



City of Pointe-Claire
SPAIP By-Law

By-Law number PC-2787
In force on June 1st, 2011

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Title

1. The present by-law is cited as the “SPAIP By-Law”.
2. SPAIP is the acronym for “Site Planning and Architectural Integration Programme”.

Adoption by parts

3. Council hereby declares that it adopts this by-law part by part, such that any judgment rendered by a court to the effect that any part hereof is null and void shall have no effect on any other parts contained herein.

Repeals

4. This by-law replaces:
 - 1) By-Law PC-2628-9 cited as the “Site Planning and Architectural Integration Programme by-law applicable to buildings of heritage interest and to the older areas of Pointe-Claire”,
 - 2) By-Law PC-2628-10, cited as “SPAIP by-law for certain commercial or apartment sectors or projects”,together with their respective amendments.

Persons subject to the by-law

5. Compliance with the provisions of this by-law applies to both natural and legal persons under public or private law.

Areas and properties subject to the application of the by-law

6. This by-law applies to the following properties:
 - 1) To any property located within a sector identified as subject to the application of this by-law according to the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof;
 - 2) To any property on which there is a building of heritage interest;
 - 3) To any property on which is planned:

- a) The building of a new principal residential building;
 - b) The building of a new veranda;
 - c) The building of a parking structure;
 - d) The installation of one or more solar collectors;
- 4) To any property located at one of the City's boundaries;
 - 5) To large or medium-sized commercial projects, shopping centres, large office buildings and institutions;
 - 6) To any other property subject to some provision or other of the present by-law.

Activities covered, objectives and criteria

7. Within any sector defined in APPENDIX 1 and on any property subject to the by-law according to article 6 above, the delivery of a Permit or a Certificate of Authorisation for one of the projects listed below is subject to prior approval, by Council, of a Site Planning and Architectural Integration Programme according to the procedure established in Chapter 2 of this by-law.
 - 1) A cadastral operation relating to the creation of a new landsite or the consolidation of lots to allow the construction of a new building;
 - 2) The construction of a new principal building;
 - 3) An addition to a building if such addition is visible from a street to which the property is adjacent, including the addition of an attached garage;
 - 4) An alteration, visible from the street, which affects significantly the appearance or the style of a building, for example:
 - The addition or the removal of doors or windows (but not the replacement and minor enlargement of existing doors and windows);
 - The replacement of the main cladding material by another type of material (wood clapboard, vinyl clapboard, metal clapboard or wood imitation clapboard are all considered the same type of material; a change in the direction of the boards is not significant);
 - The change of colour of the principal facing material of a building (white, cream, beige and light grey are considered the same colour in this case);
 - The demolition of an original part of the building, or the removal of an architectural component of the building, which contribute to its style;
 - The addition or removal of a dormer, of a main porch, portico or veranda;
 - A modification of the buildings' roof shape or to the roof of a main porch, portico or veranda (not to an awning or canopy);
 - 5) The total or partial demolition of a principal building or the moving of a building;
 - 6) Landscaping work in the following list:
 - The building or the modification of a wall in a front yard;
 - The installation of a fence in a front yard other than a openwork wrought iron fence;
 - The excavation or modification of the level of a landsite by backfill or earth moving;
 - The felling of a tree with a trunk more 30 centimetres (1 foot) in diameter;
 - The creation or extension of a parking area.

8. In certain areas, some activities may be excluded or added to the list in article 7 above and subject to prior approval of a Site Planning and Architectural Integration Programme; in such cases, these activities are listed in the chapter specific to each sector.
9. The objectives and criteria according to which the applications shall be studied are defined in Chapters 3 to 22 inclusively of this by-law.

Other laws, by-laws and servitudes

10. Compliance with this by-law shall not diminish the obligation of complying with any other law or by-law where applicable, including, in particular, the [Civil Code of Québec](#), as well as the [Zoning By-Law](#) and the other planning by-laws applicable to the territory of Pointe-Claire.
11. The application of the criteria in this by-law can make it impossible for the applicant to achieve maximums permitted in the other by-laws, particularly with regard to lot coverage ratios, floor space indices, setbacks, height, materials and/or building types.
12. Compliance with the objectives and/or the criteria of this by-law cannot be invoked in order to allow an exemption from the provisions of other planning by-laws other than by an amendment or a minor variance, in accordance with the by-law provisions governing these matters.

Interpretation

13. Irrespective of the tenses employed in any of the provisions contained in this by-law, such provisions shall be considered to have effect during any period or under any circumstances in which they may apply.
14. In this by-law, use of the masculine shall include the feminine, unless otherwise indicated by the context in which it is used.
15. In this by-law, use of the singular shall include the plural, unless the context indicates otherwise.
16. All plans, appendices, diagrams, graphs, and all forms of expression other than the text proper and contained herein shall form an integral part hereof, with the exception of the Table of Contents and text headings.
17. In the event of contradiction between the English and the French versions of this by-law, the French version shall prevail.
18. All dimensions and measures employed herein are given in the international (metric) system, accompanied at times with their equivalents in imperial dimensions and measures indicated between parentheses; equivalences in imperial dimensions and measures are given for purposes of information only; dimensions or measures of the metric system shall prevail (except in the case of an obvious typographical error) in the event of any contradiction between the two systems.

Definitions

19. In this by-law, unless the context indicates otherwise, the following expressions, terms and words shall have the following meaning:

APPLICATION:

An application for the approval of plans relating to site planning and architectural integration.

ARCHITECTURAL TREATMENT OF A BUILDING:

The combination, applied to a building, of its materials, colours, shape, proportions, location of openings, projections and recesses, architectural details and decorative features such as railings, cornices and roof ornaments.

ARCHITECTURAL VOCABULARY:

Set of components used in the architectural design of a building and of which the selection and combination result in the style of the building; are namely components of the architectural vocabulary the lines, the shapes, the materials, the colours and the decorative elements.

BUILDING CONTRIBUTING TO THE SPECIAL CHARACTER OF POINTE-CLAIRE:

Any building identified as such according to criterion of article 31.23) of the present by-law.

BUILDING OF HERITAGE INTEREST:

Any building identified as such in Chapter 13, whether such building is located in a sector identified in APPENDIX 1 or not.

CITY:

The City of Pointe-Claire.

COMMITTEE OR PLANNING ADVISORY COMMITTEE:

The Planning Advisory Committee of the City of Pointe-Claire.

COUNCIL:

The Municipal Council of Pointe-Claire.

DIRECTOR:

The Director of the Planning Department of Pointe-Claire, or any other person appointed by Council to see to the application of this by-law.

