



PROVINCE OF QUEBEC  
TOWN OF KIRKLAND

## **DRAFT BY-LAW NO.: 90-58-101**

---

---

**BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN ORDER TO REPLACE ZONES 310M AND 318M (INDUSTRIAL) WITH NEW ZONES 164R, 165R (RESIDENTIAL), UM-102 (MIXED USES) AND 325M (INDUSTRIAL), TO MODIFY CLASS "C-1" (COMMERCIAL) AND CLASS "D" (INDUSTRIAL), TO ADD CLASS "H" (INDUSTRIAL), TO ADD PARTICULAR PROVISIONS APPLICABLE TO INTEGRATED HOUSING PROJECTS, AND TO CREATE NEW SPECIFICATION SCHEDULES ESTABLISHING SITING STANDARDS AND AUTHORIZED USES**

---

---

### **ADOPTION PROCEDURE**

Notice of motion:	July 5, 2021
Adoption – draft:	July 5, 2021
Publication:	July 9, 2021
Public consultation:	until July 26, 2021
Adoption – second draft:	August 2, 2021
Publication:	August 6, 2021
Application request:	
Registration procedure:	
Adoption of by-law:	
Certificate of conformity:	
Publication:	
Coming into force:	

- WHEREAS 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;
- WHEREAS notice of motion of this By-Law was given and the draft was adopted at the regular sitting of the municipal council held on July 5, 2021;
- 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 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 paragraph a), the following subparagraph:

**“ZONES 310-M, 318-M, 164R, 165R, UM-102 and 325M:** the zoning plan is amended as follows: zones 310M and 318M are replaced by new zones **164R, 165R, UM-102 and 325M**, as shown on an excerpt of the zoning plan signed on June 30, 2021 by the Town Clerk and appended to this By-Law as Schedule 2.42. New zones **164R, 165R, UM-102 and 325M** thus created correspond to lots 5 856 123, 6 193 503, 6 193 505, 6 193 506, 6 193 507, 6 193 508, 6 193 511, 6 193 512, 6 193 513, 6 193 514 and 6 296 387 of the cadastre of Quebec.”

### SECTION 2

*Zoning By-Law No. 90-58* is amended by adding, as Schedule 2.42, the plan signed on June 30, 2021 by the Town Clerk, referred to in section 1 above and appended to this By-Law as Schedule A.

### SECTION 3

Section 2.4 of *Zoning By-Law No. 90-58* entitled “Classification of Commercial Uses” is amended by replacing the definition of Class “C-1” in paragraph c) with the following definition:

**“Class “C-1”** includes hotel facilities in which the principal activity consists of lodging transient and short-term clientele, such as hotels, motels, tourist homes, inns and tourist accommodation establishment where accommodation, not including any meals served on the premises, in the operator’s principal residence is offered, by means of a single reservation, to a person or a single group of related persons at a time;”

### SECTION 4

Section 2.7 of *By-Law No. 90-58* entitled “Classification of Industrial Uses” is amended by:

- a) replacing the definition of Class “D” in paragraph d) with the following definition:

**“Class “D”** includes facilities for distribution or wholesale sales of products or their transport to points of sale or processing, online commerce, with or without a pickup site. These establishments may engage in the secondary activities of receiving, handling, packing, shipping and administration and the facilities may include showrooms, exhibition halls, and repair sales outlets. Due to the nature of their activities, these facilities cause very little if any inconvenience to their vicinity.”

- b) adding paragraph h), so that it reads as follows:

- “h) **Class “H”** includes storage facilities for residential and office products; these facilities may engage in or include, as an ancillary activity:
- the leasing of office spaces.

This use class is subject to the objectives and criteria specified in a site planning and architectural integration program (SPAIP).”

**SECTION 5**

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 163R, columns for new zones **164R** and **165R**, the content of which is provided in Schedule B of this By-Law, and by adding the following notes at the end of said table:

“NOTES:

(20) In zone **164R**, the minimum dimensions of the lots are as follows:

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	450 m <sup>2</sup> 4,843.9 ft <sup>2</sup>	14.5 m 47.6'	14.5 m 47.6'	27.5 m 90.2'
Corner lot	540 m <sup>2</sup> 5,812.7 ft <sup>2</sup>	18.0 m 59.1'	18.0 m 59.1'	27.5 m 90.2'

(21) Zones **164R** and **165R** are subject to a site planning and architectural integration program (SPAIP).

(22) In zones **164R** and **165R**, the minimum front setback from the Brunswick Boulevard right-of-way is 6 m (19.6').

(23) In zones **164R** and **165R**, all new public utility services shall be buried in accordance with the rules of each competent authority.

(24) In zone **165R**, the minimum distance setback between two rear walls (MIA) is 12 m (39.3').

(25) In zone **165R**, for buildings located less than 20 m (65.6') from the Brunswick Boulevard right-of-way, the maximum number of floors is two (2) and the maximum height is 10 m (32.8'). For buildings located 20 m (65.6') or more and less than 120 m (393.7') from the Brunswick Boulevard right-of-way, the maximum number of floors is three (3) and the maximum height is 12 m (39.3'). For buildings located 120 m (393.7') or more from the Brunswick Boulevard right-of-way, the maximum number of floors is four (4) and the maximum height is 16 m (52.4').

