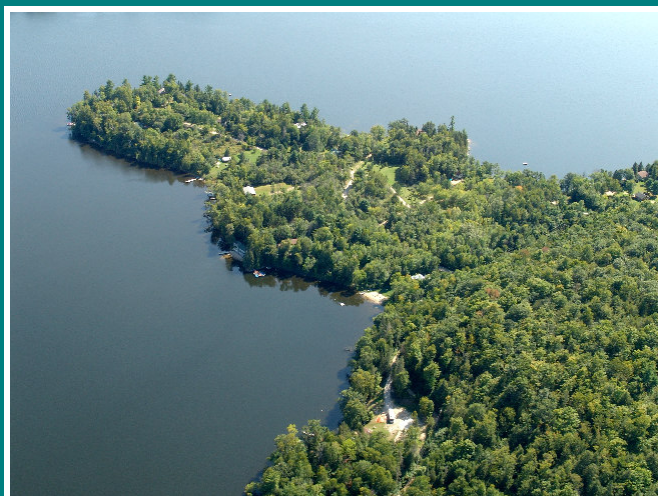




**The Regional County Municipality and the local municipalities  
of  
La Vallée-de-la-Gatineau**

**SUSTAINABILITY FOR OUR SHORELINES**



**Synthesis of Interim Control By-law  
2009-206 \***

\*This document is not a substitute for the full Interim Control By-law 2009-206 adopted by the Council of the MRC de La Vallée-de-la-Gatineau on 16 June 2009 and that became law on 21 August 2009.

**DEFINITIONS (CHAP. II ART. 2.3)**

***Vegetation cover:***

*The above-ground layer of vegetation formed by the leaf canopy of trees, shrubs, and plants.*

***High-water mark:***

*The area of change from a predominance of aquatic plants to a predominance of terrestrial plants or if there are no aquatic plants, at the point where terrestrial plants stop nearest the water. The term high-water limit has the same meaning.*

***Littoral zone:***

*The part of an aquatic zone or watercourse that extends from the high-water mark to the centre of the aquatic zone or watercourse.*

***Shore re-vegetation:***

*The planting of species such as herbaceous plants, bushes, and trees for shoreline and floodplain protection as recommended in the good practices guide (Guide des bonnes pratiques) of the Ministère du Développement durable et de l'Environnement et des Parcs du Québec (MDDEP).*

***Shore:***

*A strip of land bordering an aquatic zone and/or a watercourse that extends landward from the high-water mark. The width of the shore is measured horizontally. The shore is at least 10 meters wide where the slope is less than 30% or the slope is greater than 30% but with a bank less than 5 meters high. The shore is at least 15 meters wide where the slope is continuous and greater than 30% or where the slope is greater than 30% and with a bank more than 5 meters high.*

***Slope:***

*Means, for the purposes of this by-law, the riparian portion of land with a percentage of slope over 30 % and a height of more than five (5) meters. If the slope of a shore is regular over a distance of 15 meters from the high-water mark and has a minimum elevation gain of five (5) meters over the level of the high-water mark, this difference in level is considered the slope.*

## **APPLICATION, DEFINITIONS, AND SPECIFIC MEASURES**

### **APPLICATION**

By-law 2009-206, an interim control by-law, has the primary objectives of ensuring the ecological sustainability of our waterways and maintaining or improving their quality through establishing adequate protective measures for shorelines, littoral zones, and floodplains.

This by-law applies to all municipal territory of the MRC de la Vallée-de-la-Gatineau (MRC V-G) except for the territory of the Town of Maniwaki and the territory of the drainage basin of Lac Heney within the municipalities of Gracefield and Lac Sainte-Marie.

### **MEASURES APPLICABLE TO SHORELINES (CHAP. IV, ART. 4.3)**

On lakeshores and riverbanks all structures, undertakings, and works are prohibited.

When the shore is not vegetated, measures must be taken for re-vegetation with brush cover and/or herbaceous plants within a period of twenty-four (24) months from the date of entry-into-force of this by-law.

Notwithstanding the foregoing, the following structures, undertakings, and works may be permitted provided they are consistent with other protection measures recommended for floodplains by a municipal by-law:

1. The maintenance, repair, and demolition of existing buildings and structures, used for purposes other than municipal, commercial, industrial, public, or public access;
2. The structures, undertakings, and works for municipal, commercial, industrial, public, or public access purposes, including their maintenance, repair and demolition, if an authorization must be obtained under the Loi sur la qualité de l'environnement;
3. The following structures and works relating to vegetation:
  - a) Forest management activities subject to the Loi sur les Forêts and its regulations;
  - b) Sanitation cutting;
  - c) Harvesting up to 30 % of trees with trunks having a diameter of 10 centimeters or more conditional on maintaining at least 50 % of the vegetation cover on private woodlots that are within a forestry zone prescribed by a municipal zoning by-law or located in the agricultural zone decreed under the authority of the provincial government;
  - d) Necessary cutting of vegetation species to implement an authorized structure or undertaking;
  - e) Cutting of vegetation species necessary for the development of a 5-meter wide opening to provide access to an aquatic zone where the shore slope is less than 30 % and on the condition the

- f) Necessary pruning and trimming to create a 5-meter wide opening when the shore slope is greater than 30 %, as well as for the construction of an herbaceous-covered trail, or a stairway having a maximum width of 1.2 meters, giving access to the aquatic zone and built in such a way as not to create an erosion problem. Debris resulting from pruning and trimming shall in no case be left on the shore;
- g) Pruning and trimming trees and shrubs on the shore, outside the allowed 5-meter window on the shore, provided it does not exceed more than 40 % of the total height of the tree trunk or shrub;
- h) The seeding or planting of trees, shrubs, or plants and the work related to restoring permanent and sustainable vegetation cover;
- i) Various methods of harvesting herbaceous vegetation for agricultural purposes when the slope of the shore is less than 30 % and, where the slope exceeds 30%, only on the top of the embankment.
- j) Cultivation of soil for agricultural purposes on cultivated land within the agricultural zone decreed under the authority of the provincial government is permitted on condition that a minimum strip of 3 meters of vegetation measured from the high-water mark is maintained. Such cultivation is also permitted where there is an embankment of less than 3 meters from the high-water mark, provided that the width of the strip of vegetation to be preserved includes a minimum width of 1 meter at the top of the bank.

#### ***Notwithstanding the foregoing:***

- 1) Any intervention to control vegetation including cutting brush, felling of trees, and spreading of fertilizer is not permitted on shorelines unless specific provisions apply ;
- 2) Mowing of existing grass on the shoreline will not be permitted after August 21<sup>st</sup>, 2011.

### **BUILDINGS ERECTED ON THE SHORELINE (CHAP. IV, ART. 4.3.1)**

Notwithstanding Article 4.3, maintenance of vegetation (including mowing of lawns, cleaning of brushwood, and felling of trees, but excluding the spreading of fertilizer) is permitted in an existing vegetated band, including shrubs and/or trees, or a band to be created along the sides of an existing main building erected in whole or in part on the shore zone before February 11th 1984. The width of this band is equivalent to the total width of the erected main building measured on the wall facing the shore but excluding the length of any construction extending beyond the roofline or any accessory building attached to the main building. Half the width of the building must be added to the extension of the wall of the main building facing the shore to determine the starting point of the lateral vegetation demarcation limit. From each of these points, one draws a line towards the point where the high-water mark intersects each end of the authorized 5-meter opening.

*For an accessory building or other construction erected in whole or in part on the shore before February 11th 1984, the maintenance of the vegetation (including mowing of lawns, clearing of brushwood, and felling of trees, but excluding the spreading of fertilizer), is permitted in a maximum band of two meters measured from the walls of the building intruding on the shore.*

#### **MEASURES APPLICABLE TO LITTORAL ZONES (CHAP. V, ART. 5.1)**

*Construction of a building of any sort is prohibited in the littoral zone of any waterfront in the municipal territory of the MRC de la Vallée-de-la-Gatineau.*

*Notwithstanding the foregoing, buildings and structures may be permitted along with the following if their achievement is not incompatible with other protection measures recommended by a municipal by-law on flood zones:*

- 1. Wharves or docks on pilings or made with floating platforms manufactured with materials that are resistant to corrosion;*
- 2. Construction of water crossings for fording, for animals, agricultural machinery, culverts and bridges;*
- 3. Equipment necessary for the operation of existing aquaculture facilities or any new aquaculture establishment from which discharges are directed to a watercourse that does not supply aquatic zones other than the ones created for hydroelectric purposes or for control of waters for hydroelectric production;*
- 4. Water intakes;*
- 5. Construction for agricultural purposes of inlets or diversion channels for capturing and diverting water in cases where an authorization for the construction of such canals must be obtained under the Loi sur la qualité de l'environnement;*
- 6. Encroachment on the littoral zone that is required for authorized works on shore;*
- 7. Cleaning, maintenance, and developments on watercourses authorized by the MRC V-G in accordance with applicable regulations;*
- 8. Construction, undertakings, and works for municipal, industrial, commercial, or public purposes or for public access purposes, including their maintenance, repairs and their demolition, subject to obtaining an authorization under the Loi sur la qualité de l'environnement, the Loi sur la conservation et la mise en valeur de la faune, the Loi sur le régime des eaux, or any other act;*
- 9. Maintenance, repair, and demolition of buildings and existing structures that are not used for municipal, industrial, commercial, or public purposes or for public access.*

#### **BUILDINGS ERECTED IN THE LITTORAL ZONE (Chap. V, art. 5.2 ; 5.3 ; 5.4)**

*Only buildings erected on any shoreline of any aquatic zone or watercourse on the municipal territory of the MRC V-G before the entry into force of this by-law or before the entry into force of Interim Control By-law 98-105 of the MRC V-G (May 6th 1998) or a municipal zoning by-law prohibiting their construction and which have a right on the public water domain granted by a local municipality by virtue of the Règlement sur le domaine hydrique public under the Loi sur le*

*régime des eaux before the coming into force of these by-laws have acquired rights for reconstruction or rehabilitation of their structure and their foundations.*

*A building with an acquired right by virtue of this by-law may be rebuilt in the event of its demolition or its destruction under the following conditions:*

- 1. The reconstruction must begin within six months of the date the demolition or destruction of the building;*
- 2. The building must be rebuilt with dimensions and volume equal to or less than the destroyed or demolished building;*
- 3. No part of the building may serve for residential usage unless that usage had existed before the demolition or destruction, or for any usage other than was intended;*
- 4. The building is built on posts, piers, or floating foundations made of corrosion-resistant materials.*
- 5. No material used to rebuild may contain wood treated with chlorophenol, chromated copper arsenate (CCA), pentachlorophenol (PCP), creosote, or that includes a formulation with a base of chlorophenate or borax as well as their derivatives used for protection.*

*However, buildings erected on any shoreline of any aquatic zone or watercourse on the municipal territory of the MRC V-G before the entry into force of this by-law or before the entry into force of Interim Control By-law 98-105 of the MRC V-G (May 6th 1998) or a municipal zoning by-law prohibiting their construction and which do not have a right on the public water domain granted by a local municipality by virtue of the Règlement sur le domaine hydrique public under the Loi sur le régime des eaux before the coming into force of these by-laws do not have acquired rights for reconstruction or rehabilitation of their structure and/or their foundations. (Chap. V, art. 5.4)*

#### **SPECIAL PROVISIONS FOR DOCKS AND WHARVES (Chap. V, art. 5.5)**

*The dock or wharf must be located in front of the five-meter opening permitted on the riverbank of the riparian land. The dock or wharf must not encroach beyond the imaginary lot lines of the riparian land to which it is attached. A wharf's longest dimension must be perpendicular to the shore. Under no circumstances may the dock be installed with its closest section parallel to the shore.*

*Only one single wharf may be installed per riparian location and the replacement of a dock or wharf that enjoys an acquired right may only be done in conformity with this by-law.*