FLOOR AREA:

Sum of the area of all floors; floor area is measured inside the exterior walls and includes basements, elevator shafts and stair wells counted as such for each floor, mezzanines and mechanical areas where the floor-to-ceiling height is more than 2.1 metres (6.9 ft.); it does not include cellars, patios, steps, cornices, fire escapes, outside stairs and ramps and open-air loading docks.

FOREST SURVEY:

The report entitled "*Recommandations au Service de l'aménagement urbain et services aux entreprises relativement au lot vacant propriété du collègue John-Abbott (à l'extrémité nord-ouest de l'arrondissement)*", appended to the present by-law as APPENDIX 2 to form an integral part hereof.

FRONT YARD:

The area of land that extends between the front facade of the building (and its imaginary extension to the property lines), the side property lines and the street right-of-way.

INTEGRATION TO THE NATURAL AND DEVELOPED LANDSCAPE:

The combination of measures taken to ensure a visual and functional complementarity with the buildings and the landscaping of the surroundings properties and to avoid causing any prejudice to those properties by depreciating them.

LARGE OR MEDIUM-SIZED COMMERCIAL PROJECT:

A property including a retail establishment with a floor space of 4,000 m² (43,057 sq. ft.) or greater as well as a property that includes more than one retail establishment with a floor space of 1,000 m² (10,764 sq. ft.) or greater, even if this property is not located in a sector of the Plan of APPENDIX 1.

MATURE TREE:

A tree at least 10 centimetres (4 inches) in diameter measured at 1 metre (3.3 feet) above ground level.

PARKING STRUCTURE:

An above-ground structure intended for the parking of the passenger vehicles of the customers, visitors, personnel and/or residents of a commercial or municipal use, building or complex.

PASSENGER VEHICLE:

A motor vehicle that is used primarily for personal purposes and designed to carry no more than 9 occupants at a time.

PROPERTY OR LANDSITE:

Lot or grouping of lots making up a single unit of land area eligible for a single principal use; where the [Zoning By-Law](#) allows it, such principal use may be made of several principal buildings grouped in a same ensemble.

RENTAL FLOOR AREA:

The floor area of a building or of a shopping centre intended for use by shops, stores and offices, including storage space and kitchens, but excluding all halls, corridors, tunnels, stairs or elevators, public restrooms, loading docks, common space for heating, ventilation and air conditioning, and all common space in general.

RESIDENTIAL COMPLEX:

Use or group of buildings, made of two or more multiple-family buildings systematically coordinated together on the same landsite and forming a visually integrated whole.

SECTOR:

A sector identified on one of the plans of the “Sectors Subject to the By-Law”, which are annexed to the present by-law as APPENDIX 1 to form an integral part hereof.

SOLAR COLLECTOR:

Any equipment, system or installation which main function is to capture solar energy and convert it into electricity to meet the complete or partial needs of a building, or use its thermal value for directly or indirectly heating air or water in a building. For example, a solar collector can be a solar panel, a solar wall, and a solar water heater system.

SOLAR PANEL:

Panel consisting of a transparent surface, which allows solar radiation, and a background that captures the energy of this radiation to transform it into electricity using photovoltaic cells, or heat water or another fluid that circulates through ducts located between the transparent surface and the bottom of the Panel.

SOLAR WALL:

Surface overlaid on an exterior wall which function is to capture solar radiation to heat the air that runs between said surface and the outside wall, in order to re-use the heat thus captured and reduce building energy consumption.

SPAIP:

Site Planning and Architectural Integration Programme

VERANDA:

Light outdoor gallery built around or against the wall of a building, covered with a roof to protect from the sun. The width of a veranda shall be equal to or higher than 50% of the width of the building facade to be considered as such in the present by-law.

ZONE:

A zone on the [Zoning Plan](#).

ZONING PLAN:

The [Zoning Plan](#) of the City of Pointe-Claire annexed to the Zoning By-Law to form an integral part thereof.

- 🔗 [Submission of applications](#)
 - 🔗 [Application for preliminary review](#)
 - 🔗 [Documents and information](#)
 - 🔗 [Study of the application by the Director](#)
 - 🔗 [Study of the application by the Planning Advisory Committee](#)
 - 🔗 [Approval or refusal of the application by Council](#)
 - 🔗 [Obligatory nature of a Site Planning and Architectural Integration Programme](#)
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Submission of applications

20. Any application for the approval of a Site Planning and Architectural Integration Programme according to this by-law, as well as all supporting documents, shall be submitted to the Director. Any project submitted for approval under the provisions of the present SPAIP By-Law must demonstrate both in its content and its presentation, an obvious intention to abide by the objectives and criteria set in the present by-law.

Application for preliminary review

21. In the case of the construction of a new building or an addition to or modification of an existing building, the applicant may submit preliminary sketches of his project to obtain a preliminary advice and recommendations of the Committee before continuing in the preparation of the detailed documents required hereinafter. This preliminary step shall not affect the procedure or the delays established hereinafter.
22. The sketches submitted for a preliminary review shall be drawn to scale and must include plans and elevations as well as precise indications as to the finishing materials to be used.

Documents and information

23. The documents and information to be submitted for review according to the procedure set hereinafter and which, once approved, shall constitute the Site Planning and Architectural Integration Programme, are the following:
- 1) In the case of a Subdivision Permit,
 - a) The documents required by the [Permits and Certificates By-Law](#) for a Subdivision Permit;
 - b) A plan showing the precise location and description of all mature trees and indicating which ones are to be felled;
 - c) A preliminary site plan showing a building on the landsite, its location and approximate dimensions (width, depth) as well as the possible location and dimensions of street accesses, alleys and parking areas that are required;
 - d) In the case of a cadastral operation relating to a consolidation, preliminary sketches showing the additions or alterations to the existing buildings, as the case may be.
 - 2) In the case of a Permit or Certificate of Authorisation to demolish or move a building,

