

Municipality of Grosse Ile

Urban Plan



Bylaw 2012-001

Bylaw number 2012-001

Urban planning

- WHEREAS on May 11th, 2010, the Îles-de-la-Madeleine Agglomeration Council adopted a revised planning and development draft which came into force on June 25th, 2010;
- WHEREAS the enforcement of this revised planning and development draft leads to obligations regarding the conformity of the objectives of the revised plan and the provisions of the complementary document;
- WHEREAS in accordance with the provisions of the Act Respecting Land Use Planning, this bylaw was submitted for consultation during a public meeting held on June 11, 2012;
- WHEREAS a notice of motion was given at the sitting of council held on April 2, 2012 regarding the presentation of a bylaw as such;
- WHEREAS a copy of this bylaw was given to all members of council two (2) working days before this meeting;
- WHEREAS the members of council present declare having read the bylaw;
- WHEREAS during the course of the sitting, the purpose and scope of the bylaw were briefly summarized;
- THEREFORE

It is proposed by Miles Clarke

Seconded by Vanessa Goodwin

And unanimously approved by the Councillors present

THAT bylaw number 2012-001, regarding the Urban Plan is hereby adopted. This bylaw shall be transcribed in its entirety into the book designated for this purpose at the municipal office.

INTRODUCTION

The adoption of the Act Respecting Urban Planning and Development by the Quebec government, about thirty years ago, led to the implementation of a regulatory framework province wide for the planning and occupancy of the territory.

For the territory of the Magdalen Islands, the first step was taken in 1988 with the coming into force of the first urban planning and development draft. This draft developed the outline of territorial management at the regional level. Following this, each of the local municipalities had to adopt a plan and planning bylaws in accordance to the regional framework. It was in 1994-1995 that the six municipalities, at that time, put in place these new tools which ensured a more coherent and harmonious territorial development. In fact, before this date, territorial development on the Islands was carried out in accordance to the needs and moods of each municipality and too often, at the disadvantage of the community. This approach has caused conflicts about harmful land use for the community which is still present today and, in certain cases, unsolvable.

Following a forced merge of all island municipalities in 2001, a re-organisation of the territory took place once again in 2006 which created two separate local entities, this being the Municipality des Iles-de-la-Madeleine and the Municipality of Grosse Ile. An agglomeration council, which mainly handles the same

responsibilities as that of the other MRCs of Quebec, oversees these two administrative entities. Even though the community of Grosse Ile decided to separate from the regional structure to become its own administrative entity due mainly to its unique social and cultural differences, the Municipality of Grosse Ile, however, shares many of the same concerns as the other island communities and wishes to actively participate in regional initiatives.

As the legislative process foresees, it is now up to the local municipalities to revise their own planning bylaws in accordance to the new and revised land use planning and development program.

This community planning document briefly describes the Municipality of Grosse Ile and reports on the concerns of the elected officials in regards to local community challenges. It will introduce the constituent elements of the urban plan as well as act as being a guideline to territorial development and land use classifications.

CHAPTER 1

BRIEF PROFILE OF THE MUNICIPALITY

The Municipality of Grosse Ile is one of two municipalities forming the Agglomeration of the Iles-de-la-Madeleine located in the north-eastern part of the Islands covering a territory of 38.9 square kilometers. The main sector of the community is formed of elevated rock beds: Grosse Ile, Grosse Ile North and East Cape; a section of lowlands known as East Point; a part of Coffin Island also known as Old Harry as well as two uninhabited islands, Brion Island and Bird Rock, that are located a considerable distance from shore.

In close relation to the topography, the ground is composed of three types of rocks: sandstone, volcanic rock and sedimentary rocks. Sandstone, very brittle and consequently susceptible to erosion, forms the base of the plateaus around the islands. In regards to volcanic rocks, they are present in the center of the hills, while sedimentary rocks are found on the hillsides or in hollows, just at their base. Quartz sand, stripped from the capes because of waves and transported further by the shore currents, has created, over the years, the lowest zone which is that of long and narrow dunes that connects the islands and with the lagoons forms a very unique entity. This fragile and mobile zone presents a very uneven topography. In certain places, the winds have modeled the dunes in soft ripples, interspersed with ridges. Moreover, they have erected cones or peaks, sometimes separated by basins where water rises to the surface. Towards the sea, the dune often ends with a steep edge falling onto the beach while on the lagoon side the dunes extend into grassy or marshy plains and partly cover the tidal zones. Within the municipality, there are also other zones with particular constraints, such as Brion Island, East Point Wildlife Reserve, Bird Rock and Moore's Mountain that is located in East Cape. Wide Road and Rock Mountain Road are identified as panoramic corridors while St.Peter's-By-The-Sea Church has been declared a heritage building.

CLIMATE

Due to their location in the Gulf of St. Lawrence, the Magdalen Islands have the most temperate climate of Quebec, winter is milder and summer is generally cooler. It is a damp climate characterized by strong nebulosity (clouds) and frequent fog. However, the regularity and intensity of the winds constitute an important element of the Islands' climate. Furthermore, we cannot talk about climate without raising the issues associated with global warming and climate change. The average temperature increased by 0.9°C during the 20th century. In parallel, the average rising of the sea level should be pointed out, reaching an average of 3.7 mm per year while the rate of increase was 3.1 mm per year for the last decade. Another worrisome component, according to climate simulations and results of studies using an ocean model, we foresee a complete disappearance of sea ice in the Gulf of St. Lawrence before the end of the century.

POPULATION

The community of the Municipality of Grosse Île is distinct from that of the rest of the Islands due to its origins, culture and language which is almost exclusively Anglophone and a large portion is of Scottish descent.

The 2006 census indicates a slight decrease in the total population between the years 2001 and 2006, going from 543 to 531 individuals. The small decrease in population is due mainly to an aging population and the difficulty to retain youth due to lack of employment opportunities.

ECONOMY AND REVENUE

Grosse Île is one of the two municipalities forming the urban agglomeration of Îles-de-la-Madeleine. It is part of the Gaspésie – Îles-de-la-Madeleine region and the population was 539 as of 2009.¹

Belonging to a linguistic minority, more often than not, proves to be more difficult in gaining access to employment. However, the group of unilingual Anglophone residents of the Magdalen Islands not only displays a rate of employment that is higher than that of the archipelago, but also a rate higher than the rate of employment of the archipelago's bilingual persons.²

The three main industries linked to the overall growth of our economy and ultimately to our survival are the fishing, mining and tourism industries. Two of the three industries are strongly characterized by seasonal activities; a characteristic of the economy which means that, depending on the time of year, the unemployment rate can vary, thus leaving the citizens dependant on government transfers.

Moreover, as the whole economic structure of the Islands depends on these two dominating activities, they could, at any time, be disrupted by factors or events beyond the control of the community, therefore, they must always be considered as fragile.

The tourism industry ranks second in importance, however, it has flourished greatly in the past ten years, due to a significant increase in the number of summer visitors. With an increase in the number of visitors, Island businesses offering services to tourists were able to expand. The English-speaking population remains on the sidelines of this industry, sharing only marginally in the economic benefits.

Lastly, the local salt mine, built in 1979, began producing in 1982 and the number of managers and unionized employees currently totals 161, including 2 Anglophones. Unfortunately, the only local economic spin-off it offers is the generation of industrial tax and the employment of two local residents. There are many employment opportunities should local youth have the professional training and education necessary to occupy these positions. Further promotion of this industry is required among our youth as well as within the local community, in order for individuals to benefit from any future job openings.

The MI CEDEC is currently promoting an entrepreneurial culture as well as economic development prospects within the Islands English-speaking community. With increased awareness and facilitated access to socio-economic opportunities, combined with business development support programs, they aim to help the community meet local business development needs.

CHAPTER 2

CHALLENGES AND CONCERNS OF COUNCIL

The sustainability of our community depends on our ability to find a balance between quality of life, maintaining a healthy natural environment and achieving economic prosperity. We wish to encourage development which will meet today's needs without placing undue hardship on future generations. Our reflection on the challenges and concerns of the council has enabled us to determine several key factors that require intervention in order to positively contribute to local development:

¹ Wikipedia, Grosse Île, Quebec, CTQ, MAMROT

² Socio-Economic Profile of the Magdalen Islands, CERMIM, March 2007

ECONOMIC CHALLENGES

In regards to the economy, the dependency on the fishing industry creates certain instability in the local economy and has led to the need for economic diversification, business development and job creation. There is now an excellent opportunity for our community to tap into the tourism industry which provides a vital contribution to the economic stability of the Magdalen Island communities because of its continuous growth over many years. The enhancement of economic leadership and increase in entrepreneurship development is also necessary.

ENVIRONMENTAL CHALLENGES

The fragility of the natural environment requires a particular attention by local government in order to preserve an ecological balance on the Islands. It is the responsibility of the Municipality, in collaboration with its different partners, to implement effective protection and management measures which will preserve, and at the same time enable citizens to enjoy in a responsible manner, the resources of our territory. As environmental challenges affect the entire Magdalen Island population, the Municipality intends to strengthen partnerships with local committees and organizations in order to set forth common protective measures.

SOCIAL/CULTURE AND POPULATION CHALLENGES

In order for the community to **develop** socially, emphasis must be placed on the development of green spaces, trail systems as well as highlight key natural assets to promote the wealth of heritage **assets** in our community.

The aging of the population and the possible population decline that results from this entails social and financial issues and requires effort to better adapt the milieu to this new reality. Rationalization of community facilities and services is a solution to be considered in order to maintain a quality of life for the entire population.

CHAPTER 3

MAJOR DEVELOPMENT OBJECTIVES AND MEANS OF IMPLEMENTATION

ESTABLISHING A VISION AND SETTING GOALS FOR SUSTAINABILITY

The way in which our community develops can have a significant impact on the environment, the economy and our quality of life in the future. In order to ensure that development occurs in a healthy, orderly and sustainable manner, good land use planning principals must be established and implemented to meet both the short and long-term community development needs.

The members of the municipal council envision our community to be a place where we respect the natural environment; enjoy access to a variety of recreational opportunities and continue to develop an economy that builds on the assets of the area as a whole.

OBJECTIVES FOR A SUSTAINABLE FUTURE

1. PROMOTE ECONOMIC GROWTH AND SUSTAINABILITY

Actions have been put in place for growth in the tourism industry – tourism development plan.

2. NATURAL ENVIRONMENT

Protect the Natural environment; guarantee a quality living environment which supports the different industries of our economy (fishing, tourism and aquaculture)

Protecting the natural environment requires particular attention on the Magdalen Islands given the importance that it has on maintaining a sustainable economic momentum. The main sectors of the economy in the case of fishing, tourism and aquaculture depend, almost exclusively, on the quality of the environment in which they develop. It is equally important for citizens to enjoy the territory in which they live in a social manner as well but it is, however, essential that control measures be implemented in regard to human activities that may threaten the most vulnerable resources or deteriorate the environments that ensure the renewal of resources in order to guarantee sustainability and, consequently, to preserve these resources that constitute the core of the local economy. This management, in terms of the environment, is inevitably appealed in order to influence the quality of life of the residents of the Islands so that they will benefit from a solid economic basis and a welcoming living environment.

In order to accomplish the abovementioned, the following interventions must be developed.

Dunes

In regards to fragile ecosystems there are many solutions to consider. It is important to first mention the importance of the dunes for the environmental plan (wildlife and plant habitats, protection against floods), social (recreational activities) and the economy (tourism). Despite the conservation classification given to the dune-lagoon network, the fact remains that controlling motorized circulation in fragile environments is difficult to manage. For this reason, it is necessary to implement firm regulations for managing traffic without forgetting to raise awareness among the users and the population in general about the consequences that this deterioration can cause on the environment.

Forest covering

In regards to the forest covering, which barely covers a quarter of the Islands surface area and does not significantly contribute to the economy, it is nevertheless a natural element that is appreciated. It plays an important role in maintaining an ecological balance, providing protection against the wind, is part of the hydrological cycle and is home to a diversified fauna and flora. The regeneration of this resource is a priority which requires effort from the Municipality and the population who should be aware of the problems that tree cutting can cause. For the moment, the wooded areas are placed under forestry which aims to protect and enhance the forest.

Drinking water

Drinking water is probably one of the most vulnerable resources on the Islands even though encouraging progress was noted over the last few years regarding its preservation. Nevertheless, its quality is still threatened by many sources of contamination, especially from waste water being dumped in the environment without appropriate treatment.

Wetlands

Like that of the forestry, wetlands have characteristics that have been neglected by the Madelinots for many years but are now taken into consideration for protecting the

environment. In fact, wetlands contribute to achieving an ecological balance on the Islands, in addition to contributing to the groundwater table and sheltering unique fauna and flora. Unfortunately, they are very susceptible to human activity and are often sacrificed for urban development. Therefore, effective measures must be taken in order to ensure the protection of this ecosystem.

3. SOCIAL/CULTURE AND POPULATION

Encourage rationalization of existing public facilities and focus on profitability of those that will eventually be implemented while ensuring a sustainable socio-economic development for the different communities of the territory

The objective of this guideline is to offer to the population quality services while promoting rationalization. The goal is to meet the social, educational, cultural and recreational needs of the entire community while minimizing expenditures.

The Municipality must find a way to provide services to the population while benefiting from the facilities and resources that are already available. Therefore, it is essential to rationalize existing resources, to cut costs by avoiding the duplication of services and increase the profitability of the existing facilities by adopting strategies that benefit the Municipality as well as the taxpayers.

In an effort to rationalize, the municipality must create a portrait of its entire municipal infrastructure and services. Following the creation of this portrait, decisions will have to be made on which infrastructure and/or services will be maintained or merged with others. Creating partnerships with local organizations to share infrastructure and associated costs is an excellent means to rationalize.

CHAPTER 4

MAJOR LAND USE CLASSIFICATIONS AND POPULATION DENSITY

Major land use classification represents the spatial distribution of the different areas of land use within the territory of the municipality and specifies for each the localization and permitted or compatible uses within that zone. It is a result of the guidelines developed in the previous chapter.

CONSERVATION CLASSIFICATION

Purpose

In direct relation to the first major guideline, the main goal of this classification is to protect fragile areas in which any form of intervention, as small as it may be, can often disturb the equilibrium in an irreversible way due to a lack of precautions. Therefore, conservation is to clearly preserve marine habitat and resources as well as the protection of the dunes, lowlands and wetlands, marshes and wildlife and ecological sectors.

Localization

The conservation classification is obviously the most important because of the surface area that it covers and the characteristics of the territory associated with it. This is no surprise because it corresponds to just about all of the dune area, certain wooded areas and all of the uninhabited islands (large & small).

Activities and uses permitted under certain conditions

- activities related to the protection and enhancement of the environment;
- nature observation and interpretation sites, walking and cross-country skiing trails;

- hunting, fishing, bird watching and hand-picking (non-commercial) of wild berries;
- ATV trails provided that the associations obtained the required authorizations from the concerned ministries (Ministère du Développement durable, de l'Environnement et des Parcs du Québec (MDDEP) and the Department of Wildlife and Natural Resources (MRNF));
- essential public infrastructures: roads, hydro and communication networks, fishing harbours and docks, parking lots and bridges that give access to the beach;
- supplying of sand provided that there is a restoration plan developed once the sand has been taken and that it is done in areas where the impacts associated with this type of use are generally low; VERY IMPORTANT – The promoter who plans this type of activity must obtain authorizations from the MDDEP and MRNF;
- light equipment but only as a support for recreational or tourism activities. Ex. Sanitary facilities, temporary shelters and structures giving access to bodies of water. Under no circumstance are these types of activities and/or the erection of infrastructures in these fragile areas to be a threat or danger to the deterioration of the immediate physical surroundings. The urban planning bylaws of the local municipality must propose a structure to ensure that the impacts resulting from these interventions are minimized as much as possible;
- parking of a RV on public land if an occupancy certificate was issued by the concerned authorities. However, before issuing a permit to authorize this activity, they must ensure that the conditions of use are clearly defined and, above all, that all measures were taken so that the impacts on the natural environment are kept to a minimum;
- light agriculture (pasture & hay) on land preserved for its scenery and no fragile ecosystem is present.

Basic requirements:

In order to ensure compliance with the objectives of this classification, the various urban planning bylaws of the Municipality must demonstrate in a tangible way that the provisions of the bylaws are conveyed, first and foremost, in order to protect the fragile environments. The zoning plan must take into account the degree of fragility and be more restrictive in the most vulnerable areas.

AGRICULTURAL CLASSIFICATION

Purpose

The first objective of this classification is to ensure a sustainable space for the development of agricultural activities while minimizing the conflicts of land use between agricultural and non-agricultural and the negative impacts that result from this.

Localization

The agricultural classification is located a little farther from the areas where urban activities are carried out. Globally, it covers the areas that are either already used for agricultural purposes and those that have the potential for development, whether it is for pastures, vegetable growing or feed.

Activities and uses permitted under certain conditions

- areas and buildings used for animal breeding farms and land cultivation and related uses such as dwellings linked to the agricultural business;
- food processing businesses;
- horse-back riding centers;
- procedures associated with reforestation provided that they are located on the boundary dividing the lots, thus avoiding the loss of land that may be used for agricultural purposes;

- buildings used for recreational and tourism uses provided that they are directly related to agricultural activities;
- implantation of necessary public infrastructures such as electrical and communication networks;
- recreational trails;
- construction of single-family dwellings under certain conditions that the Municipality must integrate in its urban planning bylaws (conditional uses).

Basic requirements:

In order to ensure compliance with the objectives of this classification, the various urban planning bylaws must demonstrate in a clear way that the main concern conveyed by the bylaws' provisions is first and foremost to develop the agricultural industry.

FORESTRY CLASSIFICATION

Purpose

The priority of this classification is to protect the forest covering and its rational use, on an essential basis, for certain recreational and utility purposes.

Localization

Like the agricultural classification, forestry is generally located more towards the center of the rocky cores and away from the main center of activities. It covers the already wooded areas or those that have a potential for reforestation.

Activities and uses permitted under certain conditions

- reforestation activities;
- buildings used to house recreational, tourism and community uses such as outdoor centers, sports clubs, recreational trails;
- implantation of necessary public infrastructures such as electrical and communication networks;
- areas and buildings used for forest exploitation purposes and agricultural activities that do not require an excessive deforestation;
- construction of single-family dwellings under certain conditions that the Municipality must integrate in its urban planning bylaws (conditional uses).

Basic requirements:

In order to ensure compliance with the objectives of this classification, the various planning bylaws must demonstrate in a clear way that the main concern conveyed by the bylaws' provisions is first and foremost to protect the forest covering.

INDUSTRIAL CLASSIFICATION

Industrial activities generally cause inconveniences for surrounding areas, therefore, zones have been divided into four classifications according to their usage.

INDUSTRIAL –LIGHT AND MODERATE

Purpose

This classification is mainly intended to restructure the existing industrial industry where we currently find various uses which all have characteristics that are generally associated with industrial activities.

Localization

No area is currently designated for light and moderate industry within the territory of the Municipality of Grosse Ile.

Activities and uses permitted under certain conditions

- heavy transport and trucking companies;
- towing companies;
- offices and shops related to the construction trade, warehouses;
- sales offices and exhibition spaces for mobile and manufactured homes and cottages;
- wholesale distributors;
- small businesses that manufacture consumer goods and do not cause pollution.

Basic requirements:

In order to ensure compliance with the objectives of this classification, the various planning bylaws must foresee a strict supervision and justifying measures that will promote a better harmonization between these uses and the other activities located nearby.

INDUSTRIAL - HEAVY INDUSTRIAL

Purpose

This classification is mainly intended to implement heavy industrial activities in specific sectors situated outside inhabited zones where there already is large industrial equipment and infrastructures.

Localization

The zones related to heavy industry have been limited to areas already being used for that purpose within the territory of the Municipality of Grosse Ile.

Activities and uses permitted under certain conditions

- Mines;
- businesses and activities permitted in the light and moderate industrial classification;
- waste treatment sites;
- cement and asphalt plants;
- scrap yards;
- snow dumping sites.

