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# Municipality of Otter Lake

- Zoning By-law -

Number 032-05-2003

P . U . R . E

Planning . Urbanism . Rural . Environment .

Planning Consultant

*C'est une copie certifiée par  
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## TABLE OF CONTENTS

<b>1</b>	<b>DECLARATORY AND INTERPRETATIVE DISPOSITIONS</b>	<b>6</b>
1.1	TITLE OF THE BY-LAW	6
1.2	OBJECTIVES	6
1.3	SUBJECTED TERRITORY	6
1.4	REPLACED BY-LAW	7
1.5	SCOPE OF THE BY-LAW	7
1.6	MODALITY OF AMENDMENT	7
1.7	DIVISION OF THE TERRITORY FOR VOTING PURPOSES	7
1.8	APPENDIX DOCUMENTS	7
<b>2</b>	<b>DISPOSITIONS RELATIVE TO THE ZONING PLAN</b>	<b>8</b>
2.1	DIVISION OF THE TERRITORY	8
2.1.1	Identification of the zones	8
2.1.2	Interpretation rules of the Zoning Plan	8
2.1.3	Interpretation rules of the zone boundaries	9
2.2	SPECIFICATIONS GRID	10
2.2.1	Interpretation rules of the Specifications Grid	10
2.2.2	Site Plan Standards	10
<b>3</b>	<b>GROUPS AND USE CATEGORIES</b>	<b>11</b>
3.1	GENERAL RULES	12
3.2	THE RESIDENTIAL USE GROUP	12
3.2.1	Residential Category R1 - 1 housing unit	12
3.2.2	Residential Category R2 - 2 to 8 housing units	13
3.2.3	Residential Category RM - Mobile home	13
3.3	THE COMMERCIAL USE GROUP	13
3.3.1	Commercial Category C1 - Commercial professional services and retail sales	13
3.3.2	Commercial Category C2 - Commercial recreo-tourism, arts and crafts and cottage activities	14
3.3.3	Commercial Category C3 - Commercial Heavy trade	15
3.3.4	Commercial Category C4 - Commercial recycling of automobiles	15
3.3.5	Commercial Category C5 - Commercial entertainment premises	16
3.3.6	Commercial Category C6 - Camping ground	16

<b>3.4</b>	<b>THE COMMUNITY USE GROUP</b>	<b>16</b>
3.4.1	Community Category COM 1- Recreation spaces and equipment, community installations, cultural and of services	16
<b>3.5</b>	<b>PUBLIC USE GROUP</b>	<b>17</b>
3.5.1	Public Category P – Public or private infrastructure, this category includes the public uses relating to public services.	17
<b>3.6</b>	<b>INDUSTRIAL GROUP USE</b>	<b>17</b>
3.6.1	Industrial Category I1 - Industrial light and manufacturing	17
<b>3.7</b>	<b>EXTRACTION USE GROUP</b>	<b>18</b>
3.7.1	Extraction Category EX	18
<b>3.8</b>	<b>AGRICULTURAL USE GROUP</b>	<b>18</b>
3.8.1	Agricultural Category A	18
<b>3.9</b>	<b>COMPLEMENTARY USES</b>	<b>19</b>
3.9.1	General rules	19
3.9.2	Residential complementary use	19
3.9.3	Complementary use – Bed and Breakfast	21
3.9.4	Complementary use - Industrial and manufacturing	21
3.9.5	Complementary use - Agriculture	21
<b>4</b>	<b>REGULATORY DISPOSITIONS</b>	<b>22</b>
<b>4.1</b>	<b>THE MAIN RESIDENTIAL BUILDING</b>	<b>22</b>
4.1.1	General rules	22
4.1.2	The minimum surface area	22
4.1.3	The minimum frontage	22
4.1.4	The height	22
4.1.5	Setback margins	22
4.1.6	Restrictions to housing	23
<b>4.2</b>	<b>THE MAIN NON-RESIDENTIAL BUILDING</b>	<b>23</b>
4.2.1	General rules	23
4.2.2	The height	23
4.2.3	The setback margins	23
4.2.4	Within the zones permitting the agriculture use group	23
<b>4.3</b>	<b>THE SECONDARY BUILDING</b>	<b>24</b>
4.3.1	General rules	24
4.3.2	Maximum surface area	24
4.3.3	Maximum height	24
4.3.4	The margins	24
4.3.5	Other standards	25
4.3.6	Temporary car shelter	25
4.3.7	Secondary building not requiring a building permit	25
<b>4.4</b>	<b>THE MARGINS</b>	<b>25</b>
4.4.1	General rules	26
4.4.2	Setback margins along Routes 301 and 303, except Otter Lake	26
4.4.3	Site plan along a high voltage electricity transportation line	27

4.4.4	Properties along non conforming roads and servitudes	27
4.4.5	Individuality of the margins	27
4.4.6	Permitted uses within the margins	27
4.4.7	Corner property (visibility triangle)	28
<b>4.5</b>	<b>SELF-SUPPORTING STRUCTURES AND ANTENNAS</b>	<b>29</b>
4.5.1	Structures and/or dangerous antennas	29
<b>4.6</b>	<b>THE TREES</b>	<b>29</b>
4.6.1	Special provisions for residential properties	29
4.6.2	Public right-of-way	29
4.6.3	On public land	29
4.6.4	On private land	29
4.6.5	PROVISIONS CONCERNING THE PRESERVATION AND FELLING OF TREES IN THE FORESTRY, AGRICULTURAL, AGRO-FORESTRY AND RECREATIONAL LAND USE DESIGNATIONS	30
4.6.6	Provisions concerning the felling of trees on private land	30
4.6.7	Obtaining a certificate of authorisation related to the felling of trees	30
4.6.8	Intolerant stands : coniferous stands (except white pine, hemlock and cedar), intolerant hardwood stands (poplar stands and white birch stands), mixed stands with coniferous dominance and mixed stands with intolerant hardwood dominance	30
4.6.9	Tolerant stands : white pine stands, hemlock stands, cedar stands, tolerant hardwood stands and mixed stands with tolerant hardwood dominance	31
4.6.10	Provisions applicable to all types of stands	33
4.6.11	Provisions concerning the preservation of the forest cover along public traffic lanes	35
4.6.12	Provisions concerning the preservation of the forest cover along drinking water supply sources, sludge disposal sites and waste disposal sites	35
4.6.13	Special provisions concerning piling and bucking areas	35
4.6.14	Special provisions on building plots	35
4.6.15	Exceptions and exemptions	36
4.6.16	General provisions concerning the transportation of wood	36
<b>4.7</b>	<b>FENCES</b>	<b>37</b>
4.7.1	General rules	37
4.7.2	Materials	37
4.7.3	Prohibited materials	37
4.7.4	Barbed wire fence	37
4.7.5	Height of fences, walls	37
4.7.6	Provisions specifically applicable to the Use Category C4 (from a vehicle and used vehicle parts storage area)	38
4.7.7	Height in the visibility triangle	38
4.7.8	Fences, walls, hedges on public property	38
<b>4.8</b>	<b>THE BUFFER ZONES</b>	<b>38</b>
4.8.1	General rules	38
4.8.2	Composition of a buffer zone	38
<b>4.9</b>	<b>PARKING</b>	<b>39</b>
4.9.1	General rules	39
4.9.2	Minimum number of parking spaces required	39
4.9.3	Residential use	40
4.9.4	Commercial and services use	40
4.9.5	Public use	41

4.9.6	Change of use	41
4.9.7	Location of parking areas	41
4.9.8	Dimensions of parking spaces	42
4.9.9	Dimensions of the access lanes	42
4.9.10	Driveway entrances for a use other than residential	42
4.9.11	Development Plan of parking areas	42
4.9.12	Loading areas	42
<b>4.10</b>	<b>SIGNAGE</b>	<b>43</b>
4.10.1	General rules	43
4.10.2	Site location of a sign	43
4.10.3	Maximum height of a sign	43
4.10.4	Illumination of a sign	43
4.10.5	Maintenance of the signs	44
4.10.6	Derogatory signs	44
4.10.7	Other conditions and restrictions	44
4.10.8	Obligation to obtain a sign permit	44
4.10.9	Signs authorized without a Sign Permit	44
<b>4.11</b>	<b>LANDSLIDE ZONES</b>	<b>45</b>
4.11.1	Identification	45
4.11.2	Special conditions relating to the issue of a building permit in the landslide zones	46
<b>4.12</b>	<b>PROVISIONS CONCERNING ACTIONS TAKEN ON THE EDGE OF LAKES AND WATERCOURSES</b>	<b>47</b>
4.12.1	General Rules:	47
4.12.2	Obligation to obtain a municipal permit	47
4.12.3	Measures specific to shores	48
4.12.4	Measures specific to the littoral	51
4.12.5	Wharves and boat shelters bordering public watercourses - Occupation Lease from MEF (Ministère de l'Environnement et de la Faune du Québec)	51
4.12.6	Definitions specially applicable to article 4.12 and the followings	51
4.12.7	Rivers, lakes and watercourses	52
<b>4.13</b>	<b>SPECIAL PROVISIONS CONCERNING AGRICULTURAL ACTIVITIES</b>	<b>53</b>
4.13.1	Separating distances relating to breeding operations	53
4.13.2	Parameter A, which is the number of animal units	54
4.13.8	Parameter G, which is the usage factor	61
4.13.9	Acquired rights	61
4.13.10	Separating distances relating to storage premises for farm manure located at more than 150 metres from a breeding farm	62
4.13.11	Separating distances relating to the spreading of farm fertilizers	63
4.13.12	Reciprocity principle and distance standards	64
4.13.13	Minimum distance for operating a kennel	64
<b>5</b>	<b>SPECIAL CASES</b>	<b>65</b>
<b>5.1</b>	<b>SERVICE STATIONS AND GAS BAR</b>	<b>65</b>
5.1.1	General rules	65
5.1.2	Site plan location standards	65
5.1.3	Gas Pumps	65

5.1.4	Prohibited Uses	65
5.1.5	Property Access	66
5.1.6	Signage	66
<b>5.2</b>	<b>FAST-FOOD RESTAURANT AND SNACK BARS</b>	<b>66</b>
5.2.1	General Rules	66
5.2.2	Drive-thru	66
5.2.3	Secondary building	66
<b>5.3</b>	<b>CAFÉ (S)</b>	<b>66</b>
5.3.1	General Rules	66
5.3.2	Expert's Report – when there is an increase in business and/or turnover-	66
5.3.3	Location	67
<b>5.4</b>	<b>STANDARDS SPECIFIC TO A VEHICLE RECYCLING USE</b>	<b>67</b>
5.4.1	General Rules	67
5.4.2	The minimal margins	67
5.4.3	Erection of Fences	67
5.4.4	Ban on cutting existing trees within the lateral and rear margins	68
5.4.5	Buffer Zone	68
<b>5.5</b>	<b>PARTICULAR PROVISIONS APPLICABLE TO MOBILE HOMES</b>	<b>68</b>
5.5.1	Outdoor finish material for hall entrances or mobile homes extensions	68
5.5.2	Closure of the underside of a mobile home	68
<b>5.6</b>	<b>STANDARDS APPLICABLE TO CAMPING GROUNDS</b>	<b>69</b>
5.7.1	Sanitary Services – minimal requirements	69
5.7.2	Other Standards Specific to the C6 Category	70
<b>6</b>	<b>DEROGATORY BUILDING AND USES</b>	<b>72</b>
<b>6.1</b>	<b>DEROGATORY BUILDING</b>	<b>72</b>
6.1.1	Definition	72
6.1.2	Demolishing a derogatory building	72
6.1.3	Modification or expansion of a derogatory building	72
6.1.4	Modification or expansion of a derogatory main building within the minimal setback of 15 metre from the high water line	72
<b>6.2</b>	<b>DEROGATORY USES</b>	<b>73</b>
6.2.1	Definition	73
6.2.2	Change in use	73
6.2.3	Extension or expansion of a derogatory use	73
6.2.4	Interruption or withdrawal of a derogatory use	73
<b>7</b>	<b>BRINGING IN FORCE</b>	<b>74</b>
<b>8</b>	<b>SPECIFICATIONS GRID</b>	<b>75</b>

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# **1 DECLARATORY AND INTERPRETATIVE DISPOSITIONS**

## **1.1 TITLE OF THE BY-LAW**

The present By-law is known as "Zoning By-law number 032-05-2003" of the Municipality of Otter Lake. The interpretation and administration rules of the Planning By-laws regulating the present By-law are found in the By-law known as: "By-law for the Administration and Interpretation of the Planning By-laws number 031-05-2003".

## **1.2 OBJECTIVES**

The main reason for the existence of this Zoning By-law is to implement the By-law known as: "Master Plan By-law number 030-05-2003".

For the purpose of regulating the structure in which are interrelated the activities of the population that resides or frequents the Municipality, the present By-law stipulates the measures that encourage the desirable evolution of the establishments and the different interventions, by determining the principles of their location and the conditions specific to their construction and site plan.

In short, the purpose of the Zoning By-law is to promote and ensure quality of life:

By controlling the uses and the occupation densities, thus enabling a better planning of a network of infrastructures and public equipments, that are used at their full potential and that are therefore socially and economically profitable.

By easing the regrouping of homogeneous use categories and by permitting a diversity of uses when this is deemed desirable for the well being of the people of Otter Lake;

By banning the uses that could hinder the development of the homogeneous regroupings and the preservation of the existing homogeneous regroupings;

By consolidating the infrastructures and the existing buildings;

By aiming in the long term to reduce the incompatible uses with the neighboring uses.

## **1.3 SUBJECTED TERRITORY**

The present By-law, of which the provisions are imposed to individuals as well as to legal persons of public right or of private right, applies to the entire territory under the jurisdiction of the Municipality of Otter Lake.

## **1.4 REPLACED BY-LAW**

The Zoning By-law of the Municipality of Otter Lake, designated as number 136-002, its amendments and the plans which are included, are abrogated and replaced by the present By-law: Zoning By-law number 032-05-2003.

Are also abrogated, all other regulatory provisions incompatible with the present By-law. Such replacements do not however affect procedures instituted under the authority of the By-laws hereby replaced, of which will proceed under the authority of the said replaced By-laws until final judgment and execution. Also, they do not affect the permits delivered under the authority of the By-laws hereby replaced.

## **1.5 SCOPE OF THE BY-LAW**

The present By-law applies to the use, the occupation, the amendment to use or the amendment to occupation, in whole or in part, of a property, a lot, a construction or a building.

Certain provisions of the present By-law apply moreover to the construction, the reconstruction, the expansion, and the construction of an addition, the modification or the repair of a construction or of a building.

## **1.6 MODALITY OF AMENDMENT**

The provisions of this By-law cannot be adopted, modified or abrogated but by an approved By-law, in accordance with the applicable provisions of the Provincial Planning Act. (Refer to: By-law for the Administration and Interpretation of the Planning By-laws, number 031-05-2003)

## **1.7 DIVISION OF THE TERRITORY FOR VOTING PURPOSES**

All of the territory is divided into zones. A specific code and a distinct number identify these zones. When an amendment request to the Zoning By-law is presented to the population concerned, each zone constitutes a voting unit, this is in accordance with the provisions of the Provincial Planning Act.

