

Municipality of Thorne

- Zoning By-law -

Number 2017-003



P . U . R . E

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Planning Consultant

TABLE OF CONTENTS

CHAPTER 1 DECLARATORY AND INTERPRETATIVE DISPOSITIONS _ 15

1.1 TITLE OF THE BY-LAW	15
1.2 OBJECTIVES	15
1.3 SUBJECTED TERRITORY	15
1.4 REPLACED BY-LAW	16
1.5 SCOPE OF THE BY-LAW	16
1.6 MODALITY OF AMENDMENT	16
1.7 DIVISION OF THE TERRITORY FOR VOTING PURPOSES	16
1.8 APPENDIX DOCUMENTS	16

CHAPTER 2 DISPOSITIONS RELATIVE TO THE ZONING PLAN _____ 17

2.1 DIVISION OF THE TERRITORY	17
2.1.1 Identification of the zones	17
2.1.2 Interpretation rules of the Zoning Plan	17
2.1.3 Interpretation rules of the zone boundaries	18
2.2 SPECIFICATIONS GRID	18
2.2.1 Interpretation rules of the Specifications Grid	19
2.2.2 Site Plan Standards	19

CHAPTER 3 GROUPS AND USE CATEGORIES _____ 20

3.1 GENERAL RULES	21
3.2 THE RESIDENTIAL USE GROUP	21
3.2.1 Residential Category R1 - 1 housing unit	21
3.2.2 Residential Category R2 - 2 to 4 housing units	22
3.2.3 Residential Category RM – Mobile home	24
3.3 THE COMMERCIAL USE GROUP	25
3.3.1 Commercial Category C1 – Variety store	25
3.3.2 Commercial Category C2 – Commercial professional services and of retail sales.	25
3.3.3 Commercial Category C3 – Commercial recreo-tourism and arts and crafts	26
3.3.4 Commercial Category C4- Commercial Heavy trade	27
3.3.5 Commercial Category C5- Commercial recycling of automobiles	28

3.3.6	Commercial Category C6 – Commercial entertainment premises	28
3.3.7	Commercial Category C7- Commercial Flea market	28
3.3.8	Commercial Category C8 – Camping ground	28
3.4	THE COMMUNITY USE GROUP	29
3.4.1	Community Category COM 1- Recreation spaces and equipment, community installations, cultural and of services	29
3.5	PUBLIC USE GROUP	29
3.5.1	Public Category P – Public infrastructure this category includes the public uses relating to public services.	29
3.6	INDUSTRIAL GROUP USE	30
3.6.1	Industrial Category I1 - Industrial light and manufacturing	30
3.6.2	Industrial Category I2 - Industrial heavy	30
3.7	EXTRACTION USE GROUP	31
3.7.1	Extraction Category EX	31
3.8	AGRICULTURAL USE GROUP	31
3.8.1	Agricultural Category A	31
3.9	COMPLEMENTARY USES	33
3.9.1	General rules	33
3.9.2	Residential complementary use	34
3.9.3	Complementary use – Bed and Breakfast	35
3.9.4	Complementary use - Industrial and manufacturing	35
3.9.5	Complementary use - Agriculture	35
CHAPTER 4	REGULATORY DISPOSITIONS	36
4.1	THE MAIN RESIDENTIAL BUILDING	36
4.1.1	General rules	36
4.1.2	The minimum surface area	36
4.1.3	The maximum height	36
4.1.4	Setback margins	36
4.1.5	Restrictions to housing	36
4.2	THE MAIN NON-RESIDENTIAL BUILDING	36
4.2.1	General rules	37
4.2.2	The height	37
4.2.3	The setback margins	37
4.2.4	Within the zones permitting the agriculture use group	37
4.3	THE SECONDARY BUILDING	37
4.3.1	General rules	37
4.3.2	Maximum surface area	38
4.3.3	Maximum height	38
4.3.4	The margins	38
4.3.5	Number of detached secondary buildings	38

4.3.6	Other standards	39
4.3.7	Temporary car shelter	39
4.3.8	Secondary building not requiring a building permit	39
4.4	THE MARGINS	40
4.4.1	General rules	40
4.4.2	Setback margins along Routes 301, 306 and 366, except Ladysmith	40
4.4.3	Site plan along a high voltage electricity transportation line	41
4.4.4	Properties along non conforming roads and servitudes	41
4.4.5	Individuality of the margins	41
4.4.6	Permitted uses within the margins	41
4.4.7	Corner property (visibility triangle)	42
4.5	SELF-SUPPORTING STRUCTURES AND ANTENNAS	43
4.5.1	Location	43
4.5.2	Dangerous structures	43
4.6	THE TREES	43
4.6.1	Special provisions on plots for development	43
4.6.2	Planning of open spaces	43
4.6.3	Public right-of-way	43
4.6.4	On public land	44
4.6.5	On private land	44
4.6.6	Obtaining of a certificate of authorization relating to the felling of trees	44
4.6.7	Tolerant hardwood stands, mixed stands with tolerant hardwood and white pine stands	44
4.6.8	Softwood stands, poplar stands and mixed stands with softwood dominance	44
4.6.9	Special provisions concerning the protection of lakes and watercourses	45
4.6.10	Special provisions concerning the return to production of bucking and stacking areas	45
4.6.11	Information to be provided by the private woodlot owner at the time of the application for a certificate of authorization relating to the felling of trees	45
4.7	FENCES	46
4.7.1	General rules	46
4.7.2	Materials	46
4.7.3	Prohibited materials	46
4.7.4	Barbed wire fence	47
4.7.5	Height of fences, walls	47
4.7.6	Provisions specifically applicable to the use Category C5	47
4.7.7	Height in the visibility triangle	47
4.7.8	Fences, walls, hedges on public property	47
4.8	THE BUFFER ZONES	47
4.8.1	General rules	48
4.8.2	Composition of a buffer zone	48
4.9	PARKING	48
4.9.1	General rules	48
4.9.2	Dimensions of parking spaces	49
4.9.3	Dimensions of the access lanes	49
4.9.4	Driveway entrances for a use other than residential	49

4.9.5	Minimum number of parking spaces required	49
4.9.6	Change of use	50
4.9.7	Residential use	50
4.9.8	Commercial and services use	50
4.9.9	Public use	51
4.9.10	Location of parking areas	51
4.9.11	Parking of heavy vehicles or commercial vehicles	52
4.9.12	Development Plan of parking areas	52
4.9.13	Loading areas	52
4.10	SIGNAGE	52
4.10.1	General rules	53
4.10.2	Sign illumination	55
4.10.3	Maintenance of the signs	55
4.10.4	Derogatory signs	55
4.10.5	Electrical supply	55
4.10.6	Real Estate projects	56
4.10.7	Obligation to obtain a sign permit	56
4.10.8	Signs authorized without a Sign Permit	56
4.10.9	Prohibited signs and messages	57
4.11	LANDSLIDE ZONES	58
4.11.1	Identification	58
4.11.2	Special conditions relating to the issue of a building permit in the landslide zones	58
4.12	PROVISIONS CONCERNING ACTIONS TAKEN ON THE EDGE OF LAKES AND WATERCOURSES	59
4.12.1	General Rules:	59
4.12.2	Obligation to obtain an authorization	60
4.12.3	Measures relating to shore	61
4.12.4	Measures relating to the littoral	63
4.12.5	Wharves and shelters - Occupation Lease from MEF (Ministère de l'Environnement et de la Faune du Québec)	64
4.12.6	Definitions specially applicable to article 4.12 and the followings	64
4.12.7	Rivers, lakes and watercourse	65
4.13	SPECIAL PROVISIONS CONCERNING AGRICULTURAL ACTIVITIES	65
4.13.1	Separating distances relating to breeding operations	65
4.13.2	Acquired rights	71
4.13.3	Separating distances relating to storage premises for farm manure located at more than 150 metres from a breeding farm	71
4.13.4	Separating distances relating to the spreading of farm fertilizers	72
4.13.5	Reciprocity principle and distance standards	73
4.13.6	Minimum distance for operating a kennel	74

CHAPTER 5 TYPE OF CASES _____ 75

5.1 SERVICE STATIONS AND GAS BAR _____	75
5.1.1 General rules _____	75
5.1.2 Implementation measures _____	75
5.1.3 Gas Pumps _____	75
5.1.4 Prohibited Uses _____	75
5.1.5 Property Access _____	76
5.1.6 Signage _____	76
5.2 FAST-FOOD RESTAURANT AND SNACK BARS _____	76
5.2.1 General Rules _____	76
5.2.2 Drive-thru _____	76
5.2.3 Secondary building _____	76
5.3 CAFÉ(S) _____	76
5.3.1 General Rules _____	76
5.3.2 Expert's Report – when there is an increase in business and/or turnover- _____	76
5.3.3 Location _____	77
5.4 SPECIFIC STANDARDS FOR VEHICLE RECYCLING USE _____	77
5.4.1 General Rules _____	77
5.4.2 The minimal margins _____	77
5.4.3 Erection of Fences _____	77
5.4.4 Ban on cutting existing trees within the lateral and rear margins _____	78
5.4.5 Buffer Zone _____	78
5.5 PARTICULAR PROVISIONS APPLICABLE TO MOBILE HOMES _____	78
5.5.1 Outdoor finish material for hall entrances or mobile homes extensions _____	78
5.5.2 Closure of the underside of a mobile home _____	78
5.5.3 Hall Entrances _____	78
5.6 PROPERTIES WITH TWO (2) MAIN BUILDINGS _____	79
5.7 STANDARDS APPLICABLE TO CAMPING GROUNDS _____	79
5.7.1 Sanitary Services – minimal requirement - _____	79
5.7.2 Other Class C8 Specific Standards _____	80

CHAPTER 6 DEROGATORY BUILDING AND USES _____ 82

6.1 DEROGATORY BUILDING _____	82
6.1.1 Definition _____	82
6.1.2 The demolishing of a derogatory building _____	82
6.1.3 Modification or expansion of a derogatory building _____	82
6.1.4 Modification or expansion of a derogatory main building within the minimal setback of 15 metre from the high water line _____	82
6.2 DEROGATORY USES _____	83
6.2.1 Definition _____	83

6.2.2	Change in use	83
6.2.3	Extension or expansion of a derogatory use	83
6.2.4	Interruption or withdrawal of a derogatory use	83
CHAPTER 7 BRINGING IN FORCE		84
CHAPTER 8 SPECIFICATION GRID		85

CHAPTER 1 DECLARATORY AND INTERPRETATIVE DISPOSITIONS

1.1 TITLE OF THE BY-LAW

The present By-law is known as "Zoning By-law number 2002-003" of the Municipality of Thorne. 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 2002-002".

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 2002-001".

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 Thorne;

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 Thorne.

1.4 REPLACED BY-LAW

The Zoning By-law of the Municipality of Thorne, designated as number 90-002, its amendments and the plans which are included, are abrogated and replaced by the present By-law: Zoning By-law number 2002-003.

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, 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 2002-002)

1.7 DIVISION OF THE TERRITORY FOR VOTING PURPOSES

All of the territory within the limits of Thorne is divided into zones. A specific code and a distinct number identify these zones. Each zone constitutes a voting unit, when an amendment request to the Zoning By-law is presented to the population concerned, and this, 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 Thorne, number: PZ-01-01, prepared by P.U.R.E., Planning Consultant and Guy Tellier of The Pontiac MRC, including the cartographic information provided by the Pontiac MRC;

The plan titled: Landslide Zones – Municipality of Thorne, number: ZMM-01-01, prepared by P.U.R.E., Planning Consultant, provided by the Pontiac MRC;

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

CHAPTER 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-01-01, show 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 1 to 100 from east to west designates the zones located outside of the center-village Ladysmith;

The zones located within the center-village Ladysmith are designated by the numbers 101 to 200 from east to west.

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](#), the delimitation of the zones indicated on the Zoning Plan - number: PZ-01-01 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:

2.1.1.1 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 meters, 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.

2.1.1.2 Modification of the information elements

Certain information elements having an incidence on the Zoning Plan, such as updates of the graphic map", 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, the use categories authorized are identified by using symbols, under each column representing a zone identified by its number;

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 meters.

2.2.1.1 Special dispositions

The Specifications Grid also indicates the special provisions that could apply in relation to setback margins to be respected along watercourses, main routes, landslide zones, buffer zones, etc.

CHAPTER 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">- 1 housing unit- 2 to 4 housing units- Mobile home	<u>R1</u> <u>R2</u> <u>RM</u>
Commercial	<ul style="list-style-type: none">- Variety store- Commercial professional, services and retail sales- Commercial recreo-tourism and arts and crafts- Commercial heavy trade- Commercial – recycling of automobiles- Commercial – entertainment premises- Commercial – Flea market- Commercial – Camping ground	<u>C1</u> <u>C2</u> <u>C3</u> <u>C4</u> <u>C5</u> <u>C6</u> <u>C7</u> <u>C8</u>
Community	<ul style="list-style-type: none">- Installations for recreation, community, cultural and of services	<u>COM1</u>
Public	<ul style="list-style-type: none">- Public infrastructures	<u>P</u>
Extraction	<ul style="list-style-type: none">- Extraction	<u>EX</u>
Agriculture	<ul style="list-style-type: none">- Agriculture	<u>A</u>
Industrial	<ul style="list-style-type: none">- Light Industrial and manufacturing- Heavy Industrial	<u>I1</u> <u>I2</u>

The identification Ladysmith, 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 which 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

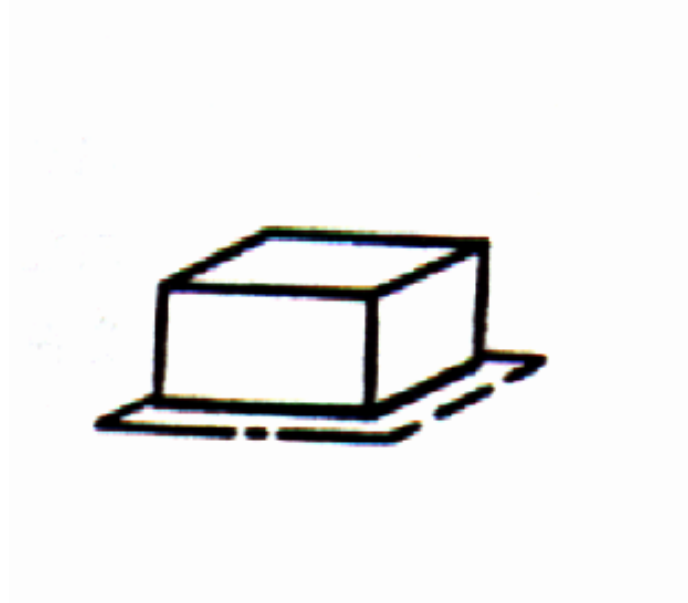
This category includes all single-family dwellings of one (1) housing unit.

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

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

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

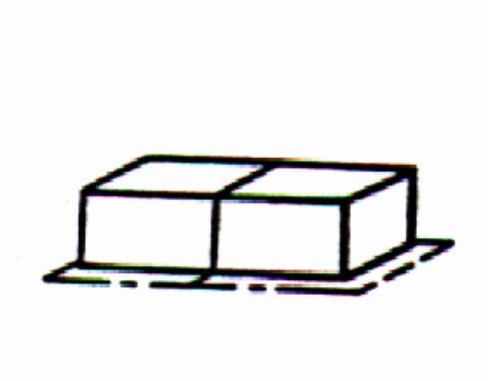
It must occupy 25% or less of the floor surface area of the building in which it is located - or – if the additional housing unit is located in the basement, it can occupy the total floor surface area even if the percentage of this occupation is superior to 25% - or – if the calculation of the 25% is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



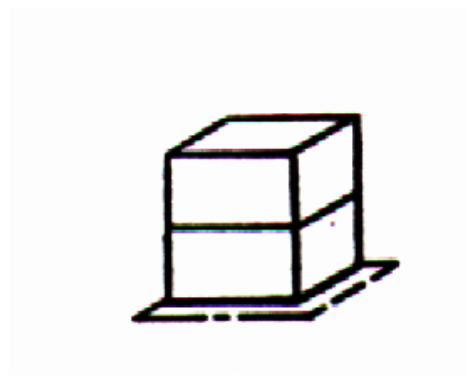
3.2.2 Residential Category R2 - 2 to 4 housing units

This use category includes the Use Category R1 and the following type of dwellings:

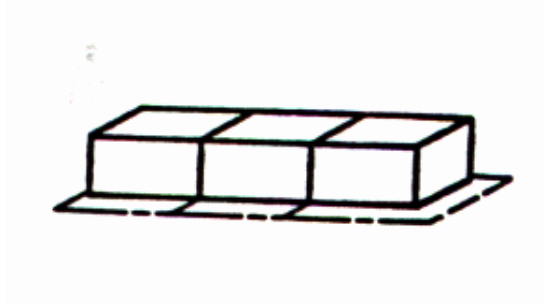
Semi-detached dwelling unit: Single-family dwelling joined, in whole or in part, to a single-family dwelling divided vertically.



