

The Corporation of the Township of Larder Lake

Zoning By-Law № _____

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Zoning By-law Schedule ‘A’



Explanatory Note

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

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

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

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

Minor Variances

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

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

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

Zoning By-law Amendments

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

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



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

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



How to Use this By-law

Step 1 – Locate Your Property and Determine the Zone

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

Step 2 – Determine What Uses are Permitted in the Zone

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

Step 3 – Determine What Zone Requirements Apply

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

Step 4 – Determine if any General Provisions Apply

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

Step 5 – Clarify the Meaning of a Use

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