## **1.8 APPENDIX DOCUMENTS**

Form an integral part of the Planning By-laws, for all legal purposes, the following documents:

The Zoning Plan - Municipality of Otter Lake, number: PZ-01-03 and PZ-02-03, prepared by P.U.R.E., Planning Consultant and Guy Tellier of The Pontiac MRC, including the cartographic information provided by the Pontiac MRC;

There is no plan showing Landslide;

The tables, the graphs, the symbols and all of the documents included in the present By-law;

The Specifications grid.



## **2 DISPOSITIONS RELATIVE TO THE ZONING PLAN**

### **2.1 DIVISION OF THE TERRITORY**

For the purpose of regulating the uses and the constructions that are permitted on its territory, the Zoning plan, number PZ-01-03 and Pz-02-03, shows the division of the territory in zones, which are identified by a specific code and a distinct number corresponding on this Zoning plan.

#### **2.1.1 Identification of the zones**

To ease the process of locating the zones, they have been determined with the following numbering method:

The numbers 101 to 200 from east to west designates the zones located outside of the center-village Otter Lake;

The numbers 1 to 100 from east to west designates the zones located within the center-village Otter Lake.

#### **2.1.2 Interpretation rules of the Zoning Plan**

The Zoning Plan shows the division of the municipal territory in zones. A distinct number identifies each of the zones.

For each of the zones, the use categories permitted are indicated on the Zoning Plan and the Specifications Grid.

When the boundaries do not coincide or do not seem to coincide with the designations enumerated at Article 2.1.3.1, the delimitation of the zones indicated on the Zoning Plan, will constitute the reference applicable in such circumstances. In no case, shall the depth of these zones be inferior to the minimal depth required for a lot as requested under the Planning By-laws.

Note: The minimal depth is determined by the minimal surface area divided by the existing frontage (on the condition that this frontage respects at a minimum, the minimal frontage requested by the grid).

Until such time the Zoning Plan is modified by an amendment, the zones, having as boundaries proposed public roads, will maintain these boundaries, even if the location of the roads are found to be modified by the approval of a subdivision plan.

Until such time the Zoning Plan is modified by an amendment officially in effect, any zone having for boundaries a water course or a body of water, will maintain these same boundaries, even if the location of this watercourse or this body of water is found to be modified.

### **2.1.3 Interpretation rules of the zone boundaries**

On the Zoning Plan, the delimitation of the zones is done using black lines, for which the descriptions are indicated at the legend of the plan. When no measures are indicated, the distances are taken using the scale of the plan. Should there be a question about the exact location of these boundaries, the following rules apply:

#### **2.1.3.1 General rules**

The boundaries are generally determined following these designations:

- The right-of-way or the extension of existing roads or streets, expropriated, official or proposed.
- The boundary or the center of watercourses.
- The cadastre lines or their extension (often the case in an agricultural zone).
- The boundaries of the Municipality.
- The property boundaries or their extension.
- In some cases, the boundaries of the depth or of the width of the zone are indicated in metres, within this zone.

Note: The Zoning Plan is drawn from a numerical format, which makes the enlargement of a zone very easy; therefore the zone boundaries become very precise.

#### **2.1.3.2 Modification of the information elements**

Certain information elements having an incidence on the Zoning Plan, such as updates of the "graphic map / matrice graphique", hydroelectric servitudes or others that could cause lines of the original lots to be modified can be corrected or updated, without these corrections or updates requiring an amendment to the Zoning Plan as well as the present By-law.

## **2.2 SPECIFICATIONS GRID**

The Specifications Grid brings precision to the groups and the use categories authorized within each of the zones. It also indicates the standards specific to the construction and site plan of buildings as well as the explanations concerning certain provisions applicable to a specific zone. Should there be a contradiction, the information and standards contained in the text of the Planning By-law will have precedence on those of the Specifications Grid.

### **2.2.1 Interpretation rules of the Specifications Grid**

The interpretation of the uses indicated in the Specifications Grid must be made by taking into consideration the following elements:

Within the Specifications Grid, using symbols, under each column representing a zone identified by its number; identifies the use categories authorized.

The use categories authorized are regrouped by group uses.

The detailed definition of each of the authorized uses within each use category is indicated in Chapter 3 of the present By-law.

### **2.2.2. Site Plan Standards**

The front setback margins, the lateral and rear margins are expressed in metres.

#### **2.2.2.1 Special dispositions**

The Specifications Grid also indicates the special provisions that could be applicable to the respect of setback margins along watercourses, main routes, landslide zones, buffer zones, etc.

### 3 GROUPS AND USE CATEGORIES

Each use group includes one or more homogeneous use category authorized within this group.

USE GROUP	USE CATEGORY	CODE
Residential	<ul style="list-style-type: none"> <li>- 1 housing unit</li> <li>- 2 to 8 housing units</li> <li>- Mobile home</li> </ul>	<u>R1</u> <u>R2</u> <u>RM</u>
Commercial	<ul style="list-style-type: none"> <li>- Commercial professional, services and retail sales</li> <li>- Commercial recreo-tourism and arts and crafts</li> <li>- Commercial heavy trade</li> <li>- Commercial – recycling of automobiles</li> <li>- Commercial – entertainment premises</li> <li>- Commercial – Camping ground</li> </ul>	<u>C1</u> <u>C2</u> <u>C3</u> <u>C4</u> <u>C5</u> <u>C6</u>
Community	<ul style="list-style-type: none"> <li>- Installations for recreation, community, cultural and of services</li> </ul>	<u>COM1</u>
Public	<ul style="list-style-type: none"> <li>- Public infrastructures</li> </ul>	<u>P</u>
Extraction	<ul style="list-style-type: none"> <li>- Extraction</li> </ul>	<u>EX</u>
Agriculture	<ul style="list-style-type: none"> <li>- Agriculture</li> </ul>	<u>A</u>
Industrial	<ul style="list-style-type: none"> <li>- Light Industrial and manufacturing</li> </ul>	<u>I1</u>

Otter Lake as identified on the Zoning Plan, indicates the Center-village area of the Municipality, but does not represent a legal zone in terms of the present By-law.

### 3.1 GENERAL RULES

For the purpose of this present By-law, the use categories have been determined by taking into consideration their degree of compatibility, their physical characteristics, their degree of interdependence and their impact on public safety and the concerned area.

When a use does not appear specifically as an example, in a use category, this use will be categorized in the use categories that the definition is the closest to.

### 3.2 THE RESIDENTIAL USE GROUP

In the residential group, are united by use category the dwellings related by their volumes and the density they represent.

#### 3.2.1 Residential Category R1 - 1 housing unit

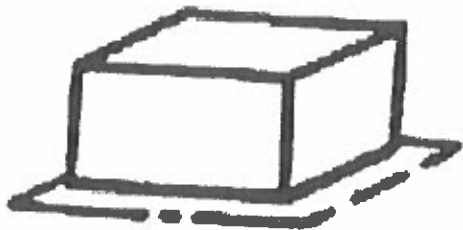
This category includes all single-family dwellings of one (1) housing unit.

Building including one housing unit and destined to lodge one household.

Single-family dwelling: Single family dwelling non-adjacent and not forming part of another dwelling.

In a single-family dwelling an additional housing unit is permitted.

It must occupy 25% or less of the floor surface area of the building in which it is located - or -  
if the additional housing unit is located in the basement, it can occupy the total floor surface area even if the percentage of this occupation is superior to 25% - or -  
if the calculation of the 25% is inferior to 500 square feet, this minimum could always be increased to 500 square feet.



### **3.2.2 Residential Category R2 – 2 to 8 housing units**

This use category includes the Use Category R1 and all type of housing units of 2 to 8 units.

### **3.2.3 Residential Category RM – Mobile home**

This category includes dwellings such as a mobile home. On the territory of the Municipality, a building such as a mobile home must be used exclusively to provide a permanent residence. The definition of a mobile home is specified in the By-law for the Administration and Interpretation of the Planning By-laws number 031-05-2003.

## **3.3 THE COMMERCIAL USE GROUP**

Under each Commercial use Group, are assembled by category the commercial functions related by their nature, their incidence, and the use of the lots, the construction and the occupation of the buildings.

Each of the commercial categories includes the uses and the establishments mentioned in the list (to be used as a guideline) pertaining to each category.

### **3.3.1 Commercial Category C1 – Commercial professional services and retail sales**

This category includes the uses related to professional activities, of administration, of accounting, of retail sale or of personal services, financial and administrative, where all of the operations are generally made within a building. However, permanent exterior storage is permitted. The commercial use category C1 is included within this category.

As a guideline, are included in this category the following professional or sales activities:

- Administrative office of a broker, entrepreneur, promoter;
- Administrative, governmental, professional offices;
- Administrator of a professional or trade association;
- Architect, surveyor, lawyer, accountant, engineer, planner;
- Automobiles: rental and sale of new and used cars;
- Bank, Trustee Savings Bank;
- Bar;
- Beauty salon;
- Brasserie;
- Broker in real estate, stock and shares, insurance;
- Butcher shop;
- Caterers;
- Cheese factory;
- Confectionery;
- Day care for children;
- Delicatessen;
- Designer;

Doctor, dentist and other professionals related to the medical practice, excluding veterinary medicine;  
Driving school;  
Drugstore;  
Flooring;  
Florist;  
Funeral home;  
Gas station;  
Gas-Bar;  
Grocery;  
Hardware and gardening accessories;  
Hardware store;  
Health clinic;  
Jewelry store;  
Laundry and dry cleaning drop off counter;  
Laundry;  
Local commerce;  
Motel;  
Parking area;  
Pastry shop;  
Photographer;  
Postal counter;  
Printing and reproduction;  
Printing shop;  
Repairs of small household electric appliances;  
Restaurant;  
Sale of used vehicles.  
Smoke shop;  
Sport items;  
Tailors;  
Teacher;  
Variety store;  
Veterinary.

**3.3.2 Commercial Category C2 – Commercial recreo-tourism, arts and crafts and cottage activities**

This category includes the commercial recreo-tourism vocations. Exterior storage is permitted.

The uses of this category must be related or complementary to recreation, restaurant trade, arts and crafts or lodging.

As a guideline, are included in this category the following uses:

Antique shop;  
Arts and crafts shop;  
Bed and breakfast;  
Delicatessen;  
Golf;  
Inn;  
Outdoor Center;  
Outfitter;

Riding center;  
Ski center;  
Smoke shop;  
Sports shop;

### 3.3.3 Commercial Category C3 - Commercial Heavy trade

This category includes the extensive commercial uses generally requiring a lot with a large surface area and space for exterior storage.

This exterior storage must be located outside the back, front and lateral margins. When there is exterior storage, the person responsible for this exterior storage must establish a buffer zone according to the provisions of Article 4.8 and the following of the present By-law **or** he must build a fence with a minimal height of 2 metres respecting the provisions of Article 4.7 and the following of the present By-law.

As a guideline, are included in this category the following uses:

Automobiles: body and paint shop;  
Automobiles: car wash;  
Automobiles: mechanics;  
Automobiles: rental and sale of new and used vehicle;  
Automobiles: repair shop;  
Automobiles: sale of parts;  
Construction materials;  
Gas stations;  
Heavy and agricultural machinery;  
Motorcycles: sale, rental and repair;  
Pleasure boats: sale and repairs;  
Sale and rental of equipment and machinery.  
Sale of trailers;  
Snowmobiles: sale, rental and repair;  
Trucks: sale, repair and maintenance;  
Wholesale trade.

### 3.3.4 Commercial Category C4 - Commercial recycling of automobiles

This category includes the commercial uses having as a characteristic heavy density exterior storage. This exterior storage must be located outside the back, front and lateral margins. When there is exterior storage, the person responsible for this exterior storage must establish a buffer zone according to the provisions of Article 4.8 and the following of the present By-law and must build a fence with a height of 3 metres respecting the provisions of Article 4.7 and the following of the present By-law. The materials stored must never be visible from the exterior of the property; they must therefore be stored at a height of less than 3 metres. Also, the provisions of Article 5.4 and the following apply.

As a guideline, are included in this category the following uses:

Trade of scrap automobile parts;  
Trade of scrap automobiles;



Trade of recycling automobile parts;  
Trade of automobile graveyard;  
Scrap yard.

### **3.3.5 Commercial Category C5 – Commercial entertainment premises**

Are included in this category the establishments presenting entertainment of an erotic nature. Establishment (Recreational interior trade, restaurant trade, lodging trade or other establishment) where alcohol is generally sold and consumed and that presents nude dancer shows or other shows of an erotic nature.

### **3.3.6 Commercial Category C6 – Camping ground**

This use category includes camping grounds and the installations common to them.

## **3.4 THE COMMUNITY USE GROUP**

The community uses include at the same time spaces and buildings, public, para-public or private, where the activities are related to: civil order, culture, sport, recreation and administrative domains.

### **3.4.1 Community Category COM 1- Recreation spaces and equipment, community installations, cultural and of services**

As a guideline, are included in this category the following uses:

Arena;  
Bus Stop;  
Cemetery;  
Community building;  
Community establishment;  
Cult building;  
Daycare;  
Education establishment;  
Government administration;  
Green spaces;  
Housing for elderly people;  
Information booth;  
Library;  
Municipal administration;  
Museum;  
Open spaces;  
Parks;  
Playgrounds;  
Recreational complex;  
School;  
Sport and recreation equipment;  
Welcoming center;  
Youth center.

### **3.5 PUBLIC USE GROUP**

Under the public use group, are reunited all of the buildings and public spaces, para-public and private spaces, that have public services as a main vocation.

#### **3.5.1 Public Category P – Public or private infrastructure, this category includes the public uses relating to public services.**

As a guideline, are included in this category the following uses:

- Administrative, municipal, regional, provincial services, etc.;
- Aeration pond;
- Equipment depot site used for public security;
- Fire station;
- Hydro-Québec station;
- Municipal garage;
- Municipal garbage dump;
- Municipal work site;
- Police station;
- Public services center;
- Sludge treatment center;
- Sorting facility and enhancement of resources;
- Spreading site;
- Telephone exchange station;
- Wastewater treatment centre (septic waste).

### **3.6 INDUSTRIAL GROUP USE**

This group includes the manufacturing enterprises, the workshops, the work sites and the warehouses. This category includes the industrial use that does not have and impact neither on the neighborhood nor on the environment.

#### **3.6.1 Industrial Category I1 - Industrial light and manufacturing**

This category includes the activities of enterprises requiring space for the storage in bulk of raw materials for light industrial and craft industries. The majority of the operations need to be practice inside a building.

As a guideline, are included in this category the following uses:

- Crematorium;
- Construction enterprise;
- Enterprise specializing in civil engineering work or maintenance of roads;
- Laboratory;
- Manufacturing;
- Transformation;
- Sawmill.

### **3.7 EXTRACTION USE GROUP**

#### **3.7.1 Extraction Category EX**

This category includes the uses relating to extraction.

