

Township of Larder Lake

Zoning By-law N0. 1465-13



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The Corporation of the Township of Larder Lake

Zoning By-Law № 1465-13

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Explanatory Note

The purpose of this By-law is to implement the Official Plan of the Township of Larder Lake and to regulate the use of land and the character, location and use of buildings and structures in the Township of Larder Lake. This By-law applies to all land within the Township of Larder Lake.

The By-law is passed by the authority of the *Planning Act*. Its contents conform to the Official Plan for the Township of Larder Lake.

After the date of adoption of this By-law, any new development, redevelopment or alteration to an existing use or building must comply with the requirements of this By-law before a building permit can be issued. Applicants are encouraged to pre-consult with the Township on how the zoning requirements apply.

Changes to the requirements contained in this By-law may be made with prior approval from the Township as provided for under the *Planning Act*. Significant changes may require an amendment to the Zoning By-law. Minor variances to the By-law may be granted by the Township.

Minor Variances

Criteria for evaluating Minor Variances (section 45(1) of the *Planning Act*):

- (1) The general intent and purpose of the Official Plan are maintained;
- (2) The general intent and purpose of the Zoning By-law are maintained;
- (3) The variance is minor; and
- (4) The proposed use of land, building or structure is desirable for appropriate development.

Application must meet all four tests to be approved. Where a proposed variance is not minor or cannot satisfy the criteria for a minor variance, an amendment to this Zoning By-law may be required.

Zoning By-law Amendments

The Zoning By-law may be amended where the proposed amendment is consistent with the Township's Official Plan. In accordance with the requirements of Section 34 of the *Planning Act*, the usual procedure for amendments involves the following steps:

- (1) The person or public body wishing to change the Zoning By-law consults with the municipality and then makes an application to the Council of the Corporation of the Township of Larder Lake to amend the By-law (subsection 34(10.0.1) of the *Planning Act*).
- (2) Council determines whether the application is a 'complete' application. Additional information, reports or studies may be required to support the proposed amendment.

Council has 30 days from the date of application to determine whether the application is complete (s. 34(10.1-10.3)).

- (3) Once the application is considered complete, Council circulates to prescribed agencies and bodies a Notice of Complete Application (s. 34(10.4)). If Council deems an application incomplete or does not make a decision within 30 days from the date of application, the person or public body may appeal to the Ontario Municipal Board (OMB) to determine whether the application is complete (s. 34(10.5)).
- (4) If an application is considered complete, Council advertises that a Public Meeting will be held in order to consider the amendment to Zoning By-law. Advertisement is given 20 days in advance of the meeting (s. 34(12-13, 14.1)).
- (5) Council holds a Public Meeting and evaluates the appropriateness of the proposed amendment. Council considers the proposal's conformity with the Official Plan, adequacy of services, conformity with the provisions of the requested zone, suitability of the proposed use in the proposed location, public opinion, etc. If the application is satisfactory, the amending by-law is passed by Council.
- (6) Within 15 days of approval or refusal of the application, the Clerk will give written notice of the approval of the application by advertisement and to those who made written request to receive notice of a decision and the applicant (s. 34(10.9, 18)).
- (7) If Council approves the application, any person who stated their opinion on record prior to the application being approved may appeal the decision of Council to the OMB within 20 days of notice being given of approval to the amendment to the Zoning By-law (s. 34(19)).
- (8) If Council refuses to approve the application or Council does not make a decision within 120 days from the date the application is deemed complete, the person or public body may appeal to the OMB within 20 days of the notice of decision of refusal of the application or within 20 days of the lapsing of the 120-day period (s. 34(11, 11.0.2)).
- (9) Amendment to the Zoning By-law comes into force if no appeal is filed within 20 days of the notice of decision notifying of the approval of the amendment (s. 34(21)).
- (10) If a decision or lack of decision is appealed to the OMB, the Board can make any decision the Council of the Township had in regard to the specific application (s. 34(26)).

Validation of Title and Land Titles

A lot is defined in this by-law to mean a parcel or tract of land, within a registered plan or subdivision or described in a deed or other legal document that is capable of being legally conveyed. This typically means a lot which is created under the *Planning Act*. In the Rural area, lots were created under an original plan of survey or as a patented mining claim. Since

they were not created under the *Planning Act*, the lots will merge on title were they are owned by the same property owner. For example, if the same land owner buys Lots 1 and 2, Concession 1 in Skead Township, the lots will merge and become one lot. This means that if the land owner wants to build on each of the original lots, the land owner will require a land severance under the *Planning Act* to create two separate lots.

In some circumstances, there may be a question of title of a parcel where a property owner has conveyed part of his land holdings after universal subdivision control came into effect (1970). Where there is questionable title to abutting lands created under the *Planning Act*, a property owner may apply under Section 57 of the *Planning Act* for a ‘validation of title’.

How to Use this By-law

Step 1 – Locate Your Property and Determine the Zone

Use the zoning schedules (maps) at the end of this document to locate the property you are interested in. Identify the zone symbol that applies to that property. Zone examples include R1, R2, R3, R4, TC, HC, RC, M, MX, I, OS, EP, NR and MM.

Step 2 – Determine What Uses are Permitted in the Zone

Use the Permitted Uses section of your Zone to determine what uses are permitted in the Zone you have identified. Run your finger down the list to find the use you are interested in. If you find the use you are interested in, it is permitted in the Zone. Otherwise, it is not permitted in that Zone.

Step 3 – Determine What Zone Requirements Apply

Once the use is determined to be permitted, move down to the Zone Requirements section. In this section it will indicate what the minimum requirements will be, i.e. minimum lot area, frontage etc. These standards will help you determine where you can locate a building or structure on your lot.

Step 4 – Determine if any General Provisions Apply

Development of the property may be affected by Section 4 (General Provisions). General Provisions can apply to any zone anywhere in the municipality. This section contains provisions that apply to such matters as Accessory Uses, Height Exceptions, Home Based Businesses, etc. Use this section to determine how a particular land use might be affected.

Step 5 – Clarify the Meaning of a Use

Throughout the by-law some words are shown in black italicized script. These words are defined in Section 3 (Definitions). If you are unsure as to what a particular word means or what the scope of a permitted use includes, then refer to the alphabetical list of definitions to assist you. This section also contains illustrations which are intended to help with understanding the definition.

Section 1 ADMINISTRATION

Explanatory Note

Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other by-laws, defines the area to which it applies, how it is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

1.1 Title

This By-law shall be known as the Zoning By-law or By-law No. 1465-13 of the Corporation of the Township of Larder Lake.

1.2 Applications and Plans

In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a plan, drawn to scale and showing the following:

- (a) the true shape, dimensions and/or legal description of the lot to be built upon or otherwise used;
- (b) the proposed location, height and dimensions of any building, structure or use proposed for such lot;
- (c) the proposed location, setback, height and dimensions of yards, landscaping, off-street parking spaces and off-street loading spaces required by this By-law;
- (d) the location of all existing buildings or structures on the lot, including the lot area, lot coverage of existing and proposed structures;
- (e) a statement, signed by the owner disclosing the current use of all existing and proposed uses of land, buildings or structures and such other information as may be required to determine whether the uses conform with the requirements of this by-law.

1.3 Defined Area

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Township of Larder Lake.

1.4 Effective Date

This By-Law shall come into full force and effect on the date of passing by Council, in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

1.5 Enforcement

This By-law shall be administered by the Zoning Administrator or such other person as may from time to time be designated by Council, and no permit for the use of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use would be a violation of any provision of this By-law.

1.6 Inspection of Land, Buildings and Structures

- (a) Subject to Sections 49 and 49.1 of the *Planning Act*, R.S.O. 1990, the Chief Building Official or other such person as may from time-to-time be designated by Council or any person acting under his or her instructions, and upon producing proper identification, is hereby authorized to enter, at all reasonable times, upon any property or premises for the purpose of carrying out his duties under this By-law.
- (b) Notwithstanding any provisions of Section 1.6(a) hereof to the contrary, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit without obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused, except under the authority of a search warrant issued under Section 158 of the *Provincial Offences Act*.

1.7 Penalty

- (a) Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction thereof shall forfeit and pay a penalty not exceeding Twenty-Five Thousand Dollars (\$25,000.00), on a first conviction, and Ten Thousand Dollars (\$10,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.
- (b) Where a corporation is convicted under subsection (a), the maximum penalty that may be imposed is Fifty Thousand Dollars (\$50,000.00) on a first conviction and Twenty Five Thousand Dollars (\$25,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.
- (c) In the case where any building or structure is erected or altered, or any part thereof is used, or any lot is used, in contravention of any of the requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Municipal Act* or the *Planning Act* in that behalf.

1.8 Repeal and Relationship to Former By-laws

Insofar as it applies to the lands affected by this By-law, any By-laws passed under Section 34 of the *Planning Act*, R.S.O. 1990, or its predecessor, are hereby repealed.

The adoption of this By-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said By-laws if the violation is also a violation of any of the provisions of this By-law.

1.9 Validity

Should any Section or part of a Section of this By-law or Schedule hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof other than the part declared to be invalid.

1.10 Other By-laws, Licenses, Permits and Regulations

Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law in force within the area affected by this By-law, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the Corporation or by any other law and restrictions lawfully imposed or in force by an authority having jurisdiction to make such restrictions.

1.11 Conflict

In the event of a conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

1.12 Interpretation

(a) Interpretation

The *Legislation Act*, S.O. 2006 applies to this By-law.

(b) Definitions

Definitions are given in this By-law to aid in the understanding and implementation of the true spirit, intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

All terms shown in bold italicized font (e.g. ***hotel, place of amusement, alter, interior side yard, place***) in this By-law are defined in Section 3.

(c) Citation

This By-law may be cited by its long title (“A By-law to Regulate the Use of Land, Buildings and Structures within the Township of Larder Lake”), its short title (“Township of Larder Lake Zoning By-law”) or its by-law number, and any such citation is to be taken as meaning the By-law as amended.

(d) Gender Neutrality

This By-law is gender neutral and, accordingly, any reference to one gender includes the other.

(e) Reference

Appendices, diagrams, glossaries, explanatory notes, headings, indices, marginal notes and references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

(f) Measurement

This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement. Imperial measurements are inserted for convenience of reference only. In this By-Law, the word ‘shall’ is mandatory; words in the singular include the plural; words in the plural include the singular; words in the present tense include the future. Where linear distances other than those referring to vertical measurements are specified, such linear distances are to be measured on a horizontal plane.

Section 2 CONFORMITY REQUIREMENTS

Explanatory Note

This Section establishes the authority and legitimacy of the By-law. It is composed of statements which indicate that all development must comply with the zoning by-law.

- 2.1** No land, building or structure shall be used and no building or structure shall be used, erected or enlarged, altered or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.
- 2.2** Subject to the granting of such minor variances as may be necessary, no lands shall be severed from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law.
- 2.3** Various definitions within this by-law state that a use is permitted on land or within a structure or in a building. Where the use is an outdoor type use, the setback provisions of the by-law shall still apply. Consequently, the area occupied by the outdoor use shall be treated as if it were a building so that the setback from a lot line can be enforced. *(An example might be a motorsport facility where you have an outdoor track. If the setback from the property line was 30 m then the edge of the track would be treated as a building and the setback of 30 m would apply to that distance.)*

2.4 Committee of Adjustment

Pursuant to the provisions of Sections 44 and 45 of the *Planning Act*, a duly appointed Committee of Adjustment is authorized to grant relief to any provisions of the Zoning By-law of the Township of Larder Lake, by way of granting a minor variance or by giving a permission for the enlargement or extension of a non-conforming use or to permit a change of use to a similar or more compatible use or to authorize a use that conforms with those permitted in the By-law, despite that a use, building or structure may be defined in general terms.

Section 3 DEFINITIONS

Explanatory Note

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word 'shall' is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word 'used' includes 'arranged', 'designed' or 'intended to be used'. The word 'occupied' shall include 'designed to be occupied' and 'arranged to be occupied'.

General

Definitions of words and phrases used in this By-law that are not included in the list of definitions in Section 3 shall have the meanings that are commonly assigned to them in the context in which they are used as defined in the dictionary.

3. A

Accessory

When used to describe a ***use, building or structure***, means a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same ***lot*** therewith. (See Figure 3-4) (*Examples of accessory buildings or structures are a detached garage, a storage shed, a sleep cabin or a swimming pool. Examples of accessory uses are a home based business or a retail outlet within a manufacturing plant.*)

Accessory Apartment – see **Dwelling – Apartment-in-a-House**

Accessory Building – see **Accessory**

Accessory Dwelling – see **Dwelling - Accessory**

Accessory Structure – see **Accessory**

Accessory Use – see **Accessory**

Adverse Effects

In accordance with the *Environmental Protection Act*, adverse effect shall mean one or more of:

- (a) impairment of the quality of the natural environment for any use that can be made of it;
- (b) injury or damage to property or plant and animal life;
- (c) harm or material discomfort to any person;
- (d) an adverse effect on the health of any person;
- (e) impairment of the safety of any person;
- (f) rendering any property or plant or animal life unfit for human use;
- (g) loss of enjoyment of normal use of property; and

(h) interference with normal conduct of business.

Aggregate

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Agricultural Use

Means the *use* of land, **building(s)** or **structure(s)** for:

- (a) the growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and application, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops;
- (b) animal husbandry including the raising, boarding, and keeping of all forms of livestock and fish (not including domestic animals such as dogs or cats), and all related activities such as breeding, training, feeding, manure storage and grazing;
- (c) the production of animal products such as milk, eggs, wool, fur, or honey, including related activities such as the collection, storage and sale of the products;
- (d) the use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

Agricultural use shall not be construed to include commercial activities related to agriculture such as abattoirs, tanneries and retail sales outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales, but may include the production and incidental sale of maple syrup.

Airfield, Private

Means land used for the purpose of landing, storing, taxiing or taking-off of private aircraft and **uses, buildings** or **structures accessory** thereto, but shall not include a commercial airport or airport governed by the *Aeronautics Act*.

Aisle

Means the travelled way by which **motor vehicles** enter and depart **parking spaces**.

Alter

- (a) When used in reference to a **building, structure** or part thereof, means:
 - (i) to change any one or more of the external dimensions of such building or structure; or
 - (ii) to change the type of construction of the exterior walls or roof of such building or structures; or

(iii) to change the use of such building or structure or the number or types of uses or **dwelling units** contained therein.

(b) When used in reference to a **lot** means:

- (i) to change the boundary of such lot with respect to a **street** or **lane**; or
- (ii) to change any dimension or area, relating to such lot; or
- (iii) to change the use of such lot or the number of uses located thereon.

(c) When used in reference to a **shoreline**:

- (i) means to change, straighten, divert or interfere in any way with the channel of any **watercourse** or the lands surrounding the high water mark of a **water body**.

Ambulance Facility

Means a **place** or part thereof where professional paramedics and personnel are stationed and their **vehicles** and equipment are kept.

Apartment Building – see **Dwelling – Apartment**

Apartment-in-a-house – see **Dwelling – Apartment-in-a-House**

Art Gallery

Means a **place** where paintings, sculptures or other works of art are exhibited or sold.

Asphalt Plant

Means an industrial facility used for the production of asphalt for immediate use in the paving of **roads** and **driveways** and the damp-proofing of **buildings** or **structures**.

Attached

Means a **building** or **structure** otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent building or buildings.

Auto Body Shop

Means a **building** or part thereof with a service bay, where painting, refinishing, restoration, alterations or repairs are made to **motor vehicles** and where the services are performed for gain or profit, but does not include a salvage yard.

Auto Repair Garage

Means a **building** used for the storage repair and servicing of **motor vehicles**, having at least one (1) service bay where repairs essential to the actual operation of a **motor vehicle** are performed for gain or profit.

Automobile Service Station

Means a **place** or a clearly defined space on a **lot** where gasoline or other motor **vehicle** fuels and conveyance accessories are stored or kept for sale and where only minor or running repairs

essential to the actual operation of motor vehicles are executed or performed, but shall not include any other automotive **use** defined in this By-law. (See also **Gasoline Bar**)

Automotive Sales Establishment

Means a **place** used principally for the display and sale of new and/or used **motor vehicles** and may include the servicing, repair, cleaning, body repair and repainting of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive uses. (See also **Recreational Vehicle Sales and Storage**)

3. B

Bake Shop

Means a retail store where bakery products are offered for sale, some or all of which may be prepared on the premises.

Bakery

Means a **building** or part thereof for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products and may include an **accessory retail store** which sells goods manufactured on the premises.

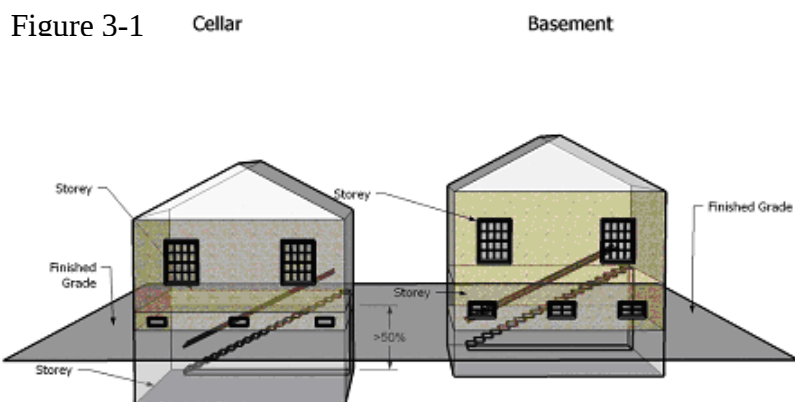
Bank

Means an establishment in a **building** or part thereof where money is deposited, kept, lent or exchanged.

Barrier-Free Parking Space – see Parking Space, Barrier Free

Basement

Means that portion of a **building** between two floors which is partly underground but which has at least one-half of its height from floor to ceiling above the adjacent finished grade. (See Figure 3-1)



Bed and Breakfast Establishment

Means a **single detached dwelling** in which no more than four (4) **guest rooms** are made available for the temporary accommodation of the travelling or vacationing public. Such an establishment shall be occupied by the owner of the **dwelling unit** or the lessee of the entire unit and may offer meals to those guests residing in the establishment, but shall not offer services to non-guests.

Bingo Hall

Means a **building** or premise or part thereof used for bingo or a bingo event and is duly registered under the *Gaming Control Act* and is in compliance with municipal by-laws and approvals.

Boat House

Means a **building** or **structure** or part thereof not over 4.8 m (15.7 ft.) in **height**, used for the storage of private boats and equipment **accessory** to their **use**, as an **accessory use** to a **residential use**, no part of which shall be used for any residential or commercial purpose. Despite anything in the foregoing to the contrary, rooftop decks or patios and screened enclosures (i.e. **gazebos**) shall be allowed provided that the total aggregate height of all boat house structures does not exceed the maximum height limit by more than 1.2 m (4.0 ft.).

Boat Launch

Means an area of land adjacent to a **water body** or **watercourse** that is used to launch and remove small **water vehicles** from the water. Boat launches may be public or private.

Boat Slip

Means a temporary mooring space that is provided for the use of visitors arriving and departing by a **water vehicle**.

Buffer Strip

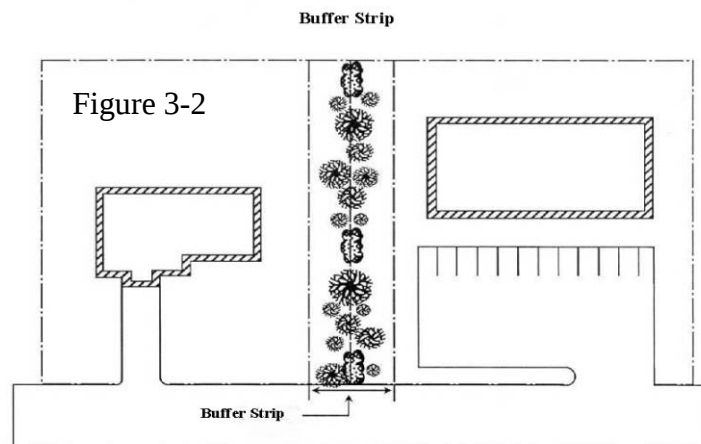
Means a landscaped or planted area reserved for the purpose of screening or obstructing the view of **buildings**, land or **structures** or shielding or blocking noise, lights or other nuisances by the planting of trees and shrubs or **fences**. (See Figure 3-2)

Building

Means any **structure** used or intended for sheltering any **use** or occupancy. The word 'building' shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code*.

Building Code

Means the *Ontario Building Code Act* and regulations thereunder, and any amendments thereto.



Building Envelope

Means the buildable area on a **lot**, as defined by all of the required **yards** and **setbacks** and the maximum **height** provisions, within which a **building** can be **erected**. (Figure 3-3)

Building Height – see **Height**

Building Inspector – see **Chief Building Official**

Building, Main

Means a **building** in which is conducted the principle **uses** of the **lot** on which it is situated. (See Figure 3-4)

Building, Mixed Use

Means a **building** containing more than one land **use** category (e.g. retail commercial and residential, **office** and residential, industrial and retail, etc.) that are conceived and designed as a single **structure**.

Building Official – see **Chief Building Official**

Building, Temporary

Means a **building** or **structure** intended for removal or demolition within a prescribed time not exceeding two (2) years or as set out in a building permit.

Building Supply Store

Means a commercial **place** where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, and kept for retail sale. This definition shall not include a **lumber yard** or a **salvage yard**.

By-law Enforcement Officer

Means the officer or employee of the **Township**, or an amalgam of municipalities of which the Township is a part of, charged with the duty of administering and enforcing the provisions of municipal by-laws.

