



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

DRAFT
BY-LAW NO: 90-58-103

BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN ORDER TO NO LONGER ALLOW COMMERCIAL USES IN CLASSES B-2, D-3, E-1 AND PUBLIC USES IN CLASSES A AND B IN ZONE 233C, TO ADD CLASSES F-12 AND F-13 (COMMERCIAL) AND TO MODIFY CERTAIN PARTICULAR PROVISIONS APPLICABLE TO ZONE 233C

ADOPTION PROCEDURE

Notice of motion:	May 2, 2022
Adoption – Draft:	May 2, 2022
Publication:	May 6, 2022
Public consultation:	May 31, 2022
Adoption – second draft:	
Publication:	
Application request:	
Registration procedure:	
Adoption of by-law:	
Certificate of compliance:	
Publication:	
Coming into force:	

- WHEREAS in accordance with section 113 of the *Act respecting Land Use Planning and Development* (Chapter A-19.1), the Town of Kirkland may specify, for each zone, the uses that are authorized or prohibited;
- WHEREAS 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 ordinary sitting of the Municipal Council held on May 2, 2022;
- WHEREAS copies of this draft By-Law have been 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 11.18 of *Zoning By-Law No. 90-58* entitled: "Particular Provisions Table : **COMMERCIAL ZONES**" is amended :

- a) by the withdrawal of the "●" symbol on the line for Class B-2 commercial uses in the corresponding column of zone 233C, to indicate that the said commercial uses are no longer authorized in zone 233C;
- b) by the withdrawal of the "●" symbol on the line for Class D-3 commercial uses in the corresponding column of zone 233C, to indicate that the said commercial uses are no longer authorized in zone 233C;
- c) by the withdrawal of the "●" symbol on the line for Class E-1 commercial uses in the corresponding column of zone 233C, to indicate that the said commercial uses are no longer authorized in zone 233C;
- d) by the withdrawal of the "●" symbol on the line for Class A public uses in the corresponding column of zone 233C, to indicate that the said public uses are no longer authorized in zone 233C;
- e) by the withdrawal of the "●" symbol on the line for Class B public uses in the corresponding column of zone 233C, to indicate that the said public uses are no longer authorized in zone 233C;
- f) by the replacement of the MAXIMUM LOT COVERAGE (3.3) with the following : 45
- g) by the replacement of the MINIMUM SETBACKS (*in m*) (*see 11.0*) with the following :

Front	15
Side	10/6.5
Rear	10
- h) by the replacement of the HEIGHT (*in m*) (4.8) with the following :

Minimum	5
Maximum	30
- i) by the replacement of the NUMBER OF FLOORS (4.8) with the following :

Minimum	1
Maximum	6
- j) by the replacement of note (19) at the bottom of the table in the "NOTES" section with the following so that it reads as follows :
"(19)

In zone 233-C :

- a) the minimum setback along a street located on the boundary between zones 148-R and 233-C is set at 10 metres;
- b) the recovery of used domestic oil and oil filters is permitted in this zone;
- c) the front setback and the parking space in the front setback is calculated from the limit of the right-of-way of the Trans-Canada Highway service road;
- d) a truck lane or a loading dock adjacent to a residential zone shall include an acoustic screen that is at least 8' high on the private land;
- e) class G-7 uses: one parking space for each 43.5 square meters of leasable floor area, all uses included, including the area of the outside enclosure intended for the sale of landscaping products and accessories;
- f) the authorized commercial uses are :
 - 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-3 commercial uses, but limited to the following uses :
 - food markets,
 - hardware stores,
 - automobile parts and accessories stores,
 - customs offices, employment insurance offices or the offices of other government or para-governmental departments or services,
 - radio and television studios,
 - cable distribution companies;"

SECTION 2

Section 2.4 of *Zoning By-Law No. 90-58* entitled "**Classification of Commercial Uses**" is amended by adding new classes F-12 and F-13 at the end of paragraph f) so that they read as follows:

- "Class "**F-12**" includes establishments that sell new electric vehicles, where the rental and maintenance of electric vehicles as well as the resale of used electric vehicles are exclusively secondary activities to the sale of new electric vehicles;
- Class "**F-13**" includes electric vehicle maintenance shops (mechanics, electricity, body work, painting);"

SECTION 3

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

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk and Director of Legal Affairs

Article 11.18

Particular provisions table: **COMMERCIAL ZONES**

233C

PERMITTED USES - COMMERCES (authorized: ●)

Class	A	●
Class	B-1	●(19)
	B-2	
	B-3	●(19)
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	
	F-12	●
	F-13	●
Class	G-1	
	G-2	
	G-3	
	G-4	
	G-5	
	G-6	
	G-7	●

Article 11.18

Particular provisions table: **COMMERCIAL ZONES** (continued)

233C

PERMITTED USES - PUBLIC (Authorized: ●)

Class A _____
 Class B _____
 Class C _____

PERMITTED USES – PUBLIC UTILITIES (Authorized: ●)

Class B _____

TYPES OF CONSTRUCTION (Authorized: ●)

Detached _____ ●
 Semi-detached _____
 Contiguous _____
 Shopping centres (11.3) _____ ●
 Office buildings (11.3) _____ ●

FLOOR SPACE INDEX

Minimum/Maximum (see 3.4) _____ 0,2/2,7

MAXIMUM LOT COVERAGE (3.3)

_____ 45

PARKING IN THE FRONT SETBACK (11.8)

Setback from the right-of-way _____ 5(19)

MINIMUM SETBACK (in m) (see 11.1)

Front _____ 15(19)
 Side _____ 10/6.5
 Rear _____ 10

HEIGHT (in m) (4.8)

Minimum _____ 5
 Maximum _____ 30

NUMBER OF FLOORS (4.8)

Minimum _____ 1
 Maximum _____ 6

MINIMUM BUILDING WIDTH (in m)(see 4.9,11.4)

_____ -

ADDITIONAL SPECIFIC PROVISIONS

_____ (13)(19)