



TOWN OF BARKMERE

MUNICIPAL COUNCIL

PROVINCE OF QUEBEC
REGIONAL COUNTY MUNICIPALITY OF THE LAURENTIANS
TOWN OF BARKMERE

Second Draft of Bylaw number 235 amending Bylaw number 201 relating to zoning.

Draft Bylaw number 235 amending Zoning Bylaw 201 to :

Amend certain standards regarding rear and lateral setbacks for zones Nv-01 to Nv-03, delineation of yards in the case of a land site that is simultaneously adjacent to a lake and a street or a vehicular access, site standards for a shed and a woodshed in zones Nv-01 to Nv-03, area, site standards and dimensions of a dock and architectural standards of a boathouse.

WHEREAS zoning Bylaw 201 has been in force since December 7, 2009, date of issuance of the certificate of conformity of the RCM of the Laurentians;

WHEREAS the municipality may according to law modify the contents of its bylaws;

WHEREAS the proposed draft amends certain standards to make adjustments where regulations prevented certain properties to erect sheds and woodsheds;

WHEREAS the proposed draft amends certain standards with regard to the dimensions of docks and with regard to appearance of boathouses to ensure proper integration with the main building and simultaneously ensure similar proportions to the existing building stock of Barkmere. In the process, the proposed draft also amends certain standards in harmony with good practices established by the Ministry of Sustainable Development, of the Environment and the Fight against Climate Change while easing site standards in order to allow erection of sheds and accessory constructions for properties where it was deemed impossible;

WHEREAS the current changes aim to complete and clarify already existing standards;



WHEREAS

notice of motion was given by Councillor Stephen Lloyd at the regular Council meeting of September 12, 2015 and a first draft of this by-law was passed by Council at its regular meeting on December 12, 2015;

THEREFORE, the Council resolves and orders as follows :

Proposed by :

Seconded by :

And resolved that :

Article 1 : The preamble and appendices of this Bylaw form an integral part of same.

Article 2 : Appendix « 1 » of the present Bylaw replaces the Table of Specifications for zones Nv-01, Nv-02 and Nv-03 of appendix « 2 » of the zoning Bylaw.

Article 3 : Article 3.2.4 be amended by inserting between the first and second sentence of the first paragraph the following text :

« Where a land site is adjacent to a lake, the front yard and setback is the one adjacent to a lake. Where a land site is adjacent to a street or a vehicular access, the front yard and setback is the one adjacent to the street or the vehicular access, except for the lateral yard and setback adjacent to a wall that is not the facade of the main building in the case of a corner lot. In cases where a land site is simultaneously adjacent to a lake and a street or a vehicular access, the front yard and setback is the one adjacent to the lake. The yard and the setback adjacent to the street or the vehicular access must be regarded as a rear yard and setback. »

Article 4 : Article 4.1.1 be amended by adding the following paragraph at the end of the second paragraph :

« Unless otherwise specified in the present Bylaw, and except for sleeping cabins, an accessory construction cannot contain liveable areas. In this regard, the interior layout of an accessory building cannot contain a bedroom or a living space of any sort. »

Article 5 : Article 4.1.8 be amended by adding to the line 13 of the table the following note :

« ¹Where a land site is simultaneously adjacent to a lake and a street or a vehicular access, a shed may be placed in the lateral yard. »



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The reference to note « 1 » is added next to the word « no » in the 4th column of line 13 of the table.

Article 6 : Article 4.2.7 is modified by adding, following the 4th numbered paragraph, the following paragraph :

