



**MORIN-HEIGHTS
1855**

**By-Law 643-2022
Regarding Subdivision**

Entry into force on February 27th 2023

In case of contradiction between the French version and the English version of the urban planning regulations, the provisions of the French version prevail

LIST OF MODIFICATIONS

[illegible]

Legal Notice: This regulation is an administrative version of the Subdivision By-law. This administrative version incorporates the amendments made to made to the present by-law. The Municipality of Morin-Heights accepts no responsibility for transcription errors. Only the original regulations, as countersigned by the Director General, have legal value.

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CHAPTER I: DECLARATORY, ADMINISTRATIVE, AND INTERPRETIVE PROVISIONS

DIVISION A – DECLARATORY PROVISIONS

1. Title of the by-law

This by-law shall be known as “By-Law 643-2022 Regarding Subdivision.”

2. Superseded by-law

This by-law supersedes, for all legal purposes, *By-Law 417 Regarding Subdivision* and its amendments, as well as any irreconcilable provisions of other by-laws.

This replacement does not affect the permits and certificates issued under the authority of the superseded by-law or the rights acquired before this by-law came into force.

3. Scope

This by-law applies to all people and throughout the entire territory of the Municipality of Morin-Heights.

4. Activities and compliance

All cadastral operations must be carried out in accordance with this by-law.

All cadastral operations must receive subdivision permits pursuant to the *By-Law Regarding Permits and Certificates*.

Compliance with this by-law does not release any person from the obligation to comply with any other provincial or federal legislation or any other municipal by-laws applicable to the matter.

5. Schedules

The schedules attached to this by-law form an integral part thereof.

6. Adoption in parts

This by-law is enacted chapter by chapter, division by division, section by section, paragraph by paragraph, and subparagraph by subparagraph so that if any part of this by-law is declared null and void by a court of law, the decision must not affect the remaining parts of the by-law except to the extent that the meaning and scope of the by-law or any of its provisions are thereby altered or modified.

7. Entry into force

This by-law shall come into force in accordance with the law.

DIVISION B – ADMINISTRATIVE PROVISIONS

8. Administration of the by-law

The administration and enforcement of this by-law shall be the responsibility of the designated official, whose powers are detailed in the *By-Law Regarding Permits and Certificates*.

9. Infractions and penalties

Any person who contravenes, or permits or tolerates the contravention, of any provision of this by-law; performs construction without a permit; or maintains a condition that requires a certificate without having first obtained one is guilty of an infraction. Individuals who commit such infractions shall be liable to a fine of not less than \$1,000; legal persons who commit such infractions shall be liable to a fine of not less than \$2,000.

For repeat infractions, individuals shall be liable to a fine of \$2,000 plus costs and legal persons shall be liable to a fine of \$4,000 plus costs.

If the infraction is of a continuous nature, it shall constitute a separate infraction each day and the offender shall be liable to the aforementioned fine for each day on which the infraction continues.

DIVISION C – INTERPRETIVE PROVISIONS**10. Rules of interpretation**

The following rules of interpretation shall apply to this by-law in the event of conflicting provisions:

1. The most specific of the provisions shall prevail.
2. The most restrictive of the provisions shall prevail.
3. In the event of a discrepancy between a table, an illustration, or a title and the text, the text shall prevail.

11. Structure

This by-law is structured as follows:

Chapter I: Chapter

Division A – Division

1. Section

Paragraph

1. Subparagraph

a) Clause

12. Definitions

Unless the context otherwise dictates, words and phrases have the meaning assigned to them in the *By-Law Regarding Permits and Certificates*. If a word or expression is not defined, it is understood to have its common dictionary meaning.

CHAPTER II: CONDITIONS FOR APPROVAL OF CADASTRAL OPERATIONS

DIVISION A – GENERAL PROVISIONS

13. Plans for cadastral operations

Any plan for a cadastral operation must meet the conditions set out in this by-law and the by-laws for an application for a subdivision permit set out in the *By-Law Regarding Permits and Certificates*.

14. Prohibited cadastral operations

The following cadastral operations are prohibited:

1. A cadastral operation that creates a non-conforming street or lot or that increases the non-conforming nature of that street or lot;
2. A cadastral operation that creates a non-conforming building, structure, or work or that increases the non-conforming nature of that building, structure, or work.

This section does not apply to cadastral operations in cases of acquisition by a municipality, government, or agency with expropriation powers.

15. Transfer of the street site

Prior to the approval of a plan for a cadastral operation, the Municipality may require a commitment from the owner to transfer, free of charge, the roadway site or a class of roadway sites shown on the plan and intended to be public. This site must be free of all mortgages.

16. Transfer for public access to a lake or watercourse

Prior to the approval of a plan for a cadastral operation, the Municipality may require a commitment from the owner to transfer, free of charge, one or more lots shown on the plan that are intended to provide public access to a lake or watercourse. These lots must be free of all mortgages.

17. Payment of municipal taxes

Prior to the approval of a plan for a cadastral operation, the owner must pay the municipal taxes due and unpaid for the immovables included in the plan filed.

18. Easements

Prior to the approval of a plan for a cadastral operation, the owner of the lot must agree to grant any easement required for the passage of power transmission facilities, communications transmission facilities, pathways, or other utility infrastructure. Easements must be shown on the plan.

19. Effect of approval of a plan for a cadastral operation

The approval of a plan for a cadastral operation through a subdivision permit has the sole effect of allowing the approved plan to be filed for registration in the official cadastre.

The approval of a plan for a cadastral operation through a subdivision permit does not create any obligation for the Municipality to, among other things:

1. Issue a building permit or a certificate of authorization for the lot(s) in question;
2. Accept the transfer of a site for a street that is destined to be public, decree its opening, assume the costs of construction and maintenance, or assume the related civil liabilities;
3. Install or approve the installation of public water or sewer systems.

The approval of a plan for a cadastral operation through a subdivision permit does not mean that the lot(s) can be created in accordance with the town planning by-laws.

DIVISION B – CONTRIBUTION FOR PARKS, PLAYGROUNDS, AND NATURAL AREAS

20. Contribution requirement for a subdivision of 5 lots or fewer

Prior to the approval of a plan for a cadastral operation to create 5 lots or fewer, the owner must pay the Municipality 10% of the value of the site.

Notwithstanding the previous paragraph, if a pathway exists on the site covered by the plan for a cadastral operation or if a pathway, park, playground, or natural area is adjacent to the site, the owner must do one of the following (one choice among the following in the opinion of the Municipal Council):

1. Agree to transfer to the Municipality, free of charge, a parcel of land representing 10% of the total area of the site, if the parcel is located in a place that the Municipal Council deems suitable for the establishment or expansion of a park or playground or the maintenance of a natural area;
2. Pay the Municipality 10% of the value of the site in question; or
3. Agree to transfer a parcel of land in accordance with subparagraph 1 and pay a fee in accordance with subparagraph 2, which combined represent 10% of the site's value.

For the purposes of this division, "site" means all the lots included in the plan for the cadastral operation.

21. Contribution requirement for a subdivision of more than 5 lots

Prior to the approval of a plan for a cadastral operation to create more than 5 lots, the owner must do one of the following (one choice among the following in the opinion of the Municipal Council):

1. Agree to transfer to the Municipality, free of charge, a parcel of land representing 10% of the total area of the site, if the parcel is located in a place that the Municipal Council deems suitable for the establishment or expansion of a park or playground or the maintenance of a natural area;
2. Pay the Municipality 10% of the value of the site in question; or
3. Agree to transfer a parcel of land in accordance with subparagraph 1 and pay a fee in accordance with subparagraph 2, which combined represent 10% of the site's value.

For the purposes of this division, "site" means all the lots included in the plan for the cadastral operation.

22. Exemptions

Contributions are not required in the following cases:

1. Cadastral operations to cancel, correct, or replace a lot number, as long as they do not result in an increase in the number of lots;
2. Amendments to the configuration of lots within a site, as long as the total area remains the same and the number of lots that are adjacent to the street does not increase;
3. Amendments to the plan of a lot to create a non-buildable lot with the intent of merging it with an adjoining property if a consolidation plan is filed at the same time as the permit application;
4. Amendments to the plan of a lot due to the conversion of a building to condominiums in an integrated project, other than to identify common and private portions;
5. Amendments to the plan of a lot used for a park, playground, natural area, or any other use covered by the Municipality of Morin-Heights;
6. Amendments to the plan of a lot to allow the acquisition, by mutual agreement or by expropriation of a portion of a lot by an agency with expropriation powers, for a public purpose, if such an amendment does not increase the number of buildable lots;
7. Amendments to a lot to accommodate a social housing project as part of a program under the *Act respecting the Société d'habitation du Québec* (CQLR c. S-8);
8. Sites that are subject to a prior agreement for land not included in the site pursuant to this section.

For the purposes of this section, a “buildable lot” means a lot that complies with this by-law and is intended to accommodate a main building.

23. Agreement for land not included in the site

Notwithstanding the contribution requirement, the Municipality may enter into an agreement with the owner on the commitment to surrender land that is not included in the site, but is located within the municipal territory.

The percentage of the ceded land (or the ceded land and the payment, if applicable) must not be less than the percentage indicated in this division.

This agreement takes precedence over any calculation rule.

24. Calculation of value

The value of the site is calculated as of the date the Municipality receives a plan for cadastral operation that is deemed to be in compliance with the town planning by-laws.

The value must be determined by a certified appraiser mandated by the Municipality, at the owner's expense, in accordance with the best practices regarding expropriation on the date indicated in the first paragraph.

25. Rule for calculating the transfer or payment

The following areas are excluded from the calculation of the land transfer or cash payment:

1. The area corresponding to a lot on which a main building is erected. The exemption applies only to the portion of the lot that identifies the existing building.
2. The area corresponding to a lot intended for conservation, subject to the filing of a copy of a published easement for that purpose. If the easement is not published within 3 months of the issuance of the subdivision permit, the area is not excluded from the calculation and the owner must transfer the land or pay the fee, as per the usual rules.

3. The area corresponding to a lot that has been or will be transferred to a qualified donor in connection with an ecological gift as defined in section 118.1 of the *Income Tax Act* (RSC, 1985, c. 1 [5th Supp.]). If the lot is not transferred within 3 months of the issuance of the subdivision permit, the area is not excluded from the calculation and the owner must transfer the land or pay the fee, as per the usual rules.

The calculation of the land transfer or cash payment shall take into account, to the owner's benefit, any previous transfers or payments made in respect of all or part of the site, as well as any commitments to transfer land under section 16 of this by-law.

26. Conditions for the land to be transferred

The land to be transferred must be free of mortgages, liens, charges, and real rights.

The land to be transferred must not be registered on the list of contaminated land established by the Municipality under the *Environment Quality Act* (CQLR c. Q-2).

27. Costs to be paid by the ceding owner

The costs of the land registration and notarial act are to be borne by the ceding owner.

CHAPTER III: PROVISIONS RELATING TO STREETS

DIVISION A – GENERAL PROVISIONS

28. Scope

The provisions of this chapter apply to both public and private streets.

29. Cadastral designation

The right-of-way of any proposed street must form a separate lot or lots on the official plans of the cadastre. The standards applicable to cadastral operations are those indicated in this chapter.

DIVISION B – STREET LAYOUT

30. Connection with an existing street

A proposed street must connect to an existing public street that is open to traffic.

31. Street layout based on proximity to water and wetlands

Street layouts, including street extensions, must be located at least 60 metres from water or a wetland.

The distance indicated in the first paragraph applies to the following water and wetland areas:

1. A lake (distance calculated from the boundary of the littoral zone);
2. A river (distance calculated from the boundary of the littoral zone);
3. A wetland that is adjacent to a lake or watercourse (distance calculated from the boundary of the wetland);
4. A wetland that is not adjacent to a lake or watercourse, and that has an area of 500 m² or more (distance calculated at the boundary of the wetland).

The distance indicated in the first paragraph may be reduced:

1. To 20 metres, if the area between the street and the water or wetland is zoned for public park purposes or affected by a conservation easement in perpetuity of which one of the parties is the Municipality;
2. To 15 metres, if the street in question is the completion of an existing street, and provided that no construction is done in the space between the street and the water or wetland. For the purposes of this subsection, “completion of an existing street” is limited to:
 - a) Its extension over up to 300 metres to connect to an existing street, provided that the by-law in effect at the time the street was subdivided did not require the right-of-way to accommodate a turning radius;
 - b) Its extension over up to 300 metres to create a right-of-way that can accommodate a turning radius, provided such a right-of-way was not required by the by-law in effect at the time the street was subdivided, or to comply with the by-law currently in effect.