As a guideline, are included in this category the following uses:

Quarry;  
Sand pit.

In agricultural zones, all new quarries or sand pit must make an application to the Commission de la protection du territoire agricole du Québec (CPTAQ).

### **3.8 AGRICULTURAL USE GROUP**

This group includes all the activities and the uses that are permitted by the following law: Loi sur la protection du territoire agricole du Québec (LPTAQ).

#### **3.8.1 Agricultural Category A**

The agricultural use group includes the uses related to vegetable gardening, to forestry activities, as well as any other use relating to or concerning agriculture in general. Also, the use Category R1 is permitted. Every new dwelling needs to be attached to the agricultural main usage and does need to obtain an authorization from the CPTAQ. The conservation and interpretation of nature activities needs to be attached to the agricultural main use.

As a guideline, are included in this category the following uses:

Agricultural farm;  
Animal farm;  
Booth for selling products from the farm;  
Dairy farm;  
Display for the sale of products cultivated on site;  
Dwelling;  
Experimental and university farm;  
Farm for cultivation;  
Farm for cultivation (commercial) fruits and vegetables, grains and fodder;  
Farm specializing in horticulture;  
Farm with forestry exploitation;  
Fish farm;  
Forestry management  
Green houses;  
Institutional farm;  
Maple plantation (sugar bush);  
Mixed breeding farm;  
Nature conservation activities;

Nature interpretation activities;  
Nurseries;  
Pig farm;  
Plantation;  
Quarry existing in an agricultural zone;  
Sale of cattle and animals;  
Sylvicultures;  
Vegetable gardening.

However, any of the following uses, in the Agricultural Zone, must obtain the authorization of the C.P.T.A.Q. in order to implement these uses:

Commercial green houses;  
Commercial sugar bush cabin;  
Homemade sawmill;  
Kennel

### **3.9 COMPLEMENTARY USES**

The objectives:

Permitting people to use their residence more often as a place of work.  
Helps reduce the use of the automobile to go to work or for the consumption of a good or of a service.  
Encourage local employment in Otter Lake.

#### **3.9.1 General rules**

The complementary use is exercised on all of the territory of the Municipality of Otter Lake. Some complementary uses apply only to certain use groups permitted in this By-law.

The complementary use, in order to be authorized must meet **all** the requirements mentioned in Article 3.9 and subsequent articles. The complementary use is permitted in all of the zones where the use it complements is permitted.

Any person wishing to operate a complementary use is required to obtain an Certificate of Authorization for the use from the Municipality.

#### **3.9.2 Residential complementary use**

This type of complementary use must be located on a building comprising of a residential housing unit and must be compatible with its immediate neighborhood. Also, in order to obtain an Certificate of Authorization for the use the residential complementary use must be conforming to all of the following points:

- 1) The complementary use must be carried out from a main building, except when it is for a small appliance repair shop or the construction of arts and crafts objects, these could be made from a secondary building.
- 2) A maximum of two complementary uses are authorized per lot or per property.

- 3) Only the residents of the housing unit can exercise the complementary use, they can associate with an additional person.
- 4) A maximum of two additional parking spaces can be added.
- 5) The complementary use or its derivatives must not constitute a nuisance for the neighborhood because of the noise, the smells, the dust, the smoke, the lights, the vibrations and **most of all the traffic** or represent a danger for the residents of the neighborhood.
- 6) A maximum of 50 square metres is allocated per residential complementary use.
- 7) No display must be visible from the outside.
- 8) The building must preserve its residential architectural aspect.
- 9) The installation of a plaque, according to the provisions of the Articles 4.10.2 to 4.10.2.2 of the present By-law and having a maximum surface area of 17,556.5 square centimetres or 576 square inches (24"X24 ") is permitted. This plaque can be illuminated by a white light bulb, incandescent and continuous type.
- 10) The storage of materials or containers is not permitted outside of the buildings.
- 11) When the complementary use requested requires an increase in water consumption, the designated officer must confirm that the existing septic installation is capable of receiving this new use before the issuance of the conformity certificate or the designated officer can request this certification from a consultant.

As a guideline, are of the residential complementary use category:

Administrative office of a general contractor and/or specialized;  
Advertising service;  
Art Gallery;  
Artist's workshop exercising a trade in the arts;  
Beauty care;  
Cabinetmaker;  
Ceramist;  
Designer/decorator;  
Distributor without storage;  
Hairdressing salon;  
Home based daycare service;  
Office of a consultant specializing in management and trade;  
Painter;  
Photographer;  
Professional services (doctor, lawyer, engineer and consultants, misc.);  
Promoter;  
Repairer of small household appliances;  
Sculptor;  
Seamstress;  
Shoe repairer;  
Stylist;  
Tanning Salon;  
Tailor;  
Telemarketing office.

### **3.9.3 Complementary use – Bed and Breakfast**

For the purpose of the present By-law, a Bed and Breakfast is considered a house designed to receive, for a short stay, visitors in consideration of remuneration. It is mandatory to obtain an Certificate of Authorization for the use to operate a Bed and Breakfast.

The provisions of Article 3.9.2 must be respected, except for paragraph of sub-section 4 (their must be one parking space per available room) and 6.

A Bed and Breakfast may by operate within the agricultural zone, conditional to having received from the CPTAQ an authorization to operate it. A Bed and Breakfast at a farm by also by operated as long as this Bed and Breakfast does not constitute the main source of revenue for that farm.

### **3.9.4 Complementary use - Industrial and manufacturing**

Sales counter of merchandise fabricated, assembled or stored within or on the property where the dominant use is exercised.

A cafeteria is also permitted.

### **3.9.5 Complementary use - Agriculture**

The agriculture complementary use is permitted within the zones where the agriculture use group is permitted, as indicated on the Specifications Grid.

As a guideline, are of the agriculture complementary use category:

Counter or booth for the sale of agricultural products from a local farm;  
Fishing pond;  
Horseback riding;  
Warehouse shed, shelter for animals, silos or other buildings similar in nature.

All the above-mentioned usage needs to get an authorization from the C.P.T.A.Q. before being able to start any operations.

## **4 REGULATORY DISPOSITIONS**

### **4.1 THE MAIN RESIDENTIAL BUILDING**

The objective:

Establish precise provisions to improve the control over constructions.

#### **4.1.1 General rules**

The type of use permitted in a residential building for each of the zones of the territory of the Municipality is identified in the Specifications Grid. Within the zones exclusively permitting a use of a residential category, as indicated in the Specifications Grid, only one main residential building per lot is permitted.

#### **4.1.2 The minimum surface area**

The minimum ground surface area of a main residential building, of one story, is 37 square metres (400 square feet).

The minimum ground surface area of a main residential building having more than one story, is 66 square metres (720 square feet).

These provisions do not apply to the use category RM (mobile home).

#### **4.1.3 The minimum frontage**

The minimum frontage of a main residential building, of one story, is 7.3 metres (24 feet).

The minimum frontage of a main residential building, of more than one story, is 6 metres (20 feet).

#### **4.1.4 The height**

The maximum height permitted is 12 metres between the average ground level and the highest part of the roof assembly.

The minimum height permitted is 2.4 metres between the average ground level and the highest part of the roof assembly.

#### **4.1.5 Setback margins**

The minimum setback margins to be respected for the site placement of a main residential building are indicated by zones in the Specifications Grid.

#### **4.1.6 Restrictions to housing**

It is not permitted to use for permanent or temporary housing a secondary building, a private garage, a bus, a recreation vehicle, a tramway, a motor coach, or other object or vehicle of the same nature.

## **4.2 THE MAIN NON-RESIDENTIAL BUILDING**

The objectives:

Permit an improvement of the existing operations.  
Establish precise provisions in order to improve control over the constructions.  
Protect the value of the existing buildings.

#### **4.2.1 General rules**

The type of main building permitted is controlled by the permitted use for each of the zones of the territory of the Municipality. The permitted uses for each zone are identified in the Specifications Grid.

Two main buildings per lot are permitted when one of them is used for a use of the residential group and the other one for non-residential use.

For community uses and or public uses, more than one main building is permitted.

A minimal distance of 5 metres must separate the main buildings.

#### **4.2.2 The height**

A maximum height of 12 metres is permitted between the average ground level and the highest part of the roof assembly.

#### **4.2.3 The setback margins**

The minimum setback margins to respect for the site placement of a main non-residential building are indicated by zones in the Specifications Grid. These margins are determined generally by respecting the existing site plan of the built environment.

#### **4.2.4 Within the zones permitting the agriculture use group**

Within the zones permitting the agriculture use group, as indicated in the Specifications Grid, it is permitted to build more than one main building by respecting the provisions of the law named "*Loi sur la protection du territoire agricole du Québec*".

A minimal distance of 5 metres must separate the main buildings.



## **4.3 THE SECONDARY BUILDING**

The objectives:

Permit the construction of a building designed to store goods outside of the main building.  
This building must serve to use **goods that are complementary** to the use of the main building.

Permit the installation of a secondary building on a vacant lot.

### **4.3.1 General rules**

The secondary building can be detached or attached to the main building.  
All of the farm buildings are considered as secondary buildings.  
It is permitted to build a secondary building on a vacant lot for the enhancement and/or profitability of said vacant lot.

### **4.3.2 Maximum surface area**

On lots or properties where there exists a main building, a maximum surface area does not apply when it concerns the construction of a secondary building.

On lots or properties in an agricultural zone, where there exists a main building, a maximum surface area does not apply when it concerns farm buildings or for a use inherent to the exploitation of this farm.

On lots or properties, where there are no main buildings, a maximum surface area applicable to the construction of a secondary building is 11 m<sup>2</sup> (120 square feet).

### **4.3.3 Maximum height**

A maximum height of 12 metres is permitted measured from the average ground level. It is permitted to build a cellar or a basement under a detached secondary building.

### **4.3.4 The margins**

The lateral and rear margins to be respected for the site placement of a detached secondary building are a minimum of 2 metres respectively. For the attached secondary buildings, the front margin is the same as that of the main building, the whole as indicated, by zone, in the Specifications Grid.

In an agriculture zone the minimal separating distances of Article 4.13 and subsequent articles are applicable.

#### **4.3.5 Other standards**

Secondary buildings must be located on the same lot or property as the main building for which they are designated.

Except for the following two situations:

- 1) When the same person owns 2 adjacent lots, a secondary building could be built on the adjacent lot to the lot on which the main building is located. In this case, a maximum surface area does not apply.
- 2) When a lot or a property, with no main building, a maximum surface area applicable to the construction of a secondary building is of 11 m<sup>2</sup> (120 square feet).

Before issuing the building permit for a secondary building without surface area restrictions, a building permit authorizing the construction of a main building must be issued unless there already exists a main building on the lot or the subject property.

There is no restriction on the number of secondary buildings per lot or property.

The secondary buildings can be fitted with toilets and running water only when hooked up to a septic installation.

The provisions of the 3 preceding paragraph sub-sections, as well as articles 4.3.2 and 4.3.3 of the present By-law are not applicable in the case of a farm building, when these are located in a zone permitting the agriculture use group in the Zoning Plan.

#### **4.3.6 Temporary car shelter**

The temporary shelters and garages made of plastic materials are permitted between October 15 and April 15. The site placement is the same as secondary buildings.

#### **4.3.7 Secondary building not requiring a building permit**

It is not necessary to obtain an installation or building permit for a detached secondary building with a surface area inferior or equal to 4.5 m<sup>2</sup> (48 ft<sup>2</sup>).

### **4.4 THE MARGINS**

The objectives:

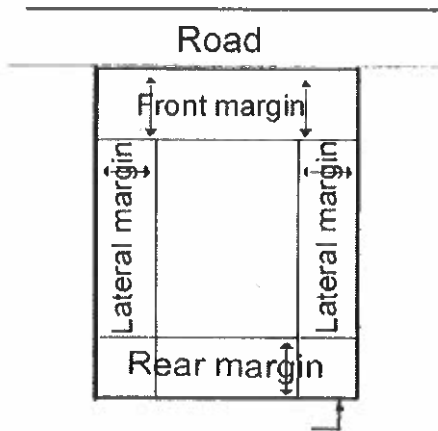
- Ensure spaces free of structures, constructions and buildings along the boundaries of the property.
- Protect the existing constructions and buildings.

#### 4.4.1 General rules

A margin is a space that must be kept free between the property lines and all buildings or all constructions.

The Specifications Grid indicates, for each zone, the prescribed distances for the front, rear and lateral margins (see drawing 4.4.1), this is consideration of the special provisions provided for in articles 4.4.2 to 4.4.6.

Drawing 4.4.1



#### 4.4.2 Setback margins along Routes 301 and 303, except Otter Lake

Along Routes 301 and 303, any new building must be built at a minimal distance of fifteen (15) metres from the right-of-way, except for the zone located within the Center-village of Otter Lake, designated as zone number 301 and 303 on the Zoning Plan, where the setback margins are reduced and shown on the Specifications Grid.

#### **4.4.3 Site plan along a high voltage electricity transportation line**

For any site placement **at less** than fifteen (15) metres from a high voltage electricity transportation line, before proceeding with the installation of any structure or development such as a pool, an artificial pond, a tree plantation, etc. or for any construction or erection of buildings, the applicant is required to obtain a written authorization from Hydro-Quebec before the Municipality, when it is required by the municipal by-law, can issue a permit for these interventions. Also, the other margins or other municipal regulatory provisions are applicable, should it be the case.

#### **4.4.4 Properties along non conforming roads and servitudes**

When non conforming roads or servitudes existed before the adoption date of the present By-law, the construction of new buildings or the extensions on adjacent properties, is permitted as long as the margins prescribed in the Specifications Grid and all other regulatory provisions are respected.

#### **4.4.5 Individuality of the margins**

Pertaining to the Planning By-laws, a margin is applicable to one lot only. As an exception, when a range line or an original lot line separates a property and that this property is designated by more than one distinct lot number, for the purpose of this present By-law, the margins are applicable to the exterior contour of the totality of this property (the lots).

#### **4.4.6 Permitted uses within the margins**

As an exception, are only permitted, the following structures and constructions within the front, lateral and rear margins, on the condition that these structures do not encroach by more than 50% in the margins prescribed in the Specifications Grid:

Awnings and canopies.

Chimneys more than two metres and forty centimetres (2.40 m) wide, flush to the building, and do not protrude more than sixty (60) cm;

Eaves and bay windows, not protruding by more than sixty (60) cm from the construction alignment;

Stairs leading to the ground floor, the basement and to the first floor;

Stoops, porches, decks, and balconies;

The dispositions of the visibility triangle, in accordance with the provisions of Article 4.4.7 and those relating to the shores of watercourses prevail over those of the present Article and must be respected.

