



VILLE DE / TOWN OF

BARKMERE

TOWN OF BARKMERE

URBAN PLAN BYLAW N° 200

13 June 2009

PROVINCE OF QUÉBEC
TOWN OF BARKMERE

BYLAW N° 200

URBAN PLAN BYLAW

NOTICE OF MOTION : MAY 9, 2009

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Amendments to Bylaw

Bylaw number	Coming into Force

MUNICIPAL COUNCIL DECREES THE FOLLOWING:



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CHAPTER 1:

Planning context and issues

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Section 1.1 : The Context of Planning

1.1.1 : What is an Urban Plan?

The Urban Plan is a land planning instrument that municipalities must adopt in accordance with the *Loi sur l'aménagement et l'urbanisme* (L.R.Q., c. A-19). Based on a broad vision, the urban plan integrates development guidelines as well as land use which translates into a working framework for 5 to 10 years.

Beyond the legal adoption of the urban plan, this planning and orientation document is an opportunity for citizens of Barkmere to think about its future. The urban plan must be seen as a tool to guide development and land management, and finally as a tool for implementing development projects.

The urban plan is made operational by the adoption of urbanism bylaws (zoning, subdivision, building permits and certificates) that must be consistent with its objectives and the establishment of non-regulatory measures.

1.1.2 : The need to revise the urban plan

Barkmere adopted its urban plan in 1988. In the space of 20 years, the territory has changed, as has the context of regional planning, with a focus on environmental concerns and protection of the environment. As a consequence, it was in the spring of 2008 that the services of APUR, an urban planning firm, were retained by the town of Barkmere in order to begin the process of revising its urban plan.

After 20 years, and given the framework of today's environmental stakes in Barkmere's landscape, it has become essential to proceed with a revision of the urban plan in order to provide us with a land vision as well as planning choices that will guide future development.

The present procedures in local territorial planning are in keeping with the process of community participation. In the summer of 2008, citizens of Barkmere met in order to identify their concerns and expectations in view of Barkmere's urban planning and enhancement. In addition to municipal civil servants, members of the CCU, members of the CCE and members of the municipal council participated in the present procedures.

1.1.3 : The regional issues

Under an agreement established by the *Loi sur l'aménagement et l'urbanisme*, municipalities must adopt a strategy and urban plan bylaws consistent with the *Schéma d'aménagement révisé*. The *Schéma d'aménagement révisé* of the MRC des Laurentides has been applied since 2000 and establishes regional guidelines for planning and land development. Since 2000, the *Schéma d'aménagement révisé* has undergone some changes, particularly in the matter of environment.

The Town of Barkmere is one of twenty (20) municipalities that make up the MRC des Laurentides. Although the MRC des Laurentides is known for its recreational development, and is facing numerous challenges in terms of growth and development, the Town of Barkmere subscribes to more of a preservation approach where development opportunities are limited by environmental concerns and natural features.

However, some regional issues included in the *Schéma d'aménagement révisé* are reflected in the territory of Barkmere and will be submitted under this plan, namely:

Regional Issues relating to development:

- Environmental concerns and development of main resources;
- Need for more versatile and rigorous management of private forests;

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- Seasonal residential development on public land;
- Adjustment of residential and seasonal residential development reflecting true costs and environmental constraints;
- Development of the mountains and impact on landscapes and environments with steep slopes;
- Preservation of the delicate balance between development, water and mountain resources (the fundamental attractiveness of the region) and the quality of landscapes.

Regional Issues relating to the environment:

- Continued efforts to clean lakes and waterways;
- Protection and conservation of ground water;
- Increased protection of sensitive natural areas and sites of wildlife interest;
- Re-naturalisation and recreational use of degraded banks of some waterways and lakes;
- Impact of urban and seasonal residential development on private forests, a place conducive to the protection of wildlife habitats and fragile ecosystems.

The MRC's *Schéma d'aménagement révisé* anticipates a certain number of elements that must be to be dealt with by the Town. Specifically, the two assignments stipulated for the territory of Barkmere, namely the "residential and recreational" and the "forestry and conservation" assignments, in which authorized uses as well as certain development and construction rules are expected.

Finally, the MRC identifies some elements of interest as well as areas of environmental limitations. In this regard, and considering the scale of "regional" planning in the MRC, few elements were identified at the time of the application of the *Schéma d'aménagement révisé* in 2000 for the territory of Barkmere. Nonetheless, the urban plan integrates various environmental components that had been identified prior to the present process.

1.1.4 : Studies prior to this planning process

In order to identify elements of ecological interest and zones of environmental limitations in the territory of Barkmere, the Town commissioned Biofilia, a firm of environmental consultants, to carry out various studies in the territory.

Thus, in 2005, Biofilia filed its report on the "The assessment and monitoring program of Bark Lake". This study sought to establish a database on the status of the health of Bark Lake and to allow better management of it. At the end of the report, Biofilia set out a series of recommendations to be taken into account under the present urban plan and, hence, in the subsequent bylaws.

In December 2007, two (2) other studies were filed by the same firm. The goals of the first study, entitled "Harmonization of forest uses in Bark Lake's watershed", were to ensure the sustainability of ecosystems within the watershed of Bark Lake, to protect habitats with prominent wildlife, and protect water quality. A series of recommendations are also outlined in this study.

Finally, Biofilia filed the Plan Directeur en Environnement in December 2007. This policy of environmental conservation introduces sensitive elements in the territory of Barkmere, assesses environmental impacts and makes recommendations. In addition, Biofilia proposes the creation of a "biological corridor" in sectors with high potential for wildlife.

Taken together, these three (3) studies form an up-dated reference base. Thus, choices made by Barkmere's municipal council, by means of the urban plan, are based on the information contained in these studies. Implementation of certain recommendations can be done through the urban plan bylaws, such as those recommendations that subscribe to the *Loi sur l'aménagement et l'urbanisme*. Others can be applied through municipal

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bylaws or through awareness measures consistent with authority granted by the *Loi sur les compétences municipales*.

It appears that it has become essential for any territory to carry out an environmental characterization of its community life. In fact, prior to the present process, the Town of Barkmere had already performed this exercise which will have an impact at the level of the bylaws. Following the inception of the urban plan, the necessary steps will be taken by the MRC in order to initiate an amendment to its *Schéma d'aménagement revise* to take into account Barkmere's environmental issues and to appreciate them at the regional level.

