



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

DRAFT
BY-LAW NO. : 90-58-99

**BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN ORDER
TO ADJUST THE FINE APPLICABLE FOR THE FELLING OF
TREES IN CONTRAVENTION TO THE BY-LAW**

ADOPTION PROCEDURE

Notice of motion :	June 7, 2021
Adoption – draft :	June 7, 2021
Publication :	June 11, 2021
Public consultation :	Until June 28, 2021
Adoption of by-Law :	July 5, 2021
Publication :	July 9, 2021
Coming into force :	July 9, 2021

CONSIDERING that in accordance with section 113 of the *Act Respecting Land use Planning and Development*, (CQLR c. A-19.1), the Town of Kirkland may regulate the felling of trees to ensure protection of the forest cover and promote sustainable development of private forest;

CONSIDERING that the Town of Kirkland must ensure concordance between its municipal by-laws and section 233.1 of the *Act Respecting Land use Planning and Development*, (CQLR, c. A-19.1);

CONSIDERING that notice of motion of this by-law was given and that adoption of the draft was done at the regular sitting of the municipal Council held on June 7, 2021;

CONSIDERING that in accordance with section 356 of the *Cities and Towns Act* (CQLR, c. C-19), copies of the draft by-law were made available to the public;

CONSIDERING that the present by-law contains no provision making it a by-law subject to approval by way of referendum;

CONSIDERING that the preamble forms an integral part of this by-law;

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

SECTION 1

Section 1.7 of *Zoning By-Law No. 90-58* is amended by adding the following paragraph, after paragraph a):

“a.1) Notwithstanding section 1.7 a), anyone who fells a tree in contravention of a provision of this by-law is liable to a minimum fine of **FIVE HUNDRED DOLLARS** (\$500) plus,

(1) for felling trees on less than one hectare of land, an amount varying from **ONE HUNDRED DOLLARS** (\$100) to **TWO HUNDRED DOLLARS** (\$200) per tree illegally felled, up to a total of **FIVE THOUSAND DOLLARS** (\$5,000); or

(2) for felling trees on one or more hectares of land, a fine varying from **FIVE THOUSAND DOLLARS** (\$5,000) to **FIFTEEN THOUSAND DOLLARS** (\$15,000) per hectare deforested, in addition to an amount determined in accordance with subparagraph 1 for each fraction of a hectare.

These amounts are doubled for a second or subsequent offence.”

SECTION 2

The present by-law comes into force according to law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk