



PROVINCE OF QUEBEC  
TOWN OF KIRKLAND

## **BY-LAW NO.: 90-58-108**

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**BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN ORDER TO CREATE A NEW INDUSTRIAL ZONE 326M FROM PART OF THE EXISTING INDUSTRIAL ZONE 325M AND TO CREATE NEW SPECIFICATION SCHEDULES ESTABLISHING SITING STANDARDS AND AUTHORIZED USES IN THIS NEW ZONE**

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### **ADOPTION PROCEDURE**

Notice of motion:	July 4, 2023
Adoption – draft:	July 4, 2023
Publication:	July 7, 2023
Public consultation:	July 24, 2023
Adoption – second draft:	August 7, 2023
Publication:	August 11, 2023
Application request:	None
Registration procedure:	None
Adoption of by-law:	September 5, 2023
Certificate of conformity:	October 11, 2023
Publication:	October 12, 2023
Coming into force:	October 11, 2023

- 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 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 July 4, 2023;
- WHEREAS 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 325M AND 326M:** the zoning plan is amended as follows: zone 326M is created from part of zone 325M as shown on an excerpt of the zoning plan signed on June 28th, 2023 by the Town Clerk and appended to this By-Law as Schedule 2.43. New zone 326M thus created correspond to the lots 6 193 506, 6 436 118, 6 535 130 and 6 556 786 of the cadastre of Quebec.”

### SECTION 2

*Zoning By-Law No. 90-58* is amended by adding, as Schedule 2.43, the plan signed on June 28, 2023 by the Town Clerk, referred to in section 1 above and appended to this By-Law as Schedule A.

### SECTION 3

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 325M, a column for new zone **326M**, 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:

- (30) In zone **326M**, 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 m<sup>2</sup> (3500 sq. ft.).
- (31) In zone **326M**, industrial uses must not, at any time, cause vibrations, harmful vehicular traffic inherent in such use and no emission of odour, dust, noise, vapour or gas perceptible outside the property where the building is located.
- (32) In zone **326M**, a building may be occupied in part by one or more industrial uses and in part by one or more commercial uses.
- (33) In zone **326M**, 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, gas and other public utilities companies;
    - Music and dance schools;
    - Printing shops with a maximum floor area of 120 m<sup>2</sup> (1291.7 sq. ft.);
    - Cable distribution companies.
  - Class C-1 commercial uses.
  - Class D-1 and D-2 commercial uses.
  - Class E-4 commercial uses.
- (34) In zone **326M**, the front setback is calculated from the limit of the right-of-way of the Trans-Canada Highway service road.
- (35) In zone **326M**, no parking area may be located less than 3 m (9.8') from the limit of the street right-of-way.
- (36) In zone **326M**, all new public utility services shall be buried in accordance with the rules of each competent authority.
- (37) In zone **326M**, 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 sq. ft.).
- (38) In zone **326M**, in case of land adjacent to a residential or mixed zone, a 5.0 m (16.4') wide strip of land along the residential or mixed zone shall be grassed and planted with trees. In addition, an opaque fence of 2.5 m (8.0') high shall be erected along the entire length of these properties when it is directly adjacent to a residential or mixed zone.
- (39) In zone **326M**, for industrial buildings located at the intersection of two streets or a lot fronting on more than one street, the minimum setbacks shall be:
- Secondary front: 10 m (32.8')

#### SECTION 4

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

(Michel Gibson)

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Mayor

(Annie Riendeau)

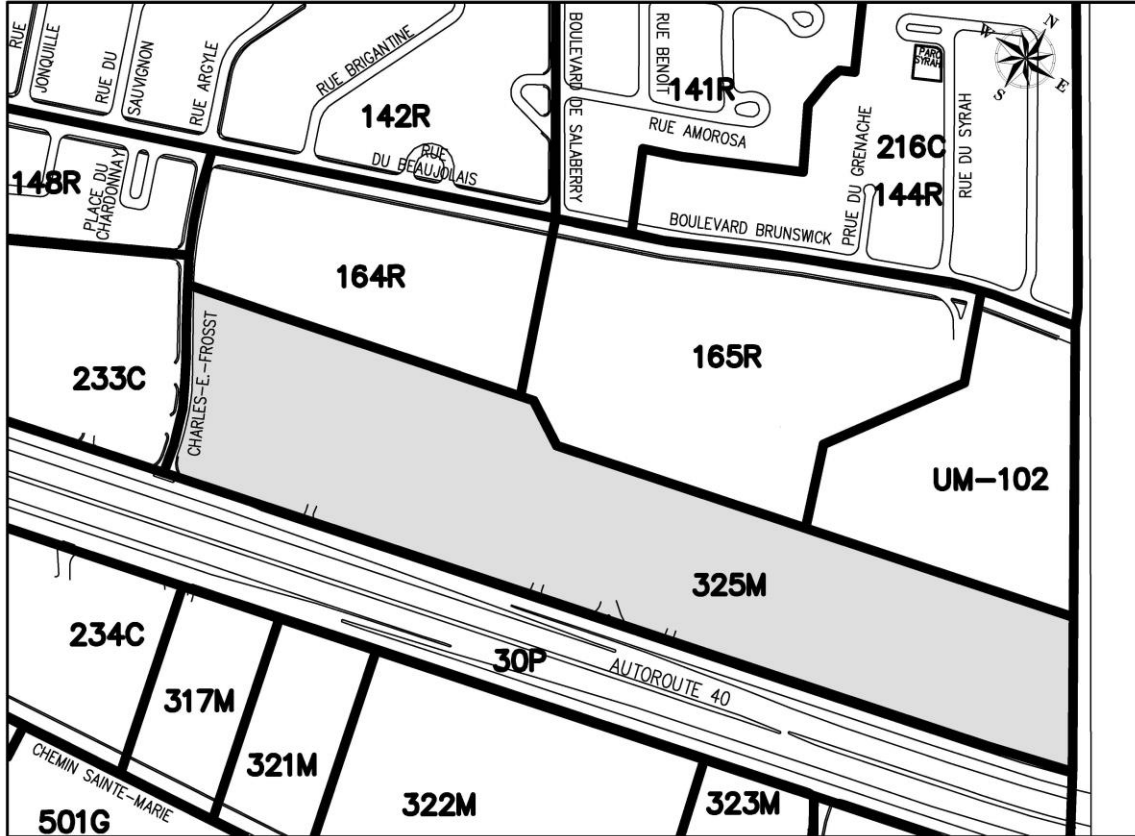
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Town Clerk

SCHEDULE A

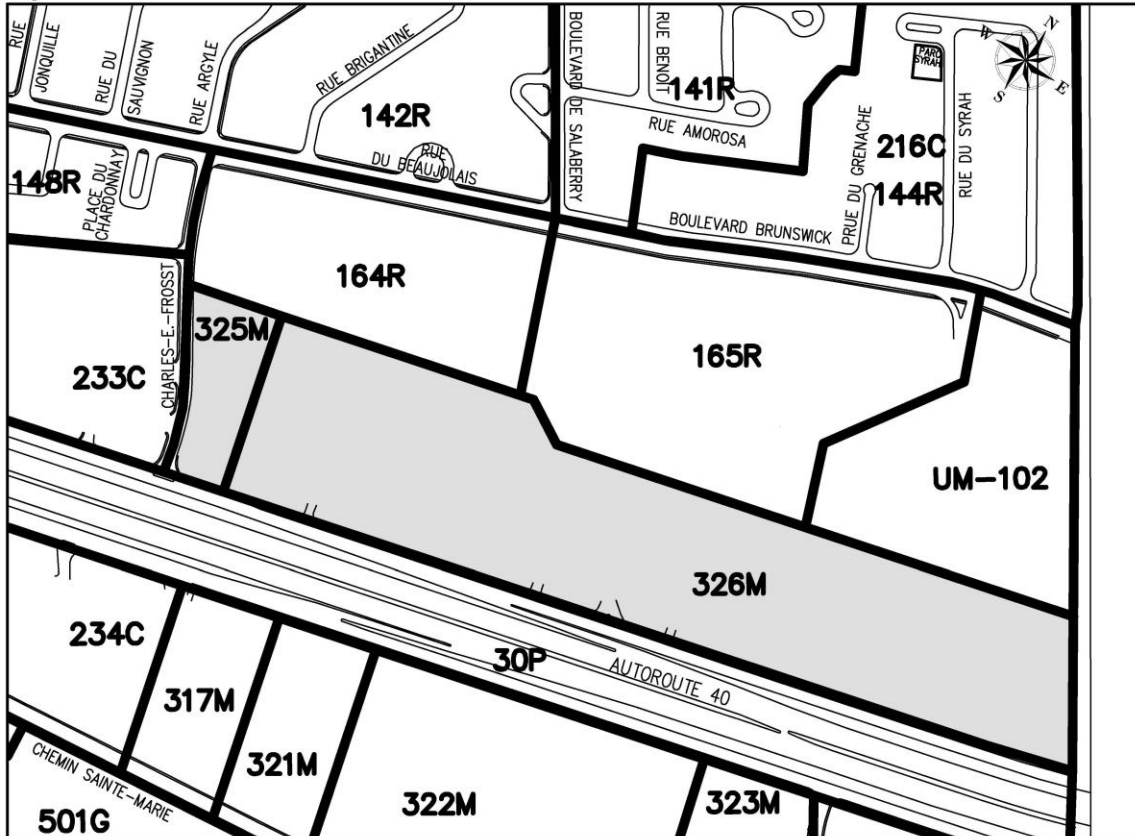
Ville de Kirkland  
Annexe 2.43 du Règlement 90-58  
Annexe A du Règlement 90-58-108  
Plan montrant les limites des zones 325M et 326M

Town of Kirkland  
Schedule 2.43 of By-law 90-58  
Schedule A of By-law 90-58-108  
Plan showing the boundaries of zones 325M et 326M

Avant / Before



Après / After



Signed for identification purposes, this 28<sup>th</sup> day of June, 2023.

Town Clerk of the Town of Kirkland

SCHEDULE B

Schedule « B » of Regulation 90-58-108  
Particular provisions table: INDUSTRIAL ZONES

326M

PERMITTED USES - INDUSTRIAL

Group A	●(31)
Group B	●(31)
Group C	●(31)
Group D	●(31)
Group E	
Group F	
Group G	
Group H	

PERMITTED USES – COMMERCES (authorized: ●)

Class A	●(33)
Class B-1	●(33)
B-2	●(33)
B-3	●(33)
Class C-1	●(33)
C-2	
C-3	
Class D-1	●(30)(33)
D-2	●(30)(33)
D-3	
Class E-1	
E-2	
E-3	
E-4	●(33)
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 (34)(39) \_\_\_\_\_

Side \_\_\_\_\_ 7.6/7.6 \_\_\_\_\_

Rear \_\_\_\_\_ 15.2 \_\_\_\_\_

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

● (32) \_\_\_\_\_

**NUMBER OF FLOORS**

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

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

**HEIGHT (in m)**

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

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

**MINIMUM BUILDING WIDTH (12.7a)**

50 \_\_\_\_\_

**ADDITIONAL SPECIFIC PROVISIONS**

(30)(31)(32)(33)(34)(35)(36)(37)(38)(39) \_\_\_\_\_

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

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

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