(26) In zone **165R**, for the buildings located 120 m (393.7') or more from the Brunswick Boulevard right-of-way, a mezzanine is authorized in accordance with the requirements prescribed in paragraph c) of section 10.16 of this By-Law.

(27) In zone **165R**, 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') and the ground area is used as a yard.

(28) In zone **165R**, the height from the ground of an underground parking garage shall fulfill the requirement specified in paragraph d) of section 10.16 of this By-Law.

(29) In zone **165R**, the definition of ground floor refers to the floor that is located a maximum of 1.5 m (4.9') above the average sidewalk level.

(30) In zone **165R**, notwithstanding section 10.6 e) ii) of this By-Law, garages are authorised below street level.

(31) In zone **165R**, the minimum lengths of dwelling facades and minimum habitable floor areas for each classification of Residential uses are as follows:

**Minimum lengths of dwelling facades**

Class A dwellings (single-family)		
- detached 1, 1 ½ or 2 floors	14.5 m	(47.6')
- semi-detached 1 ½ or 2 floors	6 m	(19.6')
- row 1 ½ or 2 floors	6 m	(19.6')

Class B dwellings (duplexes or triplexes)		
- detached	9 m	(29.5')
- semi-detached	6 m	(19.6')
- row	6 m	(19.6')
Class C dwellings (multiple-family)		
- detached	16 m	(52.5')
- semi-detached	16 m	(52.5')
- row	16 m	(52.5')

**Minimum habitable floor area**

Class A dwellings (single-family)		
- detached 1 or 1 ½ floors	110 m <sup>2</sup>	(1,184 ft <sup>2</sup> )
- detached 2 floors	137 m <sup>2</sup>	(1,474.7 ft <sup>2</sup> )
- semi-detached or row 1 ½ or 2 floors	100 m <sup>2</sup>	(1,076.4 ft <sup>2</sup> )
Class B dwellings (duplexes or triplexes)		
- detached	100 m <sup>2</sup>	(1,076.3 ft <sup>2</sup> )
- semi-detached	75 m <sup>2</sup>	(807.3 ft <sup>2</sup> )
- row	50 m <sup>2</sup>	(538.2 ft <sup>2</sup> )
	per dw. unit	per dw. unit
Class C dwellings (multiple-family)		
- detached	40 m <sup>2</sup>	(430.5 ft <sup>2</sup> )
- semi-detached	-	-
- row	-	-
	per dw. unit	per dw. unit

(32) In zone **165R**, the minimum lot areas are as follows:

***Single-family detached***

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	450 m <sup>2</sup> 4,843.9 ft <sup>2</sup>	14.5 m 47.6'	14.5 m 47.6'	27.5 m 90.2'
Corner lot	540 m <sup>2</sup> 5,812.7 ft <sup>2</sup>	18 m 59.1'	18 m 59.1'	27.5 m 90.2'

***Single-family semi-detached***

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	250 m <sup>2</sup> 2,690.9 ft <sup>2</sup>	8 m 26.2'	8 m 26.2'	- -
End of a row	250 m <sup>2</sup> 2,690.9 ft <sup>2</sup>	8 m 26.2'	8 m 26.2'	- -
Corner lot	310 m <sup>2</sup> 3,336.8 ft <sup>2</sup>	10 m 32.8'	10 m 32.8'	- -

*Single-family row*

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	186 m <sup>2</sup> 2,002 ft <sup>2</sup>	6 m 19.6'	6 m 19.6'	- -
End of a row	250 m <sup>2</sup> 2,690.9 ft <sup>2</sup>	8 m 26.2'	8 m 26.2'	- -
Corner lot	310 m <sup>2</sup> 3,336.8 ft <sup>2</sup>	10 m 32.8'	10 m 32.8'	- -

*Duplex/Triplex detached*

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	- -	- -	- -	- -
End of a row	- -	- -	- -	- -
Corner lot	465 m <sup>2</sup> 5,005.2 ft <sup>2</sup>	15 m 49.2'	15 m 49.2'	- -

*Duplex/Triplex semi-detached*

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	- -	- -	- -	- -
End of a row	250 m <sup>2</sup> 2,690.9 ft <sup>2</sup>	8 m 26.2'	8 m 26.2'	- -
Corner lot	310 m <sup>2</sup> 3,336.8 ft <sup>2</sup>	10 m 32.8'	10 m 32.8'	- -

*Duplex/Triplex row*

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Standard lot	186 m <sup>2</sup> 2,002 ft <sup>2</sup>	6 m 19.6'	6 m 19.6'	- -
End of a row	250 m <sup>2</sup> 2690.9 ft <sup>2</sup>	8 m 26.2'	8 m 26.2'	- -

Corner lot	310 m <sup>2</sup> 3,336.8 ft <sup>2</sup>	10 m 32.8'	10 m 32.8'	- -
------------	---	---------------	---------------	--------

*Any type of dwelling other than single-family*

	Minimum area	Minimum frontage width	Minimum width	Minimum depth
Detached	1,390 m <sup>2</sup> 14,962.3 ft <sup>2</sup>	30 m 98.4'	30 m 98.4'	- -
Semi-detached or row	1,100 m <sup>2</sup> 11,840.7 ft <sup>2</sup>	23 m 75.5'	23 m 75.5'	- -

## SECTION 6

Chapter 10 of *Zoning By-Law No. 90-58* entitled “PROVISIONS PARTICULAR TO RESIDENTIAL ZONES” is amended by adding section 10.16, so that it reads as follows:

### “10.16 Provisions particular to residential zone 165R and mixed zone UM-102

*a) Integrated housing project*

The siting of several residential buildings on a single lot is authorized on the following conditions:

General

- 1° The integrated project shall comply with a recognized architectural strategy, such as the creation of a comprehensive architectural design including the use of similar materials, shapes and architecture, and shall make it possible for the average observer to promptly notice that all the buildings are part of the same project;
- 2° The integrated project shall include a minimum of two (2) principal buildings;
- 3° The development of each zone concerned may be subject to one or more separate integrated projects, where each project corresponds to a construction phase;

Development Plan

- 4° Anyone who wishes to carry out an integrated project must submit to the Urban Planning and Environment Department three (3) copies of the development plan for the project specifying:
  - i) The cadastral lots or the projected subdivision;
  - ii) The detailed siting of the buildings and all structures, including the following information for each one:
    - The gross floor area;
    - The number of floors; and
    - The type of dwelling or structure.
  - iii) The elevation of each facade of all buildings;
  - iv) The types of exterior cladding materials used;

- v) The setbacks of the buildings from the lot limits;
- vi) The distance between the buildings;
- vii) The distance between any building and a private passageway, where applicable;
- viii) The layout of the landsite, the landscaping design, the indoor and outdoor parking areas, the access ramps to the indoor parking areas, the vehicle and pedestrian passageways, the fences, the low walls and the retaining walls, etc.;
- ix) The construction phases;
- x) The public utility networks (water supply, storm sewer, sanitary sewer, gas, telecommunication, electricity, lighting, mailbox, etc.) as well as the residual materials storage and collection areas;

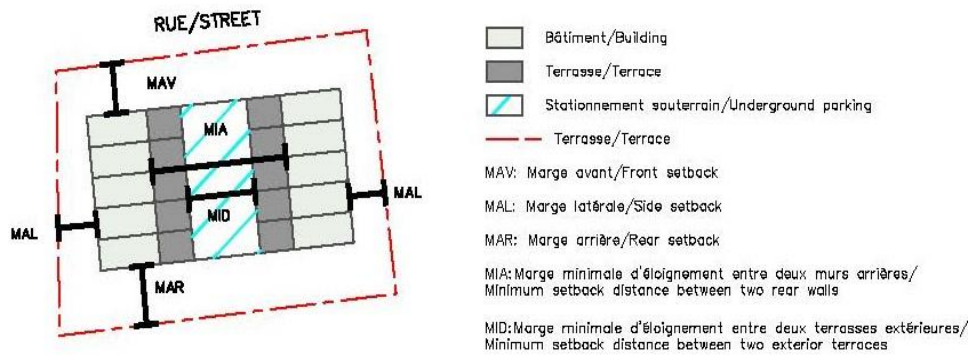
#### Development Plan Approval

- 5° Upon receipt of an application for a development plan for an integrated project, the Urban Planning and Environment Department reviews the plan in order to determine whether it complies with the zoning and subdivision by-laws;
- 6° The development plan for the integrated project is subject to a recommendation by the Planning Advisory Committee (PAC);
- 7° Following the recommendation of the PAC, the Municipal Council renders a decision on the application; it accepts the application with or without conditions or rejects it. Where applicable, it suggests the necessary modifications to the applicant;
- 8° When the development plan for the integrated project is approved, the applicant shall submit an application for a cadastral operation permit for the entire integrated project, or per phase, to the Urban Planning and Environment Department;
- 9° Should the Municipal Council approve the development plan for the integrated project, this shall not obligate the Town to approve a cadastral operation plan, or accept the assignment of the new projected streets appearing in the plan, or decree the opening of said streets, or cover their construction and maintenance costs, or assume their civil liabilities;
- 10° Should the Municipal Council approve the development plan for the integrated project, this shall not obligate the Town to issue construction permits;
- 11° If, for whatever reason, the initial development plan for the integrated project is modified significantly, it shall be replaced by a development plan that shall be subject to another approval;
- 12° For each phase, the landscaping and, where applicable, outdoor parking areas required and intended for each building shall be completed no later than twelve (12) months after the end of the construction work;
- 13° The landscaping and, where applicable, the common parking areas shall be completed no later than six (6) months after the end of the construction work on the final building in the integrated project;

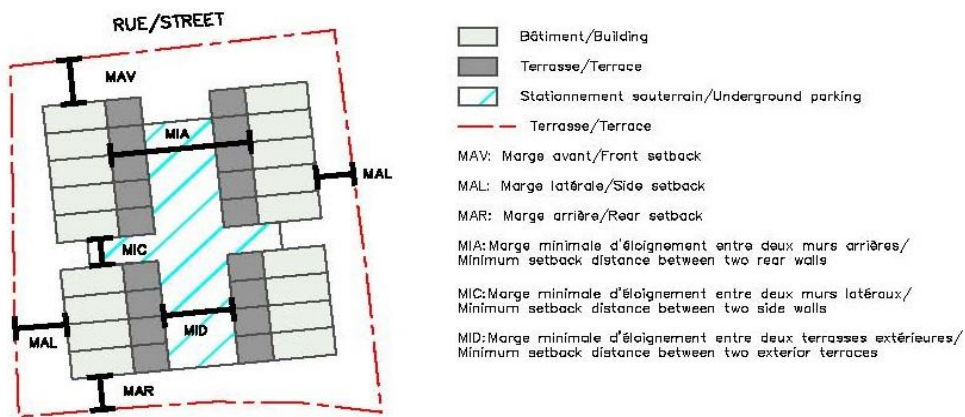
#### Siting Standards

- 14° The siting of several residential buildings on a single lot shall comply with one or a combination of the following plans:

