

**CANADA
PROVINCE OF QUEBEC
REGIONAL COUNTY OF ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

**BY-LAW NUMBER 2018-007-02 MODIFYING
ZONING BY-LAW NUMBER 2018-007**

WHEREAS Zoning By-Law number 2018-007 of the Municipality of the Township of Wentworth is in effect;

WHEREAS a Notice of Motion was filed on April 12th, 2021 and the Draft By-Law deposited;

WHEREAS a Written Consultation procedure was held from April 15th to 29th, 2021 in accordance with the ministerial orders due to the pandemic related to COVID-19;

WHEREAS the Second Draft By-law is deemed to have been approved by those eligible to vote as no applications were received following the public notice of May 6, 2021;

THEREFORE, it is proposed by Councillor Philippe Cyr and
RESOLVED

THAT Council adopt the By-Law entitled "By-Law Number 2018-007-02, amending Zoning By-Law Number 2018-007" and it is hereby enacted and decreed as follows:

ARTICLE 1

Section 13 " Terminology " of Zoning By-Law number 2018-007 is amended by replacing the definition "public access to a lake or watercourse", the words "public access" with the words "semi-private access" (two occurrences).

ARTICLE 2

Section 24 " Commerce " of this By-Law is amended, in the first paragraph of subsection 9, by replacing the sentence "Where permitted within the Rural (RU) Zones and Country-Style living (V), the number of accommodation units is limited to 100" with the following sentence "Where permitted within the Rural (RU) Zones, the number of accommodation units is prescribed according to the size of the lot in Section 2.3 of this chapter."

ARTICLE 3

Section 26 " Community " of this By-Law is amended by replacing "public access" in subsection (1)(f) with "semi-private access".

ARTICLE 4

Section 35 " Public Access to a Lake or Watercourse " of this By-Law is amended by:

1. Replacing in the section heading the words "Public Access" with the words "Semi-private Access";
2. Replacing, wherever it occurs in the text of the section, the words "public access" with the words "semi-private access";
3. The addition of a subsection (9) to read as follows:

"(9) an applicant for a permit for a semi-private access use to a lake or watercourse must own land where the use being carried on is in the housing (h1) category. "

ARTICLE 5

Section 2.3 " Conditions to exercise certain main uses " of this By-Law is amended by adding section 36.1 which reads as follows:

"36.1 Certain c6 uses

This section applies to the following uses in the c6 "intensive outdoor recreation commerce" category of uses:

- 1) The use "runways and flying schools, motorized model cars" (d);
- 2) The use " racing tracks for motorized vehicle" (e);
- 3) The "amusement parks" use (f);
- 4) The use "marina for motorboats, sailboats and float planes" (g);
- 5) The "drive-in theatre" use (h).

In zones where the uses referred to in the first paragraph are authorized, the exercise of the principal use must respect the following conditions:

- 1) The use must be exercised at a minimum distance of 200 metres from the front lot line or street, 100 metres from the side lot lines and 50 metres from the rear lot line. "

ARTICLE 6

Section 2.3 " Conditions to exercise certain main uses " of this By-Law is amended by adding section 36.2 which reads as follows:

"36.2 Erotic Shows Establishment

In zones where the use "Establishment presenting shows of an erotic nature" (use class c5), the exercise of the principal use must respect the following conditions:

- 1) The use must be located at least 30 metres from the front lot line or street;

- 2) Parking areas are prohibited in the front yard. "

ARTICLE 7

Section 2.3 " Conditions to exercise certain main uses " of this By-Law is amended by adding section 36.3 which reads as follows:

"36.3 Cannabis Production Use (a3)

In zones where the use "Cannabis" (use class a3) is permitted, the exercise of the principal use must comply with the following conditions:

- 1) The use must be located at least 200 metres from the front lot line or street, 100 metres from the side lot lines and 50 metres from the rear lot line.
- 2) The use must be located within a maximum distance of 1 km from Dalesville Road.

ARTICLE 8

Section 2.3 "Conditions to exercise certain main uses " of this By-Law is amended by adding section 36.4 which reads as follows:

"36.4 Lodging use c9

In the zones where the accommodation business use "a) inns and hotel establishments" and "b) health centers, resorts and holiday centers" (c9) is authorized, the exercise of this main use must respect the following conditions:

1. the number of lodging units in rural areas (RU) and Country-Style living (V) is determined according to the size of the lot:

Minimum lot size:	Maximum number of lodging units allowed:
20,000 m ² to 80,000 m ²	9 units
80,001 m ² to 100,000 m ²	10 units
100,001 m ² to 120,000 m ²	20 units
120,001 m ² to 140,000 m ²	30 units
140,001 m ² to 160,000 m ²	40 units
160,001 m ² to 180,000 m ²	50 units
180,001 m ² to 200,000 m ²	60 units
200,001 m ² to 220,000 m ²	70 units
220,001 m ² to 240,000 m ²	80 units
240,001 m ² to 260,000 m ²	90 units
260,001 m ² and more	100 units

2. notwithstanding paragraph 1, the maximum number of accommodation units permitted in the zones RU-6, RU-13 and RU-14 is limited to 20 units. The minimum areas prescribed in paragraph 1 shall apply to determine the number of units permitted in the zone;

3. accommodation units as well as constructions, buildings and accessory equipment related to the use, excluding septic installations and water withdrawal systems, must be located at a minimum distance of 30 metres from the lot line when it is contiguous to a lot whose main use is housing;
4. accommodation units may be located inside buildings or structures isolated (e.g. cabin) from the main building located on the same lot. The maximum area of these isolated buildings or structures is limited to 30 m². No self-catering services with cooking equipment may be set up in these units. These units must be dependent on the main building where the main services on the site are offered (e.g.: reception, services, catering, etc.);
5. the owner must obtain a classification certificate in accordance with the Tourist Accommodation Establishments Act and hold this certificate at all times to exercise the use.

ARTICLE 9

Section 2.3 "Conditions to exercise certain main uses " of this By-Law is amended by adding section 36.5 which reads as follows:

"36.5 Cottage Rental Accommodation Use

In zones where the accommodation business use "c) cottage rental (individual or with a group)" (c9) is authorized, the exercise of this principal use must respect the following conditions:

1. the owner must obtain a classification certificate under the Tourist Accommodation Establishments Act and hold this certificate at all times in order to exercise the use;
2. each cottage must be built on a separate lot in accordance with the subdivision standards set out in the schedule of uses and standards;
3. the sign identifying the classification certificate under the Tourist Accommodation Establishments Act must be affixed to each cottage;
4. when the lot is adjacent to a lot with a residential use, the outdoor spaces (porch, pool, spa, recreation area, parking area, dock, etc.) are located at a minimum distance of 25 metres from the lot lines;
5. when the lot is adjacent to a lot with a residential use, a plant screen or a fence with a height of 1.8 metres that minimizes the view of neighbouring properties is present at the lateral limits of the lot;
6. sufficient garbage and recycling bins are located in side or rear yards. If they are located in side yards, a plant screen or a fence is built around them to hide their visibility from the street;

7. the use of camping vehicles or tents is prohibited;
8. wastewater must be treated and disposed of in accordance with provincial regulations. In addition, the septic tank must be emptied at least once every 2 years;
9. the use may not be carried out on land accessible by an access easement;
10. when the cottages are not rented, no other use may be exercised there, including a residential use;
11. the authorized structures, buildings and accessory equipment are those authorized for a residential use in this By-Law."

ARTICLE 10

Annex B " Uses and Standards Specification Grids" of this By-Law is amended by:

1. The prohibition, in the grid of the RU-2 zone, of the following uses of the c6 use category "Intensive outdoor recreation commerce": "(d) runways and flying schools, motorized model cars", "(e) racing track for motorized vehicle", "(f) amusement parks", "(g) marina for motorboats, sailboats and float planes", and "(h) drive-in movie theatre". A note "(d)" is added to use c6 and the note is stated as follows in the "specifically excluded use" section: "(d) Excluding uses d, e, f, g, and h";
2. The prohibition in the grid of the RU-2 zone, of the use of the c7 use category "Extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(e)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(e) Excluding use (a)";
3. The prohibition, in the grid of the RU-6 zone, of the following uses of the c6 use category "Intensive outdoor recreation commerce": "(d) runways and flying schools, motorized model cars", "(e) racing track for motorized vehicle", "(f) amusement parks", "(g) marina for motorboats, sailboats and float planes", "(h) drive-in movie theatre", and "(k) shooting range, pheasant hunting center". A note "(d)" is added to use c6 and the note is stated as follows in the "specifically excluded uses" section: "(d) Excluding uses d, e, f, g, h and k";
4. The prohibition in the grid of the RU-6 zone, of the use of the c7 use category "Extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(e)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(e) Excluding use (a)";
5. The prohibition, in the grid of the RU-7 zone, of the uses c6 "Intensive recreation commerce", c7 "Extensive outdoor recreation business" and c9 "Lodging business", by the removal of the corresponding rows and columns in the grid, including the notes related to them (notes a and b);

6. The prohibition, in the grid of the RU-9 zone, of the use of the c7 use category "Extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(c)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(c) Excluding use (a)";
7. The prohibition in the RU-10 zone grid of the use of the c7 use category "extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(c)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(c) Excluding use (a)";
8. The prohibition in the RU-11 zone grid of the use of the c7 use category "extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(c)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(c) Excluding use (a)";
9. The prohibition in the RU-13 zone grid of the use of the c7 use category "extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(d)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(d) Excluding use (a)";
10. The prohibition of the use "a3 - Cannabis" in the RU-13 zone grid by removing the corresponding line in the grid;
11. The prohibition, in the RU-14 zone grid, of the following uses of the c6 use category "Intensive Outdoor recreation commerce": "(d) runways and flying schools, motorized model cars", "(e) racing track for motorized vehicle", "(f) amusement parks", "(g) marina for motorboats, sailboats and float planes", "(h) drive-in movie theatre" and "(k) shooting range, pheasant hunting center". A note "(c)" is added to use c6 and the note is stated as follows in the "specifically excluded use" section: "(c) Excluding uses d, e, f, g, h and k)";
12. The prohibition in the RU-14 zone grid of the use of the c7 use category "Extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(d)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(d) Excluding use (a)";
13. The prohibition in the RU-24 zone grid of the use of the use category c7 "Extensive outdoor recreation business", "(a) golf course and golf driving range". A note "(c)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(c) Excluding use (a)";
14. The prohibition in the grid of the NV-26 zone, of the use in the c7 "extensive outdoor recreation business" use category, "(a) golf course and golf driving range". A note "(a)" is added to the c7 use and the note is stated as follows in the "specifically excluded use" section: "(a) Excluding use (a)";

All as shown in Annex 1 to this By-Law.

ARTICLE 11

The present By-Law comes into force in accordance with the Act.

Jason Morrison
Mayor

Natalie Black
General Manager,
Secretary-Treasurer

Notice of Motion:	April 12 th , 2021
Adoption of First Draft By-Law:	April 12 th , 2021
Adoption of Second Draft By-Law:	May 3 rd , 2021
Adoption of By-Law:	June 7 th , 2021
Notice of coming into effect:	July 8 th , 2021

**ANNEX 1 – MODIFICATIONS TO THE USES AND STANDARDS
SPECIFICATION GRIDS**