



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO.: 90-58-105

BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN ORDER TO MODIFY CERTAIN PARTICULAR PROVISIONS APPLICABLE TO INDUSTRIAL ZONES AND CERTAIN PARTICULAR PROVISIONS APPLICABLE TO ZONES 301M, 303M, 305M, 306M AND 325M

ADOPTION PROCEDURE

Notice of motion:	December 5, 2022
Adoption – draft:	December 5, 2022
Publication:	December 9, 2022
Public consultation:	December 21, 2022
Adoption – second draft:	January 16, 2023
Publication:	January 20, 2023
Application request:	None
Registration procedure:	None
Adoption of by-law:	February 6, 2023
Certificate of conformity:	March 20, 2023
Publication:	March 20, 2023
Coming into force:	March 20, 2023

- 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 regular sitting of the Municipal Council held on December 5, 2022;
- 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 5.1.1 of *Zoning By-law No. 90-58* entitled “Compulsory Greening” is modified so that it reads as follows:

“5.1.1 Greening Requirements

A lot shall be planted with in-ground vegetation in the following proportions:

- For residential use, in-ground vegetation shall be planted on a minimum of 25% of the area of the property;
- For commercial use, except for gas stations, in-ground vegetation shall be planted on a minimum of 20% of the area of the property;
- For industrial use, in-ground vegetation shall be planted on a minimum of 20% of the area of the property. For industrial use with buildings with a lot coverage greater than 50%, up to a maximum of 55%, in-ground vegetation shall be planted on a minimum of 25% of the area of the property.
- For public uses, a minimum of 15% of the lot area must be planted with in-ground vegetation.

The surface area of a green roof may be counted in the percentage of greening required in the previous paragraph.”

SECTION 2

Section 12.7 c) of *Zoning By-law No. 90-58* entitled “Floor space occupancy ratios for office or laboratory space” is modified so that it reads as follows:

“c) *Floor space occupancy ratios for office or laboratory space*

Office or laboratory space shall not occupy less than 8% of the total floor space in any industrial building other than in multiple-occupancy industrial buildings.”

SECTION 3

Section 12.7 d) of *Zoning By-law No. 90-58* entitled “Cladding materials” is modified so that it reads as follows:

“d) *Cladding materials*

For all buildings located in industrial zones:

- the principal facade and two side facades shall be made of brick, stone, glass, precast concrete panels, metal panels or a combination thereof. However, metal panels cannot be the predominant material of these facades and cannot be installed within the first 3.65m (12') of height for the main facade and the two side facades;
- the same material or the same combination of materials shall be used on the principal and side facades; in the event of the latter, the proportion of each material used in the combination may vary from one facade to another;
- the rear facade, namely the one not visible from the street, may be made of metal panels, channelled, grooved or striated concrete blocks;
- the provision in the preceding paragraph permitting rear facades of metal panels, channelled, grooved or striated concrete blocks does not apply to corner or transversal lots, for which rear facades shall be treated as a side facade or better.”

SECTION 4

Section 12.15 b) of *Zoning By-law No. 90-58* entitled "Off-street Parking" is modified so that it reads as follows:

“b) All industrial uses, alone or in a multi-occupancy industrial building, shall be provided with no less than the minimum number of off-street parking spaces established in accordance with the following calculation:

- 20 basic spaces, plus
 - 1 space per 35.0 m² (376.7 sq. ft.) of floor space occupied by offices or laboratories,
 - 1 space per 75.0 m² (807.3 sq. ft.) of floor space occupied by manufacturing activities,
 - 1 space per 400.0 m² (4305.6 sq. ft.) of floor space or land area used for storage.”

SECTION 5

Section 12.18 of *Zoning By-law No. 90-58* entitled: "Particular provisions table: **INDUSTRIAL ZONES**" is amended:

- a) By replacing the “NUMBER OF FLOORS Maximum” in zone 301M by the following: 2
- b) By replacing the “MINIMUM BUILDING WIDTH (12.7a)” in zone 305M by the following: 50
- c) By adding the symbol “●” to the line for "MULTI-TENANT BUILDINGS (12.4) authorized: (●)" in the column corresponding to the zone 306M
- d) By replacing the “LOT COVERAGE (in %) Maximum”, in the zones 301M, 303M, 305M, 306M and 325M with the following: 55
- e) By replacing the ratio of “FLOOR SPACE INDEX Minimum/Maximum (3.4)”, in the zones 301M, 303M, 305M and 306M with the following: 0.15/0.65
- f) By adding the following notes at the end of said table:

“NOTES :

(26) In the zones 301M, 303M, 305M and 306M:

- a) The front setback and parking in the front setback shall be calculated from the limit of the right-of-way of the Trans-Canada Highway service road.

b) The maximum height of a building is 11.5m (37.7').

For the zone 306M, the height is measured from the ground floor of the building in the front and rear facade. For calculation purposes, the total height of the building, including the above-ground part of the basement, may not exceed 11.5m (37.7').

c) For industrial buildings located at the intersection of two streets or a lot fronting on more than one street, the minimum setbacks shall be:

- Front setback (Service Road): 22.8m (74.8')
- Secondary front setback : 11m (36.08')

(27) In the zone 306M, a minimum vegetated buffer of 15.2 metres in width measured from the rear property line is required along the entire length of the property.