Figure 3-3

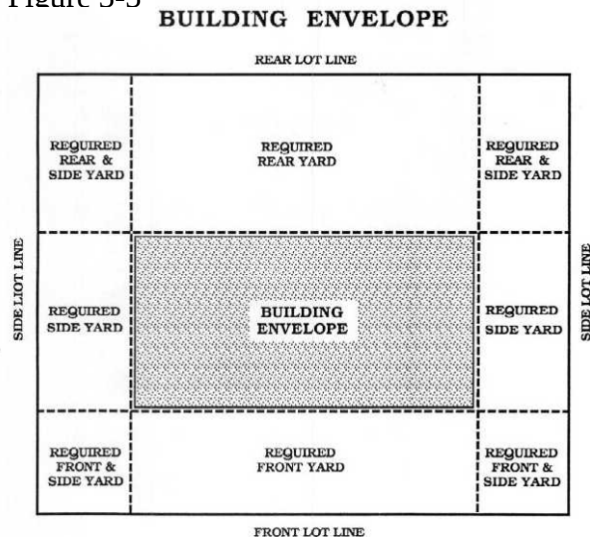


Figure 3-4



3. C

Camp (Hunt Camp, Fishing Camp)

Means a **building** or **structure** intended to provide basic shelter and accommodation on a short-term basis for persons engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation and to which no public services are provided (hydro, water, sewage, garbage collection, or road maintenance). The definition of camp shall not include a **seasonal dwelling** or any other **dwelling** defined herein.

Campground

Means an area of land, managed as a unit, providing short-term accommodation for tents, **recreational vehicles** or campers where a fee is charged for such accommodation, but shall not include **mobile homes** or a **mobile home park**. A campground may include **accessory uses**, **buildings** and **structures** such as a **laundromat**, **convenience store**, sale of propane fuels or others that are generally accessory to the operation of the campground.

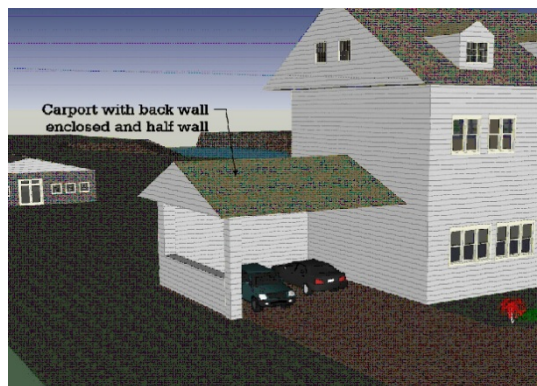
Campsite

Means a plot or parcel of land within a **campground** intended for the exclusive temporary occupancy by a **recreational vehicle**, tent or similar transportable accommodation together with all yards and open space and may include on-site services such as a fire pit, hydro, water and sewage disposal.

Car Port

Means a partially enclosed **structure** intended or which is used for the sheltering of one or more **motor vehicles**. A car port attached to the **main building** is not an accessory structure (See Figure 3-5). A semi-detached car port is an **accessory structure** divided vertically into two (2) separate car ports by a common wall where each separate private car port is located on separate, adjoining **lots**.

Figure 3-5



Car Shelter – see **Temporary Car Shelter**

Car Wash

Means a **building** or **structure** or portion thereof used for washing or cleaning of **motor vehicles** for gain, and may include the sale of fuel (e.g. gasoline, diesel, propane) and oil to its customers. A car wash may be an **accessory use** to a principle main use (e.g. **automobile service station**).

Catering Establishment

Means a commercial establishment or **home based business** in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take-out.

Cellar

Means the portion of a **building** between two floors, which is partly underground and which has more than one-half of its height from floor to ceiling below the finished grade. (See also **Basement** and Figure 3-1)

Cemetery

Means land set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other **building** or **structure** intended for the interment of human remains.

Chief Building Official

Means an officer or employee of the Corporation of the Township of Larder Lake or an amalgam of municipalities of which Larder Lake is a part of, appointed to enforce the provisions of the *Building Code Act*.

Chip Wagon - see Licensed Refreshment Sales Vehicle**Cinema – see Theatre****Clinic**

Means a **building** or part thereof used solely for the purpose of consultations, diagnosis and treatment of patients, by more legally qualified medical professionals (*e.g. physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners*), together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative **offices**, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

Club - see Private Club**Commercial Floor Space**

Means the sum of the areas of all floors of a **building** or part thereof used for commercial purposes measured between the internal faces of the exterior walls, excluding the furnace-room, laundry-room, washroom, stairwell or elevator shaft, or any area designed or used permanently for storage space.

Commercial Greenhouse

Means a commercial **place** used for the growing of flowers, vegetables, shrubs, trees, and similar vegetation for wholesale or retail sale. This definition shall not include any premises for the growing of mushrooms.

Commercial Use

Means the **use** of land, **buildings** and/or **structures** for the purposes of buying and selling of commodities and supplying of services, as distinguished from such uses as manufacturing or assembling of goods, warehousing and construction. Commercial use also includes highway commercial use and those commercial uses which rely on the tourist population. Examples of commercial uses include **retail stores, offices, automobile service stations**, etc.

Commercial Zone

Means the Townsite Centre (TC) Zone, the Highway Commercial (HC) Zone or the Recreational Commercial (RC) Zone.

Communal Services – see Private Communal Sewage Services and Private Communal Water Services**Communications Facility**

Means an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone line, cellular telephone tower, wireless internet tower, radio or television broadcast tower or similar facility.

Community Centre

Means a **place** used for community activities, the ownership and/or maintenance of which is vested with the Township or other organization for non-commercial purposes. Without limiting the generality of the foregoing, community centres may include **parks** and open space, sports fields, skateboard parks, playgrounds, courts, gymnasiums, **places of assembly**, **swimming pools**, facilities for indoor and outdoor recreational, social or cultural activities.

Condominium

Means a **building** or buildings or part thereof which is held in separate private ownership and where common elements are owned by the tenants in common (e.g. recreational facilities, **open space**, outdoor areas, etc.) and which is administered and maintained by a corporation pursuant to the provisions of the *Condominium Act*. A condominium may be for a **residential**, commercial or **industrial use**.

Conservation Use

Means the **use** of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.

Construction Yard or Contractor's Yard

Means the **place** used as a depot for the storage and maintenance of equipment used by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the crushing of virgin or recyclable aggregates or materials and the wholesale or retail sale of building supplies or home improvement supplies.

Continuum-of-Care Facility

Means a **building** or a group of **buildings** which may include a seniors citizens **apartment building**, a nursing home, a long-term care facility, home for the aged and facilities associated with, and designed specifically to serve, the senior citizen population, such as clinics, recreation centres, cafeterias, and personal service establishments, and may also include independent senior's accommodation in separate structures/living units that share in services, such as meals, medical care services, or recreation that are provided by the facility. A

continuum-of-care facility differentiates from a **nursing home** in that those lodged at a continuum-of-care facility are not capable of living independently without nursing care.

Convenience Store

Means a commercial establishment in a **building** or part thereof that sells convenience goods and items of day-to-day personal or household use or necessity including food, beverages, on-the-shelf pharmaceutical drugs, limited hardware products, tobacco products, periodicals and other such products.

Corporation

Means the Corporation of the Township of Larder Lake.

Council

Means the Council of the Corporation of the Township of Larder Lake.

Coverage – see **Lot Coverage**

Crisis Care Facility

Means a residence that is licensed or funded by the Province of Ontario for the provision of short term accommodation (averaging one month or less) of 3 to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

Crisis Housing – see **Crisis Care Facility**

3. D

Day Care – see **Day Nursery**

Day Nursery

Means an establishment governed by the *Day Nurseries Act* that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,

- (a) under eighteen years of age in the case of a day nursery for children with a developmental disability, and
- (b) under ten years of age in all other cases.

Deck

Means a **structure** abutting a **dwelling** or **building** with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.

Detached

When used in reference to a **building** or **structure**, means a building or structure which is not dependent on any other building or structure for structural support or enclosure.

Development

Means the creation of a new **lot**, a change in land **use**, or the construction of **buildings** and **structures** requiring approval under the *Planning Act* and shall be taken to include **redevelopment**, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, works subject to the *Drainage Act*, or underground or surface mining of minerals or advanced exploration on mining lands.

District

Means the District of Timiskaming.

Dock, Floating

Means an **accessory structure** used for the mooring of **water vehicles** which is designed to float freely on the surface of the **water body** and which may be secured to the **shoreline**.

Dock, Permanent

Means an **accessory structure** used for the mooring of **water vehicles** which is secured to the **shoreline** and/or the bottom of the **water body** by concrete, metal or wood pillars or such other foundation, the design of which facilitates the construction of a more or less permanent **structure**.

Drive-Through Facility

Means a premise used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated queuing space; and may be in combination with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface parking area are not considered drive-through facilities.

Driveway

Means a vehicular access connected to only one **public street** or **private road** or thoroughfare, which provides ingress to and/or egress from a **lot**, and may include a shared **driveway** but shall not include a **lane** as defined herein.

Dry Cleaning Establishment – see **Personal Service Establishment**

Duplex – see **Dwelling – Duplex**

Dwelling

Means any **building** that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals, but shall not include a **hotel** or **motel**. **Recreational vehicles** and **trailers** shall not be considered dwellings except for the purposes of the **Minimum Distance Separation**.

Dwelling - Accessory

Means a **dwelling** which is incidental, subordinate and exclusively devoted to a main use and is located on the same **lot** therewith.

Dwelling - Apartment

Means a building containing three (3) or more dwelling units but shall not include a **row dwelling**.

Dwelling - Apartment-in-a-house

Means a separate and self-contained **dwelling unit** (i.e. includes cooking, sanitation and sleeping facilities) in a **single detached dwelling** or **semi-detached dwelling** and which has a separate entrance.

Dwelling - Converted

Means a **dwelling** altered to contain a greater number of **dwelling units**, with each self-contained dwelling unit having a floor space of not less than 55 m² (592 ft.²).

Dwelling - Duplex

Means a **building** divided horizontally into two (2) **dwelling units**, each unit of which has an independent entrance. (See Figure 3-6)

Dwelling - Mobile Home - see **Mobile Home**

Dwelling - Park Model Trailer

Means a manufactured **building** designed and constructed in conformance with CAN/CSA-Z241 Series M “Park Model Trailer”, as set out in the Ontario Building Code, and is used or intended to be used for seasonal accommodation.

Dwelling - Row or Townhouse

Means a **building** consisting of a series of three (3) or more **dwelling units** but not more than eight (8) units in a continuous row divided vertically into separate units by a common wall above grade, and where each unit has an independent entrance. (See Figure 3-6)

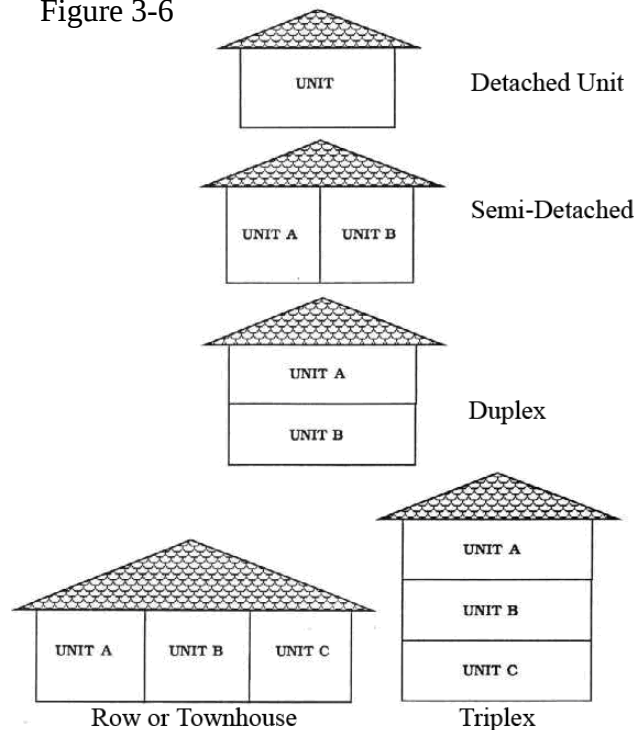
Dwelling - Seasonal

Means a **dwelling** constructed as a secondary place of residence and is not the principal place of residence of the owner or occupier thereof (e.g. cottage).

Dwelling - Semi-detached

Means a **building** on a single foundation divided vertically into two (2) separate **dwelling units** by a common wall (See Figure 3-6)

Figure 3-6



Dwelling - Single-detached

Means a **detached building** containing one (1) **dwelling unit**, and may include a **modular home** (See Figure 3-6)

Dwelling - Triplex

Means the whole of a **dwelling** that is divided horizontally and/or vertically into three separate **dwelling units** each of which has an independent entrance either directly from the outside or through a common entrance. (See Figure 3-6)

Dwelling Unit

Means a **building** or a portion thereof occupied or capable of being occupied as the home or residence of one (1) or more persons, where food preparation and sanitary facilities are provided, but shall not include any part of a boarding house, **hotel**, **motel**, rental cottage or cabin, **garden suite**, **sleep cabin** or **loft-above-a-garage** or similar commercial use of a private or semi-private institution.

Dwelling Unit, Bachelor

Means a **dwelling unit** that does not have a specific room set aside for use as a bedroom. Such dwelling units are oriented towards accommodating one (1) resident such as young single people or senior citizens. The term 'bachelor dwelling unit' may be used to describe a particular dwelling unit (e.g. **apartment-in-a-house**) rather than being classified as type of dwelling unit. Where a dwelling unit meets the definition of a bachelor dwelling unit but is an 'apartment-in-a-house' or a '**loft-above-a-garage**' according to the definitions of each in this By-law, then the dwelling unit will be considered as an apartment-in-a-house or a loft-above-a-garage instead of a bachelor dwelling unit for the purposes of this By-law.

3. E**Easement**

Means the legal right acquired by contract to pass over, along, upon or under the lands of another.

Equestrian Establishment

Means an establishment engaged in the operation of a horse riding academy or horse riding stables.

Equipment Rental Establishment

Means a **building** or part of a building wherein the primary **use** is the rental of machinery, equipment, furniture and fixtures and other goods.

Equipment and Vehicle Storage Yard - Industrial

Means an uncovered area which is used for the storage of machinery and equipment for use in industrial and major construction undertakings, commercial **vehicles**, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, vehicles and goods may be permitted in a building provided such repair is clearly incidental and secondary to the storage use.

Erect

Means to build, construct, reconstruct, **alter** or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing **building** or **structure** by an addition, deletion, enlargement or extension.

Established Building Line

Means the average **setback** from the **street line** of existing **buildings** on one side of a continuous 100 m (328.1 ft.) strip of land where three (3) or more of the **lots** having **street frontage** upon the said side of the street have been built upon (See Figure 3-7). Where the established building line is used in this By-law in reference to setbacks from the **shoreline** or **high water mark**, the established building line shall mean the average setback from the high water mark of existing buildings on a continuous 100 m (328.1 ft.) strip of land where three (3) or more of the lots having **water frontage** upon the same **water body** or **watercourse** have been built upon.

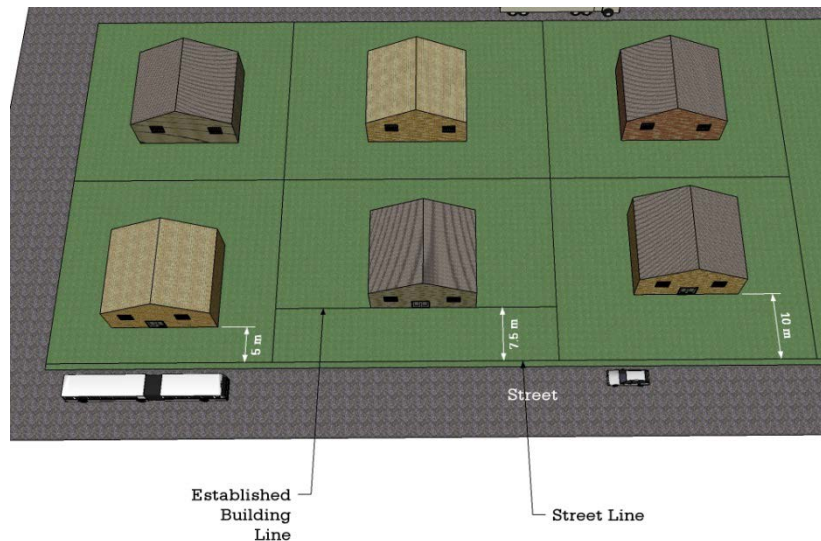


Figure 3-7

Established Grade

Means the average elevation of the finished level of the ground adjoining all of the walls of the **building** or **structure** exclusive of any artificial embankments or berms.

Existing

Means existing as of the date of the passing of this By-law.

Exterior Side Lot Line – see Lot Line - Exterior Side

Exterior Side Yard – see Yard, Exterior Side

3. F

Fairground

Means land devoted to entertainment on a seasonal or temporary basis and may include grandstands, barns and other **accessory buildings** and **structures** normally associated with such a **use**.

Farm

Means any **agricultural use** and includes apiaries, aviaries, berry or bush crops, breeding, raising, training or boarding of horses or cattle, commercial greenhouses, farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs, farms for grazing, flower gardening, field crops, goat or cattle dairies, growing, raising, picking, treating and storing of vegetables or fruit produced on the premises, nurseries, orchards, riding stables, the raising of sheep or uses or enterprises as are customarily carried on in the field of general agriculture. Farm may include a **single detached dwelling**, and such principle or **main buildings** and **structures** as a barn or silo, as well as **accessory buildings** and **structures** which are incidental to the operation of the farm.

Farm Produce Outlet

Means a **use accessory** to a **farm** which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

Farmer's Market

Means **place** where the farm products of a local farming community are sold at retail from covered or uncovered areas designed for individual retailers.

Farming Use – see Agricultural Use

Fence

Means any barrier or **structure** constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is **erected** for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

Fill Area

Means the area of a **waste management facility** set aside for landfilling or dumping.

Fish Habitat

Means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend directly or indirectly in order to carry out their life processes.

Fishing Camp – see Camp (Hunt Camp, Fishing Camp)

Flea Market

Means:

- (a) a **building** or part thereof where goods are offered or kept for sale at retail to the general public but shall not include any other retail establishment otherwise defined herein;
- (b) an occasional or periodic market or sales event held in an open area, which may include a **street**, or within a **building** or **structure** where independent sellers offer goods, new and used, for sale to the public, but not including private garage sales;
- (c) a building or open area in which stalls or sales areas are set aside and which are intended for use by various unrelated individuals to sell goods; or
- (d) a building or open area where food preserves or fresh produce or prepared foods are sold, but does not include a **restaurant**.

Flood Elevation or Floodline

Means a line established by a one-in-one-hundred year storm as established by flood plain mapping or by the Ministry of Natural Resources (See Figure 3-8).

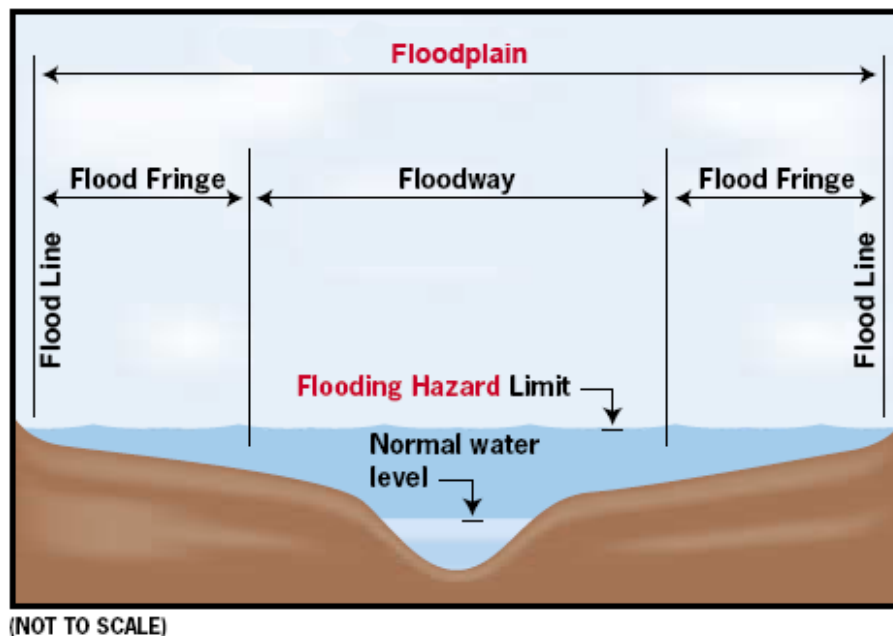
Flood Fringe

Means the outer portion of the **flood plain** between the **floodway** and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway (See Figure 3-8).

Flood Plain

Means, for river stream and small inland lake systems, the area, usually low lands adjoining a **watercourse** or **water body**, which has been or may be subject to flooding hazards (See Figure 3-8).

Figure 3-8



Flood Proofing

Means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual **buildings**, **structures** or properties subject to flooding so as to reduce or eliminate flood damages.

Floodway

Means the portion of the **flood plain** where **development** and **site alteration** would cause a danger to public health and safety or property damage (See Figure 3-8). Where the one zone concept is applied, the floodway is the entire contiguous flood plain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or the area where flood depths and/or velocities are considered to be such that they pose a threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Floor Area - Gross

Means the total area of all floors contained within a **building** measured between the exterior faces of the exterior walls of the building and where there are no walls the total area of a floor within the outer perimeter of the floor.

Floor Area - Net

Means usable or habitable space above or below grade, measured from the exterior face of the exterior walls of the **building** or **structure** but shall not include:

- (a) any **private garage**, porch, veranda, and unfinished **basement**, **cellar** or attic;
- (b) any part of the building or structure below grade which is used for building services, storage or laundry facilities;
- (c) any part of the building or structure used for the storage or parking of **motor vehicles**.
- (d) any part of the building used in common by the tenants of the building such as a mall, aisle or hallway, elevator shaft or lobby, stairwell, any washroom, boiler room, maintenance room, mechanical or electrical room, and any automobile parking facilities provided within the building.

Forestry Use

Means the general raising, management and harvesting of wood and, without limiting the generality of the foregoing, shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silva culture practices.

Frontage – see Lot Frontage**Fuel Depot**

Means land, **buildings** or **structures used** for the bulk storage, distribution and sale of gasoline, propane, heating oil or motor oil.

Full Municipal Services – see Sewage and Water Systems

Funeral Home

Means a **building** or part of a building wherein undertaking services are offered and may include subsidiary activities such as the sale of caskets and funeral accessories, a chapel or parlour provided such activities are clearly secondary and incidental to the main undertaking service.

