



Regular meeting of the Council of the Town of Hudson held at the Community Center on June 1st, 2009, which was presided by Mayor Elizabeth Corker and at which were present :

*Thomas Birch, Councillor / Electoral District #1
David Morton, Councillor / Electoral District #3
Michel Gaudette, Councillor / Electoral District #4
Gordon H. Drewett, Councillor / Electoral District #5
Madeleine Hodgson, Councillor / Electoral District #6*

and during which the following by-law was adopted :

BY-LAW NO 527

SUBDIVISION

WHEREAS in 1994 the Town of Hudson adopted Subdivision By-Law number 323;

WHEREAS the Vaudreuil-Soulanges RMC revised it's Shéma d'Aménagement;

WHEREAS the Town of Hudson's planning regulation must conform to the objectives of the revised Schéma d'Aménagement and with the provisions of the complementary document;

WHEREAS in accordance with article 123 of the *Loi sur l'aménagement et l'urbanisme (L.R.Q., c. A-19.1)*, the present by-law contains provisions subject to approval by way of referendum since the present by-law is more than a concordance by-law;

WHEREAS notice of motion was duly given at the special Council meeting held on April 27th, 2009 ;

WHEREAS the requirements of Article 356 of the Cities and Towns Act have been met and that Council declares having read By-Law No 527 and relinquishes its reading;

THEREFORE, it is **moved** by Councillor Madeleine Hodgson, **seconded** by Councillor Gordon Drewett and unanimously resolved that By-Law N^o 527 be and is hereby adopted and decreed as follows:



**CHAPTER 1
GENERAL AND DECLARATORY PROVISIONS**

SECTION A - GENERAL PROVISIONS

100 Title

This by-law may be titled **SUBDIVISION BY-LAW.**

101 Repeal of Previous By-Laws

This by-law repeals and replaces By-Law No. 323, and its amendments, as well as any by-law incompatible with this by-law.

Such repeals do not affect penal procedures instituted under the authority of these repealed by-laws, which continue under the authority of the said repealed by-laws until final & enforceable judgement.

102 Territory

This regulation shall apply to all the territory of the Town of Hudson as well as to individuals and corporations whether being public or private entities.

103 Annexed Documents

The following documents are an integral part of this by-law:

The Town's By-Law No. 529 concerning Permits and Certificates and By-Law No. 526 concerning Zoning, as well as all their future amendments.

104 Validity

Council decrees this by-law in its entirety and also chapter by chapter, article by article, paragraph by paragraph, and subparagraph by subparagraph so that should a chapter, article paragraph or sub-paragraph be declared null, the other provisions of the by-law would continue to be applied.

105 Compliance to By-Laws:

The issuance of a permit, approval of drawings and specifications and inspections done by the authority having jurisdiction do not release the owner or the applicant from complying with the requirements of this by-law or any other applicable by-law.

SECTION B - DECLARATORY PROVISIONS

106 Text Interpretation

The singular includes the plural and vice-versa unless the text opposes it;

The use of the word "SHALL" is always mandatory; the verb "CAN" or "MAY" are always optional;

The masculine includes the feminine unless the text indicates the contrary;

The authorization to do something includes all the powers needed to achieve that end.

107 Interpretation of Tables and Illustrations

Tables, diagrams and other forms of expression other than the text of this by-law are an integral part of this by-law. However, in the event of contradiction between the text and the other forms of expression, the text prevails.



108 Rules of Interpretation between General and Specific Provisions

In the event of incompatibility between two provisions in this by-law, or in this by-law and another by-law, the specific provision prevails over the general provision.

109 Measures

All measures appearing in this by-law are given according to the international system.

110 Terminology

The definitions that appear in Appendix "D" of Zoning By-Law N^o 526 apply fully to this by-law. Other words have their usual meaning.

Final



CHAPTER 2 ADMINISTRATIVE PROVISIONS

200 Authority having Jurisdiction

The management and enforcement of this by-law are entrusted to the authority having jurisdiction. The appointment and work conditions of the authority having jurisdiction are determined by a council resolution.

Council can also appoint, by resolution, one or more assistants to help or replace the authority having jurisdiction, if need be.

201 Duties and Powers of the Authority having Jurisdiction

The authority having jurisdiction exercises the powers entrusted to him by this by-law and other municipal by-laws, more specifically:

- a) He can visit and inspect any properties to determine if municipal by-laws are respected;
- b) The owner, tenant, or occupant of a building shall allow the authority having jurisdiction to enter so he can determine if municipal by-laws are respected or not;
- c) He can issue a warning to the owner, tenant, occupant or representative requiring that the situation responsible for the infraction to these by-laws be corrected;
- d) He issues the permits according to the provisions of this by-law;
- e) He submits to Council a report of the permits and certificates issued;
- f) He can require that proof be provided for the conformity of the use, the title, the material, or any other element deemed appropriate from the applicant or owner requesting a permit or certificate or request an expert investigation to validate the conformity of the request, at the applicant's expense.
- g) He can give formal notice for the execution of all works or repairs he deems necessary for construction safety and recommend any emergency measures to Council;
- h) He recommends to Council to take all necessary measures to stop a construction, an occupation, the use of a portion of a lot, of land, of a building, or of a non-conforming construction when it does not comply with municipal by-laws;
- i) He recommends to Council to take all necessary measures to stop any infraction to this by-law ;
- j) He is authorized to give tickets and start legal proceedings at the Municipal Court when he notices that an infraction to this by-law or other Town by-laws has occurred.

202 Archives

The authority having jurisdiction keeps for the Town a copy of all requests for permits and certificates received, of all permits and certificates issued, of all inspection reports and of all other documents relevant to the management of this by-law.

203 Infractions

Commits an infraction whoever:

- a) Undertakes a cadastral operation inconsistent with this by-law;
- b) Occupies or uses part of a lot, land, or a building contravening with one or other provisions of this by-law or the Town's Zoning By-Law;



- c) Authorizes the occupation or the use of part of a lot, land or a building contravening with one or other provisions of this by-law, the Zoning or Construction By-Law or the Town's Permits and Certificates By-Law;
- d) Constructs or allows the construction of a building contravening with one or the other provisions of this by-law, the Zoning or Construction By-Laws or the Town's Permits and Certificates By-Law;
- e) Refuses or prevents the authority having jurisdiction from visiting or inspecting at any reasonable hour a property for which it is the owner, tenant or occupant, to determine whether this by-law or any other municipal by-laws are respected;
- f) Does not conform to a request issued by the authority having jurisdiction.

204 Owner's Responsibility

Neither obtaining a permit or certificate, or the approval of drawings and specifications, nor the inspections made by the authority having jurisdiction can absolve the owner of his responsibility to ensure that all work executed on his property is in conformity with this by-law nor the Town's Zoning and Building By-Laws. It is prohibited to undertake any works prior to obtaining all required permits and certificates.

205 Penalties and Legal Proceedings

Any person contravening with this by-law is liable to a fine and is subject to the following penalties:

a) For a First Infraction:

A minimum of THREE HUNDRED (\$300) DOLLARS and a maximum of ONE THOUSAND (\$1,000) DOLLARS if the offender is a physical person or a minimum of SIX HUNDRED (\$600) DOLLARS and a maximum of TWO THOUSAND (\$2,000) DOLLARS if the offender is a moral person.

b) For Repeat Infraction:

A minimum of SIX HUNDRED (\$600) DOLLARS and a maximum of TWO THOUSAND (\$2,000) DOLLARS if the offender is a physical person or a minimum of ONE THOUSAND TWO HUNDRED (\$1,200) DOLLARS and a maximum of FOUR THOUSAND (\$4,000) DOLLARS if the offender is moral person.

If the infraction is continuous, the continuity constitutes a distinct day by day infraction. The fine can be retroactive to the first day a statement of offence was issued to the offender.



**CHAPTER 3
STANDARD PROVISIONS**

SECTION A - PROVISIONS PERTAINING TO SUBDIVISION AND LOT SIZES

300 Lot Subdivision

All lot subdivision shall be conducted in such a way that all lots have street frontage and comply with this by-law and to the Town's Zoning and Permits and Certificates By-Laws.

301 Street Connections between Residential Subdivision Projects

All residential subdivision project including new streets shall have one or more street connections with adjacent residential projects.

302 Lot Orientation

The lateral land boundaries shall, in general, form a 90° angle with the street right-of-way. This angle shall never be less than 75°.

303 Minimal Lot Sizes

Subject to the exceptions provided at Article 310 of the Town's Permits and Certificates By-Law, no subdivision permits may be issued unless the proposed lots have the minimum requirements prescribed in the uses and standards' table that constitutes Appendix "C" of Zoning By-Law No. 526. However, these dimensions shall not be lower than those shown in the following Tables 1 and 2:

**Table 1
Minimum dimensions of lots located outside the riverside belt or waterfront corridor**

Type of Services	Minimum Area (m ²)	Minimum Frontage (m)*
Without water and sewer services	2 800	48,7
With water or sewer	2 750	24.4

* Lots located outside a curve with an angle lower than hundred thirty-five degrees (135°) may have a width equivalent to 66^{2/3} % of the prescribed minimum width, at the street.

