

URBAN PLANNING BYLAW

At a **regular meeting** of council of the municipality of the Township of Potton, held at the town hall on **July 3, 2001**, in accordance with the law, and at which were present councillors John Haberl, Ernest Tomuschat, Pierre Pouliot and Christian Rodrigue, forming quorum under the chairmanship of the mayor, André Marcoux.

BYLAW 2001-290

WHEREAS the Municipality of the Township of Potton has the power, by virtue of the law, to revise its bylaw respecting the planning program;

WHEREAS the revised regional land use and development plan came into force on January 4, 1999 and has since been amended by bylaws 6-00 and 11-00, and there is reason to modify the planning program to ensure that it is in conformity with this;

WHEREAS the applicable adoption procedure has been duly followed;

FOR THESE REASONS, it is moved that it be and is hereby ordered and enacted as follows:

PLANNING PROGRAM OF THE MUNICIPALITY OF THE TOWNSHIP OF POTTON

INTRODUCTION

The planning program is first and foremost a reference document, a guide, and an action plan to allow the municipality to implement the orientations and objectives it intends to pursue in the future.

The planning program is the outcome of a process of discussion and planning at the local level within the framework of the regional consensus described in the revised regional land use and development plan.

The planning program allows elected officials and municipal managers to put in place the tools that would allow them to intervene or to influence planning and land use development on their territory. By basing their decisions on the contents of the planning program, they will be able to make the most of the potential of the natural and developed environment of their municipality and present the development choices for the territory that they wish to promote.

The planning program is above all a frame of reference for administering day-to-day planning, while the planning by-laws translate into legal language the main ways and means of carrying out the plan.

Therefore, this document is to be seen in the context of a revision of the planning program (LAU art. 110.3.1) following the revision of the regional land use planning and development plan.

This revision was drawn up based on a process involving members of the Planning Advisory Committee (the CCU), members of the council and the municipal inspector, under the coordination of the planning consultant, (Serge Côté, SCV, OUQ).

This revised planning program serves as a reference for all public and private intermediaries from the milieu. It synthesizes all the reflections on the organization of the territory in terms of land use planning and is a function of the central challenges and issues identified by the community.

It is therefore appropriate to indicate certain guiding principles for the process of revising the planning program:

- The revision of the planning program is not exclusively a technical operation;
- The planning program provides a global vision for all those who intervene in the physical organization, including the ordinary citizen;
- The planning program is intended to establish a climate in which the organization of the territory, the potential and the limitations of the local setting, and its financial capacity, are always properly considered;

- The proposed orientations and objectives and the means for implementing them must take into account the human and financial resources available.

Part I of the planning program describes the dominant geographic elements and the main demographic characteristics and activities such as housing, public services, tourism and commercial and industrial activity.

Part II concerns the findings and determinations of the main land use plan and development issues and concerns.

Part III is the heart of the planning program, and it is here that the required contents of the program are identified, in accordance with the law, as well as other elements that take into account aspects specific to the local setting.

Finally, Part IV deals with the means the Township of Potton will put in place to implement this plan to achieve the objectives set out in the planning program.

PART I: THE SITUATION

The Geographic Situation and the Principal Characteristics

Background

The Township of Potton was settled by Loyalists. The American War of Independence in 1783 caused some American settlers, who wished to remain loyal to the British monarchy, to come north to settle in the region. These new families soon put down permanent roots, taking advantage of the strategic location of the territory along the American border on the shores of Lake Memphremagog. The first economic activities were agriculture and forestry. In 1840 this territory was divided, and the Township of Potton was created.

Geographic Situation

The Municipality of the Township of Potton is situated at the extreme southwest of the MRC de Memphrémagog, and, with an area of 261,1 km², occupies slightly more than 20% of the territory of the MRC de Memphrémagog. It shares a boundary with another MRC, the MRC de Brome-Missisquoi and with the State of Vermont in the U.S. The configuration of the territory means that it has common boundaries with several municipalities on the Canadian side of the border: (Ogden (wd), Stanstead (ct.), Austin (wd), Bolton-Est (wd), Sutton (ct.) and West Bolton (wd)).

Physical Characteristics

One of the main characteristics of the municipality is its hilly terrain. Several mountain ranges give an overall form to the territory. The main peaks are Owl's Head, Bear Mountain, Elephant Mountain, Peeve Mountain and Sugar Loaf Mountain, and the Sutton Mountains and Jay Mountains.

In terms of the hydrographic features, Lake Memphremagog (18 km of shoreline in the municipality) is the most remarkable aspect. However, it drains less than 1/5 of the territory of the municipality. It is the drainage basin of the Missisquoi River (mainly of the Missisquoi River, the North Missisquoi River, Mud Creek and Ruitter Brook) that carries the waters of more than 80% of the territory to Lake Champlain.

There are several major flood zones and some areas of erosion, situated near the Missisquoi and North Missisquoi Rivers and along Mud Creek.

These important geographical elements of the geography of Potton are shown on the map of the principal characteristics attached hereto as Appendix 2.