3. G

Garage - Private

Means an **accessory building** or portion of a **main building**, including a **carport**, which is designed or used for parking or storage of one (1) or more **motor vehicles** of the occupants of the premises and in which there are no facilities for repairing or servicing of such vehicles for remuneration or **commercial use**. A detached garage is a private garage that is not connected to a main building. A semi-detached garage is an **accessory building** divided vertically into two (2) separate private garages by a common wall where each separate private garage is located on separate, adjoining **lots**.

Garden Centre

Means an outdoor area primarily **used** for the retail of gardening equipment, products and planting materials.

Garden Suite

Means a one-unit **detached** residential **structure** containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Gasoline Bar

Means one (1) or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a **floor area** of not more than 10 m² (107.6 ft.²) which shall not be used for the sale of any product other than liquids and small accessories required for the operation of **motor vehicles**.

Gasoline Card Lock Facility

Means one (1) or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards.

Gazebo

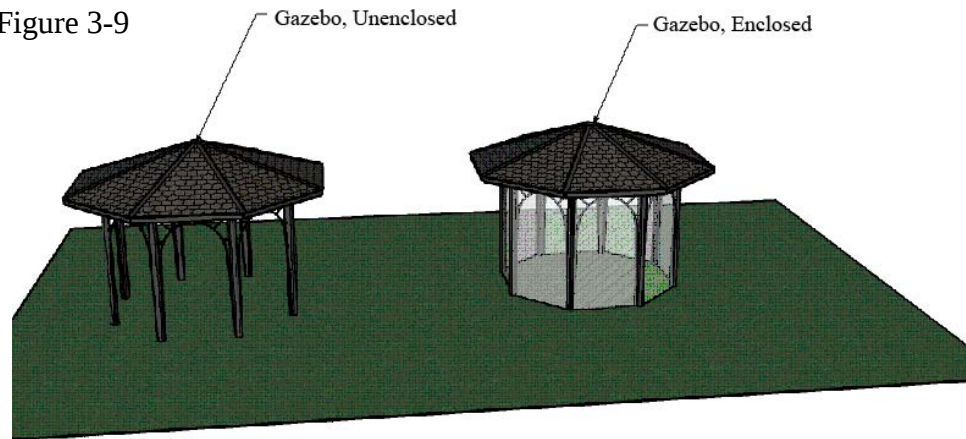
Means a freestanding, roofed **accessory structure** which is not enclosed, except for transparent screening (e.g. glass, netting) and which is utilized for the purposes of relaxation in conjunction with a main use but shall not include any other use or activity otherwise defined or classified herein (See Figure 3-9).

Golf Course

Means a public or private area operated for the primary purpose of playing the sport of golf but may also include such **buildings** and **structures** as are necessary for the operation and

maintenance of the golf course and such club house facilities as **restaurant**, banquet, conference and other uses of a social, recreational and entertainment nature normally associated with golf course development.

Figure 3-9



Green Roof

Means a roof of a **building** where part of or the entire surface of the roof is intentionally covered with vegetative material.

Greenhouse

Means a **building** used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same **lot** containing such greenhouse.

Ground Floor

Means the floor that is level with or immediately above grade.

Group Home

Means a single housekeeping unit in a residential **dwelling**, which is registered with the **Municipality**, in which three (3) to ten (10) persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by-laws. (See also **Crisis Care Facility**)

Guest Room

Means a room or suite of rooms, which contains no facilities for cooking and which is used or maintained for gain or hire by providing accommodation.

3. H

Habitable Room

Means a room in a ***dwelling*** or ***habitable building used*** or intended to be used primarily for human occupancy.

Hazardous Lands

Means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous Substances

Means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Hereafter

Means after the date of the passing of this By-law.

Height

Means the vertical distance between the average finished grade at the base of a ***building*** or ***structure*** and in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest, or in the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof.

Heliport

Means a landing area or pad used for the landing and take-off of helicopters and shall include all necessary and incidental emergency services facilities, fuelling facilities and passenger and cargo facilities.

Herein

Means in this By-law, and shall not be limited to any particular section of this By-law.

High Water Mark

Means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark (See also ***Shoreline***).

Highway

Means an improved public road under the jurisdiction of the Provincial government.

Holding Zone

Means a zone established under the enabling authority of Section 36 of the *Planning Act* where uses may be permitted subject to meeting certain conditions set out in the ***Official Plan***.

Home for the Aged – see **Continuum-of-Care Facility**

Home Based Business

Means a privately operated legal occupation, enterprise or business which is carried out as a use clearly **accessory** to a **dwelling unit** for pursuits conducted by the occupant thereof and any employees and is compatible with a domestic household.

Home Occupation – see **Home Based Business**

Hospital

Means any institution, **building** or other premises or place that is established for the purposes of the treatment of patients and that is approved under the *Public Hospitals Act* as a public hospital.

Hotel

Means a **building** or buildings designed or **used** for the accommodation of the travelling or vacationing public, containing therein five (5) or more **guest rooms** served by a common building entrance. **Accessory uses** may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, restaurant or similar uses.

Hunt Camp – see **Camp (Hunt Camp, Fishing Camp)**

3. I

Individual On-Site Systems – see **Sewage and Water Systems**

Industrial Uses, Light - Class I Industry

Means a place of business for a small scale, self-contained plant or **building** which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions, e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply. ‘Light Industrial Uses’ or ‘Class I Industry’ is a classification and other uses defined in this By-law may be classified as such.

Industrial Uses, Medium - Class II Industry

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions, e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include dry cleaning services, magazine printing establishments, paint spray booths, welding shops, courier and transport services, heavy **vehicle** repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, contractor’s yard. ‘Medium Industrial Uses’ or ‘Class II Industry’ is a classification and other uses defined in this By-law may be classified as such.

Industrial Uses, Heavy - Class III

Means a place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions. Such uses are intended to be secluded from residential or other *sensitive land uses* in order to limit any potential *adverse effects* on the environment or the surrounding areas and public health. Examples include manufacturing of paint and varnish, breweries, soaps and detergent manufacturing, metal manufacturing, and solvent recovery plants. 'Heavy Industrial Uses' or 'Class III Industry' is a classification and other uses defined in this By-law may be classified as such.

Influence Area

Means the area or areas at, above or below grade, associated with a facility that is subject to one or more *adverse effects* which may be of varying duration, frequency and distance of dispersal. This is an actual influence area. A potential influence area identifies where adverse effects are generally expected to occur. An influence area or potential influence area acts as a potential constraint for sensitive land use, or conversely, on the establishment of a facility, unless evidence is provided that adverse effects are not a problem, or can be satisfactorily mitigated to the level of trivial impact.

Institutional Use

Means any land, *buildings* or *structures* used for a non-commercial purpose by any organization, group or association for government, religious, educational, charitable or hospitable purposes and involving activities carried on for some public purpose and not for profit, but excluding a private club, mental hospital, or any place of detention or correction.

Interior Lot – see **Lot, Interior**

3. K

Kennel

Means a **building, structure** or premises or portion of any of the foregoing, used for the raising, housing, breeding or training of four (4) or more domesticated animals over the age of four (4) months. This definition shall not include a *veterinary establishment*.

3. L

Lane

Means:

- (a) a subsidiary thoroughfare providing access from within a *lot*, principally from parking or *loading spaces* or from a lot to a *public street*; or
- (b) a subsidiary public thoroughfare for the sole use of pedestrians and connecting *public streets, open spaces* or *buildings*.

Laundromat

Means a **building** or part thereof where coin-operated laundry machines are made available to the public for the purpose of laundry cleaning.

Library

Means a **building** or part thereof where educational material (e.g. books, films, music, audio-visual, magazines) are made available for public display and are lent to the public.

Licensed Refreshment Sales Vehicle

Means a **vehicle** which is currently licensed pursuant to the *Highway Traffic Act* and which is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs or beverages within or from the vehicle and may include exterior seating (e.g. picnic tables).

Livestock Facility

Means one or more barns or permanent **structures** with livestock-occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storage and anaerobic digesters.

Livestock Sales Outlet

Means a **building** or **structure** where livestock such as cattle, goats, sheep, horses or the young thereof are bought and sold.

Loading Space

Means a space or bay located on a **lot** or within a **building** which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any building thereon, and which has unobstructed access not necessarily in a straight line to a **street**.

Loft-Above-a-Garage

Means the portion of a **garage** located above the garage portion of the **structure** and is used for sleeping accommodation in which cooking facilities shall not be provided but may contain sanitary facilities. (See also **Sleep Cabin**)

Long Term Care Facility – see Continuum-of-Care Facility**Lot**

Means a parcel or tract of land, within a registered plan or subdivision or described in a deed or other legal document that is capable of being legally conveyed.

Lot Area

Means the total horizontal area measured within the limits of the **lot lines** of the **lot**.

Lot, Corner

Means a **lot** situated at an intersection of two (2) or more **streets**, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one-hundred-and-thirty-five degrees (135°).

Where such street lines are curved, the angle of intersection of the **street lines** shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the **side lot lines**. In the latter case, the corner of the **lot** shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents (See Figure 3-10).

Lot Coverage

Means the percentage of the **lot area** covered by the ground **floor area** of all **buildings** located on the **lot**.

Lot Depth

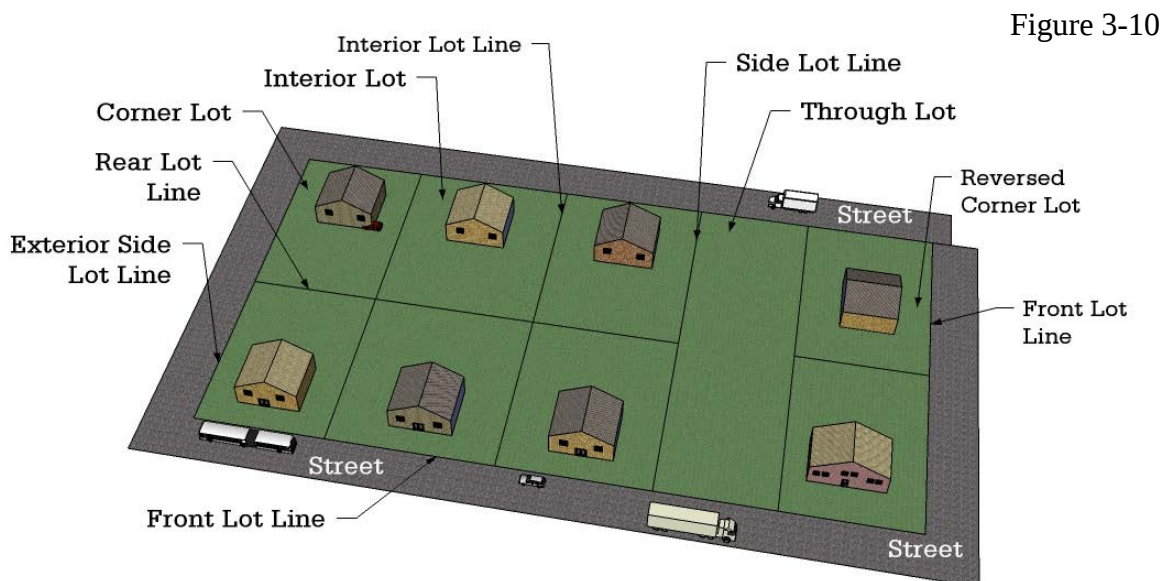
Means the horizontal distance between the **front** and **rear lot lines**. If the front and rear lot lines are not parallel, 'lot depth' means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the **side lot lines** (See Figure 3-13)

Lot Frontage

Means the horizontal distance between the **side lot lines** along the **front lot line**. Where such side **lot lines** are not parallel, the lot frontage shall be the width of a **lot** measured between the intersections of the side lot lines with a line 7.5 m (24.6 ft.) back from and parallel or concentric to the **front lot line**. Arc distances shall apply on curved lines (See Figure 3-13).

Lot, Interior

Means a **lot** other than a **corner** or a **through lot** which is situated between adjacent lots and has **frontage** on a **street** (See Figure 3-10).



Lot Line

Means a boundary line of a **lot** (See Figure 3-10).

Lot Line, Exterior Side

Means a **lot line** located between the **front** and **rear lot lines** and dividing the **lot** from a **street** (See Figure 3-10).

Lot Line, Front

Means:

- (a) In the case of an **interior lot**, the line dividing the **lot** from the street line, street allowance or **private road** (See Figure 3-10).
- (b) In the case of a **corner lot**, the shorter **lot line** abutting a **street** shall be deemed to be the front lot line. In such a case, the longer lot line abutting a street shall be deemed an exterior side lot line.
- (c) In the case of a **corner lot** with two street lines of equal lengths, the **lot line** that abuts the wider **street**, or abuts a Provincial highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction and of the same width, the lot line where the principal access to the **lot** is provided shall be deemed to be the front lot line.
- (d) In the case of a **lot** with water access only, the **front lot line** shall be on the water side. In the case of a through **waterfront lot** with water access only, the longest **shoreline** shall be deemed to be the front lot line.
- (e) In case of a lot with frontage on a **public street** or **private road** and on a **water body**, the **lot line** adjacent to the **high water mark** shall be deemed the front lot line.
- (f) In the case of a **corner lot** abutting a 0.3 m (0.98 ft.) reserve or other reserve, the **lot line** so abutting the reserve shall be deemed an **exterior lot line** and the other lot line abutting the street shall be deemed to be the **rear lot line**.
- (g) In the case of a lot with **private road**, the **lot line** adjacent to the private road shall be deemed to be the front lot line.
- (h) In all other cases not described above, the front lot line shall be deemed to be where the principal access to the **lot** is approved.

Lot Line, Side Interior

Means a **lot line** other than a **front**, **rear** or **side exterior lot line** (See Figure 3-10).

Lot Line, Rear

Means the **lot line** furthest from, and opposite to, the **front lot line** (See Figure 3-10).

Lot, Through

Means a **lot** having a **frontage** on two parallel or approximately parallel **streets** (See Figure 3-10).

Lot, Waterfront

Means a **lot** that abuts a navigable waterway or body of water.

Lot, Width

Means the average horizontal dimension between the two longest opposite sides.

Lumber Yard

Means lands, **buildings** and **structures** where the primary use is the storage of construction grade wood and building supplies for sale at retail or wholesale.

3. M

Main Building – see **Building, Main**

Main Use

Means the primary purpose for which the **main building** or **structure** on a lot is designed, arranged, occupied and maintained, or in the case of a lot where there is no **building** or structure, the primary purpose for which the lands are to be designed, arranged and maintained

Main Wall

Means any exterior wall of a **building** and all structural members essential to the support of a fully enclosed space or roof exclusive of permitted projections.

Manure or Material Storage

Means permanent storage, which may or may not be associated with a **livestock facility** containing liquid manure (<18% dry matter), solid manure ($\geq$ 18% dry matter), or digestate (< 18% dry matter). Permanent storages may come in a variety of locations, materials, coverings, elevations, configurations and shapes.

Marina

Means a **building** or **structure** on a waterfront with or without docking facilities where boats and boat accessories are berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an **accessory use** may be provided.

Marine Facility

Means a non-commercial **building** or **structure** which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, **dock** or **boathouse**, but does not include any building used for human habitation or a marina. A marine facility shall also include a water intake facility and any flood or erosion control structure. No part of a marine facility may be used as a **dwelling unit**.

Material Storage – see **Manure or Material Storage**

Mine Hazard

Means any feature on a mine as defined under the *Mining Act* or any related disturbance of the ground that has not been rehabilitated.

Mineral Aggregate Operation

Means:

- (a) lands under license or permit, other than for *wayside pits* and *quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- (b) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Deposits

Means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present and future extraction.

Mineral Mining Operation

Means a mining operation and associated facilities, or, a past producing mine with remaining mineral development potential that has not been permanently rehabilitated to another *use*.

Miniature Golf Course

Means an area of land, *building* or *structure* or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.

Minimum Distance Separation Formulae I and II

Means formulae developed by the Province to separate *uses* so as to reduce incompatibility concerns about odour from *livestock facilities* and *material or manure storage*.

Mobile Home

Means any *dwelling* that is designed to be made mobile, and constructed or manufactured to provide either a permanent or seasonal residence for one (1) or more persons, and which is not less than 3 m (9.84 ft.) wide and the total area of which is not less than 46 m² (495.1 ft²). A mobile home does not include a travel trailer or tent trailer or *trailer* otherwise designed or a *modular home*.

Mobile Home Park

Means lands which has been provided and designed for the location thereon of two (2) or more occupied *mobile homes*.

Mobile Home Lot or Site

Means an area, similar to a *lot*, located in a *mobile home park*, intended to be or occupied by a *mobile home* or a permitted *accessory use*.

Mobile Home Yard

Means a line similar to a *front yard*, *rear yard*, *interior* or *exterior side yard* as if it were applied to a *Mobile Lot or Site*.

Modular Home

Means a *single detached dwelling* consisting of two (2) or more modules which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a *Mobile Home* or *Park Model Trailer* as otherwise defined.

Motel

Means a *building* or *buildings* designed or used for the accommodation of the travelling or vacationing public, containing therein three (3) or more *guest rooms*, each guest room having a separate entrance directly from outside and may include an accessory eating establishment or restaurant. (See also *Hotel* and *Tourist Establishment*)

Motor Vehicle – see **Vehicle**

Municipal Sewage Services – See **Sewage Disposal and Water Systems**

Municipal Water Services – See **Sewage Disposal and Water Systems**

Municipality

Means the Corporation of the Township of Larder Lake.

Museum

Means an institutional *place* that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of scientific, natural, artistic, or historical interest, or other interests.

3. N**Natural Heritage Features and Areas**

Means features and areas, including significant wetlands, *fish habitat*, significant *habitat of endangered and threatened species*, *significant wildlife habitat* and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Negative Impacts

Means:

- (a) in regard to *fish habitat*, the harmful alteration, disruption or destruction of fish *habitat*, except where it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity.

- (b) in regard to water, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive **development** or site alteration activities; and
- (c) in regard to other **natural heritage features and areas**, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive **development** or site alteration activities.

Non-Complying

Means any **existing building, structure** or **lot** which does not comply with the zone requirements and standards of this By-law.

Non-Conforming

Means any existing use, **building, structure** or **lot** which does not conform with the permitted use provisions of any **zone** in this By-law.

Non-municipal Drinking Water System

Means a drinking water system that is not a **municipal drinking water system**.

Nursery

Means land and structures used for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesale or retail sale. (See also **Commercial Greenhouse**)

Nursing Home – see **Continuum-of-Care Facility**

3. O

Occupancy Permit

Means a permit issued under the authority of the *Planning Act* by the **Chief Building Official** which indicates that the proposed **use** of land or any **building** or **structure** on any such land is in conformity with this By-law.

Office

Means a **building, structure** or part thereof **used** for the purpose of providing accommodation for the performance and transaction of business including administrative, clerical and professional activities (e.g. lawyer, doctor, dentist, architect, realtor, computer programming, consultant, etc.), but shall not include the manufacturing of any product.

Official Plan

Means the Official Plan of the Township of Larder Lake planning area or parts thereof and amendments thereto that may take from place time-to-time.

Open Space

Means the open, unobstructed space on a **lot** including landscaped areas, pedestrian walkways, patios, **pools** or similar areas but not including any **driveway**, ramp, **parking spaces** or **aisles**, **loading spaces** or maneuvering areas and similar areas.

Open Storage

Means storage or display of goods, merchandise or equipment outside of a **building** or **structure** on a **lot** or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a **lot**, a **parking area** or **parking space** or the **outdoor display** of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.

Outdoor Display

Means an area set aside outside of a **building** or **structure**, **used** in conjunction with a business located within the building or structure on the same property, for the display of sales or seasonal produce may include garden supplies and Christmas trees, new merchandise or the supply of services.

Owner

Means a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally competent person, an executor, an administrator or a guardian.

3. P**Park**

Means an area of land, whether enclosed or not, maintained by the **Municipality** or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes a Provincial Park or Conservation Area with or without campground facilities.

Parking Area

Means a **lot** or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of **motor vehicles** accessory or incidental to uses in all **zones**, and shall not include the storage or parking of four (4) or more motor vehicles for hire and gain, display or for sale.

Parking Lot - Commercial

Means a **lot** or portion thereof used for the temporary storage or parking of four (4) or more **vehicles** for hire and gain but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles. A commercial parking lot may used in association with a **commercial use** for the purpose of subsection 4.26(i) of this By-law and the parking lot may or may not be for hire or gain.

Parking Space

Means an area used for the temporary parking of one (1) **motor vehicle** that is not less than 18 m² (193.75 ft²) measuring not less than 2.7 m (8.85 ft.) in width by 5.5 m (18 ft.) in length exclusive of driveways or aisles.

Parking Space, Barrier-Free

Means an **parking space** of not less than 22.2 m² (238.9 ft²) measuring a minimum of 3.7 m (12.1 ft.) in width by 5.5 m (18 ft.) in length exclusive of driveway **aisles**, for the temporary parking of a **motor vehicle** used by a handicapped or disabled person.

Partial Services – see Sewage and Water Systems**Person**

Shall include an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Establishment

Means a commercial **place** wherein a personal service is performed. This definition may include, but is not limited to, businesses or services such as a barber shop, hair styling salon, shoe repair shop, tattoo and piercing parlour, spa, tanning salon, dry cleaning outlet, tailor shop, dressmaker shop, massage therapy service, photofinishing, picture framing, publishing and photocopying, but excludes any manufacturing or fabrication of goods for sale.

Pharmacy – see Retail Store**Pit**

Means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of open excavation and includes the processing thereof for commercial purposes including screening, sorting, wading, crushing and other similar operations together with required buildings and structures, but does not include a **wayside pit**.

Place

Means lands, **buildings** and/or **structures**.

Place of Amusement

Means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a video arcade or arcade, billiard or pool room, pinball machines and video games but does not include an adult entertainment parlour, casino or **bingo hall**. (See also **Bingo Hall**)

Place of Assembly

Means a **place** where facilities are provided for such purposes as meetings for civic, educational, political or social purposes, and without limiting the generality of the foregoing,

may include such facilities as a banquet hall or private club, but shall not include a ***place of worship*** or ***community centre***.