The provisions of this section do not apply to the right-of-way of a street leading to a landing, bridge, or watercourse crossing.

In all cases, the street must be designed so that the right-of-way does not unnecessarily encroach upon the distance required under the first paragraph. As such:

1. The street must move away as soon as possible after a watercourse crossing so as to comply with the distance required under the first paragraph before crossing another watercourse;
2. The layout of a street that crosses a watercourse should be as perpendicular as possible to that watercourse;
3. The reduction in the number of lots to be developed does not justify crossing several watercourses without respecting the distance required under the first paragraph between each crossing.

DIVISION C – STREET DESIGN STANDARDS

32. Width of a street right-of-way

The minimum width of a street right-of-way shall be determined as follows:

1. Local street: 15 metres
2. Collector street: 20 metres

33. Intersections and turns

Intersections and turns must meet the following standards (measurements are calculated from the centre line of the streets):

1. Intersections must be at right angles (90°). Where physical features do not permit a right angle, the intersection angle between two streets may be between 75° and 105°. In this case, the alignment must be maintained over a minimum of 40 metres (Illustration 1).
2. On a single street, the minimum distance between two intersections must be 60 metres. This distance is calculated from the extension of the intersections' closest right-of-way lines (Illustration 2).
3. On a stretch of routes 329 or 364 where the posted speed is greater than 50 km/h, the minimum distance between two intersections is 500 metres, which is calculated from the extension of the intersections' closest right-of-way lines.
4. No intersection is permitted on the inside of a curve with an inside radius of less than 140 metres or on the outside of a curve with an outside radius of less than 120 metres.
5. The minimum radius of connection curves must be 6 metres at the intersection of two local streets, 8 metres at the intersection of a local street and a collector street, and 10 metres at the intersection of two collector streets.

Illustration 1: Intersection angle

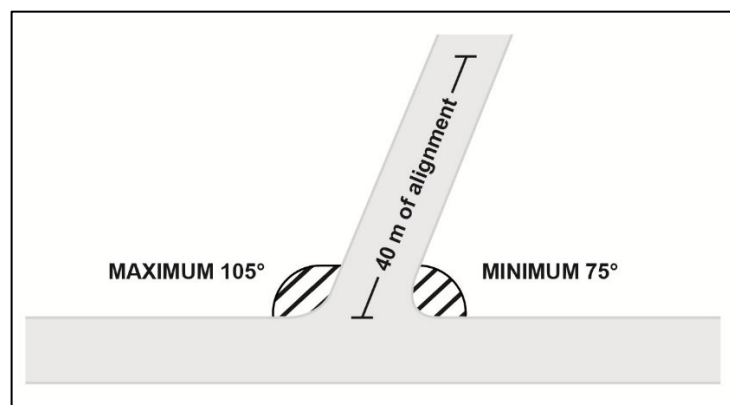
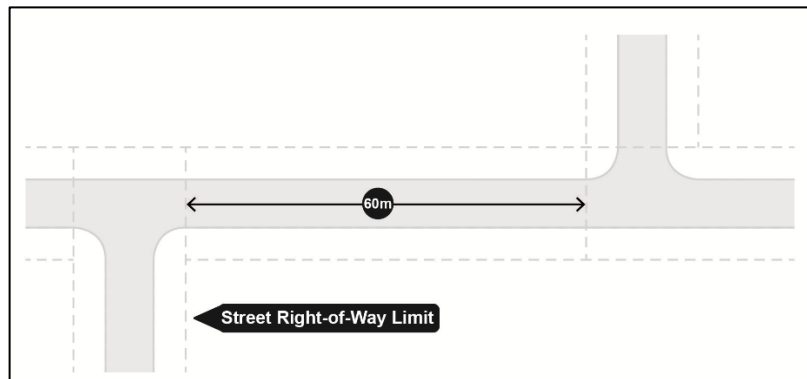


Illustration 2: Distance between intersections**34. Grade of a street**

The minimum longitudinal grade of a street is 0.5% for a street with a ditch and 1% for a street with a curb.

The maximum longitudinal grade of a street is 10%. Notwithstanding the above, the grade may be increased to 14% over a maximum of 150 metres. In this case, a maximum grade of 5% must be maintained in the 100 metres that follow. If the grade is greater than 10%, the minimum curvature radius of the street is 75 metres.

The maximum longitudinal grade of a street within the first 15 metres of an intersection is 3%. In the 15 metres that follow, it is 7%.

The maximum longitudinal grade of a street within the first 30 metres of an intersection on routes 329 and 324 where the posted speed is greater than 50 km/h is 3%.

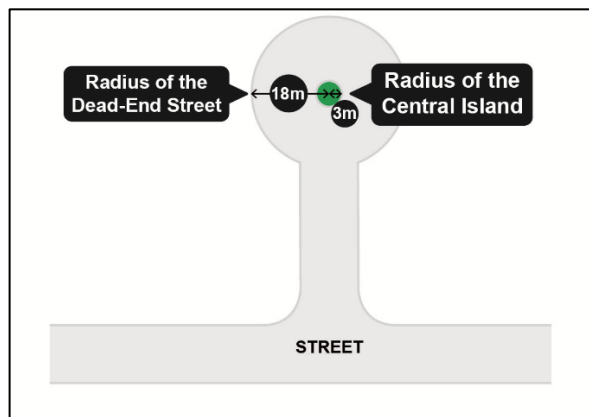
35. Dead-end street

A dead-end street, meaning a street where one end does not connect to an existing street open to traffic, must terminate with a minimum turning radius of 18 metres.

The maximum longitudinal grade of a turn radius is 5%.

The central island, which has a radius of 3 metres, must be landscaped with shrub or tree species. Open space must be landscaped with herbaceous species. These species must be maintained and preserved on the island.

The requirements of this section apply in all cases, even when development is planned in phases.

Illustration 3: Dead-end street

36. Crossings at the edge of the Parc linéaire du Corridor aérobique

Except for curb cuts serving only one dwelling, no at-grade crossings are permitted within the Parc linéaire du Corridor aérobique, with the exception of the following crossings as shown in Schedule H of the *By-Law Regarding Zoning*:

1. Chemin du Lac-Écho
2. Chemin du Village (Route 329)
3. Rue Bennett
4. Right-of-way of the old Chemin Charbonneau

Notwithstanding the provision of the previous paragraph, an elevated crossing (bridge) or an underground crossing (tunnel) may be authorized subject to obtaining the required authorizations from the RCM of Les Pays-d'en-Haut and the Ministère des Transports du Québec.

DIVISION D – PRIVATE STREETS**37. New private streets**

New private streets are prohibited.

38. Extension of existing private streets

An existing private street that is open to traffic may be extended:

1. To create a turning radius in order to comply with this by-law. The extension must be of 300 metres or less.
2. To complete the existing network, i.e. to connect to an existing street. The extension must be of 300 metres or less.

39. Recognition of certain private streets

The purpose of this section is to recognize existing private streets as compliant private streets for the purpose of satisfying the conditions for the issuance of a permit or certificate under the *By-Law Regarding Permits and Certificates*.

This recognition does not mean that the Municipality of Morin-Heights assumes liability in the event of an incident on a private street.

This recognition in no way absolves the owner of the responsibility of carrying out work to ensure the safety of vehicles and users.

Table 2: Recognized private streets

Street name	Description or corresponding lot numbers
Rue Alexandra	3 208 621 and 3 208 691
Chemin Alpino	3 208 558, 3 208 559 and 3 208 607 to civic number 149, rue Alpino
Rue Annick	3 737 347
Rue Argyle	5 191 150
Rue Baldwin	3 735 958
Rue Barré	3 735 930
Rue Beaubois	Part of lots 3 737 389, 3 737 390, and 3 737 391
Rue Bella-Vista	Part of 3 737 355, from civic number 115, rue Moon River to 13, rue Bella-Vista
Rue Bellvue	3 735 782