- a) Any wharf's maximum length is 12 meters. That length represents the wharf's encroachment on the littoral zone. However, this length may be increased to more than 12 meters if the water depth does not reach 1 meter. In this case the limit to the wharf's length is determined by the lowest water level during the summer. When a wharf is extended (beyond 12 meters) to the water depth of 1 meter, it must be equipped with devices to indicate its location to ensure safety of*

navigation on the aquatic zone and of winter traffic on such watercourses. Under no circumstances may the wharf create an obstacle to navigation or make it unsafe. A wharf may not encroach more than 1/10th (10%) of the width of the littoral of an aquatic zone. Any wharves larger than 20 square meters must obtain an occupation permit from the Ministère du Développement durable, de l'Environnement et des Parcs, when located in the public water environment.

b) A wharf's maximum width may not exceed three meters. Docks equipped with a T- or L-shaped extension at their end are allowed provided that the maximum length does not exceed the provisions of point a) above.

c) The dimensions of a dock's T- or L-shaped extensions at the end of the wharf may not exceed six meters in length for that part parallel to the shore and three meters in width. This dock extension must be located at a minimum distance of five meters from the high-water mark.

d) It is prohibited to apply any product for the preservation of materials used in any structure or wharf, when it is already installed on the littoral.

e) Any existing dock or wharf whose components contain chlorophenol, chromated copper arsenate (CCA), pentachlorophenol (PCP), creosote, or that include a formulation with a base of chlorophenolate or borax as well as their derivatives used for wood protection, may not be repaired, rebuilt, or restored with materials including such formulations or replaced by a wharf using these formulations.

#### **BUILDINGS LOCATED ON THE SHORE WITHIN AN URBANIZATION PERIMETER ZONE (Chap. Vi, art. 6.1, 6.2, AND 6.3)**

Notwithstanding Section 4.3, on riparian land on which a building has been erected in whole or in part on the shoreline before February 11th 1984, and which is included in an urbanization perimeter zone identified in the MRC V-G land-use and development plan, the vegetation, shrubby, and/or treed strip to be created on shore is determined as follows:

- The width of the shore, less the length of the intrusion into the shore of the building's most derogatory foundation. The result, divided by two, becomes the width for the vegetation strip to be established in front of the building. The five-meter access may be located in this vegetation strip.

Reconstruction of a principal building erected on the shore within the urbanization perimeter zone

A main building erected in whole or in part on the shore before February 11th 1984 inside the urban perimeter zone, may be rebuilt if destroyed or demolished for whatever reason, if for its reconstruction the following requirements are met:

1. Reconstruction must begin within six months from the demolition or destruction date;

2. The area of the main building within the shore before its destruction or its demolition is reduced by twenty-five percent when reconstructed if the site is serviced by a waterworks and a sewer system and by thirty percent if the land is partially serviced or non-serviced;

3. The main building's roof drainage is either channeled towards a storm drainage basin, when the soils where the main building is located are permeable or, towards an absorption pond when the soils have low permeability or are impermeable;

4. A certificate of location of the building foundation to be rebuilt must be submitted at the time of application for the building permit. This certificate, prepared by a land surveyor, must include the following:

a) The boundaries of the property;

b) The land slope percentage and the high-water mark;

c) The main building's shore occupation before its demolition or destruction;

d) The main building's shore occupation after reconstruction.

5. No construction beyond the roofline may be attached to the main building between the high-water mark and the wall of the building facing the shore.

#### **Reconstruction of a principal building or an accessory building erected in whole or in part on the shore outside the urbanization perimeter zone**

Notwithstanding Section 4.3, a building that has been erected in whole or in part on the shore before February 11th 1984, and is located outside an urbanization perimeter zone identified in the MRC V-G land-use development plan, may be rebuilt if it has been destroyed or demolished for any reason if the reconstruction respects the following requirements:

1. Reconstruction must begin within six months of the date of demolition or destruction;

2. The occupation area of the shore by the main building or dependency before its destruction or its demolition is reduced by forty per cent when reconstructed;

3. The main building or dependency roof drainage is either channeled towards a storm drainage basin when soils where the main building is located are permeable or, an absorption pond when the soils are of low permeability or are impermeable;

4. A certificate of location of the building foundation to be rebuilt must be submitted at the time of application for the building permit. This certificate, prepared by a land surveyor, must include the following:

a) The boundaries of the property;

b) The land slope percentage and the high-water mark;

c) The main building's shore occupation before its demolition or destruction;

d) The main building's shore occupation after reconstruction.