(28) In the zone 306M, the maximum number of occupants or establishments in a multi-tenant building is four (4) and the minimum floor area of any establishment is 1,400 square metres (15,070 square feet).

(29) In the zone 325M, establishments classified as Class D Commercial shall not be permitted to occupy a single detached structure and the floor area of the Class D establishment shall not exceed 325 square metres (3500 sq. ft.)”.

SECTION 6

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

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk

Section 12.18

Particular provisions table: **INDUSTRIAL ZONES**

301M

USAGES PERMIS - INDUSTRIELS ET CONNEXES

Groupe A

•

Groupe B

•

Groupe C

•

Groupe D

•

Groupe E

Groupe F

Groupe G

FLOOR SPACE INDEX

Minimum/Maximum (3.4)

0.15/0.65

LOT COVERAGE (in %)

Minimum

15

Maximum

55

MINIMUM SETBACKS

Front

22.8

Side

7.6/7.6

Rear

15.2

MULTI-TENANT BUILDING

(12.4) (authorized: ●)

NUMBER OF FLOORS

Minimum

1

Maximum

2

HEIGHT (in m)

Minimum

5

Maximum

11.5

MINIMUM BUILDING WIDTH (12.7a)

50

ADDITIONAL SPECIFIC PROVISIONS

(2)(4B)(26)

SUBDIVISION (By-Law # 90-59 Art 3.2a)Minimum area (in m²)

(10)

14000

Minimum frontage and minimum width (in m)

90

Amendements:

90-58-1

Article 12.18

Particular provisions table: INDUSTRIAL ZONES

303M

USAGES PERMIS - INDUSTRIELS ET CONNEXES

Groupe A	•
Groupe B	•
Groupe C	•
Groupe D	•
Groupe E	
Groupe F	
Groupe G	

FLOOR SPACE INDEX

Minimum/Maximum (3.4) 0.15/0.65

LOT COVERAGE (in %)

Minimum 15

Maximum 55

MINIMUM SETBACKS

Front 22.8

Side 7.6/7.6

Rear 15.2

MULTI-TENANT BUILDING

(12.4) (authorized: •)

NUMBER OF FLOORS

Minimum 1

Maximum 2

HEIGHT (in m)

Minimum 5

Maximum 11.5

MINIMUM BUILDING WIDTH (12.7a) 50**ADDITIONAL SPECIFIC PROVISIONS** (2)(26)**SUBDIVISION (By-Law # 90-59 Art 3.2a)**Minimum area (in m²) 14000

Minimum frontage and minimum width (in m) 90

Amendements:

90-58-1

Article 12.18

Particular provisions table: **INDUSTRIAL ZONES**305_M**USAGES PERMIS - INDUSTRIELS ET CONNEXES**

Groupe A	●
Groupe B	●
Groupe C	●
Groupe D	●
Groupe E	
Groupe F	
Groupe G	

FLOOR SPACE INDEX

Minimum/Maximum (3.4) 0.15/0.65

LOT COVERAGE (in %)

Minimum	15
Maximum	55

MINIMUM SETBACKS

Front	22.8
Side	7.6/7.6
Rear	15.2

MULTI-TENANT BUILDING

(12.4) (authorized: ●)

NUMBER OF FLOORS

Minimum	1
Maximum	2

HEIGHT (in m)

Minimum	5
Maximum	11.5

MINIMUM BUILDING WIDTH (12.7a)

50

ADDITIONAL SPECIFIC PROVISIONS

(2)(26)

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

Minimum area (in m ²)	13935
Minimum frontage and minimum width (in m)	125

Amendements:

90-58-1
90-58-2
90-58-47

Article 12.18

Particular provisions table: **INDUSTRIAL ZONES**

306M

USAGES PERMIS - INDUSTRIELS ET CONNEXES

Groupe A	●
Groupe B	●
Groupe C	●
Groupe D	●
Groupe E	
Groupe F	
Groupe G	

FLOOR SPACE INDEX

Minimum/Maximum (3.4)	0.15/0.65
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LOT COVERAGE (in %)

Minimum	15
Maximum	55

MINIMUM SETBACKS

Front	22.8
Side	7.6/7.6
Rear	15.2

MULTI-TENANT BUILDING

(12.4) (authorized: (●))	●(28)
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NUMBER OF FLOORS

Minimum	1
Maximum	2

HEIGHT (in m)

Minimum	5
Maximum	11.5

MINIMUM BUILDING WIDTH (12.7a)

50

ADDITIONAL SPECIFIC PROVISIONS

(2)(26)(27)(28)

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

Minimum area (in m ²)	14000
Minimum frontage and minimum width (in m)	90

Amendements:

90-58-1

Article 12.18

Particular provisions table: INDUSTRIAL ZONES

325_M

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	●(29)
D-2	●(29)
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 55

MINIMUM SETBACKS

Front 22.8 (18)(23)

Side 7.6/7.6 (23)

Rear 15.2 (23)

MULTI-TENANT BUILDING

(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)(24)(25)(29)

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

Minimum area (in m²) 8700

Minimum frontage and minimum width (in m) 90(24)

Amendments: