

CANADA
PROVINCE OF QUEBEC
DISTRICT OF HULL

MUNICIPALITY OF CHELSEA

MRC DES COLLINES-DE-L'OUTAOUAIS

DRAFT BY-LAW N° 797-11

**AMENDING THE ZONING BY-LAW N° 636-05 IN ORDER TO ENSURE THE
CONCORDANCE FOLLOWING THE ADOPTION OF THE SPECIAL PLANNING
PROGRAMME FOR THE CENTRE-VILLAGE OF CHELSEA**

WHEREAS the Municipality of Chelsea adopted a Zoning By-law in order to divide the territory into zones for the purpose of controlling land and buildings, as well as the planning, dimensions and appearance of constructions;

WHEREAS Zoning By-law Number 636-05 was adopted on April 19, 2005 and entered into force on June 28, 2005;

WHEREAS the Municipal Planning Program Number 635-05 was modified on August 16, 2011 in order to integrate the Special Planning Program for the Centre-Village of Chelsea;

WHEREAS the Municipal Master Plan must be modified in order to be in conformity with the Special Planning Program;

WHEREAS this By-law constitute a concordance By-law with respect to article 110.4 of the *Land Use Planning and Development Act*;

IT IS THEREFORE PROPOSED that this Council of the Municipality of Chelsea enacts what follows:

ARTICLE 1

The Zoning plan (Schedule) PZ-636-05-01 of Zoning By-law Number 636-05, as amended, is modified in order to:

- Create a new RA-229 zone within part of zone CB-227 and within the PAE-229, zone which is repealed;
- Create a new RA-214 zone within part of the PAE-214 zone, which is repealed;
- Create a new RA-263 zone within part of the PAE-214 zone, which is repealed;
- Enlarge zone CA-209 within zones IA-211, CA-216 and PAE-214, which are repealed;
- Create an RA-264 zone within part of the PAE-214 zone, which is repealed;
- Create an RA-265 zone within part of the CA-204 zone;
- Create an RA-201 within part of the PAE-201 zone, which is repealed;
- Create a CA-266 zone within part of the PAE-201 zone, which is repealed;
- Enlarge the CA-242 zone within part of the CA-217 zone;
- Enlarge the PU-213 zone within part of the CA-210 zone;
- Enlarge the CA-217 zone within part of the RA-218, which is repealed;

- Create an RA-267 zone within part of the PAE-224 zone, which is repealed and within part of the RA-239 and RA-78 zones;
- Create an RA-224 zone within the PAE-224 zone, which is repealed;
- Create a CA-268 zone within part of the CB-225 zone and within part of the PAE-224, which is repealed.

As shown on Schedule PZ-636-05-11 which is included in an Appendix to the present By-law titled Appendix “A” as an integral part of it.

ARTICLE 2

Chapter 9 titled “Specification Grids” of By-law number 636-05, as amended, is modified in order to :

- Repeal the Specification Grids of zones PAE-201, IA-211, PAE-214, CA-216, RA-218, PAE-224 et PAE-229;
- Add the Specification Grids of zones RA-201, RA-214, RA-224, RA-229, RA-263, RA-264, RA-265, CA-266, RA-267 and CA-268, as shown in appendix “B “ attached to the present By-law as an integral part of it.
- Modify the Specification Grids of zones RA-31, CA-202, CA-204, CA-209, CB-225, CB-226, CB-232, CB-233, CB-234, CA-242, as shown in appendix “B” attached to the present By-law as an integral part of it.
- Add a special provision number (16) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

A maximum of two apartments are authorised in mixed use buildings with one or more main commercial uses within a building. Apartments cannot be located on the main floor or in the basement, neither share a floor with a main commercial use.

- Add a special provision number (17) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

As shown in the Special Planning Program for the central area, the maximum gross density in the shown zone is set at 10 dwelling units per hectare (4 dwelling units per acre).

- Add a special provision number (18) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

The use of a “community garden” is specifically permitted in the zone.

- Add a special provision number (19) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

For the lands fronting on Highway 105, the front setback is limited to 4,5 m in conformity with the special provision of article 4.1.1

- Add a special provision number (20) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

The maximum number of unit for a multi-unit building is set at 6. The maximum number of bedrooms for a community housing is set at 20.

- Add a special provision number (21) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

Mixed or commercial attached buildings (retail and residential units) are authorised in the zone. For an Attached dwelling, the minimum setback at sides shown on the Specification Grid is not applicable in respect to the shared lot line.

- Add a special provision number (21) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

Notwithstanding the minimum set-back shown on the Specification Grid, the following minimum side and rear setbacks apply in relationship to the type of dwelling unit:

Uses	Minimum side setback (metres)	Minimum rear setback (metres)
Isolated single-family dwelling	3	4.5
Multi-unit dwelling	4	4.5
Community housing	4	4.5
Attached single-family dwelling	3	4.5

For an Attached dwelling, the minimum setback at sides shown on the Specification Grid is not applicable in respect to the shared lot line.

- Add a special provision number (21) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

Despite the minimum set-back shown on the Specification Grid, the following minimum side and rear setbacks apply in relationship to the type of dwelling unit:

Uses	Minimum side setback (metres)	Minimum rear setback (metres)
Isolated single-family dwelling	3	4.5
Multi-unit dwelling	4	4.5
Community housing	4	4.5
Attached single-family dwelling	3	4.5

For an Attached dwelling, the minimum setback at sides shown on the Specification Grid is not applicable in respect to the shared lot line.