5. No construction beyond the roofline may be attached to the main building between the high-water mark and the wall of the building facing the shore.

**Reconstruction or expansion of an accessory building erected in whole or in part on the shoreline**

An accessory building erected in whole or in part on the shore before February 11th 1984 may not be rebuilt on the shore if, for any reason, it is destroyed or demolished. An accessory building erected before February 11th 1984 on land not occupied by a main building and that encroaches on the shore cannot be rebuilt if demolished for any reason. In no case may a building erected in whole or in part on the shore before February 11th 1984 be enlarged on the shore.

**MINIMUM COVERAGE (Chap. VII, art. 7.2)**

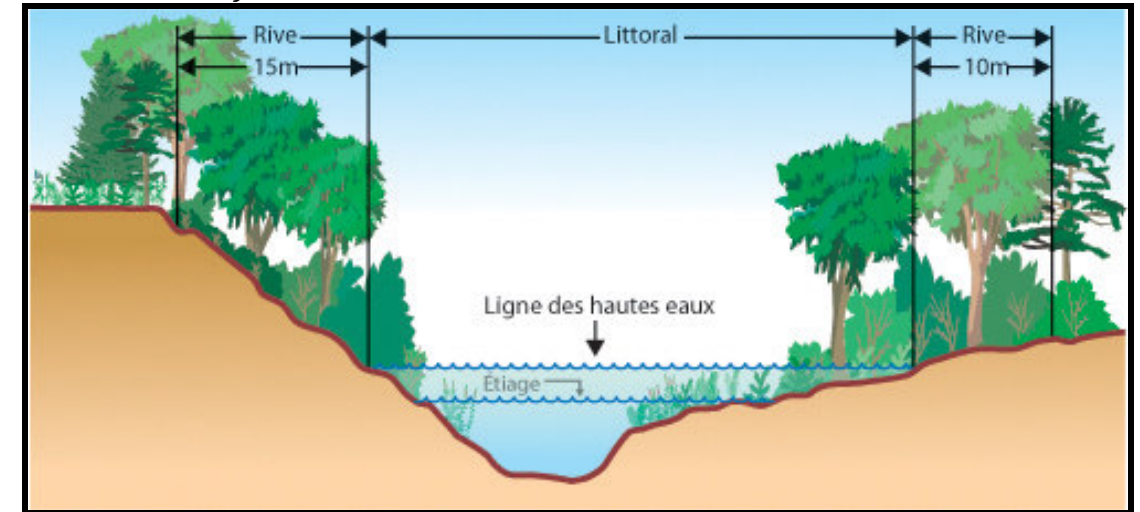
The total top diameters of all tree and bush species of the re-vegetation plan once mature, must cover a minimum of seventy percent of the shore's total area to be replanted. In no case may shrubby conifers represent more than twenty percent of the total diameter of tops.

**PROHIBITED MATERIALS ON THE SHORE (Chap. 8, art. 8.1)**

The use of treated wood containing chlorophenol, chromated copper arsenate (CCA), pentachlorophenol (PCP), creosote, or including a formulation with a base of chlorophenate or borax as well as their derivatives used for wood protection, is prohibited on the shore.

**ILLUSTRATIONS**

**Determination of the shore**



Source : MDDEP

**Glossary (see also definitions)**

Rive: shore

Littoral: littoral

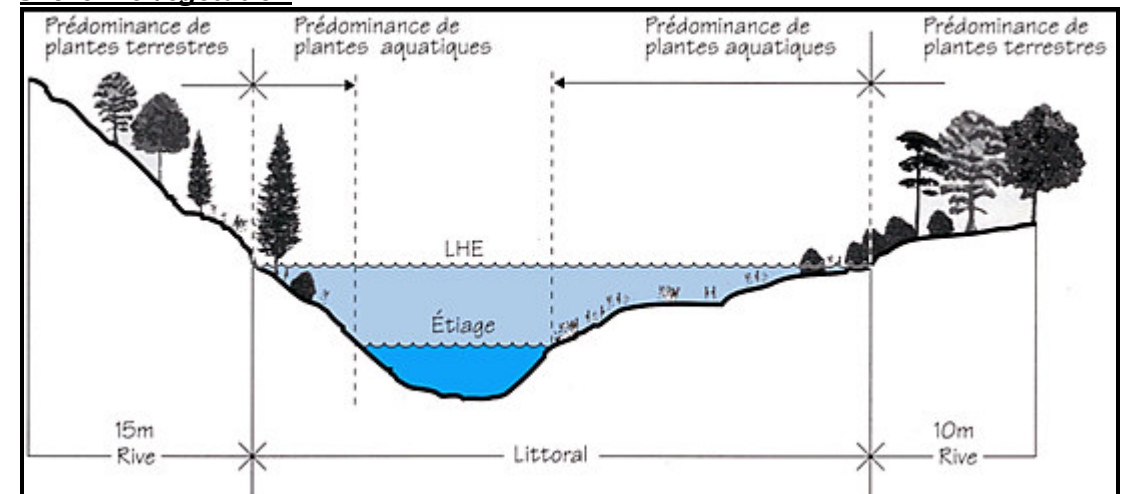
Ligne des hautes eaux (LHE): high-water mark

Étiage: minimum flow (level)

Prédominance des plantes terrestres: predominance of terrestrial plants

Prédominance des plantes aquatiques: predominance of aquatic plants

**Shoreline vegetation**



Sources : Ville de Montréal, glossaire

*List of Municipalities*

**MRC de La Vallée-de-la-Gatineau**

7, rue de La Polyvalente, C. P. 307 Gracefield J0W 1W0

(819) 463-3241

**Municipality of Aumont**

679 Principale Aumont J0W 1W0

(819) 449-4006

**Municipality of Blue Sea**

7, rue Principale, C.P. 99Blue Sea J0X 1C0

(819)463-2261

**Municipality of Bouchette**

36 Principale Bouchette J0X 1E0

(819) 449-2252

**Municipality of Bois-Franc**

466, Route 105 Bois-Franc J9E 3A9

(819) 449-2252

**Municipality of Cayamant**

6, Chemin Lachapelle Lac Cayamant J0X 1Y0

(819) 463-3587

**Municipality of Egan-Sud**

95, Route 105 Egan-Sud J9E 3A9

(819) 449-1702

**Municipality of Déléage**

175, Route 107 Déléage J9E 3A8

(819) 449-1979

**Municipality of Denholm**

419, Ch. Poisson Blanc Denholm J8N 9C8

(819) 457-2992

**Town of Gracefield**

351, Route 105, c.p. 329, Gracefield J0X 1W0

(819) 463-3458

**Municipality of Grand-Remous**

1508, Route Transcanadienne, Grand-Remous J0W 1E0

(819) 438-2877

**Municipality of Kazabazua**

30, rue Begley, C.P. 10 Kazabazua J0X 1X0

(819) 467-2852

**Municipality of Lac-Sainte-Marie**

106, Ch. Lac-Sainte-Marie C.P. 97 J0X 1Z0

(819) 467-5437

**Municipality of Low**

C.P. 100, 4A Chemin D'Amour Low J0X 2C0

(819) 422-3528

**Municipality of Messines**

70 Principale, C.P. 69 Messines J0X 2J0

(819) 465-2323

**Municipality of Montcerf-Lytton**

18 rue Principale Nord Montcerf-Lytton J0W 1N0

(819) 449-4578

**Municipality of Ste-Thérèse-la-Gatineau**

27 chemin Principal, C.P. 155 J0X 2X0

(819) 449-4134