

NA1 Zone composed of predominantly clay soils, with or without erosion, may be affected by landslides from natural or anthropogenic origin.

NA2 Zone composed of predominantly clay soils without significant erosion, sensitive to anthropogenic interventions.

NS1 Zone consisting of predominantly sandy soils with erosion, which may be affected by landslides from natural or anthropogenic origin.

S2 Zone consisting of predominantly sandy soils, no erosion, may be affected by landslides from natural or anthropogenic origin.

NH Zone consisting of heterogeneous soils, with or without erosion, may be affected by landslides from natural or anthropogenic origin.

#### 4.11.5.2 Stress regions applicable to strong retrograde landslides

RA1-NA2 Zone composed of predominantly clay soils without significant erosion, sensitive to anthropogenic interventions that may be affected by a landslide of a great extent.

RA1 Summit Zone composed of predominantly clay soil, located at the top of the slope, which can be carried away by a landslide of retrogrades of great extent.

RA1 Base Zone at the base of the slope that may be affected by the spread of debris from zones RA1 Summit.

The interventions proposed in the landslide zones to the Southeast area of the Municipality must be in accordance with the table entitled "Regulatory framework for the control of land use in areas prone to landslides (NA1, NA2, NS1, NS2, NH, and NA2-RA1 RA1-Summit - RA1-Base)" attached as Annex II to this By-law (French version only).

These landslide zones are illustrated in the map known as "Human land use restrictions – Landslide Zones, PU-635-05-3A" prepared by the Department of Geomatics of the MRC des Collines-de-l'Outaouais.

These landslide zones are an integral part of the By-law.

## 4.12 CONSTRUCTION STANDARDS FOR WATERFRONT AREAS

Objectives:

- a.** To ensure the sustainability and maintain and enhance the quality of lakes and waterways by providing suitable minimum protection for waterfronts and waterways;
- b.** To prevent the deterioration of waterfronts, shores and flood plains through erosion by encouraging conservation of the natural state of said waterfront areas;
- c.** To ensure the conservation, quality and biological diversity of the environment by limiting interventions that could permit accessibility to and development of waterfront areas;
- d.** To protect wildlife typical to the flood plain by taking the biological features of these environments into account and ensuring natural run-off; and

- e. To allow the restoration of deteriorated waterfront areas by encouraging the use of the most natural techniques possible.

General rules:

The following provisions apply to any and all work designed to modify the vegetation of shores, lakes, waterways and flood plains, and any work on waterfronts or shorelines.

They also apply to the modification or repair of existing waterfront and shoreline facilities as well as to any new construction, use, or occupation of waterfront or shoreline areas for lakes or waterways.

Notwithstanding the preceding, these provisions do not apply to municipal, industrial, or public works or to work to upgrade public access, since these must be approved by the Deputy Minister of the Ministère du Développement durable, de l'Environnement et des Parcs. The provisions do not apply to Quebec public land.

Developments and structures in a waterfront or shoreline area must be designed and constructed to respect or restore the condition and natural aspect of the area to avoid interfering with natural run-off or causing erosion.

Said developments and/or structures must be implemented without recourse to excavation, dredging, grading, filling, or other like work.

Obtaining a municipal permit in no way releases the permit holder from the obligation to obtain any and all permits required by any other Quebec law or regulation, for example, the *Watercourses Act* (R.S.Q., c. R-13).

#### 4.12.1 Definitions

**Bed** That part of a lake or waterway usually covered by water.

**Ditch** A small lengthwise natural or artificial depression in the earth, used to drain surface water from neighbouring ground, i.e. roadside ditches or line ditches that only drain adjacent land and ditches that drain only one lot.

**Filling** Earthworks consisting of bringing in earth to build an embankment or fill a depression.

**Grading** Earthwork consisting of removing earth for levelling purposes.

**High-water mark** The high-water mark is the line used to delimit the littoral zone from the shores of lakes and rivers.

The high-water mark is located at the natural high-water line, i.e.:

- a. At the spot where conditions change from a predominance of aquatic plants to a predominance of non aquatic plants, or, in the absence of aquatic plants, the line where non-aquatic plants stop as they approach the watercourse.

The aquatic plant group consists of all hydrophytic plants, including submerged plants, plants with floating leaves, emergent plants, and emerged herbaceous and ligneous plants characteristic of marshes and swamps on watercourses;

- b. Where a water retention structure exists, at the maximum operating elevation of the waterworks for the upstream portion of the watercourse;
- c. Where a legally erected retaining wall exists, from the top of the structure; and
- d. Where the high-water line cannot be determined according to the preceding criteria, it may be situated in the following manner:

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"In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail".

**EFFECTIVE DATE: June 28, 2005**  
**Administrative compilation n° 25 effective November 13, 2014**

1. If the information is available, the two-year flood mark, considered to be the equivalent of the line established according to the botanical criteria previously defined in point a.

**Littoral zone** The portion of lakes and waterways extending from the high-water mark to the centre of the watercourse.

**Sanitation cut** Consists of felling or harvesting defective, damaged, dying, or dead trees from a forest stand.

**Shoreline** The strip of land bordering a lake or waterway and extending inland from the high-water mark. The width of the protection zone is measured horizontally and is determined as follows:

- a.** In agricultural areas (except private woodlots): 3 metres; and
- b.** In all other cases: 15 metres.

**Watercourse** Any waterway with a regular or intermittent flow. Ditches are not included in this definition.

Also, in public forest environments, the types of watercourses covered by these provisions are those defined by the regulations on standards for intervention enacted pursuant to the *Forest Act*.

#### 4.12.2 Subject lakes and waterways

Any and all permanent or intermittent lakes, waterways, marshes and wetland areas are subject to the following provisions, except ditches, which are exempt, and some waterways located on public forest lands, which are governed by provincial standards for intervention in forests on public land.

#### 4.12.3 Obtaining a permit

Any construction or other work likely to destroy or modify the vegetation of the shoreline, expose soil, or affect stability, or that encroaches on the littoral zone requires a municipal permit prior to beginning said work.

The process of issuing permits shall take into consideration the intervention measures provided with respect to lakeshores and littoral zones, particularly the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains.

Construction or other work related to forest development, which is subject to the Forest Act and its regulations, is exempt from the obligation to obtain a permit.

##### 4.12.3.1 Engineering report

For any work or project involving excavation, dredging, grading, filling, the installation of gabions, or other like work, and for which the municipal inspector deems certification to be necessary, a report prepared by an engineer and accompanied by a certificate of compliance for the work must be written and submitted to the Municipality for approval before beginning the work. Evaluation criteria:

- a.** Impact on existing plant and wildlife;
- b.** Relevance of the work in terms of shoreline stability; and
- c.** Compliance with the Quebec Ministère de l'Environnement et de la Faune best practices guide for the protection of waterfront, shores, and floodplains.

When the work is limited to the re-establishment of vegetation, without recourse to excavation, dredging, grading, filling, the installation of gabions, or other like work, submission of the engineering report is optional.

#### 4.12.4 Building setbacks

Any and all main or secondary buildings and any other type of structure must be located at least fifteen (15) metres above the high-water mark.

However, in zones MP-2, MP-4 and MP-8, all main or secondary buildings or any other type of structure must be located at least fifty (50) metres above the high-water mark.