Basic requirements:

In order to ensure compliance with the objectives of this classification, the various urban planning bylaws must foresee a strict supervision and justifying measures that will promote a better harmonization between these uses and the other activities located nearby.

INDUSTRIAL – RELATED TO THE EXTRACTION OF NATURAL RESOURCES

Purpose

The exploitation of quarries and sandpits within a territory as small as that of the Magdalen Islands has serious environmental impacts. This reality forces the Municipality to limit this industrial activity to defined areas.

Localization

The exploitation of natural resources will be limited to the existing sites and used for this purpose.

Activities and uses permitted under certain conditions

- quarries and sandpits;
- storage of aggregates and their handling (crushing, sifting, etc.);
- storage of dry materials.

Basic requirements:

These activities and uses are subject to obtaining the required authorizations from the concerned departments.

VILLAGE CORE CLASSIFICATION (LOW TO MODERATE DENSITY)

Purpose

This classification permits the communities who do not have a specific urban perimeter to consolidate smaller centers where we generally find a few dominating businesses and services such as a church, school, grocery store or financial institution.

Localization

In Grosse Ile:

An area beginning at the former movie theatre moving south and including a section of Wide Road and Taker's Drive as well as the area which includes the school, community center, post office, HLM, Church and the Serenity Residence.

In Old Harry:

An area beginning at the intersection of Route 199 and Head Road, continuing along Rte 199 to the end of the village.

Activities and uses permitted under certain conditions

- single-family, bi-family and multi-family dwellings;
- general and specialized grocery stores and retail sales of consumer goods;
- personal, financial and professional services;
- restaurants, relaxation salons and entertainment businesses;
- government services;
- offices, retail spaces and workshops linked to the construction trade.

Basic requirements:

In order to ensure compliance with the objectives of this classification, the various planning bylaws must foresee, in terms of commercial uses, a strict supervision in regards to the permitted outdoor activities, mainly those for storage and loading and unloading spaces.

RURAL CLASSIFICATION (LOW DENSITY)

Purpose

This classification differs from the previous one by a low population density and a very strong predominantly residential use. However, the rural classification of the archipelago is different from what is generally found in other areas of Quebec. In fact, it is characterized by a unique landscape which can sometimes have different types of residential uses that are necessary for the quality of life of the residents. The absence of major agricultural activities requiring large spaces and the small surface area of the territory which restricts a countryside type of development are the most possible explanations. Despite this particularity, the rural nature of this classification will be maintained.

Localization

This classification covers each side of the main roads that are not included in the village core. It has a winding-type shape that corresponds to the secondary roads in the different villages.

Activities and uses permitted under certain conditions

- isolated and single-family duplex dwellings and single-family row housing under the following conditions:
 - the single-family row houses are limited to four (4) units and their displacement must be offset one in relation to the other, in a way that ensures a non-linear front alignment. The level of the roofs must be different and flat roofs are forbidden. The exterior finishing must be of wood and each residence must have a private entrance.
- retail sales of consumer goods such as convenience stores, tobacco (small variety) shops, meat, fruit and vegetable counters, flower shops, hardware stores; under the following conditions:
 - all operations are carried out inside the main building;
 - no outdoor storage of merchandise is permitted except for flower, fruit and vegetable displays;
 - the floor area does not exceed 250 sq. m. (2 691 sq. ft.).
- personal, financial and professional services such as offices of notaries, lawyers, doctors, accountants; hair-dressing shops and esthetician salons;
- restaurants, relaxation and accommodation services linked to the tourism industry such as rooming houses, inns, restaurants, craft and fine art shops; under the following conditions:
 - rooming houses are limited to six (6) units including that of the owner;
 - the floor area does not exceed 250 sq. m. (2691 sq. ft.).
- light agriculture having very little impact on the neighborhood;
- areas and buildings linked to the fishing industry.

Important note:

In order to ensure compliance with the objectives of this classification, the various planning bylaws must foresee, in terms of commercial uses, a strict supervision in regards to the permitted outdoor activities, mainly those for storage and loading and unloading spaces.

This bylaw is adopted and comes into force in accordance to the law.

Rose Elmonde Clarke
Mayor

Janice Turnbull
Director General