Forests cover approximately 80% of the territory. Mature stands, including a number of sugar bushes, are important landmarks. Large stretches of young growth are explained by heavy forestry operations in recent years.

Agricultural activity is carried out on a number of farms with good quality land; these are scattered in the valleys of the Missisquoi and North Missisquoi Rivers and on the plateaus of Knowlton's Landing and Province Hill. Scrub growth represents nearly one-third of the non-forested land. These areas are scattered across the entire area that was once under cultivation.

The built-up areas are made up of groupings of dwellings that have become settlements (Knowlton's Landing, Vale Perkins, Dunkin, Highwater) but only one real village, Mansonville. Here we find the majority of businesses and services offered in the municipality. Seasonal-recreational land use is scattered across the entire territory, the result of a series of individual decisions. Small concentrations are found on the shores of Lake Memphremagog and around Sugar Loaf Pond.

Water and sewage service at the Owl's Head ski resort have made possible the creation of an area of higher density housing.

Socio-economic Characteristics

According to the demographic data found in the revised land use and development plan of the MRC of Memphremagog, the population of the Township of Potton was 1690 inhabitants in 1996, representing about 4.3% of the total population of the MRC of Memphremagog. Since 1971, the population has been relatively stable. At that time, it was about 1664 inhabitants, so there has been an increase of about 1.5% over the years. However, the population was as high as 2013 in 1951.

This data only reflects the permanent population. When the seasonal population is included, the municipal demographics greatly increases. The seasonal population is estimated at more than 2,645 inhabitants, or 61% of the total population, according to the data collected and estimates in the revised land use and development plan of the MRC of Memphremagog. When we look at the distribution of population in terms of mother tongue, the 1991 statistics show that about 36% were Francophones, 54% were Anglophones and 10% allophones. The MRC of Memphremagog statistics are 70% Francophones, 21% Anglophones and 9% allophones.

In terms of economic activity, the primary sector is made up of four forestry companies, including Bois Champigny, which employs more than 25 persons; 2 bakeries and some 15 working farms.

The secondary sector has increased in the last 10 years and includes 2 establishments more than in 1987 for a total of 10, which provide work for about 85 persons (according to a list of manufacturing companies produced by the CLD of the MRC Memphremagog, in 2000). The two biggest companies are Huntsman Chemicals of Canada (50 employees) and Plastiques LPA Limitée (30 employees).

A small industrial area is situated to the south-east of the village de Mansonville. This sector is not favourable to development, given the topography of the area. Regardless of this grouping, other companies are scattered throughout the territory of the municipality.

The tertiary sector has become relatively more important in the last decade. Due to the decline of activity in the other two economic sectors, tourism development, although still modest, has made its contribution to growth in the tertiary economic, this now includes several commercial and service businesses, located for the most part in the village of Mansonville. While these businesses hire relatively few people, together they account for about 180 permanent and temporary jobs.

Tourism

It is clear that the rising importance of tourism is essential to the economy of Potton. To a somewhat lesser extent, seasonal-recreational development has also contributed. The clientele of these activities seek business and service segments that have not been well developed until now, but to meet this modest increase in demand, they have grown somewhat.

The major geographical elements that have already been briefly mentioned could lead one to think that tourism development oriented to its physical resources (many mountain ranges, the shoreline of Lake Memphremagog) has been seen across the entire territory in varying degrees. However, as one travels across the territory and looks at the natural setting, the configuration and the level of development of recreo-tourism, this impression is seen to be misleading.

The Owl's Head ski resort is, in fact, an exception. It has already been developed, although it has not yet realized its potential (vertical drop of some 540 m, putting it in 4th place in Quebec behind the Massif (800 m), Mont Tremblant (650 m) and Mont Sainte-Anne (625 m). It is, therefore, both foreseeable and quite probable that Owl's Head will be upgraded and marketed even more in coming years.

From the point of view of aquatic resources, the situation is even more marginal. Lake Memphremagog is without question the most important water resource in the Municipality of Potton. However, despite lake frontage of more than 18 km, this resource is not really generally accessible, partly because of the very hilly topography of the shoreline (and, as a result, few natural beaches) and partly because of the privatisation of almost the entire shoreline.

Furthermore, Lake Memphremagog is not visually accessible, the few water views being confined to sectors of Knowlton's Landing and Owl's Head. Only two wharfs of any size (formerly belonging to the federal government) and a small municipal beach able to accommodate only a small number of visitors, help to redress this situation while shore access at the campgrounds is controlled.

Fullerton and Sugar Loaf Pond are both marginal resources because they are small, and in the case of Fullerton, difficult to access.

The Missisquoi and Missisquoi North Rivers and Mud and Ruitter Brooks cannot be considered to have any real recreational vocation because of their small flow of water, which can be even lower in summer. At most they contribute to animating the landscape and supporting some of the few low impact outdoor activities (fishing and outings). The Ruitter Valley has a network of about 22 km of multi-use trails for hiking and ski touring. These highlight the beautiful landscape and the tranquillity of the environment.

Lake Memphremagog is therefore, the only real multi-use aquatic resource in the Municipality of Potton. While it is the outstanding natural resource known beyond the regional boundaries, it remains a resource with limited access, that can only be considered as a secondary asset in an integrated development of the municipal territory.

Access to this magnificent body of water is therefore, for all practical purposes, reserved for residents of the shoreline who have judiciously taken advantage of the topography, vegetation and privileged relationship to the lake to set up a vast reserved area for seasonal-recreational land use, with the only exceptions being the campgrounds in the hills of Knowlton's Landing. This very low-key approach to tourist development is also reflected in the lodging and dining facilities.

Mansonville, village centre and heart of the municipality, has little in common with a tourist village. The commercial establishments there are mainly to serve the local market. The quality of bed and breakfast and dining offerings has improved since 1990 and offers better quality and more variety, but the number of such establishments is still limited. The offer of tourist facilities is therefore limited to the ski resort which is continually being developed and a golf course, and the beginning of a network of linear, open air facilities, a few campgrounds and a few small lodging and dining establishments scattered throughout the territory.

Seasonal-recreational Development

Seasonal-recreational development brings economic activity to the municipality in various forms. The entire construction and building maintenance sector is directly and positively affected. This is also true for services (contractors and self-employed workers, real estate agents and other complementary services).

At this time, with the exception of the development integrated into the Owl's Head tourist centre, seasonal-recreational development of the traditional type is found, with some 650 cottages and secondary residences, including about 150 on the shores of Lake Memphremagog.

Traditional recreational-seasonal development is based on actions and decisions that are basically made by individuals, for example: An individual acquires a parcel of land or a huge site and puts up a cottage, a secondary residence, or, more exceptionally, lays out a huge estate to take advantage of the isolation, tranquillity and the beauty of the "natural environment", the synonym for a certain kind and quality of life.

A second, more recent, type of development is based upon an integrated plan including secondary residences in a cluster with recreational facilities i.e. beach, tennis court, golf course included. Here the desire for solitude is subordinated to a form of grouping of individuals who share the same aspirations and belong to the same socio-economic group. It might even be suggested that the traditional form of seasonal-recreational development is “consumed” by these new types of seasonal-recreational dwellers as a resource, which gives the site its distinctive character and power of attraction.

Due to the limited large-scale development of the area the rural character of the municipality remains.

Facilities and Services

Since the village of Mansonville is the main population centre, certain community facilities are found there, including the two elementary schools (one for French-speaking and one for English-speaking children), a municipal library, community hall, post office and CLSC.

In addition, the Reilly House (a non-profit organization) offers many services to the community and to visitors. A tourist information office, a café and local meeting place, a store for local crafts, a second-hand clothing shop a multi-use hall for community activities. It is important to note as well that the Citizens’ Advocacy Group coordinates various community activities, most notably a youth program.

A Canada – U.S. customs crossing is situated in Highwater on Route 243 as well as a federal wharf on Lake Memphremagog serving as a border-crossing point.

At the recreational level, there are facilities and installations such as a park, skating rink, ball field, tennis court and municipal beach on Lake Memphremagog. The municipal beach is located at the Vale Perkins municipal wharf. Another wharf, in Knowlton’s Landing, formerly belonging to the federal government, was recently ceded to the municipality.

On the territory of the municipality, there is one sanitary landfill site, which has not been in use since 1999. This site is located on part of lot 648 on Range VI south of the village of Mansonville.

Public Infrastructures

At present, the village of Mansonville has a water purification and domestic sewage treatment system. In the Owl’s Head sector, the water and sanitary sewer system were installed in 1987 to promote the development of the Owl’s Head tourist station.

The Road Network

Route 243 is the main artery in the Municipality of the Township of Potton. It follows the North Missisquoi River valley right to South Bolton, before joining Route 245 leading to Autoroute 10 or heading s the Town of Brome Lake through the Bolton Pass.

Other routes which have the configuration of country roads, serve and link the various sectors of the municipality. Cooledge , Lake, Vale Perkins and Missisquoi Valley Roads are considered as collector roads. The other roads are local.

Elements of Interest

Elements of interest were identified in a study carried out by the MRC, and are included on the land use and development map of local elements.

- Scenic and panoramic roads, including the Lake, Owl's Head, Leadville, Province Hill Roads (between Leadville Road and chemin Bellevue), Route 243 from the U.S. to the Vale Perkins Road, the Vale Perkins Road between Route 243 and chemin Bellevue, chemin Bellevue to Leadville Road, chemin Laliberté, the Missisquoi River Road, Peabody Road and Schoolcraft Road;

- Natural landscapes of superior interest: Sutton Mountains, Mount Pevee, Elephant Mountain, Bear Mountain, the cliffs along the shore of Lake Memphremagog and part of the Owl's Head Mountain range, Hawk Mountain, the mountains along the Vale Perkins Road near chemin Bombardier, the mountain ranges on both sides of the Missisquoi River including Clark and the Ruitter range;
- Panoramic views of regional interest: on both sides of Lake Road, from Knowlton's Landing to chemin Château-Landing, the properties on the west side of Schoolcraft Road between chemin des Anémones and Peabody Road, and the west side of Peabody Road from the intersection with Schoolcraft Road west for a distance of about 1.5 km, and a big section of chemin Laliberté on both sides;
- Rural landscapes: the entire length of Lake Road, the Owl's Head Road from Vale Perkins up to chemin des Chevreuils, and part of Owl's Head Road between chemin Laliberté and Leadville Road, all of chemin Laliberté, and Leadville Road between chemin Bellevue and chemin Laliberté;
- The tunnel of trees: Lake Road near Knowlton's Landing;
- The covered bridge at Province Hill;
- The tourist station at Owl's Head;
- The Ruitter and Van Reet ecological reserves;
- The round barn in Mansonville;
- The Anglican church in Mansonville, the Russian Orthodox Church, the Ukranian Catholic Orthodox Church;
- Lake Memphremagog, Fullerton and Sugar Loaf ponds and the Missisquoi River;
- The heritage precincts in the village of Mansonville and at the settlement of Knowlton's Landing;
- Two deer yards: on the Missisquoi Valley Road and Vale Perkins Road;
- The pedestrian hiking or light recreation corridor in the Sutton Mountains on the west;
- The cycling corridor along Route 243 and the Vale Perkins Road;
- The cemeteries.

Limiting Elements

The following limiting elements have been identified in the regional land use and development plan:

- Quarries and sandpits (2) (Route 243 in the north and near Bear Mountain);
- Wells (ground water collection) (2) (Lake Memphremagog (1), well in Mansonville);
- Two zones of erosion: along the Missisquoi River Road (north side), sector situated at an angle to Province Hill Road, chemin Laplume and the covered bridge;
- Watercourses both permanent and ephemeral (identified in the Zoning);
- Wetlands, including those at Elephant Mountain and le Brûlé;
- The landfill site that is no longer in use (road to the dump).

Other Structuring Elements:

- Communications tower (Owl's Head);
- Railway line (southwest);
- Gas pipeline (southwest);
- Public wharves at Vale Perkins and Knowlton's Landing.

PART II: PLANNING CONCERNS AND ISSUES

The Municipality of the Township of Potton covers a huge area dominated by rural land use. A major recreational-tourism infrastructure, the Owl's Head tourist station, is present, characterized by its geographic position off the major road axes.

The territory, by tradition devoted to agriculture and forestry, has been transformed by the construction of a wave of second home and seasonal residences, many of which have, over time, become permanent residences.

Being relatively far from the major road axes and a large agglomeration of services has contributed to the concentration of a range of first line activities and services in the village of Mansonville:

- Education (2 schools), churches, a service point for the CLSC, retail businesses, including a grocery store, hardware store, construction material business, garages, post office, restaurants, etc.;

Economic activity linked to primary and secondary sectors is quite well represented with more than 16 enterprises other than agricultural, and some fifteen working farms.

Land Use and Development Planning Concerns

Agriculture is losing ground, and this is explained by current agricultural practices based on specialization and industrialization of processes as part of the globalization of markets, and on the limited potential of the land for agriculture. Added to this are problems of finding workers.

For several years, now, there has been a gradual abandonment of cultivation, and once productive land is now lying fallow, passing to scrub, or in commercial plantations of coniferous species. This is cause for concern because much of the open rural landscapes are threatened.

Forestry activity remains active and while it has been better controlled in the last ten years by regional and local regulations, it too is a cause for concern because of the harm that can be caused when lands where forestry operations are taking place are not suitable for exploitation on a massive scale (steep slopes, thin soil cover on ledge, wetlands, etc.).

The village of Mansonville plays the role of sub-centre of secondary activities to the regional role played by the Ville de Magog.

The Land Use Planning and Development Issues

The Township of Potton covers a huge territory bringing together a number of natural and entropic aspects that are important attractions in making Potton a desirable place to live, whether residents are permanent or seasonal. It also has environmentally sensitive areas that must be considered within the perspective of sustainable development. The Township of Potton is mindful of ensuring harmonious development of various activities on its territory, taking into account the land use planning and development potential and constraints and the exceptional landscapes.

The municipality must make use of its relative isolation from the main road axes by focusing on its rural character, its existing recreational-tourism infrastructures, and the level of services offered in the village which is relatively high for its size.

PART III: THE PROPOSED PLAN

A) MAJOR LAND USE AND DEVELOPMENT ORIENTATIONS

The major land use and development planning orientations for the municipality constitute a list of the principal intentions retained by the Council for the physical organization of the territory of the Township of Potton.

These stem from the desire to take into account the concerns raised by residents and to reply to the planning issues defined above.

1. Maintain the rural character of the area

Intention

The Township of Potton is essentially rural. Maintaining this rural character is the cornerstone of the measures that will be taken by the municipality while at the same time taking into account the potential of the physical and human setting and the existing and evolving landscapes. The physical planning and development constraints will also be considered because they determine that certain landscapes are particularly sensitive to ad hoc and unthinking interventions. The municipality therefore intends to arm itself with the tools to deal with any disrespectful or too large development.

Means

The municipality therefore intends to control land use as follows:

- By delineating the major land use zones for the entire territory and determining for each zone the range of uses that will be allowed there;
- By determining minimum property sizes for subdivisions and construction that in some cases go beyond the minimum requirements in the revised regional land use and development plan;
- By controlling the siting of new constructions;
- By concentrating urban-type activities or requiring heavy infrastructures in the bi-polar axis (Mansonville – Owl's Head).

2. Protect the Quality of the Physical Environment of the Municipality

The territory of the Township of Potton is rich in a range of resources (forest, agriculture, the lake and watercourses, recreational sites, wildlife reserves, etc.).

Forest

Because the forest occupies 80% of the territory and is also found on the steep slopes, there is reason to be concerned about its management. In addition to being of considerable economic benefit, this forest has a recognized ecological and aesthetic value. It also plays an important role in recreation because it has a role as a place to practise outdoor activities, and is also habitat for fauna and flora. Maintaining it contributes to improving the recreational-tourism potential in the municipality. Uncontrolled exploitation of the forest, which is almost entirely in private hands, and the use of inappropriate techniques in fragile areas, such as on steep slopes, are to be avoided because these practices cause erosion or soil compaction and diminish the possibility for natural regeneration.

Poor forestry operations, because of the harm they cause in the aquatic environment, usually have negative consequences for wildlife and water quality. Finally, the impact of over-exploitation of the forest on the quality of the landscape cannot be overlooked.

The unplanned and ad hoc siting of residences, because of excessive clearing and particularly on the crests and breaks in the slope, may cause the loss of those aspects which gave special charm to these landscapes.

Intention

The municipality will protect the forest resource and in particular that part situated on the edges of watercourses and on the steep slopes at the edge of Lake Memphremagog and the Missisquoi River, while recognizing the economic and recreational-tourism value of this resource.

Means

In order to protect the forest, the municipality will:

- Regulate cutting of trees at the edges of watercourses on steep slopes and throughout the territory;
- Ensure that the forest does not lose out to residential and seasonal-recreational development by controlling the density of use on its territory;
- Promote soft recreational-tourist uses adapted to various forest sectors in the municipality;
- Protect woods of exceptional quality;
- Assess the impact of excessive reforestation of conifer plantations;

- Encourage planting of deciduous trees having a recognized aesthetic and commercial value.

Water

The presence of Lake Memphremagog and the Missisquoi River is extremely important for the municipality in terms of recreation and tourism potential and seasonal-recreational development. Water quality and the shores, used for sports and recreation and the many nautical activities these generate make the bodies of water structuring elements for the municipality and the region.

Intention

The municipality strongly supports the MRC in searching for a fair balance in terms of the use of these bodies of water. Also, since Lake Memphremagog is shared with a number of other municipalities, the measures adopted to control water-based activities and water quality and to protect the shore should be the same for all.

Means

To protect water quality and maintain the potential for use of these bodies of water, the municipality plans to:

- Maintain the provisions intended to protect the shores and the littoral;
- Control the installation of docks and boat houses or shelters;
- Maintain a low land use density near watercourses;
- Participate as an active partner in the enhancement of the future regional park on Lake Memphremagog. This should be created once a consensus is reached among municipalities on its shores concerning land use and development, to be able to exercise better control over activities and to assure better access to the lake;
- Assess the fly fishing potential of the Missisquoi River and promote environmental development of this resource. Based on the study carried out in 2000 on the development of the Missisquoi River valley, it is agreed that the different recommendations will be assessed, integration of certain recommendations or by-laws considered depending on the willingness of local residents.

Agriculture

There is some growth in the centre and southern parts of the municipality. Lands of less agricultural value have been abandoned over the years and are, for the most part, uncultivated and growing back to scrub. This is changing the formerly open landscape.

Intention

Considering the economic contribution of agriculture to the municipality and its residents, and considering that a large area of the municipality is used for agriculture, the municipality intends to promote its maintenance.

Means

To protect and reinforce the area in agriculture, the municipality intends to adopt the following measures:

- Protect good agricultural land, taking into account the quality of the soil and the existing and potential agricultural operations;
- Maintain the provincial agricultural zoning and carry out the regional orientations in this matter;
- Reduce the incidence of activities that are incompatible with a working agricultural environment;
- Determine the specific provisions for certain agricultural practices related to raising livestock, places for storing manure, spreading of fertilizer;
- Enforce a requirement for uses other than agricultural to respect implementation standards related to the above agricultural activities.

Areas of particular interest

Recognition of special features and their protection or their enhancement is of great importance for the municipality and for its future. It is important to intervene to protect these riches that are too often taken for granted.

