



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO.: 90-59-13

BY-LAW NO. 90-59-13 ENTITLED : BY-LAW AMENDING THE SUBDIVISION BY-LAW NO. 90-59 IN ORDER TO ENSURE CONSISTENCY WITH THE MONTRÉAL AGGLOMERATION LAND USE AND DEVELOPMENT PLAN BY ADDING PROVISIONS RELATED TO THE PROTECTION OF WETLANDS OF INTEREST TO BE PRESERVED OR RESTORED

ADOPTION PROCEDURE

Notice of motion:	June 9, 2025
Adoption - draft:	June 9, 2025
Publication:	June 13, 2025
Public consultation:	July 3, 2025
Adoption - second draft:	N/A
Publication:	N/A
Application request:	N/A
Registration procedure:	N/A
Adoption of by-law:	July 7, 2025
Certificate of compliance:	November 3, 2025
Publication:	November 17, 2025
Coming into force:	November 3, 2025

- WHEREAS in accordance with Section 58 of the *Act respecting Land Use Planning and Development* (CQLR, c. A-19.1), the Town of Kirkland must adopt a concordance by-law to comply with the new requirements of the Land Use and Development Plan of the Montréal Agglomeration;
- WHEREAS a notice of motion for this by-law was given at the regular sitting of the Municipal Council held on June 9, 2025;
- WHEREAS in accordance with Section 356 of the *Cities and Towns Act* (CQLR, c. C-19), copies of this draft by-law were made available to the public;
- WHEREAS the preamble forms an integral part of this draft by-law;

SECTION 1

Appendix 1 – DEFINITIONS of By-Law no. 90-59 is amended by adding, before the definition of “WIDTH OF A THOROUGHFARE”, the following definitions:

“WETLAND CHARACTERIZATION STUDY:

A study aimed at determining the exact boundaries of a wetland and its protection area, conducted by an expert in the field and meeting the requirements specified in Appendix 2 of the Permits and Certificates By-law No. 90-61. For the purposes of this by-law, the boundaries of a wetland of interest to be protected or restored and its protection area resulting from a characterization study prevail over those of a wetland of interest to be protected or restored and its protection area appearing on the “Wetlands of Interest” plan annexed to the Urban Plan.

WETLAND PROTECTION AREA:

An area of land 30 meters wide that borders a wetland of interest to be protected or restored, as identified on the “Wetlands of Interest” plan annexed to the Urban Plan.”

SECTION 2

By-Law no. 90-59 is amended by adding, after article 3.3, the following:

“3.4 Provisions relating to wetlands of interest to be protected or restored

a) Prohibition of lot subdivision within a wetland or its protection area

Within a wetland of interest to be protected or restored and its protection area, as identified on the “Wetlands of Interest” map annexed to the Urban Plan, any lot subdivision is prohibited, except:

- i) A lot subdivision required by a declaration of co-ownership made under article 1038 of the Quebec Civil Code or by the alienation of part of a building requiring the partition of the land on which it is located;
- ii) A lot subdivision for the purpose of green space conservation or park creation;
- iii) A lot subdivision that does not result in the creation of a new lot boundary within a wetland to be protected or restored or within its protection area;
- iv) For the purpose of widening an existing roadway;
- v) For the purpose of establishing a network for electricity, gas, telecommunications, cable distribution, water supply, sewer services, or a railway;
- vi) For the purpose of establishing a major road project or public transit infrastructure planning in the Montreal agglomeration Land Use Planning and Development Plan;
- vii) For the purpose of establishing an installation of metropolitan interest as planned in the Metropolitan Land Use and Development Plan (PMAD) of the Montreal Metropolitan Community (CMM) or of agglomeration interest as planned in the Montreal agglomeration Land Use Planning and Development Plan.
- viii) For the purpose of establishing infrastructure or equipment that was subject to an agreement before December 21, 2023.
- ix) For the purpose of maintenance, restoration, or creation of a wetland or its protection area.”

SECTION 3

The present by-law comes into force according to law002Ecvf

(Michel Gibson)

Mayor

(Fabienne Gariépy)

Director of legal affairs and Town Clerk