It should also be noted that the process of local planning took into account guidelines and principles set forth by Regional and Municipal Affairs as well as the Ministry of Natural Resources and Wildlife in terms of planning and public land management since public land represents approximately 39% of Barkmere's territory (excluding waterways)

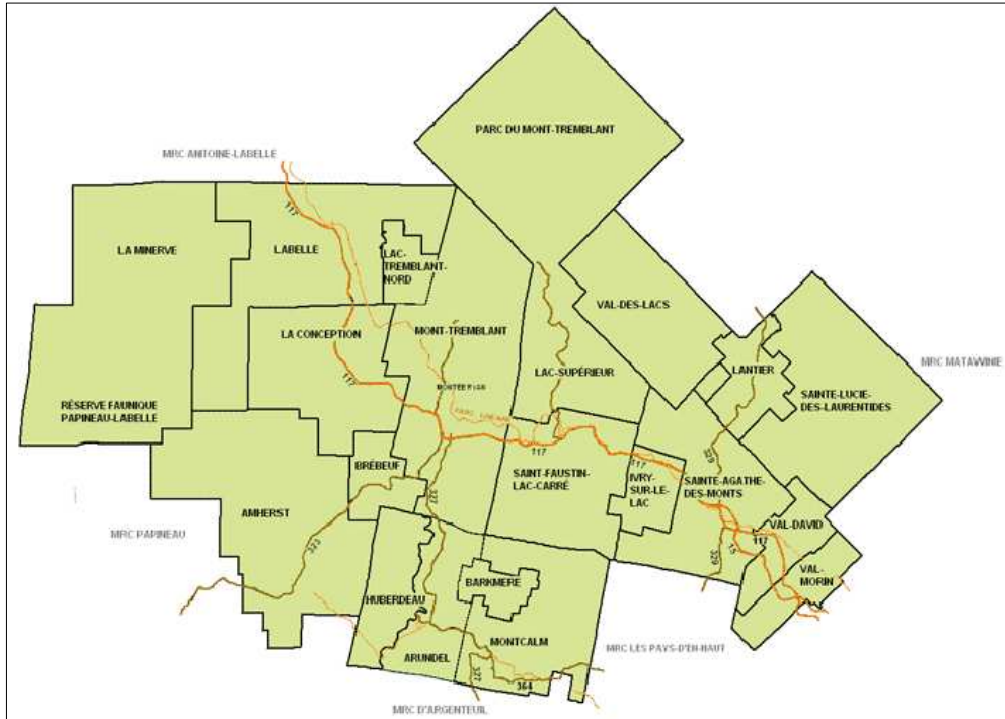
1.1.5 : Territory of Barkmere

The Town of Barkmere is located in the administrative region of the Laurentians and is part of the MRC des Laurentides. Twenty (20) municipalities are part of this region which welcomes 43 725 people, according to Statistics Canada 2006. Barkmere's demographic weight at the regional level is very low and represents about 0.20%.

The municipality is accessible by route 327 from the Town of Mont-Tremblant and route 364 from the Town of Saint-Sauveur. Within the territory, the road network is very limited, as the main means of transportation, since the creation of the Town, is the boat. In fact, homes are accessible for the most part only by water, namely Bark Lake.

Barkmere is located in the southern area of the region (see map 1) and shares its municipal boundaries with the municipalities of Montcalm and Huberdeau. The Town is somewhat "landlocked" by these two municipalities. Barkmere, whose territory covers 18.90 km², is characterized by the prominence of its natural spaces around Bark Lake and the seasonal residences that are mainly located on the edge of the lake and near Chemin Barkmere (entrance to the village).

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Carte 1 : Regional Location

Source : MRC Des Laurentides, Interne site.

1.1.6 : Brief historical synopsis

Note: M. Doug Lloyd (1992).

“Although the town Barkmere was officially declared an independent town in 1920, its history goes back to the beginning of the century. We know that, at the beginning of the 1900s, lumber companies from Weir and Arundel actively exploited the forests around Bark Lake. In addition, two or three hunting or fishing camps have been retraced and dated back to 1890.

In 1905, about ten families from Montreal would come to Arundel by train and spend the summer by the lake. At that time, there were also local families including the Labrosse brothers, the Patry’s and the Miller’s who cultivated near the village and Patry Bay. In 1907, the Jesuit Order built a summer dwelling. By the end of the World War I, more than 25 cottages had been built and there was a flourishing social life.

Miller, Whitall, Moore, Walker, Wright, Cope, Silver, Jarvis, Elliot, Goulden, Wylie, Macnab, Kingan, Pope and Bulley were common surnames at the time. They could frequently be seen after supper, either by canoe or row boat, loading up with provisions from the local farmers. Bark Lake Preservation Association (BLPA) was founded following several break-ins and for the purpose of controlling fishing.

By the mid 1920’s, it became apparent that the responsibility for managing the territory, which at the time was shared by Weir and Arundel, was not addressing the interests nor the services requested by cottage taxpayers. In 1926, a Charter, allotted by the Quebec government, formally recognized the town of Barkmere. Mayor Whitall and councillors Silver, Goulden, Macnab and Bulley were members of the first Town Council.

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From the start, concerns were about break-in protection, establishing evaluation roll and controlling the dam. As a result in 1931, Rosario Miller was named the town's first police officer.

With time, various bylaws came into being such as the emission of a boat license, dog license and firearm control. As issues became more and more complex, a Planning Commission was formed to aid the council with major questions pertaining to building norms and the preservation of the natural beauty of Bark Lake and its surroundings.

A health agency was established at the beginning of the 1930s to regulate what is now called environmental topics. Lake water testing and septic sanitation installations were already issues that concerned permanent as well as seasonal residents.

To date, 14 mayors, more than 55 councillors, as well as many other persons have generously given their talents to the service of the town, either as secretary-treasurer, controller or building inspector. It is thanks to their efforts that the legacy of beauty and tranquility in this municipality has been preserved for future generations”.

(Historical facts updated January 2009)

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Map 2: The Town of Barkmere's territory

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Section 1.2 : Territorial components

1.2.1 : Population

According to the *Décret de population* from the Ministry of Regional and Municipal Affairs, in 2008, the population for the Town of Barkmere was established at 89 residents. According to Statistics Canada's 2006 census, permanent residents numbered 87. Even so, according to a list produced by the Town of Barkmere of persons entitled to vote, 178 individuals were registered.

Given the small number of residents in the territory and the confidentiality of data published by Statistics Canada, only certain data is available and is listed below (it should be noted that the data translate into the socio-economic reality of permanent residents):

- In 2006, the population of the Town of Barkmere was established at 87 residents which represents 0.20% of the MRC des Laurentides' total population. Population growth is relatively slow;
- Data relating to different age groups in the population are unavailable. Nonetheless, it can be seen that there are few young children and adolescents and that the majority of the residents are over 45 years of age;
- In 2006, the number of private lodgings was established at 207 units of which 43 were occupied all year long. According to Statistics Canada, there is an average of 1.9 individuals per lodging. It should be noted that 200 lodgings are registered on the evaluation roll (2007-2009);
- Approximately 40% of the citizens have knowledge of and, use both official languages: yet 80% of respondents, according to Statistics Canada, indicated French as the language most often spoken at home. This number is reduced to 65% for language most often used in the workplace. Outside of these values, it can be observed that English is the language most often used by the majority of the citizens of Barkmere and in smaller part German;
- As far as the job market is concerned, 50% of the residents are active in the job market. Given the relative absence of local economic activities (quasi absence of commerce; no industry, etc), residents have employment outside of the municipal territory;
- Data pertaining to individual mobility have led to the conclusion that within the past five (5) years there has been very little movement in the population; about 10 residents have changed addresses since 2001;

Given the fairly low availability of to-be-developed areas (consolidation of non-built lots), taking into consideration environmental issues, history of land settlement and the small number of permits issued for new constructions in the past few years, population growth in Barkmere should be relatively small. The Town can anticipate a population renewal resulting from the transfer of property from family to family and by the arrival of new residents.

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1.2.2 : Natural surroundings

The main attraction of the Town of Barkmere lies in the quality of its natural surroundings and its landscapes. This has been achieved over time thanks to a method of development favouring a low housing density in the territory, preservation of natural spaces and increased environmental protection. These three points have, for a long time, been the core of the citizens' concerns. The preservation of this way of life is what makes Barkmere unique in the Laurentians.

Bark Lake is the predominant feature of Barkmere's landscape. The lake covers an area of 642 ha and occupies approximately 34% of municipal territory. Bark Lake's shape is elongated and curved; in addition it possesses numerous bays, six main islands and 37.1 km of shore. The lake's depth is over 15 meters in many areas.

Bark Lake is part of a watershed that mainly encompasses three municipalities covering an area of 7536 ha (see figure 3, appendix 1): Barkmere, Montcalm, and Saint-Faustin-Lac-Carré. The concept of watershed is essential to ensure an integrated land management. Relative pressures stemming from recreational development and human intervention such as construction, encroachment on the shoreline, deforestation, road construction, etc., must be considered together in order to minimize environmental impact on the surroundings, and thus on the territory of Barkmere.

Overall, the firm Biofilia has assessed that the water of Bark Lake is of good quality. Nonetheless, deterioration of the lake is caused by human activities within the watershed. According to Biofilia, development of a 300 meter strip around the lake is particularly critical because the reduction of woodland would decrease its ability to filter nutrients and pollutants as they make their way to the lake. Various recommendations plan to tighten the current bylaw framework in order to maintain lake quality.

Biofilia also evaluated the complete shoreline and divided it into four categories: natural, undisturbed, disturbed and very disturbed (see figure 1, appendix 1). Overall, the shorelines are in very good condition (85% of the shores are in their natural state), either because of areas that have had little deforestation, little disturbance by human activity and where different tiers of vegetation can be found (herbaceous, shrub and tree). It appears that the shorelines play a vital role in protecting water environments. In terms of wildlife on the water, two (2) potential spawning areas (northern pike and lake trout), four (4) beaver huts and one (1) nest, probably of turkey vulture, were identified.

Several permanent and intermittent small waterways are also present in the territory of Barkmere. Moreover, Biofilia identified wetlands in the territory (flooded, alder, bare humid and marshes). These ecosystems cover 2.7% of municipal area and contribute to the maintenance of the biodiversity.

In terms of topography, the altitude varies between 210 and 450 meters: 25% of the territory lies in areas of high elevation, namely at an altitudes exceeding 280 meters. There are also six (6) mountain peaks of interest within the territory. Steep and very steep slopes (slopes over 20%) are located mainly in the western part of the territory and occupy about 34% of the space (note that data on the topography are only available for the territory included in the watershed). Moderate slopes (less than 20%) occupy about 40% of the territory and in fact, the majority of residential development is found in these areas. The high cliffs and steep slopes may cause some environmental problems, particularly with regard to erosion, sedimentation and degradation of shorelines.

The municipal territory is mostly forested (95%). The deforested areas are located mainly along the shoreline where there is a concentration of houses and at the entrance of the municipal territory (see figure 12, annex 1). For many years, the Town of Barkmere has worked to maintain a uniform forest cover, particularly within the strips of protected shore. The forest is mainly composed of deciduous trees and mixed species. Despite the presence of many forest and public lands, few logging activities have been carried out on municipal territory. Finally, Biofilia believes that there are some plants that may be found within the municipal boundaries that would likely be designated as threatened or vulnerable.

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In one of its studies, the firm assessed the recreational, forest, wildlife and flora conservation potentials of the territory. To this end, "two types of forest stands are considered rare and four populations are considered very old. A previous lack of harvesting in the majority of this sector [refer to Area 4 of the study – eastern part of the territory] has greatly contributed to the conservation of habitats that can be observed today. For these reasons, an application for recognition of exceptional forest ecosystems (EFE) was sent to the Ministry of Natural Resources and Wildlife to indefinitely protect its wildlife and flora habitats". To date, the Town of Barkmere has received no response regarding this request.

Biofilia also conducted an analysis of habitat quality for ten wildlife species (habitat quality index). "These indices are intended to facilitate the assessment of habitat quality. For wildlife species, the HQL enables the evaluation of forest habitat potential, specifically regarding the composition and structure of each area. Figure 14 (see appendix 1) shows a higher index for certain wildlife species, particularly the pileated woodpeckers, ruffed grouse, moose, beaver and white-tailed deer.

At the regional level, the MRC des Laurentides has identified and mapped a small area, south of the territory, for white-tailed deer. With the purpose of completing and updating its information, Biofilia evaluated the potential use of the municipal area by deer, in regards to food, shelter or both. Figure 16 (see appendix 1) shows the results of this analysis. According to Biofilia, "the eastern part of the territory has greater habitat potential than its western part." Finally, the firm Biofilia overlaid the ten indices in order to generate a combined HQL. Again, it was found that the eastern part of the territory offers greater potential for all its wildlife than the western part.

All the elements that constitute the natural environment, i.e. waterways, shorelines, forest cover, wildlife and vegetation habitats, wetlands, topography, etc. are interrelated and must be considered together in terms of environmental protection. Sensitive areas, such as areas of erosion and sedimentation, waterways, shorelines, steep slopes, etc. should be given particular attention in order to maintain the quality of environment and where human activities should be minimized (construction, infrastructure, deforestation, etc.).