The municipality has many areas of particular interest. In addition to the agricultural and forested areas and watercourses already discussed, there are scenic roads, panoramic views, natural landscapes of high interest, rural landscapes, panoramic views of regional interest, elements of ecological interest such as: deer herds, Ruiter Valley and Van Reet ecological reserves, tree tunnel, golf course, covered bridge, cycling corridor of regional interest, heritage areas, hiking or light recreation corridor, and an area referred to as the Missisquoi River valley which has a number of the sites mentioned above.

We should also note that a proposal to create a regional park to include the Sutton Mountains to the west of the municipality was raised in the fall of 2001 during the federal election campaign. It is primarily related to the Domtar property and could include the Ruiter and Van Reet ecological reserves. Discussions are on-going, but there is nothing to suggest that this will happen in the short term.

Intention

Taking into account that these sites of special interest contribute to making the local environment an agreeable and interesting place to live, and confer on the area a uniqueness of its own, the council intends to adopt various measures aimed at protecting these special features.

Means

The complementary document to the revised regional land use and development plan will serve as the basis to put in place these various norms for usage and siting which will include minimum standards in the planning bylaws to preserve these features.

3. Ensure a secure living environment

Intention

The Township of Potton wishes to ensure that the permanent, seasonal and tourist population will be protected from risks in various zones of constraints. On the territory of the Municipality, there are flood risk zones, an old, abandoned dump, zones of erosion, wetlands, public wells, quarries and sandpits and the banks of watercourses.

Means

The municipality intends to restrict or prohibit certain land uses in these zones and to regulate structures and constructions that will be permitted in these zones or in proximity to them, with specific measures.

Other uses will be specifically prohibited on the territory, notably establishment of a site for sanitary landfill or the treatment or transformation of solid or liquid wastes, a dump for dry waste materials and new car graves.

4. The Owl's Head Tourist Station

The municipality recognizes a bi-polar axis between the village and the Owl's head recreational tourist station, as well as the corridor linking the two axis on Vale Perkins road. The Municipality of the Township of Potton accepts these orientations and the planning and development objectives set out in the revised land use and development plan as follows:

- To promote a harmonious integration of the Eastern Townships recreational-tourist landscape;
- Promote a brand image favourable to an emerging destination ;
- Build upon complimentarity with the Magog-Orford resort area;
- Favour development based on the local resources;
- Promote recreational-tourism development in harmony with the human environment and respectful of trends identified;
- Make recreational and tourist development subordinate to respect for the natural environment;
- Build on strengths;
- Concentrate the development of recreational-tourism facilities and services in the bi-polar axis between Mansonville and Owl's Head;
- Seek diversification of products from the area.

Means

- Delineate the zones of land uses and specify their vocation and land use density;
- Identify visually pleasing, aesthetic and heritage areas and corridors that are considered of regional interest;
- Identify measures to promote good land use and development planning of road corridors;

- Situate cycle corridors of regional interest and correct and configure the Vale Perkins Road which would link the Owl's Head mountain range to the village of Mansonville, developing the road shoulder as a cycle path;
- Develop the entry to the station (signage and mountain landscapes);
- Consolidate or replant the line of trees along certain roads;
- Improve sites giving access to the lake;
- Improve parking in the heart of the village of Mansonville;
- Develop structures and the banks of the Missisquoi River in Mansonville;
- Develop the round barn in the heart of the village;
- Provide for signage standards;
- Provide for regulations about and developments in the corridor of roads of regional interest with a high traffic volume.

5. Recognize the population's needs for housing and employment

Intention

The municipality intends to promote the well-being of the population by considering the needs for housing and work. The trend to the creation of home-based businesses resulting from the convergence of several factors, among them, the reduction in the number of employees ("downsizing") by big companies, the rapid development of computer-and telephone-based tools by which people are organizing more and more of their lives around their home is noticeable throughout the region as well as in rural settings. The municipality plans to promote this trend in order to generate significant economic activity without causing higher density land use, while at the same time respecting the recognized rural character.

Because the municipality is positioned at the most distant corner of the MRC, it has a relatively large concentration of commercial services and industrial activities which should be consolidated in the village of Mansonville.

With an aging population, we must also note that more and more people wish to create a secondary dwelling unit in their residence for their parents or children. Finally, the seasonal-recreational vocation of the municipality also generates housing needs, for extra seasonal housing in the form of a "guest house" or "cottage". The municipality also intends to authorize these uses.

Means

- By regulating home-based work as a complement to the dominant residential function;
- By allowing the subdivision of a dwelling unit, or the enlargement or conversion of a single-family dwelling to create a secondary dwelling unit;
- By authorizing the addition of a guest house (pavillon-chalet) in a controlled way.

6. Maintain a high quality transportation network that can meet the needs of a local clientele and a growing tourist trade

Intention

The municipality intends to put in place measures to ensure that the roads network is adequate and safe, based on the functionality of the roads network and the cycle network described in the land use and development plan. Work must be carried out to improve Lake Road (reconstruction, drainage, pavement), Route 243 (reinforcement and stabilization of the road surface), and the Vale Perkins Road (correction of the road bed, drainage and repair of pavement).

