the riparian portion of land with a slope percentage greater than 30% and a height of more than five (5) meters. If the slope of a bank is regular over a distance of 15 meters from the high water mark and has a height of more than five (5) meters above the elevation of the high water mark, Slope is considered a slope. "

11.2 Displacement of a watercourse

In the event that the course of a watercourse is modified in accordance with the authorizations of the Ministry of Sustainable Development, Environment and Climate Change (MDDELCC), the provisions of this By-Law shall apply to the new shore and Modified riverbank.

11.3 Prior authorization for interventions on shore and riverbank areas

All constructions, works that are likely to destroy or modify the shoreline cover or to carry the ground exposed by excavating or backfilling, burning on the ground, affecting the stability of the soil or which encroach on the riverbank must be subject to prior authorization. This prior check should be carried out as part of the issuance of a permit or certificate of authorization by the municipal authorities, the government, its departments or agencies, according to their respective competences. Prior authorizations to be granted by the municipal and governmental authorities will take into account the intervention framework provided for by the shoreline measures and those relating to the riverbank zone.

Buildings, structures and works related to forest management activities, the implementation of which is subject to the Forest Act and its By-Law, are not subject to the prior authorization of the municipalities.

11.4 Provisions applicable to shoreline

In the shore are prohibited all constructions, and all the works.

Notwithstanding the foregoing, the following constructions, works may be permitted if their construction is not incompatible with other protective measures recommended for the floodplains of a municipal by-law:

1. Maintenance, repair and demolition of existing structures and structures, used for purposes other than municipal, commercial, industrial, public or for public access purposes;
2. Buildings, structures and works for municipal, commercial, industrial, public or public access purposes, including maintenance, repair and demolition, if they are subject to the An authorization under the Environment Quality Act;
3. The following works and works relating to vegetation:
 - (A) forest management activities that are subject to the Forest Act and the By-Law made thereunder;
 - (B) the sanitation section;
 - (C) tree harvesting of 30% of stems ten centimeters or more in diameter, provided that at least 50% of the forest cover is preserved in private woodlots used for logging indoors A forest zone of a municipal zoning by-law or the agricultural zone decreed by the provincial government authority;
 - (D) the cutting of plant species necessary for the construction of an authorized structure or structure;
 - (E) the cutting of plant species necessary for the construction of an opening of 5 meters wide giving access to the body of water, where the slope of the shoreline is less than 30% provided that it is Preserve herbaceous vegetation and not create erosion problems;
 - (F) the pruning and pruning required for the construction of a 5-meter-wide window, where the slope of the shoreline is greater than 30%, and the development of a trail covered with plants Herbaceous plants or a stairway of a maximum width of 1.2 meters which gives access to the water body and is arranged so as not to create erosion problems. The debris of plants resulting from this work of pruning and pruning must in no case be left in the shore;
 - (G) pruning and pruning of trees and shrubs in the shoreline out of the 5-meter window permitted in the shore provided that it does not exceed 40% of the total height of the shaft stem Or the shrub;

(H) the planting and planting of plant species, trees or shrubs and the work necessary to restore permanent and sustainable vegetation cover;

(I) different methods of harvesting herbaceous vegetation for agricultural purposes where the slope of the shoreline is less than 30% and only on the top of the slope when the slope is greater than 30%.

(J) the cultivation of the soil for agricultural purposes on cropland within the agricultural zone enacted by the provincial governmental authority is permitted on the condition that a minimum band of vegetation of three Width is measured from the high water mark; In addition, if there is a slope and the top of the slope is at a distance of less than three meters from the high water mark, the width of the vegetation strip to be retained must include a minimum of one meter on the top of the slope.

4. The following works:

(A) the installation of fences on the separating boundaries between two locations;

(B) the installation or construction of outlets for subsurface or surface drainage systems and pumping stations;

(C) the provision of watercourse crossings for fordings, culverts and bridges and access roads;

(D) equipment necessary for the operation of an existing fish farm or any new fish farm whose discharges are directed to a watercourse not supplying a body of water other than a reservoir created for Hydroelectric or water control systems for hydroelectric production;

(E) any component of a sanitary facility that complies with the By-Law governing the disposal and treatment of wastewater from isolated dwellings under the Environment Quality Act (RSQ, c. Q-2);

(F) where the slope, the nature of the soil and the conditions of the ground do not allow the restoration of the vegetation cover and the natural character of the shoreline, structures and plant or mechanical stabilization work such as piers, gabions or finally Retaining walls, giving priority to the technique most likely to facilitate the possible implantation of natural vegetation;

(G) Individual sewage works;

(H) maintenance, repair and demolition of existing structures and structures used for purposes other than municipal, commercial, industrial, public or for public access to the riverbank under the applicable conditions laid down in this By-Law;

(I) reconstruction or widening of an existing road or road including farm roads and forest roads;

(J) works and works required for the construction of structures, structures and works authorized on the littoral in accordance with Chapter V of this By-Law;

(k) forest management activities that are subject to the Forest Act and its By-Law on standards of intervention in forests in the domain of the State.

Notwithstanding the foregoing, all vegetation control operations, including lawn mowing, brushing, tree felling and fertilizer application, are prohibited in the shoreline.

When the shoreline is not occupied by naturally occurring vegetation, measures must be taken to re vegetate it with herbaceous, shrub or tree plants.

11.5.1 Minimum Coverage

The total crown diameter of shrub and tree species, when mature, must cover a minimum of seventy percent of the shoreline area. In no case shall the conifers of

the tree vegetation represent more than twenty percent of the total crown diameter at re vegetation.

11.5.2 Special provisions for shore-side buildings

Notwithstanding section 11.4, maintenance of vegetation, including grass cutting, brushing and tree cutting but excluding fertilizer application, is permitted in a vegetation, shrub and / or be created on either side of the main building erected wholly or partly on the shoreline before February 11, 1984. The width of this strip represents the equivalent of the total width of the building erected on the bank before February 11, 1984; Measured from the wall of the main building opposite the shoreline, excluding the measurement of any off-roof or accessory building attached to the main building. Half the width of the building shall be added to the extension of each wall of the main building facing the shoreline to determine the starting point of the lateral plant boundary. From each of these points a line is drawn towards the point on the high-water mark of each of the extremities of the authorized opening of five meters.

For an accessory building or structure erected wholly or partly in the shoreline before February 11, 1984, maintenance of vegetation, including grass cutting, brushing and cutting of trees, fertilizer, is allowed within a maximum band of two meters measured from the walls of the building encroaching on the shore.

11.6.3 Prohibited materials on shore drainage systems and pumping stations;

In the shoreline, the use of treated wood comprising chlorophenol, chromated copper arsenate (ACC), pentachlorophenol (PCP), creosote or a chlorophenate or borax formulation and their derivatives to ensure Protection of wood is prohibited.

11.6.4 Loss of acquired rights to the use of prohibited materials on shore

In the shoreline, any structure existing and authorized by this By-Law, including chlorophenol, chromated copper arsenate (ACC), pentachlorophenol (PCP), creosote or a chlorophenate or borax formulation, and derivatives thereof to protect wood cannot be repaired, reconstructed or restored with materials comprising said formulations.

11.7 General provisions relating to the protection of the riverbank of watercourses and rivers

11.7.1 Riverbank Provisions

On the shoreline are prohibited all constructions, all works.

Notwithstanding the foregoing, the following structures, works may be permitted if their construction is not incompatible with other protective measures recommended for the floodplains of a municipal by-law;

1. Docks or docks on piles or floating platforms made of corrosion-resistant materials;
2. Development of watercourse crossings for animal fording and agricultural machinery, culverts and bridges;
3. The equipment necessary for the operation of an existing fish farm or any new fish farm whose discharges are directed to a watercourse not supplying a body of water other than a reservoir created for the purpose Hydroelectric or water control systems for hydroelectric production;
4. Water intakes;
5. The development, for agricultural purposes, of supply or diversion channels for the taking of water in cases where the development of these canals is subject to obtaining an authorization under the Act On the quality of the environment;

