Consultation version In case of discrepancy, the French version shall prevail

PROVINCE OF QUEBEC MRC BROME-MISSISQUOI TOWN OF LAC-BROME

| BY-LAW 602 | |
|---------------------------------------|------|
| BY-LAW REGARDING MASTER DEVELOPMENT F | 'LAN |
| (By-law in force_2019-05-31) | |
| | |

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that a municipality has the power to revise its planning program every five **WHEREAS**

years, in with section 10.3.1 of the Act respecting land use planning and

development;

that Town decided to undertake such a procedure in 2009; **WHEREAS**

that at the meeting of May 15, 2013, the Council adopted a first draft by-**WHEREAS**

law replacing the current Urban Plan, in accordance with articles

110.3.1 and 110.3.2 of the Urban Plan.

109.1 of the aforementioned law;

in order to implement its new urban plan, Town of Brome Lake wishes to **WHEREAS**

avail itself of the special procedure for replacing its by-law of master development plan provided for in section 110.10.1 of the

aforementioned Act;

that at the council meeting of July 2, 2013, notice of motion with the

exemption of its reading was given by Councillor Jacques Lecours;

that all councillors had the opportunity to examine the draft by-law and that it

was available for public consultation at Town Hall;

that on June 8, 2013, this by-law was submitted for public consultation;

that the Council took this opportunity to hear the views of those wishing to

comment on the content of the by-law;

WHEREAS

WHEREAS

WHEREAS

WHEREAS

ACCORDINGLY:

Councillor Patrick Ouvrard moved, Councillor Jacques Lecours seconded and it was unanimously resolved to adopt By-law No. 602 replacing By-law No. 361 respecting Permits and Certificates.

CHAPTER I DECLARATORY AND INTERPRETATIVE PROVISIONS

SECTION I DECLARATORY PROVISIONS

1. TITLE

This by-law is entitled "Règlement relatif aux plans d'aménagement d'ensemble".

2. **TERRITORY COVERED**

The present by-law, the provisions of which apply to individuals as well as public and private legal entities, applies to the entire territory under Town of Brome Lake jurisdiction.

SECTION II INTERPRETATIVE PROVISIONS

3. **TERMINOLOGY**

For the interpretation of the present by-law, the expressions or words used have the meaning attributed to them article 9 of zoning by-law number ... and its amendments; failing this, the words used retain their usual and common meaning.

"Gross density": Corresponds to the total number of dwellings included within a zone divided by the number of hectares covered, including, in this zone, streets and any land assigned to public or institutional use.

"Net density": Corresponds to the number of dwellings on a hectare of land used specifically for housing, excluding any public or private street and any land used for public or institutional purposes.

CHAPTER II ADMINISTRATIVE PROVISIONS

SECTION I APPLICATION OF THE REGULATIONS

1. SETTLEMENT ADMINISTRATION

The Town's Urban Planning and Environment Department is responsible for administering this by-law.

2. APPLICATION

The building inspector is responsible for enforcing the present by-law. In particular, he is authorized to issue a statement of offence for any violation of the present by-law.

The Council may, by resolution or by by-law, authorize any other person to issue a statement of offence for an infraction of the present by-law.

3. POWERS OF THE PERSON IN CHARGE OF APPLICATION

The person responsible for enforcing the by-law shall exercise the powers conferred upon him or her by this by-law and in particular:

- 10 May visit and examine, between 7 a.m. and 7 p.m., any immovable or movable property to ascertain whether this by-law, other by-laws or resolutions of the council are being complied with;
- 20 May give formal notice to temporarily evacuate any building that could endanger the life of any person;
- 3o May give formal notice to carry out any repair work it deems appropriate for the safety of the construction and recommend any emergency measures to the council;
- 4o May give formal notice to rectify any situation constituting an infringement of the present by-law;
- 50 May recommend that the council take any action necessary to stop the construction, occupation or use of a part of a lot, land-site, building or structure that is incompatible with this by-law.

4. OBLIGATION TO LET VISIT

The owner or occupant of any movable or immovable property, house, building or structure whatsoever is obliged to allow the person responsible enforcing the by-law to enter for purpose of examination or verification between 7 a.m. and 7 p.m., with respect the enforcement of or compliance with this by-law, other by-laws or resolutions of the council.