#### 4.4.7 Corner property (visibility triangle)

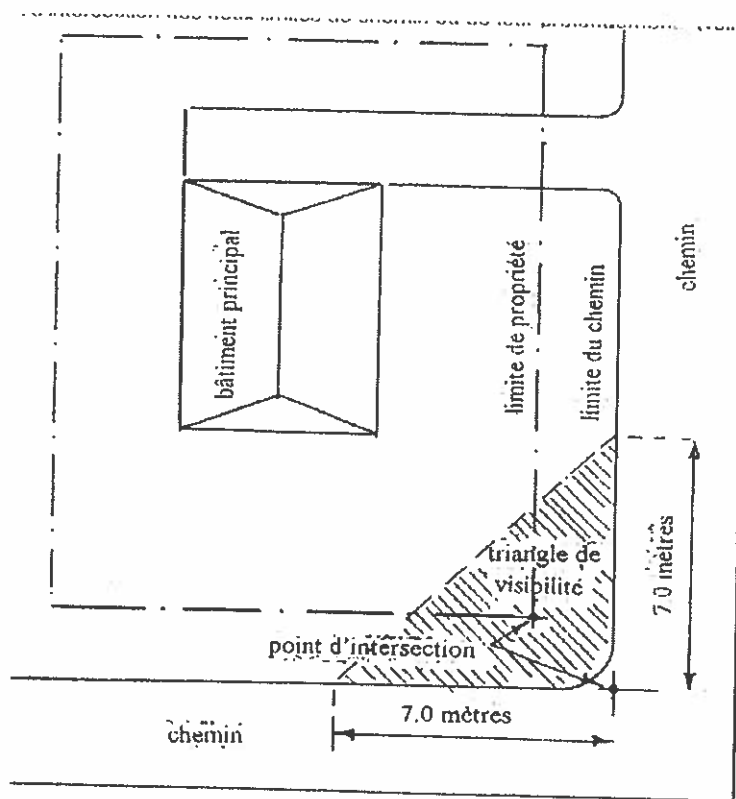
For corner properties, a visibility triangle exempt of any obstacle not exceeding seventy-five centimetres (75 cm) in height must be respected. No driveway entrance or parking area can be located within the visibility triangle. This triangle must have seven metres (7 m) on the side, calculated along the boundaries of the road, at the intersection of these roads. In the boundaries of the Centre-village of Otter Lake, the minimal distance required is reduced from 7 metres to 5 metres. The triangular area is measured from the intersection point of the two road boundaries or of their extension. The drawing 4.4.7, hereunder, illustrates this.

When a property is located at the intersection of many crossroads, as many visibility triangles are required as the amount of crossroads.

In the commercial zones, it is permitted to post signs within these triangular areas, on the condition these signs are conforming to the following requirements:

- The maximum surface area for a sign is 1.50 square metres.
- The post used for the base of the structure must not exceed six (6) inches in diameter and its height must not be inferior to two metres fifty (2.50 m).
- The sign must be installed at a height of at least 2.50 metres.
- The total structure (base, post and sign) must not exceed a height of six metres (6 m).

Drawing 4.4.7



## **4.5 SELF-SUPPORTING STRUCTURES AND ANTENNAS**

The following provisions are applicable to antennas, parabolic antennas, windmills and masts.

### **4.5.1 Structures and/or dangerous antennas**

To prevent any danger for public safety, the self-supporting structures and parabolic antennas must be maintained in good order, at all times. The designated officer of the Municipality can request that its owner immediately repair any structure deemed to be dangerous.

## **4.6 THE TREES**

The objectives:

Conservation of some green space in Otter Lake.  
Control forestry cutting in accordance with the requirements of the Pontiac MRC.

### **4.6.1 Special provisions for residential properties**

For any wooded plot already developed or on the way to be developed for residential purposes, at least one third of the stems of 10 centimetres or more, measured chest-high, must be preserved, on a strip within 2 metres from the lateral and rear property lines.

However, to ease the installation of a septic system, trees can be cut within this 2 metre strip.

They can also be cut if they are dead, sick or dangerous.

The provisions for this protection strip do not apply to zones within the Centre-village of Otter Lake.

### **4.6.2 Public right-of-way**

Forest management activities on public right-of-way must take into account the following provisions.

### **4.6.3 On public land**

Forestry management activities on public land are regulated by the Forestry Act and its operating regulations, of which the Regulation Respecting the Operation Standards in the Forests of the Public Domain (RNI).

### **4.6.4 On private land**

Forest management activities on private land must take into account the following provisions.

#### **4.6.5 PROVISIONS CONCERNING THE PRESERVATION AND FELLING OF TREES IN THE FORESTRY, AGRICULTURAL, AGRO-FORESTRY AND RECREATIONAL LAND USE DESIGNATIONS**

The following provisions are the result of the aim and objectives related to the forestry environment with respect to the sustainable development of the forestry resource, as well as those related to the preservation of the environment and landscapes included in the first part of the Revised Land Use Development Plan.

#### **4.6.6 Provisions concerning the felling of trees on private land**

The felling of trees on private land must take into account the following provisions. These provisions affect any individual or legal entity as well as any private person. No local municipality may withdraw from the enforcement of the following standards.

The responsibility to apply the provisions concerning the felling of trees on private land falls to the owner and to the operator of the bushlot where the harvest occurs.

Forests in the public domain are not subject to the following standards since the Regulation Respecting Standards of Intervention in Forests of Public Domain (RNI) provide therein provisions to that effect.

#### **4.6.7 Obtaining a certificate of authorisation related to the felling of trees**

The obtaining of a certificate of authorization related to the felling of trees is not mandatory for harvesting any volume of wood. However, after the first anniversary of the coming into force of municipal planning by-laws following their approval by the MRC Council, the obtaining of a certificate of authorization may be re-evaluated by the said council if abusive forest harvests and unplanned interventions are still made in private forests.

#### **4.6.8 Intolerant stands : coniferous stands (except white pine, hemlock and cedar), intolerant hardwood stands (poplar stands and white birch stands), mixed stands with coniferous dominance and mixed stands with intolerant hardwood dominance**

These stands include a majority of stems of species considered intolerant (better adapted to the sun) and, for this reason, these stands are therefore considered as intolerant stands.

A stand must cover a minimum surface area of 2 hectares (ha) to be considered as such.

For the purpose of the Revised Land Use Development Plan, the following species are, among others, considered as intolerant : poplars, white or paper birch, pines (except white pine), spruces, larch, balsam fir and all other softwoods with the exception of white pine, hemlock and cedar which are not, here, considered as intolerant species.

**Without** the official approval of the municipal inspector, only a harvest of stems meeting one of the following criteria is allowed within intolerant stands :

A\_\_\_ Uniform residual basal area of 16 m<sup>2</sup> ;

**Or**

B\_\_Uniform harvest, on a 20-year cutting cycle, of one-third of the stems of each of the commercial species with a diameter at stump height (DSH) of 16 cm and more ;

Or

C\_\_Uniform diameter limit cut based on a diameter at stump height (DSH) of 20 cm up to a maximum harvest of 35 % of stems.

In addition and according to the following criteria, the harvest by blocks in intolerant stands of all commercial stems of a diameter of 20 cm and more, at stump height, is allowed :

A maximum of **20 %** of the forested area of a lot in blocks not exceeding **4 ha** ;

Or

A maximum of **40 %** of the forested area of a lot in blocks not exceeding **2 ha**.

These blocks must be surrounded by a wooded strip of at least **60 m** where treatment A, B or C must be applied without gaps within these wooded strips.

A gap is defined as an area that does not have a uniform distribution of 500 stems of commercial species to the hectare (approximately 1 stem per 20 m<sup>2</sup> or every 4.5 m) with a diameter at stump height (DSH) of 16 cm or more and a height of more than 7 m.

Before proceeding with further harvesting in these wooded strips or by blocks in the intolerant stands of the lot, harvested blocks must meet one of the following criteria :

Uniform distribution of more than 1,500 stems of commercial species to the hectare (approximately 1 stem every 2.5 m) the height of which reaches more than 4 m ;

Or

Uniform distribution of at least 500 stems of commercial species to the hectare (approximately 1 stem per 20 m<sup>2</sup> or every 4.5 m) the height of which reaches more than 7 m ;

Or

Uniform distribution of at least 300 stems of commercial species to the hectare (approximately 1 stem per every 5.5 m) with a diameter at stump height (DSH) of 16 cm or more ;

Or

A period of 5 years has elapsed since the harvest.

#### **4.6.9 Tolerant stands : white pine stands, hemlock stands, cedar stands, tolerant hardwood stands and mixed stands with tolerant hardwood dominance**

These stands include a majority of stems of species considered tolerant (better adapted to the shade) or include more than 75 % of hardwoods in which the proportion of hardwoods considered



tolerant is bigger than the proportion of other hardwoods considered intolerant. For this reason, these stands are therefore considered as tolerant stands.

A stand must cover a minimum surface area of 2 hectares (ha) to be considered as such.

For the purpose of the Revised Land Use Development Plan, the following species are, among others, considered as tolerant : white pine, hemlock, cedar, maples, yellow birch, beech, basswood, black cherry, oaks, hickories, walnut, butternut, ash and elm.

Without the official approval of the municipal inspector, only a harvest of stems meeting one of the following criteria is allowed within tolerant stands :

A\_\_Uniform residual basal area of 16 m<sup>2</sup> ;

- Within tolerant stands, at least 60 % of the residual stems must be of tolerant commercial species ;

Or

B\_\_Uniform harvest, on a 20-year cutting cycle, of one-third of the stems of each of the commercial species with a diameter at stump height (DSH) of 16 cm and more ;

Or

C\_\_Uniform diameter limit cut based on a diameter at stump height (DSH) of 36 cm for white pine, oak and sugar maple, and of 26 cm for all other commercial species.

- If more than 70 % of the commercial stems in the stand have a DSH of 36 cm and more, the maximum harvest must not exceed 35 % of the stems.

In addition and according to the following criteria, the harvest by gaps in tolerant stands of all stems of a diameter at stump height (DSH) of 16 cm and more is allowed. A maximum of two (2) gaps to the hectare with a surface area not exceeding 400 m<sup>2</sup> each is allowed.

These gaps must be surrounded by a wooded strip of at least 25 m where treatment A, B or C must be applied without gaps within these wooded strips.

A gap is defined as an area that does not have a uniform distribution of 500 stems of commercial species to the hectare (approximately 1 stem per 20 m<sup>2</sup> or every 4.5 m) with a diameter at stump height (DSH) of 16 cm or more and a height of more than 7 m.

Before proceeding with further harvesting by gaps or in the surrounding wooded strips in the same cutover, harvested gaps must be regenerated. A gap is considered regenerated when it meets the following criteria :

Uniform distribution of 500 stems of commercial species to the hectare (approximately 1 stem per 20 m<sup>2</sup> or every 4.5 m) with a diameter at stump height (DSH) of 16 cm or more and a height of more than 7 m.

Gaps may not encroach on wooded strips along public traffic lanes, lakes and watercourses, and those surrounding gaps or blocks.

Bumper trees should be used along skid trails.

#### 4.6.10 Provisions applicable to all types of stands

##### Establishment of roads, piling and bucking areas

**Without** the official approval of the municipal inspector, the forested area to be bared for the establishment of roads and areas for piling and bucking necessary for forest harvest must not exceed 20 % of the total forested surface area of the lot.

Piling and bucking areas must be cleaned of any inorganic matter as soon as possible without however exceeding 6 months.

##### Tops of hills, slopes of more than 30 % and very humid or very dry sites

**Without** the official approval of the municipal inspector, on high ridges and crests or tops of hills, on slopes of more than 30% and in very humid or very dry sites, only a harvest of stems meeting one of the following criteria is allowed :

A\_\_ Uniform residual basal area of 16 m<sup>2</sup> ;

- Within tolerant stands, at least 60 % of the residual stems must be of tolerant commercial species of a diameter at stump height (DSH) of 16 cm and more.

**Or**

B\_\_ Uniform harvest, on a 20-year cutting cycle, of one-third of the stems of each of the commercial species with a diameter at stump height (DSH) of 16 cm and more ;

**Or**

C\_\_ Uniform diameter limit cut based on a diameter at stump height (DSH) of 36 cm for white pine, oak and sugar maple, and of 26 cm for all other species.

- If more than 70 % of the commercial stems in the stand have a DSH of 36 cm and more, the maximum harvest must not exceed 35 % of the stems.

No gaps are allowed.

- A gap is defined as an area that does not have a uniform distribution of at least 500 stems of commercial species to the hectare (approximately 1 stem per 20 m<sup>2</sup> or every 4.5 m) with a diameter at stump height (DSH) of 16 cm or more and a height of more than 7 m.

To prevent erosion, skid trails and roads should, as far as possible, not be parallel to the slope or run straight downhill for long stretches. There should be, at regular intervals, slight direction changes to channel most of the water, which falls on the rolling surface area, outside of it.

As much as possible, the harvesting of stands on thin or humid soils must be done when the soil is sufficiently frozen or in any other manner likely to support the operating machinery without producing ruts in excessive number and without scalping the soil or unduly compacting it.

Wooded strips along public traffic lanes, corridors, sites and territories of aesthetic interest, drinking water supply sources, sludge disposal sites and waste disposal sites

**Without** the official approval of the municipal inspector, within the wooded strips along public traffic lanes, corridors, sites and territories of aesthetic interest, drinking water supply sources, sludge disposal sites and waste disposal sites, only the harvesting, in accordance with the terms and conditions provided for in **Section 8.5.2** (tops of hills, slopes of more than 30 %, very humid or very dry sites) is allowed.

Piling and bucking areas are not allowed along the mentioned wooded strips or in the wooded strips surrounding gaps and blocks.

Special provisions concerning the protection of lakes and watercourses

Over and above the provisions concerning interventions along the shores of lakes and riverbanks and, **without** the official approval of the municipal inspector, the following provisions apply :

Along lakes and watercourse with permanent flow, a wooded strip of a minimum width of 30 metres measured from the high water line must be preserved ; only the harvesting of stems, in accordance with the terms and conditions provided for in **Section 8.5.2** (tops of hills, slopes of more than 30 %, very humid or very dry sites) is allowed ; movement of heavy machinery is forbidden within the first 20 metres from the high water line, except for the construction and maintenance of an access road to the lake or watercourse, and the erection of an equipment or infrastructure ;

Along watercourses with intermittent flow, a wooded strip of a minimum width of 10 metres must be preserved, measured from the high water line; only the harvesting of stems, in accordance with the terms and conditions provided for in **Section 8.5.2** (tops of hills, slopes of more than 30 %, very humid or very dry sites), is allowed ; movement of heavy machinery is forbidden therein, except for the construction and maintenance of an access road to the lake or watercourse and the erection of an equipment or infrastructure;

It is forbidden to divert or dig a watercourse, to encroach on a watercourse or a lake, to lower or raise the level of water of a lake, unless authorization is obtained from the local municipality, the regional county municipality or the Québec Ministry of Environment;

It is forbidden to dump earth, tree felling waste or any other matter in lakes and watercourses ; furthermore, it is forbidden to wash machinery within the wooded strip along lakes and watercourses, to dump oil therein, chemical products or any other polluting matter;

Trees must be felled in a way to avoid that they fall in lakes and watercourses ; when this situation occurs, lakes and watercourses must be cleaned and all debris from the operation must be removed as soon as possible ;

As far as possible, watercourse crossings must be built at right angle (90 degrees) with the watercourse ;

It is forbidden to use any watercourse as an access or skidding trail; **adequate** bridges, bridging or culverts allowing for the natural flow of water during peak flow must be installed each time a road or a skidding trail crosses a watercourse ; the installation of a bridge, of bridging or of a

culvert may not reduce by more than 20 % the width of the watercourse, measured at the natural high water line ; the final works must be stabilized and able to support the traffic without allowing sediment in the water, without eroding the shores and without affecting the present spawning grounds ; the diameter of culverts to be installed must be at least 45 cm or its **equivalent** and its extremities must protrude from the backfill without exceeding a distance of 30 cm.