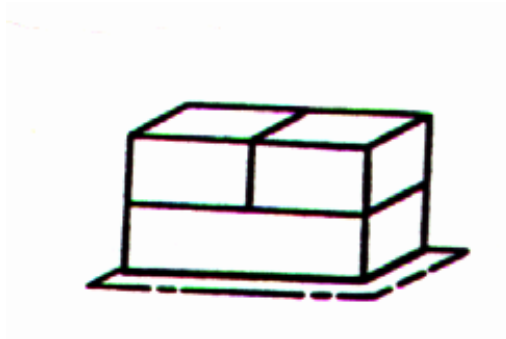
Duplex dwelling unit: Building including two (2) housing units, one over the other, having two independent entrances giving access directly to the exterior.



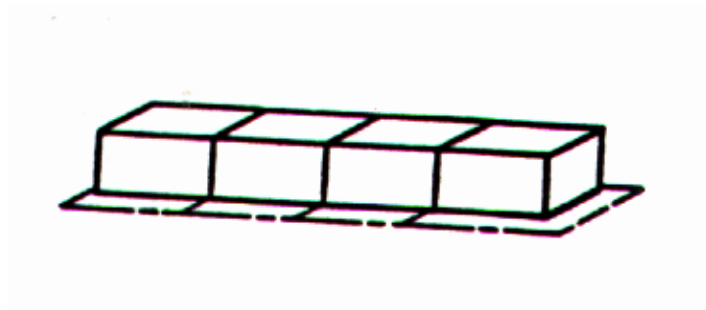
Townhouse dwelling unit: Single family dwelling where at least one dividing lateral wall is common, in whole or in part, to an adjacent single family dwelling, as long as the number of housing units hereby joined are a maximum of 3 units.



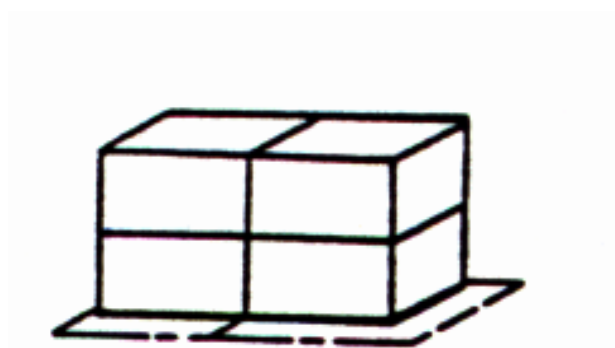
Converted dwelling unit (2-1 formula): Three family dwelling and having the disposition of one housing unit on one story and of two housing units on the other story.



Block townhouse dwelling unit: Single family dwelling of which at least one dividing lateral wall is common, in whole or in part, to an adjacent single family dwelling, as long as the number of housing units hereby joined is a maximum of 4 units.



Fourplex dwelling unit: Two family dwellings joined, in whole or in part, to another two family dwellings by a dividing vertical wall.



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 2002-002.

3.3 THE COMMERCIAL USE GROUP

Under each Commercial use Group, are assembled by category the commercial functions related by their nature, their incidence, 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 (utilize as a guideline) pertaining to each category.

3.3.1 Commercial Category C1 – Variety store

This category permits the use for a variety store when the use corresponds to the following definition:

Commercial establishment in retail sales such as a grocery, licensed or not, where small articles are sold and where the longer work hours are designed to accommodate the population of a residential neighborhood, for items required on a daily basis. Maximum surface area of 100 square meters.

3.3.2 Commercial Category C2 – Commercial professional services and of 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;
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.

3.3.3 Commercial Category C3 – Commercial recreo-tourism and arts and crafts

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;
Bar;
Bed and breakfast;
Butcher shop;
Catering service;
Cheese factory;
Confectionery;
Delicatessen;
Designer/couturier;
Fast-food restaurant;
Florist;

Gas Bar;
Gas station;
Golf;
Health center;
Hotel;
Inn;
Jewelry store;
Motel;
Nursery;
Outdoor Center;
Outfitter;
Parking area;
Pastry shop;
Pub;
Restaurant;
Riding center;
Ski center;
Smoke shop;
Snack bar;
Sports shop;
Terrace.

3.3.4 Commercial Category C4- 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 height of less than 2 meters 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.

3.3.5 Commercial Category C5- 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 of a height of 3 meters 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 meters. 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.

3.3.6 Commercial Category C6 – 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.

3.3.7 Commercial Category C7- Commercial Flea market

Is included in this category, any area where one or more vendors, sell merchandise from temporary open-air installations. The sale of merchandise within a building cannot, in any fashion, be associated to a flea market.

The provisions relating to parking spaces apply.

3.3.8 Commercial Category C8 – 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 public, para-public or private buildings 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 and para-public spaces that have as a main vocation, public services.

3.5.1 Public Category P – Public 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 center (septic waste).

3.6 INDUSTRIAL GROUP USE

This group includes the manufacturing enterprises, the factories, the workshops, the work sites and the warehouses. This category includes the industrial uses that could present a danger of explosion or fire and constitute a cause for nuisance in a continuous or intermittent manner for the neighborhood because of the noise, the smoke, the dust, the smells, the gas emanations, the heat, the brightness of the lights or others of the same nature.

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 such as sand, gravel, wood, woodchips, etc.

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;
Large production sawmill.

3.6.2 Industrial Category I2 - Industrial heavy

This category includes the industrial activities relating to the transformation of materials into finished products or semi-finished, relating to the repair or the modification of products, related to the salvaging or recycling of products. The permitted uses in the Category I1, are also permitted in this use category.

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

Industry of concrete and cement;
Industry of chemical products;
Industry of transformation;
Recycling factory;
Fabrication or material assembly plant or factory.

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.

3.8 **AGRICULTURAL USE GROUP**

This group includes all the activities and the uses that are permitted by the 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, use Category R1 is permitted.

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

Agricultural farm;
Animal farm;
Booth for selling products from the farm;
Commercial green houses;
Commercial sugar bush cabin;
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;
Homemade sawmill;
Institutional farm;
Kennel;
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;
Sylviculture;
Vegetable gardening.

Provisions for the Establishment of New Residences within the Agro-Forestry Designations

No new residences are allowed within the agro-forestry designations, identified in Appendix E of the Land Use and Development Plan, except:

- 1) to follow-up on a valid notice of compliance issued by the CPTAQ allowing the construction or reconstruction of a residence built in accordance with Articles 31.1 (single block vacant property of 100 hectares or more), 40 (farm residences), and 105 of the LPTAA;
- 2) for the construction of residences having already obtained authorizations from the CPTAQ;
- 3) for the replacement of residences having an acquired right or privileges (personal rights) under Articles 31, 31.1, and 40 of the LPTAA, according to the provisions for the extinguishment of such rights under the Law;
- 4) to follow-up on the two types of applications for residential purposes still admissible at the CPTAQ, that is:
 - a) to move, on the same land unit, a residence authorized by the CPTAQ or having rights under Articles 101, 103, and 105 (acquired right) of the LPTAA, or Article 31 (the owner of a vacant lot as of the effective date of the Law could build a residence on a vacant lot between 1978 and 1988);
 - b) to allow the conversion for residential purposes of a parcel of land having an authorization or an acquired right other than residential under Articles 101 and 103 of the LPTAA;
- 5) to follow-up on an authorization issued by the CPTAQ for the construction of a single residence on a vacant land unit of 10 hectares or more, already established under the ownership titles published in the land register on June 25, 2013, and that remained vacant since that date;
 - a) the maximum surface area used for residential purposes is 3,000 square metres or 4,000 square metres along a lake or a water stream;
 - b) the side yard to comply with when building a residence is 30 metres from a neighbouring non-residential property line;
 - c) a separating distance of at least 75 metres from the residence shall be observed relative to a cultivated field on a neighbouring property;
 - d) a minimum distance of 30 metres shall be observed between a well and a cultivated field;
- 6) to follow-up on an authorization issued by the CPTAQ for the construction of a single residence on a vacant land unit of 10 hectares or more, formed by the replotting of two or more

vacant land units already established under the ownership titles published in the land register on June 25, 2013, and having all remained vacant since that date;

a) the maximum surface area used for residential purposes is 3,000 square metres or 4,000 square metres along a lake or a water stream;

b) the side yard to comply with when building a residence is 30 metres from a neighbouring non-residential property line;

c) a separating distance of at least 75 metres from the residence shall be observed relative to a cultivated field on a neighbouring property;

d) a minimum distance of 30 metres shall be observed between a well and a cultivated field.