- a) A well supported demonstration as to why the building should be demolished or moved, showing among other things, in the case of a demolition, that the structure has reached a state where it cannot be renovated and that it does not contribute to the particular character of the area;
 - b) A photograph of each of the elevations of the structure to be demolished;
 - c) A programme of reutilization of the vacated land which includes the following documents and information:
 - A description of the construction or re-development works which are foreseen in replacement of the structure to be demolished or moved;
 - As the case may be, site plan and architectural elevation plans to scale of the building or buildings intended to replace the structure to be demolished or moved, showing in a clear and detailed fashion the location of the building or buildings, their dimensions (width, depth and heights), the shape of the roof, the facing materials and colors that will be used as well as the proposed location and dimensions of street accesses, alleys and parking areas;
 - As the case may be, the plans and specifications of the projected landscaping works intended to replace the structure to be demolished or moved, said plans and specifications having been prepared and signed by a member of the Quebec Landscape Architects Association;
 - A timetable related to the reutilization of the vacated land, as here above described;
 - d) In the case of a Permit or Certificate of Authorisation pertaining to the total or partial demolition of a building of heritage interest, in addition to the documents required according to sub-paragraphs a) to c) above:
 - An assessment report prepared by a chartered appraiser, appointed by Pointe-Claire, member of the “Ordre des évaluateurs agréés du Québec”, showing that the said structure has lost more than 75% of the value ascribed to it by the valuation roll by reason of a fire or other disaster, or resulting from dilapidation (decay, age) or lack of proper maintenance; such report shall be at the applicant’s cost;
 - A report prepared by an architect appointed by the city, member of the “Ordre des architectes du Québec” showing that the cost of the restoration of the structure to give it back its full value, as established in the valuation roll, is higher than 50% of such value and that the structure is in a condition such that it cannot be restored; such report shall be at the applicant’s cost.
- 3) In the case of a Building Permit for a new building or an addition to or the alteration of an existing building affecting the exterior appearance of a building,
- a) Site plan and architectural elevation plans to scale of the project, showing in a clear and detailed fashion the location of the buildings, their dimensions (width, depth and height), the shape of the roof, the facing materials and colors that will be used, and as the case may be, the location and dimensions of street accesses, alleys and parking areas;

- b) A plan showing the precise location and description of all mature trees and indicating which ones are to be felled;
 - c) Samples of the exact colour and texture of the facing materials to be used on the building;
 - d) In the case of an addition or an alteration affecting the exterior appearance of the building, photographs.
 - e) In the case of a new building or of an addition of more than 50% of the floor area of an existing building, an elevation plan to scale, showing the facades of the proposed building as well as the adjoining buildings located on each side of it, and a color perspective of those three buildings.
- 4) In the case of a Certificate of Authorisation for infill or backfill work, building a wall or a fence, or landscaping work to be carried out on a landsite or a parking area:
- a) Plans and specifications describing the work in a clear and detailed fashion and showing the state of the land, its existing and proposed topography, and the location and dimensions of the street accesses, alleys and parking spaces;
 - b) A plan showing the precise location and description of all mature trees and indicating which ones are to be felled;
- 5) In the case of a Certificate of Authorisation to fell a tree more 30 centimetres (1 foot) in diameter for reasons other than the construction of a new building or the expansion of an existing building, a well supported demonstration that:
- a) The tree is already dead or that it cannot be saved by reason of an advanced disease, or
 - b) The risk of its fall or the fall of one or many of its branches is such that its felling is necessary so as to preserve the safety of persons and property, or
 - c) Maintaining it will aggravate observed damage by roots to foundations or property, to underground conduits or to sidewalks or paving.
- 6) In the case of a Building Permit for a new building that is part of a development project, a master plan for all of the lots comprised in the property to be developed, showing:
- a) The proposed subdivision and the proposed use for each of the lots;
 - b) A description of the land, its existing and proposed topography;
 - c) The proposed layout of the vehicular alleys and pedestrian pathways, parking areas, the development of the recreational spaces as well as of any other green and landscaped areas;
 - d) The location of the vehicular and pedestrian accesses and the links of the vehicular and pedestrian networks with the networks on the adjacent properties and on the properties on the other side of any street bordering the landsite;
 - e) The siting, location, approximate dimensions (width, depth and height) and floor area of each of the existing and proposed buildings;

- f) A plan showing the precise location and description of all mature trees and indicating which ones are to be felled;
- g) Sketches showing the architecture of the constructions to be built, converted, enlarged or added to, the general volumetric, the roof shape and the exterior wall and roof finishing materials as well as their colours;
- h) The location of the main entrances to the building and of the entrances to the indoor parking areas;
- i) In the case of a commercial building, the proposed rules with regard to the size, the number and the location of signs;
- j) In the case where a project is to be developed in phases, the proposed measures to ensure the cleanliness of the parts of the landsite to be developed subsequently;
- k) The phasing of the project and the approximate dates of implementation of each of the phases.

Any other document deemed appropriate by the applicant to support his application, such as texts, maps, plans, architectural sketches, models, visual simulations, perspective drawings and audio-visuals can also be submitted for review.

Study of the application by the Director

24. As soon as the Director has received all the documents required according to article 23, he shall proceed to study the application and report to the Committee no later than at the first meeting held after a period of ten (10) working days from the date the duly completed application was received.

The period mentioned in the preceding paragraph is increased to 15 working days in the case of a project for the construction of a new building, an extension of more than 50% of the floor area of an existing building or for major renovation works that require a more complex analysis.

The duties and powers of the Director include, among other things, ensuring:

- 1) That all the formalities stipulated in this by-law are observed;
- 2) That all the required documents have been submitted;
- 3) That the application conforms to the [Planning Programme](#) and to all other applicable by-laws;

The Director may make any observation to the Committee he deems fit.

Study of the application by the Planning Advisory Committee

25. Upon receipt of the Director's report, the Committee shall diligently proceed to study the application and report to Council.

The duties and powers of the Committee include, among other things, assessing the application and making a recommendation to Council as to whether the application is admissible on the basis of the objectives and criteria of this by-law.

If it sees fit, the Committee may convene the applicant and/or, with the applicant's approval and at the applicant's expense, any professional who worked on the application, in order to obtain any clarification or additional information it may deem useful in order to gain a better understanding of the application.

The Committee may recommend accepting the application, with or without conditions, or recommend rejecting it, while proposing or not certain modifications to be made before resubmitting the application.

Approval or refusal of the application by Council

26. Following the recommendations of the Committee, the Council will decide of the faith of the demand, by resolution, during a public meeting.

Obligatory nature of a Site Planning and Architectural Integration Programme

27. Any Site Planning and Architectural Integration Programme approved by Council under the provisions of this by-law binds the applicant to the same extent as a Building Permit or a Certificate of Authorisation, as the case may be, which means that all the works must be carried out in strict conformity with the approved Site Planning and Architectural Integration Programme.

Once Council has approved the Site Planning and Architectural Integration Programme, any modification considered to any part of the project subject to this by-law must be submitted for review and approval according to the procedure of the present Chapter 2.

In the case where the Permit or the certificate for which the prior approval of a Site Planning and Architectural Integration Programme was required would become null and void according to the provisions of the [Permits and Certificates By-Law](#), the Site Planning and Architectural Integration Programme would also be considered as null and void.

