

**PROVINCE OF QUEBEC  
LA PÊCHE MUNICIPALITY**

**BY-LAW NUMBER 429-005-2022**

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**AMENDING ZONING BY-LAW 03-429 IN ORDER TO ESTABLISH A REGULATORY FRAMEWORK GOVERNING THE CONSTRUCTION OF AN "ADDITIONAL HOUSE" AT A PRINCIPAL RESIDENCE, THE AUTHORIZATION OF A TOURIST ACCOMMODATION OF A "PRINCIPAL RESIDENCE" AND THE AUTHORIZATION OF A RUSTIC SHELTER**

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WHEREAS the Municipal Council wishes to improve the regulatory framework in order to promote access to housing;

WHEREAS the Municipal Council wishes to improve the regulatory framework for a tourist accommodation of a "principal residence";

WHEREAS the Municipal Council wishes to improve the existing regulatory framework governing the design and dimensions of a basic shelter;

WHEREAS the Urban Planning Bylaws Review Committee recommended at its meetings of October 31, 2022 and November 28, 2022 to establish respectively a new regulatory framework for the addition of an "additional house" to a principal residence and the introduction of a new regulatory framework governing the authorization of a tourist accommodation of a "principal residence";

WHEREAS at the municipal council meeting held on December 5, 2022, a notice of motion was given under number 22-352 and the first draft by-law was tabled;

WHEREAS a public consultation on the first draft of by-law 429-005-2022 took place on December 21, 2022 and that modifications were suggested;

WHEREAS during the municipal council meeting of January 9, 2023, the second draft of the by-law was adopted with resolution number 23-07, and that a referendum register was held on January 25, 2023 from 8:30 a.m. to 7 p.m. and at the end of which no valid request has been recorded;

## THE COUNCIL OF THE MUNICIPALITY OF LA PÊCHE DECREES AS FOLLOWS:

### SECTION I: DECLARATORY AND INTERPRETATIVE PROVISIONS

1. Chapter I relating to Declaratory Provisions and Chapter II relating to interpretative provisions of Zoning By-law number 03-429 apply to this regulation by adapting them to the context as if they were reproduced throughout.

### SECTION II: AMENDMENT TO THE TEXT

2. Section 2.1 Terminology (Definitions) of Zoning By-law 03-429 is amended by inserting the following definitions in alphanumeric order:

**Rustic shelter:**

A rudimentary house without electricity. It must not be supplied with either mechanical or gravity water pressure. It comprises only one level and has no permanent foundation;

**Additional house:**

Refers to a house with at least a sleeping area, sanitary facilities and a kitchen or cooking equipment all for the exclusive use of the occupants, additional to a main use. Residential single-family type isolated or semi-detached. An additional house is also a space where one can maintain seigniorial rights;

**Level:**

Refers to a landing of a given height in a building. A floor, a ½ floor or a crawl space each represent a level in a building;

**Respondent:**

This is the person designated by the owner of a tourist accommodation of the “principal residence” as a contact who is reachable and ready to intervene on the premises if the owner is not available;

**Principal residence:**

Refers to the residence where a person usually lives, centralizing his family and social activities there and whose address corresponds to the one he indicates to most government departments and agencies.

3. Section 5.12.12 Category 12: Parental house (Garden pavilion) of zoning by-law 03-429 is deleted;

4. Section **5.8.16 Category 16: Rustic House (Hunting and Fishing Camp)** is replaced by the following article:

**5.8.16 Category 16: Rustic Shelter**

A rudimentary house without electricity. It must not be supplied with either mechanical or gravity water pressure. It comprises only one level and has no permanent foundation.