In the event that the residence is not being established along a public road, and an access road needs to be built to get to the residence, it can be added to the surface area of 3,000 square metres or 4,000 square metres along lakes and water streams, and shall be of a minimum width of 5 metres. In this case, the total surface area used for residential purposes shall not be more than 5,000 square metres, which includes the surface area of the access road.

When a land unit overlaps more than one designation, it is the total surface area of the property that must be calculated for the minimum required surface, but the residence and the overall authorized surface area mentioned in items 6 a) and 7 a) of the above section entitled "Provisions for the Establishment of New Residences within the Viable Agricultural and Agro-Forestry Designations" shall be within the viable agricultural designation or the agro-forestry designation.

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 Thorne.

3.9.1 General rules

The complementary use is exercised on all of the territory of the Municipality of Thorne. 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 the following. 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 from the Municipality an Authorization certificate for the use.

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 authorization certificate 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 meters 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 centimeters 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;
Distributeur sans entreposage;
Hairdressing salon;

Home based daycare service;
Modiste;
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;
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. The authorization certificate for the use is obligatory in order 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.

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:

Animal boarding and training service;
Club or association related to the study or the observation of nature;
Counter or booth for the sale of agricultural products from a local farm;
Fishing pond;
Horseback riding;
Manufacturing activities related to the transformation of wood;
Racehorse track;
Warehouse, shed, shelter for animals, silos or other buildings similar in nature.

Any other use where the authorization of the [C.P.T.A.Q.](#) has been granted in order to implement these uses.

CHAPTER 4 REGULATORY DISPOSITIONS

4.1 THE MAIN RESIDENTIAL BUILDING

The objective: Establish precise provisions in order to better control the constructions.

4.1.1 General rules

The type of residential building permitted for each of the zones of the territory of the Municipality is identified in the Specifications Grid. Within the zones permitting exclusively 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 is of 32 square meters (344 square feet). These provisions do not apply to the use category RM (mobile home).

4.1.3 The maximum height

The maximum height permitted is of 2 stories or 15 meters from the average ground level.

4.1.4 Setback margins

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

4.1.5 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 better control 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 none residential use.

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

The minimal distance separating the main buildings is of 5 meters.

4.2.2 The height

The maximum height permitted is of 2 stories or 15 meters from the average ground level.

4.2.3 The setback margins

The minimal setback margins to respect for the site plan 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*”.

The minimal distance separating the main buildings is of 5 meters.

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.

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.

4.3.2 Maximum surface area

The maximum surface area of the **detached** secondary building is determined in consideration of the surface area of the lot on which it is built. The maximum surface area of the detached secondary building is of 10% of the surface area of the lot on which it is built. The ground surface area determines the 10%.

The application of this proportion (10%) cannot hinder the construction of a detached secondary building to a maximum surface area that is inferior to 100 m², this, on the condition of respecting the prescribed margins in the Specifications Grid. For example, 10% of a lot of 700 m² = 70 m², however, it is still permitted to build a detached secondary building of 100 m² on the condition of respecting the prescribed margins in the specifications grid.

When the secondary building is attached to the main building, the maximum surface area does not apply. To be considered attached means having a common wall of a minimum of 3 meters wide.

On lots or properties in an agricultural zone, on which 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.

4.3.3 Maximum height

The maximum height permitted is of 2 stories or 15 meters at 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 minimal margins to be respected for the site plan of a detached secondary buildings are 2 meters, except for the lots located within the zone 102 in the Ladysmith area where the margins are reduced to 0.5 meters when there is no opening on the side and at 1.5 meters on the side of the opening, when there is an opening on the side. For the attached secondary buildings, the margins are the same as those of the main building, the whole as indicated, by zone, in the Specifications Grid.

The front setback margins of a secondary building are the same as those of a 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 the following are applicable.

4.3.5 Number of detached secondary buildings

The maximum number of detached secondary buildings is 2 per lot or property with a surface area of 2,000 m² and less. This provision is not applicable in the other circumstances.

4.3.6 Other standards

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

As an exception, in a case where 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.

Before issuing the building permit for a secondary building, 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.

The secondary buildings can be fitted with toilets and running water on the condition of being hooked up to a septic installation.

The provisions of the 3 preceding paragraph sub-sections, as well as articles [4.3.3](#) and [4.3.5](#) 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.

4.3.7 Temporary car shelter

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

4.3.8 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 m² (48 pi²).

4.4 THE MARGINS

The objectives:

Ensure spaces free of structures, constructions and buildings at the boundaries of the property.

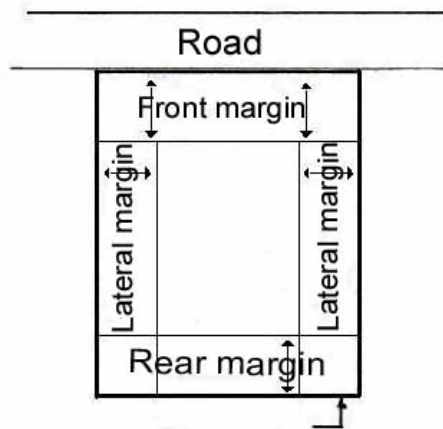
Protect the existing constructions and buildings.

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, 306 and 366, except Ladysmith

Along Routes 301, 306 and 366, any new building must be built at a minimal distance of fifteen (15) meters from the right-of-way, Except for the zone located within the local Center of Ladysmith, being zone number 102 on the Zoning Plan, where the setback margin is reduced to 6 meters.

4.4.3 Site plan along a high voltage electricity transportation line

For any site plan at less than fifteen (15) meters 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 prescriptions are applicable, should it be the case.

4.4.4 Properties along non conforming roads and servitudes

When non conforming roads or servitudes exist 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 having a width of more than two meters and forty centimeters (2.40 m), flush to the building, where they do not protrude to 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, balconies;

The dispositions of the visibility triangle, in accordance with the provisions of [Article 4.4.8](#), 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 centimeters (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 meters (7 m) on the side, calculated along the boundaries of the road, at the intersection of these roads. In the boundaries of the local Center of Ladysmith, the minimal distance required is reduced from 7 meters to 5 meters. 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:

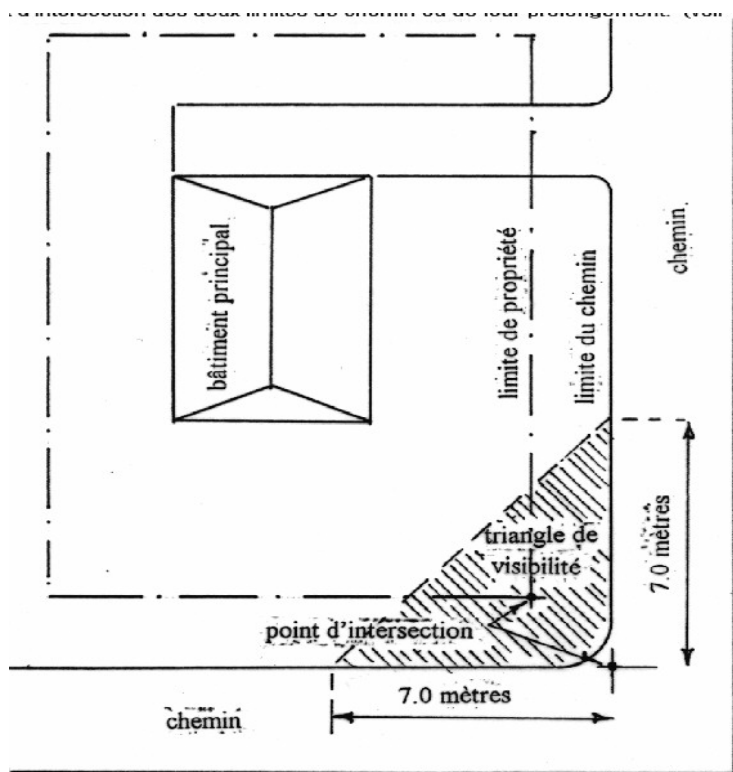
The maximum surface area for a sign is of 1.50 square meters;

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 meters fifty (2.50 m);

The sign must be installed at a height of at least 2.50 meters;

The total structure (base, post and sign) must not exceed a height of six meters (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 Location

No self-supporting structure or parabolic antenna shall hang over the public roadway.

4.5.2 Dangerous structures

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 any structure deemed to be dangerous be repaired immediately by its owner.

4.6 THE TREES

The objective: Ensure the conservation of the rural character of Thorne.

4.6.1 Special provisions on plots for development

For any wooded plot already developed or on the way to be developed for residential purposes, at least one third of stems of 10 centimeters or more at chest-height must be preserved.

When the plot is next to a lake or a watercourse, the bank protection strip is not included in the one-third-of-stems rule;

This provision does not apply within the urban land use designation, intermediate centers and local centers.

4.6.2 Planning of open spaces

Any open space on a property, shall be meant as an area not occupied by buildings, driveway entrances, parking, exterior storage where it is permitted in the Specification grid, natural areas, the shore, etc. must be landscaped, maintained and covered by grass, hedges, trees, flowers, rock gardens, sidewalks, etc., or left in a natural state.

4.6.3 Public right-of-way

It is strictly forbidden to damage, remove, prune or cut trees, shrubs or cultivated plants, on public properties and in the right-of-way of the roads, without authorization from the Municipality.

The planting of trees, along roads and public properties, must be made at a minimum distance of two (2) meters from the separation distance of the lots.

4.6.4 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).

4.6.5 On private land

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

4.6.6 Obtaining of a certificate of authorization relating to the felling of trees

The obtaining of a certificate of authorization with regard to the felling of trees is mandatory to harvest a volume of wood equivalent to 175 m³ solid or more per year. This provision applies to all the lots of each landowner.

4.6.7 Tolerant hardwood stands, mixed stands with tolerant hardwood and white pine stands

Only partial cuts are allowed in tolerant hardwood stands, mixed stands with tolerant hardwood and white pine stands. The maximal harvest of 30 % of the volume before the cut, distributed in all classes of diameter of more than 10 centimeters, or 15 centimeters at the stump, is allowed. The residual basal area must be at least 16 square meters to the hectare uniformly distributed in order to avoid the creation of gaps. Cutting cycle, which is proportional to the intensity of the cut, must be 20 years on average without being less than 15 years.

Tolerant hardwood stands and mixed stands with tolerant hardwood disrupted in volume or in quality are an exception to this provision. A stand is disrupted when 25 to 50 % of its basal area is removed or destroyed by one of the following causes: wind-felled trees, fire, insect epidemic, illness. To this end, the application for the certificate of authorization must include a silvicultural prescription signed by a forestry engineer member of the Québec Order of Forestry Engineers (OIFQ). This prescription must also include measures to return to production the area cut.

4.6.8 Softwood stands, poplar stands and mixed stands with softwood dominance

Tending of trees is allowed in immature stands.

Clear-cuts with protection of regeneration and of soils (CPRS) are allowed in the softwood stands, poplar stands and mixed stands with softwood dominance on a maximal area of 10 hectares in a single block under the following conditions:

The stand must have reached its maturity; generally, a stand reaches its maturity when the majority of the trunks reach 36 centimeters or more in diameter;

The regeneration of the area that is clear-cut must include at least 1,500 seedlings of commercial species uniformly distributed on each hectare before undertaking the same type of cut on the same land property;

When a subsequent clear-cut takes place on a same land property, a wooded strip of a minimal width of 50 meters must separate the old cutting area from the new one;

A maximal of 30 % of the volume, distributed in all classes of diameter of more than 10 centimeters, or 15 centimeters at the stump, are allowed in the wooded strips.

The previous provisions also apply to stands issued from plantations.

Salvage cutting is an exception to this provision and may cover all the area affected. A silvicultural prescription signed by a forestry engineer member of the Québec Order of Forestry Engineers (OIFQ) must be provided with the application for a certificate of authorization. This prescription must also include measures to return to production the area cut.

4.6.9 Special provisions concerning the protection of lakes and watercourses

Over and above the provisions concerning actions taken along banks of lakes and watercourses, the following provisions do apply:

It is forbidden to use any watercourse as an access or skidding road; adequate bridges or culverts allowing for the natural flow of water must be put in place each time a forestry road, skidding road or hauling road crosses a watercourse ;

Trees must be cut in a way to avoid them falling into the lakes and watercourses; when this situation occurs, lakes and watercourses must be cleaned and all debris from the operation be removed.

4.6.10 Special provisions concerning the return to production of bucking and stacking areas

Bucking and stacking areas must be cleaned and returned to production after their use, except in the case of partial cuts done in tolerant hardwood stands, mixed stands with tolerant hardwood and white pine stands.

4.6.11 Information to be provided by the private woodlot owner at the time of the application for a certificate of authorization relating to the felling of trees

Identification of the owner;
Identification of the forestry operator;
Location of the lot (lot, range, township);
Location of projected works, previous cutting areas, bucking and stacking areas, lakes, watercourses and roads;
Type of cut: partial cut, clear-cut, or other ;

Area of the cut;
Purpose of the cut;
Execution timing of the cut.

Furthermore, at the time of the analysis of the application for the certificate of authorization, the following information must be obtained and taken into consideration:

Location of wildlife habitats, corridors and sites of aesthetic interest;
Volume before the cut in the case of a partial cut;
Presence or absence of pre-established regeneration in the case of a clear-cut (CPRS and CRS);
Works subsidized or not by the *Agence régionale de mise en valeur des forêts privées outaouaises* (a regional agency for the development of the private forests in the Outaouais region) ;
Works located or not in the agricultural zone.

Following the analysis of this application, a certificate of authorization is issued if the previous obligations are respected. The certificate of authorization must be issued within 10 days after the application. It is valid for 12 months after the issuing day.

4.7 FENCES

The objectives:

Permit the owners of lots to 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.

4.7.3 Prohibited materials

Fences built with chicken wire, snow fence, non painted 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 a agricultural zone (CPTAQ) or on exploited farms.

4.7.5 Height of fences, walls

The maximum height of fences and walls is of two (2) meters.

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

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

4.7.6 Provisions specifically applicable to the use Category C5

During the exploitation of a use of the use category C5, the provisions of [Article 5.4](#) 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) centimeters.

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 at the owner's risks. Any relocation of these accessories that would be necessary to the performance of public utility work, after notice, must be done by the owner, at his cost. If the owner refuses or neglects to do the required relocation work, this work could be performed by the Municipality, at the owner's expense.

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 an authorization certificate for use for the purpose of 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 development of the buffer zone must be made by the owner of the property or of the property where the industrial use or the exploitation for extraction purposes will be done, 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) meters, with a maximum distance of 3 meters 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 parking spaces to ensure a safe access outside the road network.
Ensure an optimal functioning of the 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 local Center of Ladysmith, where other alternatives are 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 Dimensions of parking spaces

Each parking space must have the following minimum requirements:

Length 6 m;
Width: 2,5 m.

4.9.3 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) meters.

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) meters.

4.9.4 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) meters. The maximum number for entrances is of two (2) for a property having a frontage of more than forty-five (45) meters and is inferior or equal to one hundred (100) meters. This number is of three (3) for one (1) property having a frontage of more than one hundred (100) meters.

The distance between two driveway entrances must not be less than seven meters fifty (7.50 m).

4.9.5 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 [4.9.7 to 4.9.9](#).

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 meters" must be interpreted as "square meters of floor area serving to a use".

The floor surface areas used to calculate the numbers 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 local Center of Ladysmith, specifically the zone number 102, the obligation to supply a minimum number of parking spaces is not necessary, when the property does not have sufficient space.

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 authorization certificate for 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 the Articles [4.9.7](#) and [4.9.9](#) becomes obligatory, or the Authorization certificate for the use, will not be issued.