Local municipalities are responsible to define the terms **adequate** and **equivalent** used in the previous paragraph. When the watercourse and the earth in the surroundings is frozen to a depth of more than 35 cm, the obligations mentioned in the previous paragraph do not apply.

#### **4.6.11 Provisions concerning the preservation of the forest cover along public traffic lanes**

A wooded strip of a minimum of 30 metres must be preserved along public traffic lanes. Only the harvesting of stems, in accordance with the terms and conditions provided for in **Section 8.5.2** (tops of hills, slopes of more than 30 %, very humid or very dry sites), is allowed.

#### **4.6.12 Provisions concerning the preservation of the forest cover along drinking water supply sources, sludge disposal sites and waste disposal sites**

A wooded strip of a minimum width of 30 metres must be preserved along water supply sources, sludge disposal sites and waste disposal sites. Only the harvesting of stems, in accordance with the terms and conditions provided for in **Section 8.5.2** (tops of hills, slopes of more than 30 %, very humid or very dry sites), is allowed.

The local municipality or the regional county municipality may enforce additional protection measures for its supply sources in order to limit the undermining of the quality of drinking water. Every lot owner must conform to these additional protection measures during the harvesting of ligneous matter.

#### **4.6.13 Special provisions concerning piling and bucking areas**

Piling and bucking areas must be cleaned of any inorganic matter as soon as possible after forestry operations without exceeding a time limit of six months ;

Piling and bucking areas may not encroach into the wooded strips along public traffic lanes, corridors, sites and territories of aesthetic interest, drinking water supply sources, sludge disposal sites and waste disposal sites ;

Notwithstanding the previous paragraph, piling and bucking areas may not encroach into the wooded strips along public traffic lanes, along lakes and watercourses or those surrounding gaps or blocks, **unless** having obtained the authorization of the local municipality which, taking into account the topography of the site, will establish the necessity.

#### **4.6.14 Special provisions on building plots**

For any wooded lot already built for residential purposes or about to be, at least one-third of the stems of a diameter of 16 centimetres and more measured at the height of the stump (DSH) must be preserved.

- When the plot is located along a lake or a watercourse, the wooded strip is not included in the one-third of stems rule ;
- This provision does not apply within urbanization perimeters, urban perimeters and local centres.

#### **4.6.15 Exceptions and exemptions**

The previous provisions do not apply within urban cores, intermediate centres and local centres identified in the Revised Land Use Development Plan since felling of trees within these agglomerations is governed by the planning by-laws of the local municipalities.

Stands affected in volume or quality by natural causes (wind-felled trees, fire, insect epidemic, diseases) may be exceptions to these rules and may be the subject of special intervention measures for the surface area affected. A silvicultural prescription signed by a forestry engineer member of the Québec Order of Forestry Engineers (OIFQ) for these special measures must be submitted to the local municipality. This prescription must also include measures for the return to production of the surface area affected.

For any exemption to the standards mentioned previously, it is necessary to submit to the local municipality a silvicultural prescription signed by a forestry engineer member of the Québec Order of Forestry Engineers (OIFQ) in which he explains the need to depart from the previous provisions and the terms and conditions of implementation of these special measures starting at the intervention up to the return to production of the surface area affected.

Felling of trees for the erection of a building or for any other use in conformity with the zoning by-law of the local municipality, for public purposes or for the maintenance of public right-of-ways, is not aimed at by this by-law.

A clearcut is allowed when it aims at allowing the use of the soil for purposes of agricultural production or development. To do this, the application for the certificate of authorization must be accompanied by a written evaluation prepared by an agronomist member of the Québec Order of Agronomists (OAQ) and the authorization of the local municipality with respect to the forestry land use designation.

Notwithstanding the preceding paragraphs, the municipal inspector may approve the location of access roads to the lot and of piling areas along public traffic lanes and of the conforming meanings that apply to the terms **adequate** and **equivalent** with respect to watercourse crossings.

#### **4.6.16 General provisions concerning the transportation of wood**

The owner of the lot and the forestry operator assume the responsibility incurred according to the regulations in force when damage due to wood harvesting occurs to a public traffic lane under the jurisdiction of a local municipality.

During the thaw period or during any other period of the year when the load capacity of the roads is weakened, the local municipality or the regional county municipality reserve the right to regulate the transportation of wood on all roads under their jurisdiction.

## **4.7 FENCES**

The objectives:

Permit lot owners enjoy their privacy.

Reduce the impact of an intervention on a neighboring property.

### **4.7.1 General rules**

In all of the zones, fences and walls are permitted within the front, rear and lateral margins on the conditions prescribed in the present By-law.

### **4.7.2 Materials**

Decorative fences made of metal, stone, brick or wood, hedges and walls are permitted.

Wood fences must be built with architectural materials, having been planed, painted, varnished or stained.

Metal fences must be ornamental, conceived and finished in a manner as to avoid any injury.

Snow fences are permitted from the fifteenth (15) of October to the fifteenth (15) of April of each year, except for the cases indicated at the following article.

### **4.7.3 Prohibited materials**

Fences built with chicken wire, snow fence, unpainted used tin or with any material of this nature are strictly prohibited. However, within a zone where the agriculture use group is permitted and on a property where farm installations exist, the installation of fences built with chicken wire, snow fence, barbed wire and electric fence is permitted.

### **4.7.4 Barbed wire fence**

The use of barbed wire is prohibited with exception to the following cases:

Fences built in an agricultural zone (CPTAQ) or on exploited farms.

### **4.7.5 Height of fences, walls**

The maximum height for fences and walls is two (2) metres.

Fences for tennis courts or for a special breeding farm, could exceed the maximum height of 2 metres.

Cedar hedges and other forms of vegetation do not constitute a fence.

The height of a fence or a wall must not create a dangerous situation when exiting a private entrance.

**4.7.6 Provisions specifically applicable to the Use Category C4 (from a vehicle and used vehicle parts storage area)**

During the exploitation of a use of the Use Category C4, the provisions of Article 5.5.3 must be applied.

**4.7.7 Height in the visibility triangle**

Within the boundaries of the visibility triangle, fences, walls or hedges must not, at any time, exceed a height of seventy-five (75) centimetres.

**4.7.8 Fences, walls, hedges on public property**

Any hedge, wall, fence or other similar accessory existing on the public property will be tolerated by the Municipality, but always at the owner's risks. The owner, at his expense, must do any relocation of these accessories that would be necessary to the performance of public utility work, after notice. If the owner refuses or neglects to do the required relocation work, the Municipality, at the owner's expense, could perform this work.

**4.8 THE BUFFER ZONES**

The objectives:

Protect the tranquility and the quality of life of the people settled in the adjacent residential zones.  
Permit the construction and site plan of industry or of manufacturing strategic areas by minimizing the impact in the residential zones.  
Isolate the industrial, extraction and heavy trade zones.

**4.8.1 General rules**

A buffer zone is required when issuing a permit for the construction of an industrial installation or upon issuing a Certificate of Authorization for use pertaining to industrial uses, heavy trade or exploitation for extraction purposes of a property. This buffer zone must be developed in accordance with the provisions mentioned in this article and the following, on the property where the industrial use, heavy trade or exploitation for extraction purposes is held. The owner of the property or of the property where the industrial use or the exploitation for extraction purposes will be done, must proceed with the work necessary to create a buffer zone and at his expense.

**4.8.2 Composition of a buffer zone**

A buffer zone is constituted of two (2) rows of trees planted in a checkered pattern, consisting of seventy-five percent (75%) of fir trees with a minimal height of three (3) metres at all times and must be alive and healthy at all times, with a maximum distance of 3 metres between each of the trees. The row of trees must constitute a continuous screen within three (3) years following the planting.

The spaces free of plantation must be grassed and maintained.

The buffer zones can be considered as part of the existing wooded area that must be preserved in whole, if this area constitutes the required percentage and forms an acceptable screen. Should this not be the case, the underbrush must be cleaned on all of the surface area of the buffer zone and replaced by the planting of trees.

The planting of trees must be completed before the expiry of the building permit.

## **4.9 PARKING**

The objectives:

Ensure that each of the uses exercised is provided with a sufficient number of off-street parking spaces providing for a safe access outside the road network.  
Ensure the best possible working road network.

### **4.9.1 General rules**

Any use must include a sufficient number of off-street parking spaces, as required by the present By-law. A building permit cannot be issued unless this requirement has been met beforehand, except within the boundaries of the Center-village of Otter Lake, where another alternative is possible.

This requirement is applicable to modification work or expansion of a use, to construction work of a new building as well as a change of use, in whole or in part, of an immovable.

The parking requirements established by this by-law have a continuous obligatory character. They prevail for as long as the uses remain in existence.

It is therefore illegal for the owner of a use subjected to the Planning By-laws to abolish, in any form, parking spaces prescribed by the present By-law. It is also illegal to use, without meeting the requirements of the present By-law, a building that due to a modification or of the subdivision of a property, no longer has the number of parking spaces required.

In the case of an expansion or an addition, only the expansion or the addition is subjected to the present standards.

### **4.9.2 Minimum number of parking spaces required**

The minimum number of parking spaces required under the type and the applicable group requirements, is prescribed at Articles 4.9.3 to 4.9.5.

When the result of the calculation to determine the minimum number of parking spaces required is a fraction number, the following rule applies. If the fraction is inferior to 0.5, the result is rounded down to the next whole number; if the fraction is equal or superior to 0.5, the result is rounded up to the next whole number.



The words "square metres" are to be interpreted as "square metres of floor area serving to a use".

The floor surface areas used to calculate the number of parking spaces required are the floor surface area of the building, measured from the exterior covering of the buildings. Also the surface areas affected to storage must be included.

When a building includes surface areas designated for different uses, such as a hotel including a restaurant for example, the parking spaces required for each of the intended uses are calculated in relation to each of the uses.

In the case of the Center-village of Otter Lake, specifically zone numbers 1 to 100 and the following, when the obligation to provide a minimum number of parking spaces is not sufficient due to the characteristics of the property on which the use will be established. The permit applicant can provide the Municipality with a written confirmation that he has obtained permission to use the number of parking spaces missing from his request on another property, this property must be located within a 500 metre radius of the property where the use will be established.

#### **4.9.3 Residential use**

All of the buildings, including a housing unit, must have at least one parking space per unit.

#### **4.9.4 Commercial and services use**

Offices, banks, retail sales, service shops or any other use that is not mentioned hereafter must provide a total minimum of two (2) parking spaces. When the floor surface area of this use is more than 50 m<sup>2</sup>, one (1) additional parking space must be provided for each twenty-five square metres (25 m<sup>2</sup>) of floor surface area.

Hotels and motels, cabins and camping areas must provide one (1) parking space per cabin, room or apartment, plus an additional one (1) space for each twenty (20) square metres of floor surface area that is used by the public.

Theatres, arenas, halls, clubs, recreational establishments and other assembly areas must provide one (1) parking space for each five (5) seats or three (3) metres of bench space, when there is no fixed seating.

Restaurants, bars, taverns, night clubs and dining rooms must provide one (1) parking space per every three (3) seats or one (1) space for each ten (10) square metres of floor surface area, the formula requiring the highest number of parking spaces must be retained.

Industrial uses, wholesale, storage, wood yards and repair workshops must provide one (1) parking space for each seventy (70) square metres of floor surface area to a total of two hundred (200) square metres plus one parking space for each additional two hundred (200) square metres.

Flea markets must provide (1) one parking space for each ten (10) square metres of space used for storage or display of merchandise and of all temporary installations.

Funeral homes must provide five (5) parking spaces per gathering room, plus one (1) space per ten (10) square metres of floor used for viewing purposes.

Variety stores must provide one (1) parking space per twenty (20) square metres of floor surface area.

#### **4.9.5 Public use**

Elementary schools and youth centers must provide one and a half (1.5) parking space per room, per classroom or per learning areas.

High schools must provide four (4) parking spaces per classroom.

Hospitals, rest homes and health institutions must provide one (1) parking space for each three (3) beds or for each forty (40) square metres of floor surface area, the formula that offers the highest number of parking spaces is retained.

Assembly halls and cult areas must provide one (1) parking space for each three (3) seats or one (1) space for each ten (10) square metres of floor surface area, the formula that offers the highest number of parking spaces is retained.

Libraries must provide one parking space per fifty (50) square metres.

Golf clubs must provide four (4) parking spaces per hole.

Picnic areas and properties must provide one (1) parking space per fifty-five (55) square metres of beach.

Pedestrian or cross-country trails must provide twenty-five (25) parking spaces per developed access areas to the trails.

#### **4.9.6 Change of use**

When the use within an existing building is replaced by another use, it is necessary to determine, by analysis, if the number of parking spaces of the new use is inferior or equal to the number required by the previous use. When the new use does not require more parking spaces than the previous use, the Certificate of Authorization for the use could be issued. However, in the case where the new use would require more parking spaces than the previous use, the development of these additional parking spaces or the application of Article 4.9.2 becomes obligatory, or the Certificate of Authorization for the use, will not be issued.

#### **4.9.7 Location of parking areas**

A parking area must never encroach on a part of the right-of-way of the public road.

The parking area designated for a specific use, must be located on the same property as the designated use, except in the Centre-village of Otter Lake, specifically zones number 1 to 100, refer to the application of Article 4.9.2.

#### **4.9.8 Dimensions of parking spaces**

Each parking space must have the following minimum requirements:

Length 6 m;  
Width: 2,5 m.

#### **4.9.9 Dimensions of the access lanes**

When the parking is done on two (2) rows in relation to the access lane, this lane must have a minimum width of six (6) metres.

When the parking is done on one (1) row in relation to the access lane, this lane must have a minimum width of four (4) metres.

#### **4.9.10 Driveway entrances for a use other than residential**

The driveway entrance must have at least the same width as the access lane it serves.

If the lot is bordered by more than one traffic lane, the number of entrances permitted is applicable to each lane, without however exceeding four (4) entrances in total, on a same property.

Only one access to a public road is permitted for a property that the road frontage is equal or inferior to fifteen (15) metres. The maximum number for entrances is of two (2) for a property having a frontage of more than forty-five (45) metres and is inferior or equal to one hundred (100) metres. This number is of three (3) for one (1) property having a frontage of more than one hundred (100) metres.

For safety reasons, the distance between two driveway entrances must not be less than seven metres fifty (7.50 m).

#### **4.9.11 Development Plan of parking areas**

No building permit or Certificate of Authorization for the use, can be issued unless a development plan of the parking areas has been submitted and approved, in conformity with the provisions of this article.

The development plan must include all of the following information and documents:

The shape and the dimensions of the spaces and the parking lanes;  
The number of parking spaces and the information necessary to their installation;  
The location of the entrances and the exits of the parking area.

#### **4.9.12 Loading areas**

A building permit or a Certificate of Authorization for the use, can be issued for any new construction requiring a loading area, when the loading, unloading, shipping or receiving of the objects in relation to the commercial or industrial use must be carried out on the same property as the use in question. Such activities should not occur within the right-of-way of the public road. The provisions of this article are not applicable to the zones 1 to 100 located within the Centre-village of Otter Lake.

## **4.10 SIGNAGE**

The objective:

Regulate the site location of signs while providing the population with safety measures.

### **4.10.1 General rules**

It is permitted to install, expand, relocate or post one (or many) signs attached to the building, sign detached from the building, sandwich board, directional sign and temporary sign while respecting the conditions of articles 4.10 and the following.

### **4.10.2 Site location of a sign**

The structure, sign or post used as a base for a sign, must be located on a property other than the right-of-way of a public road –and- at a minimum distance of 2 metres in relation to a lateral lot line.

No sign shall overhang or encroach on the right-of-way of a public road.

A movable advertising panel, generally on wheels, and often rented for limited time periods, must be installed outside of 2 metres in relation to a lateral lot line.

#### **4.10.2.1 Site location of a sign within the visibility triangle**

It is permitted to install signs within the visibility triangles by respecting the following conditions:  
The post used as a base for the structure, must not exceed six (6) inches in diameter and must not be less than two metres fifty (2.50 m) high;  
The sign must be installed at least 2.50 metres high.

The movable advertising panel, generally on wheels, and often rented for limited time periods, must be located outside the visibility triangle.

### **4.10.3 Maximum height of a sign**

The rule for the maximum height permitted for a complete structure (base, post and sign) of a sign and for a sign detached from the building is that this height must not exceed the height of the existing main building located on the same lot. On a vacant lot, the maximum height permitted for a sign is the height designated in the Specifications Grid, applicable to a main building that can be constructed in this specific zone.

### **4.10.4 Illumination of a sign**

Any sign can be illuminated only if it is illuminated by a source of light placed inside the sign. This light source must not create a danger to traffic on a public road.

#### **4.10.5 Maintenance of the signs**

Any sign must be maintained and repaired to ensure that it does not represent a source of public danger.

#### **4.10.6 Derogatory signs**

It is prohibited to replace an existing derogatory sign by another sign or to re-install it at another location on the same property or to another location, unless this operation has effect to render the situation in conformance with the provisions of the present By-law. The expression "replace a sign by another" does not include the change of posters made directly on the same panel.

#### **4.10.7 Other conditions and restrictions**

The installation of a sign is conditional to obtaining an Certificate of Authorization for the use, for the commercial property for which the sign is intended.

Inform the Municipality of any sign permit when this permit is required by a Provincial or Federal Ministry.

Is prohibited, any sign or message, illuminated by a colored light, or designed in a shape or form to cause confusion with road signs.

Is prohibited, any sign or bright message attempting to imitate or imitating illuminated warning devices commonly used on police vehicles, ambulances and fire vehicles, or any bright sign of similar to these devices.

#### **4.10.8 Obligation to obtain a sign permit**

Any individual wishing to install, rebuild, expand, relocate, or post a sign, must first obtain a "Sign Permit" for this purpose from the Municipality, in conformance with the provisions of the present By-law and with the provisions of the By-law known as Administration and interpretation rules of the Planning By-laws number 031-05-2003.

#### **4.10.9 Signs authorized without a Sign Permit**

The signs listed hereafter do not require obtaining a permit, nor the respect of the municipal site plan standards and are authorized in all sectors of the Municipality:

Permanent or temporary signs emanating from a community, public, municipal, regional, provincial or federal authority.

Signs relating to an election or a popular consultation held in virtue of a legislative law.

Signs relating to traffic or used for the orientation and the convenience of the public, including signs indicating a danger, bathrooms and delivery entrances.

Flags of political, civil, philanthropic, educational or religious associations.

Signs commemorating a special or an annual event or an historical individual, on the condition that they are not designated or associated to a commercial use.

Inscriptions, figures and symbols chiseled or sculpted directly on the walls of a building.

Signs concerning the practice of a cult or other religious activities.

A personal identification sign posted on the property indicating only the name and address of the occupant.

An identification sign on the property when a public use exists.

Temporary signs used to identify a construction project and/or architect, engineer, contractor as well as sub-contractors involved in this construction project. These signs must be removed within twenty (20) days following the completion of the work.

Temporary signs to advertise the sale of a building or of a property or the rental of offices or other premises within the zones dominantly residential and mixed (residential and commercial).

Temporary signs to advertise the sale or the rental of offices and other premises within the zones dominantly commercial, industrial and institutional.

Signs of an electoral candidate, a political party or of an electoral campaign. These signs must be removed within twenty (20) days following the voting date.

## **4.11 LANDSLIDE ZONES**

The objectives:

Inform the population of the inherent risks of landslides.  
Protection of property and people against the risks of landslides.

### **4.11.1 Identification**

During the development of the present Planning By-laws, the Pontiac MRC does not presently have any maps illustrating the landslide zones stipulated in the "Regional Master Plan". Nor does the Municipality of Otter Lake have maps illustrating these zones.

For information purposes, the following provisions are those of the plan of the Pontiac MRC for the different categories of landslide zones.

Therefore, if an owner deems that his property is located in one of the landslide risk zones, here are the provisions he must comply to.

The limits of the zones cover the entire areas in which risks of landslides have been identified. These are divided into three categories:

Low-risk zones (LRZ);

Medium-risk zones (MRZ);

High-risk zones (HRZ),

#### **4.11.2 Special conditions relating to the issue of a building permit in the landslide zones**

##### **In the low-risk zones:**

Agricultural activities and single-family housing are allowed;

Structures with two stories maximum;

The minimal area of lots must be 6,000 m<sup>2</sup> each; this area may be reduced to 4,000 m<sup>2</sup> when a study completed by an engineer, member of the Québec Order of Engineers (OIQ), has certified that it is possible to establish a use without risk for the safety of individuals and possessions;

Deforestation of more than 1,000 m<sup>2</sup> is forbidden;

Planting of vegetation in areas left bare by work must be carried out.

##### **In the medium-risk zones:**

The minimal area of lots is 4,000 m<sup>2</sup> each;

Septic tanks, embankment at the top and excavation at the foot of the embankment are forbidden;

Deforestation of more than 1,000 m<sup>2</sup> per plot is forbidden;

Planting of vegetation in areas left bare by work must be carried out

Notwithstanding the above, subdivision and construction are only allowed when a study completed by an engineer, member of the Québec Order of Engineers (OIQ), has certified that it is possible to establish a use without risk for the safety of individuals and possessions.

##### **In the high-risk zones:**

No structure, no subdivision, no septic tank, no embankment or excavation and no changes in the vegetation are allowed at the foot and the top of the embankment.

## **4.12 PROVISIONS CONCERNING ACTIONS TAKEN ON THE EDGE OF LAKES AND WATERCOURSES**

The objectives:

Maintain and improve the quality of lakes and watercourses by providing adequate protection to shore and littoral.

Prevent shore erosion by encouraging and protecting the natural state.

### **4.12.1 General Rules:**

The following measures apply to any work modifying the vegetation cover of the shores, lakes and watercourses, as well as any development project of shorelines and littoral.

They also apply to the modification and the repair of works existing on the shores and the littoral, as well as to any new work, any use or occupation of the shores and the littoral of lakes and watercourses.

The planning and/or work that must be done on shore or littorals must be undertaken and executed by preserving and maintaining the natural state and not harm or damage the natural water flow nor create sources of erosions.

Cleaning and maintenance works must be undertaken without resorting to excavation, dredging, leveling, in-fill or any other similar type of work.

The policy for the protection of shore, littoral and flood plains, number 103-96, Quebec Government has served as a guide to elaborate the standards of the current By-law regarding the action taken on lakeshores and watercourses. The following definitions are derived from this policy. They also serve as a reference in the application of the provisions of By-laws for the Municipality of Otter Lake.

Notwithstanding what has been stipulated in the current article, these provisions **do not apply** for structures and works relating to municipal, commercial, industrial or public purposes or for public access purposes when duly authorized in accordance with the Conservation and Development of Wildlife Act. They **do not apply** to Quebec public lands on which strips of lakesides are established and regulated in accordance with the Guide on forestry management.

### **4.12.2 Obligation to obtain a municipal permit**

For any structure or works susceptible to destroy or modify the vegetation cover of shores, to bare the land, to affect its stability or that encroach on the littoral, obtaining a municipal authorization is mandatory. This authorization is in the form of a municipal permit. This obligation does not apply to structures and works relating to forest management activities, the execution of which is governed by the Forestry Act and its operating regulations, and governed by Article 4.6.8 of the present by-law. Furthermore, obtaining the municipal permit does not take away the obligation of the holder to obtain additional authorization that would be required in view of other Acts or Quebec By-laws such as Loi sur le Régime des eaux (L.R.Q. C.-R-13).

Work and management carried out **using** mechanical equipment



In the case of work and management carried out using mechanical equipment involving the excavation, dredging, leveling of in-fills, and the installation of gabions or any other similar type of work, a proposed statement of work (SOW) must be provided and deposited at the Municipality for approval prior to any work being undertaken.

The approval criteria for the proposed work and details of implementation are:  
The impact on wildlife and existing plantation must be minimized;  
Ensuring that appropriate work measures are taken for stabilizing of shores.

The analysis of the criteria will be done using the following document:  
**Guide des bonnes pratiques publié par le ministère de l'Environnement et de la Faune du Québec - Protection des rives, du littoral et des plaines inondables**.

In more complex cases, the Municipal Inspector can require that a detailed report prepared by an expert specializing in erosion and ecological impacts.

The owner of the property where the work is being done, must produce a written confirmation that the work being undertaken is in conformity with the proposed report and has been accepted by the Municipal Inspector.

Work and management carried out **without the use** of mechanical equipment

In the case of work being undertaken without the use of mechanical equipment with the intent of restoring the vegetation cover without excavating, dredging, leveling, in-fills, gabions or any other similar work, the detailed report is not required.

#### **4.12.3 Measures specific to shores**

Are allowed in shores, the structures, works and any of the following work:

a) Standards applicable to the construction of a main building -

The construction of a main building is possible at a minimal distance of ten (10) metres or fifteen (15) metres from the high water line. The distance of 10 m. or 15 m. is dependant upon the slope between the existing or proposed building and the high water line. (See definition of shore herewith).

It is permitted to build attached to the main building, a veranda, a deck, a porch or a overhanging structure, all without a roof and on a maximum encroachment of 2 metres within the interior margin of 15 metres or 10 metres.

b) Standards applicable to the reconstruction, expansion or addition to an existing main building within 10 m. or 15 m. from the high water line

In the case where an existing main building is within 10 metres or 15 metres from the high water line, prior to the coming into force of the current By-law. The reconstruction, expansion or addition of a main building is possible up to a minimal distance of five (5) metres from the high water line. Furthermore, the reconstruction, expansion or addition must meet the following conditions:

The dimensions of the lot no longer allows the reconstruction or expansion of this main building at a minimal distance of ten (10) metres or fifteen (15) metres from the high water line, (the distance of 10 m. or 15 m. is dependant upon the slope between the existing or proposed building and the

high water line (see definition of shore herewith)) and where it could not reasonably be done elsewhere on the lot;

The subdivision was made previous to the coming into effect of the First Interim Control By-law (RCI) of the Pontiac MRC, on February 1, 1984;

The lot is not located in a in a high risk erosion or landslide zone;

Along the high water line, a minimal protection strip of 5 metres must be preserved and maintained in a natural state.

c) Standards applicable to the construction of a secondary building

The construction, expansion or addition of a secondary building is possible only at a minimal distance of ten (10 metres or fifteen (15) metres from the high water line. The distance of 10 m. or 15 m. is dependant upon the slope between the existing or proposed building and the high water line (see definition of shore herewith).

It is permitted to erect a secondary building at a minimal distance of five (5) metres from the high water line when meeting the following conditions:

The dimensions of the lot no longer allow for the construction or expansion of this main building at a minimal distance of ten (10) metres or fifteen (15) metres from the high water line, (the distance of 10 m. or 15 m. is dependant upon the slope between the existing or proposed building and the high water line (see definition of shore herewith)) and where it could not reasonably be done elsewhere on the lot;

The subdivision was done before the coming into force of the first Interim Control By-law of the MRC of Pontiac, on October 31<sup>st</sup>, 1983;

A minimal protection strip of 5 metres must be preserved and maintained in a natural state.

The secondary building must be built on an area without fill or excavation;

d) Standards applicable to work relating to the vegetation and trees

The forest management activities governed by the Forestry Act and its operating regulations, for example *Le Reglement sur les normes d'intervention dans les forets du domaine public*;

Sanitary cutting, which means the felling or harvesting of deficient, spoiled, decaying, damaged or dead trees;

Harvesting of 50 % of the trees with trunks of 10 centimetres and more in diameter, provided that a forest cover of at least 50 % is maintained on private woodlots used for forestry development or agricultural purposes;

The cutting necessary for the erection of a building or an authorized work;

The cutting necessary for the development of a 5-metre wide opening giving access to the body of water when the slope is less than 30 %;

Pruning and thinning necessary to develop a 5-metre wide opening when the slope of shore is more than 30 %. It is also permitted in these cases to build a trail or stairs leading to the body of water no more than 3 metres wide;

Seedlings and planting of vegetation, trees or shrubs, as well as any work aimed at restoring a permanent and durable vegetation cover;

The various methods of herbaceous vegetation harvesting when the slope of shore is less than 30 %, and only at the top of embankments when the slope is more than 30 %.

e) Standards applicable to work relating to the agriculture-

The cultivation of land for agricultural purposes. However, a minimal strip of three (3) metres on the shore must be maintained. Furthermore, if there is an embankment with a height inferior to three (3) metres from the average high water line, the width of the shore must include a minimum of one (1) metre at the top of the embankment.

The proposed model by the M.A.P.A.Q must abide by the provisions allowing livestock to drink from the watercourses;

The erection of agricultural fencing in agricultural zones;

The necessary equipment for aquaculture.

f) Standards applicable to other types of works

The installation or setting up of outlets for an underground or surface drainage water system and pumping stations;

The development of watercourse crossings relating to culverts and bridges and to roads giving access to them;

The installation of septic tanks that are conforming to the *Règlement sur l'évacuation et le traitement des eaux usées des résidences isolées* (a regulation respecting the disposal and purification of wastewater for isolated dwellings);

When the slope, nature of the soil and conditions of the land do not facilitate the restoration of the vegetation cover and natural character of the shore, the works and stabilization of shore with the help of stones, gabions or retaining wall, by using the more suitable techniques likely to facilitate the possible restoration of the natural vegetation;

The installation of individual wells;

The reconstruction or widening of an existing road, including farming and forestry roads;

The construction or work necessary for the realization of structures, equipment and facilities authorized in the littoral zone in conformity with Article 4.12.4;

The constructions or structures and works for municipal, commercial, industrial or public purposes or for public access purposes when duly authorized in accordance with the Environment Quality Act (LQE);

Planting a cedar hedge or planting of trees -

P.S.: The erection of fencing must be done outside the five (5) metre high water line.