6. The encroachment on the riverbank necessary for the carrying out of work authorized on the shore;
7. The cleaning, maintenance and development of watercourses authorized by the regional county municipality in accordance with the applicable laws and By-Law;
8. Constructions, works and works for municipal, industrial, commercial, public or public access purposes, including maintenance, repair and demolition, subject to obtaining an authorization under The Environmental Quality Act, the Wildlife and Conservation Act, the Watercourses Act and any other Act;
9. Maintenance, repair and demolition of existing structures and structures that are not used for municipal, industrial, commercial, public or public access purposes;

11.7.2 Provisions specific to shore-side buildings

The construction of a building of any kind whatsoever is prohibited on the littoral of any plan or watercourse.

11.7.3 Acquired rights for the reconstruction of a building erected on the littoral

Buildings erected on the shoreline of any plan and watercourse before the coming into force of RCI-2009-206 to establish measures for the protection of shallow water, shoreline and riverbank protection throughout the territory Municipality of La Vallée-de-la-Gatineau MRC with the exception of the territory of the watershed of Heney Lake and the territory of the city of Maniwaki (August 21, 2009) of the MRC of La Vallée-de-la-Gatineau Or before the coming into force of the Vallée-de-la-Gatineau MRC's interim control by-law 98-105 (May 6, 1998) or by the zoning by-law number 201 prohibiting their construction and having acquired rights may be reconstructed In the event of their demolition or destruction under the following conditions:

1. Reconstruction shall begin within six months of the date of demolition or destruction of the building;
2. That the building to be rebuilt be of the same size and volume as the destroyed or demolished building;
3. That no part of the building is used as a dwelling, whether that use existed before demolition or destruction or for any other purpose other than that for which it was intended;
4. That the building rests on piles, piles or floating foundations made of corrosion-resistant materials;
5. That no material used in the reconstruction of the building contains treated wood including chlorophenol, chromated copper arsenate (CCA), pentachlorophenol (PCP), creosote or a chlorophenate formulation or Borax and all derivatives thereof for protection.

11.7.4 Replacement of foundations of a vessel erected on the protected shoreline

The foundations of a building having a vested right under section 11.5.3 of this by-law shall be replaced only with foundations consisting of piles, piles or a floating platform.

11.8 Provisions specific to docks

11.8.1 Location of wharf

The wharf shall be located opposite the five meter opening authorized on the shoreline. In no case shall the wharf impinge on the lines of the waterfront to which it is attached.

The longest dimension of the wharf must be perpendicular to the shore. Under no circumstances may the first pier of a wharf be installed parallel to the shore.

11.8.2 Number of platforms

Only one wharf can be installed per waterfront location.

11.8.3 Loss of Acquired Rights on Number of Wharves

A single wharf per waterfront site has a vested right to replacement, rebuilding or repair.

11.8.4 Replacement or Reconstruction of a Wharf

The replacement of a wharf protected by grandfathered rights may only be carried out in accordance with this by-law.

11.8.5 Maximum length

The maximum length of any wharf is 12 meters. This length represents the encroachment of the wharf on the littoral. However, this length may be extended to more than 12 meters from the wharf if the depth of the water does not reach 1 meter. In this case, the limit of the length of the wharf is determined by the depth of the water during the summer when the water is the lowest.

Where a wharf is so enlarged, it shall be equipped with devices that serve as a reference to its location to ensure safe navigation or traffic on the watercourse or course during the winter.

Under no circumstances may a dock create an obstacle to navigation or make it dangerous. A wharf shall not encroach more than 1/10 of the width of the littoral of a watercourse.

Wharves greater than 20 square meters are subject to obtaining a license of occupation from the Department of Sustainable Development, Environment and Climate Change (MDDELCC), when located in the public water environment.

11.8.6 Maximum width of a wharf

The maximum width of a wharf shall not exceed three meters. Wharves equipped with a T-shaped or L-shaped jetty at their ends shall be permitted provided that the maximum length does not exceed the provisions of Article 5.7.

11.8.7 Dimensions of wharf pier

The dimensions of a jetty at the end of the L-shaped or T-shaped wharf shall not exceed a length of six meters for its part being parallel to the bank and three meters in width. This L-shaped or T-shaped jetty must be located at a minimum distance of five meters from the high water mark.

11.8.8 Prohibited materials for the construction of a wharf

The use of treated wood comprising chlorophenol, chromated copper arsenate (ACC), pentachlorophenol (PCP), creosote or a chlorophenate or borax formulation and derivatives thereof to protect the Wood is prohibited for the construction of a wharf.

11.8.9 Application of covering materials

It is prohibited to apply a preservative to the materials of a wharf or any structure of a wharf when it is installed on the shoreline.

11.8.10 Loss of vested rights to the use of prohibited materials for the construction of a wharf

Any existing wharf that contains chlorophenol, chromated copper arsenate (CCA), pentachlorophenol (PCP), creosote or a chlorophenate or borax formulation as well as their derivatives to protect wood cannot be repaired,

reconstructed or restored with materials comprising said formulations or replaced with a dock comprising said formulations.

11.8.11 Replacement of Foundations of Acquired Rights

The foundations of a wharf having a vested right under this by-law shall only be replaced by foundations consisting of piles, piles or a floating platform made of corrosion-resistant materials but not containing components Containing chlorophenol, chromated copper arsenate (ACC), pentachlorophenol (PCP), creosote or comprising a chlorophenate or borax formulation as well as their derivatives for their protection or any other compound representing a source of Contamination of water.

11.9 Provisions applicable to shore-side buildings

11.9.1 Special provisions for shore-based buildings within the urbanization perimeter

Notwithstanding section 11.4 for a waterfront lot on which a building was erected in whole or in part on the shore before 11 February 1984 within an area within the urbanization perimeter of the municipality, the strip Plant, shrub and / or tree to be created in the shoreline is determined as follows:

The width of the shoreline applicable less the length of the encroachment in the applicable shoreline of the most derogatory foundations of the building. The result divided by two becomes the width of the vegetal strip to be established in front of the building. The five meter access can be located in this plant strip.

11.9.2 Reconstruction of a main building erected on the shoreline within the urbanization perimeter

A main building erected wholly or partly in the shoreline before 11 February 1984 within an area within the urbanization perimeter of the municipality may be reconstructed if it is destroyed for any reason or Demolished if its reconstruction meets the following requirements:

1. reconstruction must begin within six months of the date of demolition or destruction;
2. that the area occupied by the main building before its destruction or demolition is reduced by twenty-five per cent during its reconstruction if the land is served by the aqueduct and the sewer and thirty If the land is partially serviced or not serviced;
3. that the drainage of the roof of the main building is directed to a storm drain well when the soil of the land where the main building is located is permeable or very permeable or a storm drainage pond where soils are poorly permeable Or impermeable;
4. that a certificate of the foundation of the building to be rebuilt be submitted at the time of the application for a building permit. This certificate prepared by a land surveyor must include the following:
 - (A) the boundaries of ownership;
 - (B) the percentage slope of the land and the high water mark;
 - (C) the occupation of the shoreline by the main building prior to its demolition or destruction;
 - (D) the occupation of the shoreline after the reconstruction of the main building;
5. No roof-top construction shall be attached to the main building between the high-water mark and the building wall facing the shore.

11.9.3 Provisions relating to the rights of reconstruction of a main building or an outbuilding erected wholly or partly on the bank in an area outside the urbanization perimeter

Notwithstanding section 11.4, a main building or an outbuilding erected wholly or partly on the shoreline before 11 February 1984, located in an area outside the urbanization perimeter of the municipality, may be reconstructed if Destroyed for any reason or demolished if their reconstruction meets the following requirements:

1. reconstruction must begin within six months of the date of demolition or destruction;
2. that the area occupied by the main building or the outbuilding before its destruction or demolition is reduced by forty per cent during its reconstruction;
3. that the drainage of the roof of the main building or the outbuilding is directed to a storm drain well when the soil of the site or is located in the main building is permeable or very permeable or a storm drainage pond where the Soils are poorly permeable or impermeable;
4. that a certificate of the foundation of the building to be rebuilt be submitted at the time of the application for a building permit. This certificate prepared by a land surveyor must include the following:
 - (A) the boundaries of ownership;
 - (B) the percentage slope of the land and the high water mark;
 - (C) the occupation of the shoreline by the main building prior to its demolition or destruction;
 - (D) the occupation of the shoreline after the reconstruction of the main building;
5. No roof-top construction shall be attached to the main building or to the dependence between the high water mark and the building wall facing the shore.