4.9.7 Residential use

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

4.9.8 Commercial and services use

Offices, banks, retail sales, service shops or any other use that is not mentioned hereafter must provide one (1) parking space for each twenty-five square meters (25 m²) of floor surface area, with a minimum of three (3) spaces in total.

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 meters 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) meters of bench space, when there are no fixed seats.

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 meters 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 meters of floor surface area to a total of two hundred (200) square meters plus one parking space for each additional two hundred (200) square meters.

Flea markets must provide (1) one parking space for each ten (10) square meters 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 meters of floor used for viewing purposes.

Variety stores must provide one (1) parking space per ten (10) square meters of floor surface area.

4.9.9 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 meters 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 meters 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 meters.

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 meters of beach.

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

4.9.10 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.

4.9.11 Parking of heavy vehicles or commercial vehicles

Any construction or transportation machinery with a total net mass of more than 3 500 kg is considered as a heavy vehicle in terms of the present By-law.

Parking of a heavy vehicle on one's own property is permitted when the resident of that property is using that heavy vehicle to get to work or to work .

As a guideline, are hereby considered and not limited to, the following machine and vehicles:

Paving roller;
Power shovel, backhoe, cranes, excavators, etc;
School bus;
Trailer or semi-trailer used for commercial purposes;
Transportation trucks.

4.9.12 Development Plan of parking areas

No building permit or Authorization certificate 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.

4.9.13 Loading areas

A building permit or an authorization certificate 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 located in the local Center of Ladysmith.

4.10 SIGNAGE

The objectives:

Regulate the site plan, size and dimension, and the number of signs per property;
Ensure the homogeneity and safety measures in the matter of signage.

4.10.1 General rules

When an individual wishes to install, rebuild, expand, alter, relocate, install, finish a sign, this procedure must be made in compliance with the provisions of Articles 4.10 and the following. Any sign advertising a service or a commercial venue must be installed on the building where the service is rendered or where the commercial activity takes place, except for directional signs.

4.10.1.1 Signs attached to the building

The maximum surface area permitted for this type of sign is 1 square meter per 1 meter of wall width to a maximum of 10 square meters.

It is permitted to install one or more signs of this type per use, as long as the total size of the signs respect the provisions of the preceding sub-section paragraph.

An Authorization certificate for the use, for the commercial property for which the sign is intended is conditional to obtaining a permit to the installation of signs.

Signs attached to the building must be posted flat on the building; they cannot be incorporated to the exterior finishing materials, but they can be installed on a canopy if they are at less than two meters fifty (2.50 m) from the ground. The face of the sign must be parallel to the wall of the building on which is installed. These signs can protrude by no more than thirty centimeters.

No sign can be installed in front of a window or a door, nor can it block, mask, simulated or conceal a door or a window.

No sign should hang over or encroach on the public road.

4.10.1.2 Signs detached from the building

In addition to the sign attached to the building, it is permitted to install a sign detached from the building in consideration of the following conditions:

The maximum surface area permitted for this type of sign is of 6 square meters.

Only one sign of this type is permitted per use.

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

Signs detached from the building, except for directional signs, must be suspended, supported or installed on a post or a small wall.

No sign can be placed on a tree, a public utility post, a fence or a secondary building.

Unless otherwise specified in each case, the maximum height permitted for a sign detached from the building is of six (6) meters in relation to the level of the road or the ground.

The structure or the post serving as base to the sign must be located at a minimum distance of 1 meter in relation to all of the lot lines.

A movable advertising panel, generally on wheels, is often rented for limited time periods must be installed outside the visibility triangle and outside of the margins of the property on which it is located. The maximum surface area of this panel is of 6 square meters on each side.

On a corner lot, a sign can be installed inside the visibility triangle and the right-of-way of the road on the condition of respecting the special provisions of the visibility triangle, see [Article 4.4.7.](#)

4.10.1.3 Sandwich Board

In addition to the sign attached to the building and of the sign detached from the building, it is permitted to install a sandwich board by respecting the following conditions:

A sandwich board is a movable sign, folded on itself, and designed to be visible from both sides.

The maximum surface area of a sandwich board used to advertise a product or a service is one square meters (1 m²) or (10.7 ft²), per side. It is permitted to install two sandwich boards per property.

The installation of a sandwich board is prohibited in the public right-of-way.

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

On a corner lot, a sign can be installed inside the visibility triangle and the right-of-way of the road on the condition of respecting the special provisions of the visibility triangle, see [Article 4.4.7.](#)

4.10.1.4 Directional signs

In addition to the sign attached to the building, the sign detached from the building and the sandwich board, it is permitted to install a directional sign by respecting the following conditions:

A sign with a surface area of 6 square meters per property or lot.

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

The structure or the post serving as base to the sign must be located at a minimum distance of 1 meter in relation to all of the lot lines.

4.10.1.5 On a corner lot, a sign can be installed inside the visibility triangle and the right-of-way of the road on the condition of respecting the special provisions of the visibility triangle, see [Article 4.4.7 Temporary signs](#)

Three (3) temporary signs are authorized on the following conditions:

- The installation of this sign is conditional to obtaining an Authorization certificate for the use, for the commercial property for which the sign is intended.
- A permit can be issued once (1) a year only, for a maximum of sixty (60) calendar days.
- The maximum surface area for a temporary sign is of six square meters (6 m²).
- The site plan of a sign is regulated by the same prescriptions as the detached signs, see [Article 4.10.1.2](#).

4.10.2 Sign illumination

Any sign can be illuminated, meaning illuminated by a source of light, not related to the sign or away from it, on the condition that this light source is not harmful from the public road and the neighborhood.

Also, any sign can be illuminated by a fixed constant light source placed inside the sign, on the condition that this sign is formed of a material, not too transparent, that conceals the light source and makes it anti-reflective.

4.10.3 Maintenance of the signs

Any sign must be maintained and repaired to ensure that it does not represent a source of public danger. Also, any sign advertising an establishment or an event that has taken place or that no longer exists, must be removed by its owner within one (1) month following the end of the operation of the establishment or two (2) weeks following the end of the event, including garage sales.

4.10.4 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.

4.10.5 Electrical supply

The electrical or mechanical supply of the lighted sign installed on a post, must be safe.

4.10.6 Real Estate projects

Two (2) signs on posts are authorized to identify either the subdivision and/or the construction of real estate projects on the condition they are installed on the subject property.

However, a directional sign of a maximum width of seventy-five centimeters (0.75 m) and a height of twenty-five centimeters (0.25 m) could be installed at the intersection of the main road of the project and the nearest municipal road, for the purpose of indicating the directions to access the real estate project.

The maximum surface area permitted for these two (2) signs is of twelve square meters (12 m²), but only one sign can exceed 10 (10 m²) square meters.

The permit is issued for a maximum period of one (1) year. Following the expiry of this delay, the permit can be renewed if the project is not completed.

4.10.7 Obligation to obtain a sign permit

Any individual wishing to install, rebuild, expand, alter, relocate, post, finish a sign or an advertisement panel 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 2002-002.

4.10.8 Signs authorized without a Sign Permit

The signs listed hereafter do not require obtaining neither 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, as long as they do not exceed a surface area of three square meters (3 m²) and that they be located on the same property as the use they refer to.

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

Signs commemorating an special or an annual event (Ex. Oktoberfest) 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 and that do not exceed a surface area of three-square meters (3 m²).

Signs concerning the practice of a cult or other religious activities, and that do not exceed a surface area of three-square meters (3 m²).

A personal identification sign posted on the property indicating the name, address of the occupant, and that does not exceed a surface area of three square meters (3 m²) and that it be illuminated using a white light bulb only, incandescent and continuous type.

An identification sign on the property where there exists a public use, not exceeding a surface area of three square meters (3 m²)

Temporary signs used to identify a construction project and/or architect, engineer, contractor as well as sub-contractors involved in this construction project, and that do not exceed a surface area of three-square meters (3 m²). These signs must be removed within fifteen (15) 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) and that do not exceed a surface area of three square meters (3 m²). These signs must be installed on the same property as the use they refer to. Two additional directional signs can also be installed.

Temporary signs to advertise the sale or the rental of offices and other premises within the zones dominantly commercial, industrial and institutional and that do not exceed a surface area of three-square meters (3 m²). These signs must be installed on the same property as the use they refer to. At an intersection, when there are more than one sign from the same firm, they must be installed on the same post.

Signs of an electoral candidate, of a political party or of an electoral campaign, and that they are removed within seven (7) days following the voting date.