#### 4.12.4 Measures specific to the littoral

Are permitted in the littoral, the following structures and works:

The installation of watercourse crossings relating to ford crossings, culverts and bridges;

The installation of water intakes;

The encroaching on the littoral necessary for the undertaking of work authorized in the shore;

The cleaning and maintenance work without excavation that must be done in the watercourses by the municipalities or the Pontiac MRC in accordance with the powers and duties conferred by the Municipal Code; *Code municipal* (L.R.Q., c. C-27.1)

The structures and works for municipal, commercial, industrial or public purposes or for public access purposes when duly authorized in accordance with the Environment Quality Act (LQE), the Conservation and Development of Wildlife Act, the Watercourses Act or any other law. de la Loi sur la qualité de l'environnement (L.R.Q., C.q-2), la Loi sur la conservation et la mise en valeur de la faune (L.R.Q., c-C6.1), la Loi sur le régime des eaux (L.R.Q., c. R-13).

The installation of wharves, shelters or landing stages on piles, posts or cofferdams, or made up of floating platforms; however, any part of these works intended to be submerged or in contact with water can not be done by using tar-lined, painted or chemically treated wooden materials.

#### 4.12.5 Wharves and boat shelters bordering public watercourses - Occupation Lease from MEF (Ministère de l'Environnement et de la Faune du Québec)

Bordering public watercourses, the installation of boat shelters and/or wharves permanently fixed or not on the shore, is permitted. When the frontage of the wharf and/or shelter exceeds 10% of the lot frontage or exceeds a surface area of 20 m<sup>2</sup>, the occupation permit issued by the MEF will be necessary before any construction work begins.

#### 4.12.6 Definitions specially applicable to article 4.12 and the followings

High water line: The high water line is the line used to establish the littoral and the shore of watercourses, as per the application of the current By-law.

This high water line is located at the place where a predominance of aquatic plants are found to a predominance of land plants. When there are no aquatic plants, the high water line starts where land plants are the closest to the watercourse. (Plants considered as aquatic are all hydrophilic

plants including submerged plants, plants with floating leaves, emerging plants and herbaceous and ligneous plants characteristic of marshes and swamps opened on bodies of water.)

If there is a water-retaining structure (like a controlled dam), the high water line is located at the operation highest point of the hydraulic work for that part of the body of water located up-river.

If there is a retaining wall legally erected, the high water line is located at the top of the wall.

**Shore:** Strip of land bordering on lakes and watercourses that extends towards the interior of the land from the high water line. The width of the shore is measured horizontally.

The shore has a minimum width of 10 metres:

- When the slope between the proposed building and the high water line is less than 30%, or;
- When the slope between the proposed building and the high water line is more than 30%, and has an embankment of less than 5 metres high.

The shore has a minimum width of 15 metres:

- When the slope between the proposed building and the high water line is continuous and more than than 30%, or;
- When the slope between the proposed building and the high water line is more than 30%, and has an embankment of more than 5 metres high.

**Littoral:** Part of lakes and watercourses that extends from the high water line towards the centre of the body of water.

**Sanitation felling:** A sanitation felling is the cutting or gathering of defective or damaged trees or dead trees in a basal area.

**Ditch:** A ditch is a small land depression, natural or artificial, which serves for the drainage of surface water running from adjacent lands, such as road ditches and adjacent land ditches.

**Watercourse:** A permanent or temporary water flow within a natural land depression free of vegetation or encompassing aquatic plants and characterized by signs of water flow, including lakes, rivers...

#### 4.12.7 Rivers, lakes and watercourses

All rivers, lakes and watercourses are subject to the previous mentioned provisions, except for ditches that are exempted, and certain watercourses situated within public forests that are governed by Regulation Respecting Operations Standards in the Forests of the Public Domain (RNI).

## **4.13 SPECIAL PROVISIONS CONCERNING AGRICULTURAL ACTIVITIES**

The objectives:

Establish parameters serving to determine the separating distances pertaining to the management of odors in an agricultural environment.

The following provisions are aimed at the development of a sustainable agriculture and a harmonious coexistence of activities in the environment.

The provisions of Article 4.13 and subsequent articles are applicable in agricultural zones under the jurisdiction of Loi sur la protection du territoire agricole du Québec, particularly to the inconvenience associated by agricultural odors. The proposed parameters do not affect the aspect of pollution control. The provisions do not take away the environmental obligations to which agricultural producers must adhere to as per environmental standards contained under the 'ministère de l'Environnement et de la Faune'. The provisions aim to establish an optimal process to determine favorable distance divisions to ensure a harmonious cohabitation in a rural setting.

### **4.13.1 Separating distances relating to breeding operations**

The minimal separating distances between a breeding operation and a protected immovable, a dwelling, an urbanization perimeter, an urban perimeter or a public road are computed by using a formula that combines the following seven (7) parameters:

Separating distance = B x C x D x E x F x G

Parameter A is the number of animal units according to the table at Section 4.1.1;  
Parameter B represents the basic distance according to the table at Section 4.1.2; Parameter B is established according to the number of animal units, which is Parameter A;  
Parameter C is the odor load according to the table at Section 4.1.3;  
Parameter D corresponds to the type of manure according to the table at Section 4.1.4;  
Parameter E is the type of the project according to the table at Section 4.1.5;  
Parameter F is the attenuation factor according to the table at Section 4.1.6;  
Parameter G is the usage factor according to the data at Section 4.1.7.

**4.13.2 Parameter A, which is the number of animal units**

NUMBER OF ANIMAL UNITS (PARAMETER A)

Group or category of animals	Number of animals equivalent to an animal unit
Cow or heifer, bull, horse	1
Calf or heifer weighing from 225 to 500 kilograms	2
Calf weighing less than 225 kilograms	5
Breeding pig weighing from 20 to 100 kilograms	5
Sow and piglet not weaned during the year	4
Piglet weighing less than 20 kilograms	25
Laying hen or rooster	125
Roasting or broiling chicken	250
Growing pullet	250
Turkey weighing more than 13 kilograms	50
Turkey weighing from 8.5 to 10 kilograms	75
Turkey weighing less than 5.5 kilograms	100
Female mink (male and offspring not included)	100
Female fox (male and offspring not included)	40
Sheep and lamb of the year	4
Goat and kid of the year	6
Female rabbit (male and offspring not included)	40
Quail	1,500
Pheasant	300

**Note:** It is important to mention that this table is used for indicative purposes only. A complete table will have to be prepared by reducing the differences between the categories; the basis for computation remains 500 kilograms per animal unit. When a weight is indicated in the table, it is the weight of the animal at the end of the growth period. For any other animal species, a gross weight of 500 kilograms is equal to one animal unit.

4.13.3 Parameter B, which is the basic distance

**BASIC DISTANCES (PARAMETER B)**

Total number of animal units	Distance (metre)	Total number of animal units	Distance (metre)	Total number of animal units	Distance (metre)
10	178	300	517	880	725
20	221	320	528	900	730
30	251	340	538	950	743
40	275	360	548	1,000	755
50	295	380	557	1,050	767
60	312	400	566	1,100	778
70	328	420	575	1,150	789
80	342	440	583	1,200	799
90	355	460	592	1,250	810
100	367	480	600	1,300	820
110	378	500	607	1,350	829
120	388	520	615	1,400	839
130	398	540	622	1,450	848
140	407	560	629	1,500	857
150	416	580	636	1,550	866
160	425	600	643	1,600	875
170	433	620	650	1,650	883
180	441	640	656	1,700	892
190	448	660	663	1,750	900
200	456	680	669	1,800	908
210	463	700	675	1,850	916
220	469	720	681	1,900	923
230	476	740	687	1,950	931



240	482	760	693	2,000	938
250	489	780	698	2,100	953
260	495	800	704	2,200	967
270	501	820	709	2,300	980
280	506	840	715	2,400	994
290	512	860	720	2,500	1,006

It should be noted that this data is adapted from the Association of German Engineers VDI 3471 .

4.13.4 Parameter C, which is the odors load

ODOURS LOAD PER ANIMAL (PARAMETER C)

Group or category of animals	Parameter C
Slaughter cattle	
- in a closed building	0.7
- on an outdoor feed area	0.8
Milk cattle	0.7
Duck	0.7
Horse	0.7
Goat	0.7
Turkey	
- in a closed building	0.7
- on an outdoor feed area	0.8
Rabbit	0.8
Sheep	0.7
Pig	1.0
Hen	
- caged laying hen	0.8
- reproduction hen	0.8
- roasting hen/large chicken	0.7
- pullet	0.7
Fox	1.1
Heavy calf	
- milk calf	1.0
- grain calf	0.8
Mink	1.1

**Note:** For any other animal species, use Parameter C = 0.8.

**4.13.5 Parameter D, which is the type of manure**

**TYPE OF MANURE (PARAMETER D)**

Management method of farm fertilizers	Parameter D
Management of solid	
- slaughter and milk cattle, horse, sheep and goat	0.6
- other groups or categories of animals	0.8
Management of liquid	
- slaughter and milk cattle	0.8
- other groups and categories of animals	1.0

**4.13.6 Parameter E, which is the type of project**

**TYPE OF PROJECT (PARAMETER E)**

Increase up to... (a.u.)	Parameter E	Increase up to... (a.u.)	Parameter E
10 or less	0.50	181-185	0.76
11-20	0.51	186-190	0.77
21-30	0.52	191-195	0.78
31-40	0.53	196-200	0.79
41-50	0.54	201-205	0.80
51-60	0.55	206-210	0.81
61-70	0.56	211-215	0.82
71-80	0.57	216-220	0.83
81-90	0.58	221-225	0.84
91-100	0.59	226-230	0.85
101-105	0.60	231-235	0.86
106-110	0.61	236-240	0.87
111-115	0.62	241-245	0.88
116-120	0.63	246-250	0.89
121-125	0.64	251-255	0.90
126-130	0.65	256-260	0.91
131-135	0.66	261-265	0.92
136-140	0.67	266-270	0.93
141-145	0.68	271-275	0.94
146-150	0.69	276-280	0.95
151-155	0.70	281-285	0.96

156-160	0.71	286-290	0.97
161-165	0.72	291-295	0.98
166-170	0.73	296-300	0.99
171-175	0.74	300 and more	1.00
176-180	0.75	new project	1.00

It should be noted that the number of animals to be added to the herd must be considered, whether there is or not an extension or construction of a building. For any project leading to a total of 300 animal units and more, as well as for any new project, Parameter E = 1.

**4.13.7 Parameter F, which is the attenuation factor**

**ATTENUATION FACTOR (PARAMETER F)**

Technology	Parameter F
Roof on storage premises - absent ; - permanent rigid; - temporary (layer of peat, layer of plastic).	$F_1$  1.0 0.7 0.9
Ventilation - natural and forced with multiple air outlets ; - forced with regrouped air outlets and air outlets above the roof ; - forced with regrouped air outlets and air cleaning with air scrubbers or biological filters.	$F_2$  1.0 0.9 0.8
Other technologies - new technologies may be used to reduce the distances when their efficiency is proven.	$F_3$ Factor to be determined at the time of accreditation

**4.13.8 Parameter G, which is the usage factor**

This parameter is in relation to the type of neighboring unit considered.

For a **protected immovable**, we get the separating distance by multiplying all the parameters between themselves, **G = 1.0**;

- For a dwelling house, G = 0.5;
- For an urbanization perimeter, G = 1.5;

For a public road, G = 0.1, but the installations must in all cases take into account the minimal distance of six (6) metres from a lot line.

**4.13.9 Acquired rights**

Parameter E bearing on the type of project acknowledges an acquired right related to the expansion of existing agricultural enterprises. For establishments of one hundred animal units (100 a.u.) and less, the replacement of the breeding type is allowed on the condition to maintain the same number of animal units and to continue the same management of breeding effluents or a more favorable management with respect to the inconvenience associated with odors whereas for

the other establishments, the replacement of the type of breeding is only possible by respecting the computation parameters for separating distances.

**4.13.10 Separating distances relating to storage premises for farm manure located at more than 150 metres from a breeding farm**

In situations where farm manure is stored outside the animal operation, separating distances must be respected. These separating distances are established by considering that one animal unit requires a storage capacity of 20 m<sup>3</sup>.

Minimal separating distances, in metres, between storage premises for farm manure located at more than 150 metres from a breeding farm and a protected immovable, a dwelling, an urbanization perimeter or a public road are obtained by combining the seven parameters presented at Section 4.1 with the following changes:

1. For Parameter A, each reservoir capacity of 1,000 m<sup>3</sup> corresponds to 50 animal units;
2. Once the equivalent is completed, we can find the value of Parameter B; then the formula for the separating distance  $B \times C \times D \times E \times F \times G$  does apply; the following table shows the cases where C, D, E and F are equivalent to 1, only Parameter G varies depending on the neighboring unit in question;
3. Separating distances related to storage premises for liquid manure<sup>1</sup> located at more than 150 metres from a breeding installation.

Storage capacity (m <sup>3</sup> ) <sup>2</sup>	Separating distances (m)			
	Dwelling	Protected immovable	Urbanization perimeter	Public road
1,000	148	295	443	30
2,000	184	367	550	37
3,000	208	416	624	42
4,000	228	456	684	46
5,000	245	489	734	49
6,000	259	517	776	52
7,000	272	543	815	54
8,000	283	566	849	57
9,000	294	588	882	59
10,000	304	607	911	61

1. For liquid manure, multiply the above distances by 0.8.
2. For other storage capacities, complete the necessary computation by using a proportional rule or data of Parameter A.

#### 4.13.11 Separating distances relating to the spreading of farm fertilizers

Farm fertilizers must be able to be applied on all cultivated fields. Minimal separating distances between an area where manure is spread and any dwelling house, any urbanization perimeter or any immovable protected by virtue of the Preservation of Agricultural Land and Agricultural Activities Act (LPTAA) are established in the following table.

Separating distances relating to the spreading of farm fertilizers<sup>1</sup>

Type		Method of spreading		Required distance from a dwelling house, an urbanization perimeter or a protected immovable (m)	
				June 15 to August 15	Other times
LIQUID MANURE	spraying from the air	nozzle	300	300	
		cannon	300	300	
		liquid manure left on the surface more than 24 hours	75	25	
		liquid manure incorporated in less than 24 hours	25	x	
	spraying	by ramp	25	x	
		by tangle	x	x	
	simultaneous incorporation		x	x	
SOLID MANURE	fresh, left on the surface more than 24 hours		75	x	
	fresh, incorporated in less than 24 hours		x	x	
	deodorized compost		x	x	

1. x = Spreading allowed up to the limits of the field.

