



BY-LAW 626-2021
modifying By-law (607-2020) regarding temporary control
restricting cadastral operations to respect future directions for the
new urbanism plan in order to modify the method of calculating
park fee contributions as well as the
norms pertaining to lot frontage

Explanatory note

This by-law once again modifies By-law (607-2020) regarding temporary control to establish a new method of calculating park fee contributions as stipulated in Article 21 of Subdivision By-law (417). The calculation of this contribution will hereinafter be done as per the value of the site established pursuant to the concepts applicable in matters of expropriation, by a certified appraiser named by the Municipality and paid by the property owner. The By-law stipulates that this new method applies, despite Article 5, to all requests for cadastral operations whether the projected use is residential or not.

Finally, this by-law enacts a new norm regarding the calculation of lot frontage.

CONSIDERING Article 112.2 of the Act respecting land use planning and development (RLRQ., ch. A-19.1) ;

CONSIDERING temporary control resolution 288-09-20 dated September 9th, 2020;

WHEREAS THAT in September 2020, the municipal council initiated the preparation process for the overhaul of the urbanism plan and all related regulation in order to update the Municipality's major directions as well as the rules enacting urbanism and land use planning on its territory;

WHEREAS THAT Council would like to limit the increase in density on the territory within certain areas of the Municipality;

WHEREAS THAT the carrying-out of a subdivision project in compliance to the by-laws in effect could compromise the accomplishment of Council's strategic vision and new directions with regards to the development of the territory;

WHEREAS a notice of motion was given by Councillor Louise Cossette at the time of the regular council meeting of November 17th, 2021 ;

WHEREAS THAT the draft by-law was given at the regular meeting of November 17th, 2021;

WHEREAS a summary of the draft by-law was presented by the Director general:

CONSEQUENTLY, the municipal council decrees the following :

CHAPTER 1: INTRODUCTORY PROVISIONS

1. **Preamble** - The preamble forms an integral part of the present by-law.
2. **Goal** - The present by-law is to avoid compromising the accomplishment and carrying-out the municipal council's vision and its new directions in matters pertaining to the territory's land use planning and urbanism.

3. **Objective** – The By-law’s objective is to update By-law (607-2020) regarding temporary control limiting cadastral operations to respect future directions of the new urbanism plan pertaining to the calculation of the calculation of park fees as well as the calculation of lot frontage.

It also aims at once again allowing the municipal council to be able to benefit from the necessary time to complete the preparation and adoption of the new urbanism plan which will replace the one in effect since 2007.

CHAPTER 2 : AMENDING PROVISIONS

4. **Regulatory scope of application** – Article 5 of By-law (607-2020) regarding temporary control limiting cadastral operations to have future directions of the new urbanism plan respected is modified with the addition of the following paragraph :

« For purposes of applying Article 12.1, the by-law applies to every request for subdivision in conformity to By-law (417) regarding subdivision, notwithstanding the projected use. ».

5. **Calculation of the park fee contribution** – By-law (607-2020) regarding temporary control limiting cadastral operations in order to respect future directions of the new urbanism plan is modified with the addition of the following, after Article 12:

« 12.1 **Calculation of the park fee contribution** – Notwithstanding paragraph 11 of Article 21 of Subdivision By-law (417), the value of the site specified in said Article 21 of Subdivision By-law (417) must be established as per the concept applicable in matters of expropriation by a certified appraiser mandated by the Municipality, at the property owner’s cost ».

6. **Lot frontage** – By-law (607-2020) regarding temporary control limiting cadastral operations in order to have future directions of the new urbanism plan modified with the addition of the following, after Article 13 :

« 13.1 **Lot frontage** – Notwithstanding paragraph 1 of Article 5, the minimum frontage of lots, within the entire zones stipulated in Zoning By-law (416) is as follows :

- a) Unserved lots outside of the riparian corridor : 40 meters
- b) Partially served lots outside of the riparian corridor : 25 meters
- c) Fully served lots outside of the riparian corridor : 25 meters
- d) Unserved lots within the riparian corridor : 40 meters
- e) Partially served lots within the riparian corridor : 25 meters
- f) Fully served within the riparian corridor : 25 meters. ».

7. **Deforestation** - By-law (607-2020) regarding temporary control limiting cadastral operations in order to respect future guidelines of the new urbanism plan is modified with the addition of the following, after Article 13.1:

« 13.2 **Deforestation** – Notwithstanding Article 126 of Zoning by-law (416) or any provision to the contrary, deforestation for the construction of a main building and accessory buildings, infrastructures and landscaping is authorized up to a minimum of 20% of the site’s surface area without exceeding 3,000 square meters, whichever comes first.

In addition to the required information as per Article 40 of By-law (419) regarding permits and certificates and specific conditions for the issuance of a construction permit stipulated in Article 30 of the same by-law, any authorization certificate request to proceed with the deforestation stipulated in paragraph 1 must include a forest cover conservation plan prepared by an arborist which specifies the required deforestation as well as the necessary plantations and deforestation respecting paragraph 1 ».

CHAPTER 3 : FINAL PROVISIONS

8. ***Entering into effect*** – The present by-law enters into effect on the day of its publication.



Timothy Watchorn
Mayor



Hugo Lépine
Director general – Registrar-treasurer