4.10.9 Prohibited signs and messages

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

Any bright sign or message trying to imitate or imitating illuminated warning devices commonly used on police vehicles, ambulances and fire vehicles, or any bright sign of the same nature as these devices.

Any sign or message with flashing, pivoting or rotating lighting.

Any sign or message installed on the slopes or the summit of a mountain.

Any advertising message, by using paint, on any building exterior finish as well as on bituminous covering and fences of any property.

Paper or cardboard signs posted elsewhere than on the advertising panels and the advertising panels or billboards.

Any sign or message used to promote a real estate project located outside of the territory of the Municipality.

4.11 LANDSLIDE ZONES

Objective:

Inform the population of the inherent risks of landslides.

Protection of property and people against the risks of landslides.

4.11.1 Identification

The zone limits 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),

Landslide zones are illustrated on the attached plan called:

Landslide zones prescribed into the Regional Master Plan - Municipality of Thorne - ZMM-01-01, originated by the Pontiac MRC

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 storey's maximum;
- The minimal area of lots must be 6,000 m² each ; this area may be reduced to 4,000 m² when a study made 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 m² is forbidden;
- Planting of vegetal species in parts bared at the time of works must be carried out.

In the medium-risk zones:

- The minimal area of lots is 4,000 m² each ;
- Septic tanks, embankment at the top and excavation at the foot of the embankment are forbidden ;
- Deforestation of more than 1,000 m² per plot is forbidden ;
- Planting of vegetal species in parts bared at the time of works must be carried out ;
- Notwithstanding the above, subdivision and construction are only allowed when a study made 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

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.

Preserve and maintain the panorama densely wooded areas near bodies of water.

4.12.1 General Rules:

For any structure or works susceptible to destroy or modify the vegetal cover of shore, to bare the land, to affect its stability or that encroach on the littoral, except for structures and works relating to forest management activities, the execution of which is governed by the Forestry Act and its operating regulations, the obtaining of an authorization is mandatory. This authorization may be in the form of a building permit or a distinct authorization depending of the nature of the project.

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, levelling, in-fill or any other similar type of work.

The policy for the protection of shore, littoral and flood lands, number 103-96, Quebec Government has served as a guide to elaborate the standards of the current By-law regarding the action taken on lake shores 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 Thorne.

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 an authorization

For any structure or works susceptible to destroy or modify the vegetal cover of shore, to bare the land, to affect its stability or that encroach on the littoral, except for structures and works relating to forest management activities, the execution of which is governed by the Forestry Act and its operating regulations, the obtaining of an authorization is mandatory. This authorization may be in the form of a building permit or a distinct authorization depending on the nature of the project. Furthermore, the authorization does not take away the obligation of the holder to obtain additional authorization that will 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 shore.

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 a expert specializing in erosion and ecological impacts.

The property owner on which 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 vegetal cover without excavating, dredging, leveling, in-fills, gabions or any other similar work, the detailed report is not required.

4.12.3 Measures relating to shore

Are allowed the construction, expansion or addition and other work satisfying the above mentioned conditions:

-Standards applicable to the construction of a main building -

The minimal setback from the high water line of any new main building is 15 meters.

-Standards applicable to the reconstruction, expansion or addition to an existing main building -

In the case where a main building exists before the coming into force of the present By-Law, it is permitted to construct an addition to the main building, a veranda, deck, steps or an overhanging structure, all without a roof and on an encroachment of 2 meters within the interior margin of 15 meters.

In the case where an existing building is within the interior 15 meters 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 on the shore at a minimal distance of five (5) meters from the high water line. Furthermore, the reconstruction, expansion or addition must meet the following conditions of table 4.12.3:

Minimal distance from the high water line in meters	Minimal lateral margin in meters
5	8
6	7
7	6
8	5
9	4
10	3
11	2
12	2
13	2
14	2
15	2

Table 4.12.3 is created to reduce the frontage of buildings as they are situated closer to the high water line. Furthermore as buildings are situated closer to the high water line, the more the lateral margin is getting larger.

The maximum width of a main building is 9.75 meters.

It is permitted to erect, attached to the main building, a veranda, deck, steps or overhanging structure, all without a roof and on an encroachment of 2 meters within the margin of 15 meters from the high water line. These constructions must be situated outside the lateral margin prescribed under table 4.12.3.

-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 fifteen (15) meters from the high water line.

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

The dimensions of the lot no longer allow for the construction or erection of a secondary building outside the fifteen (15) meters marginal line;

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

The secondary building must be built on a area without filling or excavation;

The maximum area of the secondary building must be 6 metres² (approximately 8' X 8').

A lateral margin of two (2) meters must be respected.

-Standards applicable to the construction of a temporary secondary building -

The assembly of a temporary secondary building or a temporary structure can be installed at a minimum distance of five meters (5 m) from the high water line. To be considered as a temporary secondary building or a temporary structure, this installation must be removed from December 1st to April 1st each year.

-Standards applicable to work relating to the vegetation-

The forest management activities governed by the Forestry Act and its operating regulations;

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 centimeters 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 %; this opening must be developed obliquely in relation to the body of water;

Pruning and thinning necessary to develop a 5-metre wide opening when the slope of shore is more than 30 %, as well as a trail or stairs leading to the body of water; this opening must be developed obliquely in relation to the body of water;

Seedlings and planting of vegetal species, trees or shrubs, as well as works aimed at restoring the permanent and durable vegetal covers;

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 %.

-Standards applicable to work relating to the agriculture-

The makeup of the soil has purposes for agriculture. However, minimal strip of three (3) meters on the shore must be maintained. Furthermore, if there is an embankment with a height

inferior to three (3) meters from the average high water line, the width of the shore must include a minimum of one (1) meter 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;

Necessary equipment for aquaculture.

-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 conforms with 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 vegetal cover and natural character of shore, 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 works 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) ;

The plantation of cedar hedges or the plantation of trees -

P.S.: The erection of fencing must be done outside the fifteen (15) meter high water line.

4.12.4 Measures relating to the littoral

Are permitted in the littoral the structures and works satisfying the above mentioned conditions:

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 cannot be done by using tar-lined, painted or chemically treated wooden materials ;

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

The installation equipment necessary for aquaculture;

The installation water intakes;

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

The cleaning and maintenance works without excavation that must be done in the watercourses by the municipalities or the MRC of Pontiac 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 \(L.R.Q., c. R-13\)](#).

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

The installation of wharves and/or shelters permanently fixed or not on the shore is permitted. In the case where the frontage of a wharf and/or shelter exceeds the 10% frontage of the lot **or** exceeds an area of 20 m², an occupation permit issued by the MEF will be necessary before begin these constructions work.

4.12.6 Definitions specially applicable to article 4.12 and the followings

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

This high water line is located at the place where we go from a predominance of aquatic plants to a predominance of land plants. In a case where there is no aquatic plants the high water line starts where land plants are the closer 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 retained-water 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 15 meters.

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

Forestry clean up : A forestry clean up consists of 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 water navigation from water running from adjacent lands, that is, road ditches and adjacent land ditches.

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

4.12.7 Rivers, lakes and watercourse

All rivers, lakes and watercourses are targeted by the previous mentioned provisions, except for ditches which 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

Objectives :

The following provisions aim 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 against 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 seven (7) following 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.

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 the previous table serves as an indication. 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 period of growth. For any other species of animal, a gross weight of 500 kilograms is equal to one animal unit.

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 these data are adapted from the Association of German Engineers VDI 3471 .

Parameter C, which is the load of odors

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.

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 - other groups or categories of animals	0.6 0.8
Management of liquid - slaughter and milk cattle - other groups and categories of animals	0.8 1.0

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.

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).	F₁ 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.	F₂ 1.0 0.9 0.8
Other technologies - new technologies may be used to reduce the distances when their efficiency is proven.	F₃ Factor to be determined at the time of accreditation

Parameter G, which is the usage factor

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) meters from a lot line.

4.13.2 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.

4.13.3 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 m³.

Minimal separating distances, in meters, between storage premises for farm manure located at more than 150 meters 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:

For Parameter A, each reservoir capacity of 1,000 m³ corresponds to 50 animal units;

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 ;

Separating distances related to storage premises for liquid manure¹ located at more 150 metres from a breeding installation.

Storage capacity (m ³) ²	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.

