



PROVINCE OF QUEBEC  
TOWN OF KIRKLAND

**DRAFT**  
**BY-LAW NO.: 90-58-106**

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**BY-LAW AMENDING ZONING BY-LAW NO. 90-58 IN  
ORDER TO TAKE INTO ACCOUNT THE  
EXPROPRIATIONS OF THE REM**

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DRAFT

**ADOPTION PROCEDURE**

Notice of motion: April 3, 2023  
Adoption – draft: April 3, 2023  
Publication: April 6, 2023  
Public consultation: April 18, 2023  
Adoption – second draft:  
Publication:  
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* (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 April 3, 2023;
- WHEREAS that 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**

The definition of the word “Property” in Appendix 1 DEFINITIONS of the *Zoning by-law No. 90-58* is amended so that it reads as follows :

**“PROPERTY**

Lot or grouping of lots making up a single unit of land area eligible for a single principal use.

However, for the purposes of the construction of parking spaces, the calculation of the floor space index and the lot coverage, the owner or occupant of a property adjacent to the right-of way of the Réseau express métropolitain (REM) is authorized to take into account the spaces located in the right-of-way of the REM, insofar as a real and perpetual servitude authorizes the owner or the occupant to develop and use said spaces.”

**SECTION 2**

Article 7.2 of the *Zoning by-law No. 90-58* entitled : “Off-Site Parking” is amended so that it reads as follow :

**“7.2 Off-Site Parking**

The parking shall be located on the same property as the use for which it is required.

However, the owner or occupant of property adjacent to the right-of-way of the Réseau express métropolitain (REM) is authorized to take into account the parking spaces located in the right-of-way of the REM, insofar as a real and perpetual servitude authorizes the owner or occupant to develop and use said spaces.”

**SECTION 3**

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