Street name	Description or corresponding lot numbers
Rue des Berges	3 735 979
Rue Bermax	3 438 891
Rue Bill's Brae	3 737 015
Rue Birch	3 208 677 and 3 439 336
Rue du Boisé	3 735 978
Rue Brunet	5 738 366
Rue Carruthers	3 735 788
Chemin des Castors	3 737 312, 3 737 257 and 3 737 353
Rue des Chanterelles	3 637 677
Rue du Chevreuil	3 737 353
Chemin de Christieville	3 735 998
Rue du Clos-Joli	3 735 948
Rue Cooper	3 737 330
Rue Corbeil	3 737 234 and 3 737 339
Rue de la Corniche	3 208 563, 3 208 659, and 3 208 660
Rue du Cottage	3 439 335, 4 132 339, 3 637 707, 3 208 674, 3 208 681, and 3 637 711; encroachment on lots 3 206 384, 3 206 382, and 3 206 343
Rue du Cottage Sud	3 208 680
Rue Davis	3 208 663
Rue Dionne	3 737 003
Rue Doherty	3 206 453
Rue Emmanuelle	3 737 216
Chemin de l'Équinoxe	3 738 467
Rue des Érables	Part of lot 3 737 389
Rue de l'Excursion	5 260 189
Rue des Florales	3 735 805 and 3 735 935
Rue Franc	3 737 201 and 3 737 384
Rue Green Acres	3 208 562 and 3 208 561
Rue Guillaume	3 735 885
Chemin du Hameau	3 735 950 and 3 735 768
Rue Hazen-Riddell	4 571 462
Rue du Jardin	3 737 213 and 3 737 196
Chemin du Lac-du-Corbeau	3 737 229 and 3 737 306
Chemin du Lac-Margaret	3 737 219
Rue Lafleur	5 664 666
Chemin Lakeshore	3 737 350 and 3 737 220
Rue de la Légion	3 735 752
Chemin Log Village	3 208 646, 3 208 647, and 3 208 648
Place de Louxor	3 735 874 and 3 735 963
Rue Meadowview	3 735 815, 3 735 806, 3 735 784, and 3 735 989
Rue du Mont-Caprice	3 208 665

Street name	Description or corresponding lot numbers
Rue Moon River	Part of lots 3 737 355 and 3 737 311
Rue du Moulin	3 735 933 and 3 735 390
Rue Newton	3 735 801
Chemin Old Settlers E	5 838 656, 3 737 299, and 3 737 224
Rue de la Paix	3 208 624, 3 208 623, and 3 208 669
Rue du Panorama	6 286 538
Chemin du Pavillon	3 738 468
Rue des Pentes	4 192 080 and 6 424 023
Rue Piché	3 735 766 and 4 429 885
Rue Pine Tree	3 208 650
Rue du Plateau	6 316 549
Rue Raymond-Gauthier	5 191 144, 3 735 842, and 3 737 171
Rue Richard-Brown	3 735 848 and 3 736 524
Rue Riverview	3 735 946, 3 735 976, 3 735 884, and 3 736 066
Chemin Rustique	6 403 668, 3 737 585, 3 737 217, and 5 142 924
Rue Rustique N	3 737 561; existing right-of-way of 550 linear metres to civic number 38 (lot 3 737 553)
Rue Sabbagh	3 735 957
Rue de la Sablière	3 737 281
Rue du Sapin	3 737 896, 3 737 346, and 3 737 387
Rue Seale	3 208 654
Rue Shawn	From Chemin Alpino to 10 Rue Shawn
Rue Simon	3 737 212
Rue du Soleil-Levant	3 735 987
Rue Sunnyview	3 735 916 and 5 598 941
Rue Susan	3 736 036 and 3 735 960
Rue Tamarack	3 735 977 and 3 735 997
Rue du Torrent	3 735 980
Chemin des Trois-Lacs	3 208 571, 3 208 572, and 3 208 671
Rue du Val-des-Monts	3 737 254
Rue Voce	3 736 044
Nameless street (Tamaracouta)	3 208 602
Nameless street (Kirkpatrick)	3 208 591, 3 208 592, 3 208 589, 3 208 590
Nameless street (Rustique)	3 737 376
Nameless street (Lakeshore)	3 208 667 and 3 737 924