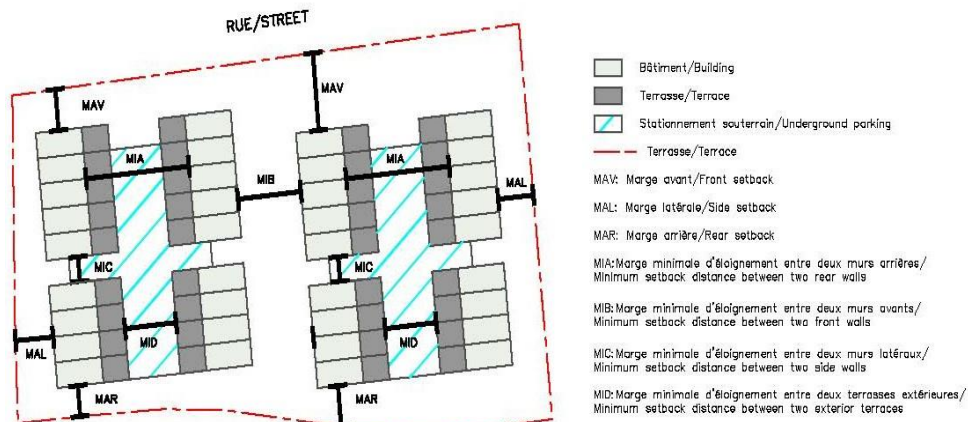
i) Plan A: Siting of two (2) buildings on a single lot with an underground parking garage and an outdoor terrace:



ii) Plan B: Siting of four (4) buildings on a single lot with an underground parking garage and an outdoor terrace:



iii) Plan C: Siting of eight (8) buildings on a single lot with an underground parking garage and an outdoor terrace:



15° The minimum front, side and rear setbacks are those specified in the "Particular Provisions Table: RESIDENTIAL ZONES" in the columns for residential zone 165R and mixed zone UM-102;

16° The minimum distance setbacks are the following:

i) Between two (2) rear walls (MIA):

- 12 m (39.3') for zone 165R; and
- 18 m (59') for zone UM-102.

ii) Between two (2) front walls (MIB): 12 m (39.3')



iii) Between two (2) side walls (MIC):

- 12 m (39.3') for zone 165R; and
- 18 m (59') for zone UM-102.

iv) Between two (2) outdoor terraces (MID): 6 m (19.6')

17° The minimum distance that must be maintained between any structure and a water supply or sewer pipe is 4 m (13.1');

18° The minimum distance that must be maintained between a principal building and a private passageway is 3 m (9.8');

19° The minimum distance that must be maintained between a principal building and an outdoor parking area is 2 m (6.5'), except for a parking area that provides direct access to a garage;

#### Architecture

20° Any outdoor stairway leading to a higher level than the ground floor level or to more than 1.5 m (4.9') above the level of a pedestrian passageway or a private vehicle passageway providing access to the dwellings is prohibited;

21° The height of a building shall be calculated from the level of the pedestrian passageway or the private vehicle passageway providing access to the dwellings;

#### Parking

22° The foundation of any private passageway providing access to a parking area shall be designed for heavy vehicle traffic;

#### Site layout

23° Except for the spaces used to site the uses permitted by this By-Law and for vehicle and pedestrian traffic, all lot shall be planted with lawn or landscaped. Furthermore, six (6) trees per 1,000 m<sup>2</sup> (10,763.9 ft<sup>2</sup>) of lot located outside the limits of an underground parking garage right-of-way shall be planted no later than twelve (12) months after the end of the work on each lot. Once planted, the trees shall be kept in good condition and replaced as needed;

24° The installation of any fence along Brunswick Boulevard is permitted only if it is accompanied by a landscape design located on the north side of said fence that minimizes its visual impact;

25° The level of a private vehicle or pedestrian passageway providing access to dwellings shall not exceed a maximum of 1 m (3.3') above the level of the centre of an adjacent public street;

#### Snow Management

26° Snow piles are prohibited within an integrated project unless the project includes a space specifically designed for snow piles. The snow shall be transported to a recognized site for that purpose;

#### Emergency Vehicle Access

27° Each building shall be accessible to emergency vehicles through a private paved access road that can be accessed from a public street;

28° All access roads shall meet the following conditions:

- i) Be at least 5 m (16.4') wide;
- ii) Have an overhead clearance of at least 5 m (16.4');
- iii) End in a paved turnaround that is at least 3.5 m (11.4') wide and at least 7 m (22.9') long and allows safe reverse manoeuvres;

Infrastructure

- 29° Private water supply and sewer (sanitary and storm) systems shall be built according to the standards prescribed by the Town;
- 30° At the end of the infrastructure work for each phase, a document prepared, signed and sealed by an engineer certifying that the work was executed in accordance with the standards set out by the Town is required. The Town may perform the inspections it deems necessary at any time;
- 31° All public utility services shall be buried on the landsite of the integrated project in accordance with the rules of each competent authority;

Fire Protection

- 32° The walls of a building located in an integrated project shall be located at a maximum distance of 80 m (262.4') from a fire hydrant that is accessible and installed on the site or adjacent to it;
- 33° The location and the number of fire hydrants on the site shall be approved by the Urban Planning and Environment Department and the Service de sécurité incendie de Montréal;
- 34° The owner is at all times responsible for the maintenance of the fire hydrants installed on the site, including snow removal. Furthermore, a maintenance report shall be submitted to the Service de sécurité incendie de Montréal and the Urban Planning and Environment Department at least once per year.

*b) Off-street parking*

Notwithstanding paragraph a) of section 10.6, the number of off-street parking spaces is established according to the following cumulative requirements:

- i) The minimum number of parking spaces for a multiple-family building is one (1) space per dwelling and the maximum number is 1.5 per dwelling. The parking ratio may be reduced to a 0.8 parking space per dwelling if a car sharing service is offered in the building. The minimum number of shared vehicles is two (2) per building;
- ii) The project shall include spaces for visitors at a minimum rate of 10% of the regulatory requirements for the dwellings.

*c) Mezzanine*

- i) The addition of a mezzanine is authorized only in zone **165R** and at more than 120 m (393.7') from the Brunswick Boulevard right-of-way;
- ii) A mezzanine is a rooftop structure that is not considered a floor and constitutes an additional elevation in relation to the authorized building height. A mezzanine is a space formed by part of an intermediate floor that may be located within a floor or above an upper floor housed in a rooftop structure;
- iii) The area of a mezzanine may not exceed more than 40% of the area of the floor immediately below.
- iv) A mezzanine may not be higher than 2 m (6.5') and shall comply with the setbacks in the table below in relation to the limits of the floor immediately below. In the following table, "H" is the height of the mezzanine measured from the roof on which it is erected:

Height of the roof on which the mezzanine is erected	Minimum setback from a facade	Minimum setback from a side or rear facade
16 metres (52.4') or less	2H	1H

v) A mezzanine is not subject to the “Particular Provisions Table: RESIDENTIAL ZONES,” but it is subject to a site planning and architectural integration program (SPAIP);

d) *Height above ground of an underground parking garage*

The height above ground of an underground parking garage may not exceed the average level of an adjacent sidewalk by more than 1.5 m (4.9’).”

## SECTION 7

Chapter 15 of *Zoning By-Law No. 90-58* entitled “Particular Provisions Table: MIXED ZONES” is amended by adding, after the column for zone UM-101, a column for new zone **UM-102**, the content of which is provided in Schedule C of this By-Law, and by adding the following notes at the end of said table:

“NOTES:

- (6) Zone **UM-102** is subject to a site planning and architectural integration program (SPAIP).
- (7) In zone **UM-102**, the minimum area of the lots is 1,100 m<sup>2</sup> (11,840.3 ft<sup>2</sup>). The minimum width and the minimum frontage width is 23 m (75.4’).
- (8) Multiple-family and mixed residential buildings are authorized in zone **UM-102**.

The following particular provisions apply to this zone:

a) The authorized commercial uses for the ground floor of each building 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.
- 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 ft<sup>2</sup>) with a minimum facade of 6 m (19.6’).
  - c) Although there is no maximum area for commercial uses, it is understood that commercial uses shall harmonize with the residential use and will be subject to a site planning and architectural integration program (SPAIP).
  - d) A commercial establishment located on the ground floor of a building is entitled to one sign that is attached flat against the building facade and covers a maximum area of 3 m<sup>2</sup> (32.3 ft<sup>2</sup>).
  - e) Mechanical devices such as ventilation systems, reservoirs or other equipment shall be located only on the roof. They may not be located less than 6 m (19.6’) from any building facade.
  - f) 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.
- (9) In zone **UM-102**, 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’) and the ground area is used as a yard.
- (10) In zone **UM-102**, the height above ground of an underground parking garage shall fulfill the requirement in paragraph d) of section 10.16 of this By-Law.
- (11) In zone **UM-102**, the definition of ground floor refers to the floor that is located at a maximum of 1.5 m (4.9’) above the average sidewalk level.
- (12) In zone **UM-102**, all new public utility services shall be buried in accordance with the rules of each competent authority.”