#### 4.12.5 Special provisions respecting the waterfront

All construction or other work is prohibited along the shoreline, except

- a. The following vegetation-related work:
  1. Forest development subject to the Forest Act and its regulations;
  2. Sanitation cuts;
  3. In private woodlots used for forestry and agriculture, trees ten (10) centimetres or more in diameter consisting of fifty percent (50%) canes, on condition that at least fifty percent (50%) of the forest cover is preserved;
  4. Cut-back needed to erect an approved building or structure;
  5. Cut-back needed to build a five (5) metre wide structure for access to the water, when the grade of the shoreline is less than 30%;
  6. Cutting and pruning required to open a five (5) metre wide window, when the grade of the shoreline is greater than 30%, along with a pathway or staircase to access the waterway;
  7. Seeding and planting of plants, trees or bushes and work to restore permanent, sustainable plant cover; and
  8. Various methods used to harvest herbaceous plants where the grade of the shoreline is less than 30%, but only at the top of the slope when the grade exceeds 30%.
- b. Cultivation for agricultural purposes. However, a strip of shoreline at least three (3) metres wide must be preserved. If the height of the slope, if any, is less than three (3) metres from the high-water mark, the width of the shoreline must include at least one (1) metre at the top of the slope.
- c. The following projects:
  1. Installation of fences located at least five (5) metres above the average high-water mark;
  2. Installation or construction of underground and surface water drainage ducts and pumping stations;
  3. Construction of water crossings using fords, culverts and bridges;
  4. Aquaculture equipment;
  5. All septic systems in accordance with the Regulations respecting wastewater discharge and treatment in isolated residences enacted pursuant to the Environment Quality Act;
  6. When soil grade, nature, and conditions do not permit restoration of the plant cover and natural state of the shoreline, stabilization work using riprap, gabions or retaining walls with priority given to the technique most likely to facilitate the future establishment of natural vegetation;
  7. Private wells;

8. Reconstruction or expansion of an existing road, including farm and forest roads;
9. Work required to carry out approved construction or other work in the littoral zone pursuant to sub-section 4.12.6;
10. Construction or other work for municipal, commercial, industrial, or public means or to provide access for the public, duly authorized pursuant to the *Environment Quality Act*; and
11. Forest development subject to the Forest Act and the Regulations respecting standards of forest management for forests in the public domain.

#### 4.12.6 Special provisions respecting the littoral area

In the littoral zone, any construction or other work is strictly prohibited, with the possible exception of the following:

- a. Construction of water crossings using fords, culverts and bridges;
- b. Aquaculture equipment;
- c. Water intakes;
- d. Encroachment into the littoral zone required to carry out approved shoreline work;
- e. Construction for agricultural purposes of intake or diversion channels for water removal when the construction of these channels is subject to obtaining a permit in accordance with the Environment Quality Act;
- f. Cleanup and maintenance work, without clearing, conducted by MRC member municipalities in watercourses pursuant to the duties and responsibilities conferred on them by the law; and
- g. Construction or other work for municipal, commercial, industrial, or public means or to provide access for the public, including maintenance, repair and demolition, subject to the issuance of a permit pursuant to the Environment Quality Act, the Act respecting the conservation and development of wildlife, the Watercourses Act or any other legislation.

#### 4.12.7 Docks

##### 4.12.7.1 Definitions <sup>(11)</sup>

**Attached dock** Horizontal platform, without vertical structure, floating or on piles, fixed to the shoreline, jutting out into the waterway to permit watercraft to launch or dock. The platform may also be used for bathing and leisure purposes.

**Detached dock** Floating, horizontal platform, without vertical structure, not fixed to the shore. This dock must be anchored in a fixed position to the bed of the waterway. This platform may also be used for bathing and leisure purposes.

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(11) Amended by **By-law N° 765-10** (effective September 16, 2010)

#### 4.12.7.2 Regulatory provisions<sup>(11)</sup>

The installation of a temporary dock, attached or detached, is permitted along a waterway. Refer to the following tables for surface areas, construction standards, and other regulatory provisions:

#### KINGSMERE LAKE, DE LA MONTAGNE (BEAMISH) LAKE AND OTHER LAKES NOT SPECIFICALLY MENTIONED IN THIS BY-LAW

##### Attached dock

Maximum surface area	20 m <sup>2</sup>
Maximum length	15 m from the shore
Minimum width	1.5 m
Location	4.5 m from lot lines for properties with lakefront frontage 45 m or more <b>- OR -</b> 10% of the lakefront frontage of the property, to a maximum of 4.5 m, when frontage is less than 45 m
Municipal permit	Yes

##### Detached dock

Maximum surface area	10 m <sup>2</sup>
Location	Less than 10 m from the shore
Municipal permit	Yes

Note: All other structures are prohibited.

**General conditions** An attached dock and detached dock may be installed on the same lot. The total surface area of the structures must be consistent with the greater of the two maximum allowable surfaces (20 m<sup>2</sup>).