Table 2

Minimum dimensions of lots located inside the riverside belt or waterfront corridor Location and Service types	Minimum Area (m ²)	Minimum Frontage (m)*	Minimum Depth (m) **	Distance between Street and River or Lake (m) **
Waterfront lot without water and sewer systems	3 700	57	75	-
Non waterfront lot without water and sewer systems	3 700	57	-	-
Waterfront lot with water or sewer system	3 700	57	75	75
Non waterfront lot with water or sewer system	2 800	45	-	-
Waterfront lot with water and sewer systems	-	-	45***	45 ****

* Lots located outside a curve with an angle lower than one hundred and thirty-five degrees (135°) may have a width equivalent to 66^{2/3}% of the minimal prescribed width. at the street.

** These distances shall be calculated horizontally in relation to the high water marks.

*** In the case where the road is already built and where the water and sewage services were already in place on April 13, 1983, the minimum depth of lots may be reduced to 30 metres

**** The distance between a road and a river or lake may be reduced to 15 metres if such a road constitutes the completion of a network and insofar as the space between the road and the body or water level is not subject to any construction. However, the road should in no way encroach on the riverside belt.

The distance between a road and a river or lake can be reduced to 20 metres if such a road crosses public park land adjacent to the body of water.



SECTION B - PROVISIONS CONCERNING STREETS

304 Prohibition of New Streets

No subdivision or opening of street is permitted in the agricultural zone (A) and in the destructured track of lands shown in the zoning plan which constitutes Appendix "B" of Zoning By-Law No. 526. Furthermore, no subdivision or opening of street is authorized in Zones R-44 and R-48 shown in the same zoning plan, except where a development plan has been accepted by the Town Council prior to October 25, 2004.

305 Street Layout according to Soil Type

The street layout shall avoid peat bogs, marsh lands, unstable land or any land unsuitable for drainage or exposed to floods and landslides. It shall also avoid emerging rocks and, in general, any land without sufficient top soil or friable rock to allow necessary trench digging for the installation of municipal water lines and ditches, at a reasonable cost. The street layout shall be adapted to the topography of the land and designed so as to maintain the wooded environment.

306 Road Standards

Roads shall comply with the following minimum requirements:

1) Street Dimensions

Collector streets shall have a minimum allowance of twenty (20) metres in width and local streets shall have fifteen (15) metres in width.

2) Intersections

Street intersections shall have a 90° angle, but never less than 70°. The intersection of local streets or of a local street with a collector street shall form a "T". Two "T" intersections of a street with two other streets coming from opposite directions shall be separated by a minimum of 30 metres.

Notwithstanding the provisions of this article, the minimal distance between two adjacent streets to Hwy 342 (Harwood) shall be 100 metres.

3) Slope

Streets shall have a maximum slope of 10%.

4) Length and Radius

The length of local roads shall never exceed 300 metres without having a cross street or a pedestrian crossing of a minimum width of five (5) metres, ensuring direct access to a neighbouring street. Street corners shall be rounded with a minimum interior radius of six (6) meters, as long as it is physically possible.

5) Dead End Streets

Dead-end streets must not exceed three hundred and thirty three (333) meters in length and must incorporate a turning circle with a radius of at least fifteen (15) meters at the end of this dead-end street.

However, a dead-end street may exceed three hundred and thirty three (333 m) meters but no longer than a thousand meters (1000m) if turning circles are included at every three hundred and thirty three meters (333m).

Notwithstanding the preceding paragraph, in Zone R-21, a turning circle is not required at the end of a street with five (5) properties.

Notwithstanding the provisions of this article, dead end streets located in Zone R-56 shall not exceed 500 metres in length and shall end in a turning circle having a minimum radius of at least 15 metres. They can exceed a 500 metres length without however exceeding 1 500 metres on the condition that a dead end be planned and provided at every 500 metres.



307 Special Provisions applying to Zone R-44

The following provisions apply to Zone R-44, as identified in the zoning plan annexed to the Zoning By-Law No. 526.

1) Streets

The subdivision of lots in Zone R-44 shall provide for all the streets to enter/exit onto Hwy 342 (Harwood).

No through traffic is permitted via Mount Victoria or Macaulay Lane except for those lots fronting on Mount Victoria.

2) Public services

All water lines, road drainage, etc. shall be designed by a consulting engineering firm and approval shall be obtained from Town Engineer before their construction can begin. The consulting engineering firm shall issue a certificate of conformity to the Town before the transfer (water lines, drainage, roads, etc.) to the latter.

400 Coming into force

This by-law shall come into force according to the law.



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