
MUNICIPALITY OF

WALTHAM

ZONING BY-LAW

01-2003



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VALIDITY

Council shall adopt this by-law, No. 01-2003 in its entirety and also, part by part, chapter by chapter, section by section, paragraph by paragraph, sub-paragraph by sub-paragraph, line by line and word by word, in such a manner that if a part, a chapter, a section, a paragraph, a sub-paragraph, a line or a word of this by-law was or should be declared null & void, the other provisions contained in this by-law shall continue to apply

CHAPTER I: DECLARATORY AND INTERPRETIVE PROVISIONS

1.1 Title of the By-Law

This by-law, bearing the number 01-2003 is entitled the "Zoning By-Law" of the Municipality of Waltham. The rules of interpretation and administration governing this by-law are contained in By-Law # 04-2003.

1.2 OBJECTIVES

For the purpose of providing an orderly framework for the activities conducted by the people who live in, or who frequent, the Municipality of Waltham, 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 encouraging the grouping of homogenous uses;
 - by developing the tourist potential of the municipality;
 - by consolidating the urban perimeter of Waltham;
 - by promoting the forestry development of the municipality;
-
- by revising the agricultural zone and taking in consideration it's potential for development compared to it's present use.
 - by protecting the environment
 - by promoting the development of infrastructure along the MRC cycloparc corridor in Waltham

1.3 SUBJECT TERRITORY

This By-law, the provisions of which apply to both individuals and to public or private corporations, applies to the entire territory under the jurisdiction of the Municipality of Waltham

1.4 BY-LAW REPLACED

This By-law replaces all previous by-law concerning Zoning in this municipality.

All other regulatory provisions incompatible with this By-law are also repealed.

Such replacements do not, however, affect any and all legal action undertaken under the authority of the regulations hereby replaced, which shall continue under the authority of said replaced regulations until final judgement and execution. These replacements do not affect any permits issued under the authority of the regulations hereby replaced.

1.5

METHOD OF AMENDMENT

The provisions of this By-law may not be adopted, amended or repealed except by an approved by-law, in accordance with sections 123 to 137 of the Act respecting Land Use Planning and Development.

1.6 **DIVISION OF THE TERRITORY FOR VOTING PURPOSES**

For voting purposes, each zone identified by a zone appellation number constitutes a voting unit for the purposes of the Land Development Act.

1.7 **ZONING PLAN**

The zoning plan, with all the leaflets which compose it, prepared and duly authenticated by the Mayor and the Municipal-Director of the Municipality of Waltham on this date OCTOBER 29TH 2004, forms an integral part of this by-law for all legal purposes, and is appended to this by-law.

1.8 **APPENDED DOCUMENTS**

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

- the text and plan of the Land-Use and Development Plan for the Municipality of Waltham;
- the zoning plan, made up of leaflets duly authenticated by the Mayor and the Municipal-Director, as well as the symbols, codes and other indications which it contains;
- the tables, graphs and symbols contained in this by-law and in its appendices;
- the specification chart;
- the regulations set by the Minister of the Environment of Quebec pertaining to "septic facilities", and the amendments to these regulations;
- the maps contained in the graphic matrix for cadastral identifications.

1.9 **RULES GOVERNING INTERPRETATION**

Chapter 2 of the rules governing the interpretation and the administration of land-use planning and development and the by-law covering permits apply to this by-law, to their full extent. These rules include sections bearing on the interpretation of the text, the interpretation of tables and terminology.

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 Waltham is divided into the zones shown on the zoning plan and identified by a call number. For voting purposes in the case of an amendment to the land-use planning and development by-law, the zones identified on the plan are voting sectors.

2.1.1 Rules for interpreting the zoning plan

- a. The zoning plan shows the division of the municipal territory into zones. Each of these zones is identified by a distinct number.
- b. A dominant existing or permitted class of uses within this zone corresponds to each of these zones. The dominant class corresponds to the use attributed to it in the land-use development plan.
- c. When these limits do not coincide with, or appear not to coincide with the lines listed in sub-section 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.
- d. All those zones which have proposed public streets for their limits, as indicated on the plan, will always have these streets for their limits, even if the lay-out of these streets has been changed when a subdivision plan is approved.
- e. All zones which have waterways or bodies of water for their limits, such as these appear on the plan, 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 governing the limits of zones

The delineation of zones on the zoning plan is performed using lines or tracings identified in the key to the plan. When no measurements are indicated, distances are measured using the scale of the plan. In the case of any inexactitude concerning the exact location of these limits, the following rules apply.

2.1.2.1 **General rules**

These limits generally coincide with the following lines:

- the axis or the extension of the axis of existing, expropriated, approved or proposed streets;
- the axis of a railway tracks
- the axis of waterways;
- subdivision lines or their extensions;
- the limits of the Municipality.

2.1.2.2 **Special and exceptional cases**

In instances where there is any ambiguity, imprecision or confusion pertaining to the limits of a zone, owing to a redivision of the land, a change in the use to which the land is put, or for any other reason, 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, such as hydroelectric or other easements or the cadastre may be corrected or updated without such action constituting an amendment to the plan or to this by-law.

2.2 **SPECIFICATION CHART**

The specification chart brings together the groups and classes of uses permitted in each zone. It presents standards pertaining to lots, to the development of buildings and special provisions. In the case of any contradiction, the information and standards contained in the text of the land-use planning and development by-laws shall predominate over those contained in the specification chart.

2.2.1 **Rules for interpreting the specification chart**

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

- the permitted uses are identified on the specification chart by a symbol under a zone number the symbol is a (X);
- 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 uses may not all have the same authorized uses?

2.2.3 Definition of abbreviations

Dominant use:

- Mixed commercial zones (CM)
 - Public zones (PU)
 - Industrial zones (I)
 - Conservation zone (CO)
 - Agricultural zones (AG)
 - Forestry operation zones (EXF)
 - Recreational and tourist zones (RT)
-

2.2.4 Use of the chart

2.2.4.1 Uses specifically excluded

Any and all uses indicated under this heading on the 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 scrap-yards are excluded from all the zones.

2.2.4.2 Uses specifically permitted

Any and all uses indicated under this heading on the 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 Lot

Under this heading are found the features pertaining to subdivisions, namely:

- minimum lot area;
- the minimum width of the lot fronting onto a roadway or onto a waterway;
- the minimum depth expresses the minimum width of the lot between the road allowance and the rear lot line.

2.2.4.4 Development 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, and is the minimum permitted within the zone.

Generally the occupation ratio of the soil applies in the following rate

- Housing group	10%
-Commercial group	50%
-Tourism group	30%
-Industrial group	50%

2.2.4.5 Special provisions

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

2.2.4.6 Notes and cross-references

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

CHAPTER 3: CLASSIFICATION OF USES

3.1 HOUSING GROUPS

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 and roads, water delivery systems, sewers, schools, parks etc. are gathered together in classes of use within housing groups.

3.1.1 Single-family housing group

This usage group includes any and all free-standing housing units containing one (1) dwelling unit.

3.1.5 Mobile home housing group

This class of usage includes any and all dwellings of the mobile home type.

3.1.6 Seasonal housing group

This class of usage includes types of housing used for rural recreational use.

3.2 BUSINESS AND SERVICE GROUPS

Commercial and service functions related through their nature, their occupancy of lots, the building of structures and the occupancy of buildings are gathered into classes under the commerce and service groups.

Establishments which are not included within these categories will be classified by Council, further to the recommendations of the Land-Use Planning and Development Commission and the Inspection Department, 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.

3.2.1 Neighbourhood business group

Uses of the retail sales type and services wherein the radius of action is limited essentially to a housing sector and which meet the following requirements, fall within this group of uses:

- 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 for neighbouring users;
- the only motive power used is electricity.

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

- retail grocery store;
- retail store dealing in general merchandise;
- financial institution wickets;
- bar, brewpub;
- restaurant;
- snack bar;
- convenience store
- educational and personal services.

Although they do not share all the characteristics of this group, service stations are part of this group of uses.

3.2.2

Municipal business group

Uses of the retail sales type having a radius of action extending throughout the municipality and which satisfy the following requirements are found in this group:

- all operations are performed within a building and no merchandise is stored outside;
- the use does not generate smoke, dust, odours, heat, gases, flashes of light, vibrations, or any noises more intense than those found in the street at the limits of the lot.

The following establishments, occupations and trades are found within this group, as an indication:

- all uses found within the neighbourhood business group;
- travel agency;
- Domestic animals - sale;
- bank and similar establishments (wickets);
- Bicycles - repair, rental and sale;
- jewellery;
- Alcoholic beverages - sale;
- butcher shop;
- laundry;
- administrative, government and professional offices;
- telephone exchanges;
- cinemas, theatres;
- medical clinics and other medical and para-medical services;
- social clubs;
- hairdressers, barbershops;
- confectioners;
- real-estate and stock brokers, insurance;
- fashion designers;
- specialty schools (music, singing, body expression, sports, etc.);
- florists;
- day care centres;
- hospitals for domestic animals;

- bookshops;
- stores dealing in grocery items - retail sale;
- stores dealing in general merchandise and clothing;
- liquor stores;
- furniture and domestic appliances, sale of;
- 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;
- tobacco - sale;
- taxi stands;
- caterers;
- taverns;
- sports - sale;

- bookshops;
- stores dealing in grocery items - retail sale;
- stores dealing in general merchandise and clothing;
- liquor stores;
- furniture and domestic appliances, sale of;
- 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;
- tobacco - sale;
- taxi stands;
- caterers;
- taverns;
- sports - sale;

-shopping centres bringing together uses in the neighbourhood sales group and municipal business.

3.2.3 **Semi-industrial business group**

Uses of the retail sales group for which the radius of action extends throughout the Municipality and which satisfy the following requirements are found within this group:

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

As part of this group are the following establishments, occupations and trades, as an indication:

- slaughter house
-
- commercial activities related to agriculture;
 - trade workshops (iron-mongers, plumbers, cabinetmakers, electricians, engravers, building contractors);
 - storage;
 - establishments for the sale, washing and repair of automobiles, including body and paint work;
 - 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.

Unless there is any indication to the contrary contained in the specification chart, businesses engaged in automobile scrapping operations are excluded from the territory as a whole.

3.3 TOURISM GROUPS

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

3.3.1 Recreational tourism group

Inns, open-air bases, guide establishments, bed-and-breakfast establishments, golf courses, recreational trails, equestrian centres, campgrounds and bars, brewpubs, restaurants and snack bars, ski centres, marinas, boat ramps, snowmobile facilities, sugar bushes and boardsailing schools are found within this group.

3.3.2 Major tourism group

This group includes hotels, motels, major attractions and amusement parks.

3.4 PUBLIC USE GROUPS

All sites and buildings usually falling under public ownership and serving the public as a whole make up these groups of uses.

3.4.1 Neighbourhood public use group

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

-day care centres;

-community halls, recreational facilities and parish halls;

- places of worship;
- primary schools and kindergartens.

3.4.2 **Community public use group**

This class of uses includes the uses which have an influence extending throughout the Municipality as a whole. As part of this group are:

- libraries;
 - secondary schools;
 - administrative establishments and provincial and municipal services;
 - museums;
 - cultural facilities;
 - sports facilities: tracks and grassed areas; swimming pools, skating rinks, arenas;
-
- post offices;
 - public security facilities;
 - retirement homes, convents, low-rental dwellings, senior citizens' homes.

3.4.3 **Public parks and green space group**

This class of uses includes:

- green spaces;
- pedestrian trails and bicycle paths;
- sites or buildings intended for use in the context of preservation or the study of nature;
- parks and playgrounds;
- buildings pertaining to one of these uses;

-public beaches.

3.4.4 Public utilities group

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

- dumpsites;
 - aeration basins;
 - sewage farms;
 - filtration facilities;
 - points where drinking water is obtained;
 - electrical distribution and transformer stations;
 - cable broadcasting stations;
 - telephone exchanges;
-
- water supply equipment;
 - street and road services.

3.5 INDUSTRIAL GROUPS

Within this group are found manufacturing enterprises, factories, workshops, construction sites and warehouses. These activities are divided into 2 classes, as determined hereinafter, according to the nature of the operations performed, the materials stored and the harmful effects they produce. Industries must, at all times, respect the standards set by the Minister of the Environment of Quebec.

3.5.1 Light industry group

This class brings together uses related to the processing of products which have little impact on the neighbouring area or on the quality of the environment. (Examples: electronics assembly, furniture assembly, butchering operations).

Within this group of uses are found industrial establishments, manufacturing enterprises, workshops, factories, construction sites, warehouse and other uses, if they satisfy and continue to satisfy the following requirements:

- outdoor storage is made within 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 pass 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 **Extraction industry group**

This class includes those industrial uses which are a sustained cause of danger, owing to explosions, or which cause harmful effects for neighbouring users owing to noise, smoke, dust, odour, flashes of light or other undesirable effects. The following make up part of this group:

- storage of minerals;
- crushing of minerals;
- extraction of mineral

3.6 **The agricultural group**

Under this group we have 2 classes of usages that can integrated in both agricultural and forestry sector has defined in the urbanisation plan

3.6.1 **Agricultural group and culture**

This group is related to gardening without limiting the foregoing here are some of the possible activities

Commercial farms growing fruits, vegetables, grains, and feeding;

- Counter to sell on site its product
- tree nursery
- agricultural farms
- commercial green houses
- Institutional farms
- Sugar bush

3.6.2 **Agricultural group breeding**

This group is in relation with agricultural and more specifically with raising of animals

- Milk Farms
- Breeding farms
- Gardening farms
- Farms with mix breeding
- Farms with specific specialisation,
- Farms for forestry use
- Tree farms sylviculture

3.7 **FORESTRY GROUPS**

This class of uses includes uses connected with forestry conservation, sylviculture or any industrial activities relating to forests and, to these ends, includes the construction or the use of any works, facilities or buildings necessary to forestry operations or used for these purposes.

3.8 **COMPLEMENTARY USES**

3.8.1 **Domestic uses**

Any 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 a secondary building. See article 3.8.1.1 to see what is allowed. However the use is allowed in consideration of the use allowed in the zoning by-law and not in reference to the commercial permit. Specifically excluded from domestic uses are convenience stores, grocery stores, restaurants, snack bars, pharmacies, service stations and businesses dealing in general merchandise.

A complementary use ceases to be when its external land use refers to the outdoor storage, posting of signs and parking chapters.

Domestic use is a privilege and does not permit any disturbance of the public peace by noise or odours at any time.

3.8.1.1 **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 and consultants of various types).

3.8.1.2 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 secondary 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 a 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 principal and secondary 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;

- no visible identification from the exterior indicating a complementary use is tolerated, with the exception of a professional sign having a maximum area of 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 domestic use does not have any undesirable effects for neighbouring users 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 the foregoing sections.

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.

3.8.2 Uses complementary to business

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

3.8.3 Uses complementary to industry

In industrial zones, the following uses are authorized, in so far as they are accessories to the principal 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;
- day-care centre.

3.8.4 Uses complementary to agricultural

The following uses are allowed complimentary to agricultural:

- Barns, storages shed, and all other building required to perform the farming activities
- Nursery, sod farms, sugar bush private or commercial; grain dryer but never less than 100 meters from a residential zone.
- Retail sales of farm produce or of product produce from them.
- Retail sales of farm supplies, or equipment, and store servicing these supplies or equipment
- lodging

3.8.5 Uses complementary to forestry

In forest zones, the following uses are authorized, in so far as they are accessory to the principal use, and required for the conduct of this operation:

- administration;
-
- receiving, storage and shipping of raw materials and finished products;
 - industrial uses for processing of raw materials;
 - parking of fleets of vehicles;
 - accommodation and restaurant services, in so far as these services form part of a combined complex;
 - fire towers, observation posts for protection of the forest.

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.

4.1.2 Setbacks

4.1.2.1 General rule

In some zones, the by-law stipulates that, zones, 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 or road 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, however, subject to the provisions contained in this section.

4.1.2.2 Particular rule

Angle lots and transverse lots

On angle lots and transverse lots, the prescribed setbacks must be observed on all sides of the lot bordered by a street or a road.

4.1.3 Side setbacks (Side yard)

The by-law stipulates that, 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, as well as the uses authorized for them, are 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 The rear yard

The by-law stipulates that, in some zones, a minimum space 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.

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

This setback can never be less than four (4) metres in all zones.

-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);

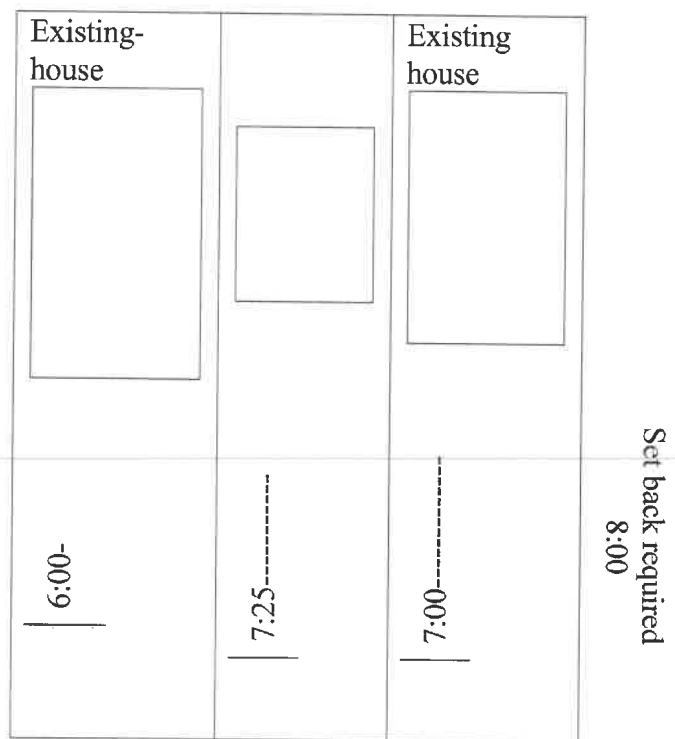
-R' is the setback prescribed by this by-law.

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:

$$R = \frac{r' + r'' + 2R'}{4} \text{ (see sketch 4.1.6.1.A)}$$

Sketch 4.1.6.1.A



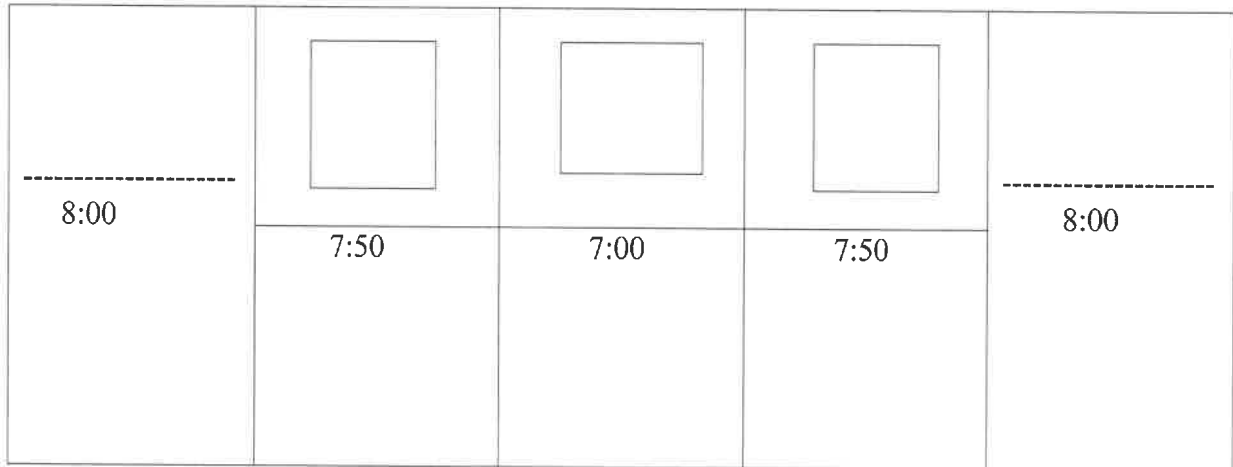
4.1.6.2

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:

$$R = \frac{r' + R'}{2} \text{ (see sketch 4.1.6.2.B)}$$

Sketch 4.1.6.2.B



$$\text{EX: : } \frac{7,0+8,0}{2} = 7,50$$

Note : the measure r^1 must never be less than 4 meters

4.1.7 Visibility at intersections

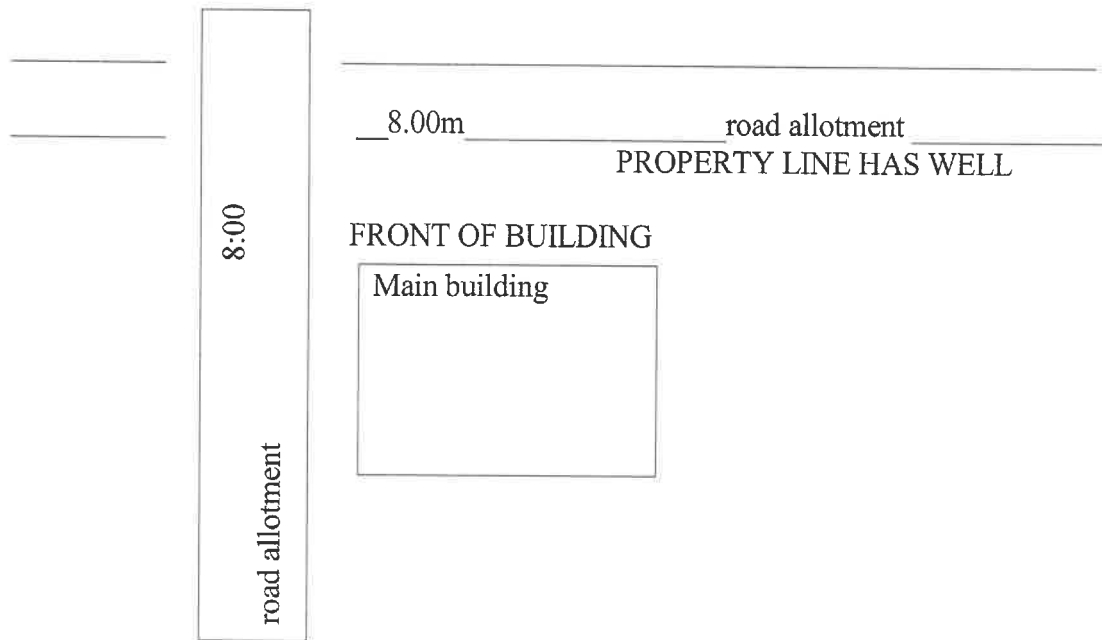
A sight triangle is obligatory on each corner lot. Within this triangle, no object, whatever this might be, may be more than 0.75 metres in height, in relation to the level of the roadway. This prohibition also applies to signs and to any and all parking areas.

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 metres (8 m) 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. (See sketch 4.1.7.A).

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

Sketch 4.1.7.A

VISIBILITY TRIANGLE



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 Minister of the Environment, and no septic tank or septic facility is permitted within fifteen metres (15m) of the high-water mark. Attached dwellings must always observe a setback of thirty metres (30 m) from waterways.

4.1.9 Lots along non-conforming roadways and rights-of-way

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

4.1.10 Uses permitted in setbacks and in 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, in so far as such features do not extend more than sixty centimetres (60 cm) beyond the building line;
 - chimneys more than two hundred and forty centimetres (240 cm) in width, built into the wall of the building, provided that these chimneys do not extend outward more than sixty centimetres (60 cm);
 - 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; in so far as these features do not impinge more than two metres (2 m) upon the front setback;
 - in rear or side yards, a minimum margin of two metres (2 m) must be left between the lot line delimiting the lot and the porches, verandas or balconies;
 - awnings and canopies; in so far as these features do not impinge more than two metres (2 m) upon the front setback;

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;
- clotheslines.

4.2 DIMENSIONS OF THE PRINCIPAL BUILDING

Unless there is any indication to the contrary on the specification chart, the minimum area of a building shall be sixty-five square metres (65 m²), and the minimum width of the front of the building is six and a half meter (6.5m). In the instance of a dwelling more than one (1) storey in height, the minimum floor area is set at thirty-seven square metres (37 m²) and the minimum width of the front of the building is six metres (6 m). The calculation of the floor area and the width of the building fronts exclude any secondary buildings (garages).

4.3 SECONDARY BUILDINGS AND ACCESSORY STRUCTURES

4.3.1 Definition

For the purposes of this by-law, secondary buildings include, among other things, storage sheds, hangars, private garages, carports and accessory structures including outdoor barbecues, swimming pools and freestanding structures, private greenhouses when these are detached from the principal building, annexes and private garages twinned with the principal building.

4.3.2 Standards pertaining to secondary buildings

- a) Unless otherwise specified in this by-law, a principal building must be present on the lot before a secondary building is erected;
- b) Secondary buildings must be located on the same lot as the principal building which they serve;
- c) secondary buildings are prohibited within the setback and in the front yard, and must be located at least two metres (2 m) from any side lot line 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

All swimming pools must be constructed or installed in conformity with these regulations, and must abide by the setbacks which apply in the zone in which these swimming pools are located.