Within this context, Biofilia proposes a series of recommendations regarding the conservation of biodiversity, protection of water networks, control of residential development, limitations relating to deforestation and restrictions on road construction. Among these recommendations, there is the creation of a "biological corridor in the areas of great wildlife potential to improve efforts to protect the territory."

Mainly located in the eastern part of the territory, the proposed biological corridor joins an important ecological reserve in the area which is part of the ministère du Développement Durable, de l'Environnement et des Parcs, namely the Jack Rabbit Ecological Reserve. Located in the territory of Montcalm, this site ensures the protection of ecosystems on 750 ha of territory. In addition, the ecological reserve is adjacent to Centre Touristique et éducatif des Laurentides (CTEL). Biofilia recommends in its Plan Directeur en Environnement that the Town could acquire certain lots that are part of the corridor and encourage current owners (MRNF and private owners) to protect them in various ways (ecological reserve, voluntary conservation, private stewardship, etc).

The natural environment is shown in map no. 4 (zones to be protected).

1.2.3 : Public lands

Approximately 39% of the territory is public land (excluding waterways). Most of this land falls under the jurisdiction of the Ministry of Natural Resources and Wildlife (MRNF) which also implies that the urban bylaws regarding uses and constructions cannot be applied in these areas. Nonetheless, for many years, the MRNF has considered municipal requests in regards to the allocation of rights for use and development. Since 2004, the recreational component of the Laurentians has been overseen by the *Plan régional de développement du territoire public des Laurentides*, produced by the MRNF.

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In general, the Town of Barkmere wishes that public lands remain free of buildings and seasonal residential dwellings. These areas, mainly concentrated in the northern part of the territory, help maintain Barkmere's natural attractions, preserve biodiversity and protect the water. Opening these areas would create significant pressure on territorial development and lead to costs as well as considerable environmental impact.

The report "Harmonization of forest uses in Bark Lake's watershed", produced by Biofilia, provides some recommendations for forestry related activities on public lands. In this sense, the report states that "Inventory results reveal that this sector has the greatest potential for conservation of all the territory studied." Only modest harvesting has been conducted on public lands in recent years. In addition, it should be noted that the Town has filed an application for EFE (Exceptional Forest Ecosystem) recognition with the MRNF.

1.2.4: The developed areas

The developed areas of the Town of Barkmere reflect its history and mode of development. Indeed, full-time and seasonal residences dominate the landscape around Bark Lake.

The territory can be divided into three main sectors. On the one hand, there is the village sector which is the "gateway" to the Town along Barkmere road, where there are homes, municipal and public facilities as well as some agricultural and commercial activities (garage and convenience store). The density here is higher.

On the other hand, in areas where topography permits, along the shores of Bark Lake are full-time and seasonal residences. Note that only a few residences are occupied all year long, in part because of the difficulty in accessing properties in the winter and the lack of a power grid. Thus, structures were built directly at the edge of the water while avoiding the creation of a second tier of residences. The opportunity for second tier construction and, therefore, the implication of land access, is a major issue with regards to maintaining the natural character of the Town.

Note that there is a vacation retreat for the religious congregation of Jesuits on "Priest's Point" which covers a large portion of land. In the event of the departure of the congregation, an alternative function could be assigned to the building in compliance with existing uses and the community needs.

Finally, the third sector covers the rest of the territory which is largely composed of public land. Very few buildings are present and forestry and conservation activities dominate.

Overall, the developed area is quite old with about 80% of residences built prior to the mid-1980s. The residences are single family dwellings and have up to 2 floors. In some sectors, owners have retained the "seasonal residential" feature of structures with wooden buildings, wide windows and sloping roof. While some homes are more modest in appearance, recent new construction and renovation has used various architectural styles. Currently, special attention is paid to authorized construction models making allowances for views and landscapes. In the past five years, 21 new construction permits for new residences were issued.

According to the assessment roll of the Town (2007-2009), the average value of homes is \$209 064. Compared to the previous role, the land value has increased, which is the case for several municipalities in the Laurentians. The Standardized Property Tax valuation (RFU) has also increased from \$19 million in 1998 to roughly \$79 million in 2008. The quality of the natural environment, landscape and the uniqueness of the Town are among the factors that have contributed to the increase in land values in recent years.

1.2.5: Accessibility to the Territory

As noted, the Town is accessible by route 327 from the Town of Mont-Tremblant and route 364 from the Town of Saint-Sauveur. Within the territory, the road network is very

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limited, given that the principal means of transportation is by boat. Particular attention is thus paid to the installation of individual docks along the shores, namely in terms of their location, size and design.

At the road level, Chemin Barkmere, which crosses the village, is a regional road under the jurisdiction of the Ministère des Transports du Québec (MTQ). Moreover, in 2008, the MTQ did extensive renovation work on Barkmere road and bridge. Although main access is by boat, it should be noted that some homes along the lake are accessible by Chemin Duncan from the municipality of Montcalm and by Chemin Patry, Chemin Arcane, Chemin des Jésuites and Chemin Rosie. The Town of Barkmere owns part of Chemin des Jésuites and part of Chemin des Arcanes (other accesses are either private property or are logging roads) without being responsible for their maintenance. Given the principal accessibility to its territory via Bark Lake, the financial impact of road network maintenance and a limited municipal budget, the Town of Barkmere intends to prohibit the opening of public roads.

Over the years, some residents have built roads (private or forestry) or have used passable old logging roads for travel to their residence in any season. It should be noted that residents must obtain permission from the the Ministry of Natural Resources and Wildlife (MRNF) when it comes to using public lands to construct a road. Considerable pressure exists pertaining to the opening of new roads and, in this context, the urban plan and bylaws establish objectives and development norms relating to roads and to vehicular accesses. These norms are introduced in order to strike a balance between servicing residences, even though principal access is by the lake, environmental protection and citizens' quality of life.

Considering these issues and the fact that the territory has not yet been subject to cadastral reform, the Town of Barkmere commissioned the firm of surveyors Murray, Patenaude, Maltais in the fall of 2008 to determine the ownership of roads or sections which are currently used by road vehicles. In the bylaw context stipulated by the *Loi sur l'aménagement et l'urbanisme*, it is necessary to determine the designation of spaces used by citizens. Before stipulating development norms and layout, portions have to be identified as either "public road", "private road" or "vehicular access". Whether public or private, roads are managed by the *Règlement de lotissement* whereas vehicular access is overseen by the *Règlement de zonage*.