The above table does not apply in the case of uninhabited urbanization perimeters. In this case, spreading is allowed up to the limits of the field.



#### 4.13.12 Reciprocity principle and distance standards

In the agricultural zone, an individual who wants to erect a dwelling house, a protected immovable or a public road on a lot, must respect in relation to agricultural operations the following distances:

- Public road: 37 metres;
- Protected immovable: 367 metres;
- Dwelling house: 184 metres.

A municipality may not issue a building permit when these standards are not respected by the owner of the lot involved in the application, unless the latter provides for the purpose of registration at the *Bureau de la publicité et des droits* a declaration to the effect that he forgoes any recourse that he could have invoked with regard to each of the neighboring operations that must abide by such a distance standard if he had himself respected the standards imposed.

This declaration has the effect of a true easement notwithstanding Section 1,181 of the Québec Civil Code. This easement is established by a registered declaration against the lot involved in the application and against each of those on which are located buildings or infrastructures used for agricultural activities subject to standards for the separating distance.

#### 4.13.13 Minimum distance for operating a kennel

Are included in this category any establishment and all of the installations used for the breeding, care taking, grooming and the sale of animals.

All new kennels must be built at a minimum distance of 500 metres of any residence other than the residence located on the same property as the said kennel.

This category does not include other recreo-tourism activities using animals, even when these activities are done commercially. Dogs and cats owned by individuals, as pets or participating in exhibition shows, are not included within this use category.

For a proponent to operate the use of a kennel, he will need to get an approval called "authorization of use" by the Commission de protection du territoire agricole du Québec", before forwarding his request to the Municipality. The municipal Council feels that by allowing such a use in the agricultural zones, it will minimize the potential impacts on the surroundings as far as noise and odors are concerned.

## 5 SPECIAL CASES

### 5.1 SERVICE STATIONS AND GAS BAR

#### 5.1.1 General rules

The standards enforced under Article 5.1 and subsequent articles relating to a gas bar or service station is applicable when they are found to be greater than the prescribed requirements identified on the Specification Grid. They must be applied and have precedence over the aforementioned Specification Grid.

No construction permit for a gas bar or service station will be considered unless a Site Plan that conforms to the current By-law is presented by the applicant. The provisions of the current By-law are independent from the authorities required under all other instances.

#### 5.1.2 Site plan location standards

The minimal location standards applicable to a gas bar or service station are listed in the following table:

Front Margins:	
Building	12.0 metres
Gas pumps	7.0 metres
Canopy or Awning	5.0 metres
Lateral margins	5.0 metres
Rear margin	5.0 metres

#### 5.1.3 Gas Pumps

Gas supplies must be stored in underground reservoirs and can never be located under a building.

#### 5.1.4 Prohibited Uses

A gas bar or service station building cannot be used for residential use. Also, all operations must be undertaken on a private property. It is prohibited to fill-up vehicles with a hose, pipe or any other similar devices when the establishment borders a public roadway.

### **5.1.5 Property Access**

The width of an access is to a maximum of ten (10) metres and to a minimum according to the provisions of Article 4.9 and subsequent articles. The number of property access points is two (2) for each adjacent road.

### **5.1.6 Signage**

The signage is subject to articles relating to signage, and, in any case, it must be positioned at least ten (10) metres from the residential zone limits.

## **5.2 FAST-FOOD RESTAURANT AND SNACK BARS**

### **5.2.1 General Rules**

A construction permit for a fast-food restaurant and/or snack bar is considered only when the applicant presents a Site Plan showing the proposed usage of a particular building and parking spaces. The provisions of the current By-law are independent from the authorities and other standards to which an applicant must conform.

### **5.2.2 Drive-thru**

No drive-thru can exist on a road system or beyond the parking space limits.

### **5.2.3 Secondary building**

Only one (1) secondary building separate from a main building is authorized.

## **5.3 CAFÉ (S)**

### **5.3.1 General Rules**

A café can be built only in circumstances where the use is in addition to the main use related to a restaurant or hotel business.

### **5.3.2 Expert's Report – when there is an increase in business and/or turnover-**

When the planning of a café involves a greater number of tables, chairs and rest areas, the result is an increase in septic installations as well. In this circumstance, prior to the issuance of a construction permit, the designated officer request upon the applicant to provide an expert report, confirming the capacity of the existing septic system to receive the increase level of waste, be presented to the municipality.

### 5.3.3 Location

All café(s) must be located on the same property of the attached main building and respect the margins indicated at the Specification Grid.

## 5.4 STANDARDS SPECIFIC TO A VEHICLE RECYCLING USE

### 5.4.1 General Rules

This use involves the operation of vehicle storage and used vehicle parts yard and is limited for reasons of public health and safety.

The following complementary uses are permitted:

Operation of a vehicle pound business, that is, a seized vehicle depot or where vehicles are warehoused by the police until fines or damages are paid;

The recycling of used vehicle parts through the installation or the re-use of these parts.

### 5.4.2 The minimal margins

The margins for external or internal workshops dealing with the break-up of parts as well as all other types of building use other than residential must meet the following minimal margins:

Lateral and rear	20 metres
Front	30 metres
From a watercourse	100 metres
Main residential building	20 metres

The minimal margins for vehicles, used vehicle parts, and machinery or accessories used for the operation of a vehicle recycling plant are:

Front	30m
From a watercourse	100m
Main residential building	20m
Lateral and rear	20m
Lateral and rear	5m*

\* Under the provisions of article 5.4.3 that a fence is not constructed.

### 5.4.3 Erection of Fences

The location of fences must be at a minimum distance of five (5) metres for the lateral and rear property lines and at a minimum distance of fifty (50) metres from the front property line.

The maximum height of a fence is four (4) metres.

The minimum height of a fence is equivalent to the highest point of stored warehoused material inherent to the operation of a vehicle recycling plant within the boundaries of a fence.

The construction materials and its assembly must conform to the provisions of Article 4.7.2 of the current By-law.

#### **5.4.4 Ban on cutting existing trees within the lateral and rear margins**

Where a fence is built in accordance with the provisions of Article 5.4.3, the ban on tree cutting is in effect within the lateral and rear margins on a distance of five (5) metres.

Where a fence is **not** built, the ban on tree cutting is in effect within the lateral and rear margins on a distance of ten (10) metres as stipulated under the provisions of Article 5.4.3.

#### **5.4.5 Buffer Zone**

Where a fence is not built the following minimum requirements must be adhered to at all times as per the provisions of Article 5.4.3:

A buffer zone is constituted of two (2) rows of trees planted in a checkered pattern, consisting of seventy-five percent (75%) of fir trees with a minimal height concealing the storage of vehicles and of used vehicles parts, with a maximum distance of 3 metres between each of the trees. The row of trees must constitute a continuous screen within three (3) years following the planting; otherwise more trees must be planted.

The buffer zones can be considered as part of the existing wooded area that must be preserved in whole, if this area constitutes the required percentage and forms an acceptable screen. Should this not be the case, the underbrush must be cleaned on all of the surface area of the buffer zone and replaced by the planting of trees.

The planting of trees must be completed prior to the issuance of a Certificate of Authorization. The provisions of the Administration and Interpretation By-law found under the Planning By-law number 2002-002 stipulates the methods for obtaining such a certificate.

Law on environmental quality and sustainability and its By-laws applies to this type of use.

## **5.5 PARTICULAR PROVISIONS APPLICABLE TO MOBILE HOMES**

### **5.5.1 Outdoor finish material for hall entrances or mobile homes extensions**

The outdoor finish material used for the construction of a hall entrance or mobile home extension must be identical or equivalent to those used on the existing mobile home.

### **5.5.2 Closure of the underside of a mobile home**

Where a mobile home does not rest on a concrete foundation, the underside of the mobile home must be completely hidden with rigid and opaque material.

## 5.6 STANDARDS APPLICABLE TO CAMPING GROUNDS

### 5.7.1 Sanitary Services – minimal requirements

The number of sanitary installations must be proportionate to the number of units for each camping ground units.

A potable water faucet per six (6) camping ground units; the faucet layout must conform to the camping units.

A minimum of four (4) lavatories and four (4) shower stalls (2 per gender) for up to twenty-four (24) camping ground units.

For each twenty-four (24) additional camping grounds:

A minimum of two (2) lavatories (1 per gender) per group of twelve (12) units or less, and two (2) shower stalls, when these units are not equipped with single sewage systems;

A minimum of two (2) lavatories (1 per gender) per group of fifty (50) units or less, and two (2) shower stalls when these units are equipped with single sewage systems.

Urinals can replace men lavatories by a proportion of two-thirds (2/3).

The restrooms must:

Be restricted to persons of the same sex, identified on the door using either a symbol or a written sign;

Have separate access points, for each gender, if in the same building ;

Be laid out whereby the lavatories and urinals are not visible from the outside;

Be ventilated, given appropriate lighting, clean, and equipped with the necessary accessories for users such as mirrors, hygienic dispensers and/or hand dryers, liquid soap dispensers per each bathroom unit and other accessories deemed necessary;

Have waterproof and washable walls and floors, and fitted with proper drains;

Have built-in bathroom sinks counters for each group of two (2) or less lavatories or urinals;

Have a bathroom sink per group of two (2) or less lavatories or urinals;

If toilets are installed in the same bathroom, they must be enclosed and have latching door locks;

All picnic or recreation areas where people other than campers are admitted must have, at a minimum, the following additional installations:

two (2) lavatories;

two (2) bathroom sinks.

No promotion is permitted for vacant camping units servicing trailer caravans when a camping ground does not have a single sewage system in place, unless the grounds are equipped with a central sewage and septic tank;

The central sewage and septic tank equipment must consist of a faucet for running water and a water hose; this equipment must be surrounded by a one metre seventy-five (1,75 m) retaining wall as a minimum requirement;

The maintenance building must be heated adequately during the season and provide for necessary heating and hot water, in sufficient supply and at all times, for shower purposes.

### 5.7.2 Other Standards Specific to the C6 Category

The development of a campground must adhere to the following conditions:

Camping trailer caravans, recreational motorized vehicles, tent-trailers and tents are authorized;

The construction of certain accessories and services such as showers, toilets, and game rooms... with the aim of operating a campground is authorized;

Mobile homes are prohibited within a camping ground;

No camping trailer caravan or motorized caravan can be transformed or be expanded;

Only one (1) accessory building is authorized per location as far as the building does not exceed five (5) m<sup>2</sup> or (53,8 pi<sup>2</sup>);

All camping grounds must be surrounded by a buffer zone that is in conformity with the provisions of Article 4.8. The buffer zone cannot be used for purposes other than for green spaces;

No trailer caravan can be located less than twenty-five (25) metres from another trailer caravan;

All newly created camping grounds or expansion of existing camping grounds must be located at minimum distance of seventy-five (75) metres from any residential property.

All unused spaces available for specific uses under the current By-law or natural spaces must be planted with grass and embellished by planting trees and shrubs;

The location of all new campgrounds or the expansion of existing campgrounds requires the issuance of a Certificate of Authorization for the use;

A Certificate of Authorization for the use is granted for a camping ground once an applicant has submitted a development plan for the entire campsite. The development plan must include:

- Access routes and vehicle traffic roads, (including slope and right-of-way)
- Location of administration and service buildings,
- Location of sanitary installations,
- Location provisions,
- Development of recreation areas,

Certificate of Authorization from the "Environment Quality Act (LQE), the Conservation and Development of Wildlife Act",  
Survey plan for the sanitary services and potable water installations.

The occupation of trailer caravans or tent trailers is prohibited on the municipal territory outside the limits of a camping ground. However, the storing of trailer caravans or tent trailers on a residential property is authorized under the prescribed conditions of the current By-law. For example, adhere to the margins as stipulated under the By-law.

Under no circumstances can a trailer caravan or tent trailer be considered as a permanent residence or mobile home under the definition of the current By-law.



## **6 DEROGATORY BUILDING AND USES**

### **6.1 DEROGATORY BUILDING**

#### **6.1.1 Definition**

Derogatory Building: An existing building which is found to be in non-conformity with the provisions of the construction By-law or that of the current By-law in regards to it's location. The building has previously met the conditions of the municipal By-laws in effect at the time of construction. An acquired right protects this type of derogatory building.

A derogatory building, which has been modified to comply, cannot be re-modified to become again derogatory in regards of this current By-law.

#### **6.1.2 Demolishing a derogatory building**

In the case of a main building, the dispositions of the following paragraph apply:

When a derogatory building is completely destroyed as a result of a disaster or from whatever means, it is permitted to reconstruct on the same site. All reconstruction on the lot must be undertaken in conformity with the provisions of the construction By-law and in accordance with the procedures established by the Administration and Interpretation By-law found under the Planning By-law 2002-002 and the current By-law, with the exception of minimal margins requirements. The maximum time limit to reconstruct such a building is two (2) years.

#### **6.1.3 Modification or expansion of a derogatory building**

A derogatory building can be modified or expanded. The extension of existing walls is permitted on the condition that the extension is not located closer to the property line than the existing building. No expansion is permitted within a lateral or rear margins when an existing building is located less than two (2) metres from a property line. It is permitted to undertake regular renovations to maintain the building in good repair.

#### **6.1.4 Modification or expansion of a derogatory main building within the minimal setback of 15 metre from the high water line**

The expansion or addition is permitted at less than 15 metres of the high water line, even though the existing building is located within this area, if in conformity with the conditions of Article 4.12.3 of the current By-law.

## **6.2 DEROGATORY USES**

### **6.2.1 Definition**

Derogatory uses: An existing use that is currently in non-conformity with the provisions of the current By-law relating to the allowable use within the zone in which the use is located. On the date when the use began (activities), the use was in conformity with the zoning By-law in effect at this point and time. An acquired right protects this type of derogatory use.

### **6.2.2 Change in use**

No derogatory additional use can be brought forth.

All category use changes automatically result in loss of an acquired right.

A use that has previously been subject to a derogatory use and subsequently been also subject to conformity use cannot be reconstituted into a derogatory use.

### **6.2.3 Extension or expansion of a derogatory use**

A derogatory use cannot be extended to the inside or the outside.

### **6.2.4 Interruption or withdrawal of a derogatory use**

There is a loss of an acquired right when the derogatory use of a property or land is ceased or is withdrawn for a period of twelve (12) consecutive months. In this case, all subsequent site placement of a building must comply with the current By-law.

In the case of agricultural use, the acquired right persists as long as the agricultural installation exists on the property or as long as an agricultural use exists on the property.

## **7 BRINGING IN FORCE**

The current By-law will come into force once all procedures under the law are fulfilled.

GIVEN IN OTTER LAKE, QUEBEC this XX<sup>th</sup> Day of March 2005.

.....  
Terry Richard,  
Mayor

.....  
Anita Lafleur,  
Secretary-Treasurer

Adoption date of the notice of motion:

Reception date of conformity certificate :