4.3.3.1 Swimming pool enclosure

- a) All swimming pools or lots on which swimming pools are built shall be surrounded by an approved fence. The wall of a building may be considered for the section replacing the fence if this wall has one or several doors with a lock which closes automatically and a latch is located at least one hundred and twenty centimetres (120 cm) from the ground, when located outside the fence, and one hundred and six centimetres (106 cm) from the ground when located within the fence;
 - b) all fences surrounding a swimming pool must have a minimum height of one hundred and twenty centimetres (120 cm). This fence must be built of planks laid side-by-side, chain links or any other material approved as being in conformance with safety standards. These materials must be fitted together sufficiently tightly to prevent passage or climbing. No opening may prevent the passage of a spherical object measuring one hundred millimetres (100 mm) in diameter. No barbed wire or device to produce an electric current may form a part of this fence;
 - c) any entryway to a swimming pool, making up a part of the fence, must be equipped with one or several doors which close automatically, and must be provided with a latch located at least one hundred and twenty centimetres (120 cm) from the ground, when located outside the fence, and one hundred and six centimetres (106 cm) when located within the fence;
-
- d) no space greater than fifty millimetres (50 mm) in height is permitted below the fence;
 - e) the fence must be at least two metres (2 m) from the body of water;
 - f) sidewalks around the swimming pool must be built out of skid-resistant materials and have a minimum width of sixty centimetres (60 cm).
 - g) in the case of an above-ground swimming pool, an incorporated fence seventy-five centimetres (75 cm) in height above the swimming pool, and having a minimum total height of one hundred and twenty centimetres (120 cm) above the adjacent ground may serve as a compulsory fence or for a swimming pool with a raised patio. However, this fence must surround the swimming pool in its entirety, even if the stairway is collapsible.

4.3.3.2

Equipment

- a) Any swimming pool having a depth of forty-five centimetres (45 cm) and more, shall be equipped with a duly approved system to recirculate and filter water, recognized as safe by governmental authorities and agencies;
 - b) a ladder or exit stairs are to be installed along every thirty metres (30 m) of the perimeter of the basin. The materials used for the ladder or the steps must be skid proof.
 - c) any swimming pool having a depth greater than one hundred and twenty-two centimetres (122 cm) shall be provided with lifesaving equipment, such as belts, perches, vests, etc.;
 - d) lighting of a swimming pool must not disturb adjacent properties;
 - e) the drainage of the swimming pool shall not cause a undesirable effects for, or create any problems or damage to neighbouring properties. Emptying swimming pools into septic tanks is prohibited.
 - f) the installation of an underwater or other lighting system shall conform to the electrical code for the Province of Quebec;
 - g) the swimming pool and the equipment used for its operation must never emit any disagreeable odour, nor any smoke or gas, nor be too noisy or result in the production of any refuse.
-

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. In agricultural and 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 metres (20 m). Any other structure there are no limit set.

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 danger, that the structure in question be repaired by its owner.

When the owner of the structure has not conformed with the written notice which he 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 expense of the owner.

4.4 TEMPORARY USES

4.4.1 Definition

A use 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:

- .1 buildings erected to facilitate planned building activities and to shelter small tools and the documents necessary to perform this construction activity;
 - .2 the sale of Christmas trees;
 - .3 circuses and carnivals;
 - .4 mobile restaurants or canteens;
 - .5 any temporary or other structure, for popular assemblies;
 - .6 Buildings used for sales and sales booth.
 - .7 Garages sales
 - .8 Tom bola
 - .9 Festivals
 - .10 sales booths
 - .11 secondary buildings on vacant lots;
-
- .12 trailers, mobile homes used as sales offices for housing nits or for the display of commercial products area authorized for a period of at least three (3) months, and permits for use are renewable by the Municipality

And any other use which is associated by its nature with the uses listed previously.

4.4.3 Conditions governing authorization

These uses are authorized, under the following conditions:

- .1 they are not specifically prohibited in a zone indicated on the specification chart;
- .2 they do not violate regulations governing nuisances;
- .3 they do not pose a danger to any future users;
- .4 they do not impede the flow of vehicular and pedestrian traffic;

- .5 they do not use converted vehicles for residential purposes, as defined in chapter 3 of 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 certificate of authorization

Unless prohibited within the zone, the responsibility for issuing a certificate of authorization for a temporary use lies with Council. This responsibility may be delegated, in whole or in part, to the municipal officer or officers whom the Council shall designate to this end.

4.5 MOVEMENT OF A BUILDING

No building or structure shall be moved/relocated within the limits of the Municipality, unless the building or the structure is an authorized use and is in conformance with all the conditions applicable to the zone in which the building or the structure is to be installed, and a certificate to authorize such relocation has been issued in this regard.

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

No dwelling may be constructed or developed at the rear of a lot where another principal building is already located, or vice versa. In other words, only one principal building shall be erected on a lot, with the exception, however, of integrated complexes.

4.8 ADDITIONAL DWELLING IN A FREE-STANDING SINGLE-FAMILY DWELLING

A maximum of one (1) dwelling is authorized in addition, in the basement or in any of the upper storeys, subject to the following conditions:

- .1 no major modification is made to the exterior architecture of the building, and the building retains its appearance as a single-family dwelling;
- .2 the principal dwelling retains its regulation dimensions of a three-(3) bedroom dwelling;
- .3 the minimum height between the storeys is two hundred and twenty-five centimetres (225 cm);
- .4 the number of parking places stipulated by law for each of the dwelling units is provided and developed;
- .5 each dwelling unit is 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;

4.9 CORRECTIVE MEASURES TO BE TAKEN IN THE CASE OF DEFECTIVE SEPTIC FACILITIES

In all zones where the Municipality detects contamination problems related to individual septic facilities which cannot be corrected owing to insufficient lot areas, the Municipality shall oblige the owners to join together as a group and to obtain a corrective type of group septic facility. In the case of any disagreements or disputes among the owners, the Municipality reserves the right to perform said work and to recover its expenses through a special local improvement tax.

4.10 CONVERSION OF A COTTAGE INTO A PERMANENT DWELLING

The use of a cottage as a permanent dwelling is authorized, under the condition that the structure is brought into conformance, in all respects, with the provisions of these regulations, with the exception of the standards pertaining to the floor area, and that a cadastral plan accompanies the permit application. In addition, this conversion must conform to the by-law governing septic facilities.

4.11 HUNTING CAMP

Hunting camps having a floor area less than sixty square metres (60 m²) are authorized, but they must abide by the minimum setbacks and provisions

contained in land-use planning and development By-laws, and their use must be limited to a maximum of 40 days per year.

Hunting camps having a floor area greater than sixty square metres (60 m²) are considered to be cottages and must abide by all the provisions contained in the land-use planning and developing regulations prescribed for cottages.

4.12 DEVELOPMENT OF OPEN SPACES

All parts of a lot which are not used for vehicular or pedestrian traffic, parking, or are 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 the existing trees and the natural features of the site;
- b) any embankment zone must not have a slope greater than thirty percent (30%);
- 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 road.

4.13 OUTDOOR LIGHTING

4.13.1 General information

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

The installation of light sources creating confusion with traffic signals or creating any glare likely to affect the drivers of vehicles being operated on public roadways is also prohibited.

4.13.2 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. Except for entrance way, The orientation of the projectors must be at such an angle either vertically or horizontally that the flow of light is never less than 30 degrees with any public street or roads,

4.13.3 Luminous surfaces

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

The luminance of luminous signs must conform to the recommendations of the Illuminating Engineering Society (ref. I.E.S. Light Handbook, 4th ed., pages 16, 50).

4.14 FENCES, WALLS AND HEDGES

4.14.1 Materials

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

4.14.2 Wood fences

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

4.14.3 Metal fences

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

4.14.4 Fire hydrants

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

4.14.5 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.

4.14.6 Barbed wire

The stringing of barbed wire is prohibited, with the exception of the two (2) following cases:

- in industrial sectors;
- fences erected for agricultural purposes on farms under operation.

4.14.7 Fences, walls and hedges on public property

- .1 Any hedge, wall, fence or other similar feature found on public property will be 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 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.
- .2 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.

4.14.8 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.

4.14.9 Heights of fences, walls and hedges

The height of fences, walls and hedges shall not, at any time, be greater than two metres (2 m). However, fences for tennis courts may exceed this requirement, but must not be higher than three metres (3 m).

4.14.10 Height within the sight triangle

For corner lots, the height of fences, walls or hedges shall not exceed seventy-five centimetres (75 cm).

4.14.11 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 centimetres (180 cm) must be developed beyond the front setback and at a minimum distance of six metres (6 m) from the road allowance.

4.14.12 Rural environment

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

Subject to the provisions relative 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.

4.15 MAINTENANCE AND UPKEEP OF PROPERTIES

- a) any and all buildings must be maintained in good condition and be repaired, as needed.
- b) 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.
- c) A lot that has been affected by a demolition must be graded and recovered with at least 3 cm of gravel
- d) lots must be maintained free of weeds and harmful and poisonous plants.
- e) no lot shall be used, at any time, for the storage of construction materials, with the exception of storage during the period for which a building permit concerning said materials is in force.
- f) all lots shall be free of any excavations, piles of earth, stones or all other materials of the same type which:

-constitute a danger, or

-can not be recognized as making up an integral portion of the landscaping of said lot.

4.16 OFF-STREET PARKING

4.16.1 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. A building permit cannot be issued if this criteria is not respected.

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 therefore illegal for the owner of a use contemplated by these regulations to eliminate, in any way whatever, any parking places prescribed by this section. It is also illegal to use, 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 which 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 section 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 to exceed six (6) months.

4.16.2 Dimensions of parking stalls

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

length: 5.5 m

width: 2.5 m

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

PARKING STALL ANGLE IN DEGREES

	90°	60°	45°	30°	0°
Stall width (m)	2.5	2.5	2.5	2.5	2.5
Stall length (m)	5.5	5.5	5.5	5.5	5.5
Stall depth (m)	5.5	6.0	5.6	5.0	2.5
Access road width (m)	7.3	6.4	5.5	4.6	3.65
Width of 1 row + 1 access road (m)	12.8	12.4	11.1	9.6	6.15
Width of 2 rows + 1 access road (m)	18.3	18.4	16.7	14.6	8.65
Width of 3 rows + 2 access road (m)	31.1	30.8	27.8	24.2	14.8
Width of 4 rows + 2 access road (m)	36.6	36.8	33.4	29.2	17.3

4.16.3 Access roads and driveways

- a) Access roads are prohibited within the sight triangle.
- b) Parking of motor vehicles in access roads is prohibited.
- c) Access roads 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 access road to the public thoroughfare is permitted for a lot having a frontage on the street equal to or less than forty-five metres (45 m). The maximum number of access roads is two (2) for a lot having a frontage between forty-five metres (45 m) and one hundred metres (100 m). This number is increased to three (3) for one (1) lot having a frontage greater than one hundred metres (100 m).
- d) If the lot is bordered by more than one thoroughfare, the number of access roads permitted to the thoroughfare is applicable for each of the thoroughfares, without exceeding a total of four (4) roads 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 metres (5 m) and a maximum width of seven metres (7 m).

- f) A single-direction driveway must have a minimum width of three hundred and sixty-five centimetres (365 cm), and a maximum width of five hundred and fifty centimetres (550 cm).
- g) The distance between the two driveways must not be less than seven hundred and fifty centimetres (750 cm).
- h) No pole used for public utilities distribution purposes or any other purposes may be located in a parking stall or in an access road.
- 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 that have more than 10 parking spaces must have a double direction drive way or two one way drive way.
- k) Ramps or access roads must not have a slope greater than eight percent (8%). These thoroughfares must not begin their slopes within one metre (1 m) of the road allowance, nor be located less than six metres (6 m) from the intersection of two road allowances, so as to conform to the provisions governing the sight triangle.
- l) A distance of sixty centimetres (60 cm) must be observed between the entryway and the nearest side lot line. However, this does not apply in the case of shared driveways.
- m) All drive way or entrances not respecting this by-law at the moment of it coming into force will need to conform to this one if a building permit is required and it affects the driveways or entrances.

4.16.4 Number of parking places required

The minimum number of parking places required, according to the type of use and according to the applicable group of requirements is set out in section 4.16.4.1.

When the product of the calculation used to set the minimum number of parking places required is a fraction, the following conventions apply. If the fraction is less than 0.5, the product is rounded off to the next lower whole number. If the fraction is equal to or greater than 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 example, the parking stalls required for each of these uses is calculated in relation to each one of these uses.

4.16.4.1 Residential uses

Any and all building containing from one (1) to three (3) dwelling units: one parking stall per dwelling unit, plus one (1) additional parking stall.

Any building containing more than three (3) dwelling units: one and one-half (1.5) parking stalls per dwelling unit.

4.16.4.2 Business and service uses

Offices, banks, retail businesses, service stores or any use not indicated hereinafter: one (1) parking stall for every twenty-five square metres (25 m²) of floor area, with a minimum of three (3) parking stalls.

Hotels and motels, cabins, campgrounds: one (1) parking stall per cabin, site, room or apartment, plus one (1) additional place for every twenty square metres (20 m²) of floor space usable by the public.

Theatres, arenas, halls, clubs, recreational establishments, other gathering places: one (1) parking stall for every five (5) seats or every three metres (3 m) of bench space, where fixed seating is not provided.

Restaurants, bars, taverns, nightclubs, dining rooms: one (1) parking stall for every three (3) seats or one (1) parking stall for every ten square metres (10 m²) of floor area, according to the formula which gives the greatest number of parking stalls to be provided.

Industrial uses, wholesaling, storage, woodlots, repair depots: One (1) parking stall for every seventy square metres (70 m²) of floor area, up to a total of two hundred square metres, plus one parking stall for every additional two hundred square metres (200 m²).

Retail sales establishment:

-floor area of less than five hundred square metres (500 m²): one parking stall for every twenty square metres (20 m²);

-for floor area in excess of five hundred square metres (500 m^2): one parking stall for every fifteen square metres (15 m^2).

Funeral home: five (5) parking stalls per viewing area, plus one (1) stall every ten square metres (10 m^2) of floor area used for viewing purposes.

Convenience stores: one (1) parking space for every ten square metres (10 m^2) of floor space.

4.16.4.3 Public uses

Elementary school: one and one-half (1.5) parking stalls per classroom or learning area.

Secondary school: four (4) parking stalls per classroom.

Hospitals, rest homes, welfare institutions: one (1) parking stall for every three (3) beds or for every forty square metres (40 m^2) of floor area, with the formula stipulating the greater number of stalls being the formula to be used.

Assembly halls, places of worship: one (1) parking stall for every three (3) seats or one (1) parking stall for every ten square metres (10 m^2) of floor area, with the formula stipulating the greater number of stalls being the formula to be used.

Libraries: one stall for every fifty square metres (50 m^2).

4.16.4.4 Recreational uses

Golf course: four (4) parking stalls per hole.

Beaches and picnic grounds: one (1) stall for every fifty-five square metres (55 m^2) of beach area.

Hiking or cross-country ski trails: twenty-five (25) parking stalls for each developed access to the trails.

4.16.5 Location of parking areas

- a) A parking area is prohibited within the sight triangle at an intersection.
- b) A parking area must never occupy part of the road allowance for a public thoroughfare.

- c) The parking area serving a use must be located on the same lot as the use served.
- d) However, in predominantly commercial zones, the parking area may be located on an area of ground less than sixty metres (60 m) from the lot on which the use served is located, if said lots are owned by one and the same owner.
- e) When the off-street parking place is located across from a window opening out of a habitable room in a basement, a grassed margin having a minimum width of two metres (2 m) must be developed between the parking area and the window, over the entire length of the parking area. In addition, fifty percent (50%) of the area included in the front yard, including the front setback, must be developed as a grassed area.

4.16.6 Common parking areas and complementary nature between two or among several uses

The development of a common parking area 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 area 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 the easement has been granted);
- b) when the uses and the common parking area form a single unit of real property.

4.16.7 Development and maintenance of parking areas

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.
- b) On the side or sides of the lot facing one or more street, the owner shall develop, between the parking area and said street, a grassed strip measuring at least one hundred and fifty centimetres (150 cm) in width, measured either

from the road allowance or on the lot, or from both of them, and extending through the entire width of the lot, to the exclusion of the access roads.

- 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 places is three hundred and fifty centimetres (350 cm).

4.16.8 Underground drainage

In sectors served by an existing or planned sewer system, any parking area or any group of parking areas must be provided with an underground drainage system. At least one (1) drain for every thousand square metres (1,000 m²) of parking lot area is required.

4.17 LOADING AREA

4.17.1 General rule

A building permit must not be issued for any new building, except if loading or unloading areas are provided, in conformity with the provisions contained in this section (includes apartment dwellings).

4.17.2 Provisions applicable to loading areas

Loading, unloading, shipping or receiving of animals or of 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 road allowance of a public roadway.

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

4.17.2.1 Dimensions of loading areas

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

4.17.2.2 Location

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

4.17.2.3 Surface

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

4.18 OUTDOOR STORAGE

- a) Outdoor storage is permitted only in predominantly commercial and industrial zones.
- b) Any and all outdoor storage must be surrounded by an opaque fence having a minimum height of one hundred and eighty centimetres (180 cm).
- c) Storage is permitted only in rear and side yards, and is not permitted in the setbacks of a lot.
- d) The areas used for outdoor storage must be excluded from the parking areas and the loading areas.

4.19 POSTING OF SIGNS

4.19.1 Scope

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

4.19.2 General provisions

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

Moreover it is forbidden to represent a nude human body on any sign or poster.

4.19.3 Obligation to obtain a certificate of authorization to post signs

Anyone wishing to erect , rebuild, repair, increase or modify or move a sign must before hand get a certificate of authorization from the municipality in accordance with this by-law and in section 418 of the rules governing the interpretation and the administration of land-use planning and development by-laws.

4.19.4

Signs authorized without a certificate of authorization

The signs listed hereinafter do not require the obtention of a certificate of authorization, and are authorized in all sectors 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 pertaining to an election or to public hearings held under the terms of a legislative act;
- c) signs prescribed by a law or a by-law ;of less than 1 square m.
- d) signs pertaining to traffic, to direct the public and ensure their convenience, provided that such signs are not more than five hundred square centimetres (500 cm²) in area, and are placed on the same lot as the use to which they refer; (0.5 m²)
- e) flags of a political, civic, philanthropic, educational or religious organization;
- f) signs commemorating an historical event or person, under the condition that such signs are not intended for, or associated with, a commercial use or other gainful purpose ; less than 1 square meter.
- g) inscriptions, figures and symbols chiselled into or sculptured on the walls of a building ; less than 1 square meter.
- h) signs concerning worship services and other religious activities ; less than 1 square meter.
- i) 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 square centimetres (550 cm²) and is lighted only by a white-coloured light bulb, of the incandescent type and providing continuous light;
- j) 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 metres (2 m²), for industrial,

institutional or public zones. Letters and numbers on a canopy may not be more than fifteen centimetres (15 cm) in height.

- k) 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 square metres (3 m^2) in area. These signs must be removed within fifteen (15) days of the termination of work;
- l) temporary signs announcing the sale of a building or of a plot of land or the rental of offices and other facilities within predominantly residential and mixed-use zones (residential and commercial), provided that their area is not greater than fifty-five square centimetres (55 cm^2). 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 square metres (3 m^2).
- n) Temporary signs announcing events or advertising civic organisation recognized by resolution of Council, provided that these signs do not have an area greater than three square metres (3 m^2)
- o) directional signs, including signs indicating a danger, delivery entrances and other similar signs, provided that these signs do not have an area greater than two square metres (2 m^2) and are located on the same plot of land as the principal use which they serve is conducted. In other respects, these signs must be set at a height of between one hundred and fifty centimetres (150 cm) and two hundred and fifty centimetres (250 cm);
- p) 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 election day. Posting of signs or posters on trees, electrical or telephone poles is strictly prohibited.

4.19.5

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 tends to imitate or imitates the lighted warning devices commonly used on police cars, ambulances and fire vehicles;
- 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) paper or cardboard signs posted in locations other than on billboards and bulletin boards;
- h) any sign advertising a real-estate development located outside the municipal territory.

4.19.6 Location of signs

Any sign advertising a service or a business should 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.

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

4.19.7 Billboards

Billboards and notice boards are not permitted except along public roadways, and they are subject to provincial regulations, R.S.Q. 1964, chapter 135 and 136 Signboards and Posters Act (published on December 12, 1964)

4.20 UNSTABLE SLOPES

4.20.1 Definition

A lot is considered unstable when its inclination is more than 25% These

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Zones which have unstable slopes appear on the zoning plan. Council may designate other areas of land as being unstable, in the light of the appropriate technical studies.

4.20.2 Responsibility of the owner

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

4.20.3 Vegetation

No vegetation are allowed to be removed from unstable zones .

4.20.4 Subdivision

At the request of the designated officer, an engineer report must be presented when a permit is requested on a plot of land having more than a 25% inclination this report must show the necessary precautions required to insure safety and prevent any major risk as well as the capacity of installing a septic system.

4.20.5 Construction

On unstable soil the request for permit of construction must be accompanied by an engineer soil report certifying that building is possible in all safety, The report must recommend the appropriate actions for construction pertaining to the stability of the soil , the foundations, drainage, backfill, and maximum weight per square meter etc.

The soil engineer must be in charge to supervise the drainage of surface water, the excavations and the foundation work as set in the recommendation report.

A report from a soil engineer may be requested in all cases of filling an unstable area or having a steep inclination.

4.21 LANDFILL SITES

4.21.1 Provisions specific to landfill sites

No construction work is permitted either on or within a radius of five hundred metres (500 m) of any open or closed sanitary landfill site identified on the zoning plan, except in the case of any building used in connection with the landfill site.

On the sites used for disposal of wastes identified on the zoning plan, any change in the use of the site must be preceded by an application for notice from the Minister of the Environment. The performance of this planned use is conditional on the contents of the notice from the Minister of the Environment.

Unidentified sites will have to be shown on the zoning plan by the designated official.

4.22 PROTECTION OF EMBANKMENTS OF LAKES AND WATERCOURSES

The following dispositions contribute to protect the water the ecosystem and the resources it supports

4.22.A Obligation to obtain authorization

For any structure or works capable of destroying or changing vegetal cover of lakeshores and river banks; to bare the land or to affect its stability, or encroach on the littoral zone, except for structures, works or works related to forestry management and development that the execution is governed by the Forest Act and its operating regulations, an authorization is mandatory. This authorization may be in the form of a building permit or a separate authorization depending on the nature of the project

4.22.1 Embankments protection zones

.1 No work or construction allowed on a strip of 15 meters measured from the high water mark of a lake or water course.

.2 Notwithstanding the disposition of the above paragraph the following works are allowed in the protection band of the embankment

- enlargement of a derogatory construction situated in the protection band as long as the enlargement is situated at least 10 meters above the high water marks when the inclination of the slope is less than 30% or higher than 30% but with a height above 5 meters

When the slope of the shore is less than 30 %, natural vegetation must be preserved. However, an opening 5 metres wide giving access to the water surface can be developed.

When the slope of the shore is higher than 30 %, the natural vegetation must be preserved. Only a window of a width of 5 metres can be developed, by pruning trees and bushes as well as a path or stairs giving access to the water surface.

- wooden stairway constructed in such a way as to let the free circulation of the air between the steps and the soil. Maximum width of 1 meter and build has to not promote erosion.

- Bridges, wharves, boat house with canvas walls built on piers or columns.
- Public or private road leading to launching ramp or exclusively leading to an area allowing the crossing of the lake or water course.
- work related to public service such as installing underwater cable, water works, including wells, septic system and an intake pipe to take water from the water course that have a permanent flow or a lake and a pump house .
- Terraces build with wood situated in the 5 meters access allocation, as long as it don't modify the topography of the area neither fill or excavation , and allowing an air space under the platform allowing vegetation to grow hence stabilising the shore .
- To remove dead or damaged trees affected by fire, insects, decay, or other destructing agent.
- To remove trees according to sub section 4.22.3

Notwithstanding the preceding paragraph the following stabilisation work of the embankment can be authorized in order to improve protect or counter erosion but with the following conditions.

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

When the slope, the nature of the soil and the conditions of the land do not allow the re-establishment of the vegetal cover and the natural character of the shore, the stabilization can be done with the help of a stone bank, of crips or finally with the help of a retaining wall but in all cases, priority must be given to the technique more susceptible to facilitate eventual growth of natural vegetation.

The choice of the procedure must favour the most natural form of protection when possible

The stabilisation works on embankments must meet the following conditions:

- effectively insure the stabilisation of the shore by taking into account the characteristic of the land the nature of the soil the existing vegetation and the available space

- Not to impede in the coast line
- Respect the particularity of each works
 - Stone wall with vegetation : the maximum slope is 1:2(50%) and built outside the coast line
 - Stone walls: the maximum slope is 1:1,5 (66%) and build outside the coastline
 - Retaining walls are to be used only when the space is limited either by vegetation or buildings or in the case where no other methods are applicable.
 - When the space allow it, pioneer plants should be planted on all the above works.

Notwithstanding the first paragraph , recreational managements enumerated below and giving access to the general public are authorized in the protection zone of the shore with the following conditions:

- all recreation project must not alter the topographic site no backfill, no excavation no grading
- all recreation site must be built to protect against erosion
- all recreation site must be set up in such a way has to preserve the vegetal cover natural or rejuvenated on the areas not used by the infrastructure

However the following recreational management are allowed.

- all walkway set up near the shore of a water course , or lake must preserve most of the vegetal cover except for an area not more than 2.5 meters wide and 3 meters high. Bridges and crosswalk must not ender the natural flow of surface water;
- all wooden stairs giving access to the lake or water course and incorporated in the set up walkway
- all ramps giving access to the water having a maximum length of 25 meters by a maximum width of 5 meters.
- All floating docks, or on piers leading from the shore to the water serving to Tie up boats or get on and off the boat.
- All tables, benches, garbage barrels , interpretation billboard , ramps, or walkway not requiring more tree pruning that that of the occupied space and to allow a visual of the lake or water course.
- Buildings and parking zones must be outside the protection zone .

4.22.1.2 Standards for shore-line.

In the shore line all constructions and works are forbidden except for the following :

A) Construction or enlargement of a main building if it meets the following conditions:

- The dimensions of the lot no longer allow for the building or enlarging this main building following the creation of the shore and

bank protection strip and it cannot reasonably be done elsewhere on the lot ;

- The subdivision of this lot was prior to the MRC Pontiac interim control by-law coming into force thus before October 31st 1983;
- The lot is not situated in a high risk erosion or landslide zone ;
- A minimum protection strip of 5 meters must be preserved and maintain at it's natural state.

B) The construction of a secondary or accessories building such has a shed a garage or cabin is only possible on that part of the shore where the natural state has been changed and the following conditions applies:

- The dimensions of the lot no longer allow for the building or erection of these auxiliaries or accessory buildings, following the creation of the shore line and river banks;
- The subdivision of this lot was prior to the MRC Pontiac interim control by-law coming into force thus before October 31st 1983;
- A minimum protection band of 5 meters must be kept and maintain at it's natural state.
- The proposed auxiliaries buildings must be on firm ground without excavation or back fill.

C) The following works relative to the vegetation ;

- Forestry development activities governed by the Forest Act and its operating regulations
- the sanitary cutting, which means the felling or harvesting of deficient spoiled, decaying, damaged or dead trees;
- harvesting of 50% of the trees with trunks of 10 centimetres or more on condition that a forest cover of a least 50% is maintained on private wood lot used for forestry or agricultural purposes.
- The cutting necessary for the erection of a building or authorized works
- the pruning and trimming necessary to make a five meters wide window when the shoreline, river bank slope is greater than 30% as

well as a trail or staircase leading to the body of water. This window must be made obliquely in relation to the body of water;

- seeding and planting vegetal species , trees or shrubs and works aimed at re-establishing permanent and durable vegetal covers;
- the various modes of harvesting herbaceous vegetation when the lakeshore, river bank slope is less than 30% and only at the top of embankments when the slope is greater than 30%

D) The cultivation of the land for agricultural purpose , however a minimum strip of 3 meters of lakeshore or river band must be preserved. Furthermore if there is an embankment and the top of it is located at a distance less than 3 meters from the high water line, the width of the shore or river bank must include at least one meter at the top of this embankment.

E) The following works

- Installation of a fence
- Installation of outlets for an underground or surface drainage system and the pumping stations;
- development of watercourse crossings related to culverts and bridges as well as the roads giving access to them.
- Equipments necessary for aquaculture
- All septic installations conforming to the regulation respecting wastewater disposal and treatment for isolated dwellings.
- When the slope , the nature of the soil and the conditions of the land do not facilitate the re-establishment of the vegetal cover and the natural character of the lakeshore river bank, works and stabilising work using stones, gabions or finally using retaining wall, giving priority to the technique most likely to facilitate the eventual growth of the natural vegetation.
- Individual wells
- The rebuilding or widening of an existing road including forestry or agricultural roads.

- The works or projects necessary to allow the realization of construction or project allowed in the coast-line in accordance with article 5.3
- Works project of a municipal, commercial, industrial, or public nature or giving access to the public, that have been authorized by the proper environmental laws,
- Forestry management activities that conforms to the law on the forest standards for intervention on public domain. (RNI)

4.22.2 Minimum standards - The coast line

All constructions, all works all projects are forbidden on the coast line except for the following :

- Only wharfs, shelters or landing ramps on columns, on poles or cribs or made up of floating platforms are allowed. However all parts of these construction or works must not be made of wood that is painted, tarred, or chemically treated.
- development of watercourse crossings related to fords, culverts and bridges
- Equipment necessary for aquaculture
- Water intakes
- encroaching on the littoral zone as necessary to complete work authorized on the shoreline river bank.
- Cleaning or maintenance work without excavations having to be done by the MRC Pontiac in accordance with the power conferred to it by the municipal Code in water course.
- structures, works and work for municipal, commercial, industrial public purposes or for a public access purposes, when duly authorized by virtue of the Environment Quality Act, the act respecting the conservation and development of wildlife, the Watercourses act, or any other law.

Lakes and water courses affected by these rules

All lakes , and rivers and all water courses whether private or public having

steady or intermittent water flow situated in the Municipality of Waltham are subjected to these rules.

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

4.22.3. Vegetal coverage on the shoreline with permanent water flow

The environment set up of a lot on the shore of a permanent water flow must be such a way that it blends in with the local surroundings. And it should not impact on the natural drainage of the area nor be allowed to create pollution

The shore of a lake or water course with permanent water flow must keep it's natural vegetation, trees and shrubs cover.

4.22.3.1 In agricultural zones

On a strip of 3 meters from the high water line.

4.22.3.2 In private wood lot

On a strip of 10 meters from the high water line a partial harvest of marketable trees is allowed for 50% of trees with a trunk above 10 cm at 30cm from the ground. However heavy machinery are not allowed in the zone.

4.22.3.3 On Public domaine

On a strip of 20 meters from the high water line a partial harvest of marketable trees is allowed for 50% of the trees with a trunk above 10 cm at 30 cm from the ground.

4.22.3.4 In urban, cottage area for private lots

On a strip of 15 meters from the high water line. However for the cottage zones situated in forestry zones they will be allowed to cleanup a certain area but the frontage area on the water course should not be touched for at least 60% of it's content.

4.23 Standards concerning building on islands

The following articles concerns all islands not attached to the main land by any bridge or culvert and is designed to preserve the eco system of these areas.

4.23.1 On public land

Unless it's for the purposes of an outfitter, or the development for recreation purposes , the construction of any new dwelling for residential or cottage is forbidden on island in the public domain .

4.23.2 On private property

On Island owned privately, the following provisions applies :

- A) When a construction project provides for a water supply system with pipes under pressure, a study completed by a member of the order of Engineers of Québec must show that the plot of land is suitable for septic installations. The application must also include an agreement for servicing the septic tank.
- B) The minimum area of any building lot must be 5 600 square metres.
- C) Independently of the slope, the shore protection strip measures twenty Five (25) metres.

4.24 SPECIAL PROVISIONS GOVERNING PEAT BOGS AND MARSHES

No structure, no septic installation or no subdivision is authorized in a bog or marsh area. These areas must not be subject to any types of modifications resulting in changes to their ecosystems. However, these restrictions do not apply if marketable timber may be harvested on this site, nor in the case of agricultural uses in zones under the jurisdiction to the CPTAQ. Commercial harvesting of peat will be allowed.

4.25 FLOODPLAINS

4.25.1 Delimitation of floodplains

The designated officer for the Municipality shall enter the location and the area of flooded areas on the Municipality's zoning plan. For the purposes of this by-law, a floodplain shall be considered as any portion of the territory identified as such on the zoning plan. When the official cartography becomes available, the provisions to zones prone to flooding every 0 - 20 years and 20 - 100 years contained in the minimum standards book of the development plan will be applied and adopted.

4.25.2 Provision pertaining to floodplains

No dwelling in a basement is permitted, in the case of an existing structure.

Any permanent structure, other than the protective engineering work listed hereafter, is prohibited.

4.25.2.1 Protective work

In order to protect areas against flooding, dikes and retaining walls may be erected and backfilling work may be performed at the expense of the builder, or of the owners affected by such work. This work may not, however, be undertaken except on the recommendation and under the supervision of an engineer and subject to approval by the appropriate federal and provincial government ministries and department

4.26 CONSTRAINT AREAS

In zones where areas which present certain constraints are found, a buffer zone free of any use is stipulated, in order to minimize the effects of the constraint in question.

4.26A) PROTECTIVE STRIP (METRES) SURROUNDING CONSTRAINT AREAS, IN RELATION TO SOME USES AND FUNCTIONS

All distances in meters
Land uses and functions

Area Of constraint	Housing	Recreational or tourist trail or site	Stream	Lake and river	Airport	Higher network road and public road
Residual materials disposal site and old dump	500	300	150	300	3000	150
septic tanks sludge disposal site	500	150	150	300	3000	150
Snow removal disposal site	150	75	75	150	---	150
Mining residue pile	100	75	---	---	---	---
Gravel and sand pits	150	150	60	60	---	35
Asphalt plant	200	100	100	200	---	---
Quarry	600	---	---	---	---	---
Electrical or petroleum station	150	60	---	---	---	60

4.27 WATER INTAKES

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

4.27A) MINIMUM DISTANCES TO BE ENFORCED TO PROTECT WATER INTAKES

MINIMUM DISTANCES	
USES	WATER INTAKES
Site for the elimination of septic tank waste	500 m
In trench garbage sites	500 m
Sand or gravel pits	1 km
New animal production establishment using liquid or semi-liquid manure	300 m
New animal production establishment using solid manure	100 m
Snow dumps	150 m

Residential & commercial uses	100 m
Industrial and commercial uses	250 m

4.28 ARTESIAN WELLS

Any new artesian well dug into the rock shall be made waterproof, in order to avoid contamination of the phreatic layer.

CHAPTER 5: SPECIAL CASES

5.1 SPECIAL CASES GOVERNING QUARRIES, GRAVEL PITS AND SAND PITS

5.1.1 Minimum distances

5.1.1.1 Operating areas for new quarries must be located at a minimum distance of six hundred 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 new gravel pits and sand pits, except that the minimum standard distance is one hundred and fifty metres (150 m).

5.1.1.2 Any and all new quarries, gravel pits or sand pits must be located at a minimum distance of one kilometre (1 km) from any water intake used to supply a water system, unless the operator submits a hydrogeology assessment in support of this application, demonstrating that the new quarry, gravel pit or sand pit does not affect the water intake.

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

However, this section does not apply in the case of a new quarry, gravel pit or sand pit if the operator submits an environmental impact study in support of this 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

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

5.1.3 Public thoroughfare

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

5.1.4 Sections 5.1.1 to 5.1.3, inclusive, do not apply in the case of quarries, gravel pits and sand pits used for the purpose of building, rebuilding or maintaining forest or mining roads.

5.1.5 Sections 5.1.1 to 5.1.3, inclusive, do not apply to mineral extraction activities.

5.2 PROVISIONS GOVERNING AGRICULTURAL AND RURAL ZONES

The following provisions aim at the development of a durable agriculture and a harmonious cohabitation of activities in the environment .

5.2.1 Separating distances related to breeding operations

Minimum separating distances between a breeding operation and a protected immovable, a dwelling, an urbanisation perimeter or a public road , are computed using a formula that combines the following seven(7) parameters:

Separating distance = $B \times C \times D \times E \times F \times G$

- The “A” parameter is the number of animals, according to the table at section 5.2.1.1
- Parameter “B” represents the basic distance, according to the table at section 5.2.1.2 It is established according to the number of animals, which is parameter “A”
- Parameter “C” is the load in odours , according to the table at section 5.2.1.3
- Parameter “D” corresponds to the type of manure, according to the table 5.2.1.4
- Parameter “E” is the type of project according to table 5.2.1.5
- Parameter “F” is the attenuation factor according to the table in section 5.2.1.6
- Parameter “G” is the usage factor according to the data at section 5.2.1.7

5.2.1.1 Parameter “A” , which is the number of animals

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Group or category of animals	Number of animals Equivalent To an animal unit
Cow, heifer, bull, horse	1
Calf or heifer weighting from 225 to 500 kg	2
Calf weighting less than 225 kg	5
Breeding pigs weighting less than 20 to 100 kg, each	5
Sows and piglets not weaned during the year	4
Piglets of a weight inferior to 20 kg	25
Laying hens or roosters	125
Roasting or broiling chickens	250
Growing pullets	250
Turkeys of more than 13 kg	50
Turkeys of 8.5 to 10 kg	75
Turkeys from 5 to 5.5 kg	100
Female minks (Male and offspring are not computed)	100
Female foxes (Male and offspring are not computed)	40
Sheep and lamb of the year	4
Goats and lamb of the year	6
Female rabbit (male and offspring are not computed)	40
Quails	1500
Pheasants	300

1. This table is presented as an example, a complete table having to be prepared by reducing the differences between the categories; the basis for computation remains 500 KG per animal unit. When a weight is indicated in this 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 kilo is equal to one animal unit.

5.2.1.2 Parameter "B" which is the basic distances

Basic distances (Parameter B)

Total number Of animal units	Distance (meters)	Total number Of animal units	Distance (meters)	Total number Of animal units	Distance (meters)
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10	178	300	517	880	725
20	221	320	528	900	730
30	251	340	538	950	743
40	275	360	548	1000	755
50	295	380	557	1050	767
60	312	400	566	1100	778
70	328	420	575	1150	789
80	342	440	583	1200	799
90	355	460	592	1250	810
100	367	480	600	1300	820
110	378	500	607	1350	829
120	388	520	615	1400	839
130	398	540	622	1450	848
140	407	560	629	1500	857
150	416	580	636	1550	866
160	425	600	643	1600	875
170	433	620	650	1650	883
180	441	640	656	1700	892
190	448	660	663	1750	900
200	456	680	669	1800	908
210	463	700	675	1850	916
220	469	720	681	1900	923
230	476	740	687	1950	931
240	482	760	693	2000	938
250	489	780	698	2100	953
260	495	800	704	2200	967
270	501	820	709	2300	980
280	506	840	715	2400	994
290	512	860	720	2500	1006

2. Source adapted from the Association of German engineers VDI 3471

5.2.1.3 Parameter “C”, which is the odour load

ODOUR

LOAD PER ANIMAL (PARAMETER)

GROUP OR CATEGORY OF ANIMAL	PARAMETER C
Slaughter beef in a closed building	.07
Milk cows	.07
Ducks	.07
Horses	.07
Goats	.07
Turkeys in a closed building -in a feed area	.07 .08
Rabbits	.08
Sheep	.07
Pigs	1.0
Hens Caged laying hens Reproduction hens Roasting hens large chicken pullets	.08 .08 .07 .07
Foxes	1.1
Heavy calves -milk calves -grain calves	1.0 0.8
Minks	1.1

3. For other animal group, use parameter C=0.8

5.2.1.4 Parameter "D" , which is the type of manure.

5.2.1.5 TYPE OF MANURE (PARAMETER D)

MANAGEMENT METHOD OF FARM FERTILISERS	PARAMETER D
SOLID MANAGEMENT SLAUGHTER AND MILK CATTLE, HORSES, SHEEP AND GOATS OTHER GROUPS OR CATEGORIES OF ANIMAL	.06 .08
LIQUID MANAGEMENT Slaughter and milk cattle Other groups and categories	0.8 1.0

5.2.1.5 Parameter "E", which is the type of project

TYPE OF PROJECT (PARAMETER E) 4

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	156-190	.077
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 OR MORE	1.00
176-180	0.75	ONE NEW PROJECT	1.00

4. The number of animals that can be included in the heard must be considered, weather there is or not an extension or construction of a building. For any projects leading to a total of 300 animal units and more as well as for any new project, the parameter is e=1.

5.2.1.6

Parameter

"F", which is the attenuation factor

Technology	Parameter F
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Roof on storage premises	F
- absent	1.0
- permanent rigid	0.7
- temporary (layer of peat, layer of plastic)	0.9
Ventilation	F
- natural and forced with multiple air outlets	1.0
- Forced with regrouped air outlets and air Air outlets above the roof.	0.9
- Forced with regrouped air outlets and air Treatments with air scrubbers or biological filters	0.8
Other technologies	F
-New technologies may-be used to reduce the distances when their efficiency is proven	Factor to be established at the time of accreditation

5.2.1.7 Parameter “G”, which is the use factor.

It is the function of the type of neighbouring unit considered:

- 1.For a protected immovable , we get the separating distance by multiplying all the parameters between themselves $G=1.0$;
- 2.For a dwelling, $G = 0.5$;
- 3.For an urbanization perimeter, $G = 1.5$;
- 4.For a public road, $g = 0.1$, but the installations must in all cases take into account the minimum distance of six meters (6) from a lot line.

5.22 Acquired rights

Parameter “E” bearing on the type of project , acknowledges an acquired right related to the expansion of existing small agriculture enterprises . For establishments of one hundred animal units(100a.u.) and less, the replacement of 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.

5.2.3 Separating distances related to storage premises for farm manure located at more than one hundred and fifty (150m)from a breeding farm.

In situations where farm manure is stored outside the animal operation, separating distances must be respected. They are established by considering that one animal unit

requires a storage capacity of twenty cubic meters (20m³) .

Minimum separating distances, in meters, between a storage place for manure located at more than one hundred and fifty meters (150m) from a breeding farm and a protected immovable , a dwelling an urbanisation perimeter or a public road are obtained by combining the seven (7) parameters presented at section 5.1 with the following changes:

1. For parameter "A", each one thousand cubic meter (1000m³) reservoir Capacity corresponds to fifty animal units (50 a.u.).
2. Once the equivalent is completed , we can find the value of parameter "B" Then the formula $B \times C \times D \times E \times F \times G$ applies . The following table shows the cases Where "C", "D", "E", and "F" are one only parameter "G" varying depending On the neighbouring unit in question .
3. Separating distances related to storage perimeters for manure located at more than one hundred and fifty meters (150m) from a breeding farm.

Capacity For storage (m ³)	Separating distances(M)		
	Dwelling		
	Protected	Urbanisation	Public road
	immovable	Perimeter	

1000	148	295	443	30
2000	184	367	550	37
3000	208	416	624	42
4000	228	456	684	46
5000	245	489	734	49
6000	259	517	776	52
7000	272	543	815	54
8000	283	566	849	57
9000	294	588	882	59
10000	304	607	911	61

For manure , multiply the above distances by 0.8

For other storage capacities, complete the necessary computation by using a proportional rule or the data of parameter A.

5.2.4 Separating distances related to the spreading of farm fertilisers

Farm fertilisers must be able to be applied on all cultivated fields. Minimum separating distances between a place where manure is spread and any dwelling, any urbanisation perimeter or any protected immovable are established in the following table:

	Distance required from any dwelling, urbanisation
--	---

Type	Method of spreading		perimeter, or protected immovable (M)	
			June 15 to august 15	Other times
Liquid manure		Nozzler	300	300
		Cannon	300	300
	Aero aspersion aspersion	Liquid manure left on the Surface more than 24 hrs	75	25
		Liquid manure incorporated In less than 24 hrs	25	X
		By ramp	25	X
		By tangler	X	X
	Simultaneous incorporation		X	X
Solid manure	Fresh, left on the surface more than 24 hrs		25	X
	Fresh incorporated in less than 24 hrs		X	X
	Deodorized compost		X	X

X= Allowed spreading up to the limits of the fields.

The above table does not apply in the case of un-inhabited urbanisation perimeters. In this case, spreading is allowed up to the limits of the fields.

5.2.5 Reciprocity principle and distance standards

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

-Public road	37 meters
-Protected immovable	367 meters
- Dwelling	184 meters

A 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 purposes of recording at the land registry office , a declaration to the effect that he foregoes recourses that he could have invoked with respect to each 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 1181 of the Québec civil code and is established by a declaration included against the lot involved in the application and against each of those with buildings or Infrastructures used for the agricultural activity subject to the distance standards.

5.3 SERVICE STATION

5.3.1 General provision

Notwithstanding the provisions indicated on the specification chart, the standards set out in this section shall take precedence over any and others specified for the zone in question.

5.3.2 Development standards

The development standards applicable to a service station are those contained in the following table:

Setback for the building	12.0 m
-for the pumps	6.0 m
-for a canopy	5.0 m
Side setbacks	4.5 m
Rear yard	10.0 m
Coverage of land surface	30%
Minimum floor area	
-for a service station	65.0 m ²
-for a gasoline station	18.5 m ²
Lot	
-minimum area	3,700 m ²
-minimum frontage	50 m
-minimum depth	50 m
Building height	1 storey

5.3.3 Restrooms

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

5.3.4 Gasoline tanks

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

5.3.5 Prohibited uses

A service station may not be used for residential or industrial purposes.

All operations must be conducted on the private service station property. It is forbidden to fill a vehicle with gas or fuel using a gas line crossing a public road.

5.3.6 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.

5.3.7 Access to the lot

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

5.3.8 Signs

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

5.3.9 Development of open spaces

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

- a) A minimum of ten percent (10%) of the lot must be developed as green space.
- b) Grassed strip

The lot must be marked out by a grassed strip having a minimum width of one hundred and fifty centimetres (1.5), except for the lot frontage on a public thoroughfare, where this band strip must have a minimum width of three metres (3 m).

c) Curbs

Grassed surfaces must be protected by concrete curbs having a minimum height of fifteen centimetres (15 cm), in relation to the adjacent paved surface.

d) Time-limit

The site landscaping must be completed one (1) year after occupancy of the building, at the latest.

5.4 SEPTIC INSTALLATIONS

Septic installations must be provided throughout the territory, and must be built in accordance with the standards set by the Minister of the Environment (Regulation governing the evacuation and treatment of waste water from free-standing residences, publication Q.2, #8, as modified).

The development of a common septic system may be authorized by the Municipality, subject to approval from the Minister of the Environment.

5.5 CAFE TERRACES

5.5.1 General rule

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

5.5.2 Parking requirements

Parking requirements for a cafe terrace is subject to article 4.16.4.2 of this by-law.

5.5.3 Dimensions

The area occupied by a cafe terrace must not be greater than the ground area occupied by the building serving as the principal use.

5.5.4 Location

A cafe terrace must be located entirely on the same lot as that occupied by the principal use and must be set back three metres (3 m) from the pavement of a public thoroughfare, and set back one hundred and fifty centimetres (150 cm) from all side lot lines and rear lot lines of the property.

5.5.5 Development of cafe terraces

5.5.5.1 Roofs, awnings, canopies

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

Fireproof fabrics must abide by National Fire Protection Association standard 701-1969 entitled "Standard Method of Fire Test for Flame-resistant Textiles and Films".

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

5.5.5.2 Ground covering

The area occupied by a cafe 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.

5.6 AUTOMOBILE GRAVEYARDS, SCRAPYARDS AND RECYCLING DEPOTS

5.6.1 General rule

The Environment Quality Act, along with the regulations and amendments which complete it, shall apply and shall take precedence concerning any nuisance mentioned in this section. This use is permitted only in the specific zones indicated on the specification chart.

5.6.2 Definition

Motor vehicle carcass:

Any disused motor vehicle or a motor vehicle lacking one or several of the components essential to its operation, namely, the engine, the transmission, an axle or any part of the steering or braking system.

Motor vehicle cemetery:

A storage area where one or several motor vehicle carcasses are kept or stored in an outdoor area for the purpose of removing parts for resale.

5.6.3 Location

a) Storage of vehicle carcasses and outdoor dismantling workshops.

These uses must be located at a minimum distance of two hundred metres (200 m) from any structure used as a dwelling or from any residential area, and at a minimum distance of at least one hundred and fifty metres (150 m) from any road.

b) Indoor dismantling workshops

Any dismantling workshop may not be located less than thirty metres (30 m) from any dwelling or from any residential zone.

5.6.4 Table indicating standards

	Storage	Outdoor dismanteling workshop	Indoor dismateling workshop
Dwelling or residential zone	200 metres	200 metres	30 metres
Road	150 metres	150 metres	Prescribed set back in the sector

5.6.5 Fences.

All vehicle cemetery must be surrounded by an opaque fence of at least 1.80 meters high.

5.7

HISTORIC MONUMENTS AND HERITAGE SITES

The historical sites or landmarks are designated by a P on our zoning plan .
No one is authorized to alter, repair, change or demolished in whole or in part any historical monument or building situated in the patrimonial area before first having obtain authorization from the municipality.

Anyone that makes request for any of the above reason must abide by the conditions set by the municipal council in it's authority on the matter.

CHAPTER 6: SPECIFIC PROVISIONS GOVERNING ZONES

6.1

CONSERVATION ZONES (C0)

This zone correspond to the territory projected to be an ecological site by the MNR, This zone will be subject to all restrictions imposed by such a designation.

6.2

MIXED COMMERCIAL ZONES (CM)

Mixed commercial zones (CM) are zones in which the dominant use is commerce and housing. A specific class or classes of use is indicated on the specification chart for each of these zones, in accordance with their roles and the extent to which their influence extends within the territory. Mixed commercial zones are concentrated within the local centres.

6.3

PUBLIC ZONES (PU)

Public zones are zones in which the dominant class of use is the public uses necessary to the municipality, wherein space is reserved for municipal use compatible with the functions of these zones, as well as ones where public uses having a provincially based nature are conducted.