Public roads belong to the Town whereas private roads belong to one or several property owners. Depending on the cadastral reform, roads are usually identified in the cadastre, which generally distinguishes them from the vehicular accesses. As for the latter, vehicular accesses are developed areas allowing access to residences and may traverse one or more properties belonging to a third party (servitude agreement). Considering the size of properties in Barkmere and lack of public roads, development of accesses may cover considerable distances resulting in environmental impact similar to that of roads.

On the whole, almost all roads in the territory of Barkmere are vehicular accesses where the landowners must come to an agreement, if needed. In order to offer the possibility of developing vehicular accesses, the urban plan and bylaws introduce provisions relating to location, design and environmental monitoring necessary for their authorization and their use (phases of implementation and operation).

1.2.6: Infrastructures and Equipment intended for Community use

Given the small population size and limited needs of citizens, little infrastructure and equipment intended for community use is present in Barkmere. Here are the main observations:

- In terms of municipal services, there are two (2) main buildings which serve as Town Hall and community Centre where, in particular, public meetings will be held (formally used as a municipal garage). It should be noted that facilities relating to boat cleaning are located in this sector;

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- There is also a public parking area as well as a municipal dock to enable residents to access their property by boat. The landing is the only public access to the lake and is lacking in terms of availability of space and accommodation. In 2005, Barkmere's Landing Committee, consisting of a few citizens, filed their report in which there are several recommendations regarding the redevelopment of this area and the reduction of environmental impact in the area. Completion of these projects will extend over a few years given the financial load on the Town. In addition, the Town began construction of new docks, the development of a public swimming space near the Chemin des Jésuites, the management of shorelines to limit the sediment seepage into the lake and the upgrading of traffic near the lake. The Town is currently awaiting funding from the *Ministère des Affaires municipales, des Régions et de l'Occupation du territoire* ;
- Public safety services are provided by the Sûreté du Québec, whereas fire safety services are provided through a joint agreement with the municipalities of Montcalm and Huberdeau;
- The Town owns a small dam, located in the Labrosse Bay area, used to control Bark Lake's water level. Formerly, it was the responsibility of the provincial government. Barkmere now ensures its maintenance and the proper functioning of equipment;
- In recent years, numerous efforts have been undertaken for the management of waste on the territory as well as garbage collection. In short, residents are required to deposit their garbage and recyclables in the new space built for containers at the entrance to the lake;
- No municipal infrastructure (water and sewer) exists on the territory: the residences provide their own sanitation systems for wastewater and even drink the lake water. Some have their own well. The citizens are themselves responsible for having their septic system pumped. Particular attention is paid to compliance with the bylaws relating to septic systems considering their impact on the water and shores. It is estimated that 10% or less of the septic systems should now be replaced;
- Only a few residences have access to electricity: the majority of citizens use solar energy and gas. It should be noted that electrical lines carrying 735 kv is located in the north-east of the territory;
- No municipal facility is administered by the Town of Barkmere. However, a community pavilion is located on Goulden Island and is managed by the BLPA (Bark Lake Protective Association) which organizes various activities. A trail is also located on this island and offers some interesting views.

In short, although the Town of Barkmere offers little in terms of infrastructures, those that exist satisfy the limited needs of its citizens. Given the size of the Town and the number of lots, Barkmere must deal with limited financial resources.

In terms of municipal administration, a few municipal officers provide services to citizens, mainly during the summer.

Finally, the citizens of Barkmere are greatly involved in the community and its different projects, particularly the Urbanism Committee (CCU), the Environment Committee (CCE), and the BLPA (Bark Lake Protective Association). The Town ensures dissemination of information via the Town newsletters, a bulletin board at the landing, various public meetings as well as through its website.

CHAPTER 1
Planning Context and Issues

Map 3: Infrastructures and Equipment Intended for Community use

CHAPTER 1
Planning Context and Issues

Section 1.3 : Zones to be protected

1.3.1 : What is a zone to be protected?

A zone to be protected relates to sectors or elements of particular interest given their environmental value whether ecological or aesthetic. Recognition of these spaces by a municipality requires the maintenance of these elements, their protection and the control of their uses, construction and development. Under the present urban plan, some management objectives are defined and their implementation can be ensured through bylaw measures and public awareness.

1.3.2 : Identification of areas to be protected

Several zones to be protected have been identified in studies conducted by the firm Biofilia. These natural areas are of environmental value worthy of being recognized and protected. Protection is not necessarily synonymous with prohibition regarding construction and uses, but is a bylaw framework allowing the use of these spaces as well as ensuring environmental protection.

The *Loi sur l'aménagement et l'urbanisme* thus allows the Town to oversee or prohibit uses, buildings, works or cadastral operations given the topography of the land, in the proximity to a waterway or a lake or any other factor specific to the nature of the surroundings which may be considered for reasons of public safety or environmental protection of the shores, coastal areas and floodplains.

Thus, in the territory of the Town of Barkmere, zones to be protected are:

- All waterways and the watershed of Bark Lake;
- The shores and banks;
- Wetlands;
- Forested areas;
- The proposed exceptional forest ecosystem (EFE);
- The natural topography;
- Areas of steep slopes (between 20% and 30%);
- The areas of very steep slopes (over 30%);
- The areas of high elevations (greater than 280 meters);
- The mountain summits;
- The entire landscape of Barkmere;
- Wildlife habitats, including white-tailed deer;
- Areas with high ecological values (high IQH)
- The biological corridor, representing areas of great potential for wildlife.

Zones to be protected are shown on maps 4-A and 4-B.

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Map 4-A: Zones to be protected

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Map 4-B: Zones to be protected

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Section 1.4 : Land issues and the vision of development

1.4.1 : Synopsis of land issues

Given the context of development, the Town of Barkmere has identified key issues of development, prior to the statement of the vision of the territory, namely:

- The main attraction of the Town of Barkmere is based on maintaining a territory which remains undeveloped (low density) and a lack of awareness of this "paradise" by outsiders;
- The increasing pressure of seasonal residential and recreational tourism in the Laurentians;
- The low occupancy rate of the land and the prevalence of the use "residential - seasonal residential";
- The limited financial capacity of the Town;
- The principal access to residences, namely Bark Lake;
- The pressure in regards to the opening of roads, allowing an alternative to the principal access namely the lake, and their impact on the environment;
- The landing dock and access to Bark Lake;
- The presence of public lands and the lack of control over these areas;
- The possible opening of a second tier of residences on Bark Lake and its impact on fragile ecosystems;
- The "environmental health" of Bark Lake and its shoreline;
- The integrated environmental management of Bark Lake's watershed;
- The increased monitoring of septic systems, maintenance and pumping;
- Forest area, topography, wetlands and wildlife habitats;
- The identification of a biological corridor ensuring the protection of wildlife habitats;
- All of Barkmere's landscapes which consist of forest cover, waterways and views;
- The maintenance of a model of home construction that accommodates the landscape;
- The establishment of bylaws for environmental protection and their application in the territory;
- A more rigorous application of the bylaws in the past few years;
- The dissemination of information and citizen participation.

1.4.2 : The vision for Barkmere

The vision of development, which comes before the planning process and the determination of choice for the Town, is the global vision of what a community wants to become.

**CHAPTER 1
Planning Context and Issues**

This vision of development is therefore an intention, a direction that the Town of Barkmere intends to take in the coming years. In the framework of this plan, the vision is reflected in the broad guidelines for land use and a means of action.

It is the council's opinion that the new Urban Plan and new Urbanism Bylaws should govern the Town in a way that:

- Protect the rural village of Barkmere and the unique environmental heritage of Bark Lake;
- Consider Barkmere's still intact topography which is conducive to the introduction of protective measures;
- Restore Barkmere's historical position of being at the forefront of measures for the preservation of the environment;
- Adopt environmental measures that are among the most progressive of those used by municipalities at this time;
- Protect lakes, rivers and wetlands as well as areas of high elevations and mountain peaks limiting intervention;
- Protect the habitat of species, fauna and flora of Barkmere;
- Encapsulate building roads and vehicular access under the constraints and environmental issues while considering their impact on the natural environment and landscape;
- Improve and maintain Barkmere's landing area in order to meet the needs of the community and ensure residents access to the lake.



VILLE DE / TOWN OF

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URBAN PLAN BYLAW N° 200

CHAPTER 2 :

Development Choices

CHAPTER 2
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Section 2.1 : Broad guidelines for land development

2.1.1 : Broad guidelines for land development

The broad guidelines correspond to main outlines of land development in the Town of Barkmere and arise from issues and the vision of development. These guidelines will oversee planning, development and enhanced territorial value within a working framework of 5 to 10 years.

They serve to define the key issues of land development and to establish restrictions on choices offered by the Town to regulate, by its urban plan, public and private interventions in the territory. The following six (6) guidelines have been developed for the present urban plan:

1. Oversee interventions in zones to be protected
2. Ensure the protection of the forest cover and wildlife habitats
3. Ensure an environmental follow-up of the territory by establishing certain measures;
4. Establish an integrated development plan while prioritizing the protection of the natural environment;
5. Use distinct norms to delineate construction and development;
6. Reduce environmental impact with appropriate requirements for property access.

2.1.2 : Action plan

For each guideline, the action to be taken, who will be responsible for it and the timetable have been defined. To implement this plan, the Urbanism Bylaws should reflect the choices made.

By identifying responsible parties and timetables, the Town of Barkmere expresses its willingness to implement the methods that have been defined within the broad guidelines for land development. It is therefore an action plan. The implementation of the action plan will follow the Town's priorities while taking into account financial considerations arising from these projects.

Timetable

- Short term : less than two (2) years;
 - Midterm : more than two (2) years;
 - Ongoing;
 - Bylaw revision: the implementation of the action within the framework of the urbanism bylaws (2009).
-

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Abbreviations

- *BLPA : Bark Lake Protective Association*
 - *CCE : The Environment Committee*
 - *CCU: TheUrbanism Committee*
 - *CDB : The Landing Committee*
 - *MRC : Municipalité régionale de comté*
 - *MRNF : Ministère des Ressources naturelles et de la Faune*
 - *MTQ : Ministère des Transports du Québec*
 - *Town: Town of Barkmere*
-

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Guideline 1: Oversee interventions in areas to be protected.		
Means of action :	Responsible party :	Timetable :
1.1 Within the areas to protect, monitor usage and restrict, in certain cases, construction work and use of equipment necessary for the development of these areas for purposes of public use.	Town / CCU / CCE	Bylaw revision
1.2 Integrate <i>Politique de protection des rives, du littoral et des plaines inondables</i> standards to the urban planning bylaws while also limiting intervention and reinforcing minimum shore width.	Town / CCU / CCE	Bylaw revision
1.3 Continue implementation of shoreline replanting while strengthening bylaws (areas to replant with sections of herbaceous plants, shrubs and trees).	Town / CCU / CCE	Bylaw revision
1.4 Safeguard wetlands with a protected strip and limit interventions within them.	Town / CCU / CCE	Bylaw revision
1.5 Protect mountaintops, areas of high elevation and areas with steep slopes (over 30%) by prohibiting buildings and structures not intended for their development or for public use.	Town / CCU / CCE	Bylaw revision
1.6 Restrict construction and structures in areas with very steep slopes (over 20%).	Town / CCU / CCE	Bylaw revision
1.7 Preserve the natural topography of the territory.	Town / CCU / CCE	Bylaw revision
1.8 Oversee interventions with the <i>Règlement sur des plans d'implantation et d'intégration architecturale</i> (PIIA) taking into account principles stemming from the <i>Charte des paysages des Laurentides</i> .	Town / CCU / CCE	Bylaw revision
1.9 Work jointly with agencies concerned with minimizing the impact of public networking on the territory (for example, power grid) while maintaining a territory free of telecommunications infrastructures.	Town / CCU / CCE	Ongoing
1.10 Work jointly with the municipalities included within Barkmere's watershed for integrated land management (e.g.: setting up a monitoring committee, adopting global intervention policies, etc.)	Town / CCU / CCE	Short term

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Guideline 2 :		
Ensure the protection of the forest cover and wildlife habitats		
Means of action :	Responsible party	Timetable
2.1 Restrict interventions within the biological corridor and in areas of high ecological value to ensure the protection of wildlife habitat including the white-tailed deer.	Town / CCU / CCE	Bylaw revision
2.2 Pursue efforts with the Ministry of Natural Resources and Wildlife for recognition of the exceptional forest ecosystem (EFE).	Town	Short-term
2.3 Restrict deforestation for constructions and structures, particularly for waterfront constructions.	Town / CCU / CCE	Bylaw revision
2.4 Restrict openings on Bark Lake by minimising green windows.	Town / CCU / CCE	Bylaw revision
2.5 Require reforestation in stripped spaces to achieve standards of uniformity of forest cover.	Town / CCU / CCE	Bylaw revision
2.6 Oversee forestry activities with a vision of sustainable forest development following recommendations in Biofilia's reports.	Town/ MRNF	Bylaw revision