Place of Worship

Means a ***place*** or an open area dedicated to religious worship and may include a manse or rectory located on the same ***lot*** therewith, but does not include a manse or rectory that is established on a separate lot.

Playground

Means a ***park*** or part thereof which is equipped with active recreational facilities oriented to children.

Portable Asphalt/Concrete Plant

Means a facility with equipment designed to mix or heat and dry aggregate and to mix aggregate with bituminous asphalt to produce concrete or asphalt paving materials and includes stockpiling and storage of bulk materials used in the process, which is not of permanent construction but is designed to be dismantled and moved to another location as required. Portable asphalt plants must comply with the Ministry of the Environment's separation distances and must obtain a certificate of approval from the Ministry of the Environment.

Printing and Publishing Establishment

Means a ***building*** or part thereof used primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

Private Airfield – see Airfield, Private

Private Club

Means a building or part of a building used as a meeting place by an association of persons who are bona fide members, which owns, hires or leases the building or part thereof, the use of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

Private Communal Sewage Services – see Sewage Disposal and Water Systems

Private Communal Water Services – see Sewage Disposal and Water Systems

Private Road

Means a private right-of-way over private property which affords access to at least two (2) abutting ***lots*** and which is not maintained by a ***public authority***. This may include an unassumed or unmaintained ***public street***.

Private School – see School, Private

Public Access Point

Means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable **water body**. (See also **Marine Facility**)

Public Authority

Means the Township of Larder Lake and any Boards or Commissions thereof and any Ministry, Commission or Department of the Governments of Ontario or Canada, or recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of **Council**.

Public Service Use

Means a **building, structure** or **lot** used for public services by the Township of Larder Lake, and any Ministry, Department or Commission of the Governments of Ontario and Canada, any telephone, telegraph or railway company, any company supplying natural gas, Hydro One, and any public utilities company or similarly recognized agencies.

Public Storage – see **Self-Storage Facility**

Public Street

Means a public or common roadway or **highway** affording the principal means of access to abutting properties which has been dedicated to and or assumed by a **public authority**.

Public Use

Means the use of land, **building** or **structures** by civic, religious, educational, charitable, fraternal, social or recreational societies, agencies, boards or committees so long as the activity is not conducted for a profit, and any business is accessory to the main use.

Public Utility

Means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, scientific research system, and includes any lands, **buildings** or equipment required for the administration or operation of any such system and which is operated by a **public authority** or a publicly governed company.

3. Q

Quarry

Means a place where unconsolidated rock has been or is being removed by means of an open excavation and includes the processing thereof for commercial purposes including screening, sorting, washing, crushing and other similar operations, required buildings and structures, but does not include a **wayside quarry**.

3. R

Reconstruction

Means to re-build, erect or assemble a previously existing building or structure.

Recreation Dwelling – see Dwelling – Seasonal or Camp

Recreational Commercial Establishment

Means an **place** where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasias, band shell or open theatre, and other similar uses but does not include a casino or **bingo hall**. The definition of recreational commercial establishment shall not include **golf courses**, **miniature golf courses**, **campgrounds**, **marinas**, **parks** or cabins.

Recreational Vehicle

Means any **vehicle** so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for living, sleeping, eating or accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a motor home, tent trailer, a camper trailer, a recreational trailer, a fifth wheel or a bus converted into a motor home or a park model trailer, as defined. For the purposes of this definition, a recreational vehicle shall be considered a **structure** for the purposes of establishing setbacks only. A recreational vehicle shall not be deemed to include a mobile home or a manufactured home. The definition of a recreational vehicle shall not be interpreted to include recreational equipment such as boats, boat or vehicle trailers, personal water craft, snowmobiles, all-terrain vehicles (ATVs) or other equipment used for recreational purposes and which are normally stored or parked on a lot. Recreational vehicles shall be considered **dwelling**s for the purposes of **Minimum Distance Separation** where one (1) or more persons are able to sleep and prepare and serve meals within the vehicle.

Recreational Vehicle Campground - see Campground

Recreational Vehicle Sales and Storage

Means a **place** which is used for the display, storage and/or sale of boats, **trailers**, campers and other **recreational vehicles** or recreational equipment.

Recycling Depot or Transfer Station

Means a special **waste management facility** which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system. (See also **Waste Management Facility**)

Redevelopment

Means the removal or rehabilitation of **buildings** or **structures** from land and the construction, reconstruction or **erection** of other buildings or structures in their place.

Renovation

Means the repair and restoration of a building or structure to safe condition, but shall not include its replacement.

Residence – see **Dwelling Unit**

Residential Use

Means the use of land, **buildings** or **structures** for human habitation.

Residential Zone

For the purposes of this By-law, residential zone shall mean the Low Density Residential (R1) Zone, Medium Density Residential (R2) Zone, High Density Residential (R3) Zone and Recreational Residential (R4) Zone.

Responsibility Agreement

Means a legal agreement between the **municipality** and a developer that stipulates the conditions under which **communal services** will be constructed, operated and maintained, as well as, the action to be undertaken by the municipality in the event of default. Responsibility agreements form the basis for a preventative mechanism by establishing responsibilities for proper construction, operation and maintenance management practices and by providing up-front secured funds for any remedial measures that may be necessary in the event of default.

Restaurant

Means a **building** or **structure** or part thereof where food is prepared and offered for sale to the public for consumption within or outside the building or structure or off the premises.

Retail Store

Means a **building** or part thereof wherein goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage and display of goods, wares, merchandise, substances or articles, and shall not include any other **use** defined herein.

Retirement Home

Means a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms and medical care facilities may also be provided. Such a facility shall be for adults who are capable of living independently without nursing care. (See also **Continuum-of-Care Facility**)

Right-of-Way

Means an area of land acquired for or devoted to the provision of a road.

Road – see **Public Street**

3. S

Salvage Yard

Means a **place** where used goods, wares, merchandise, articles, **motor vehicles**, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition

may include a junk yard, a scrap metal yard, a **recycling depot** and an automobile wrecking yard on the premises.

Satellite Dish

Means a **structure** designed and used for the reception of television signals related back to earth from a communications satellite.

Sawmill or Planing Mill

Means a **place** where timber is cut or sawed, either to finished lumber or as an intermediary step.

Sawmill, Portable

Means equipment which is portable (e.g. may be drawn by a **vehicle**) and is used on a temporary basis for the cutting of saw logs.

Sauna

Means an **accessory building** or **structure** not exceeding 10 m² (107.6 ft²) wherein facilities are provided for the purpose of inducing perspiration and may include a change room and shower and may be constructed as part of a **boat house**.

School

Means an institutional **place** for the education or instruction of a body pupils by a body of teachers, and shall include an elementary or secondary school, adult education and English or French as a second language programs, but shall not include a **studio, museum**, post-secondary educational institution, any type of **home based business**, or any other **use** defined herein.

Screening

Means the use of landscaping, walls, fences, hedges or other ornamental fixtures to shield or visually hide the view from one (1) property to another.

Seating Capacity

Means the number of persons which can be accommodated in a **building** or **structure** or part thereof in a seated position on chairs, benches, forms or pews.

Self-Storage Facility

Means a commercial **building** or part of a building wherein items are stored in separate, secured storage areas or lockers which are generally accessible by means of individual loading doors.

Semi-detached Garage – see Garage - Private

Sensitive Land Use

Means a land **use** or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one (1) or **more adverse effects** from contaminant discharges generated by nearby facilities and includes, but is not limited to, a **dwelling, day nursery**, or an

educational or health facility (e.g. **school**, hospital). A sensitive land use may be a part of the natural or built environment.

Setback

Means:

- (a) With reference to a road or **street**, the least horizontal distance between the **front lot line** and the nearest building line.
- (b) With reference to a **water body**, the least horizontal distance between the **high water mark** of the water body and the nearest building line.
- (c) With reference to a **building, structure** or land **use** and not applicable under paragraph (a) or (b), shall mean the least horizontal distance from the **building, structure** or land **use** in question.

Sewage Disposal and Water Systems

(a) Full Municipal Services

Means the combination of *municipal sewage services* and *municipal water services*.

(b) Individual On-Site Systems

Means individual autonomous water supply and sewage disposal systems that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five (5) residential units/lots.

(c) Partial Services

Means *municipal sewage services* or *private communal sewage services* and *individual on-site water services*; or *municipal water services* or *private communal water services* and *individual on-site sewage services*.

(d) Municipal Sewage Services

Means a *sewage works* within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by the Municipality of Larder Lake.

(e) Municipal Water Services

Means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*.

(f) Private Communal Sewage Services

Means a *sewage works* that serves six (6) or more *lots* or private *residences* and is not owned by the Municipality of Larder Lake.

(g) Private Communal Water Services

Means a *non-municipal drinking water system* that services six (6) or more *lots* or *private residences*.

Sewage Disposal System – see **Sewage Disposal and Water Systems**

Sewage Lagoon

Means an area of land used for the discharge and disposal of sewage waste and that has a standing Certificate of Approval issued by the Ministry of the Environment.

Sewage Treatment Facility

Means a facility where sewage is collected, transmitted and treated and has a standing Certificate of Approval issued by the Ministry of the Environment.

Sewage Works

Means any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing to which the *Building Code Act* applies.

Shooting Range or Rifle Club

Means a *place* used for recreational target practice, skeet shooting, gun or hunter safety instruction and is operated by a club or organization.

Shoreline

Means a *lot line* or portion thereof which abuts or parallels the *high water mark* of a *water body* or *watercourse*.

Shoreline Structure

Means a *boat house* (wet or dry), a boat port, a float plane hangar, a *sauna* or steam bath, a *dock* or wharf, a *gazebo*, or a *viewing deck*.

Figure 3-11

Side Exterior Yard – see **Yard, Side Exterior**

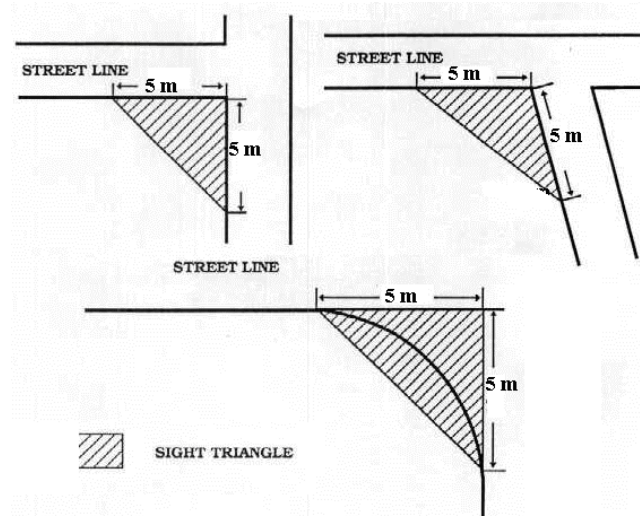
Side Interior Lot Line – see **Lot Line, Side Interior**

Side Interior Yard – see **Yard, Side Interior**

Side Yard – see **Yard, Side**

Sight Triangle

Means a triangular space formed by the street lines abutting a corner lot and a third



line drawn from a point on a **street line** to another point on a street line, each such point being 5 m (16.4 ft.) from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines. (See Figure 3-11)

Sign

Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- (a) is a **structure**, or part of a structure, or which is attached thereto or mounted thereon; and
- (b) which is used to advertise, inform, announce, claim, give publicity or attract attention.

Significant Habitat of Endangered and Threatened Species

Means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of **endangered species** or **threatened species**, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

Significant Wetland

Means a **wetland** area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.

Significant Wildlife Habitat

Means a **wildlife habitat** that is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

Skateboard Park

Mean a **building** or **structure** or part thereof or an area of land occupied by structures used in skateboarding, roller skating, roller blading, BMX riding or other similar activities, such structures including ramps, half-pipes, rails, etc.

Sleep Cabin

Means an **accessory building** or **structure**, located on the same **lot** as the principal **building** or **structure**, the **accessory use** being for sleeping accommodation in which cooking facilities shall not be provided but may contain sanitary facilities. (See also **Loft-Above-a-Garage**)

Solar Collector

Means a device consisting of photovoltaic panels that collect solar power from the sun. A solar collector may be attached to a **building** or **structure** or erected on a post(s).

Solid Waste Disposal Site – see **Waste Management Facility**

Solarium

Means a glassed-in **structure** or room projecting from an exterior or **main wall** of a **building** which may be used for sunning, therapeutic exposure to sunlight, or for a **use** where the intent is to optimize exposure to sunlight.

Stacking Lanes

Means an on-site lane for motorized vehicles which accommodates vehicles using a drive-through facility that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated by any combination of barriers, markings or signage.

Storey

Means that portion of a **building** other than a **cellar** or **basement** included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it. (See Figure 3-12)

Figure 3-12



Street – see **Public Street**, **Private Road** or **Street Allowance**

Street Allowance

Shall have a corresponding meaning to that of **Public Street** or **Private Road**.

Street Line

Means the limit of the road or **street allowance** and is the dividing line between a **lot** and a **public street** or **private road**.

Structure

Means anything constructed or **erected**, the use of which requires location on the ground or attached to something having location on the ground and, without limiting the generality of the

foregoing, includes a **recreational vehicle** and a **sewage disposal system** but does not include a **fence**.

Studio

Means a **building** or part thereof used,

- (a) as the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and offered for sale.
- (b) for the instruction of art, music, languages or similar disciplines.

Swimming Pool

Means an open or covered pool used for swimming, wading, diving or recreational bathing which is at least 50 cm (19.6 inches) in depth, and may include a hot tub, inflatable pool or whirlpool.

3. T

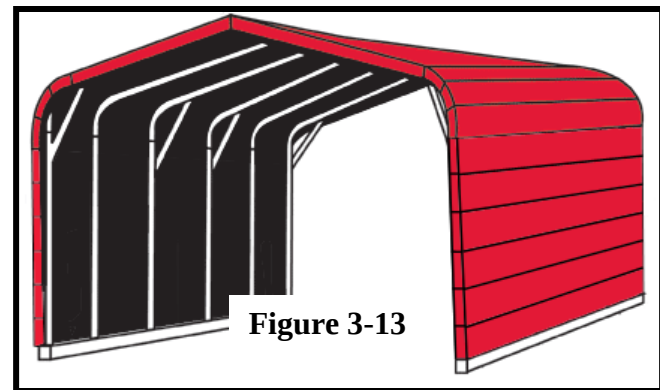
Tavern

Means a **building** or part thereof where liquor, beer or wine are served for consumption on the premises, with or without food, and is licensed under the *Liquor License Act*.

Temporary Building – see **Building, Temporary**

Temporary Shelter

Means a non-permanent commercially prefabricated **accessory structure** that is **erected** and **used** to provide shelter to a **vehicle** and is designed to be easily dismantled or removed. (See **Figure 3-13**)



Theatre

Means a **building** or part thereof used for the presentation of motion pictures or staged entertainment. The definition of theatre shall not include drive-in theatres.

Theme Park

Means an entertainment or amusement facility or **park** developed around one or more themes.

Through Lot – see **Lot, Through**

Tourist Cabin – see **Sleep Cabin**

Tourist Cabin Establishment

Means a **place** providing sleeping accommodation in rental cabins for the travelling or vacationing public. A tourist cabin establishment provides a minimum of four (4) cabin units

for rent, and may include accessory facilities which support the **use** such as, without limiting the generality of the foregoing, administration offices but shall not include a **restaurant** that serves the general public.

Tourist Establishment

Means **place** used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a **hotel, motel**, lodge or **bed and breakfast**, and rental cottage or cabin where more than three (3) such rental units occupy the same property, including **accessory uses** such as dining, meeting and beverage rooms and similar uses.

Tourist Outfitters Establishment

Means a **place** which operates throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

Township

Means the Corporation of the Township of Larder Lake.

Trailer – see Recreational Vehicle

Transportation Depot

Means **place** where commercial **vehicles** are kept for hire, rental and/or lease, or stored and/or parked for remuneration and/or from which such **vehicles** are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise.

3. U

Use

Means the purpose for which any land, **building, structure** or any combination thereof is designed, arranged, occupied or maintained.

3.V

Vehicle

Means a motor vehicle, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile or a street car.

Veterinary Establishment

Means an establishment located within a **building** or part of a building used by a veterinarian where animals are treated and where domestic animals may be kept for treatment within a building, but shall not include a commercial **kennel**.

Video Rental Outlet

Means a **building** or part of a building wherein the primary **use** is the rental of video materials (e.g. DVDs, tapes, Blu-ray discs, etc.) and may include the rental of video cassette recorders, video cameras, video games and the sale of other such items related to audio-visual entertainment.

Viewing Deck

Means a **structure** that is designed and oriented on the ground to provide a view of a particular area of feature (e.g. lake, valley). A viewing deck shall not exceed 16.7 m² (179.76 ft²) and may be screened-in but shall not be enclosed by walls. The definition of viewing deck does not include a **gazebo**, **deck**, patio or any other **shoreline structures**.

Viewing Platform – see **Viewing Deck**

3. W

Warehouse

Means a **building** or part thereof used primarily for the operation of general merchandise warehousing, cold storage or other storage facilities and includes a centre for distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional or professional users, and/or to other wholesalers. (See also **Self Storage Facility**)

Waste Management Facility

Means a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes, is disposed of or dumped. This definition shall include waste transfer stations, processing sites, and **recycling depots**. (See also **Recycling Depot**).

Watercourse

Means the natural channel for a perennial or intermittent creek, stream or river.

Waterfront

Means the lands adjacent to the common boundary of a **water body** or **watercourse** with an area of land.

Water Access Lot

Means a **lot** that is provided access by a navigable **water body** or **watercourse**.

Water Body

Means any bay, lake, river, wetland or canal but excluding a drainage or irrigation channel.

Water Frontage

Means the strip of land comprising part of a **lot** that directly abuts a **water body** or **watercourse**. When used as an adjective, means a lot or lands that has frontage on a **water body** or **watercourse**.

Water System – see **Sewage and Water Systems**

Water Vehicle

Means any **vehicle** drawn, propelled or driven by any kind of power, including muscular power, on water. The definition of water vehicle shall not include a snowmobile or any other vehicle that is capable of being propelled or driven on both land and water.

Wayside Pit

Means land from which unconsolidated aggregate is removed by means of open excavation for use in a public undertaking.

Wayside Quarry

Means a place from which consolidated aggregate is removed by means of open excavation for use in a public undertaking.

Welding Shop

Means a **building** or **structure** or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

Wetland

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Lands being used for agricultural purposes, that are periodically 'soaked' or 'wet', or which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife Habitat

Means areas where plants, animals and other organisms live, and find adequate amounts of food, water shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas which are important to migratory or non-migratory species (see also *Significant Wildlife Habitat*).

Wind Turbine, Small

Means a wind energy conversion **structure** consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kilowatts, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale. The definition of small wind turbine also includes vertical axis wind turbines which consist of blades rotating around a vertical motor shaft. For the purposes of this By-law, a small wind turbine shall be considered an **accessory structure**.

Wind Turbine, Large

Means a wind energy conversion structure consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of 2 megawatts or greater, and which is connected to the provincial electrical system and is which intended to generate electricity for sale off-site.

Workshop or Custom Workshop

Means a **building, structure** or part thereof where manufacturing is performed by a tradesman, requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop or similar uses.

Wrecking Yard – see Salvage Yard

3. Y

Yard

Means the area between a **main wall** of a **building** and a **lot line** that, except for landscaping or **accessory buildings, structures** and **uses** and projections specifically permitted elsewhere in this By-law, is unobstructed above grade.

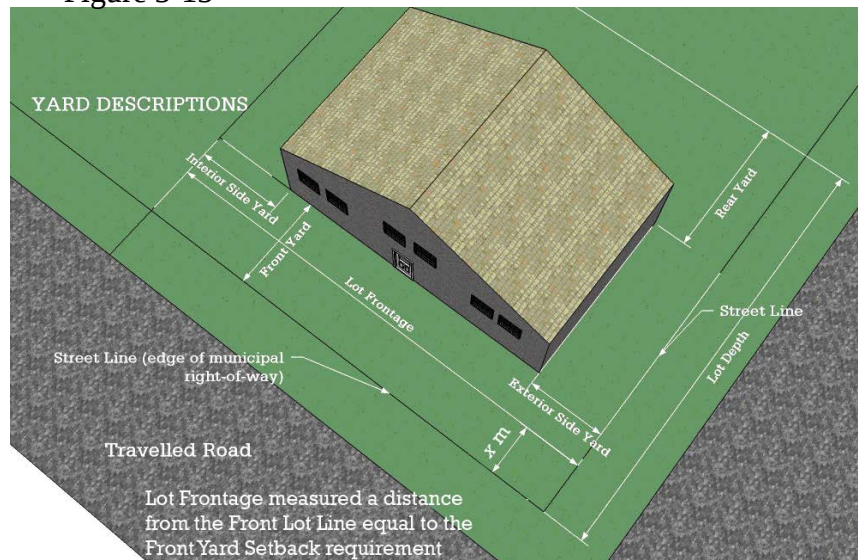
Yard Sale

Means the occasional or infrequent sale (e.g. one or two days annually), of household goods, clothing, furniture, tools, recreational equipment or other secondhand articles or sundry items, usually by the households on an individual property, but may include a joint sale by neighbours on the same **street** or a joint sale at a **school, place of worship** or other location. (See also **Flea Market**)

Yard, Front

Means the space extending across the full width of a **lot** between the **front lot line** and the nearest part of any **main building** or **structure** for which such **yard** is required (See Figure 3-13).

Figure 3-13

**Yard, Rear**

Means a space extending across the full width of a **lot** between the **rear lot line** and the nearest part of any **main building** or **structure** for which such a **yard** is required. Where there is no

rear lot line, the rear yard shall be measured from the intersection of the ***side lot lines*** to the closest point of the main building (See Figure 3-13).

Yard, Side

Means a space extending from the ***front yard*** to the ***rear yard*** between the ***side lot line*** and the nearest part of any ***main building*** or ***structure*** for which such a ***yard*** is required (See Figure 3-13).

Yard, Exterior Side

Means a ***side yard*** adjacent to a ***public street*** or ***private road*** (See Figure 3-13).

Yard, Interior Side

Means a ***side yard*** other than an ***exterior side yard*** (See Figure 3-13).

3. Z

Zone

Means a designated area of land ***use*** demarcated on the Schedules attached hereto.

Zoning Administrator

Means a person who has been appointed by By-law by the Council of the Municipality for the purpose of enforcing the requirements of the zoning by-law and without limiting the foregoing, may include a By-law Enforcement Officer, the Chief Building Official and the Clerk of the Municipality.

Section 4 GENERAL PROVISIONS

Explanatory Note

The General Provisions section of the By-law states the regulations which apply regardless of the specific zoning. Whereas the zones provide site specific controls corresponding to such items as permitted uses and locational restrictions, the General Provisions provide regulations more general in nature, applying to a variety of uses regardless of zoning.

4.1 Accessory Buildings, Structures and Uses

4.1.1 Where a **lot** is devoted to a permitted **use**, customary **accessory uses**, **buildings** and **structures** are permitted provided that:

- (a) All **accessory uses**, **buildings** and **structures** to a permitted main **use** shall be located on the same **lot** and in the same **zone** as the main use.
- (b) The use of any **accessory building** or **structure** for human habitation is not permitted except where specified in this By-law.
- (c) No accessory building or structure shall be erected closer to the **front lot line** or the **exterior side lot line** than the minimum **front yard** and **external side yard** setbacks required for the **main building**. This provision shall be exempted:
 - (i) for **lots** with **water frontage**;
 - (ii) for a partially enclosed shelter not exceeding 2.32 m² (25 ft²) for use by children waiting for a school bus on **lots** equal to or greater than 0.4 ha (0.99 ac);
 - (iii) for a gatehouse required to provide security to a premises or property;
 - (iv) for detached garages and storage buildings and structures where the **main building** on the lot is setback twice the required **front yard** or **exterior side yard setback**; and
 - (v) for **mineral mining operations** and **mineral aggregate operations**.
- (d) In the case of a **through lot** that is not deemed to be a **corner lot**, **accessory buildings** and **structures** are not **erected** closer to the **rear lot line** than the required **front yard setback** for those abutting **lots** that are not through lots;
- (e) Any **building** or **structure** which is attached to the **main building** shall not be considered an **accessory building** or **structure** (Examples: *garage, carport, balcony, deck*).
- (f) Except where specified otherwise, no **accessory building** or **structure** shall be erected less than 1 m (3.28 ft.) to any **interior side lot line** or **rear lot line** except

for common **semi-detached garages** which may be centered on a mutual **side lot line**. No accessory building or structure shall be located less than 2 m (6.56 ft.) from a **main building** or other accessory buildings or structures located on the same lot or on an adjacent lot.

- (g) Despite paragraph (c), a **boat house**, pump house, boat port, float plane hangar, **dock** or wharf may be located in the **yard** located between the **shoreline** and the main building where a lot abuts a navigable **watercourse** or **water body**, provided that the approval of any government authority having jurisdiction has been obtained and provided that the boat house, pump house, boat port, float plane hangar, dock or wharf is located not closer than 2 m (6.56 ft.) to the nearest adjacent **lot line** and does not encroach on the frontage of adjacent **lots** when the lot boundaries are extended into the water.
- (h) Despite paragraph (c), a **shoreline structure**, not including a boat house, pump house, boat port, float plane hangar, dock or wharf, shall be setback a minimum of 30 m (98.4 ft.) from any **high water mark** or **shoreline** in any yard adjacent to a water body. This setback shall be reduced for shoreline structures (excluding sheds and storage buildings) where there is an **established building line** and provided the average setback is not less than 15 m (49.2 ft.), in accordance with Section 4.10.
- (i) **Temporary shelters** are considered to be **accessory structures** for the purpose of this By-law and shall comply with the provisions of this section;
 - (i) **Temporary shelters** shall only be located on a **side yard** or **rear yard**.
- (j) **Accessory uses, buildings and structures** shall not be **erected** or established prior to the erection or establishment of the **main building** or **use**, except:
 - (i) where it is necessary for the storage of tools and materials in connection with the construction of the main use, building or structure, and
 - (ii) where a new main use, building or structure is to be erected or established on a lot thereby making the existing main use, building or structure the accessory use, building or structure upon erection or establishment of the new main use, building or structure.
- (k) A boxcar, sea container or similar temporary or portable storage structure or unit shall not be permitted in the Low Density Residential (R1) Zone or the Medium Density Residential (R2) Zone.
- (l) A community garden for the local production of food shall be permitted as an accessory use in any zone.
- (m) Alternative energy systems including solar, wind and geothermal facilities producing less than 3Kw shall be permitted in any residential, commercial

industrial or rural zone provided that the setback from any side yard or rear yard lot line is not less than 1.5 m (4.992 ft.) and provided that the setback from any front lot line or exterior side yard lot line is not less than 6 m (19.6 ft.)

4.1.2 Swimming Pools

Private swimming pools, both above-ground and in-ground, both open and covered, including inflatable pools, shall be permitted and shall be subject to any By-law of the Township regarding swimming pools and the following requirements:

(a) Outdoor Open Pools

- (i) Open pool areas shall be totally enclosed by a fence constructed of suitable materials, having a minimum height of 1.52 m (5 ft.) with a self-locking gate and shall be setback a minimum of 1.52 m (5 ft.) from the pool. Where a pool is an above-ground pool, any combination of the pool wall and surrounding fence or structure totaling a minimum of 1.52 m (5 ft.) in height shall be deemed to meet these fencing requirements provided that there is a self-locking gate of equivalent arrangement to prevent unauthorized entry. *(See also Section 4.10 of this By-law)*
- (ii) The maximum height of an above-ground pool shall not be more than 2 m (6.56 ft.) above grade.
- (iii) Any **accessory building** or **structure** required for changing clothing, for storage, for pumping or filtering or for any similar purposes, shall comply with all requirements of Section 4.1.1 and the **zone** in which it is located.
- (iv) No outdoor swimming pool shall be located in any **front yard** or **exterior side yard**.
- (v) Despite paragraph (iv), outdoor swimming pools which are **accessory** to **community centres**, **hotels** and **motels** may be located in the **front yard** or **exterior side yard** and shall meet all other requirements of this By-law.
- (vi) Outdoor swimming pools shall be setback a minimum of 1.52 m (5 ft.) from all lot lines.

(b) Indoor Pools

Indoor or covered pools not located within or attached to a main building shall comply with the **accessory building** requirements of Section 4.1.1.

(c) Pools in the Flood Plain

The establishment of any swimming pool in an identified flood plain area shall be subject to the approval of the Ministry of Natural Resources or its designate.

4.2 Accessory Residential Uses

- (a) One (1) *sleep cabin* or one (1) *loft-above-a-garage* shall be permitted per lot as an *accessory use* to a permitted *dwelling* in the Recreational Residential (R4) Zone. Lofts, where located above a garage, and sleep cabins shall not exceed 37 m² (400 ft.²) in *gross floor area*. The loft portion of a loft-above-a-garage structure shall not exceed one (1) storey.
- (b) *Sleep cabins* and *lofts-above-a-garage* shall not be considered *dwelling units* and shall not be rented out to the public for gain or profit.
- (c) *Sleep cabins* and *lofts-above-a-garage* shall not be erected on a *lot* on which a *garden suite* is located.
- (d) Despite Section 4.1.1 of this By-law, no *sleep cabin* or *loft-above-a-garage* shall be *erected* closer than 3 m (9.84 ft.) to any *interior side lot line* or *rear lot line*. No sleep cabin or loft-above-a-garage shall be located less than 3 m (9.84 ft.) from a *main building*.
- (e) The *erection*, *alteration*, enlargement or extension of any *sleep cabin* or *loft-above-a-garage* shall not exceed the maximum *lot coverage* requirement in the *zone* in which the sleep cabin or loft-above-a-garage is located.
- (f) *Apartments-in-a-house* shall be permitted as accessory uses to a *single detached* or *semi-detached dwelling* located in the Larder Lake Urban Settlement Area Boundary.
- (g) *Apartments-in-a-house* shall be considered *dwelling units* for the purposes of this By-law.
- (h) *Apartments-in-a-house* may be rented out to the public for gain or profit and may be subject to any licensing requirements of the Township of Larder Lake.
- (i) Accessory residential uses described in this Section shall not be established unless the provisions for servicing under Section 4.32 and the provisions for parking under Section 4.24 can be met.
- (j) Section 4.1 shall also apply to the establishment of accessory residential uses described in this Section.
- (k) Where permitted by a temporary use by-law under Section 39 of the *Planning Act*, a *garden suite* shall be permitted as an *accessory use* to a main *residential use* in any *residential zone* except the Medium Density Residential (R2) Zone provided:
 - (i) the *lot* conforms with the zone requirements in which the garden suite is to be located;
 - (ii) the maximum *net floor area* is 74 m² (800 ft.²);

- (iii) notwithstanding anything in this By-law to the contrary, the maximum **height** of the **garden suite** is 6 m (19.7 ft.);
 - (iv) the **garden suite** is located in a **rear** or **interior side yard** and meets the minimum **yard** and minimum **accessory use lot coverage** requirements set out in the corresponding **zone**, and is set back a minimum of 3 m (9.8 ft.) from any **rear** or **side lot line**;
 - (v) the provisions for servicing under Section 4.32 and the provisions for parking under Section 4.24 can be met.
- (l) A **garden suite** shall not be considered a **dwelling unit** for the purposes of this By-law and shall not be rented out to the public for gain or profit.
 - (m) A garden suite shall not be erected on a **lot** on which a **sleep cabin** or **loft-above-a-garage** is also located.
 - (n) **Accessory dwellings** may be permitted as accessory uses to commercial and industrial uses in accordance with the Additional Provisions of the respective **zone**.

4.3 Automobile Service Stations and Gasoline Bars

Where **automobile service stations** and **gasoline bars** are permitted in this By-law, and notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:

- (a) The minimum **lot frontage** for any **interior lot** shall be 35 m (114.83 ft.) and the minimum frontage for a **corner lot** shall be 40 m (131.23 ft.) at the **exterior side lot line** and 35 m (114.83 ft.) at the **front lot line**.
- (b) The minimum distance between any portion of the gasoline pump island and any **lot line** shall be 4.50 m (14.76 ft.).
- (c) Where the lot is a **corner lot**, no portion of any gasoline pump island shall be located closer than 3.05 m (10 ft.) to a **sight triangle**.
- (d) The width of any entrance or exit **driveway** or combined entrance or exit driveway measured at the front lot line or exterior side lot line shall not be greater than 9 m (29.53 ft.) and there shall not be more than two (2) driveways per **lot**.
- (e) The minimum distance between **driveways** measured along the **street line** intersected by such driveways shall be 8 m (26.25 ft.).
- (f) The minimum distance between a **driveway** and intersection of street lines, measured along the street line intersected by such driveway, shall be 9 m (29.53 ft.).
- (g) The minimum distance between an **interior side lot line** and any **driveway** shall be 3 m (9.84 ft.).

- (h) A minimum of 1 m (3.28 ft.) of **landscaped open space** shall be provided along any **lot line** abutting a **street**, and such landscaped open space shall be continuous, except for **driveways** or walkways for accessing the **lot**.

4.4 Bed and Breakfast Establishments

A **bed and breakfast establishment** shall be permitted as an **accessory use** to a permitted **single detached dwelling** in any **zone** subject to the following requirements:

- (a) Bed and breakfast establishments are not subject to the **home based business** requirements of Section 4.14 of this By-law.
- (b) The operation of a bed and breakfast establishment shall be incidental and secondary to the main **use** of the single detached dwelling. The use of the **dwelling** as a bed and breakfast establishment shall not change the residential character of the dwelling.
- (c) The requirements for the provision of off-street **parking spaces** shall be met in accordance with Section 4.24.
- (d) The requirements of the local Health Unit, where applicable, shall be met.
- (e) One (1) **sign** may be permitted to advertise the bed and breakfast establishment. Such sign shall not exceed 1 m² (10.76 ft²) in surface area and shall not be back-lit. The permitted sign may be a freestanding sign in a **front** or **side yard** or may be attached to a wall of a permitted **building** or **structure**. The sign may be illuminated by lights where the illumination is directed directly onto the sign and does not create a glare on adjacent properties (See also Section 4.15). Signs may also be subject to any Sign By-law as may from time to time be enacted by the Township under the *Municipal Act*.
- (f) The bed and breakfast establishment shall only employ or be operated by persons whose principal residence is the **dwelling unit** containing the bed and breakfast establishment;
- (g) A breakfast service shall be provided to guests.
- (h) The building in which the bed and breakfast establishment is located shall comply with all applicable Building Code and Fire Code regulations.

4.5 Buildings to be Moved

A **building** or **structure** may be moved within or into the Township of Larder Lake provided a permit is first obtained from the **Zoning Administrator** and the building or structure is a permitted **use** and meets all relevant requirements of this By-law.

4.6 Camps (Hunt Camps, Fishing Camps)

- (a) Where a **camp** is to be established as an **accessory use** to a **dwelling** on the same **lot**, the camp **structure** shall be separated from all dwellings on the same lot a minimum distance of 500 m (1,640.4 ft.).
- (b) Where a **camp** is to be established as the **main use** of a **lot**, the camp shall be separated a minimum of 300 m (984.25 ft.) from **dwellings** on adjacent lots.
- (c) A **camp** shall not be serviced with electricity or running water.

4.7 Change of Use

The **use** of a **lot**, **building** or **structure** which, under the provisions of this By-law, is not permitted within the **zone** in which such lot, building or structure is located, shall not be changed except to a use which is permissible within such zone or as otherwise authorized by the Committee of Adjustment under Section 45(2) of the *Planning Act*.

4.8 Cumulative Standards

Notwithstanding anything in this By-law to the contrary, where any **lot**, **building** or **structure** is **used** for more than one (1) purpose, the applicable provisions of this By-law which serve to regulate each use shall be complied with. *(When a lot, building or structure accommodates more than one use, the parking space requirements, loading space requirements and other such requirements related to each use shall be the sum of the requirements for the separate uses)*

4.9 Drive-Through Facilities

Notwithstanding any other provisions of this By-law, where a **building** or **structure** incorporates a **drive-through facility**, the following provisions shall apply:

- (a) **Drive-through facilities** are a permitted use in the Townsite Centre (TC) Zone and the Highway Commercial (HC) Zone;
- (b) A **drive-through facility** is a principle use in combination with another use, neither of which may be construed as accessory to the other, and all regulations pertaining to each shall apply;
- (c) The minimum distance of a vehicle space in a **stacking lane** shall be 2.7 m (8.8 ft.) by 6 m (19.6 ft.);
- (d) No part of an order board shall be located closer than 10 m (32.8 ft.) from the property boundary of any property occupied by or zoned for a residential use;

- (e) No part of any **stacking lane** shall be permitted to locate in a **front yard**; and
- (f) All **drive-through facilities** shall conform to the requirements for parking areas set out in Section 4.24 (h).

4.10 Established Building Lines

- (a) Despite the **yard** and **setback** provisions of this By-law to the contrary, where a permitted **building** or **structure** is to be **erected** on a **lot** in a the Larder Lake Urban Settlement Area Boundary, where there is an **established building line** extending on both sides of the lot, such permitted building or structure may be erected closer to the **street line** than required by this By-law provided such permitted building or structure is not erected closer to the street line than the established building line. All other provisions of this By-law shall apply.
- (b) Despite the **setback** provisions of this By-law to the contrary, where a permitted **shoreline structure** is to be **erected** on a lot with **water frontage**, where there is an **established building line** extending on both sides of the **lot**, such permitted shoreline structure may be erected closer to the **high water mark** than required by this By-law provided such permitted shoreline structure is not erected closer to the high water mark than the established building line or 15 m (49.2 ft.), whichever setback is greater.

4.11 Fences

Any **fence erected** hereafter within the **municipality** shall conform to the provisions of any Fence By-law as may from time-to-time be enacted under the *Municipal Act* or any provisions for fences set out in this By-law and as follows:

(a) Fences in a Residential Zone

- (i) The maximum **height** of a **fence** in the **interior side** or **rear yard** shall be 2 m (6.56 ft.) measured from the **average grade**.
- (ii) The maximum height of a fence in the **front yard** or **exterior side yard** shall be 1 m (3.28 ft.) measured from the average grade.
- (iii) No fence shall be erected so as to obstruct a **sight triangle**.
- (iv) An unpierced hedgerow or other unpierced planting in a front or exterior **side yard** shall be deemed to be a fence.
- (v) The use of barb-wire, spire tips, sharp objects or any device for projecting an electric current in any fence construction is prohibited.

(b) Fences in a Non-Residential Zone

- (i) The maximum **height** of a **fence** in any **yard** of a non-residential use shall be limited to 2.5 m (8.2 ft.) where the fence is a chain-link fence or other similar transparent construction material, or 2 m (6.56 ft.) for any other materials.
- (ii) No fence shall be erected so as to obstruct a **sight triangle**.
- (iii) The use of barb-wire, spire tips, sharp objects or any device for projecting an electric current in any fence construction is prohibited.
- (c) Paragraph (b) shall not apply to fences required for **public service uses** or **communication facilities**.
- (d) Where there is a conflict between this By-law and a Fence By-law enacted under the *Municipal Act*, the provisions of the Fence By-law shall prevail.

4.12 Flood Plain

The following provisions shall apply to areas located below any engineered **flood elevation**. The flood elevation of Larder Lake has been identified at 287 m (941.6 ft.). No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the **flood plain** except in accordance with the following provisions:

(a) Permitted Uses

- (i) Buildings or structures intended for flood or erosion control or slope stabilization
- (ii) All buildings and structures in existence on the day of passing of this By-law
- (iii) Low impact buildings such as a **gazebo** and **viewing deck**, but not a **shed, detached garage, sauna** or storage building.
- (iv) A **swimming pool**
- (v) **Conservation Uses**
- (vi) **Marine facilities**
- (vii) **Parks**, not including buildings or structures associated with parks unless permitted elsewhere in this subsection (*Examples: gazebo permitted but not a storage building*)
- (viii) Hydro-electric generating facilities, not including the **main building** of such facility
- (ix) Infrastructure incidental to a water supply or waste water treatment facility such as a water intake or sewer outfall but not including the main building of such facility.

(b) Prohibited Uses

Buildings and **structures** shall not be permitted to locate in **hazardous lands** where the **use** is:

- (i) an institutional use associated with **hospitals, day nurseries, continuum-of-care facilities, retirement homes** and **schools**, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works or erosion;
- (ii) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
- (iii) uses associated with the disposal, manufacture, treatment or storage of **hazardous substances**.

(c) **Additional Provisions**

- (i) Any new **building** or **structure** or any enlargement of or addition to any buildings or structures permitted in the flood plain after the day of passing of this By-law shall incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage from erosion or unstable slopes.
- (ii) Modification of the **flood plain** through dumping, filling, excavation or site grading of land or the diversion or alteration of any watercourse or the obstruction of the flood capacity by any means is prohibited unless otherwise permitted and/or approved by the agency having authority.

4.13 Frontage on Roads and Water

- (a) No **building** or **structure** shall be **erected** in any **zone** unless the **lot** upon which such building or structure is to be erected has **frontage** onto and direct access to a publicly owned and maintained road that is open year-round, except:
 - (i) existing lots of record created prior to the date of adoption of this By-law that are in the Recreational Residential (R4) Zone where frontage may be on a private road or where the lot is an authorized **water access lot** in accordance with paragraph (a)(ii);
 - (ii) authorized **water access lots** and islands where parking is available through a legal agreement on land that is accessible by **motor vehicle** (a legal agreement does not include a **boat slip** rented or leased from the **municipality** unless the

agreement for the boat slip specifically states that the use of the boat slip may be used for access to a water access lot);

- (iii) ***camps***;
 - (iv) ***buildings*** and/or ***structures*** associated with a ***mineral mining operation*** or ***forestry uses***, which may have frontage on a public road, private road or resource access road;
 - (v) a resource related ***use*** on Crown Land;
 - (vi) a ***wayside pit*** or ***quarry***;
 - (vii) any passive outdoor recreational use or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities;
 - (viii) ***public utilities***.
 - (ix) mineral exploration.
- (b) For subsections (iii), (iv), (vi), and (viii), where frontage is not on a ***public street*** or a ***private road***, access shall be provided by a legal right-of-way to the property.
- (c) Despite paragraph (a), where a maintenance or subdivision agreement exists between the ***municipality*** and a land owner and is registered on title, ***frontage*** on an unassumed, unopened or unmaintained right-of-way shall be deemed to conform to the provisions of this section, provided that such ***lot frontage*** is in conformity with the standards set out in the corresponding ***zone*** or any exception thereto.
- (d) In addition to all the requirements of the Corporation of the Township of Larder Lake, the ***erection*** of all ***buildings*** and ***structures*** within the Ontario Ministry of Transportation's Permit Control Area is subject to the requirements and/or permits of the Ontario Ministry of Transportation.

4.14 Height Exceptions

The maximum height requirements of this By-law shall not apply to any of the following:

- Air conditioning system
- Chimney
- ***Place-of-worship*** spire or belfry
- Clock tower
- Communications tower
- Drying tower
- Elevator or stairway enclosure
- Enclosed mechanical and electrical equipment penthouse
- Farm-related buildings and structures such as a silo or windmill, but not including a barn or dwelling
- Flag pole
- Headframe or hoist
- Hydro-electric transmission tower
- Lightning rod
- Ornamental dome or cupola
- Satellite dish

- Security Camera
- Skylight
- Solar collector panel
- Television or radio antennae
- Ventilating fan or skylight
- Water tower or tank
- Weathervane
- Wind turbine

4.15 Home Based Businesses

- (a) The following **home based businesses** shall be permitted as **accessory** to any permitted **residential use**:
- (i) professional and consulting services (*examples: architect, engineer, financial advisor, accountant, consultant, legal services, physician, teleworker*)
 - (ii) instructional services (*examples: music lessons, dance, art, academic tutoring*)
 - (iii) home craft businesses (*examples: quilter, potter, jeweler, painter/visual artist, small scale assembler*)
 - (iv) **day nursery**
 - (v) distribution sales office or mail order sales (*examples: cosmetics, clothing or small household appliances*)
 - (vi) offices for contractors and trades (*examples: plumber, electrician*)
 - (vii) repair services (*examples: small appliances, computers*)
 - (viii) high technology uses (*examples: internet services, office call centre services, desktop publishing, computer hardware and software development*)
 - (ix) personal care services (*examples: hairdresser, barber, massage therapist, esthetician*)
 - (x) **catering establishment.**
 - (xi) **Studio**
 - (xii) Pet grooming, but not including overnight keeping of animals
 - (xiii) Sale of bait for recreational fishing purposes
- (b) A **restaurant, clinic, kennel**, any retail or wholesale store or vending outlet, laundry services, **veterinary establishment**, multiple chair hairdresser or barber, **place of amusement, funeral parlour**, small engine repair, automobile repair, **tourist establishment**, workshop, **storage yard, machine shop, auto repair garage**, convalescent home, mortuary, or any **use** that cannot be categorized under paragraph (a) shall not be permitted as a home based business.
- (c) **Home based businesses** may be permitted provided that:
- (i) the **use** is clearly secondary to the use of the **dwelling unit** as a private residence and shall be located within the dwelling unit and/or an **accessory building**;
 - (ii) where instruction is carried on (e.g. instructional services), there shall not more than five (5) pupils accommodated at any given time;
 - (iii) no more than two (2) **home bases businesses** shall be permitted in any one (1)

dwelling unit;

- (iv) not more than 25% of the ***gross floor area*** of a ***dwelling unit***, up to a maximum of 50 m² [538.2 ft²], may be used for ***home based business*** purposes. Where two (2) home based businesses exist within a single dwelling unit, the maximum gross floor area used for the combined businesses shall not exceed 25% of the dwelling unit up to a maximum of 50m² [538.2 ft²];
- (v) a ***home based business*** operating in an ***accessory building*** or ***structure*** in the Low Density Residential (R1) Zone shall not occupy an accessory building or structure exceeding the maximum ***lot coverage*** provision for Accessory Uses, Buildings and Structures in the ***zone***;
- (vi) ***home based businesses*** in the Medium Density Residential (R2) Zone or Townsite Centre (TC) Zone shall not be permitted in an ***accessory building*** or ***structure***;
- (vii) the ***home based business*** shall be operated by the owner or occupant of the ***dwelling unit*** within which it is located and shall not employ more than one (1) non-household members who works on-site;
- (viii) the ***use*** does not create nor become a public nuisance in regard to noise, traffic, parking or health safety, and shall not be a ***noxious use***, trade, business or activity;
- (ix) there is no ***outdoor storage*** or ***display*** to indicate to persons outside that any part of the property is being used for a ***use*** other than ***residential***;
- (x) only one (1) ***sign*** may be permitted to advertise the ***home based business***. Such sign shall not exceed 1 m² (10.76 ft²) in surface area and shall not be back-lit. The permitted sign may be a freestanding sign in a ***front*** or ***side yard*** or may be attached to a wall of a permitted ***building*** or ***structure***. The sign may be illuminated by lights where the illumination is directed directly onto the sign and does not create a glare on adjacent properties (See also Section 4.15). Signs may also be subject to any Sign By-law as may from time to time be enacted by the Township under the *Municipal Act*.
- (xi) no outside waste associated with the business shall be permitted;
- (xii) parking is provided in accordance with Section 4.24 of this By-law;
- (xiii) the business does not generate excessive traffic and shall not create a traffic hazard;
- (xiv) the business does not receive clients or deliveries between the hours of 9:00 p.m. (2100 hours) and 7:00 a.m. (0700); and
- (xv) the business is legal and has obtained any necessary permits or licenses from the ***municipality*** and/or any other applicable government body having jurisdiction.

- (d) **Bed and breakfast establishments** shall not be subject to this Section of the By-law. (See Section 4.4 of this By-law)

4.16 Illumination

Illumination of **buildings, structures**, grounds and **yards** shall be permitted provided that:

- (a) The illumination does not cause direct or indirect glare on a **street** that may interfere with traffic or pedestrian safety;
- (b) The illumination does not consist of a colour or be so designed or located that it may be confused with traffic signals; and
- (c) The illumination does not cause direct or indirect glare on land or buildings in any **zone** in which **residential uses** are permitted.

4.17 Land Suitability for Use

Notwithstanding anything in this By-law to the contrary, no **building** or **structure** that is habitable, provides overnight accommodation, or is used for commercial, industrial or institutional purposes, shall be **erected**, constructed or **altered** on land which, by reason of its, rocky, low-lying, marshy, unstable character which is in a flood plain or which is located or may be located on organic soil or steep slopes unless it can be demonstrated through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the *Ontario Building Code* with respect to construction can be met. (See also Section 4.12)

4.18 Loading Space Requirements

For every **building** or **structure erected** after the date of passing of this By-law for a commercial, institutional and industrial use, involving the shipping, loading or unloading of persons, animals, wares, merchandise or other goods, **loading** facilities and **spaces** shall be provided and maintained in accordance with the following requirements:

- (a) The **loading space** requirements stated in this Section shall not apply to buildings or structures in existence as of the date of passing of this By-law, but shall apply to floor areas added as part of any expansion or enlargement to such buildings or structures after the date of passing of this By-law.
- (b) Each **loading space** shall have a minimum height clearance of 4.5 m (14.74 ft.) and shall be at least 3.5 m (11.48 ft.) in width by 10 m (32.81 ft.) in length.
- (c) **Loading spaces** shall be located in a building or structure, an open **rear yard** or an open **side yard** on the same **lot** on which the main **use** is located and the loading space is

required, provided such a space is in an area whose distance from a **lot line** to the **building** or **structure** is not less than 7.5 m (24.6 ft.) and shall have unobstructed access to and from a street by a **driveway**, lane or **aisle** of a minimum width of 6 m (19.7 ft.).

- (d) The number of required loading spaces shall be based on net floor area of the building or structure as follows:

(i) **Commercial Uses**

Net Floor Area	Minimum Required Loading Spaces
0 - 200 m ² [0 - 2,152.78 ft ²]	0
200.01 - 500 m ² [2,152.89 - 5,381.96 ft ²]	1
over 500 m ² [over 5,381.96 ft ²]	1 plus 1 additional space for each additional 300 m ² [3,229.17 ft ²] of net floor area or part thereof

(ii) **Industrial Uses, excluding mineral mining operations and mineral aggregate operations**

Net Floor Area	Minimum Required Loading Spaces
0 - 350 m ² [0 - 3,767.37 ft ²]	0
350.01 - 1,000 m ² [3,767.48 - 10,763.91 ft ²]	1
over 1,000 m ² [over 10,763.91 ft ²]	1 plus 1 additional space for each additional 1,000 m ² [10,763.91 ft ²] of net floor area or part thereof

- (e) Notwithstanding paragraphs (a), (b), (c) and (d), there shall be no minimum number of **parking spaces** required for non-residential use (not including non-residential uses that provide overnight accommodation, e.g. **hotel**, **motel**) in the Townsite Centre (TC) Zone for **lots** with frontage on Godfrey Street south of Second Avenue.

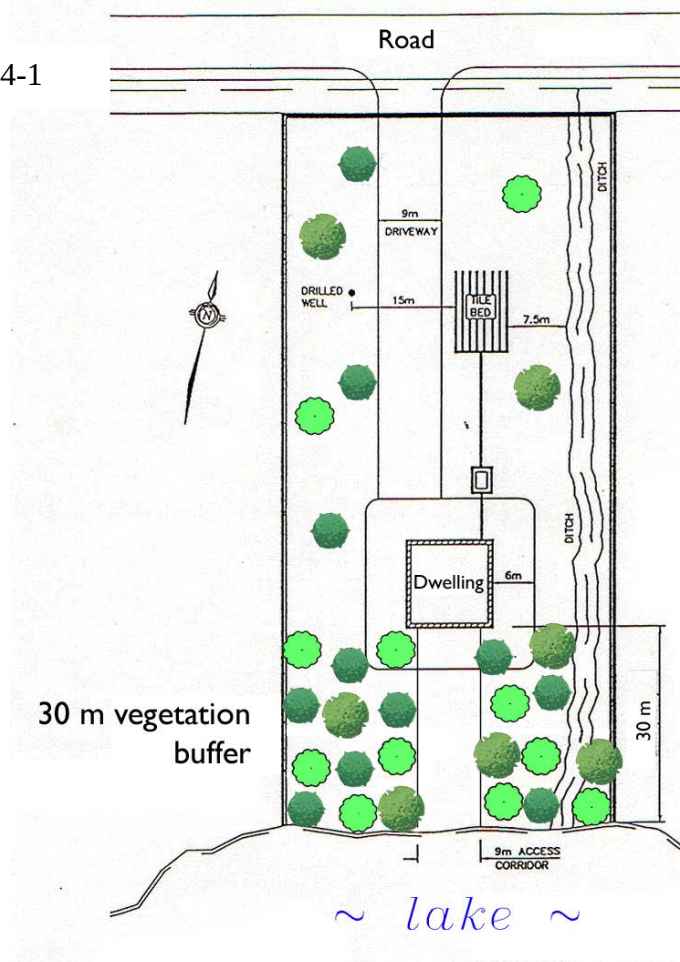
4.19 More than One Zone Applying to a Lot

Where a **lot** is divided into more than one (1) **zone**, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located.

4.20 Natural Vegetation Buffer

- (a) The first 30 m (98.4 ft.) from the **high water mark** of a **water body** or a tributary shall be preserved as a natural vegetation buffer where the cutting or removal of trees, shrubs or ground cover will not be permitted except for the removal of dead or diseased trees, debris or noxious plants. An access corridor not greater than 9 m (29.5 ft.) in width passing through the natural vegetation buffer shall be permitted to provide an access between the **main use** of the land and the **shoreline**. (Figure 4-1)
- (b) Paragraph (a) shall not apply where a site plan agreement in effect.

Figure 4-1



4.21 Non-Conforming Uses, Buildings, Structures and Lots

(a) Continuation of Existing Uses

Nothing in this By-law shall apply to prevent the **use** of any land, **building** or **structure** for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law so long as it continues to be used for that purpose. The non-conforming use of any land, building or

structure shall not be changed or enlarged except to a use which is in conformity with the provisions of the **zone** in which the land, building or structure is located, without permission from the Committee of Adjustment pursuant to the *Planning Act*.

(b) Prior Building Permits

Nothing in this By-law shall apply to prevent the **erection** or **use** of any **building** or **structure** for a purpose prohibited by this By-law for which a permit has been issued under the *Building Code Act*, prior to the day of passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the *Building Code Act*.

(c) Road Widening

Nothing in this By-law shall prevent the **use** of any land, **building** or **structure** or the **erection** of any building or structure on a **lot** which does not comply to the minimum **lot frontage** and/or **lot area** and/or **front yard setback** and in the case of a **corner lot**, the **side yard setback**, as a result of a road widening taken by the Township of Larder Lake or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

(d) Reconstruction of Existing Use

- (i)** Nothing in this By-law shall prevent the reconstruction or strengthening to a safer condition of any **non-complying building** or **structure** which is destroyed or rendered uninhabitable by fire or other natural cause, provided the **height** and **gross floor area** are not increased, and the new building or structure is erected or on the same building footprint
- (ii)** An existing **non-complying building** or **structure** may be renovated only, provided the renovation does not further reduce any zoning requirements or increase the **gross floor area**.

(e) Extension or Addition to Existing Building or Structure

Nothing in this By-law shall prevent the extension or addition to a **building, structure** or individual on-site sanitary **sewage disposal system** which is used for a purpose specifically permitted within the **zone** in which such building or structure is located and which building or structure existed at the date of passing of this By-law but which **building** or **structure** does not comply with one or more of the zone requirements of this By-law, provided such extension or addition does not further reduce the requirements of this By-law.

(f) Undersized Lots

- (i) Notwithstanding anything else to the contrary in this By-law, where a vacant **lot** in the Low Density Residential (R1) Zone having a lesser **lot frontage** and/or **lot area** than is required by this By-law is held under distinct and separate ownership from adjoining lots as of the date of passing of this By-law, the lot may be used for a purpose permitted in the **zone** in which it is situated provided it has an absolute minimum lot area of 450 m² (4,843.8 ft²) and an absolute minimum lot frontage of 15 m (49.2 ft.) and all other requirements of this By-law are complied with.
- (ii) Notwithstanding anything else to the contrary in this By-law, where a vacant **lot** in the Recreational Residential (R4) Zone having a lesser **lot area** than is required by this By-law is held under distinct and separate ownership from adjoining lots as of the date of passing of this By-law, the lot may be used for a purpose permitted in the **zone** in which it is situated provided it has an absolute minimum lot area of 0.5 ha (1.24 ac) and all other requirements of this By-law are complied with.

4.22 Occupancy Restrictions

Human habitation shall not be permitted in any of the following **buildings, structures, vehicles** or parts thereof unless the building, structure or parts thereof meet all the requirements of the Fire Code, the Ontario Building Code and any other applicable regulations, policies or acts:

- (a) Any private **garage** or other building which is **accessory** to a main use unless permitted in this By-law;
- (b) Any truck, bus, coach or streetcar body, whether or not the same is mounted on wheels; and
- (c) Any cellar, as defined in this By-law.

4.23 Open Storage

Open storage shall be permitted in the Industrial (M) and Highway Commercial (HC) zones in accordance with the following:

- (a) The open storage is **accessory** to the main **use** of the **lot**;
- (b) Open storage shall not be permitted within any **front yard** or any minimum **side** or **rear yard** where such **yard** abuts lands zoned Low Density Residential (R1), Institutional (I) or Open Space (OS).
- (c) Any area of open storage shall be enclosed by a **fence**, or as otherwise regulated by a site plan agreement under Section 41 of the Planning Act; and

- (d) No open storage area shall occupy any required off-street ***parking*** or ***loading space*** so as to reduce the number of parking or loading spaces below the number required by **Sections 4.18 or 4.24** of this By-law.

4.24 Parking Requirements

- (a) Except as provided herein, no ***vehicles*** shall be parked or stored in a ***zone*** in which ***residential uses*** are permitted unless the vehicle is located within a ***garage, car port, driveway, parking space***, designated ***parking area*** or on a ***street*** as permitted by a By-law enacted by the ***municipality***.
- (b) Notwithstanding anything in this By-law to the contrary, there shall be no minimum number of ***parking spaces*** required for non-residential uses (not including non-residential uses that provide overnight accommodation, e.g. ***hotel, motel***) in the Townsite Centre (TC) Zone for lots with frontage on Godfrey Street south of Second Avenue.
- (c) No ***parking space*** in a ***zone*** in which ***residential uses*** are permitted shall be used for the outdoor parking or storage of a ***motor vehicle*** unless such vehicle is used in operations incidental to the ***main*** and ***accessory use*** of the ***lot*** on which it is parked or stored.
- (d) Each standard ***parking space*** shall have a minimum width of 2.7 m (8.86 ft.) and a minimum length of 6 m (19.7 ft.). Each ***barrier-free parking space*** shall have a minimum width of 3.7 m (12.1 ft.) and a minimum length of 6 m (19.7 ft.).
- (e) Unless permitted elsewhere in this By-law, where two (2) or more ***uses*** are permitted in any one (1) ***building*** or on any one (1) lot, the total number of off-street ***parking spaces*** shall be calculated based on the sum of spaces required for each separate use. *(Example: Where a seasonal dwelling and a sleep cabin are constructed on a lot, the lot shall be provided with a minimum of three (3) parking spaces)*
- (f) The ***parking space*** requirements shall not apply to any building in existence at the date of passing of this By-law so long as the ***gross floor area***, as it existed at said date is not increased and no change in use occurs. If an addition is made to the ***building*** or ***structure*** which increases the gross floor area, or a change in use occurs, then parking spaces for the addition or area changed in use shall be provided. Additional parking spaces shall not be required where the ***gross floor area*** of a ***dwelling unit*** is increased.
- (g) The following supplementary regulations shall apply to ***parking spaces*** and parking areas for ***single detached, semi-detached, duplex, triplex, converted, seasonal and row or townhouse dwellings***:
- (i) The ***driveway*** and ***parking area*** shall be constructed of asphalt, concrete, paver stones, crushed stone or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar potentially undesirable effects on adjoining properties;

- (ii) No more than fifty percent (50%) of the area of any required **front yard** shall be used or constructed as a driveway and/or parking area.
 - (iii) No more than fifty percent (50%) of the **lot frontage**, as defined in this By-law, shall be used or constructed as a driveway or parking area.
- (h) The following supplementary regulations shall apply to **parking areas** for five (5) or more vehicles:
- (i) Any **parking area** shall be constructed of asphalt, concrete, paver stones, crushed stone or similar materials and shall be maintained and treated so as to reduce dust scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the **Township**.
 - (ii) Ingress and egress directly to and from every **parking space** shall be by means of a **driveway, lane** or **aisle** having a width of at least 6 m (19.7 ft.) for two-way traffic and 3.5 m (11.5 ft.) for one-way traffic where parking is angled.
 - (iii) A **driveway** or lane which does not provide ingress and egress directly to a **parking space** shall have a minimum width of 3.5 m (11.48 ft.) where designed for one-way vehicular circulation or 6 m (19.7 ft.) where designed for two-way vehicular circulation.
 - (iv) **Barrier-Free Parking Requirements**

Where five (5) or more parking spaces are required by this By-law, **barrier-free parking** shall be provided in accordance with the following table:

Number of Standard Parking Spaces Required by this By-law	Number of Barrier-free Parking Spaces Required
5-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
Over 200	4% of the number of standard parking spaces required

- (i) Except where permitted elsewhere in this By-law, the required parking for **residential uses** in any **zone** shall be provided on the same **lot** as the **dwelling unit**. For all other uses, the **parking spaces** shall be provided within 100 m (328.1 ft.) of building it is

intended to serve, subject to an agreement, deed or renewable lease which provides for same. Parking for a permitted **water access lot** shall be provided at a public access point that is secured by a legal agreement and is on the same **water body** and is accessible by navigable water.

- (j) Despite paragraphs (h) (iv) and (k), if the calculation of the minimum **parking space** requirements results in a fraction, the minimum requirement shall be the next higher whole number. (*Example: 7.23 spaces shall be deemed to require 8 parking spaces*)
- (k) The owner of every **building** or **structure erected**, enlarged or **used** for any of the purposes hereinafter set forth, except authorized **water access lots**, shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, off-street **parking spaces** and **areas** as follows:

Use	Minimum Number of Parking Spaces Required
Residential Uses:	
Single Detached Dwelling Semi-Detached Dwelling Duplex Dwelling Triplex Dwelling Converted Dwelling Seasonal Dwelling Row or Townhouse Dwelling Park Model Trailer	2 spaces per dwelling unit
Apartment Dwelling	1.5 spaces per dwelling unit (1 space per Bachelor Apartment Unit), 15% of which shall be reserved as visitor parking
Apartment-in-a-House, Garden Suite, Loft-Above-a-Garage, Sleep Cabin, Retirement Home	1 space per unit
Bed and Breakfast	1 space for each guest room in addition to the required residential spaces
Home Based Business	1 space in addition to the required residential spaces plus 1 space per employee
Continuum-of-Care Facility	1 space for every 6 patient beds plus 1 space for every 4 employees.
Group Home, Crisis Care Facility	1 space for every 5 residents plus 1 space per employee
Other Uses:	
Ambulance Facility	1.5 spaces per employee

Use	Minimum Number of Parking Spaces Required
<i>Art Gallery, Studio, Veterinary Establishment, Convenience Store, Personal Service Establishment</i>	1 space per 45 m ² [484.4 ft ²] of gross floor area , minimum 3 spaces
<i>Auto Body Shop, Automobile Repair Garage, Automobile Service Station, Gasoline Bar, Gasoline Card Lock Facility</i>	3 spaces per service bay
<i>Building Supply Store, Lumber Yard, Garden Centre, Nursery</i>	1 space for every 20 m ² [215.3 ft ²] of gross floor area of bulk storage
<i>Camp</i>	0 parking spaces
<i>Campground</i>	1 space per campsite plus the required spaces for any associated uses based on this table (e.g. restaurant) but not including an administration office in relation to the campground
<i>Car Wash</i> (self service)	1 waiting spaces per wash bay excluding the wash bay
<i>Car Wash</i> (automatic service)	5 waiting spaces per wash bay excluding the wash bay
<i>Clinic</i>	1 space per 15 m ² [161.5 ft ²], whichever is greater
<i>Construction Yard or Contractor's Yard, Equipment and Vehicle Storage Yard, Equipment Rental Establishment, Portable Asphalt/Concrete Plant, Salvage Yard</i>	Where use does not include buildings , 1 space per hectare [2.47 ac]. Where use includes buildings, 1 space per 30 m ² [322.9 ft ²] of gross floor area for retail, showroom and administration, plus 200 m ² [2,152.8 ft ²] for warehousing and wholesaling, where applicable
<i>Drive-through Facility</i>	Stacking lanes shall accommodate a minimum of 10 vehicles
<i>Funeral Parlour</i>	1 space per 20 m ² [215.3 ft ²] of gross floor area , minimum 3 spaces
<i>Equestrian Establishment</i>	3 spaces
<i>Heliport, Private Airfield</i>	1 space
<i>Hotel, Motel, Tourist Establishment, Tourist Outfitters Establishment</i> (with road access)	1 space per guest room or suite, plus the required spaces for any associated use (e.g. restaurant)
<i>Industrial Use, Sawmill or Planing Mill</i>	1 space for every 100 m ² [1,076.4 ft ²] of floor area up to 200 m ² [2,152.9 ft ²], plus 1 additional space for every 200 m ² [2,159.9 ft ²] of floor area thereafter
<i>Library, Museum, Day Nursery</i>	1 space per 40 m ² [430.6 ft ²] of gross floor area

Use	Minimum Number of Parking Spaces Required
<i>Marina</i>	1 space for every seasonal boat slip, plus 1 space for every 4 transient boat slip plus 1 trailer space forever 10 boat slips
<i>Miniature Golf Course</i>	1.5 spaces per course
<i>Public Service Use</i>	1 space per 20 m ² [215.3 ft ²] of gross floor area , minimum 3 spaces
<i>Place of Assembly, Place of Worship, Theatre</i>	1 space per 4 persons accommodated according to the maximum permitted seating capacity, or 1 space per 10 m ² [107.64 ft ²] where there are no fixed seats
<i>Restaurant, Tavern</i>	1 space per 10 m ² [107.64 ft ²] of gross floor area
<i>Retail Store, Bank, Flea Market</i> (where contained within a building)	1 space per 20 m ² [215.3 ft ²] of gross floor area , minimum 5 spaces
<i>School</i> (elementary)	1 space per classroom (includes portables)
<i>School</i> (secondary)	5 per classroom (includes portables)
<i>School</i> (post-secondary)	2 per 100 m ² [1,076 ft ²]
<i>Warehouse</i>	1 space per 100 m ² [1,076.4 ft ²] of gross floor area
All other uses not listed above	1 space per 30 m ² [322.9 ft ²] of gross floor area

4.25 Permitted Encroachments in Yards

- (a) Every part of any **yard** required by this By-law shall be open and unobstructed by any **building** or **structure** from the ground to the sky except those listed in the following table. These structures shall be permitted to project into the minimum yards required by this By-law for the following specified distances:

Structure	Maximum Projection into Required Yard
Chimney breasts, cornices, sills, pilasters, eaves or gutters, solar collectors (where attached to building), heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures	1 m (3.28 ft.) into any front, rear or side yard
Canopies which are at least 2.13 m (7 ft.) in vertical clearance above the established grade , with or without supporting posts	2 m (6.5 ft.) into any yard
Canopies for entrances to apartment buildings and commercial buildings	Notwithstanding any other provisions in this By-law, a canopy or portico over a major entrance to an apartment dwelling building or commercial building may project into the required yard a distance equal to one-half

Structure	Maximum Projection into Required Yard
	(50%) the setback of the building from the street line
Window awnings, window bays	1 m (3.28 ft.) into front, rear and exterior side yards
Ramps for use by handicapped, steps and walkways	No maximum into any yard
Unenclosed porch, uncovered platform landing, patio or deck, balconies or steps	3.0 m (9.8 ft.), including eaves and cornices, into any front or rear yard
Balconies	1 m (3.28ft) into any yard for apartment dwellings, duplex dwellings, row or townhouse dwellings, triplex dwellings , or similar dwellings containing multiple dwelling units
Fire escapes, exterior stair cases	1 m (3.28 ft.) into rear and exterior side yards
Gate House in any Industrial Zone	Unlimited into any front or side yard
Fences , hedges, shrubs, trees, freestanding walls, flagpoles, light standards, garden trellises, clothes lines and similar structures or features, security cameras	Unlimited in any yard
Accessory building or structure	As permitted by and as specified in this By-law

- (b) No structure permitted to project into any required **yard** by paragraph (a) shall obstruct a **sight triangle**.

4.26 Public Uses Permitted

Any land may be **used** and any **building** or **structure** may be **erected** or used for the purpose of a public service by a **public authority** in any **zone** provided that:

- (a) The **lot coverage** and **yard** requirements prescribed for the **zone** in which such land, **building** or **structure** is located are complied with;
- (b) No goods, materials or equipment is stored in the open in a **residential zone**;
- (c) Any **building erected** in a **residential zone** under the authority of this Section shall be designed and maintained in general harmony with the residential buildings of the type permitted in the **zone**; and

- (d) Parking and loading requirements as contained in this By-law shall be complied with.

4.27 Sight Triangles

- (a) Notwithstanding any provision of this By-law to the contrary, within any area defined as a **sight triangle**, the following **uses** shall be prohibited:
- (i) A **building, structure** or **use** which would obstruct the vision of drivers of motor **vehicles**.
 - (ii) A **fence** or tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceed 1 m (3.28 ft.) in **height** above the elevation of the centrelines of abutting **streets**.
 - (iii) A **parking area**.
 - (iv) A finished grade which exceeds the elevation of the centrelines of abutting streets by more than 0.5 m (1.65 ft.).
- (b) **Railway Crossings and Sight Distances**

No obstruction to the vision of motor vehicle operators higher than 1 m (3.28 ft.) above grade including, but not limited to, **buildings, structures, parking spaces**, storage, vegetation or planting strips is permitted on any **lot** abutting an at-grade intersection of a **street** or **private road** and:

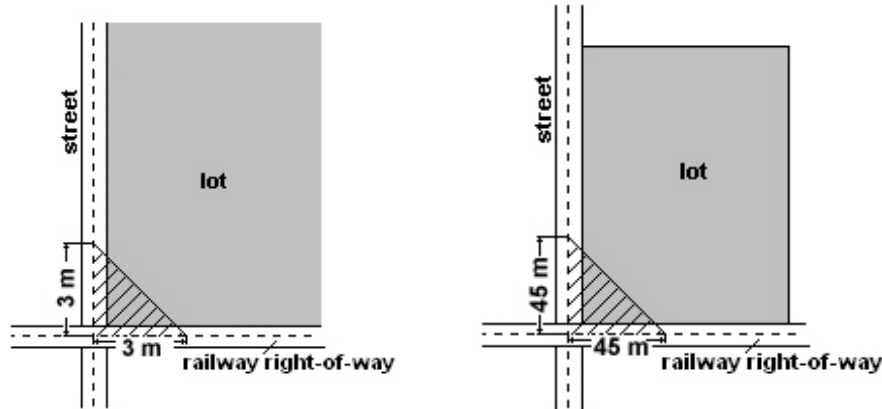
- (i) a railway track where automatic signal protection is provided within the triangle formed by connecting to a point 3 m (9.84 ft.) from the intersection of the centerline of the street and the centerline of the railway right-of-way; or
- (ii) a railway track where automatic signal protection is not provided within the triangle formed by connecting to a point 45 m (147.64 ft.) from the intersection of the centerline of the street and the centerline of the railway right-of-way.

For the purposes of this Section, an agricultural crop, chain link fence or other similar feature that can be seen through is not an obstruction.

4.28 Signs

Unless otherwise states in this By-law, signs shall be permitted in accordance with any applicable by-laws of the Corporation of the Township of Larder Lake.

Figure 4-2 – Illustration of Rail Sight Triangles for the application of Subsections 4.27(b) (i) and 4.27(b) (ii)



4.29 Special Setbacks and Separation Distances

(a) Provincial Highway

Notwithstanding anything else to the contrary in this By-law, all **buildings** and **structures** in all **zones** of this By-law shall be setback from the right-of-way of a provincial **highway** a distance of 14 m (45.9 ft.) for **commercial uses** and 8 m (26.2 ft.) for **residential uses**, or as otherwise prescribed by the Ontario Ministry of Transportation.

(b) Water Bodies and Watercourses

- (i) All habitable **buildings** and **structures** (*dwelling, sleep cabins, garden suites, recreational vehicle*, etc.), non-residential buildings, *on-site sewage disposal systems*, detached **garages**, **sheds** and storage buildings shall be setback a minimum of 30 m (98.4 ft.) from the high water mark of any **water body** or **watercourse**.
- (ii) **Shoreline structures** (not including boat houses, boat ports, float plane hangars, docks or wharfs) shall be setback a minimum of 15 m (49.2 ft.) from the **high water mark** of any **water body** or **watercourse**.
- (iii) There shall be no setback from the high water mark of any water body or watercourse for boat houses, boat ports, float plane hangars, docks, wharfs or similar structures associated with the **shoreline**. All other setback requirements of Section 4.1.1 of this By-law shall apply.
- (iv) The setbacks required by paragraphs (b) (i), (b) (ii) and (b) (iii) shall be measured as the shortest horizontal distance from the nearest part of the

building or **structure** or the edge of the filter bed/tile bed/leaching bed of a **sewage disposal system** to the **high water mark** of the **water body** or **watercourse**.

(c) **Agricultural Uses**

- (i) Any new **livestock facility** or **manure or material storage** shall comply with the **Minimum Distance Separation Formulae II** as amended by the Province from time to time, where applicable.
- (ii) Any new **sensitive land use** located on a lot greater than 1 ha (2.47 ac) shall comply with the **Minimum Distance Separation Formulae I** as amended by the Province from time to time, where applicable. The Minimum Distance Separation Formulae I shall not apply to **lots** located within the Larder Lake Urban Settlement Area Boundary.
- (iii) A **recreational vehicle** where one (1) or more persons are able to sleep and prepare and serve meals within the vehicle shall be considered a **dwelling** for the purposes of the **Minimum Distance Separation Formulae I and II**.
- (iv) Nothing in this By-law shall prevent the reconstruction of any sensitive land use that does not comply with the Minimum Distance Separation Formulae I which is unintentionally damaged by fire or other natural cause, provided the **height** and bulk are not increased, the new building or structure is located no closer to a livestock facility than prior to the catastrophe, and provided that reconstruction is commenced within two (2) years from the date of destruction. The reconstruction of any non-conforming or non-complying building which is unintentionally damaged by fire or other natural cause shall be encouraged to occur on lands that meet the requirements of the Minimum Distance Separation Formulae I and all other requirements of this By-law.
- (v) The reconstruction of any non-conforming sensitive land use initiated by the owner of the non-conforming sensitive land use shall comply with all provisions of the Minimum Distance Separation Formulae I and all other requirements of this By-law.

(d) **Industrial Uses**

- (i) The minimum separation distance between a **sensitive land use** and a **Class I Industrial Use** shall be 20 m (65.62 ft.) and shall be measured from the nearest **lot line** of the sensitive land use to nearest **lot line** of the Class I Industrial Use, or vice versa.
- (ii) The minimum separation distance between a **sensitive land use** and a **Class II Industrial Use** shall be 70 m (229.7 ft.) and shall be measured from the nearest **lot line** of the sensitive land use to nearest **lot line** of the Class II Industrial Use, or vice versa.

(iii) The minimum separation distance between a **sensitive land use** and a **Class III Industrial Use** shall be 300 m (984.3 ft.) and shall be measured from the nearest **lot line** of the sensitive land use to nearest **lot line** of the Class III Industrial Use, or vice versa.

(iv) Paragraphs (i) to (iii) shall not apply to prevent the **use** of land and the **erection** of **buildings** and **structures** on lots of record in existence on the date of passing of this By-law; however, any expansion of an industrial use shall comply with the separation distances.

(e) **Waste Management Facilities**

(i) No **sensitive land uses** shall be **erected** within 500 m (1,640.4 ft.) of a **waste management facility**.

(ii) No **use** of land shall be permitted within 30 m (98.4 ft.) of the **fill area** of an operating or closed **waste management facility** unless the use directly associated with the waste management facility.

(f) **Sewage Lagoon**

No land shall be **used** for a **sensitive land use** and no **building** or **structure** shall be **erected** for a **sensitive land use** less than 400 m (1,312.34 ft.) of a **sewage lagoon**.

(g) **Rail Lines**

No **buildings** or **structure** for a **sensitive land use** (e.g. **dwelling**, **day nursery**, etc.) shall be **erected** within 75 m (246.06 ft.) of the right-of-way of a rail line.

(h) **Pits and Quarries**

(i) No land shall be **used** for a **sensitive land use** and no **building** or **structure** shall be **erected** for a **sensitive land use** less than 300 m (984.25 ft.) of an **aggregate pit**.

(ii) No land shall be **used** for a **sensitive land use** and no **building** or **structure** shall be **erected** for a **sensitive land use** less than 1,000 m (3,280.84 ft.) of a **quarry**.

(iii) No **sensitive land use** (e.g. **dwelling**, **day nursery**, etc.) shall be **erected** within 500 m (1,640.4 ft.) of lands zoned Mineral Aggregate Resource (MX) Zone.

(i) **Mine Hazards**

(i) Lands identified as having a known **mine hazard** or within 1,000 m (3,280.84 ft.) of a known mine hazard shall not be **used** unless the **mine hazard** has been rehabilitated or measures taken to mitigate known or suspected hazards or it is

demonstrated that no hazard to public health and safety exists. Any required remediation or rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices and where applicable, complies with the requirements of the *Mining Act*.

- (ii) The provisions for addressing a **mine hazard** as set out in this section shall not be deemed to limit the **Municipality's** authority to impose other measures through the site plan control process under Section 41 of the *Planning Act*.

(j) **Group Homes and Crisis Care Facilities**

- (i) Where **group homes** and **crisis care facilities** are permitted in this By-law, such group home or crisis care facility shall be approved and/or licensed under Provincial statutes and shall be in compliance with any applicable municipal by-laws. Group homes and crisis care facilities shall be permitted in the Larder Lake Urban Settlement Area Boundary.

4.30 Streets, Paths and Parks

- (a) Notwithstanding the list of permitted uses in each **zone** established by this By-law, **parks**, recreational paths, walkways, **streets**, lanes, **highways**, monuments and heritage sites are permitted in all zones of this By-law.
- (b) **Uses** listed in paragraph (a) shall not be subject to the **lot area** or **lot frontage** of the **zone** in which such use is located.
- (c) All **buildings** and **structures erected** as part of a **use** listed in paragraph (a) shall comply with all zone requirements of the **zone** in which such buildings or structures are located except the **lot area** and **lot frontage**.

4.31 Temporary Construction Uses Permitted

- (a) Nothing in this By-law shall prevent the **use** of land or the use or **erection** of a temporary **building** or **structure** or a scaffold or other equipment essential to the construction in progress for which a building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.
- (b) In addition, temporary accommodation for a business which is intended to occupy a **building** which is under construction with the work in progress on such building, may be temporarily permitted on the same **lot** in the form of a mobile, relocateable, portable or transportable building provided:
 - (i) approval is obtained pursuant to the matters contained herein;
 - (ii) such temporary accommodation is removed from the **lot** immediately

upon completion of construction, abandonment of construction or at such time as in the opinion of the **municipality** it is no longer required.

4.32 Water Supply and Sewage Disposal

- (a) In the Larder Lake Urban Settlement Area Boundary, no person shall hereafter **erect** and **use** in whole or in part any **building** or **structure** unless the said building or structure is serviced with **full municipal services**.
- (b) For lands outside of the Larder Lake Urban Settlement Area Boundary, no person shall hereafter **erect** and **use** in whole or in part any **building** or **structure** unless the building or structure is properly connected to an approved **water supply and a sewage disposal system** under the *Ontario Water Resources Act* or the *Building Code Act* unless the use is exempted under the *Building Code Act*.
- (c) **Partial Services**

Where a zone symbol is followed by a dash and the symbol 'p' (e.g. 'R3-p'), the lands so designated shall be subject to all of the provisions of the **zone** represented by the symbol contained in the prefix. The suffix '-p' provides provision that such lands may be used where serviced by **partial services** in the form of **municipal water services** and **individual on-site sewage services**. The carter Crescent subdivision may be serviced by partial services for water.

Section 5 ZONES

5.1 Zone Classification

For the purposes of this By-law, the Township of Larder Lake is divided into the following zones as named and described in the following sections, the boundaries of which are shown on the attached Zoning Schedule and which forms part of this By-law.

5.2 Zones

	Zone Symbol
Low Density Residential Zone	R1
Medium Density Residential Zone	R2
High Density Residential Zone	R3
Rural Recreational Residential Zone	R4
Townsite Centre Zone	TC
Highway Commercial Zone	HC
Recreational Commercial Zone	RC
Industrial Zone	M
Extractive Industrial Zone	MX
Institutional Zone	I
Open Space Zone	OS
Environmental Protection Zone	EP
Natural Resources Zone	NR
Mineral Mining Zone	MM

5.3 Interpretation of Zone Boundaries

- (a) When determining the boundary of any **zone** as shown on any Schedule forming part of this By-law, the following provisions shall apply:
- (i) A boundary indicated as following a **highway, street** or **lane** shall be the centre line of such highway, street or lane;
 - (ii) A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
 - (iii) A boundary indicated as following the **high water mark** shall follow such **shoreline**, and in the event of a change in the high water mark, the boundary shall be construed as moving with the actual high water mark;

- (iv) A boundary indicated as approximately following **lot lines** shown on a Registered Plan of Subdivision, or Reference Plan, or Township **lot lines** shall follow such lot lines;
- (v) Where a boundary is indicated as approximately parallel to a **street line** or other feature, indicated in paragraphs (i), (ii), and (iii) above, and the distance from such street line or other feature is not indicated, and paragraph (iv) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule;
- (vi) A boundary indicated as following the limits of the **Municipality** shall follow such limits.
- (vii) In the event a dedicated street, lane or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the zone of the adjoining property on either side of such closed street, lane or right-of-way. If a closed street, lane or right-of-way is the boundary between two or more different zones the new zone boundaries shall be the former centre line of the closed street, lane or right-of-way.

5.4 Use of Zone Symbols

The Symbols listed in Section 5.2 shall be used to refer to land, **buildings** and **structures** and the **uses** thereof permitted by this By-law in the said **zones**, and wherever in this By-law the word 'zone' is used, preceded by any of the said symbols, such zones shall mean any area within the Township of Larder Lake delineated on the attached Zoning Schedule and designated therein by the said symbol.

(a) Exception Zones

Where the zone symbol designating certain lands is shown on the Zoning Schedule followed by a dash and a number (e.g. M-1), the special exception may be found in the By-law which deals with the particular zone. Lands zoned as such shall be subject to all regulations and requirements of the zone except as otherwise provided by the special exception provisions.

(b) Holding Provisions

Where a zone symbol on the Zoning Schedule is followed by the suffix "-h", the lands shall be deemed to be in a special Holding Zone. Lands in a Holding Zone may only be used for existing uses and shall be in accordance with the provisions of the applicable zone, not including Permitted Uses. The holding symbol may only be removed by a by-law passed by Council.

(c) Well Head Protection Areas

Where a zone symbol on the Zoning Schedule is followed by the suffix “-w”, those lands are part of a Well Head Protection Area. Uses permitted on those lands with the suffix “-w” shall be limited only to those existing uses, and the “-w” shall only be removed when the policies of the **Official Plan** of the Township of Larder Lake regarding Well Head Protection are satisfied.

(d) Partial Services

Where a zone symbol on the Zoning Schedule is followed by the suffix “-p”, those lands are serviced with **partial services**, and Section 4.33(c) of this By-law shall apply.

5.5 LOW DENSITY RESIDENTIAL (R1) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the Low Density Residential (R1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.5.1 Permitted Uses

- Dwelling – Single Detached
- Group Home (*See Section 4.29(j)*)
- Public Use (*See Section 4.26*)
- Accessory uses, buildings and structures to the foregoing permitted uses including *Section 4.1 Accessory Uses, Section 4.2 Accessory Residential Uses, Section 4.4 Bed & Breakfast Establishment, and Section 4.15 Home Based Businesses*)

5.5.2 Zone Requirements

Single Detached Dwelling, Group Home

Minimum Lot Area..... 600 m² (6,458.56 ft²)
Minimum Lot Frontage20 m (65.62 ft.)

Minimum Yard Requirements – Main Building

- Front Yard4.5 m (14.76 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard.....2 m (6.56 ft.)
- Exterior Side Yard.....3 m (9.84 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building6 m (19.69 ft.)

Maximum Lot Coverage

- Main Building40%
- Accessory Uses, Buildings and Structures.....10%

Maximum Number of Dwelling Units per Lot 1

5.5.3 Additional Provisions

- (a) Despite the Maximum Number of Dwellings Units per Lot allowed in the Low Density Residential (R1) Zone, **apartments-in-a-house** shall be permitted in accordance with Section 4.2.

- (b) *Accessory uses, buildings and structures*, accessory residential uses (*garden suite, bed and breakfast establishments, fences, home based businesses*), servicing, parking, street frontage, public uses, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.5.4 Exception Zones

5.6 MEDIUM DENSITY RESIDENTIAL (R2) ZONE

No person shall use any land or erect, alter or use any building or structure in the Medium Density Residential (R2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.6.1 Permitted Uses

- Continuum-of-Care Facility
- Dwelling – Duplex
- Dwelling – Semi-detached
- Dwelling – Row or Townhouse
- Group Home (See Section 4.29(j))
- Public Use (See Section 4.26)
- Retirement Home
- Accessory uses, buildings and structures to the foregoing permitted uses including Section 4.1 Accessory Uses, Section 4.2 Accessory Residential Uses, and Section 4.15 Home Based Businesses)

5.6.2 Zone Requirements

(a) Semi-detached Dwelling (where both dwelling units occupy the same lot), Duplex Dwelling

Minimum Lot Area..... 600 m² (6,458.56 ft²)
Minimum Lot Frontage20 m (65.62 ft.)

Minimum Yard Requirements – Main Building

- Front Yard4.5 m (14.76 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard.....2 m (6.56 ft.)
- Exterior Side Yard.....3 m (9.84 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building6 m (19.69 ft.)

Maximum Lot Coverage

- Main Building.....35%
- Accessory Uses, Buildings and Structures10%

Maximum Number of Dwelling Units per Lot 2

(b) Semi-detached Dwelling (where one dwelling unit occupies a lot)

Minimum Lot Area.....300 m² (3,229.17 ft²) per dwelling unit
Minimum Lot Frontage10 m (32.81 ft.) per dwelling unit

Minimum Yard Requirements – Main Building

- Front Yard4.5 m (14.76 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard.....2 m (6.56 ft.), or 0 m (0 ft.) where
abutting another semi-detached dwelling unit
- Exterior Side Yard.....3 m (9.84 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building6 m (19.69 ft.)

Maximum Lot Coverage

- Main Building.....35%
- Accessory Uses, Buildings and Structures10%

Maximum Number of Dwelling Units per Lot 1

(c) Row or Townhouse Dwelling (where only one row or townhouse dwelling unit occupies a lot)

Minimum Lot Area.....300 m² (3,229.28 ft²) per dwelling unit
Minimum Lot Frontage10 m (32.81 ft.) per dwelling unit

Minimum Yard Requirements – Main Building

- Front Yard4 m (13.12 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard..... 2 m (6.56 ft.), or 0 m (0 ft.) where abutting
another row or townhouse dwelling unit
- Exterior Side Yard.....4 m (13.12 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building6 m (19.68 ft.)