- Add a special provision number (21) to section “LEGEND: SPECIAL PROVISIONS APPLYING TO A ZONE” which is written as follows:

Despite the minimum set-back shown on the Specification Grid, the following minimum side and rear setbacks apply in relationship to the type of dwelling unit:

Uses	Minimum side setback (metres)	Minimum rear setback (metres)
Isolated single-family dwelling	3	4.5
Multi-unit dwelling	4	4.5
Community housing	4	4.5
Attached single-family dwelling	3	4.5

For an Attached dwelling, the minimum setback at sides shown on the Specification Grid is not applicable in respect to the shared lot line

ARTICLE 3

Article 1.10 “Terminology” of zoning By-law 636-05, as amended, is modified in order to include the following definitions:

ATTACHED DWELLING Building attached to another building by a common wall.

FLOOR AREA RATIO The Floor Area Ratio (FAR) indicates the ratio between the total floor area above ground of the main building and the total area of the property.

GROSS DENSITY Number of dwelling units that can be built per hectare of land, including in particular in the calculation the areas dedicated to streets, parks, public or community facilities, as well as areas that are not used on the property. Granny Flats and additional apartments are not included in the density calculation.

ARTICLE 4

Article 2.1.1 “Identifying Zones” of Zoning By-law number 636-05, as amended, is modified in order to replace paragraph “c” by the following wording

- c. Central Area Multifunctional Node : 200 to 268;

ARTICLE 5

Zoning By-law number 636-05, as amended, is modified in order to create Article 3.1.6 which reads as follows:

3.1.6 Specific Provisions for the Central Area
Multifunctional Node

Notwithstanding Articles 3.1.3, 3.1.4 et 3.1.5, Uses Sub-Groups “R3 - Residential - Multi-unit dwelling”, “R4- Residential - Community housing” and “R5 - residential - Attached single-family dwelling” within the Central Area Multifunctional Node, as defined in article 2.1.1, Sub-group uses are authorized without the need to produce a Comprehensive Development Programme (CDP) when marked by the symbol “X” in the Specification Grid.

ARTICLE 6

Zoning By-law number 636-05, as amended, is modified in order to create article 4.1.1.3 which reads as follows:

4.1.1.3 Floor Area Ratio within the Central Area
Multifunctional Node

The maximum Floor Area Ratio for residential uses located in the Central Area Multifunctional Node, as defined in article 3.1.1. is set at 0,35.

ARTICLE 7

Article 4.9.3.1 “Locations of vehicle entrances in zones CA-210, CA-216, CA-217, RA-218 and CA-219” of Zoning By-law number 636-05, as amended, is replaced by the following article:

4.9.3.1 Locations of vehicle entrances in zones CA-209,
CA-210, CA-217

The location of vehicle entrances to buildings located in zones CA-210 and CA-217 must be exclusively adjacent to Old Chelsea Road.

In zone CA-209, the location of entrances to buildings adjacent to Old Chelsea Road must be exclusively adjacent to Old Chelsea Road.

ARTICLE 8

Article 4.9.9 “Siting of parking areas” of Zoning By-law number 636-05, as amended, is modified by adding, following paragraph “d”, the following paragraph :

- e. In zones CA-202, CA-204, CA-209, CB-225, CB-226, CB-232, CB-233, CB-234, CA-242, CA-266 and CA-268, parking spaces cannot be located in the front yard. This provision does not apply to residential buildings, but

applies to mix-uses residential and commercial buildings.

ARTICLE 9

Zoning By-law number 636-05, as amended, is modified in order to create article 4.2.1.1.1 which reads as follows:

4.2.1.1.1 Special provision applicable to floor space in the
Central Area Multifunctional Node

The provisions of this article apply specifically to zones within the Central Area Multifunctional Node as defined in article 2.1.1 and have precedence over other provisions of article 4.2.1.1.

For uses other than residential, the maximum floor space for all buildings (main and accessory) of a property is set at 30% of the property area.

For uses other than residential, the maximum floor space per building is set at 1 500 square metres.

Notwithstanding the previous paragraph, the maximum floor space of a building that has as a main use the “Retail sale of food products” is set at 2 500 square metres.

ARTICLE 10

This by-law will come into force according to the *Law*.

GIVEN at Chelsea, this ____ day of the month of _____, 2011.

.....
Paul St-Louis
Director General /
Secretary-Treasurer

.....
Caryl Green
Mayor

NOTICE OF MOTION DATE:.....August 16, 2011
FIRST DRAFT ADOPTION DATE:.....August 16, 2011
PUBLIC CONSULTATION DATE:.....
SECOND DRAFT ADOPTION DATE:.....
ADOPTION DATE:.....
RESOLUTION NUMBER:.....
CERTIFICATE OF COMPLIANCE DATE:.....
DATE OF ENTRY INTO FORCE:.....

COURTESY COPY:
In the event of a discrepancy, the French text will prevail.

ANNEXE A

COURTESY COPY:
In the event of a discrepancy, the French text will prevail.

ANNEXE B