## SECTION 8

Section 12.18 of *Zoning By-Law No. 90-58* entitled “Particular Provisions Table: INDUSTRIAL ZONES” is amended by adding, after the column for zone 324M, a column for new zone **325M**, the content of which is provided in Schedule D of this By-Law, and by adding the following notes at the end of said table:

“NOTES:

- (15) Zone **325M** is subject to a site planning and architectural integration program (SPAIP).
- (16) In zone **325M**, a building may be occupied in part by one or more industrial uses and in part by one or more commercial uses.
- (17) In zone **325M**, the authorized commercial uses in each building are:
  - Class A commercial uses.
  - Class B-1 commercial uses, but limited to the following uses:
    - Banks;
    - Savings and loans;
    - Finance companies;
    - Medical clinics with or without a pharmacy.
  - Class B-2 commercial uses, but limited to the following uses:
    - Child day care services.
  - Class B-3 commercial uses, but limited to the following uses:
    - Health studios;
    - Recording studios;
    - Radio and television studios;
    - Offices of unions or political parties;
    - Employment agencies;
    - Customs offices, employment insurance offices or offices of other government or para-governmental departments or services;

- Offices of telephone, electricity, and gas companies and other public utilities;
  - Music and dance schools;
  - Printing shops with a maximum floor area of 120 m<sup>2</sup> (1,292 ft<sup>2</sup>);
  - Cable distribution companies.
- Class C-1 commercial uses.
  - Class D-1 and D-2 commercial uses.
  - Class E-4 commercial uses.
- (18) In zone **325M**, the front setback is calculated from the limit of the right-of-way of the Trans-Canada Highway service road.
- (19) In zone **325M**, no parking area may be located less than 3 m (9.8') from the limit of the street right-of-way.
- (20) In zone **325M**, the only uses authorized in the front setback are sidewalks and pathways for pedestrians, drives and access lanes to parking areas and areas for manoeuvring in relation to loading and unloading, lawns and plantings of flowers and shrubs, masts and signs mounted on posts or pedestals, parking areas reserved for the vehicles of visitors and clients. Parking areas for the vehicles of employees, transport vehicles and other commercial vehicles are also authorized, provided that these areas are located at least 10 m (32.8') from the limit of a street right-of-way and do not occupy more than 25% of the total area of the front setback calculated from the street right-of-way. In the case of corner or transversal lots, the calculation of the parking area may include the sum of the areas of both front setbacks.
- (21) In zone **325M**, all new public utility services shall be buried in accordance with the rules of each competent authority.
- (22) In zone **325M**, the minimum area for complementary uses located on the ground floor of buildings occupied mainly by offices is 50 m<sup>2</sup> (538.1 ft<sup>2</sup>).
- (23) In zone **325M**, for buildings that have a principal facade on Charles E. Frosst Street, the minimum setbacks are the following:
- Principal front (Charles E. Frosst): 10 m (32.8')
  - Secondary front (Service Road): 22.8 m (74.8')
  - Side: 22.5 m (74.8')
  - Rear: 15 m (49.2')

## SECTION 9

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

(Michel Gibson)

---

Mayor

(Annie Riendeau)