Chapter 3 **GENERAL PROVISIONS APPLICABLE TO THE OLDER AREAS AND TO THE BUILDINGS OF HERITAGE INTEREST**

- ☞ *Area subject to the provisions of the present chapter*
 - ☞ *Activities not covered*
 - ☞ *Objectives*
 - ☞ *Criteria applicable*
 - ☞ *Criterion pertaining to cadastral operations*
 - ☞ *Criteria pertaining to siting*
 - ☞ *Criteria pertaining to architecture*
 - ☞ *Criteria pertaining to the conservation of the special character of Pointe-Claire*
 - ☞ *Criteria pertaining to landscaping*
 - ☞ *Criteria pertaining to the establishment of parking areas*
 - ☞ *Criteria pertaining to new verandas*
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Area subject to the provisions of the present chapter

28. The provisions of this chapter apply to:

- 1) All the older sectors identified on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof;
- 2) All the buildings of heritage interest;
- 3) All new residential buildings to be built anywhere in Pointe-Claire;
- 4) All new verandas to be built anywhere in Pointe-Claire.

Activities not covered

29. On the properties that are only covered by the present chapter, the delivery of a Certificate of Authorisation for landscaping projects amongst the one listed in article 7.6) above is not subject to prior approval of a Site Planning and Architectural Integration Programme.

Objectives

30. For any operation subject to the application of this by-law according to article 7, the objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme shall be reviewed are as follows:

- 1) To preserve the privacy and the special character of the older areas of Pointe-Claire.
- 2) To protect the buildings of architectural, historic or heritage interest together with, in the older areas of the City, the characteristics of interest of the surrounding buildings.
- 3) To respect the architectural diversity of a neighbourhood or a street.
- 4) To favour architectural design quality for new buildings and for additions and/or alterations to existing buildings.
- 5) To ensure the integration of new buildings and modifications to existing buildings to the neighbouring streetscape.

Additional objectives may apply according to the additional provisions applicable to certain areas or to certain categories of buildings, as established in the subsequent chapters of the present by-law.

Criteria applicable

31. Within any area as well as on any property subject to the application of this chapter, conformity of a Site Planning and Architectural Integration Programme to the objectives set in article 30 above shall be assessed according to the following criteria (additional criteria may apply according to the additional provisions applicable to certain areas or categories of buildings established in the subsequent chapters of the present by-law):

Criterion pertaining to cadastral operations

- 1) A cadastral operation to create a new landsite, either by subdivision or by consolidation, to allow for the construction of a new building or the expansion of an existing building should only be authorised if the landsite resulting from the operation respects the scale of the cadastral network of the street and the area and if the building resulting from the construction or expansion integrates with the neighbouring streetscape.

Criteria pertaining to siting

- 2) Any new building or addition to an existing building should be designed and sited in order to take advantage of and enhance the natural topography of the site; in the case of a site with a particular topography, it should be demonstrated that it is the architecture that is being adapted to the site, and not the site that will be modified to adapt to a pre-established architecture.
- 3) The natural topography of a landsite should not have to be substantially modified, except if the landsite is lower than the street and lower than the adjacent lots, in which case it could be filled, but not to a point where its final grade would exceed the level of the adjacent lots.
- 4) Any new building or addition to an existing building should be designed and sited, both in its footprint and in its vehicular accesses, in such a way as to preserve as many mature trees as possible; if that is not possible, the mature trees to be felled should be replaced by similar trees elsewhere on the landsite, except by:
 - Poplar of all species, including Lombardy poplars (*populus nigra* Thevestina), quaking aspen or weeping poplars (*populus tremuloides*), bigtooth aspen (*populus grandidentata*), balsam poplar (*populus balsamifera*) and cottonwood (*populus deltoides*),
 - Willows of all species (*salix*),
 - Silver maples (*acer saccharinum*).
- 5) Any new building, addition to an existing building or alteration of an existing building should be designed and sited in such a way as to protect the privacy of the neighbouring properties and, generally, as not to hinder the neighbours' enjoyment of their right of ownership.
- 6) The main facade of the building should be fronting on the street, unless a lateral facade is characteristic of the area where the building is located.
- 7) Any addition or enlargement should, as much as possible, be offset from the main body of the existing building, as seen from the street.

- 8) In the case where a new construction is inserted into an alignment of existing constructions, or in the case where a construction in an alignment is altered or enlarged, the front setback should be established according to the setbacks of the adjacent or neighbouring constructions.
- 9) In the case where a new construction is inserted into an alignment of existing constructions, or in the case where a construction in an alignment is altered or enlarged, the side setback should be in keeping with the average side setbacks of the neighbouring constructions in order not to disrupt the rhythm of the constructions in the alignment.

Criteria pertaining to architecture

- 10) Any new building should integrate harmoniously with its surroundings; its height, its scale and its volume should be similar to the other buildings in the area.
- 11) Both in its volume and in the dimensions of its components (walls, windows, roof, turrets, porticos, etc.), a new building, a modified building or an addition to an existing building should not overly dominate a neighbouring building.
- 12) The architectural treatment of a building should be in keeping with the neighbouring buildings or be compatible with it; if a new architectural vocabulary is introduced in a given neighbourhood, the City will have final say on its compatibility and its conformity to the present criterion.
- 13) In neighbourhoods that are characteristic by to their diversity of architectural styles and typology, a house should have its own architectural personality and be visually distinct, both by its plan and its architectural treatment, from the other houses located on the same street or intersection.

Unless it is located in an area that was developed with a limited number of model houses, which are repeated on the same street, a house should differ from any other house located within ± 100 metres on the same street, or intersection (± 5 neighbouring houses).

- 14) In cases of construction of new buildings, imaginative architecture should be favoured that seeks to suggest the traditional architecture of the neighbouring buildings by repeating some architectural characteristics. This should be achieved without trying to imitate or copy old buildings by using backward looking (passeiste) architecture.
- 15) The openings, doors and windows, as well as the decorative elements (such as galleries and cornices) should be similar to those of the neighbouring buildings as to their proportions and treatment.
- 16) Any construction, addition or alteration project should use a sober architectural vocabulary, resorting to a limited number of shapes; the building design should not contain any element mainly intended to draw attention to the detriment of other houses on the street or in the neighbourhood: it should avoid ostentatious elements, monumental or disproportionate windows, and colonnaded porticos.
- 17) Excessive architectural detailing should be avoided, i.e. the use of too many different architectural details such as arches, peaked pediments, imitation keystones, etc.
- 18) The choice of materials or combination of materials should express a will for quality, authenticity and restraint and should, in general, be those already in use on existing buildings in the area. The texture and the colour of the stone, be it natural or imitation,

should meet those of the natural stone of the area. The City may refuse a given colour for a material if it considers that it is not compatible with the character of the area.