Guideline 3 :		
Ensure an environmental follow-up on the territory by establishing certain measures.		
Means of action :	Responsible party	Timetable
3.1 Strictly apply municipal (boat cleaning, nuisance, etc) and provincial (septic installations, wells, etc.) bylaws for the protection of the environment.	Town	Ongoing
3.2 Stipulate a distance beyond provincial norms in regards to distancing septic installations from waterways and lakes.	Town / CCU / CCE	Bylaw revision
3.3 Prohibit the spreading of pesticides and fertilizers of the entire territory.	Town / CCU / CCE	Short-term
3.4 Regularly revise bylaw measures so as to adapt them to changing environmental issues.	Town / CCU / CCE	Short-term
3.5 Assess the possibility of establishing a municipal system for septic waste pumping.	Town	Midterm
3.6 Ensure follow-up and implementation of Biofilia's <i>Plan directeur en environnement</i> .	Town / CCU / CCE	Ongoing
3.7 Carry out the necessary steps to restrict certain motorized water activities on Bark Lake.	Town / CCU / CCE	Short-term
3.8 Set up information and awareness measures for the enhanced protection of the surroundings by citizens (communication tools).	Town	Ongoing

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Guideline 4 :
Establish an integrated development plan while prioritizing the protection of the natural environment.

Means of action :	Responsible party	Timetable
4.1 Maintain a low density by establishing appropriate bylaw norms (lot subdivision, implantation rates, etc.).	Town / CCU / CCE	Bylaw revision
4.2 Adapting the lot subdivision norms to the three Town sectors while ensuring to maintain a very low density for non-residents (excluding the areas of the village core and the Jesuits).	Town / CCU / CCE	Bylaw revision
4.3 Restrict or prohibit construction within the areas to protect (mountain summits, high elevation zones, steep and very steep slope zones, biological corridor, areas of high ecological value, the EFE, shore, wetlands, etc)	Town / CCU / CCE	Bylaw revision
4.4 Restrict the height and dimensions of house constructions while taking into account landscape and topography.	Town / CCU / CCE	Bylaw revision
4.5 Protect shorelines from runoff of water and earth during construction operations.	Town / CCU / CCE	Bylaw revision
4.6 Introduce erosion control measures.	Town / CCU / CCE	Bylaw revision
4.7 Work jointly with the Ministry of Natural Resources and Wildlife to maintain public land construction-free.	Town	Ongoing

Guideline 5 :
Use distinct norms to delineate construction and development;

Means of action :	Responsible party	Timetable
5.1 Promote the development of a « green » architecture by sensitizing citizens (sustainable materials, energy efficient constructions, passive solar energy, etc.)	Town / CCU / CCE	Ongoing
5.2 Adapt a bylaw framework authorizing sustainable construction techniques.	Town / CCU / CCE	Bylaw revision
5.3 Oversee construction with a <i>Règlement sur des plans d'implantation et d'intégration architecturale</i> (PIIA) for a quality architectural style.	Town / CCU / CCE	Bylaw revision
5.4 Oversee the construction of accessory buildings and the enlargement of cottages especially at the shores of water ways.	Town / CCU / CCE	Bylaw revision
5.5 Introduce landscaping norms, particularly in terms of materials and possible occurrence of erosion.	Town / CCU / CCE	Bylaw revision
5.6 Favour natural nocturnal lighting while conforming to regulations about it.	Town / CCU / CCE	Bylaw revision

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Guideline 6: Reduce environmental impact with appropriate requirements for property access		
Means of action :	Responsible party	Timetable
6.1 Oversee localization, number and conception of individual docks and boathouses.	Town / CCU / CCE	Bylaw revision
6.2 Continue efforts to improve municipal dock and lake access (ensure the implementation of the Landing Study: parking space, public and community service buildings, etc.).	Town / CCU / CCE	Bylaw revision
6.3 Maintain the current public access to Bark Lake for control of boats (cleaning etc.).	Town / CCU / CCE	Bylaw revision
6.4 Introduce regulations for the localization, development and construction of private roads and vehicular accesses. Location of roads and accesses will be carried out according to a hierarchy of main and secondary roads thus minimising their impact on the environment, preservation of landscapes, and privileged utilization of roads, accesses and existing forest roads. In some cases a third level of roads or tertiary access will be necessary	Town / CCU / CCE	Bylaw revision
6.5 Oversee the development of private roads and vehicular access with a <i>Règlement sur des plans d'implantation et d'intégration architecturale</i> (PIIA) by introducing the objectives and criteria relating to the prioritization of private roads and vehicular access according to the sectors of intervention, the choice of the layout according to the zones to be protected (maximum distance of the layout of the area concerned, especially to minimize the impact on the biological corridor, areas with high ecological value and the EFE) and the level of erosion control	Town / CCU / CCE	Bylaw revision
6.6 Require the production of an environmental management plan when a private road or vehicular access is applied for. This environmental management plan should include adequate mitigation measures (protection of the environment and landscapes) and should also take into account Biofilia's recommendations. An environmental follow-up will be required during the construction and operation of these roads.	Town / CCU / CCE	Bylaw revision
6.7 Prohibit construction of roads and accesses on the shores of Bark Lake (protected zone of a minimum of 75 meters) and in very steep slopes (over 30%) zones.	Town / CCU / CCE	Bylaw revision
6.9 Work jointly with the Ministry of Natural Resources and Wildlife for the granting of rights of way over public land.	Town	Ongoing

CHAPTER 2
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Section 2.2 : Major land assignment and occupation density

2.2.1 : Major land assignments

Major land assignments represent projected orientations for each part of the Town of Barkmere. To implement these assignments the *Zoning Bylaws* foresee zones in which authorized use must be consistent with established urban plan parameters. The following four (4) major assignments have been retained by the Town of Barkmere:

- «Seasonal Residential» assignment
- «Village» assignment
- « Rural » assignment
- « Conservation » assignment

Assignments are illustrated on map n° 5. Boundaries of assigned areas coincide normally with municipal boundaries, the axis or extended axis of a roadway, axis of a waterway or, a lot line and its extension.

Also, the present urban plan stipulates a land occupation density (net density). The notion of land occupation density refers to the number of authorized dwellings in a given territorial area (dwelling per hectare). For example, when the maximum density is set at 1 dwelling per hectare, this means that the minimum size of land to accommodate housing (single family housing) is 10,000 square metres. Subdivision standards may be higher than the density required, to allow, for example, a density of 0.5 dwelling per hectare (minimum area of land 20,000 square metres). Land occupation density thus guides land development and the physical arrangement of the Town. The urban bylaws stipulate other density measures in order to ensure consistency with the authorized density bylaws in the present plan.