11.9.4 Provisions relating to rights of reconstruction or extension of an accessory building erected wholly or partly on the shore

An accessory building erected wholly or partly in the shoreline before 11 February 1984 may not be rebuilt on the shore if it is destroyed for any reason or demolished.

An accessory building erected on land not occupied by a main building and encroaching on the shore before 11 February 1984 may not be rebuilt if it is demolished for any reason whatsoever.

In no case may a building erected wholly or partly on the bank before 11 February 1984 be enlarged on the bank.

11.10 Remedies

Where an infraction of this by-law is observed, the municipality may exercise any appropriate civil or penal remedy and, without limitation, all the remedies provided for in sections 227 to 233 of the Act respecting land use planning and development.

11.11 Provisions relating to sanctions in this chapter

Notwithstanding anything in this By-Law, a person who contravenes this Chapter and commits an offense is liable to the following penalties:

1. if the offender is a natural person, in the case of a first offense, the offender is liable to a minimum fine of \$ 300 and a fine of not more than \$ 1,000 and the costs for each offense;
2. if the offender is a corporation, in the case of a first offense, the offender is liable to a minimum fine of \$ 500 and a fine of not more than \$ 2,000 and the costs for each offense;

3. in the case of a second offense, if the offender is a natural person, the minimum fine is \$ 500 and the maximum fine is \$ 2,000 plus the fees for each offense;

4. In the case of a second offense, if the offender is a legal person, the minimum fine is \$ 2,000 and the maximum fine is \$ 4,000 plus the fees for each offense.

If the infringement is continuous, that continuity constitutes a separate infringement day by day and the fine imposed may be imposed for each day on which the infringement was found.

11.12 Tree felling done in contravention of

A tree felling carried out in contravention of a provision of the by-law is punishable by a fine of not less than \$ 500 plus

1. in the case of a slaughter on an area of less than one hectare, a minimum amount of \$ 100 and not more than \$ 200 per tree illegally felled, to a maximum of \$ 5,000;

2. in the case of a slaughter on an area of one hectare or more, a fine of not less than \$ 5,000 and not more than \$ 15,000 per hectare of deforested acreage, to which is added, Hectare deforested, an amount determined in accordance with paragraph 1.

11.13 Recidivism

The amounts provided for in sections 11.11 and 11.12 shall be doubled in the event of a second or subsequent offense.

11.14 Other remedies

In addition to criminal remedies, the municipality and its representatives may exercise, in the courts of civil jurisdiction, all other remedies necessary to enforce the provisions of this by-law.

In particular, the municipality may obtain an order from the Superior Court of Québec to cease land use or construction inconsistent with this by-law and to carry out the required work including the demolition of any construction and the rehabilitation of the land .

The municipality may apply to be authorized to carry out such work at the expense of the owner of the immovable, the cost of which constitutes a priority claim on the immovable in accordance with the Act.

11.15 Person taking part in the infringement

A natural person who performs or omits to do anything to assist a person in committing an offense under this By-Law or who advises, encourages or induces a person to commit an offense also commits the offense and is liable to the same fine.

A director or officer of a corporation who causes the corporation by order, authorization, advice or encouragement to refuse or neglect to comply with the requirements of this By-Law is guilty of an offense and liable to the same fine.

11.16 False declaration

Every person who, in order to obtain a certificate of authorization, certificate, permit or approval issued under the by-law, makes a declaration to the designated officer knowing that it is false or misleading. "

ARTICLE 3

The By-Law comes into force in accordance with the Act.

Pierre Vaillancourt

Mayor

Director general