

**PROVINCE OF QUÉBEC  
MRC D'ARGENTEUIL  
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

**DISTINCT BY-LAW NUMBER 102-2-2013**

**BY-LAW NUMBER 102-2-2013 MODIFYING ZONING BY-LAW NUMBER 102**

- WHEREAS in virtue of the « *Loi sur l'aménagement et l'urbanisme* », the Municipal Council may modify the Zoning By-law number 102;
- WHEREAS the Zoning By-law number 102 of the Municipality of the Township of Wentworth is in force;
- WHEREAS it is in the interest of the Municipality to modify its Zoning By-law at its own initiative;
- WHEREAS a notice of motion was given at the meeting of July 3<sup>rd</sup> 2012;
- WHEREAS the second project of By-law 102-1-2012 adopted on September 5<sup>th</sup> 2012 contained provisions susceptible to referendum approval;
- WHEREAS certain articles were the object of requests to submit for approval by the qualified voters (opening of a register) and are now contained in the present Distinct By-Law
- WHEREAS the present Distinct By-law will be submitted to a register process according to the law.

It is proposed by Councillor **X**  
and resolved

That the Council adopt Distinct By-Law Number 102-2-2013 entitled « Distinct By-law Number 102-2-2013 modifying Zoning By-Law Number 102 and it is enacted and decreed by the by-law as follows:

ARTICLE 1 Article 32 concerning short-term rentals is modified by the replacement of the text of the article with the following text:

“Short term rental is authorized as an additional use of a dwelling. For the purpose of the present article, we understand by "short-term rental", a commercial activity which consists of renting a house by its owner to a third party for a maximal duration of 31 days.

The conditions of short term rental are the following:

- 1) The additional use is authorized on the whole territory, except for the Vtfd 4, 5, 6 and 10 zones;
- 2) No posting of a sign of the activity is authorized;
- 3) The owner must obtain a certification of "touristic residence" by virtue of the provincial By-law on *Établissements d'hébergement touristiques*."

ARTICLE 2 The first subparagraph of article 45 concerning authorized temporary practices is modified as follows.

- 1) By addition of paragraph 11, following paragraph 10, of the first subparagraph :

"11) the cinematographic filming."

ARTICLE 3 Article 52 concerning land occupation density is modified by the replacement of the text of the article with the following text:

"The land occupation density corresponds to the maximal proportion of the surface of land which can be built on compared to the total surface of the property. The following constructions are considered in the calculation of the coefficient of land use:

1. the main building;
2. the following secondary buildings: shed, private garage, carport, domestic greenhouse, workshop, etc.;
3. swimming pools;
4. Any secondary buildings on a property whose main use is other than a residence (eg : warehouse, etc.) ;

The land occupation density is designated in the specifications grids."

ARTICLE 4 Chapter 5 concerning the Standards Applicable to Accessory Constructions is modified by the addition of the section 5.1.2, as follows:

**"SECTION 5.1.2 - Provisions for the Location of Swimming Pools and Spas**

**70.3 Minimal distances for the location of swimming pools and spas**

Besides the standards of article 61, the following minimal distances apply:

- 1) An in-ground pool must be installed at least 3 m from a balcony, a gallery or a porch;
- 2) A swimming pool (in-ground, above-ground or inflatable) and a spa must be installed at least 3 m from a sanitary installation.”

ARTICLE 5 Article 86 concerning the Access to Parking Areas is modified by the addition of the following text at the end of the paragraph 1),:

“However, in the case of a circulation lane with a length greater than 25 meters on residential lot, the present paragraph applies. An area of manoeuvre must be planned to allow the emergency vehicles (fire trucks, ambulances, etc.) to make a complete turn on the property. Furthermore, the minimal width of the vehicle lane is fixed at 4.5 meters.”

ARTICLE 6 Section 13.3 concerning Provisions Relative to Derogatory Constructions and Protected by Acquired Rights is modified by the addition of article 161.1 which reads as follows :

**“161.1. Provisions Applicable to a Main Building Protected by Acquired Rights Relative to the Rear Setback for a Shoreline Property.**

The following dispositions apply to a derogatory main building protected by acquired rights relative to the rear set back for a shoreline property as provided for in Article 58 of this present By-law.

1. The enlargement of a main building or a part thereof is only authorized in the space where this building is erected according to the provisions of the present By-law;
2. In spite of the first paragraph, the enlargement of a main building is authorized, in height or in the continuation of its side limits in the part of the land which is not included in the protection band;
3. The reconstruction or the refection of a main building which has been destroyed, has become dangerous or has lost at least half of its value as a result of a fire or of some other cause, excluding its voluntary demolition, is authorized on the same location where the foundations are still in place, where it is technically impossible to increase the distance from the shoreline and as far as there is no additional encroachment in the shore;
4. In case the works require the replacement or the repair of the foundation, the building must to be relocated as far as possible from the high-water mark;

5. The displacement of an derogative main building protected by acquired rights is authorized if this displacement does not cause an additional encroachment inside the rear set back margin for shoreline properties and where it is technically impossible to respect the rear set back margin. In the case where the main building encroaches on the shoreline protection band following its displacement, provisions of the article 161 apply. "

ARTICLE 7 The present by-law will come into effect in accordance with the Law.

Adopted at the October 3, 2013 Council Meeting.

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Edmund Kasprzyk,  
Mayor

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Paula Knudsen, g.m.a.  
General Manager and Secretary-Treasurer