- 19) All the facades of a building should have the same unified and coherent treatment. “Facadism” should be avoided, in other words, the use of a given material on the front façade and different cladding material(s) on the sides and/or the rear of a building. The same combination of materials should be used on all facades and a significant proportion of the cladding material installed on the front façade should be used on the side and/or rear facades of the building. Continuity in colour, size and shape of the elements should be part of the architectural strategy applicable to the entire.
- 20) A building should not have large plane or blind surfaces or multiple and/or large predominant or protruding garage doors on its front facade.
- 21) The appearance of a building should not be jeopardized if its architectural quality or style contributes to the special character of its neighbourhood.
- 22) Unless it is to improve its compatibility with the neighbourhood, any addition or alteration to an existing building should be in keeping with its original character and should integrate to its architecture and its style.

Criteria pertaining to the conservation of the special character of Pointe-Claire

- 23) Evaluation of a building's contribution to the special character of the City - whether such building is of heritage interest or not - shall, in the absence of a more detailed expert evaluation, be included in the application analysis process set out in this by-law; the value shall be established when reviewing the application and shall take into account to the greatest extent possible the results of inventories and other expert appraisals relating to the City's architecture.
- 24) All undertakings should give precedence to conservation and authenticity over replacement and imitation.
- 25) Buildings that contribute to the special character of the City should be up kept and restored with the highest standards: a demolition should only be considered if the building is in an advanced state of deterioration.
- 26) No alteration or addition to a building that contributes to the special character of the City should have the effect of reducing the value of said building; additions to such a building of interest should not be authorised if they dominate the original building in terms of either volume or architectural style.
- 27) No renovation should have the effect of removing from a building those elements that make it a building that contributes to the special character of the City, such as a gallery, a dormer or a decorative element; when deteriorated, such elements should be replaced by elements that are similar in terms of material, form, colour, texture and detailing; removal of an addition or element that is not original in order to correct inappropriate alterations is acceptable.
- 28) Except for the reconstruction or restoration of a building of heritage interest from archival documents, no construction or alteration operation should have the effect of creating a building that imitates an old building.

Criteria pertaining to landscaping

- 29) Any space visible from the street should be landscaped with a quality at least equal to that of the other properties on the street.
- 30) Driveways and other impervious surfaces should be limited to a minimum; natural pervious surfaces, such as grass and other landscaping elements, should be favoured.
- 31) Old stone walls should be maintained and protected.
- 32) The following distances should be respected when planting trees:
 - 1.5 m or greater from a vertical projection of a roof line;
 - 2 m or greater from any paved surface;
 - 1 m or greater from the property limit and/or the street right of way;
 - 5 m or greater from another tree.
- 33) Existing hedges and alignment of trees that serve as a visual or privacy screen between two landsites should be protected and maintained.

Criteria pertaining to the establishment of parking areas

- 34) Parking areas - including bays, turning spaces and lanes - should be situated, laid out and developed so as to make them as much as possible not visible from streets and other public places, ensure safety of entering and exiting manoeuvres, and avoid the creation of large open expanses.
- 35) Other than for municipal purposes, any demolition of a building of heritage interest or that contributes in any way to the character of the neighbourhood for the sole purpose of developing a parking area should be disallowed.

Criteria pertaining to new verandas

32. Conformity of a Site Planning and Architectural Integration Programme for new verandas shall be assessed according to the following criteria:
 - 1) Any new veranda should be at the same level or slightly lower than the main floor of the house.
 - 2) Columns or pillars and roof slope of a veranda should harmonise with the architectural style of the house, and not be too massive or overly dominant.
 - 3) The roof a veranda should have the same roofing material as the house.
 - 4) Any guardrail partly or completely surrounding a veranda should be openwork, non-opaque type.
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- [↖](#) *Area subject to the provisions of the present chapter*
 - [↖](#) *Additional objectives applicable to Lakeshore Road*
 - [↖](#) *Additional criteria applicable to Lakeshore Road*
 - [↖](#) *Criteria pertaining to landscaping*
 - [↖](#) *Additional criteria applicable to properties both adjacent to Lakeshore Road and fronting on Lake Saint-Louis*
-

Area subject to the provisions of the present chapter

33. In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Lakeshore Road Area, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Additional objectives applicable to Lakeshore Road

34. Within the Lakeshore Road Area, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:

- 1) To preserve the distinctive character of the historical Lakeshore Road area, mainly attributable to its architecture, representative of the different eras of the development of the City (including several buildings with heritage value), to the preservation of the natural topography of the land, to the size of the properties and the resulting large open spaces between the houses, to the close relationship between the houses and the street, to the omnipresence of greenery and to the quality of the landscaping.
- 2) To ensure the integration of the new buildings and of the alterations and/or additions to existing buildings to the architectural landscape of the close neighbourhood and of the whole Lakeshore Road area, namely by respecting the scale of the traditional buildings, both in their lot coverage and in their height and width.
- 3) To preserve the views, from Lakeshore Road and the perpendicular streets, on Lake Saint-Louis and, as the case may be, on the scenery in the background.

Additional criteria applicable to Lakeshore Road

35. Within the Lakeshore Road Area, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 34 above shall be assessed according to the following criteria:

Criteria pertaining to landscaping

- 1) Other than those listed article 31.4) above, no tree located at more than 3.0 metres from the building perimeter and at more than 1.5 metre from the areas required for the circulation and parking of vehicles should be felled.
- 2) The siting of a building and the development of the space between the building and the street should demonstrate a will to openness and communication rather than entrenchment; any front yard should be free of defensive developments such as berms, retaining walls, fences or opaque hedges.

Additional criteria applicable to properties both adjacent to Lakeshore Road and fronting on Lake Saint-Louis

- 3) Any horizontal enlargement of an existing building and any replacement building should be designed and sited in such a way as not to increase, compared to the prevailing situation on the date of the coming into force of the present by-law, the visual obstruction caused by the whole of the property between Lakeshore Road and Lake Saint-Louis.
 - 4) Consequently, it should be considered that an addition that:
 - Does not contravene the provisions of the [Zoning By-Law](#) regarding setbacks and the riverside land, and
 - Does not block a direct or diagonal view from a straight section of Lakeshore Road or from a street that is perpendicular to it, and
 - Does not block an oblique view from a curved section of Lakeshore Road.Meets the requirements of paragraph 3) above.
 - 5) For the purposes of the preceding paragraph, the visual obstruction is the one caused by any opaque element such as a building, a fence or coniferous trees.
 - 6) No opaque fence or thick hedge should be built, installed or planted in such a way as to increase, compared to the situation prevailing on the date of the coming into force of the present by-law, the visual obstruction caused by the whole property between Lakeshore Road and Lake Saint-Louis.
 - 7) The provisions of the preceding paragraphs cannot be interpreted as allowing the replacement of a tree or of a clump of coniferous trees by a building or an addition to a building.
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- ☞ *Area subject to the provisions of the present chapter*
 - ☞ *Additional criteria applicable to the Cedar Avenue Area*
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Area subject to the provisions of the present chapter