6.4

INDUSTRIAL ZONES (I)

Industrial zones, which are divided into three classes, are ones wherein the dominant activities are activities of an industrial nature, and are intended to allow for the development of industries, within the zones specifically designated for this purpose. Heavy industries are excluded from our territory. Self employed small scale industries are allowed in zones where they have no impact

6.5

RECREATIONAL AND TOURIST ZONES (RT)

The dominant use within RT zones is that of tourism, with a residential class of use as a complementary use. The purpose of these zones is to allow the operation of tourist activities within some zones of the Municipality.

6.6

AGRICULTURAL ZONES (AG)

The agricultural zones are those that the main occupation of the soil is agriculture the allowed uses are those described in the first section on the law of agriculture and any other activities allowed by the CPTAQ authorisation certificate that is indicated on the specific grid.

6.6.1

Certificate of authorization

All building permit not already covered by the law on agriculture protection must be accompanied by a certificate of authorization issued by the (CPTAQ).

Common uses allowed are defined in section 1 of the law on agriculture land protection

6.6.2

Uses allowed with certificate

On the CPTAQ authorization the following uses are allowed:

- Single family and seasonal dwellings
- Agriculture and industrials commercial activities
- Public utilities such has green spaces and building related to public hygiene
- Certain tourism activities

6.6.3

Complementary uses without authorisation

The following are complementary uses allowed in agricultural zone because they go hand in hand with the main activity of the dominant occupation of the land. The following uses are allowed without any permit or cost.

- construction or use of a selling booth covered or not selling produce from the local farm.
- construction or use of secondary building;
- Civic association, social or brotherly association
- social held and charity organisation
- religious activity
- wind mill for the farm
- fish pound
- horseback school or poney-club

- outdoor centre with or without rooming at the farm or camping
- club or association related to nature watch
- Veterinarian watch service
- general equestrian activities remunerated or not

6.6.4

Double affectation

When ever there are double affectation it is the one prescribe by the LPTA that takes precedent and will govern future development.

6.7

FOREST OPERATIONS ZONE (EXF)

6.7.1

Construction of dwellings

Construction of dwellings is authorized along public roads.

An overall development plan must be performed for any development project located in an area not adjacent to a public roadway.

6.7.2

Other authorized uses

Apart from the uses mentioned in section 3.7, chapter 3 of the zoning by-law and the associated complementary uses, temporary heavy industry is authorized in EXF zones.

6.7.3

Use of public lands

Operations on Quebec public lands are governed by the Regulation concerning standards for operations in public forests, for which the government land use plan is appended to the MRC development plan.

7.

Special provisions concerning heronries

Within a radius of 200 metres around a heronry, no activity of felling and of harvesting of trees of return to forestry production and of construction or improvement of roads is authorized at any time

In the 300 meters following (between 200 and 500meters around a heronry), no activity as described in the preceding paragraph is authorized between April 1st and August 1st of each year

8. **Provisions concerning the preservation and felling of trees in the forestry agricultural , agro-forestry and recreational land use designations**

The following provisions are the result of the aim and objectives related to the forestry environment with respect to the sustainable development of the forestry resource, as well as those related to the preservation of the environment and landscapes included in the first part of the revised land use development plan.

8.1 **Provisions concerning the felling of trees on private land**

The felling of trees on private land must take into account the following provisions. These provisions affect any individual or legal entity as well as any private person. No local municipality may withdraw from the enforcement of the following standards.

The responsibility to apply the provisions concerning the felling of trees on private land falls to the owner and to the operator of the bush lot where the harvest occurs.

Forests in the public domain are not subject to the following standards since the Regulation Respecting Standards of Intervention in Forests of Public Domain (RNI) provide therein provisions to that effect.

8.2 **Obtaining a certificate of authorization related to the felling of trees**

The obtaining of a certificate of authorization related to the felling of trees is not mandatory for harvesting any volume of wood . However , after the first anniversary of the coming into force of the municipal planning by-laws following their approval by the MRC Council, the obtaining of a certificate of authorization may be re-evaluated by the said council if abusive forest harvests and unplanned interventions are still made in private forest.

8.3 **Intolerant stands: coniferous stands (except white pine, hemlock and cedar), intolerant hardwood stands (poplar stands and white birch stands), mixed stands with coniferous dominance and mixed stands with intolerant hardwood dominance**

These stands include a majority of stems of species considered intolerant (better adapted to the sun) and, for this reason, these stands are therefore considered as intolerant stands .

A stand must cover a minimum surface area of 2 hectares(ha) to be considered as such.

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For the purpose of the revised land use development plan, the following species are, among others, considered as intolerant : poplars, white or paper birch , pines (except white pine) spruce, larch, balsam fir and all other softwoods with the exception_ of white pine, hemlock and cedar which are not , here, considered as intolerant species.

Without the official approval of the municipal inspector , only a harvest of stems meeting one of the following criteria is allowed within intolerant stands:

A_ Uniform residual basal area of 16M²;

Or

B_ Uniform harvest, on a 20-year cutting cycle, of one third of the stems of each of the commercial species with a diameter at stump height (DSH) of 16 Cm and more ;

OR

C_ Uniform diameter limit cut bases on a diameter at stump height (DSH) of 20 cm up to a maximum harvest of 35% of stems.

In addition and according to the following criteria, the harvest by blocks in intolerant stands of all commercial stems of a diameter of 20 cm and more at stump height , is allowed

- A maximum of 20% of the forested area of a lot in blocks not exceeding 4 ha.

OR

- A maximum of 40% of the forested area of a lot in blocks not exceeding 2 ha.

These blocks must be surrounded by a wooded strip of at least 60 m where treatment A, B, or C must be applied without gaps within these wooded strips.

A gap is defined as an area that does not have a uniform distribution of 500 stems of commercial species to the hectare (approximately 1 stem per 20m² or every 4.5 m) with a diameter at stump height (DSH) of 16 cm or more and a height or more than 7M.

Before proceeding with further harvesting in these wooded strips or by blocks in the intolerant stands of the lot, harvested blocks must meet one of the following criteria:

- Uniform distribution of more than 1500 stems of commercial species to the hectare (approximately 1 stem every 2.5m) the height of which reaches more than 4 m;

OR

- Uniform distribution of at least 500 stems of commercial species to the hectare (approximately 1 stem per 20m² or every 4.5m) the height of which reaches more than 7 m;

Or

- Uniform distribution of at least 300 stems of commercial species to the hectare (approximately 1 stem per every 5.5 m) with a diameter at stump height (DSH) of 16 cm or more;

Or

- A period of 5 years has elapsed since the harvest.

8.4

Tolerant stands: white pine stands, hemlock stands, cedar stands, tolerant hardwood stands and mixed stands with tolerant hardwood dominance

These stands include a majority of stems of species considered tolerant (better adapted to the shade) or include more than 75% of hardwoods in which the proportion of hardwoods considered tolerant is bigger than the proportion of other hardwoods considered intolerant . For this reason, these stands are therefore considered as tolerant stands.

A stand must cover a minimum surface area of 2 hectares (ha) to be considered as such.

For the purpose of the Revised Land Use Development Plan , the following species are among others , considered as tolerant : White pine, Hemlock, cedar, maples, yellow birch, beech, basswood, black cherry, oaks, hickories, walnut, butternut, ash and elm.

Without the official approval of the municipal inspector , only a harvest of stems meeting one of the following criteria is allowed within tolerant stands:

- A_ Uniform residual basal area of 16 M²;
- Within tolerant stands, at least 60% of the residual stems must be tolerant commercial species;

OR

- B_ Uniform harvest, on a 20 year cutting cycle, of one third of the stems of each of the commercial species with a diameter at stump height (DSH) of 16 cm and more;

OR

- C_ Uniform diameter limit cut based on a diameter at stump height (DSH) of 36 cm for white pine, oak, and sugar maples, and of 26 cm for all other commercial species.

- If more than 70% of the commercial stems in the stand have a (DSH) of 36 cm and more, the maximum harvest must not exceed 35% of the stems .

In addition and according to the following criteria, the harvest by gaps in tolerant stands of all stems of a diameter at stump height(DSH) of 16 cm and more is allowed. A maximum of two(2) gaps to the hectare with a surface area not exceeding 400m² each is allowed.

These gaps must be surrounded by a wooded strip of at least 25 m where treatment A, B or C must be applied without gaps within these wooded strips.

A gap is defined as an area that does not have a uniform distribution of 500 stems of commercial species to the hectare (approximately 1 stem per 20 m² or every 4,5 m) with a diameter at stump height (DSH) of 16 cm or more and a height of more than 7m.

Before proceeding with further harvesting by gaps or in the surrounding wooded strips in the same cutover, harvested gaps must be regenerated . A gap is considered regenerated when it meets the following criteria:

- Uniform distribution of 500 stems of commercial species to the hectare (approximately 1 stem per 20m² or every 4.5m) with a diameter at stump height (DSH) of 16 cm or more and a height of more than 7 m.

Gaps may not encroach on wooded strips along public traffic lanes, lakes and watercourses, and those surrounding gaps or blocks.

Bumper trees should be used along skid trails.

8.5. Provisions applicable to all types of stands

8.5.1 Establishment of roads, piling and bucking areas

Without the official approval of the municipal inspector , the forested area to be bared for the establishment of roads and areas for piling and bucking necessary for forest harvest must not exceed 20% of the total forested surface area of the lot.

Piling and bucking areas must be cleaned of any inorganic matter as soon as possible without however exceeding 6 months.

8.5.2 Tops of hills, slopes of more than 30% and very humid or very dry sites

Without the official approval of the municipal inspector , on high ridges and crests or top of hills, on slopes of more than 30% and in very humid or very dry sites, only a harvest of stems meeting one of the following criteria is allowed:

A_ Uniform residual basal area of 16m²

- Within tolerant stands, at least 60% of the residual stems must be of tolerant commercial species of a diameter at stump height(DSH) of 16 cm or more.

OR

B_ Uniform harvest, on a 20 year cutting cycle, of one third of the stems of each of the commercial species with a diameter at stump height(DSH) of 16 cm or more;

OR

C_ Uniform diameter limit cut based on a diameter at stump height (DSH) of 36 cm for white pine, oak, and sugar maple, and of 26 cm for all other species.

- If more than 70% of the commercial stems in the stand have a (DSH) of 36cm and more , the maximum harvest must not exceed 35% of the stems.

No gaps are allowed

- A gap is defined as an area that does not have a uniform distribution of at least 500 stems of commercial species to the hectare (approximately 1 stem per 20m² or every 4.5 m) with a diameter at stump height(DSH) of 16 cm or more and a height of more than 7m.

To prevent erosion , skid trails and roads should , as far as possible, not be parallel to the slope or run straight downhill for long stretches.

There should be, at regular intervals slight direction changes to channel most of the water , which falls on the rolling surface area, outside of it.

As much as possible, the harvesting of stands on thin or humid soils must be done when the soil is sufficiently frozen or in any other manner likely to support the operation machinery without producing ruts in excessive number and without scalping the soil or unduly compacting it.

8.5.3

WOODED STRIPS ALONG PUBLIC TRAFFIC LANES, CORRIDORS, SITES AND TERRITORIES OF AESTHETIC INTEREST, DRINKING WATER SUPPLY SOURCES, SLUDGE DISPOSAL SITES AND WASTE DISPOSAL SITES.

Without the official approval of the municipal inspector, within the wooded strips along public traffic lanes, corridors, sites and territories of aesthetic interest,

drinking water supply sources, sludge disposal sites and wastes disposal sites , **only** the harvesting , in accordance with the terms and conditions provided for in section 8.5.2 (tops of hills, slopes of more than 30%, very humid or dry sites) is allowed

Piling and bucking areas are not allowed along the mentioned wooded strips or in the wooded strips surrounding gaps and blocks.

8.5.4

Special provisions concerning the protection of lakes and watercourses

Over and above the provisions concerning interventions along the shores of lakes and riverbanks and, without the official approval of the municipal inspector, the following provisions apply;

- Along lakes and watercourse with permanent flow, a wooded strip of a minimum width of 30 metres measured from the high water-line must be preserved; only the harvesting of stems, in accordance with the terms and conditions provided for in section 8.5.2 (tops of hills, slopes of more than 30% very humid or dry sites) is allowed; movement of heavy machinery is forbidden within the first 20 metres from the high water line, except for the construction and maintenance of an access road to the lake or watercourse, and the erection of an equipment or infrastructure ;
- along watercourses with intermittent flow , a wooded strip of a minimum width of 10 metres must be preserved, measured from the high water line; only the harvesting of stems, in accordance with the terms and conditions provided for in section 8.5.2 (tops of hills, slopes of more than 30% very humid or dry sites) , is allowed; movement of heavy machinery is forbidden therein, except for the construction and maintenance of an access road to the lake or watercourse and the erection of an equipment or infrastructure ;
- It is forbidden to divert or dig a watercourse, to encroach on a watercourse or a lake, to lower or raise the level of the water of a lake, unless authorization is obtained from local municipality, the regional county municipality or the Québec Ministry of the environment.
- It is forbidden to dump earth, tree felling waste or any other matter in lakes and watercourses ; furthermore , it is forbidden to wash machinery within the wooded strip along lakes and watercourses, to dump oil therein, chemical products or any other polluting matter ;
- Trees must be felled in a way to avoid that they fall in lakes and watercourses when this situation occurs, lakes and watercourses must be cleaned and all debris from the operation must be removed as soon as possible;
- As far as possible, watercourse crossings must be built at right angle 90degrees with watercourse;
- It is forbidden to use any watercourse as an access or skidding trail; adequate bridges, bridging or culverts allowing for the natural flow of water during peak flow , must be installed each time a road or a skidding trail crosses a watercourse; the installation of a bridge ,or bridging or of a culvert may not reduce by more than 20% the width of the watercourse , measured at the natural high water line ; the final works must be stabilized and able to support

at least one third of the stems of a diameter of 16 cm and more measured at the height of sump(DSH) must be preserved.

- When the plot is located along a lake or a watercourse, the wooded strip is not included in the one-third of stems rule;
- This provision does not apply within urbanization perimeters, urban perimeters and local centres.

8.10

Exceptions and exemptions

The previous provisions do not apply within urban cores, intermediate centres and local centres identified in the Revised Land Use Development Plan since felling of trees within these agglomerations is governed by the planning by-laws of the local municipalities

Stands affected in volume or quality by natural causes(wind-felled trees, fire, insect, epidemic, diseases) may be exceptions to these rules and may be the subject of special intervention measures for the surface area affected. A silvicultural prescription signed by a forestry engineer member of the Québec Order of Forestry Engineers (OIFQ) for these special measures must be submitted to the local municipality. This prescription must also include measures for the return to production of the surface area affected .

For any exemption to the standards mentioned previously, it is necessary to submit to the local municipality a silvicultural prescription signed by a Forestry engineer member of the OIFQ in which he explains the need to depart from the previous provisions and the terms and conditions of implementation of these special measures starting at the intervention up to the return to production of the surface area affected.

Felling of trees for the erection of a building or for any other use in conformity with the zoning by-law of the local municipality, for public purposes or for the maintenance of public right-of-ways, is not aimed at by this by-law. A clear cut is allowed when it aims at allowing the use of the soil for purposes of agricultural production or development . To do this, the application for the certificate of authorization must be accompanied by a written evaluation prepared by an agronomist member of the Québec Order of Agronomists (OAQ) And the authorization of the local municipality with respect to the forestry land use designation.

Notwithstanding the preceding paragraphs, the municipal inspector may approve the location of access roads to the lot and of piling areas along public traffic lanes and of the conforming meanings that apply to the terms **adequate** and **equivalent** with respect to watercourse crossings.

8.11

General provisions concerning the transportation of wood.

Corridors, sites and territories of aesthetic interest located in whole or in part on private land are :

The Ottawa river

The Black River

Highway 148

Highway Chapeau Waltham old highway 8

The regional park of the MRC PPJ Cyclopark

9.2.3 Special provision concerning piling and bucking areas

Piling and bucking areas may not encroach into the wooded strips along corridors, sites and territories of aesthetic interest.

9.2.4 Provisions concerning sites and territories of aesthetic interest located on public land.

In the municipality of Waltham we do not have any identified sites pertaining to this article of the public land use designation plan.

However if any where to develop, the following dispositions would apply: only uses, equipment, installations and activities allowing for the ecological, recreational, touristic or public development of sites and territories of aesthetic interest would be authorized.

Chapter 10 provisions concerning mobile homes and trailer caravans

10.1 Mobile homes

On the territory of this municipality , mobiles homes may only be located in zones provided for this purpose in the planning by-laws.

This excludes mobile buildings used temporarily on construction sites, and forestry and mining roads.

10.2 Trailer caravans

On the territory of this municipality unless there are special provisions for their establishment , trailer caravans may only be located in campgrounds or zones specifically intended for this purpose, but outside the urbanization perimeters and urban perimeters.

Chapter 11 provisions concerning the sites with constraints to the occupation of the land.

11.1.1 Special provisions concerning the sites with constraints of natural source

As mentioned in the first part of the revised land development plan , after the renewal of the Canada-Québec agreement, the MRC Council proceeded with a better definition of flood zones on the territory and of the terms and conditions

that must be applied to. As soon as these zones will be better defined and as far as they will be. Terms and conditions will apply automatically.

11.1.2

Special conditions relating to the issue of a building permit in the landslide zones

In the high risk zones

- No structure, no subdivision, no septic tank, no embankment, or excavation And no changes in the vegetation are allowed at the foot and the top of the embankment.

In the medium risk zones

- The minimal area of lots is 4 000m² each ;
- Septic tanks, embankment at the top and excavation at the foot of the embankment are forbidden;
- Deforestation of more than 1 000m² per plot is forbidden;
- Planting of vegetal species in parts bared at the time of works must be carried out ;
- Notwithstanding the above, subdivision and construction are only allowed when a study made by an engineer member of the OIQ has certified that it is possible to establish a use without risk for the safety of individuals and possessions.

In low risk zones

- Agricultural activities and single-family housing are allowed
- Structures with two storeys maximum
- The minimal area of lots must be 6000m² each ; this area may be reduced to 4000 m² when a study made by an engineer member of the OIQ has certified that it is possible to establish a use without risk for the safety of individuals and possessions
- Deforestation of more than 1000m² is forbidden;
- Planting of vegetal species in parts bared at the time of works must be carried out.

In all types of flood zones previously identified

- In all types of flood zones identified in the previous pages, where there is a presence of movable soils (clay or sand) of which the slope is more than 25% , unless a study made by an engineer member of the OIQ has certified that it is possible to establish a use without risk for the safety of individuals and possessions, are forbidden.

-Construction or residential buildings with two storeys or less, unless preserving protection strips equal to twice the height of the

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- embankment at its top and once its height at the base;
 - Construction of residential buildings with more than two storeys, non residential buildings and of roads and streets, unless preserving protection strips equal to five times the height at the top and two times at the base

11.2

Special provisions concerning the sites with constraints of anthropic source

The provisions in the following table set the minimal standards for the location of sites that may cause nuisances to some activities or uses nearby. Conversely, protection perimeters do apply for the establishment of the same activities or uses.

MUNICIPALITÉ DE WALTHAM MUNICIPALITY OF WALTHAM												
Grille de spécifications/Specification's grid												
USAGES (numéro de zone)/Uses (zone number)	1	2	3	4	5	6	7	8	9	10	11	
USAGE DOMINANT / DOMINANT USES	EXF	RT	RT	RT	CO	RT	AG	AG	RT	RT	PU	
GROUPES HABITATIONS/DWELLING GROUPS												
Unifamiliale / Single family	X	X	X									
Maison mobile / Mobile home	X	X	X			X	X		X	X	X	
Saisonnnière / Seasonal	X	X	X			X	X		X	X	X	
GROUPES DE COMMERCE ET DE SERVICE/ COMMERCIAL AND SERVICE GROUPS									X	X	X	
De voisinage / Neighbourhood												
Municipale / Municipal												
Semi-industriel / Semi- industrial										X	X	
GROUPES TOURISTIQUES / TOURISTE GROUPS												
Récréatif / Recreational	X	X	X									
Majeur / major						X			X	X		
GROUPES INDUSTRIES / INDUSTRIAL GROUPS										X		
Léger / light												
Extractive/ extractive	X											
GROUPES USAGE PUBLIC / PUBLIC USING GROUPS						X		X				
De voisinage / neighbourhood												
Communautaire												
Parcs et espaces verts / Parks and green spaces	X	X	X	X	X	X	X	X	X	X	X	
D'utilités / Utilities	X		X							X	X	
GROUPES AGRICULTURES / AGRICULTURAL GROUPS						X		X		X	X	
Culture / culture	X	X	X									
Élevage / breeding	X	X	X				X	X		X		
GROUPES FORESTIERIE/ FORESTERY GROUP	X		X				X	X		X		
USAGES SPÉCIFIQUEMENT EXCLUS										X		
USAGES SPÉCIFIQUEMENT PERMIS		(b)	(b)									
TERRAIN / LOTS										(b,e)		
Superficie minimale des lots (en m. ca.)	371 6	3716	3716			3716	3716	3716	3716	3716	3716	
Frontage minimum (en m.)	45	45	45			45	45	45	45	45	45	
Profondeur minimale (en m.)	60	60	60			60	60	60	60	60	60	
NORM D'IMPLENTATION/ IMPLEMENTATION STANDARD												
Marge de recul minimale (en m.)	8	8	8			8	8	8	8	8	8	
Marge latérale minimal (en m.)	2	2	2			2	2	2	2	2	2	
Profondeur de la cours arrière minimale (en m.)	2	2	2			2	2	2	2	2	2	
Nombre d'étage maximum	2	2	2			2	2	2	2	2	2	
Superficie minimum de plancher (en m. ca.)	65 (a)	65 (a)	65 (a)			65 (a)	65 (a)	65 (a)	65 (a)	65 (a)	65 (a)	
DISPOSITIONS PARTICULIÈRES / SPECIFICS REGULATIONS												
Marges en bordure des cours d'eau	X	X	X				X	X	X	X	X	
Zone inondable												
Règlement de lotissement 4.2.2	X	X	X									
Avec autorisation de la C.P.T.A.Q.							X	X	X	X	X	
Voir guide d'intervention en milieu forestier	X						X	X				
Habitats Fauniques	X											
Cycloparc P.P.J.		X										
Projet de réserve écologique				X								

Notes : a) superficie minimum de plancher (chalet) 60 m.c. b) dépanneur e) industrie artisanale

MUNICIPALITÉ DE WALTHAM							
MUNICIPALITY OF WALTHAM							
Grille de spécifications/Specification's grid							
USAGES (numéro de zone)/Uses (zone number)	12	13	14	15	16	17	
USAGE DOMINANT / DOMINANT USES	CM	I	RT	AG	RT	RT	
GROUPES HABITATIONS/DWELLING GROUPS							
Unifamiliale / Single family	X		X	X	X	X	
Maison mobile / Mobile home	X			X	X	X	
Saisonnière / Seasonal	X		X	X	X	X	
GROUPE DE COMMERCE ET DE SERVICE/ COMMERCIAL AND SERVICE GROUPS							
De voisinage / Neighbourhood	X						
Municipale / Municipal	X						
Semi-industriel / Semi-industrial	X	X					
GROUPES TOURISTIQUES / TOURISTE GROUPS							
Récréatif / Recreational	X				X	X	
Majeur / major	X						
GROUPES INDUSTRIES / INDUSTRIAL GROUPS							
Léger / light		X					
Extractive/ extractive				X			
GROUPES USAGE PUBLIC / PUBLIC USING GROUPS							
De voisinage / neighbourhood	X						
Communautaire	X						
Parcs et espaces verts / Parks and green spaces	X		X	X	X	X	
Utilités / Utilities	X			X			
GROUPES AGRICULTURES / AGRICULTURAL GROUPS							
Culture / culture				X	X	X	
Elevage / breeding				X	X	X	
GROUPE FORÊSTERIE/ FORESTERY GROUP				X	X	X	
USAGES SPECIFIQUEMENT EXCLUS							
USAGES SPECIFIQUEMENT PERMIS							
TERRAIN / LOTS							
Superficie minimale des lots (en m. ca.)	2787	3700	3716	3716	3716	3716	
Frontage minimum (en m.)	45	50	45	45	45	45	
Profondeur minimale (en m.)	60	60	60	60	60	60	
NORM D'IMPLEMENTATION/ IMPLEMENTATION STANDARD							
Marge de recul minimale (en m.)	8	8	8	8	8	8	
Marge latérale minimale (en m.)	2	2	2	2	2	2	
Profondeur de la cours arrière minimale (en m.)	2	2	2	2	2	2	
Nombre d'étage maximum	2	2	2	2	2	2	
Superficie minimum de plancher (en m. ca.)	65 (a)	100	65 (a)	65 (a)	65 (a)	65 (a)	
DISPOSITIONS PARTICULIÈRES / SPECIFICS REGULATIONS							
Marges en bordure des cours d'eau	X	X	X	X	X	X	
Zone inondable			X				
Règlement de lotissement 4.2.2	X	X	X	X	X	X	
Avec autorisation de la C.P.T.A.Q				X			
Voir guide d'intervention en milieu forestier							

Notes : a) superficie minimum de plancher (chalet) 60m.c. b) dépanneur
e) industrie artisanale d) dépotoir