Maximum Lot Coverage

- Main Building.....35%
- Accessory Use, Buildings and Structures.....5%

Maximum Number of Dwelling Units per Lot 1

Minimum Landscaped Open Space.....20%

(d) Row or Townhouse Dwelling (where two or more row or townhouse dwelling units occupy a lot)

Minimum Lot Area.....300 m² (3,229.17 ft²) per dwelling unit
Minimum Lot Frontage10 m (32.81 ft.) per dwelling unit

Minimum Yard Requirements – Main Building

- Front Yard4 m (13.12 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard 2 m (6.56 ft.)
- Exterior Side Yard.....4 m (13.12 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building6 m (19.68 ft.)

Maximum Lot Coverage

- Main Building.....35%
- Accessory Use, Buildings and Structures.....5%

Minimum Landscaped Open Space.....20%

(e) Continuum-of-Care Facility, Retirement Home

Minimum Lot Area..... 800 m² (8,611.41 ft²)
Minimum Lot Frontage25 m (82.02 ft.)

Minimum Yard Requirements – Main Building

- Front Yard6 m (19.69 ft.)
- Rear Yard7 m (22.97 ft.)
- Interior Side Yard.....6 m (19.69 ft.)
- Exterior Side Yard.....7 m (22.97 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.) or
3 storeys, whichever is lesser
- Accessory Building8 m (26.25 ft.)

Maximum Lot Coverage

- Main Building.....40%
- Accessory Use, Buildings and Structures.....5%

Minimum Landscaped Open Space.....25%

5.6.3 Additional Provisions

- (a) *Accessory uses, buildings and structures*, accessory residential uses, *fences, home based businesses*, parking, public uses, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.6.4 Exception Zones

5.7 HIGH DENSITY RESIDENTIAL (R3) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the High Density Residential (R3) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.7.1 Permitted Uses

- Dwelling – Apartment
- Dwelling – Triplex
- Public Use (*See Section 4.26*)
- Accessory uses, buildings and structures to the foregoing permitted uses including *Section 4.1 Accessory Uses, Section 4.2 Accessory Residential Uses, Section 4.4 Bed & Breakfast Establishment, and Section 4.15 Home Based Businesses*)

5.7.2 Zone Requirements

(a) Apartment Dwelling

Minimum Lot Area (3 or less dwelling units).....	800 m ² (8,611.41 ft ²)
Minimum Lot Area (4 or more dwelling units).....	800 m ² (8,611.41 ft ²) + 200 m ² (2,152.78 ft ²) per dwelling unit over 3
Minimum Lot Frontage	25 m (82.02 ft.)
Minimum Yard Requirements – Main Building	
• Front Yard	6 m (19.69 ft.)
• Rear Yard	7 m (22.97 ft.)
• Interior Side Yard.....	6 m (19.69 ft.)
• Exterior Side Yard.....	7 m (22.97 ft.)
Maximum Building Height	
• Main Building.....	12 m (39.37 ft.) or 3 storeys, whichever is lesser
• Accessory Building	8 m (26.25 ft.)
Maximum Lot Coverage	
• Main Building.....	40%
• Accessory Use, Buildings and Structures.....	5%
Minimum Landscaped Open Space.....	25%

(b) Triplex Dwelling

Minimum Lot Area.....	600 m ² (6,458.56 ft ²)
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Minimum Lot Frontage20 m (65.62 ft.)

Minimum Yard Requirements – Main Building

- Front Yard4.5 m (14.76 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard.....3 m (9.84 ft.)
- Exterior Side Yard.....4.5 m (14.76 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.) or
3 storeys, whichever is lesser
- Accessory Building8 m (26.25 ft.)

Maximum Lot Coverage

- Main Building.....35%
- Accessory Use, Buildings and Structures.....5%

Maximum Number of Dwelling Units per Lot3

Minimum Landscaped Open Space.....20%

5.7.3 Additional Provisions

- (a) *Accessory uses, buildings and structures*, accessory residential uses, (*bed and breakfast establishments, camps, fences, flood plain, home based businesses*), natural vegetation buffer, special setbacks, parking, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.7.4 Exception Zones

5.8 RURAL RECREATIONAL RESIDENTIAL (R4) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the Rural Recreational Residential (R4) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.8.1 Permitted Uses

- Dwelling – Seasonal
- Dwelling – Single Detached
- Public Use (See Section 4.26)
- Accessory uses, buildings and structures to the foregoing permitted uses including Section 4.1 Accessory Uses, Section 4.2 Accessory Residential Uses, Section 4.4 Bed & Breakfast Establishment, and Section 4.15 Home Based Businesses)

5.8.2 Zone Requirements

Minimum Lot Area.....	0.8 ha (1.98 ac)
Minimum Lot Frontage	60 m (196.85 ft.)
Minimum Yard Requirements – Main Building	
• All Yards	10 m (32.81 ft.)
Maximum Building Height	
• Main Building.....	12 m (39.37 ft.)
• Accessory Building	6 m (19.69 ft.)
Maximum Lot Coverage	
• Main Building.....	5%
• Accessory Uses, Buildings and Structures	2%
Maximum Number of Dwelling Units per Lot	1

5.8.3 Additional Provisions

- (a) **Accessory uses, buildings and structures**, accessory residential uses, (**bed and breakfast establishments, camps, fences, flood plain, home based businesses**), natural vegetation buffer, special setbacks, parking, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.8.4 Exception Zones

5.9 TOWNSITE CENTRE (TC) ZONE

No person shall use any land or erect, alter or use any building or structure in the Townsite Centre (TC) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.9.1 Permitted Uses

- Dwelling units above ground floor commercial
- Art Gallery
- Bake Shop
- Bank
- Clinic
- Convenience Store
- Day Nursery
- Drive-through Facility (*See Section 4.9*)
- Dwelling, Apartment
- Dwelling, Duplex
- Dwelling, Semi-detached
- Dwelling, Single Detached
- Dwelling, Triplex
- Funeral Home
- Office
- Hotel
- Laundromat
- Library
- Museum
- Parking Lot – Commercial
- Personal Service Establishment
- Place of Assembly
- Place of Amusement
- Post Office
- Private Club
- Public Use (*See Section 4.26*)
- Restaurant
- Retail Store
- Retirement Home
- Service Outlet
- Studio
- Tavern
- Theatre
- Veterinary Establishment
- Video Rental Outlet
- Accessory uses, buildings and structures to the foregoing permitted uses (*See Section 4.1 Accessory Uses, Section 4.2 Accessory Residential Uses*)

5.9.2 Zone Requirements

Minimum Lot Area.....	300 m ² (3,229.17 ft ²)
Minimum Lot Frontage	10 m (32.81 ft.)
Minimum Yard Requirements – Main Building	
• Rear Yard	6 m (19.69 ft.)
• Exterior Side Yard.....	1 m (3.28 ft.)
Maximum Building Height	

- Main Building.....12 m (39.37 ft.) or
3 storeys, whichever is lesser
- Accessory Building8 m (26.25 ft.)

Maximum Lot Coverage

- Main Building.....80%
- Accessory Use, Buildings and Structures.....5%

Maximum Number of Dwelling Units per Lot 8

5.9.3 Additional Provisions

- (a) *Accessory uses, buildings and structures*, accessory residential uses, *drive-through facilities, fences, loading*, open storage, parking, public uses, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.9.3 Additional Provisions

5.10 HIGHWAY COMMERCIAL (HC) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the Highway Commercial (HC) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.10.1 Permitted Uses

- Ambulance Facility
- Auto Body Shop
- Auto Repair Garage
- Automobile Service Station
(See Section 4.3)
- Automotive Sales Establishment
- Building Supply Store
- Car Wash
- Clinic
- Drive-through Facility (See Section 4.9)
- Equipment Rental Establishment
- Farmer's Market
- Flea Market
- Funeral Home
- Garden Centre
- Gasoline Bar (See Section 4.3)
- Greenhouse
- Hotel
- Lumber Yard
- Motel
- Nursery
- Parking Lot – Commercial
- Place of Assembly
- Place of Worship
- Printing and Publishing Establishment
- Private Club
- Public Use (See Section 4.26)
- Recreational Vehicle Sales and Storage
- Restaurant
- Retail Store
- Self-Storage Facility
- Service Outlet
- Studio
- Tavern
- Theatre
- Transportation Depot
- Veterinary Establishment
- Welding Shop
- Workshop
- Accessory uses, buildings and structures to the foregoing permitted uses including an **accessory dwelling** (See Section 5.10.3 (a), also Section 4.1 Accessory Uses)

5.10.2 Zone Requirements

Minimum Lot Area..... 900 m² (9,687.52 ft²)
Minimum Lot Frontage 30 m (98.4 ft.)

Minimum Yard Requirements – Main Building

- Front Yard 4.5 m (14.76 ft.)
- Rear Yard 6 m (19.69 ft.)
- Interior Side Yard 4.5 m (14.76 ft.)

- Exterior Side Yard.....5 m (16.4 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building8 m (26.25 ft.)

Maximum Lot Coverage

- Main Building.....55%
- Accessory Use, Buildings and Structures.....10%

Maximum Number of Dwelling Units per Lot 1

Minimum Landscaped Open Space.....25%

5.10.3 Additional Provisions

- (a) One (1) ***dwelling unit*** shall be permitted as an ***accessory dwelling*** to a ***commercial use*** provided:
- (i) the dwelling unit is included in and forms a subordinate part of the ***building*** containing the main use, unless the main use is a ***place of worship, flea market, garden centre, lumber yard, self-storage facility or transportation depot***, in which case such dwelling unit may be located in a separate building;
 - (ii) the dwelling unit has a minimum ***floor area*** of 60 m² (645.8 ft²) and does not represent more than 33% of the total floor area of the total combined area of the dwelling unit and the main use; and
 - (iii) the dwelling unit is not an accessory use to an ***automotive service station, auto body shop, auto repair garage, gasoline bar or commercial parking lot***.
- (b) ***Accessory uses, buildings and structures***, automobile uses, ***drive-through facilities, fences***, loading, ***open*** storage, parking, public uses, special setbacks, streets and parks, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.10.4 Exception Zones

5.11 RECREATIONAL COMMERCIAL (RC) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the Recreational Commercial (RC) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.11.1 Permitted Uses

- Campground
- Equestrian Establishment
- Marina
- Miniature Golf Course
- Public Use (See Section 4.26)
- Tourist Cabin Establishment
- Tourist Outfitters Establishment
- Accessory uses, buildings and structures to the foregoing permitted uses including an **accessory dwelling** (See Section 5.11.3 and Section 4.1 Accessory Uses)

5.11.2 Zone Requirements

(a) Campground

Minimum Lot Area.....	1 ha (2.47 ac)
Minimum Lot Frontage	60 m (196.85 ft.)
Minimum Yard Requirements – Main Building and Campsites	
• Front Yard	10 m (32.81 ft.)
• Rear Yard	10 m (32.81 ft.)
• Interior Side Yard	
Where interior side yard abuts a residential	
or Institutional (I) Zone	10 m (32.81 ft.)
All other Cases	5 m (14.76 ft.)
• Exterior Side Yard.....	10 m (32.81 ft.)
Maximum Building Height	
• Main Building.....	12 m (39.37 ft.)
• Accessory Building	8 m (26.25 ft.)
Maximum Lot Coverage	
• Main Building.....	10%
• Accessory Use, Buildings and Structures.....	5%
Maximum Number of Dwelling Units per Lot	1

Minimum Landscaped Open Space.....20%

(b) All Other Uses

Minimum Lot Area..... 0.8 ha (1.98 ac)

Minimum Lot Frontage60 m (196.85 ft.)

Minimum Yard Requirements – Main Building

- Front Yard10 m (32.81 ft.)
- Rear Yard10 m (32.81 ft.)
- Interior Side Yard
 - Where interior side yard abuts a residential
 - or Institutional (I) Zone7.5 m (24.61 ft.)
 - All other Cases5 m (14.76 ft.)
- Exterior Side Yard.....10 m (32.81 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building8 m (26.25 ft.)

Maximum Lot Coverage

- Main Building.....5%
- Accessory Use, Buildings and Structures.....2%

Maximum Number of Dwelling Units per Lot 1

Minimum Landscaped Open Space.....20%

5.11.3 Additional Provisions

(a) Accessory Residential Use

One (1) **dwelling unit** shall be permitted as an **accessory use** to a permitted main use in the Recreational Commercial (RC) Zone. Such dwelling unit may be a **single detached dwelling** or it may be part of another **building** on the **lot**. Where the dwelling unit is part of another building, it shall not occupy more than 50% of such **building**.

- (b) Accessory uses, buildings and structures, fences, flood plain, open storage, parking, special setbacks, streets and parks, water supply and sewage disposal, street frontage and other general provisions shall be in accordance with Section 4 of this By-law.**

5.11.4 Exception Zones

5.12 INDUSTRIAL (M) ZONE

No person shall *use* any land or *erect, alter* or use any *building* or *structure* in the Industrial (M) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.12.1 Permitted Uses

- Class I Industry (Light Industrial Uses) *(See Section 4.29(d))*
- Class II Industry (Medium Industrial Uses) *(See Section 4.29(d))*
- Class III Industry (Heavy Industrial Uses) *(See Section 4.29(d))*
- Construction Yard or Contractor’s Yard
- Forest Products Processing Facility
- Lumber Yard
- Parking Lot – Commercial
- Portable Asphalt/Concrete Plant
- Public Use *(See Section 4.26)*
- Self-Storage Facility
- Transportation Depot
- Warehouse
- Welding Shop
- Workshop
- Accessory uses, buildings and structures to the foregoing permitted uses *(See Section 4.1 Accessory Uses)*

5.12.2 Zone Requirements

Minimum Lot Area.....	0.4 ha (0.99 ac)
Minimum Lot Frontage	45 m (147.64 ft.)
Minimum Yard Requirements – Main Building	
• Front Yard	6 m (19.69 ft.)
• Rear Yard	6 m (19.69 ft.)
• Interior Side Yard.....	5 m (16.4 ft.)
• Exterior Side Yard.....	6 m (19.69 ft.)
Maximum Building Height	
• Main Building.....	12 m (39.37 ft.)
• Accessory Building	8 m (26.25 ft.)
Maximum Lot Coverage	
• Main Building.....	35%
• Accessory Use, Buildings and Structures.....	10%

Minimum Landscaped Open Space.....20%

5.12.3 Additional Provisions

- (a) *Accessory uses, buildings and structures, fences*, special separation distances (4.26 (d)), loading, parking, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.12.4 Exception Zones

(a) Industrial Exception 1 (M-1) Zone: Waste Management Facility

Notwithstanding anything in this By-law to the contrary, a waste management facility shall be the only use of lands permitted in the Industrial Exception 1 (M-1) Zone.

(b) Industrial Exception 2 (M-2) Zone: Sewage Lagoon

Notwithstanding anything in this By-law to the contrary, a municipal sewage lagoon shall be the only use of lands permitted in the Industrial Exception 2 (M-2) Zone.

5.13 EXTRACTIVE INDUSTRIAL (MX) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the Extractive Industrial (MX) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.13.1 Permitted Uses

- Pit
- Public Use (See Section 4.26)
- Quarry
- Wayside Pit
- Wayside Quarry
- Accessory uses, buildings and structures to the foregoing permitted uses (See Section 4.1 Accessory Uses)

5.13.2 Zone Requirements

All Buildings and Structures
All Yards10 m (32.81 ft.)

5.13.3 Additional Provisions

- (a) **Accessory uses, buildings and structures, fences**, special separation distances (4.29 (h) – pits and Quarries, parking, street frontage and other general provisions shall be in accordance with Section 4 of this By-law.

5.13.4 Exception Zones

5.14 INSTITUTIONAL (I) ZONE

No person shall *use* any land or *erect, alter* or use any *building* or *structure* in the Institutional (I) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.14.1 Permitted Uses

- Community Centre
- Crisis Care Facility (See Section 4.29(j))
- Fire Station
- Library
- Municipal Office
- Museum
- Place of Worship
- Place of Assembly
- Public Use (See Section 4.26)
- School
- Accessory uses, buildings and structures to the foregoing permitted uses (See Section 4.1 Accessory Uses)

5.14.2 Zone Requirements

(a) School, Community Centre

Minimum Lot Area.....	1,000 m ² (10,763.91 ft ²)
Minimum Lot Frontage	30 m (98.43 ft.)
Minimum Yard Requirements – Main Building	
• Front Yard	5 m (16.4 ft.)
• Rear Yard	10 m (19.69 ft.)
• Interior Side Yard	5 m (16.4 ft.)
• Exterior Side Yard.....	5 m (16.4 ft.)
Maximum Building Height	
• Main Building.....	12 m (39.37 ft.)
• Accessory Building	8 m (26.25 ft.)
Maximum Lot Coverage	
• Main Building.....	40%
• Accessory Uses, Buildings and Structures	10%
Minimum Landscaped Open Space.....	20%

(b) All Other Uses

Minimum Lot Area..... 600 m² (6,458.56 ft²)
Minimum Lot Frontage20 m (65.62 ft.)

Minimum Yard Requirements – Main Building

- Front Yard4.5 m (14.76 ft.)
- Rear Yard6 m (19.69 ft.)
- Interior Side Yard.....4 m (13.12 ft.)
- Exterior Side Yard.....4.5 m (14.76 ft.)

Maximum Building Height

- Main Building.....12 m (39.37 ft.)
- Accessory Building8 m (26.25 ft.)

Maximum Lot Coverage

- Main Building.....35%
- Accessory Uses, Buildings and Structures10%

Minimum Landscaped Open Space.....20%

5.14.3 Additional Provisions

- (a)** *Accessory uses, buildings and structures, fences*, loading, parking, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.14.4 Exception Zones

5.15 OPEN SPACE (OS) ZONE

No person shall *use* any land or *erect, alter* or use any *building* or *structure* in the Open Space (OS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.15.1 Permitted Uses

- Cemetery
- Golf Course
- Marina
- Park
- Public Use (*See Section 4.26*)
- Accessory uses, buildings and structures to the foregoing permitted uses (*See Section 4.1 Accessory Uses*)

5.15.2 Zone Requirements

- Minimum Yard Requirements – All Buildings
- All Yards5 m (16.4 ft.)
- All Buildings and Structures
- Maximum Height12 m (39.37 ft.)
 - Maximum Lot Coverage10%
- Minimum Landscaped Open Space.....75%

5.15.3 Additional Provisions

- (a) *Accessory uses, buildings and structures, fences*, parking, street frontage, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.15.4 Exception Zones

5.16 ENVIRONMENTAL PROTECTION (EP) ZONE

5.16.1 Permitted Uses

- Conservation Use
- Public Use (*See Section 4.26*)
- Accessory uses, buildings and structures to the foregoing permitted uses (*See Section 4.1*)

5.16.2 Zone Requirements

5.16.3 Additional Provisions

- (a) No ***buildings*** or ***structures*** of any kind shall be ***erected*** in the Environmental Protection (EP) Zone.

5.16.4 Exception Zones

5.17 NATURAL RESOURCES (NR) ZONE

5.17.1 Permitted Uses

- Agricultural Use
- Camp (See Section 4.6)
- Conservation Use
- Forestry
- Mineral Exploration
- Existing Residential Uses
- Sawmill
- Existing Tourist Commercial Establishments
- Accessory uses, buildings and structures to the foregoing permitted uses (See Section 4.1 Accessory Uses, Section 4.2 Accessory Residential Uses, Section 4.15 Home Based Businesses)

5.17.2 Zone Requirements

(a) Camps

- Minimum Lot Area..... 5 ha (12.35 ac)
- Minimum Yard Requirements
- All Yards 15 m (161.42 ft.)

(b) Agricultural Use, Sawmill

- Minimum Lot Area..... 1 ha (2.47 ac)
- Minimum Lot Frontage 60 m (196.85 ft.)
- Minimum Yard Requirements – Main Building
- Front Yard 10 m (32.81 ft.)
 - Rear Yard 15 m (49.21 ft.)
 - Interior Side Yard 15 m (32.81 ft.)
 - Exterior Side Yard..... 15 m (49.21 ft.)
- Maximum Building Height
- Main Building..... 12 m (39.37 ft.)
 - Accessory Building 8 m (26.25 ft.)
- Maximum Lot Coverage
- Main Building..... 5%
 - Accessory Uses, Buildings and Structures 2%
- Maximum Number of Dwelling Units per Lot 1

(c) **All Other Uses**

Minimum Yard Requirements – All Buildings

- All Yards5 m (16.4 ft.)

5.17.3 Additional Provisions

- (a) Notwithstanding Section 5.17.2, reconstruction of existing residential uses in the Natural Resources (NR) Zone shall be subject to the zone requirements of Section 5.7 of this By-law (Recreational Residential (R4) Zone Requirements).
- (b) Notwithstanding Section 5.17.2, reconstruction of existing tourist commercial establishments in the Natural Resources (NR) Zone shall be subject to the zone requirements of Section 5.11 of this By-law (Recreational Commercial (RC) Zone Requirements).
- (c) A **camp** shall be permitted as the main **use** or as an **accessory use** of a **lot** in the Natural Resources (NR) Zone.
- (d) **Accessory uses, buildings and structures**, accessory residential uses, bed and breakfast establishment, **fences**, parking, street frontage, special separation distances, camp provisions, water supply and sewage disposal and other general provisions shall be in accordance with Section 4 of this By-law.

5.17.4 Exception Zones

5.18 MINERAL MINING (MM) ZONE

No person shall **use** any land or **erect, alter** or use any **building** or **structure** in the Mineral Mining (MM) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.18.1 Permitted Uses

- Agricultural Use
- Conservation Use
- Forestry
- Mineral Exploration
- Mineral Mining Operation
- Public Use (*See Section 4.26*)
- Accessory uses, buildings and structures to the foregoing permitted uses (*See Section 4.1*)

5.18.2 Zone Requirements

All Buildings and Structures
All Yards (means the setback on all sides).....10 m (32.81 ft.)

5.18.3 Additional Provisions

- (a) **Accessory uses, buildings and structures**, special separation distances (Section 4.29 (b) and (l), parking, street frontage and other general provisions shall be in accordance with Section 4 of this By-law.

5.18.4 Exception Zones