36. In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Cedar Avenue Area, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Additional criteria applicable to the Cedar Avenue Area

37. Within the Cedar Avenue Area, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in article 30 above shall be assessed according to the following criteria:

- 1) The building should be sited in an organized manner according to an obvious geometry with its neighbours.
 - 2) A building of similar height and width as the neighbouring structures should be set back the same distance from the street as the predominant set back of other buildings on the street. A flat roof building or addition is not considered as harmonizing with the streetscape of Cedar Avenue.
 - 3) A flat roof building or addition is not considered as harmonizing with the streetscape of Cedar Avenue.
 - 4) Turrets and other curvilinear volumes, except bow windows, should not be considered as harmonizing with the streetscape of Cedar Avenue.
 - 5) A building with a larger volume than the neighbouring structures should only be accepted if:
 - a) The lot or landsite is larger than the average in the Cedar avenue area;
 - b) The building is set further back from the street and from the side property lines to align its perceived height and width with that of its neighbours;
 - c) The building is broken into smaller volumes by means of recesses and projections or other architectural strategies.
 - 6) For a new building, use of materials identical to those already used on Cedar Avenue is not compulsory; however, the size of the elements of the wall and roof materials should be at scale with those used on the neighbouring properties.
 - 7) For an extension other than a solarium, use of wall or roof materials other than those of the building being extended should be avoided.
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- [↶ Area subject to the provisions of the present chapter](#)
 - [↶ Additional objectives applicable to the Claremont Avenue Area](#)
 - [↶ Additional criteria applicable to the Claremont Avenue Area](#)
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Area subject to the provisions of the present chapter

- 38.** In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Claremont Avenue Area, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Additional objectives applicable to the Claremont Avenue Area

- 39.** Within the Claremont Avenue Area, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To protect and enhance the special character of the Claremont neighbourhood, particularly the overall sense of privacy, the numerous mature trees and the diversified siting of the homes on large properties with vast front yards.
 - 2) To preserve the architectural unity, mainly attributable to the homogeneity in the size of the houses and the pitched roofs.
 - 3) To preserve the natural topography of the street and the bordering properties.
 - 4) To maintain the close relationship between the homes and the street by avoiding defensive developments such as berms, retaining walls or opaque fences.

Additional criteria applicable to the Claremont Avenue Area

- 40.** Within the Claremont Avenue Area, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 39 above shall be assessed according to the following criteria:
- 1) Except in the case of redevelopment of a property, i.e. where properties are consolidated and resubdivided in conformity with the requirements of the [Subdivision By-Law](#) in order to divide two landsites into three lots, no infill operation that would add a new home to the present streetscape of Claremont should be permitted.
 - 2) The building should be sited in an organized manner according to an obvious geometry with its neighbours.
 - 3) The main facade of the building should be fronting on and parallel to the street.
 - 4) Notwithstanding the criterion of article 31.8) above, a new house should be sited with a different front setback from those of the adjacent houses; it should be set back from the street proportionately to its width: a setback equal to the width of the house should be considered acceptable, unless the width of the house is less than the minimum front setback of the [Zoning By-Law](#), in which case the latter should apply.

- 5) A flat roof building or addition is not considered as harmonizing with the streetscape of Claremont Avenue.
 - 6) A building with a larger volume than the neighbouring structures should only be accepted if the building is broken into smaller volumes by means of recesses and projections or other architectural strategies.
 - 7) For a new building, use of materials identical to those already used on Claremont Avenue is not compulsory; however, the size of the elements of the wall and roof materials should be at scale with those used on the neighbouring properties. Precast concrete or concrete like cubic volumes achieved with stucco or otherwise, are not acceptable.
 - 8) For an extension other than a solarium, use of wall or roof materials other than those of the building being extended should be avoided.
 - 9) The topography of the front yard should not be substantially altered, either by back fill or by earth moving.
 - 10) Fences in the front yard should be minimal and no hedge should be higher than 90 centimetres (3 feet); this provision should not be interpreted as prohibiting specimen planting.
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- 🔗 [Area subject to the provisions of the present chapter](#)
 - 🔗 [Additional objectives applicable to the Bowling Green Area](#)
 - 🔗 [Additional criteria applicable to the Bowling Green Area](#)
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Area subject to the provisions of the present chapter

41. In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Bowling Green Area, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Additional objectives applicable to the Bowling Green Area

42. Within the Bowling Green Area, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To maintain and enhance the distinctive character of the Bowling Green ensemble, mainly attributable to the overall sense of privacy, the numerous mature trees and the diversified siting of homes on large properties with vast front yards arranged around an open space and oriented in order to provide the best possible views on Lake Saint-Louis.
 - 2) To preserve architecturally and/or historically significant buildings, building features and landscaping features, i.e. those distinctive buildings or features that define the character of the Bowling Green ensemble.
 - 3) To ensure that new constructions and changes to existing buildings harmonize with the streetscape in respect of the Bowling Green ensemble, namely by preserving the architectural unity due to the size of the buildings and the pitched roofs.
 - 4) To maintain the close relationship between the homes and the street by avoiding defensive developments such as berms, retaining walls or opaque fences.
 - 5) To ensure that the number of homes which currently exist in the contemplated area will not be increased.

Additional criteria applicable to the Bowling Green Area

43. Within the Bowling Green Area, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 42 above shall be assessed according to the following criteria:
- 1) The main facade of the building should be parallel to the street.
 - 2) Garages and other accessory buildings should preferably be detached from the main building.
 - 3) Notwithstanding the criterion of article 31.9) above, the side setbacks of new houses or additions to existing houses should be in proportion to the height of the house or the addition.

- 4) Turrets and other curvilinear volumes, except bow windows, should not be considered as harmonizing with the streetscape of the Bowling Green Area.
 - 5) A flat roof building or addition should not be considered as harmonizing with the streetscape of the Bowling Green Area.
 - 6) Preference should be given to wood shingles and stucco as cladding materials for a new building.
 - 7) For an extension, use of wall or roof materials other than those of the building being extended should be avoided, except for a solarium.
 - 8) The topography of the landsite should not be substantially altered, either by landfill or by earth moving.
 - 9) Fences in the front yard should be minimal and no hedge should be higher than 90 centimetres (3 feet); this provision should not be interpreted as prohibiting specimen planting.
 - 10) Every effort should be made to preserve mature trees. When they cannot be preserved, they should be replaced by coniferous or deciduous trees sufficient in size and in number to ensure, within five (5) years following project approval, a volume of greenery equal to or greater than that of the tree(s) to be removed. Pointe-Claire may require the applicant to produce, at his cost, a certification from a member of the Quebec Landscape Architects Association to the effect that the proposed plantings comply with this regulation.
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- [Area subject to the provisions of the present chapter](#)
 - [Additional objectives applicable to the Veterans' Area](#)
 - [Additional criteria applicable to the Veterans' Area](#)
 - [Planting criteria](#)
-

Area subject to the provisions of the present chapter

44. In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Veterans' Area, as shown on the "Plan of Sectors Subject to the By-Law", appended hereto as APPENDIX 1 to form an integral part hereof.

Additional objectives applicable to the Veterans' Area

45. Within the Veterans' Area, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To preserve and enhance the archway of mature trees overhanging the streets.
 - 2) To limit the impacts of any new development on the greenery in the front and the side yards.

Additional criteria applicable to the Veterans' Area

46. Within the Veterans' Area, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 45 above shall be assessed according to the following criteria:
- 1) No mature tree overhanging the street's right-of-way should be removed, except if, according to the City of Pointe-Claire's Horticultural department, its state requires that it be felled, and in which case it should be replaced by a tree conforming to the plantation criteria below.
 - 2) Where missing, proper planting should restore the archway of trees overhanging the street.
 - 3) Any tree planted in order to maintain, to restore or to increase the archway of trees overhanging the street should be planted in line with the adjoining trees that are part of such archway, if it does not interfere with the wires of electric or telephone networks.
 - 4) New buildings or extensions to existing buildings as well as their related infrastructures should be sited so as to preserve existing mature trees. Proposed buildings and infrastructures should ideally be 3 metres away from the trunk of a mature tree. Authorization to fell a mature tree will only be given if it has been demonstrated that the proposed construction cannot be situated elsewhere on the property.
 - 5) New driveways should be located as to preserve existing trees in the front yard.
 - 6) Permeable driveways are favoured over traditional asphalt and concrete driveways.

- 7) Within 6 metres (19.7 feet) from the limit of the public street pavement, the width of a driveway should be limited to what is required for one car.

Planting criteria

- 8) Replacing trees should have the following dimensions:
 - a) A deciduous tree at the time of its plantation should have a stem diameter of at least 3 centimetres (1.2 inches) for a private tree and 5 centimetres (2 inches) for a public tree (measured at 30 centimetres (1 foot) above ground level), and have a total height of at least 2 metres for a private tree and 3 metres for a public tree (measured from the base of the stem to the tip of the highest branch);
 - b) A coniferous tree at the time of its plantation should have a total height of at least 1 metre for a private tree and 1.75 metres for a public tree (measured from the base of the stem to the tip of the highest branch).
 - 9) Any tree newly planted in conformity with the above paragraph following the felling of another tree shall be replaced with a tree of the same dimensions were it to die or be felled before achieving a height of 4 metres or a stem diameter of 10 centimetres (4 inches) (measured at 1.4 metres (4.6 feet) from the ground level).
 - 10) Shrubs are not accepted as replacement trees. The following species are preferred: Acer, Amelanchier, Carya, Catalpa, Celtis, Cercidiphyllum, Fagus, Gleditsia, Ginkgo, Gymnocladus, Juglans, Larix, Malus, Phellodendron, Picea, Pinus, Prunus, Quercus, Sorbus, Syringa reticulata, Tilia, Ulmus.
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- 🔗 [Area subject to the provisions of the present chapter](#)
 - 🔗 [Additional activities covered](#)
 - 🔗 [Additional documents to be provided](#)
 - 🔗 [Additional objectives applicable to the Pointe-Claire Village](#)
 - 🔗 [Additional criteria applicable to the Pointe-Claire Village](#)
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Area subject to the provisions of the present chapter

47. In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Pointe-Claire Village, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Additional activities covered

48. Within the Pointe-Claire Village, the delivery of a Building Permit for any alteration, restoration, renovation, extension or addition that affects the outside appearance of a building, whether visible from the street or not, is also subject to prior approval of a Site Planning and Architectural Integration Programme according to the procedure established in Chapter 2 of this by-law

Additional documents to be provided

49. Within the Pointe-Claire Village, in addition to the documents and information required according to article 23 above, any application for the approval of a Site Planning and Architectural Integration Programme must be accompanied by a written statement as to how the project meets the objectives of the present by-law and explaining which characteristics have been included in the project in order to meet the different criteria set in the present by-law.

Additional objectives applicable to the Pointe-Claire Village

50. Within the Pointe-Claire Village, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To preserve the special character of the Pointe-Claire Village and of its “village” character in particular;
 - 2) Protect and enhance the buildings and ensembles of architectural, historic or heritage interest together with typical architectural elements.
 - 3) Preserve and enhance the visual unity of the Pointe-Claire Village.

Additional criteria applicable to the Pointe-Claire Village

51. Within the Pointe-Claire Village, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 50 above shall be assessed according to the following criteria:
- 1) The building’s main facade should be parallel to the street.

- 2) Garages and other ancillary buildings should preferably be detached from the principal building.
- 3) In the case where a new construction is inserted into an alignment of existing constructions, or in the case where a construction in an alignment of existing constructions is altered or enlarged, the front setback should be established on the basis of the front setbacks of adjacent or neighbouring constructions:
 - a) On a lot situated between two lots that are already built, the front setback can be reduced to the smallest of the two front setbacks of the buildings on these two lots, unless this siting jeopardizes the harmony of the alignment; if one of the immediately adjacent lots is vacant, the next lot is to be used or, if it is also vacant, then the next nearest lot that is built;
 - b) On a lot at the intersection of two streets, the front setback should be established according to the front setback of the building on the adjacent lot on each of the respective streets.
- 4) The ground floor level should be between 30 centimetres (1 foot) above sidewalk level (or above the centre of the street in the absence of a sidewalk) and the average ground floor level of adjacent constructions.
- 5) All undertakings governed by this by-law must respect the character of the Pointe-Claire Village; by definition, the village character is normally associated with small constructions, each with its own character and personality, distributed on either side of narrow streets and forming a single, relatively homogeneous visual ensemble; all constructions should respect the scale of traditional constructions in lot coverage, height and width; the scale of any construction should be in keeping with the average scale of the traditional village constructions of the City.
- 6) In any addition or alteration, the modest nature of the traditional architecture should be respected with regard to volumes and with regard to architectural treatment of new elements with particular reference to simplicity of materials and decorative treatments.
- 7) Buildings most likely to integrate with the village architecture are those whose principal component can be described as follows:
 - a) Buildings that include a ground floor that occupies the entire building perimeter and an upper floor (finished or otherwise) with useable floor space that is reduced due to the slope or structure of the roof which has at least two continuous or interrupted (mansard) slopes of at least 9:12;
 - b) Two-storey buildings that include a ground floor and an upper floor that occupy the entire building perimeter, with a flat roof or a roof with at least two slopes of less than 9:12 thereby not permitting a third full or partial storey.
- 8) A large construction may be subdivided into several physically or visually distinct volumes such that the scale of each of these volumes respects the average scale of traditional village constructions of the City; facades or facade elements constituting a single surface should not exceed 12 metres (39.4'), with two parallel facade surfaces to be separated from each other by at least 1 metre (3.3'); variation in cladding material, or a curve or an angle in a wall or roof surface should not be considered as an acceptable means of subdividing a construction.
- 9) Exemption from the regulation on average scale of traditional constructions can be considered in the case of a construction proposed for a lot that substantially exceeds the