Upon request, the person responsible enforcing the by-law must establish his or her identity and show the certificate issued by the municipality attesting to his or her status.

CHAPTER III MASTER DEVELOPMENT PLAN

SECTION I PROCEDURE AND CONTENT

5. OBLIGATION TO PRODUCE A MASTER DEVELOPMENT

Any person wishing to obtain an amendment to the zoning by-law or subdivision by-law concerning a zone identified as a P.A.E. by the present by-law is subject to the production of a plan d'aménagement d'ensemble (PAE) for the entire zone concerned in accordance with the procedure established by the present by-law.

Zones requiring a "P.A.E." are identified on the zoning plans, Appendix 1, of Zoning By-law 353.

6. APPLICABLE PROCEDURE

1. Routing a request

All applications referred to section 1.4 of this by-law must be submitted in writing to the Town's Urban Planning and Environment Department and accompanied by all required documents.

2. Review by the Planning Advisory Committee

The Comité consultatif d'urbanisme (CCU) is responsible for evaluating all applications in accordance with the evaluation criteria set out in this by-law.

The said committee is responsible for forwarding its assessment of all applications to the municipal council in writing. This evaluation must include a recommendation approve or disapprove the plans submitted and, in the latter case, an indication as to the reasons prompting the committee to recommend _ disapproval. The evaluation produced by the CCU may also modifications to bring the plans into conformity with the present by-law.

For the purpose of preparing a recommendation, the CCU may call on any Council committee, municipal department, individual or professional.

3. Council approval

Following review by the CCU, the Municipal Council must, by resolution, approve the plans if they comply with this by-law, or disapprove them if they do not.

Once the P.A.E.E. has been approved by the Council, the latter may amend the planning by-laws to incorporate the P.A.E.-.

The Council's resolution disapproving the plans must state the reasons on which it is based, and may changes to be made to bring the plans into line.

A copy of the resolution must be sent to the applicant.

4. Other conditions of approval

The council may require, as a condition of plan approval, one or more of the following:

- a) Payment, by the applicant, of the cost of certain elements of the plan, such as infrastructure or equipment:
- b) Completion of the work on the plans submitted within a pre-established timeframe;
- The deposit of financial guarantees to ensure the faithful execution of work approved under the present by-law;
- d) Any other conditions deemed reasonable by the .

5. Modification a master plan

Any modification of a P.A.E., after its approval by the Council, requires the presentation and approval of a new P.A.E., in accordance with the provisions of the present by-law.

7. CONTENTS OF THE MASTER DEVELOPMENT PLAN

Any P.A.E. submitted to the Town's Planning and Environment Department must be filed in triplicate and contain at least one plan at a scale of 1:500 or larger and other documents containing the following information:

- 1º Cadastral identification of the lot concerned;
- 2º The surname, first name and address of the applicant and, if applicable, of any person having collaborated in the production of the P.A.E.;
- 3° Identification of the area concerned; 4°

Dimensions and surface area of the site;

- 5° The natural features of the site, such as relief expressed on a topographic plan with contour lines 10 meters apart, hydrographic features (watercourses, lakes, ponds) and the delineation of the natural high-water line obtained by the expert botanical method, wetlands, surface drainage, flood plains, mass movement zones, wooded areas and identification of forest stands;
- 60 Environmental impact study including an inventory of plant and animal species, their vulnerability and sensitivity;
- 7° Identification of visual country features to be preserved;
- 8⁰ Existing buildings;
- 9° Easements and rights of way;
- 10⁰ Utilities such as power lines;
- 11° Proposed uses, their respective areas and locations;
- 12⁰ The various projected buildings according to their uses and areas, as well as their projections on the ground;
- 13⁰ The proposed subdivision;
- 14⁰ Minimum lot area and dimensions by use category;
- 15⁰ Building height;

- 16⁰ Number of units per building;
- 17⁰ Minimum front, side and rear setbacks:
- 18º Location and size of open spaces, conservation areas, common and private areas, areas reserved for agriculture;
- 19⁰ The number, dimensions and location of parking and aisles;
- 20⁰ Street and pathway layout and right-of-way;
- 21° Building elevation showing the architectural style chosen;
- 22⁰ Planned development phases;
- 23⁰ A stormwater management plan including :
 - a) The location of the site in relation to the watershed;
 - Measurement of phosphorus inputs from runoff into watercourses identified prior to project construction;
 - Measures to minimize the impact of proposed construction on runoff water, identification and conservation of permeable land, location of filtration and/or sedimentation basins, rainwater harvesting measures and systems, etc;
 - d) An estimate of the phosphorus input generated by the planned uses after project completion.
 - e) The layout of traffic lanes, indicating asphalted sections and any measures planned to slow runoff (sills, riprap, naturalization, etc.).
- 24⁰ Professional expertise in wastewater treatment systems;
- 25⁰ Professional reports drinking water supply, including the following information:
 - a) Location and description of the project area (physical and human environment, land use)
 - b) A description of the local geology of loose deposits and bedrock (with references)
 - c) A description of the geophysics (including instrumentation used, results and figures and maps showing the location of borehole sites, stratigraphic sections, granulometry, water inflow, etc.).)
 - d) Description of hydrogeology (information on location and groundwater flow) and characterization of hydrodynamic parameters (must include 72-hour pumping test)
 - e) A description of the impact on other users and on the environment
 - f) Recommendations
 - g) References

Notwithstanding the above, the applicant must also provide all the information and documents required to ensure understanding of compliance with the evaluation criteria.

8. RESPECT FOR THE OVERALL DEVELOPMENT

All projects, including subdivisions, uses and construction, must be carried out in accordance with the P.A.E. integrated into the urban planning bylaws.

9. OBTAINING PERMITS AND CERTIFICATES

Approval a P.A.E. does not exempt the applicant from obtaining any permit or certificate required by law or regulation.

10. SUBMISSION OF A SITE PLANNING AND ARCHITECTURAL INTEGRATION

Approval of a P.A.E. does not exempt the applicant from the obligation to submit a site planning and architectural integration program (P.1.1.A.) when by-law number 360 respecting site planning and architectural integration programs applies to the zone concerned.

11. OFFICER IN CHARGE

Enforcement of this by-law is entrusted to the Urban Planning and Environment Department and any other officer designated for this purpose.

The administering authority may institute criminal proceedings against any person who contravenes any provision of the present by-law and, to this end, may issue statements of offence.

12. REMEDIES AND PENALTIES

Any person who contravenes or to comply with any of the provisions of the present by-law commits an Infraction and is liable, in addition to the costs for each infraction, to a fixed fine of \$1,000.00 if the offender is a natural person, or to a fixed fine of \$2,000.00 if the offender is a legal person.

In the case of a repeat offence, within two years of conviction for the same offence, the offender is liable, in addition to the costs for each offence, to a fixed fine of \$2,000.00 if the offender is a natural person, or a fixed fine of \$4,000.00 if the offender is a legal entity.

When an offence lasts more than one day, there are as many separate offences as there are days or fractions of a day that it lasts, and these offences can be described in a single charge.

Notwithstanding recourse to penal action, the Council may exercise all civil law remedies necessary to ensure compliance with the provisions of the present by-law.

SECTION II GENERAL EVALUATION CRITERIA

13. EVALUATION CRITERIA

Any P.A.E. must demonstrate that the development project respects or consolidates the development objectives listed in this article.

This regulation establishes three groups evaluation criteria based on :

- · Protecting the natural environment;
- Respect for Town of Brome Lake's rural and village image;
- Harmonious development of uses and buildings.

14. GENERAL CRITERIA

The general criteria for evaluating a P.A.E. are:

Natural environment

- 1º Protection of the water system to ensure the integrity riverbanks and wetlands, and environmental management of surface drainage.
- 2º Surface drainage and any changes to the general profile of development must be carried out without eroding or polluting watercourses;
- 3° Protection and consolidation of natural watercourse corridors, where present;
- 4° Preservation of ecological integrity. The project must also limit the negative impacts of human occupation on the natural environment;
- 5º Preserve existing wooded areas or provide for reforestation to ensure that the project blends in with the surrounding environment. In addition, the right-of-way for roads should provide for the planting and presence of trees, where possible;
- Demonstration of the availability of groundwater to serve the uses planned for the project while limiting impacts on existing uses in the vicinity. Specifically, it must be demonstrated that the project will not result in a reduction in groundwater levels for the site in question and for properties adjacent to the site;
- 7º Demonstration of the compatibility of planned uses in relation to generally recognized constraints on human occupation, in particular riverbanks, floodplains, wetlands and soil contamination:
- 80 Demonstrating the feasibility of environmentally-friendly wastewater treatment;
- 9° The design of housing units must promote water conservation and demonstrate optimal management of this resource;
- 10º Housing units must be designed to optimize energy consumption and help reduce greenhouse gases;
- 11º Exterior lighting must optimize energy use and be designed to respect the private character of properties by limiting visual pollution. In addition, the street furniture to be used must respect the rural and village image of Town of Brome Lake;
- 12º The location and size of conservation areas must be determined on the basis of the environmental, aesthetic and ecological interest of the land in question, taking into account the following elements in particular:
 - · Soil permeability;

- woodland quality and maturity;
- ridge lines;
- · views;
- landscapes to preserve:
- · rocky outcrops;
- · special or fragile habitats;
- maintaining green corridors to facilitate the movement of wildlife and avoid fragmentation;
- areas to be protected under existing regulations.
- 130 Town of Brome Lake's rural and village image
- 14º All development projects must respect the rural and village image of Town of Brome Lake. Particular attention must be paid to the characteristics of buildings and constructions in order to ensure that their architecture, scale and density are consistent with this vision of development. All projects must preserve and consolidate this perceptible image from the current visual axes.
- 15⁰ The residential landscape must include a wooded cover so as to maintain a low-density image while preserving views.

Harmonious development of uses and buildings

- 1º Parks should be planned and developed in such a way as to encourage use by different age groups in the population (multi-generational);
- 2º Roads, trails and facilities should be planned in such a way as to encourage nonmotorized travel and provide an adequate right-of-way for this purpose;
- 3° The planning of roads, footpaths and bicycle paths must promote interconnection with existing roads, recreational areas, parking lots, and bicycle and pedestrian networks already in existence or planned by the municipality.
- 4° Access routes, including roads, parking lots, bicycle paths and footpaths, must respect the topography of the site, ecological constraints, character and rural views.
- 5° The area of land occupied by a pedestrian network or bicycle path may be counted in calculating the required conservation area;
- Parking areas must be laid out in such a way as not to be visually dominant. Parking areas should preferably be located in side and rear yards, separated by wooded islands:
- 7º The stormwater management plan must allow control of phosphorus discharged into the identified watercourse(s) to a maximum of 18ug/l.
- 8º The architecture of buildings must be varied and exterior materials must create a harmonious whole with the natural, rural and heritage landscape, as well as with the built environment;

SECTION III ZONE-SPECIFIC CRITERIA

15. ZONE UP-7-L15

The specific criteria are:

 a) Different types of housing should be proposed to encourage the establishment of adapted housing for the elderly or retired.

This mix of housing types should also promote accessibility to housing for different personal and family incomes.

Commercial activities such as professional services, personal goods and services, food retailing, restaurants, indoor recreational activities and establishments offering educational activities, cultural activities and accommodation services are also permitted.

The layout of retail outlets must encourage several types of movement, including non-motorized ones such as pedestrian traffic. Commercial zones must also be designed in such a way as to limit negative impacts on neighboring residential areas.

The commercial image should include buildings of reduced massing similar to those found in the Town center. The scale (height, volume) of new buildings should be representative of the architectural and historical heritage.