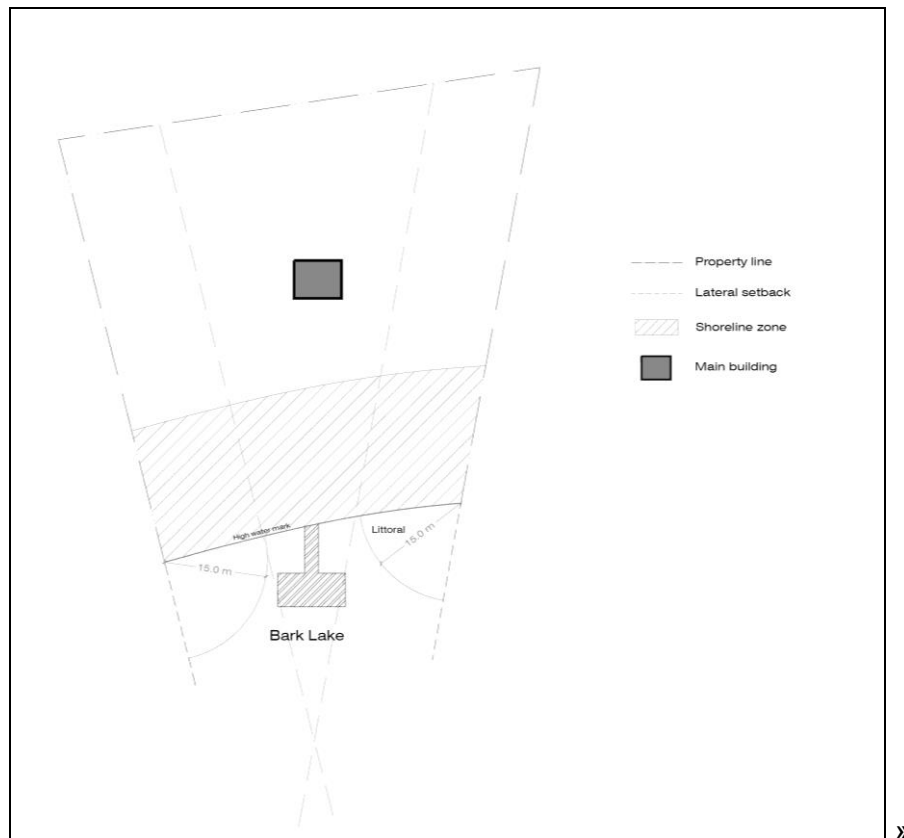
« Notwithstanding the provisions of the table of Article 4.1.8, where a shed is erected on a derogatory land site protected by acquired rights within zones Nv-01, Nv-02 or Nv-03, the shed can be placed inside the lateral or rear setback as long as it meets a minimum distance of 1.5 meters from a property line. »

Article 7 : Article 4.2.15 be amended by adding, following the 5th numbered paragraph, the following paragraph :

« Notwithstanding the provisions of the table of Article 4.1.8, where a woodshed is erected on a derogatory land site protected by acquired rights within zones Nv-01, Nv-02 or Nv-03, the woodshed can be placed inside the lateral or rear setback as long as it meets a minimum distance of 1.5 meters from a property line. »

Article 8 : Article 7.4.3 be amended by inserting at the end of the second numbered paragraph the following text :

« When the extension of the land site lines and the application of lateral setbacks prohibit the placement of the dock, the placement of the dock shall be nonetheless permitted so long as all parts of the dock are situated at a minimum distance of 15 meters from the points on either side of the land site formed by the junction of the lateral lines of the land site with the high water mark (refer to sketch);



Article 9 : The third (3rd) paragraph of Article 7.4.3 be amended by replacing the words « *is not limited* » by the words « *is only limited by the maximum permissible area as specified at numbered paragraph 5 of the present Article;* ».

Article 10 : Article 7.4.3 be amended by replacing the numbered paragraph 4 by the following text :

« 4. *The maximum length of a dock measured from the high water mark is 15 meters. In cases where at low water the water level measured from the bottom of the littoral taken at a distance of 15 meters from the high water mark reaches a depth of less than 1,4 meters, the maximum length of the dock may be increased to the lesser of 25 meters and the point where such depth of 1,4 meters is reached;* »

Article 11 : Article 7.4.3 be amended by adding the following numbered paragraph and renumbering the subsequent paragraphs :

« 5. *The maximum area of a dock is 60 square meters, whether for a dock used to access a boathouse or for a dock without a boathouse;* »

Article 12 : Article 7.4.3 be amended by repealing the diagram following numbered paragraph 10.

Article 13 : Article 7.4.5 be amended by inserting at the end of the second numbered paragraph the following text :



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« When the extension of the land site lines and the application of lateral setbacks prohibit the placement of the boathouse, the placement of the boathouse and the dock on which it sits shall be nonetheless permitted so long such as all parts of such boathouse and dock are situated a minimum distance of 15 meters from the points on either side of the land site formed by the junction of the lateral lines of the land site with the high water mark (refer to sketch of Article 7.4.3); »

Article 14 :The third (3rd) paragraph of Article 7.4.5 be amended by replacing the words « is not limited » by the words « is only limited by the maximum permissible area as specified at numbered paragraph 4 of the present Article; ».

Article 15 :Article 7.4.5 be amended by adding at the end of numbered paragraph 10 the following text :

« In cases where an exterior finishing material (wall or roof) is metallic or has a metallic finish, regardless if it is painted or not, such material must have an index of solar reflectivity of 45 or less, as attested by manufacturer's specifications or by a professional opinion; »

Article 16 :Article 7.4.5 be amended by adding at the end of numbered paragraph 12 the following text :

« The boathouse's roof must be pitched and include a maximum of four (4) slopes which meet at the same level of the peak. Only positive slopes are allowed. The overhang may project a maximum of one (1) meter from the junction with the wall on which it sits; »

Article 17 : This Bylaw shall enter into force in accordance with the law.

Luc Trépanier
Mayor

Steve Deschenes
Director General and Secretary Treasurer

Notice of motion: September 12, 2015

Adoption of Draft Bylaw: December 12, 2015

Adoption of Bylaw:

Delivrance of the certificate of conformity by the RCM:

Entry into force:

APPENDIX 1