CHAPTER IV: PROVISIONS RELATING TO LOTS

DIVISION A – GENERAL PROVISIONS

40. Adjacency to a street

A lot shown on the plan for a cadastral operation must be adjacent to an existing or proposed street on that plan, or on a plan for which a subdivision permit has been issued, except in the following cases:

1. The lot is subject to a consolidation plan with an adjacent lot that is adjacent to a street;
2. The lot is intended to be a common or private portion in an integrated project, if one of the common portions is adjacent to a street;
3. The lot is intended to accommodate a use in Category P4 – Public Utilities, as defined in Chapter II of the *By-Law Regarding Zoning*;
4. The lot is intended to accommodate a generally permitted use pursuant to Chapter II of the *By-Law Regarding Zoning*;
5. The lot is subject to a transfer for parks, playgrounds, or natural areas under this by-law.

41. Shape of lots

The following provisions apply to the shape of lots intended to host a main building:

1. In general, the shape of a lot should be regular (i.e. mainly rectangular) and avoid broken lines.
2. Exceptionally, the shape of a lot may be irregular (i.e. an atypical shape or with broken lines) due to the presence of natural constraints. Difficulty in creating a driveway to the main building due to, for example, the presence of water or a wetland near the street, is not a sufficient reason to create an irregular lot. In such a case, the applicant must plan for the lot width to be greater than the required or proposed minimum.
3. For the minimum required depth of a lot, the side lot lines must be perpendicular (90°) to the street right-of-way line or at an angle between 75° and 105° to the street right-of-way line.

DIVISION B – MINIMUM LOT AREA AND DIMENSIONS

42. Minimum subdivision standards

The subdivision standards are prescribed in the specification charts attached to Schedule B of the *Zoning By-law*, and are subject to the following standards:

1. The subdivision standards prescribed in the zoning grids take precedence over the standards of this chapter, unless a higher standard is prescribed in this chapter.
2. The subdivision standards prescribed in the grids do not apply if an exemption or a reduction of the standards is prescribed in this by-law.
3. If the lot is intended to accommodate two main uses permitted under the *By-Law Regarding Zoning*, the more restrictive standard in the specifications grid for either of those uses shall apply.
4. If a lot is located in more than one zone identified on the zoning map (appended as Schedule A to the *By-Law Regarding Zoning*) and the subdivision standards are different in each zone, the most restrictive standards shall apply.

5. When an integrated project is authorized in the Zoning By-law, the area of the lot intended to receive the project must correspond to the sum of the minimum areas required as if each main building of the integrated project had a separate lot.

43. Exemption from minimum subdivision standards

The minimum subdivision standards do not apply in any of the following cases:

1. Cadastral operations required for a generally permitted use pursuant to Chapter II of the *By-Law Regarding Zoning* if the project does not require a drinking water supply or wastewater disposal system;
2. Cadastral operations required for a use in Category P4 – Public Utilities, as defined in Chapter II of the *By-Law Regarding Zoning*, if the project does not require a drinking water supply or wastewater disposal system;
3. Cadastral operations required to alienate an adjacent lot. A lot consolidation plan must be filed with the permit application;
4. Cadastral operations for a non-conforming lot protected by acquired rights, when authorized in Chapter V of this by-law. A lot consolidation plan must be filed with the permit application;
5. Cadastral operations for a lot that is subject to a transfer for parks, playgrounds, or natural areas under this by-law;
6. Cadastral operations identifying part of a building or lot required for a declaration of co-ownership made under the *Civil Code of Québec*.

44. Minimum width reduction of a lot located outside a curve

The minimum width of a lot located outside a curve with a turning radius may be reduced by 50%, without being less than 25 metres.

45. Area and dimensions of a lot situated wholly or partly within a riparian corridor

The minimum subdivision standards for a lot located wholly or partly within a riparian corridor are as follows:

Table 2: Minimum subdivision standards for a waterfront or non-waterfront lot located in whole or in part within a riparian corridor

Service	Area	Width	Depth
Unserviced lot (no water or sewer)	4000 m ²	50 metres	60 metres
Partially serviced lot (water or sewer)	2,000 m ²	Non-waterfront lot: 25 metres Waterfront lot: 30 metres	60 metres
Serviced lot (water and sewer)	2,000 m ²	25 metres	45 metres

46. Area and dimensions of a lot according to the grade (slope) of the land

The following provisions apply depending on the grade of the land:

1. Outside a riparian corridor, the minimum area of a lot with an average slope equal to or greater than 15% must be increased:
 - a. 2,000 m² for a partially serviced lot.
 - b. 4,000 m² for an unserved lot.
2. Inside a riparian corridor, the minimum area of a lot with an average slope equal to or greater than 15% must be increased:
 - a. 2,500 m² for a partially serviced lot.
 - b. 5,000 m² for an unserved lot.

In all cases, the applicant must demonstrate that the minimum lot area and dimensions are sufficient to allow a plateau, of the size indicated in Division D of Chapter XII of the *By-Law Regarding Zoning*, to be identified within the lot.

47. Area and dimensions of a lot for the construction of a driveway

The applicant must demonstrate that the lot's minimum dimensions and area are sufficient to allow the driveway to the main building, the standards of which are set out in Chapter IX of the *By-Law Regarding Zoning*, to start at the front lot line adjacent to a street or, in the case of a corner lot or corner through lot, at the side lot line adjacent to a street.

48. Minimum width of a lot at the shoreline of a lake

The minimum width of a lot at the shoreline of a lake is 50 metres. This width is calculated from the boundary of the littoral zone from one lateral line to the other or, where applicable, the entire width of the lake's shoreline.

49. Minimum width of a lot at the back lot line

The minimum width of a lot at the back lot line is at least 10 metres.

50. Minimum width along routes 329 and 364

Notwithstanding any lesser standard indicated in this by-law or the specifications grid, the minimum width of a lot adjacent to Route 329 or Route 364 is 100 metres. This minimum width applies on the stretches of highway where the posted speed is greater than 50 km/h.

CHAPTER V: PROVISIONS REGARDING ACQUIRED RIGHTS

51. General provisions

Any lot whose area or dimensions do not conform to this by-law is considered a non-conforming lot.

Subject to the specific rules on acquired rights, a non-conforming lot is protected by acquired rights if the area and dimensions of the lot conformed with the by-law in force at the time of its creation or if it was created before the first applicable by-law.

52. Specific provisions for lots prior to cadastral renewal

The identification of a non-conforming lot that has not been subject to a subdivision permit by virtue of the fact that it was created through cadastral renewal does not grant it acquired rights.

For the land to be protected by acquired rights, the applicant must demonstrate that land that does not form one or more distinct lots on the official plans of the cadastre, and for which the adjacent land is described in one or more deeds registered on the day before the cadastral renewal, could have benefited from subdivision privileges under sections 256.1 to 256.3 of the *Act respecting land use planning and development* (CQLR c. A-19.1).

The reference date for the application of sections 256.1 to 256.3 is December 7, 1983.

53. Expansion of a non-conforming lot protected by acquired rights

A cadastral operation intended to enlarge a non-conforming lot protected by acquired rights related to area is authorized, even if the expansion does not comply with subdivision standards, under the following conditions:

1. If the width or depth of the lot is non-conforming, the cadastral operation must not worsen the non-conformity.
2. The cadastral operation must not render an adjacent lot non-conforming.
3. The cadastral operation must not render existing structures non-conforming or worsen the non-conforming nature of these structures.

A lot consolidation plan must be filed with the permit application.

54. Modification of a non-conforming lot protected by acquired rights

A cadastral operation intended to change a non-conforming lot protected by acquired rights related to width or depth is authorized, even if the modification¹ does not comply with subdivision standards, under the following conditions:

1. The change in width or depth must not worsen the non-conforming nature of that width or depth.
2. The cadastral operation must not worsen the non-conformity if the area of the lot is non-conforming.
3. The cadastral operation must not render an adjacent lot non-conforming.
4. The cadastral operation must not render existing structures non-conforming or worsen the non-conforming nature of these structures.

A lot consolidation plan must be filed with the permit application.

¹ Modified by By-law 764-2024 entered into effect on December 12, 2024