

**Bylaw No. 2026-07
Amending Subdivision Bylaw No. 2009-05**

At a regular meeting of the Ayer's Cliff municipal council, held at City Hall on October 6, 2026, at 7:00 p.m., at which a quorum was present.

WHEREAS the Municipality of Ayer's Cliff has the authority under the Act to amend its subdivision bylaw;

WHEREAS the consolidated bylaw 16-23 of the Memphrémagog Regional County Municipality (MRC) Land Use and Development Plan came into effect on April 11, 2024, and this bylaw must be brought into compliance with bylaw 16-23 and its subsequent amendments within two years;

WHEREAS the content of the aforementioned document sets forth planning and development guidelines as well as planning standards for the territory of the Memphrémagog Regional County Municipality and, consequently, for the territory of the village of Ayer's Cliff;

WHEREAS the applicable adoption procedure was duly followed;

WHEREAS a notice of motion was duly given on October 6, 2026;

**Accordingly,
It is moved by
Seconded by
And unanimously resolved**

That a bylaw of this council, numbered 2026-07, be and is hereby adopted, and that the following be enacted and decreed, namely:

Article 1: The preamble forms an integral part of this bylaw.

Article 2: Article 7 of Subdivision Bylaw No. 2009-05 of the Municipality of Ayer's Cliff, concerning specific definitions, is amended as follows:

a) By adding, in alphabetical order, the following definitions:

“Street Closure”: The completion of the traffic network through the construction of a roadway whose route, taking into account existing constraints, follows the shortest path between the starting point and the destination, carried out for economic purposes or for public utility or safety purposes.

“Riparian corridor”: The area within the first 100 meters (328 ft) of a watercourse and the first 300 meters (984 ft) of a lake. The measurement is taken from the high-water line.

“Watercourse”: All watercourses with regular or intermittent flow, including those created or modified by human intervention, with the exception of:

1. Any watercourse or portion of a watercourse that the government designates by order, which takes effect on the date of its publication in the Gazette officielle du Québec or on any later date specified therein;
2. A ditch on a public or private road;
3. A joint ditch within the meaning of section 1002 of the Civil Code of Québec;
4. A drainage ditch that meets the following requirements:
 - (a) Used solely for drainage and irrigation purposes;
 - (b) That exists solely as a result of human intervention;
 - (c) The catchment area of which is less than 1 km² (100 ha).

The definition of “watercourse” applies to its entire course, including, where applicable, the portion that serves as a ditch.

“High-water line (HWL)”: The high-water line is located at the natural high-water line, that is:

1° At the point where there is a transition from a predominance of aquatic plants to a predominance of terrestrial plants;

If there are no aquatic plants, at the point where terrestrial plants cease toward the body of water. Plants considered aquatic include all hydrophytes, such as submerged plants, floating-leaved plants, emergent plants, and emergent herbaceous and woody plants characteristic of marshes and swamps open to bodies of water (watercourses and lakes);

2° Where there is a water retention structure, this high-water line is located at the maximum operating elevation of the hydraulic structure for the portion of the body of water located upstream of the dam;

3° In the case of a legally erected retaining wall, measured from the top of the structure;

If the high-water line cannot be determined using the preceding criteria, it may be located as follows:

4° If the information is available, at the boundary of the two (2)-year flood recurrence interval, which is considered equivalent to the line established according to the botanical criteria defined previously in paragraph 1°;

“Waterfront (lot or parcel)”: Refers to a lot or parcel that is adjacent to a watercourse or lake. Otherwise, the lot or parcel is considered non-waterfront.

“Existing street (for the purposes of Section 27)”: A compliant public or private thoroughfare, including loop roads, that was constructed and open to traffic as of April 11, 2024.”;

Section 3: Section 27 of this subdivision by-law, concerning dead-end streets, is amended as follows:

a) By adding a second (2)^(e) paragraph and the following subparagraphs:

“Outside the urbanization perimeter, except for Ind-1 and Ind-2 zones, any cadastral operation related to a new street is prohibited. Notwithstanding the foregoing regarding the prohibition outside the urbanization perimeter, except for Ind-1 and Ind-2 zones, any cadastral operation related to an existing street is authorized under the following conditions (the issuance of a subdivision permit including the street extension is subject to the PIIA bylaw):

- a) The extension must only serve to close the loop of a street in an existing development or be carried out for purposes of public utility and safety;
- b) The extension must be made on a street connected to a maintained public street, including roads in the major road network, or to a compliant and maintained private street.”;

Section 4: Section 38 of this subdivision by-law, concerning the minimum dimensions of lots or parcels served by water and sewer systems, is amended as follows:

a) By replacing, in note (2) below the table, the words “in the case of a parcel of land located between the high-water line and an existing street at the time the revised land-use plan takes effect” with the words “in the case of a landlocked parcel of land located between the shoreline and an existing street as of January 4, 1999”;

Section 5: Section 39 of this subdivision by-law, concerning the minimum dimensions of lots or parcels partially served by water and sewer systems, is amended as follows:

- a) By replacing, in the table, the words “within 100 m of a watercourse or 300 m of Lake Massawippi” with the words “within a riparian corridor”;
- b) By replacing, in the table, the words “more than 100 m from a watercourse or 300 m from Lake Massawippi” with the words “outside a riparian corridor”;

Section 6: Section 40 of this subdivision by-law, concerning the minimum dimensions of lots not served by water and sewer systems, is amended as follows:

- a) By replacing, in the table, the words “within 100 m of a watercourse or 300 m of Lake Massawippi” with the words “within a riparian corridor”;
- b) By replacing, in the table, the words “more than 100 m from a watercourse or 300 m from Lake Massawippi” with the words “outside a riparian corridor”;
- c) By replacing, in Table III, in the cells corresponding to the minimum width and the width measured at the front line, and in the last row of the table representing the agricultural zone, the standards of “150 m” with “100 m”;
- d) By replacing, in Table III, in the cells corresponding to the minimum area, the minimum width, and the width measured at the front line, and in the last row of the table representing the agricultural zone, footnote 4;
- e) By replacing, in note (3) below the table, the words “upon the entry into force of the revised land-use plan ^{No.} 8-98” with the words “on January 4, 1999”;
- f) By adding a note (4) below the table, which reads as follows:

“(4) The transfer of a lot or part of a lot by will does not permit an increase in the number of residences already authorized prior to the transfer.”;

Article 7: Article 41 of these subdivision regulations, concerning flexibility for lots or parcels of land located on a curve, is amended as follows:

- a) By replacing the ^{first}sentence with the following:

“Notwithstanding the standards set forth in Table III regarding lot width measured at the front line, for any lot adjacent to a cul-de-sac or located outside a curved street with a bend angle greater than 45°, the lot may have a minimum width measured at the front line that is less than the required minimum standard, provided that it is never less than 29 m and that the minimum lot area is met.”;

Section 8: Section 42 of these subdivision regulations, concerning the overall development, is amended as follows:

- a) By adding, at the end of the second sentence of the ^{first}paragraph, the words “provided that at least one lot forming part of the overall development plan is adjacent to a public street or a private street that complies with the subdivision by-law.”;
- b) By adding a paragraph between the ^{first}and ^{second}paragraphs that reads as follows:

“The comprehensive project must provide for the perpetual easements and rights of way necessary to serve the various structures, where applicable. The proposed structures must be served by an access road that meets the minimum municipal requirements regarding accessibility for emergency vehicles.”
- c) By adding the following words at the end of paragraph 2^e: “and taking into account the presence of one or more riparian corridors within the project.”;

Article 9: Article 44 of this subdivision by-law, concerning special provisions for landlocked waterfront lots, is repealed. The standard is set forth in Table I;

Article 10: This bylaw shall come into force in accordance with the Act.

Mayor
Alec Van Zuiden

Chief Administrative Officer
Abelle L'Écuyer-Legault

Notice of Motion and Adoption of the Proposal: October 6, 2026
Public Notice of Consultation Meeting: October 7, 2026
Public hearing: October 28, 2026
Adoption of the final bylaw
MRC Certificate of Approval
Effective date:

PROJECT