



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

SECOND DRAFT BY-LAW NO.: 90-58-112

BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN ORDER TO MODIFY THE PROVISIONS CONCERNING USES, REPLACE ZONE 230C (COMMERCIAL) WITH NEW ZONE 166R (RESIDENTIAL) AND TO ESTABLISH PARTICULAR PROVISIONS FOR SAID ZONE 166R

ADOPTION PROCEDURE

Notice of motion:	April 7, 2025
Adoption – draft:	April 7, 2025
Publication:	April 11, 2025
Public consultation:	April 24, 2025
Adoption – second draft:	May 5, 2025
Publication:	May 9, 2025
Application request:	
Registration procedure:	
Adoption of by-law:	
Certificate of conformity:	
Publication:	
Coming into force:	

CONSIDERING that in accordance with section 113 of the *Act respecting Land Use Planning and Development* (CQLR, c. A-19.1), the Town of Kirkland may specify, for each zone, the uses that are authorized or prohibited;

CONSIDERING that in accordance with section 356 of the *Towns and Cities Act* (Chapter C-19), notice of motion was given and the draft was filed and adopted at the regular sitting of the Municipal Council held on April 7, 2025;

CONSIDERING that copies of this draft By-Law were made available to the public;

CONSIDERING that the preamble forms an integral part of this By-Law;

THE MUNICIPAL COUNCIL ORDERS AND DECREES AS FOLLOWS:

SECTION 1

Section 1.12 of *Zoning By-Law No. 90-58* is amended by adding, in subsection a), the following paragraph:

“**ZONES 230C and 166R:** The zoning plan is amended as follows: Zone 230C is replaced by new Zone 166R, as shown on an excerpt of the zoning plan signed on April 2, 2025 by the Town Clerk and appended to this By-Law as Schedule 2.44. The new Zone 166R thus created corresponds to lot 1 991 992 in the Cadastre of Quebec.”

SECTION 2

Zoning By-Law No. 90-58 is amended by adding, as Schedule 2.44 the plan signed on April 2, 2025 by the Town Clerk, referred to in section 1 above and appended to this By-Law as Schedule A.

SECTION 3

Section 7.5 of *By-Law No. 90-58* is amended by the addition of the following subsections:

- “h) An undersized parking space may be authorized in a zone where specified in the particular provisions table. The minimum dimensions of an undersized parking space are 2.50 metres wide and 5 metres long. An undersized parking space counts toward the minimum quantity of parking spaces.
- i) A tandem parking space may be authorized in a zone where specified in the particular provisions table. The provision in subsection a) of this section stipulating that a parking space shall not necessitate the moving of another vehicle in order to gain access to it or leave it does not apply to the space farthest away from the circulation aisle of a tandem space.”

SECTION 4

Section 10.14 of *Zoning By-Law No. 90-58* entitled “Particular provisions table - RESIDENTIAL ZONES” is amended by adding, after the column for zone 165R, a new column for zone 166R, whose content is provided in Schedule B of this By-Law, and by adding the following notes at the end of said table:

“NOTES:

- (36) In this zone and for a multiple-family dwelling, the minimum number of underground parking spaces required is set at 1.1 spaces per dwelling unit. Furthermore, the

minimum required number of parking spaces for visitors is set at 0.1 spaces per dwelling unit.

- (37) In this zone, for an underground parking space and for a multiple-family dwelling use, the minimum width of the circulation aisle that allows a vehicle to enter and leave the parking space, where this space is at a 90° angle from said aisle, is 6 metres.
- (38) The provision in clause i) of subsection b) of section 10.1 of this By-Law does not apply to this zone.
- (39) In this zone and for multiple-family use, on any street on which a property fronts, the total width of the entrance or two driveway entrances may not exceed 13 metres. This note prevails over subsection c) of section 10.8.
- (40) In this zone, undersized parking spaces are authorized up to a maximum of 2% of the parking spaces, including undersized parking spaces that are part of a tandem space.
- (41) In this zone, tandem parking spaces are authorized up to a maximum of 10% of the parking spaces.
- (42) In this zone, the facades of the top floor facing the front and side setbacks shall be set back at a minimum distance of 1.80 metres from the facades of the lower floors. Furthermore, the highest floor shall be located at a minimum distance of 17 meters from the northern facade of the building fronting Sainte Marie Road.
- (43) In this zone, the maximum slope of any access ramp to an underground parking may not exceed 15.2%. This note prevails over paragraph 1 of clause iv) of subsection e) of section 10.6.
- (44) In this zone, a ground floor roof extension may encroach on the minimum side setback up to 1.5 meters from the property line, to cover a parking zone.
- (45) Notwithstanding the provisions set out in the table of particular provisions for residential zone 166R, only one (1)-storey annex is permitted in the rear setback, regardless of the number of buildings. This annex must be attached to and form an integral part of the building. The annex may only be used for the establishment of recreational activities exclusively for the building's users, such as a swimming pool and exercise room. The maximum area of this annex is 165 square meters and of a maximum height of 4 metres.
- (46) Transmission lines for the distribution of electricity, telephony, cable broadcasting and other similar systems are buried.

SECTION 5

Section 11.18 of *Zoning By-Law No. 90-58* entitled "Particular provisions table: INDUSTRIAL ZONES" is modified by repealing the column for Zone 230C.

SECTION 6

Schedule 1 of the *Zoning By-Law No. 90-58* is modified by the addition of the following definitions, in alphabetical order:

"UNDERSIZED PARKING SPACE:

Parking space with an undersized width or length compared to a regular parking space. The minimum dimensions of an undersized parking space are 2.50 metres wide and 5 metres long."

TANDEM PARKING SPACE:

Parking space with an oversized length compared to a regular parking space allowing two automotive vehicles to park one behind the other. Furthermore, one tandem parking space counts as two (2) spaces, but shall be assigned to one (1) sole dwelling unit.”

SECTION 7

This By-Law comes into force in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk

DRAFT

SCHEDULE A

Ville de Kirkland
Annexe 2.44 du Règlement 90-58
Annexe A du Règlement 90-58-112
Plan montrant les limites de la zone 166R

Town of Kirkland
Schedule 2.44 of By-law 90-58
Schedule A of By-law 90-58-112
Plan showing the boundaries of zone 166R

Avant / Before



Après / After



Signed for identification purposes, this 2nd day of April, 2025.

(Annie Riendeau)

Town Clerk of the Town of Kirkland

SCHEDULE B

Section 10.14

Particular provisions table: **RESIDENTIAL ZONES**

166R

PERMITTED USES - RESIDENTIAL (see 2.3) (authorized:)

Class A: single-family

- detached _____

- semi-detached _____

- row _____

Class B: duplex/triplex

- detached _____

- semi-detached _____

- row _____

Class C: multiple-family

- detached _____

- semi-detached _____

- row _____

FLOOR SPACE INDEX

Minimum/Maximum (see 3.4) _____ 1/3

MAXIMUM LOT COVERAGE (as a %) _____ 50%

MINIMAL SETBACKS (in m) (see 10.1 and 10.5)

Front _____ 7.0

Side _____ 6 (44)

Rear _____ 3.5

FLAT ROOFS (Prohibited: X) _____

HEIGHT (in m)

Minimum _____ 3.0

Maximum _____ 24.0

NUMBER OF FLOORS

Minimum _____ 5

Maximum _____ 7

MINIMAL BUILDING WIDTH (see 10.3a) _____ 30

MIN. HABITABLE FLOOR AREA (see 10.3b) _____ 40m²

SUBDIVISION (By-Law # 90-59 Sec. 3.2-a)

Minimum area (in m²) _____ 5,000

Minimum frontage and minimum width (in m) _____ 40

ADDITIONAL SPECIFIC PROVISIONS

(36)(37)(38)(39)(40)

(41)(42)(43)(44)(45)(46)