Means

- By adopting a by-law related to heavy through vehicle traffic;
- Prohibiting the construction of new roads in the agricultural areas;
- Putting in place measures to control access along roads as a function of their respective uses.

B) THE MAJOR LAND USE ZONES IN THE TERRITORY

The identification of the major land use zones on the territory is intended to distribute activities as a function of the natural potential, planning and development objectives and the wishes of residents of the municipality.

Transposing them onto the map of the major zones, hereto attached as Appendix I and forming an integral part of the planning program, indicates simply the dominant vocation that characterizes each part of the territory. This map will guide us in preparing the zoning map. On it are found the following zones:

Agricultural

Covers most of the lands zoned “green” by decree of the Act respecting the preservation of agricultural lands and activities, and offering a potential for and growth of agricultural activity;

Agro-forestry

Covers land offering little agricultural potential, also zoned green, by decree of the Act respecting the preservation of agricultural lands and activities;

Rural

Covers mainly the lands on the steep south-facing slopes of Owl’s Head and Bear Mountains, most of the part of the territory situated south of the railway line near Highwater and the steep shoreline cliffs along Lake Memphremagog, north of the Owl’s Head range;

Rural-forestry

Covers mainly the Sutton and Peeve Mountain ranges;

Residential – Seasonal-residential

Covers the properties along Lake Memphremagog at Knowlton’s Landing and south of Owl’s Head down to the US border, the Bombardier development, the area around Sugar Loaf Pond and the properties on either side of Route 243 south of the village of South Bolton;

Residential - tourism

Covers the properties on either side of the Vale Perkins Road, between the village of Mansonville and the intersection of the Vale Perkins and chemins Bombardier and Province Hill Road;

Recreational-tourism

Covers the Owl's Head recreational-tourism development;

Mining

Covers a small property to the east of the Ruitter Valley ecological reserve;

Urban

Covers the village of Mansonville;

Industrial

Covers a small sector adjacent to the village of Mansonville;

Lake Memphremagog

Covers Lake Memphremagog within the municipal limits.

C) LAND USE DENSITIES

Because of the rural character of the municipality and the council's wish to preserve its main characteristics, it has been decided that land use densities will remain very low throughout the municipality, with the exception of serviced areas where higher densities will be permitted. The Subdivision Bylaw will provide for subdivision standards to reflect this decision.

D) SERVICE INFRASTRUCTURES

The municipality of the Township of Potton does not intend in the short and medium term to extend its networks. However, certain improvements or minor extensions will be carried out within the town boundaries or in the Owl's Head development.

E) THE PROPOSED ROAD LAYOUT AND THE TYPE OF MAIN THOROUGHFARES AND TRANSPORTATION NETWORKS

The cycle corridor of regional interest

The revised regional land use and development plan identifies Route 243 as one of the main axes of the regional cycle trails network. This corridor requires that shared lanes be developed over much of its length. These shared lanes must be developed so they are safe, and this may require that the roadway be widened, corrected or rebuilt.

A second axis is identified between the Owl's Head tourist station and connects the village of Mansonville. This axis is mainly the Vale Perkins Rd. and Owl's Head Rd. Work on shared lanes is needed, and, as in the case of the work on Route 243, the shared lanes must be safe.

The road network

No new major collector or local road is planned by the municipality. New roads or streets will be the result of private initiatives within developments. The developer must apply for a certificate of authorization from the municipality and must comply with various applicable standards (width, sloped, roadbed, etc.). These proposed roads are only permitted in the white zone, away from agricultural and agro-forestry zones.

The hiking corridor of regional interest

On the western side of the municipality, a pedestrian trail passes along the Sutton Mountain range. This marked trail, several kilometres in length, classed as easy to intermediate, is one section of a circuit that is more than 160 km from Kingsbury, St-Denis-de-Brompton, Orford, Austin and West Bolton to the US border, where it crosses through. This trail has been in existence since 1985 (Les sentiers de l'Estrie).

PART 4: IMPLEMENTATION

REGULATORY MEANS

Because the planning program is first and foremost an overview of a program or a proposal intended to regulate land use in the municipality, it contains statements of policies rather than the actual planning by-laws. These policy statements formulate proposals for future land use planning and development that make up an intervention framework and a planning tool. The planning program must therefore be completed, as is required by the Land Use Planning and Development Act by more specific and detailed bylaws, including the Zoning Bylaw, the Subdivision Bylaw, the Building Bylaw, the Permits and certificates Bylaw and the Bylaw respecting the conditions for issuing building permits. These apply the objectives found in the planning program and, of course, those in the regional land use and development plan. Other planning bylaws such as the Comprehensive Development Program, called the PAE (plan d'aménagement d'ensemble) and the Architectural Siting and Integration plan bylaw, called the PIIA (plans d'implantation et d'intégration architecturale), and the bylaw dealing with agreements on municipal works complete the regulatory tools that are available to the municipality to implement these planning decisions.

The Zoning Bylaw

This planning bylaw translates in the most significant and important way the objectives of the planning program. By dividing the territory into zones and determining the types of use and building that are permitted or banned in each, it is the Zoning Bylaw that actually applies the spatial organization objectives of the planning program.

The major land uses and land use densities are translated by clearly explaining the uses that are accepted and authorized. Through the establishment of these land use zones, certain activities that no longer correspond to desired land uses therefore become non-conforming uses. This sends a clear signal that that this activity is no longer welcome in this sector, and that it would be desirable for it to move. The rules of acquired rights then apply to this activity.

It is therefore easy to understand the importance of the review of the zoning map, both in terms of delineating the zones and in the identification of uses allowed in each zone, and those that are banned. This exercise has been carefully carried out for the entire territory.

In a general way, this revision of the zoning map makes it possible to:

- adjust the boundaries of a zone to better reflect the more homogeneous groupings of uses;
- deal with each zone individually in terms of permitted uses and siting standards;
- better segregate uses through a zoning grid;
- recognize the recreational-tourism vocation of Owl's Head Mountain;
- recognize the agricultural function;

- consolidate service centres, as represented by the village of Mansonville;
- better control residential development in the rural milieu;
- regulate construction in zones with constraints (flooding, erosion...);
- by developing provisions related to commercial signage, planting and cutting of trees, protection of shorelines, siting of fences and hedges, requirements for off-street parking for different uses, and standards related to exterior cladding materials, the zoning bylaw puts in place measures that ensure a minimum quality threshold for all interventions related to these items. The physical framework within which the population works, whether at home or in the workplace or in carrying out activities related to education, leisure, culture and the various requirements to purchase products and services, must of necessity be of the very best quality.

The Subdivision Bylaw

This bylaw also contributes, although to a somewhat lesser extent, but nonetheless in a significant way, to an appropriate spatial organization. Even before the building is sited, this bylaw allows space to be organized in such a way that development there is harmonious. This bylaw is intended essentially to frame interventions of all specialists in the parcelling of land and land use.

In addition, through the requirements of minimum dimension standards that take into account the existence or absence of water and sewer systems, proximity to watercourses, the nature and kind of use for which the property to be built, the subdivision bylaw contributes to applying the intentions of the municipality through land use densities.

Finally, the subdivision bylaw sets out the standards for the dimensions of roads and the measures for their layout and characteristics.

The Building Bylaw

This bylaw contributes, through minimum safety standards in the ordering and assembling of materials during construction, to ensuring a quality of construction that will give citizens a safe living environment in their place of residence, at work or in any other place used for any other activities.

The Permits and Certificates Bylaw and the Bylaw respecting Issuing Building Permits

These administrative bylaws are significant because it is these bylaws that require of any intervener on the territory, whether it is in the private or public domain, that before beginning work of any kind whatsoever covered by the planning bylaws, a permit or certificate be obtained. These bylaws set all the terms and conditions for obtaining these authorizations to carry out work.

The Siting Plan and Architectural Integration Plan (in French, the “Plan d’implantation et d’intégration architecturale” or PIIA)

This planning bylaw is complementary to the basic bylaws (the zoning, subdivision, building and permits and certificates). It is intended to ensure, for certain sectors, a superior quality of intervention on immovables during construction, enlargement, conversion or renovation. For the Township of Potton, this bylaw could be very useful for the heritage centre of the village of Mansonville and the Missisquoi River valley. It makes it possible to assess the quality of the intervention so as to encourage the best integration with the environment and to make a constructive contribution to landscape changes in these areas.

The Comprehensive Development Plan (in French, “Plan d’aménagement d’ensemble” PAE)

This type of bylaw is very useful for strategic areas of development or redevelopment for which detailed planning by the municipality is not immediately desirable.

Also, the municipality clearly indicates its intentions as to the future vocation for the site, leaving it to the promoter to make detailed development proposals that will be evaluated by the town based on criteria predetermined in the PAE bylaw. The Township of Potton uses this tool for the Owl’s Head development.

The bylaw dealing with agreements related to municipal works

The municipality intends to use such a bylaw to give it better control of development, particularly with relation to proposed roads. This bylaw provides for signing agreements with the promoter and includes various methods of planning, construction and cost-sharing related to this work.

Special planning programs (PPU)

This type of planning instrument, part of the toolkit of the planning program, gives the municipality an opportunity to prepare a detailed program of actions to be taken to ensure a strategic development or redevelopment on its territory. The Township of Potton does not intend, for the moment, to use this specialized planning tool.

COMING INTO FORCE

This bylaw comes into force,

In accordance with the law.

Prepared and adopted by the council of the

Township of Potton during the

meeting held on _____

André Marcoux, mayor

-----,
Danielle Gilbert,
secretary-treasurer / director general

Certified copy

This date

Danielle Gilbert
Directrice-générale