5. Section **6.1.16 Category 16: Rustic House (Hunting Camp)** is modified as follows:

1<sup>o</sup> By replacing the title “**6.1.16 Category 16: Rustic house (hunting camp)**” with “**6.1.16. Category 16: Rustic shelter**”;

2<sup>o</sup> By replacing the first paragraph by the following paragraph: “A rudimentary house without electricity. It must not be supplied with either mechanical or gravity water pressure. It comprises only one level and has no permanent foundation.”;

3<sup>o</sup> By replacing in the 1st point of the second paragraph the area “16 square meters” with “20 square meters”;

4<sup>o</sup> By replacing in the 2nd point of the second paragraph the area “23 square meters” with “20 square meters”;

5<sup>o</sup> By replacing the third and fourth paragraph by the following paragraphs:

The height is limited to a maximum of 5.0 meters.

The number of rustic shelters is limited to one (1) per property forming a evaluation unit.

6. Section **6.3.9 Category 9: Garden pavilion (parental house)** of the Zoning by-law 03-429 is deleted;

**7. CHAPTER VIII: SPECIFIC PROVISIONS APPLICABLE TO CERTAIN USES OR CERTAIN CONSTRUCTIONS** of Zoning By-law 03-429 is amended by adding the following article after article 8.16:

## **8.17. REQUIREMENTS FOR AN "ADDITIONAL HOUSE" AT A PRINCIPAL RESIDENCE**

A conditional use of an "additional house" for residential use is subject to the by-law relating to conditional uses, and to the following requirements:

1° When the land is not serviced by a sewer or aqueduct, an additional house is possible if the minimum land area is 3700 m<sup>2</sup>;

2° When the land is serviced by a sewer or aqueduct, an additional house is possible if the minimum land area is 2500 m<sup>2</sup>;

3° The location of the "additional house" must respect the setbacks listed in the specifications chart applicable to the main building;

4° Only one (01) "additional house" to a main building is allowed per lot;

5° An "additional house" must have a height, a ground area and a floor area lower than those of the main building;

6° The maximum floor area of the "additional house" cannot be greater than that of the main building, and has a floor area between 25 m<sup>2</sup> and 45 m<sup>2</sup> (270 ft<sup>2</sup> and 485 ft<sup>2</sup>);

7° The number of parking spaces available or to be provided must meet the minimum requirements for a two-unit house according to the standards provided for this type of house;

8° No additional driveway entrance, apart from the one that already exists, is allowed;

9° The "additional house" and the main building cannot be used for tourist accommodation purposes;

10° The "additional house" must share the same accessory buildings and constructions such as garage, shed, swimming pool, etc.;

11° An "additional house" always remains an outbuilding of the main building which must be removed if, for one reason or another, the main building is permanently demolished;

### **In addition to the requirements of the first paragraph, a detached "additional house":**

1° Must be located in a side yard or a rear yard;

2° Notwithstanding paragraph 1, when planned inside the side yard, it must be set up on the same alignment as the main building;

3° Cannot exceed in area 40% of the free area of the side and rear yards;

4° Cannot be separated from the main building or other accessory buildings and constructions by means of a fence or a screen of any kind except a plant screen.

### SECTION III: AMENDMENT TO SPECIFICATION CHARTS

8. The specification grids in appendix tables 25 and 25.1 of the Zoning Regulations 03-429 are modified as follows:

1<sup>o</sup> The deletion of the references relating to sections **5.12.12 Parental house (garden pavilion)** and **6.3.9 garden pavilion (parental house)**;

2<sup>o</sup> The replacement of the expression **“Rustic house (hunting camp)”** with the expression **“Rustic shelter”**;

3<sup>o</sup> The removal of minimum surface standards for rustic shelters.

### SECTION IV

#### FINAL PROVISIONS

9. The by-law comes into force in accordance with the law.

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Guillaume Lamoureux  
Mayor

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Me Sylvie Loubier  
Clerk and DGA

Notice of motion: December 19, 2022

Adoption of the First Draft Regulation: December 19, 2022

Adoption of the Second draft by-law: January 9, 2023

Adoption of the regulation: February 6, 2023

Publication of the rules: February 7, 2023

RCM Certificate of Compliance: March 21, 2023

Entry into force: March 21, 2023