2.2.2 : « Seasonal Residential» assignment

The “seasonal residential” assignment refers to shoreline properties bordering Bark Lake where residential and seasonal residential activity is focused. The development objective in this sector is maintaining low land occupation.

The limit of this assignment was determined based on the wish to solely maintain a shoreline settlement while at the same time respecting the guidelines and environmental issues of the territory. Consequently, the maximum density of occupancy has been fixed at 1 dwelling per hectare for the lots situated, for the most part, within the established biological corridor, the exceptional forestry ecosystem or the areas of high ecological value and, 1.25 dwellings per hectare for those situated outside of these areas.

2.2.3 : «Village» assignment

The “Village” assignment includes residential and commercial settlements along the Chemin Barkmere as well as spaces used for municipal purposes (landing area). Within this assignment, the maximum occupational density is set at 3.33 dwellings per hectare.

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2.2.5 : « Rural » assignment

The “rural” assignment covers the western part of the territory, in proximity to the town core where various activities can be performed particularly, residential, recreational, as well as agricultural. Within this assignment, occupational density is fixed at 0.3125 dwelling per hectare.

2.2.6 : « Conservation » assignment

The “conservation” assignment covers the remainder of the municipal area, including public lands. This assignment also includes the majority of zones to be protected, particularly the biological corridor, areas of high ecological value, exceptional forest ecosystems and the wildlife habitats.

Accordingly, the objective is to keep these areas free of construction such as residential, and authorize activities relating to conservation, and logging. In accordance with the direction of the MRC, this assignment area “aims to more particularly form a homogeneous forest (...)” and to limit construction so as to “avoid splitting and occupation of the forest, which could prove harmful to the protection of sensitive habitats in the long run.”

However, residential construction of low density (0.3125 dwelling per hectare) may be authorized on lands that are not public. The preservation of the natural state of these spaces will help maintain the equilibrium of the ecosystems, the quality of the natural environment and quality of the waters of Bark Lake.

2.2.7 : Compatible usage per assignment

The present section synthesizes the main usage groups authorized for each assignment.

For each assignment, main usage groups are either authorized, prohibited or restricted as designated by the terms compatible, somewhat compatible, non compatible. Thus the Urbanism bylaws, especially the *Zoning Bylaw*, must conform to the Table below.

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Assignment	Seasonal residential assignment	Town core assignment	Rural assignment	Conservation assignment
Usage groups				
Residential ⁽¹⁾	Compatible	Compatible	Compatible	Somewhat compatible
Commercial in the vicinity ⁽²⁾	Non compatible	Compatible	Non compatible	Non compatible
Public and Institutional ⁽³⁾	Somewhat compatible	Compatible	Compatible	Non compatible
Recreational space	Compatible	Compatible	Compatible	Compatible
Conservation activity	Compatible	Compatible	Compatible	Compatible
Forestry ⁽⁴⁾	Non compatible	Non compatible	Compatible	Compatible
Agricultural activity ⁽⁵⁾	Non compatible	Non compatible	Compatible	Non compatible

Public utilities are authorized on the entire territory

¹⁾ The residential use is permitted only on lands that are not in the public domain. In addition, the authorization of the use is linked to certain conditions of road access and subdivision and urbanism bylaws

⁽²⁾ The maximum floor area of the "commercial" use, excluding restaurants and accommodation, is set at one hundred (100) square meters.

⁽³⁾This assignment is aimed at the use of services and facilities such as municipal, emergency and public spaces(the municipal dock, public parking lots, parks etc.) Also this category is aimed at community services both public and private such as community halls, child care services etc. NOTE. The administrative services of the Town must be located along Barkmere road in accordance with the requirements of the MRC des Laurentides.

⁽⁴⁾ The forestry operations mentioned are those carried out on a commercial basis. Standards on logging regulations will be introduced to planning for private forests. On public lands, Regulation respecting standards of forest in the public domain, whose application is MRNF governs the conditions for logging under CAFA (contract to supply and forest management) in terms of protection of lakes and rivers, construction of forest roads, stacking areas, silvicultural treatment and protection of critical habitats to white-tailed deer. However, the MRNF, due to justified demands of the city or citizens, can improve in some cases mitigation measures to further reduce the impacts of forestry activities (Source: Schéma d'aménagement revised MRC Les Laurentides)

⁽⁵⁾Agricultural activities permitted are cultivation and animal husbandry and care of farm animals to low environmental constraint.For agriculture establishments with stronger environmental constraints, exceeding 20 animal units and any other agricultural establishment exceeding 100 animal units are prohibited in Barkmere.

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Map 5: Major territorial assignments

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Section 2.3 : Areas of particular intervention

2.3.1 : Architectural Integration and Installation Plan (PIIA)

An architectural integration and installation (PIIA) bylaw allows for the issuance of permits and certificates approving plans based on objectives and specific criteria defined in the bylaw. The municipal council will either approve or reject the submitted project based on the qualitative evaluation of the project by the CCU.

Thus, the PIIA bylaw aims to ensure project quality both in terms of its architectural dimension and installation plan within the area. The PIIA bylaw may include objectives and criteria to develop seasonal residential architecture, preserving the landscapes as well as respecting the natural environment within which the project is to be built.

Within this context, the Town of Barkmere foresees subjecting certain projects to the bylaw on PIIA, namely:

- New constructions as well as extensions of main buildings, including developments stemming from these interventions;
- Roadways and vehicular accesses (in certain cases, may be subject, driveways and parking spaces).

The PIIA bylaw will integrate principles stemming from the *Charte des paysages naturels et bâtis des Laurentides*. Localization of subjected sectors as well as the interventions will be determined within the PIIA bylaw framework.



VILLE DE / TOWN OF

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URBAN PLAN BYLAW N°

CHAPTER 3 :

The Final Measures

CHAPTER 3
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Section 3.1 : Final Measures

3.1.1 : Bylaw Title

The present bylaw is entitled *Urban Plan Bylaw* and number 200.

3.1.2 : Abrogation

The current bylaw repeals the Town of Barkmere *Urban Plan* with its amendments as well as discrepancies arising from another bylaw.

3.1.3 : Implementation of the Bylaw

This bylaw will be applied in accordance with the law.

Mayor

Director General



VILLE DE / TOWN OF

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URBAN PLAN BYLAW N°

APPENDIX 1

DRAFT