- b) The gross density land use must not exceed 1 dwelling per 1,000 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

16. ZONE URA-22-K16

The specific criteria are:

- a) Only residential uses are permitted. Various types of housing may be proposed, but buildings may not have more than 4 dwellings.
- b) The gross density land use must not exceed 1 dwelling per 1,500 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net density of land use

as well as the final subdivision standards will be determined on the basis of the accepted EAP.

c) Conservation areas with no construction or development, with the exception of light development such as the construction of filtration or sedimentation basins, must be at least 50%. A corridor of freedom for Gold Creek must be included in the plan.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

17. ZONE UV-1-H11

The specific criteria are:

- a) Only residential uses are permitted. Various types of housing may be proposed, but buildings may not have more than 2 dwellings.
- b) The gross density of land use must not exceed 1 dwelling per 1,000 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

18. ZONE UV-5-I12

The specific criteria are:

- a) Only residential uses are permitted. Various types of housing may be proposed, but buildings may not have more than 2 dwellings.
- b) The gross density land use must not exceed 1 dwelling per 1,000 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- Conservation areas not subject to any construction or development, with the exception of light facilities such as

construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed.

-by a conservation easement, an ecological gift or a voluntary nature reserve, where applicable.

19. ZONE UV-4-I12

The specific criteria are:

- a) Only residential uses are permitted. Various types of housing may be proposed, but buildings may not have more than 2 dwellings.
- b) The gross density use must not exceed 1 dwelling per 1,000 square meters. The preferred form of development is In order to maintain the rural and village image of the area, the subdivisions will be built in "clusters". Net land use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under subdivision by-law rio. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

20. ZONE AFB-1-H11

The specific criteria are :

- a) Only residential uses are permitted. Various types of dwellings may be proposed, but buildings may not have more than 2 dwellings.
- b) The gross density land use must not exceed 1 dwelling per 1,500 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long it is made accessible to the public.

The management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

21. ZONE RB-1-H12

The specific criteria are:

- a) Only residential uses are permitted. Various types of housing may be proposed, but buildings may not have more than 2 dwellings.
- b) The gross density land use must not exceed 1 dwelling per 1,500 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

22. ZONE UREC-1-E15

The specific criteria are:

- a) Only residential uses are permitted. Various types of housing may be proposed, but buildings may not have more than 2 dwellings.
- b) The gross density land use must not exceed 1 dwelling per 1,000 square metres. The preferred form of development is "cluster" or clustered, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

23. FOSTER SECTOR, ZONES AFB-4-D15, AFBE-1-D16 AND RBE-1-E16

The specific criteria are:

- Different types of housing should be offered to encourage young families to become homeowners.
- b) The gross density land use must not exceed 1 dwelling per 1,000 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

24. KNOWLTON AREA, ZONES UC-5-L14, URA-16-K15, URA-24-K16, URA-26-L14, URA-27-L15, URB-5-L15, URC-4-K15, URC-1-L13 (Modif. 602-1)

The specific criteria are:

- a) Various types of use can be proposed, and must be in keeping with the spirit of consolidation in the Knowlton area.
- b) The gross density land use must not exceed 1 dwelling per 1,000 square metres. The preferred form of development is "cluster" type, in order to maintain the rural and village image of the area. Net land-use density and final subdivision standards will be determined on the basis of the accepted EAP.
- c) Conservation areas not subject to any construction or development, with the exception of light improvements such as the construction of filtration or sedimentation basins, must be at least 30%.-

The required portion of this area may be counted as a parkland dedication as required under Subdivision By-law No. 597, as long as it is made accessible to the public.

The long-term management and conservation of this area must be guaranteed by a conservation easement, an ecological gift or a voluntary nature reserve, as appropriate.

ENTRY INTO FORCE

| These regulations come into force in accordance with the law. |
|---|
| |
| |
| |
| |
| Gilles Decelle, Mayor |
| |
| |
| |
| Me Edwin John Sullivan, Clerk |
| Mic Edwin John Sullivan, Clerk |
| |
| Follow-up: |
| |

Notice of motion .

Project presentation (submission):

Adoption -1" project :

Public notice consultation meeting: Consultation meeting :

Adoption of final by-law :- Certificate
approval from the MRC : Coming into
force :

ENTRY INTO FORCE

These regulations come into force in

accordance with the law.

Gilles Decelle, maire

Me Edwin John Sullivan, greffier

Certified true copy