4.13.4 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 a place 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 fertilizers¹

			Required distance from a dwelling house, an urbanization perimeter or a protected immovable (m)	
Type	Method of spreading		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.

4.13.5 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 meters;
Protected immovable:	367 meters;
Dwelling house:	184 meters.

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 neighboring operation 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.

4.13.6 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 meters 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.

Separating Distances for the Management of Odours Applicable to New Residences in the Agricultural Zone

To promote cohesion of uses in the agricultural zone and reduce the inconveniences related to odours, the establishment of new residences in the agricultural zone is subject to minimum separating distances with regard to all farming facilities. These separating distances are defined in the following table:

Type of production	Livestock Units*	Minimum Required Distance* (m)
Cattle or grain-fed calf	Up to 225	150
Cattle (fattening)	Up to 400	182
Milk	Up to 225	132
Swine (maternity, nursery)	Up to 225	236
Swine (fattening, farrowing, finishing)	Up to 599	267
Poultry (chicken, turkey, etc.)	Up to 400	236
Other productions	Distances provided in the provincial planning guidelines for 225 livestock units	150

CHAPTER 5 TYPE OF 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 stations are 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 Implementation measures

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

Front Margins: <input type="checkbox"/> Building <input type="checkbox"/> Gas pumps <input type="checkbox"/> Canopy or Awning	12,0 metres 7,0 metres 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 a Site Plan showing the proposed usage of a particular building and parking spaces is presented by the applicant. The provisions of the current By-law are independent from the authorities and other standards to which an applicant must conform to.

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 official has the option to prepare a report or he can 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 SPECIFIC STANDARDS FOR 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.

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	10 meters
Front	30 meters
From a watercourse	100 meters
Main residential building	10 meters

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	10m
Lateral and rear	10m
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) meters 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) meters

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 of three (3) meters, with a maximum distance of 3 meters between each of the trees. The row of trees must constitute a continuous screen within three (3) years following the planting.

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 of 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.

5.5.3 Hall Entrances

Only one (1) hall entrance is permitted to be attaché to a mobile home. It's maximum outdoor measurements permitted is four (4) meters by four (4) meters.

5.6 PROPERTIES WITH TWO (2) MAIN BUILDINGS

The subdivision of properties on which there exist two (2) main buildings is permitted on the condition that the standards promulgated in Chapter 6 are adhered to.

5.7 STANDARDS APPLICABLE TO CAMPING GROUNDS

5.7.1 Sanitary Services – minimal requirement -

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 with the camping units.

A minimum of four (4) lavatories and four (4) showers stalls (2 per gender) 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 two (2) shower stalls or less, 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 two (2) shower stalls or less, 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 being written out;

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 impenetrable and washable walls and floors, and comprising of 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 installations:

Two (2) lavatories;

Two (2) bathrooms sink.

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 potable water faucet and water hose ; the 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 Class C8 Specific Standards

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, 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) m² or (53, 8 pi²);

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) meters 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) meters 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 with tree and shrub plantation;

The location of all new camp grounds or expansions of existing camp grounds require the issuance of a use certificate of authorization;

A use certificate of authorization is granted for a camping ground once an applicant has deposited a development plan for the entire campsite. The development plan must include:

Access routes and vehicle traffic roads, including slope and location,
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 emplacement 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, to adhere to the set of marginal lines 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.

CHAPTER 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. This type of derogatory building is protected by an acquired right.

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 The demolishing of 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 life-cycle of the building.

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 relation to the allowable use within the zone in which the use is located. On the date or start of the use (activities) the use was in conformity with the zoning By-law in effect at this point and time. This type of derogatory use is protected by an acquired right.

6.2.2 Change in use

A derogatory use can be modified by another derogatory use of the same category of 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 an 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

An derogatory use cannot be spread out for either internal or external reasons.

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 emplacements of a building must comply with the current By-law.

In the case of a extraction, queries, mining use or residential use, all acquired rights are lost when activities cease or are withdrawn for a period of twenty-four (24) consecutive months.

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.

CHAPTER 7 BRINGING IN FORCE

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

GIVEN IN THORNE, QUEBEC this _____th Day of _____ 2017.

.....
Terence Murdock,
Mayor

.....
Stacy Lafleur,
Secretary-treasurer

Date of adoption of draft By-Law:
Date of adoption of By-Law:
Reception date of conformity certificate:

CHAPTER 8

SPECIFICATION GRID

Provisions and zone numbers		1	2	3	4	5	6	7	8	9
Residential use category										
1 housing unit	R1	X	X	X	X	X	X	X	X	X
2 to 4 housing units	R2									
Mobile home	RM									
Commercial use category										
Variety store	C1	X	X	X	X	X	X	X	X	X
Commercial - professional, services and retail sales	C2									
Commercial - recreo-tourism and arts and crafts	C3	X	X	X	X	X	X	X	X	X
Commercial - heavy trade	C4									
Commercial – recycling of automobiles	C5									
Commercial – entertainment premises	C6									
Commercial – flea market	C7									
Commercial - camping ground	C8	X	X	X	X		X	X	X	X
Community use category										
Community installations recreational, cultural and services	COM1									
Public use category										
Public infrastructures	P			X						
Extraction use category										
Extraction	EX	X	X	X	X	X	X	X	X	X
Agricultural use category										
Agricultural	A	X	X	X	X	X	X	X	X	X
Industrial use category										
Industrial - light and factory	I1									
Industrial - heavy	I2									
Minimal standards										
Front margin – principal and secondary buildings -		8	8	8	8	8	8	8	8	8
Lateral margin – principal building -		2	2	2	2	2	2	2	2	2
Rear margin – principal building -		2	2	2	2	2	2	2	2	2
Set-back margin -Route 301, 303, 366 - art. 4.4.3		X		X		X	X		X	X
SPECIAL PROVISIONS APPLICABLE:										

Provisions and zone numbers		10	11	12	13	14	15	16	17	18
Residential use category										
1 housing unit	R1	X	X	X	X	X	X	X		X
2 to 4 housing units	R2									
Mobile home	RM									
Commercial use category										
Variety store	C1	X	X	X	X	X	X	X		
Commercial - professional, services and retail sales	C2									
Commercial - recreo-tourism and arts and crafts	C3	X	X	X	X	X	X	X		
Commercial - heavy trade	C4									
Commercial – recycling of automobiles	C5									
Commercial – entertainment premises	C6								X	
Commercial – flea market	C7									
Commercial - camping ground	C8	X	X			X				
Community use category										
Community installations recreational, cultural and services	COM1								X	
Public use category										
Public infrastructures	P								X	
Extraction use category										
Extraction	EX	X	X	X	X	X	X	X	X	X
Agricultural use category										
Agricultural	A	X	X	X	X	X	X	X		X
Industrial use category										
Industrial - light and factory	I1								X	
Industrial - heavy	I2								X	
Minimal standards										
Front margin – principal and secondary buildings -		8	8	8	8	8	8	8	8	8
Lateral margin – principal building -		2	2	2	2	2	2	2	2	2
Rear margin – principal building -		2	2	2	2	2	2	2	2	2
Set-back margin -Route 301, 303, 366 - art. 4.4.3		X				X			X	X
SPECIAL PROVISIONS APPLICABLE: Opportunity to avail R1 use under section 59 of the LPTAA as set out in section 3.8.1 of the Zoning By-law.										X

Provisions and zone numbers		101	102							
Residential use category										
1 housing unit	R1		X							
2 to 4 housing units	R2		X							
Mobile home	RM									
Commercial use category										
Variety store	C1		X							
Commercial - professional, services and retail sales	C2		X							
Commercial - recreo-tourism and arts and crafts	C3		X							
Commercial - heavy trade	C4									
Commercial – recycling of automobiles	C5									
Commercial – entertainment premises	C6									
Commercial – flea market	C7									
Commercial - camping ground	C8		X							
Community use category										
Community installations recreational, cultural and services	COM1		X							
Public use category										
Public infrastructures	P	X	X							
Extraction use category										
Extraction	EX									
Agricultural use category										
Agricultural	A									
Industrial use category										
Industrial - light and factory	I1									
Industrial - heavy	I2									
Minimal standards										
Front margin – principal and secondary buildings -		8	8							
Lateral margin – principal building -		2	2							
Rear margin – principal building -		2	2							
Set-back margin -Route 301, 303, 366 - art. 4.4.3		X	X							
SPECIAL PROVISIONS APPLICABLE:										