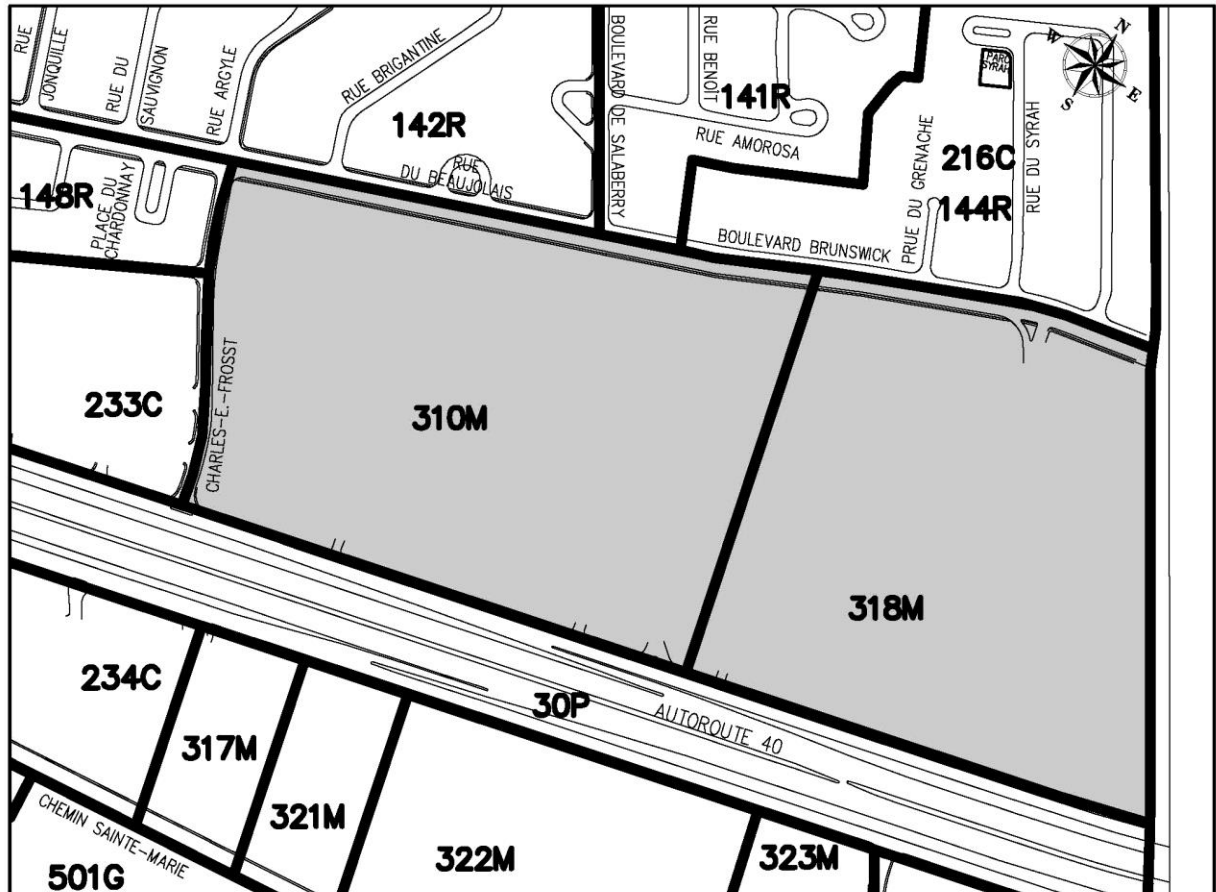
---

Town Clerk

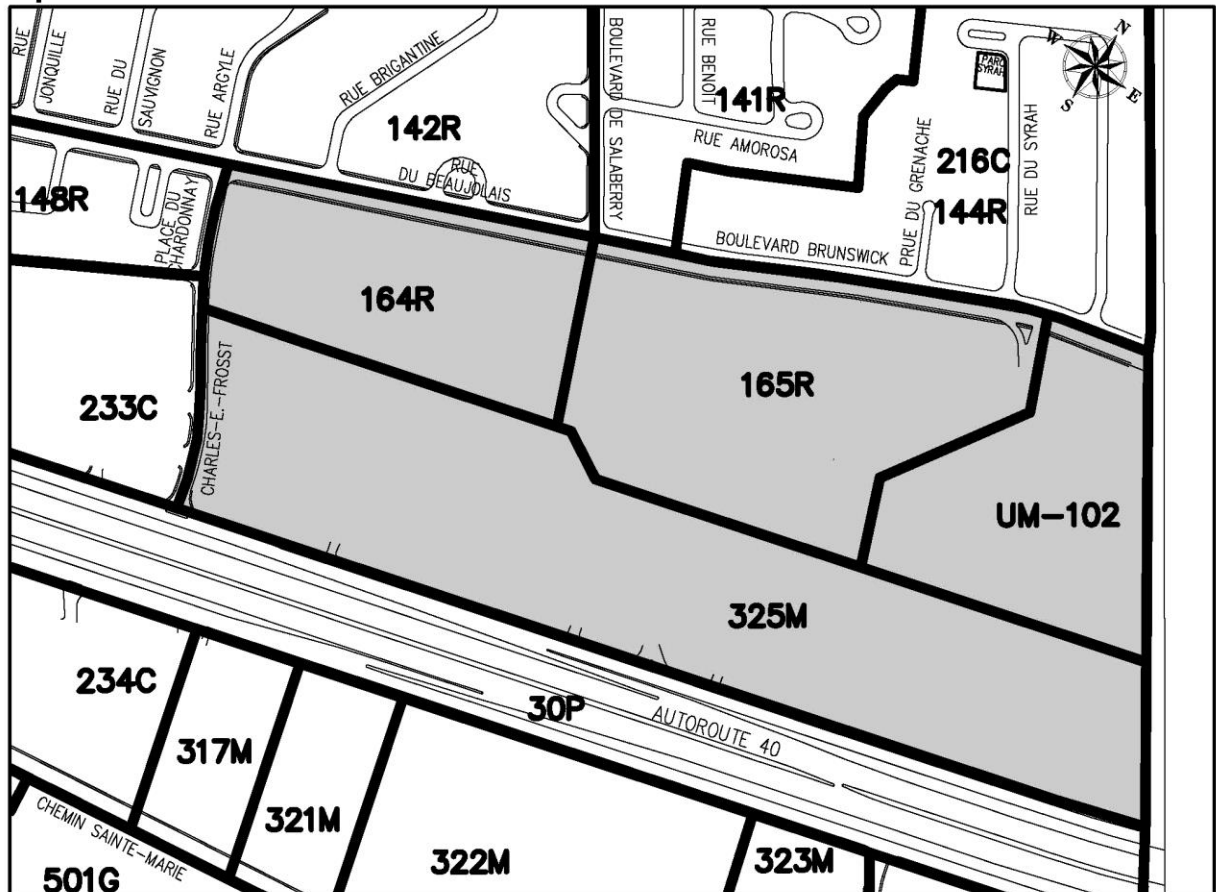
SCHEDULE A

Ville de Kirkland  
Annexe 2.42 du Règlement 90-58  
Annexe A du Règlement 90-58-101  
Plan montrant les limites des zones 164R, 165R, UM-102, et 325M

Avant / Before



Après / After



Signed for identification purposes, this 30<sup>th</sup> day of June, 2021.

**SCHEDULE B**

Schedule « B » of Regulation 90-58-101  
 Particular provisions table: **RESIDENTIAL ZONES**

	164R	165R
<b>PERMITTED USES - RESIDENTIAL</b> (see 2.3) (authorized: ●)		
Class A: single-family		
- detached	●	
- semi-detached		●
- row		●
Class B: duplex/triplex		
- detached		●
- semi-detached		●
- row		●
Class C: multifamily		
- detached		●
- semi-detached		●
- row		●
<b>FLOOR SPACE INDEX</b>		
Minimum/Maximum (see 3.4)	0,2/0,5	0,5/2,0
<b>MAXIMUM LOT COVERAGE</b> (in %)		
	35	60
<b>MIMNIMUM SETBACKS</b> (in m) (see 10.1 and 10.5)		
Front	5,4	4
Side	1,9/1,9	2/2
Rear	7,5	6
<b>FLAT ROOFS</b> (Prohibited: X)		
	X	
<b>HEIGHT</b> (in m)		
Minimum	5	7
Maximum	10	12/16 (25)
<b>NUMBER OF FLOORS</b>		
Minimum	1	2
Maximum	2	3/4 (25)
<b>MINIMUM BUILDING WIDTH</b> (see 10.3a)		
	10,5m	(31)
<b>MIN. HABITABLE FLOOR AREA</b> (see 10.3b)		
	A	(31)
<b>SUBDIVISION</b> (by-law # 90-59 Art. 3.2-a)		
Minimum area (in m <sup>2</sup> )	(20)	(32)
Minimum frontage and minimum width. (in m)	(20)	(32)
<b>ADDITIONAL SPECIFIC PROVISIONS</b>		
	(20)(21)(22)(23)	(21)(22)(23)(24)(25)(26)(27)(28)(29)(30)(31)(32)

SCHEDULE C

SCHEDULE « C » of Regulation 90-58-101  
Particular provisions table: MIXED USE

UM-102

PERMITTED USES - COMMERCES (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-7	
	G-8	



Schedule « C » of regulation 90-58-101  
Particular provisions table: **MIXED USE** (continued)

UM-102

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

Class C: multifamily

- detached \_\_\_\_\_

- semi-detached \_\_\_\_\_

- row \_\_\_\_\_

●

●

**TYPES OF CONSTRUCTION** (authorized: ●)

Detached \_\_\_\_\_

Semi-detached \_\_\_\_\_

Contiguous \_\_\_\_\_

Shopping centres (11.3) \_\_\_\_\_

Office buildings (11.3) \_\_\_\_\_

●

●

●

**FLOOR SPACE INDEX**

Minimum/Maximum (see 3.4) \_\_\_\_\_

2,0/6,0

**MAXIMUM LOT COVERAGE** (3.3) \_\_\_\_\_

60

**PARKING IN THE FRONT SETBACK** (11.8)

Setback from the right-of-way \_\_\_\_\_

3

**MINIMUM SETBACKS** (in m) (see 11.1)

Front \_\_\_\_\_

Side \_\_\_\_\_

Rear \_\_\_\_\_

5,0

7,5

7,5

**HEIGHT** (in m) (4.8)

Minimum \_\_\_\_\_

Maximum \_\_\_\_\_

5

43

**NUMBER OF FLOORS** (4.8)

Minimum \_\_\_\_\_

Maximum \_\_\_\_\_

2

12

**MINIMUM BUILDING WIDTH** (in m) (see 4.9, 11.4) \_\_\_\_\_

23

**ADDITIONAL SPECIFIC PROVISIONS** \_\_\_\_\_

(6)(7)(8)(9)(10)(11)(12)

SCHEDULE D

Schedule « D » of Regulation 90-58-101  
Particular provisions table: **INDUSTRIAL ZONES**

325M

**PERMITTED USES - INDUSTRIAL**

Group A	●
Group B	●
Group C	
Group D	●
Group E	
Group F	
Group G	
Group H	●

**PERMITTED USES – COMMERCES** (authorized: ●)

Class A	●(17)
Class B-1	●(17)
B-2	●(17)
B-3	●(17)
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-7 \_\_\_\_\_  
 G-8 \_\_\_\_\_

**FLOOR SPACE INDEX**

Minimum/Maximum (3.4) \_\_\_\_\_ 0,15/0,65 \_\_\_\_\_

**LOT COVERAGE (in %)**

Minimum \_\_\_\_\_ 8 \_\_\_\_\_

Maximum \_\_\_\_\_ 50 \_\_\_\_\_

**MINIMUM SETBACKS**

Front \_\_\_\_\_ 22.8 (18)(23) \_\_\_\_\_

Side \_\_\_\_\_ 7.6/7.6 (23) \_\_\_\_\_

Rear \_\_\_\_\_ 15.2 (23) \_\_\_\_\_

**MULTI-TENANT BUILDINGS (12.4) (authorized: ●)**

● (16) \_\_\_\_\_

**NUMBER OF FLOORS**

Minimum \_\_\_\_\_ 1 \_\_\_\_\_

Maximum \_\_\_\_\_ 8 \_\_\_\_\_

**HEIGHT (in m)**

Minimum \_\_\_\_\_ 5 \_\_\_\_\_

Maximum \_\_\_\_\_ 40 \_\_\_\_\_

**MINIMUM BUILDING WIDTH (12.7a)**

50 \_\_\_\_\_

**ADDITIONAL SPECIFIC PROVISIONS**

(15)(16)(17)(18)(19)(20)(21)(22)(23) \_\_\_\_\_

**SUBDIVISION (By-Law # 90-59 Art 3.2a)**

Minimum area (in m<sup>2</sup>) \_\_\_\_\_ 8700 \_\_\_\_\_

Minimum frontage and minimum width (in m) \_\_\_\_\_ 90 \_\_\_\_\_