

**Chapter 15 – Particular provisions table: MIXED USE**

		UM-101	UM-102
<b>PERMITTED USES - COMMERCES</b> (Authorized: ●)			
Class	A	●	●(8)
Class	B-1	●	●(8)
	B-2	●	●(8)
	B-3	●	●(8)
Class	C-1		
	C-2		
	C-3		
Class	D-1	●	●(8)
	D-2	●	●(8)
	D-3	●	
Class	E-1	●	
	E-2		
	E-3		
	E-4	●	●(8)
	E-5		
	E-6		
Class	F-1		
	F-2		
	F-3		
	F-4		
	F-5		
	F-6		
	F-7		
	F-8		
	F-9		
	F-10		
	F-11		
Class	G-1		
	G-2		
	G-3		
	G-4		
	G-5		
	G-6		
	G-8	●	

**Chapter 15 – Particular provisions table: MIXED USE (continued)**

	UM-101	UM-102
<b>PERMITTED USES – RESIDENTIAL</b> (see 2.3) (authorized: ●)		
Class C: multifamily		
- detached	●(5)	●
- semi-detached		●
- row		●
<b>TYPES OF CONSTRUCTION</b> (authorized: ●)		
Detached		●
Semi-detached		●
Contiguous		●
Shopping centres (11.3)	●	
Office buildings (11.3)	●	
<b>FLOOR SPACE INDEX</b>		
Minimum/Maximum (see 3.4)	0.2/1.0	2.0/6.0
<b>MAXIMUM LOT COVERAGE</b> (3.3)	40	60
<b>PARKING IN THE FRONT SETBACK</b> (11.8)		
Setback from the right-of-way	3	3
<b>MINIMUM SETBACK</b> (in m) (see 11.1)		
Front	(1)	5.4
Side	(1)	7.5/7.5
Rear	(1)	7.5
<b>HEIGHT</b> (in m) (4.8)		
Minimum	5	5
Maximum	20	43
<b>NUMBER OF FLOORS</b> (4.8)		
Minimum	1	2
Maximum	5	12
<b>MINIMUM BUILDING WIDTH</b> (in m) (see 4.9, 11.4)	20	23
<b>ADDITIONAL SPECIFIC PROVISIONS</b>	(2)(3)(4)(5)	(6)(7)(8)(9)(10)(11)(12)(13)

**Chapter 15 – Particular provisions table: MIXED USE (continued)**

		UM-103	UM-104	UM-105
<b>PERMITTED USES - COMMERCES</b> (Authorized: ●)				
Class	A	●	●	●
Class	B-1	●	●	●
	B-2	●	●	●
	B-3	●	●	●
Class	C-1			
	C-2			
	C-3			
Class	D-1	●	●	●
	D-2	●	●	●
	D-3			
Class	E-1			
	E-2			
	E-3			
	E-4	●	●	●
	E-5			
	E-6			
Class	F-1			
	F-2			
	F-3			
	F-4			
	F-5			
	F-6			
	F-7			
	F-8			
	F-9			
	F-10	●	●	●
	F-11			
Class	G-1			
	G-2			
	G-3			
	G-4			
	G-5			
	G-6			
	G-8			

**Chapter 15 – Particular provisions table: MIXED USE (continued)**

	UM-103	UM-104	UM-105
<b>PERMITTED USES – RESIDENTIAL</b> (see 2.3) (authorized: ●)			
Class C: multifamily			
- detached	●	●	●
- semi-detached	●	●	●
- row	●	●	●
<b>TYPES OF CONSTRUCTION</b> (authorized: ●)			
Detached	●	●	●
Semi-detached	●	●	●
Contiguous	●	●	●
Shopping centres (11.3)			
Office buildings (11.3)			
<b>FLOOR SPACE INDEX</b>			
Minimum/Maximum (see 3.4)			
<b>MAXIMUM LOT COVERAGE</b> (3.3)	70	80	80
<b>PARKING IN THE FRONT SETBACK</b> (11.8)			
Setback from the right-of-way	3	3	3
<b>MINIMUM SETBACK</b> (in m) (see 11.1)			
Front	3	3	3
Side	5	5	5
Rear	5	5	5
<b>HEIGHT</b> (in m) (4.8)			
Minimum	3	12	20
Maximum	15.5	40	54
<b>NUMBER OF FLOORS</b> (4.8)			
Minimum	1	4	6
Maximum	3	10	14
<b>MINIMUM BUILDING WIDTH</b> (in m) (see 4.9, 11.4)			
	30	30	30
<b>ADDITIONAL SPECIFIC PROVISIONS</b>			
	(6)(8)(9)(10) (11)(12)(13)(14) (15)(16)(17)(20)	(6)(8)(9)(10) (11)(12)(13)(14) (15)(16)(18)(20)	(6)(8)(9)(10) (11)(12)(13)(14) (15)(16)(19)(20)

## NOTES

- (1) In this zone, no building shall be located within 25 metres (82') of the limit of the right-of-way of the Trans-Canada Highway and the Saint-Charles Boulevard interchange, within 20 metres (66') of the limit of the right-of-way of Saint-Charles Boulevard, within 8 metres (26.2') of the limit of the right-of-way of Mountain View Street, and within 16 metres (52.4') of the limit of the right-of-way of Sainte-Marie Road.
- (2) For any shopping center located in this zone, notwithstanding the provisions of subsection c) of Section 11.14, the minimum number of parking spaces shall be one (1) per 26.5 m<sup>2</sup> (285.2436 square feet) of rentable floor area of all commercial uses.
- (3) Class D-1, D-2, and D-3 uses are only permitted in a building with a floor area of 22,500 square feet or more.
- (4) The UM-101 zone is subject to a Site Planning and Architectural Integration Program (SPAIP).
- (5) Notwithstanding any provision to the contrary, in the UM-101 zone, multi-family and mixed-use residential buildings are only permitted within the hatched area shown in Schedule 2.41.

The following particular provisions are applicable to this hatched area:

- a) In a maximum of 30% of the first floor area per building, are permitted:
  - Class A commercial uses;
  - Class B-1 commercial uses, but limited to the following uses:
    - Health food stores;
    - Pastry/bakery shops;
    - Butcher shops;
    - Cheese shops;
    - Bookstores;
    - Hairdressers or beauty salons;
    - Banks;
    - Medical clinics with or without a pharmacy.
  - Class B-2 commercial uses, but limited to the following uses:
    - Convenience stores;
    - Société des alcools du Québec stores;
    - Travel agencies;
    - Post offices;
    - Clothing/shoe stores;
    - Daycare services.

- Class B-3 commercial uses, but limited to the following uses:
    - Cleaners of clothes and textiles;
    - Health studios.
  - D1 and D2 commercial uses.
- b) The minimum floor area of commercial spaces shall be 70 m<sup>2</sup> (753.5 square feet) with a minimum street frontage of 6 metres (20'). No commercial façade or sign shall be permitted for a building or section of a building of six (6) floors or less;
  - c) For any commercial use in mixed-use buildings, notwithstanding the provisions of subsection c) of Section 11.14, the minimum number of parking spaces shall be one (1) space per 26.5 m<sup>2</sup> (285.2436 square feet) of rentable floor area;
  - d) A commercial establishment located on the first floor of the building shall be allowed one sign, affixed flat to the building facade, with a maximum area of 3.0 m<sup>2</sup> (32.3 square feet);
  - e) The minimum number of off-street (underground) parking spaces for a multi-family building is one (1) space per dwelling unit and the maximum number is 1.5 spaces per dwelling unit;
  - f) Notwithstanding the required setbacks, the off-street (underground) parking lots may communicate from one building to another;
  - g) The number of off-street (underground) parking ratio may be reduced to 0.8 spaces per dwelling unit, if a car-sharing service is provided in the building. The minimum number of shared vehicles is two (2) per building;
  - h) A minimum of ten (10) visitor parking spaces is required per building. A drop-off area and a maximum of eight (8) visitor parking spaces per building are authorized above-ground in the front setback;
  - i) The minimum floor space ratio is 1.5 and the maximum is 5.0;
  - j) The maximum lot coverage is 0.4;
  - k) The minimum setback from the right-of-way of Sainte-Marie Road is 16 metres (52.4');
  - l) The minimum setback from the right-of-way of Mountain View Boulevard is 8 metres (26.2');
  - m) The minimum setback from the right-of-way of the east-west projected public street is 9 metres (29.5');
  - n) The minimum setback from the right-of-way of the north-south projected public street is 23 metres (75.5');

- o) The minimum distance between the north and south facades of the buildings is 20 metres (65.6');
- p) The minimum distance between the east and west facades of the buildings is 13.5 metres (44.2');
- q) Measured from the interior courtyard, the minimum height of the buildings is 13.5 metres (44.2') and the maximum height of the buildings is 37 metres (121.3'), including all accessory structures (stairwells, mechanical devices, etc.);
- r) For any building, the minimum number of floors is four (4) and the maximum number of floors is ten (10).

Notwithstanding the first paragraph, for buildings fronting on Sainte-Marie Road, a maximum of six (6) floors (including the first floor), calculated from the interior courtyard, is authorized for the first 20 meters measured from the limit of the right-of-way of Sainte-Marie Road. A maximum of eight (8) floors is authorized for the subsequent 40 meters;

- s) The minimum width of buildings is 20 metres (65.6');
  - t) Mechanical devices such as ventilation systems, tanks or other devices shall only be located on the roof. They shall not be located closer than 6 metres (19.6') to any building facade;
  - u) Mechanical devices and mechanical components of the building located on the roof may not exceed the roof line of the building by more than 3 metres (9.84'); if they are more than 1.2 metres (3.93') in height, they must be concealed by a screen.
- (6) Zones UM-102, UM-103, UM-104 and UM-105 are subject to a Site Planning and Architectural Integration Program (SPAIP).
  - (7) In Zone UM-102, the minimum lot area is 1,100 square metres (11,840.3 sq. ft.). The minimum lot width and minimum frontage width is 23 m (75.4 ft).
  - (8) Multifamily and mixed-use residential buildings are permitted in Zones UM-102, UM-103, UM-104 and UM-105. In a mixed-use building, a commercial use may not be located above a residential use.

The following particular provisions are applicable to these zones :

- a) Permitted commercial uses are :
  - Class A commercial uses, but limited to the following uses :
    - Professional services offices ;
    - Offices of medical services professionals and medical clinics (by appointment).

- Class B-1 commercial uses, but limited to the following uses :
    - Natural food stores;
    - Bakeries;
    - Fruit stores;
    - Cheese shops;
    - Bookstores;
    - Art galleries;
    - Jewellery stores;
    - Flower shops;
    - Banks;
    - Savings and loans;
    - Hairdressers and beauty parlors;
    - Medical clinics with or without a pharmacy. Les boutiques d'aliments naturels ;
  
  - Class B-2 commercial uses, but limited to the following uses :
    - Convenience stores;
    - Société des alcools du Québec outlets;
    - Travel agencies;
    - Dairy product stores/creameries;
    - Decoration stores;
    - Photography studios;
    - Clothing/shoe stores;
    - Child day care services.
  
  - Class B-3 commercial uses, but limited to the following uses :
    - Cleaners;
    - Health studios;
    - Small food markets.
  
  - Class D-1 and D-2 commercial uses.
  
  - Class E-4 commercial uses.
- b) The minimum area intended for commercial purposes shall be 70 m<sup>2</sup> (753.5 sq. ft.) with a minimum facade of 6 m (19.6 ft).
- c) A commercial establishment located on the ground floor of a building is entitled to one sign, with a maximum area of 3 m<sup>2</sup> (32.3 sq. ft.). The sign must be compatible with the residential use and is subject to a SPAIP.

- d) Mechanical equipment such as ventilation systems, tanks or other components must be located on the roof only. They must not be located less than 6 m (19.6 ft) from any building façade.
  - e) Mechanical devices and mechanical components of the building located on the roof may not exceed the roof line of the building by more than 3 m (9.8'); where their height exceeds 1.2 m (3.93'), they shall be hidden by a screen.
  - f) In Zones UM-103, UM-104 and UM-105, notwithstanding paragraph d) of note (8), mechanical devices such as ventilation systems, reservoirs or other equipment may be installed elsewhere than on the roof. However, such equipment must not be visible from public or private roads. It must be architecturally integrated and is subject to a SPAIP.
  - g) In addition to the above, the following uses are also permitted in Zones UM-103, UM-104 and UM-105: all Class B-1, B-2 and B-3 uses; restaurants, dining rooms and cafeterias (Class D-1); counter service food or coffee establishments for quick consumption on-site or take-out (Class D-2); pet shops and veterinary clinics for small animals, excluding the sale of pets such as cats and dogs (Class G-2); veterinarian (Class G-3); sale of plants/fruits and vegetables (Class G-4). No drive-through service is permitted in these zones.
- (9) In Zones UM-102, UM-103, UM-104 and UM-105, the maximum lot coverage ratio (as a %) is calculated without considering an underground or semi-underground parking garage, provided the floor does not exceed the natural ground level by more than 1.5 m (4.9 ft) and the ground area is used as a yard.
  - (10) In Zones UM-102, UM-103, UM-104 and UM-105, the above-ground height of underground parking must not exceed the average sidewalk level by more than 1.5 m (4.9 ft).
  - (11) In Zones UM-102, UM-103, UM-104 and UM-105, the definition of "ground floor" refers to the floor located at a maximum of 1.5 m (4.9 ft) above the average sidewalk level.
  - (12) In Zones UM-102, UM-103, UM-104 and UM-105, all new public utility services must be buried in accordance with the applicable regulations of the responsible authorities.
  - (13) In Zones UM-102, UM-103, UM-104 and UM-105, the provisions of paragraphs a) and b) of Section 10.5 of this by-law do not apply
  - (14) Notwithstanding paragraph a) of Section 10.6, the number of off-street parking spaces shall be determined according to the following cumulative requirements :
    - i. A minimum of one (1) parking space per dwelling unit is required for a multifamily building. This ratio may be reduced to 0.7 space per dwelling unit if a car-sharing service is provided within the building. A minimum of five (5) shared vehicles must be available per building. At least 85% of the parking spaces must be located inside the building;
    - ii. The project must include visitor parking spaces equal to at least 10% of the required number of residential spaces.

- (15) 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.
- (16) In this zone, tandem parking spaces are authorized up to a maximum of 10% of the parking spaces.
- (17) A minimum gross residential density of 30 dwellings/ha and a maximum gross residential density of 30 dwellings/ha applies in Zone UM-103. This density is calculated based on the total area of the zone.
- (18) A minimum gross residential density of 60 dwellings/ha and a maximum gross residential density of 130 dwellings/ha applies in Zone UM-104. This density is calculated based on the total area of the zone.
- (19) A minimum gross residential density of 60 dwellings/ha and a maximum gross residential density of 260 dwellings/ha applies in Zone UM-105. This density is calculated based on the total area of the zone.
- (20) In Zones UM-103, UM-104 and UM-105, use F-10 is permitted, but only for the following purpose: the establishment of a 200-space parking lot by the site owner in collaboration with the Town of Kirkland. At least one access point to the parking facilities must be located no more than 350 metres from an entrance to the Kirkland Station.