#### MEECH LAKE

##### Attached dock

Maximum surface area	20 m <sup>2</sup>
Maximum length	15 m from the shore
Minimum width	1.2 m
Location	4.5 m from lot lines for properties with lakefront frontage 45 m or more <b>- OR -</b> 10% of the lakefront frontage of the property, to a maximum of 4.5 m, when frontage is less than 45 m
Municipal permit	Yes
MEF permit and lease	Yes – when surface is 20 m <sup>2</sup> <b>- OR -</b> when the dock is wider than 10% of the property waterfront frontage

<sup>(11)</sup> In the case of a difference and/or an incompatibility between the French and English texts of any provision of this By-law, the French text shall prevail.

Detached dock

Maximum surface area	10 m <sup>2</sup>
Location	Less than 20 m from the shore
Municipal permit	Yes

Note: All other structures are prohibited.

Conditions An attached dock or a detached dock may be installed on the same lot. The total surface area of the structures will be not more than 20 m<sup>2</sup>. If the frontage of the two docks are more than 10% of the lot frontage or 20 m<sup>2</sup>, the MEF land use permit will be required.

GATINEAU RIVER

Attached dock

Maximum surface area	20 m <sup>2</sup>
Maximum length	15 m from the shore
Minimum width	1.2 m
Location	4.5 m from lot lines for properties with lakefront frontage 45 m or more <b>- OR -</b> 10% of the lakefront frontage of the property, to a maximum of 4.5 m, when frontage is less than 45 m
Municipal permit	Yes
MEF permit and lease	Yes – when surface is 20 m <sup>2</sup> <b>- OR -</b> when the dock is wider than 10% of the property waterfront frontage

Detached dock

Maximum surface area	20 m <sup>2</sup>
Location	Less than 15 m from the shore
Municipal permit	Yes
MEF permit and lease	Yes – when surface is 20 m <sup>2</sup> <b>- OR -</b> when the dock is wider than 10% of the property waterfront frontage

Note: All other structures are prohibited.

Conditions An attached dock or a detached dock may be installed on the same lot. The total surface area of the structures will be not more than 20 m<sup>2</sup>. If the frontage of the two docks are more than 10% of the lot frontage or 20 m<sup>2</sup>, the MEF land use permit will be required.

4.12.7.3 (11)

4.12.7.4 Marina

For a marina, the maximum surface area of each dock shall be consistent with the provisions of the aforementioned tables for each waterway.

4.12.7.5 Materials<sup>(11)</sup>

The use of inert materials, such as untreated wood (e.g. larch, cedar), plastic, or aluminium in the construction of docks is mandatory.

The use of concrete pilings for pile-supported structures is also permitted.

4.12.7.6 Special provisions for docks adjacent to Hydro-Québec land near the Gatineau River<sup>(11)</sup>

Hydro-Québec owns parcels of land along the Gatineau River, particularly in the area between the Gatineau River and private property. Hydro-Québec allows owners of adjacent private properties to install docks under certain conditions; for example, subject to obtaining a Municipality of Chelsea permit.

To obtain a dock installation permit, the applicant must satisfy the following conditions:

- a. The properties belonging to Hydro-Québec and to the applicant must be located within a zone that permits isolated single-family dwelling residential use;
- b. The applicant must obtain written permission from Hydro-Québec;
- c. The applicant's property must be adjacent to parcels of Hydro-Québec land along the Gatineau River; and
- d. For application of sub-section 4.12.7 of this by-law, the side lot lines of the applicant's property must in theory extend across Hydro-Québec land to the Gatineau River, forming a single lot.

4.12.8 Snow dump

Riverbanks and littoral zones of lakes and waterways shall not be used to deposit snow or any other polluting material.<sup>(1)</sup>

4.13 FLOOD ZONE

Objectives:

- a. To ensure protection of the watershed area;
- b. To ensure free, natural flow of run-off during flooding periods;
- c. To protect the plant and wildlife specific to these zones; and

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(11) Revoked by **By-law N° 765-10** (effective September 16, 2010)

(11) Amended by **By-law N° 765-10** (effective September 16, 2010)

(1) Amended by **By-law N° 659-05** (effective May 18, 2006)