dimensions of an average village lot; the extent of the variance to be granted must take into consideration the size of the lot, the width of the street it fronts on, and the construction's various setbacks from the lot lines.

- 10) Integration with the village architecture must also take into account the openings (doors and windows) visible from the public street, as follows:
 - a) In residential zones, the total area of windows apart from dormers should not exceed 30% of the facade;
 - b) All openings other than basement and bull's-eye windows should be higher than they are wide or be composed of elements higher than they are wide;
 - c) Notwithstanding the sub-paragraph b) above, patio doors should be avoided on any facade visible from the street;
- 11) The nature, texture, dimensions and colour of cladding materials should be similar to that of materials traditionally used in the village architecture of Pointe-Claire, except for enlargements of buildings that are already of a different material; materials to be favoured include stucco of a neutral colour, wood or imitation clapboard of less than 13.5 centimetres (5.3 inches) gauge installed horizontally, fireproof cedar shakes, fieldstone, cut stone, painted, stained or treated wood batten board installed vertically and clay brick; in the case of a new material, the City shall be the sole judge of its suitability with respect to this criterion.
- 12) Materials to be favoured for sloping roofs are Quebec-style sheet metal ("tôle à la canadienne, à joint vertical agrafé ou à baguette"), fireproof cedar shakes, and ribbed sheet metal; in certain cases, asphalt shingles may be considered.
- 13) For additions other than a solarium, use of wall or roof materials other than those used on the building proper should be avoided.
- 14) On all constructions, use of any phosphorescent or fluorescent colour should be avoided.
- 15) Every effort should be made to preserve mature trees. When they cannot be preserved, The trees felled must be replaced by deciduous or coniferous trees sufficient in size and in number to ensure, within five (5) years following project approval, a volume of greenery equal to or greater than that of the tree(s) to be removed. The City may require the applicant to produce, at his cost, a certification from a member of the Quebec Landscape Architects Association to the effect that the proposed plantings comply with this criterion.
- 16) Parking areas, including bays, turning space and lanes, should be situated, laid out and developed so as to make them as inconspicuous as possible from streets and other public places, ensure safety of entering and exiting manoeuvres, and avoid the creation of large open expanses.
- 17) Any application for the demolition or the moving of a structure shall be reviewed in relation with the following criteria:
 - a) The structure to be demolished or moved should be replaced with a new structure having a value equal to or higher than 150% of the value of the structure to be demolished or moved, as such value appears on the roll of assessment in force at the time the application is submitted.

- b) Notwithstanding the provisions of sub-paragraph a) above, a projected landscaping development may be found acceptable in lieu of a replacement structure in either of the following cases:
- The site contamination level, as attested through a characterization report prepared by a firm specialized in soil analysis, prevents any new structure from being built without a decontamination operation of such a high cost that such operation would not be reasonably justified;
 - The building(s) to be demolished or moved is (are) constituting a visual nuisance and its (their) demolition or moving permitting a quality landscaping development to be carried out would contribute to improve the character of the Pointe-Claire Village.
- c) Any demolition of a building of heritage interest or that contributes in any way to the village character, for the sole purpose of developing a parking area, should be disallowed.
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- ☞ *Area subject to the provisions of the present chapter*
 - ☞ *Additional objectives applicable to the Institutional Core of “La Pointe-Claire”*
 - ☞ *Additional criteria applicable to the Institutional Core of “La Pointe-Claire”*
 - ☞ *Criteria that do not apply*
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Area subject to the provisions of the present chapter

52. In addition to the provisions of Chapter 3 and the additional provisions applicable to the Pointe-Claire Village, the provisions of this chapter apply to the Institutional Core of “La Pointe-Claire”, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Additional objectives applicable to the Institutional Core of “La Pointe-Claire”

53. Within the Institutional Core of “La Pointe-Claire”, in addition to the objectives established in article 30 and to the objectives applicable to the Pointe-Claire Village, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To preserve the integrity of the site and the exceptional architectural and heritage harmony of the institutional grouping formed by the church, the presbytery, the convent and the mill.
 - 2) To respect the relationship between the buildings that constitute the institutional grouping as well as their relationship with the village core and lake Saint-Louis.

Additional criteria applicable to the Institutional Core of “La Pointe-Claire”

54. Within the Institutional Core of “La Pointe-Claire”, in addition to the criteria established in article 31 and to the criteria applicable to the Pointe-Claire Village, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30, 50 and 53 above shall be assessed according to the following criteria:
- 1) No alteration to the outside appearance of any of the buildings of the Institutional Core of “La Pointe-Claire” should be authorised unless a recognized expert designated by Council demonstrates, to the entire satisfaction of the latter, that the proposed alteration would respect the rules generally accepted as regards heritage architecture.
 - 2) No addition to any of the buildings of the Institutional Core of “La Pointe-Claire” should be authorised unless a recognized expert designated by Council demonstrates, to the entire satisfaction of the latter, that the proposed addition would respect the rules generally accepted as regards additions to a building of exceptional heritage value.
 - 3) No new building should be authorised, even if it is to replace a building which is not a building of heritage interest as defined under the present by-law, unless a recognized expert designated by Council demonstrates, to the entire satisfaction of the latter, that the new building:
 - a) Would fully conform to the objectives set in article 53 above;

- b) Would integrate harmoniously into the institutional core according to the rules generally accepted as regards architectural integration into a grouping of heritage buildings.

- 4) In the case of a new construction, the applicant should favour an original architecture that, rather than trying to copy or imitate an old building, evokes the traditional architecture of the City in the way it reminds its shapes and uses its materials, colours and decorative elements.

Criteria that do not apply

- 55. Criteria of articles 31.8) and 31.9) requiring that the setbacks be similar to those of the neighbouring buildings do not apply to the Institutional Core of “La Pointe-Claire”.
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- [↶ Area subject to the provisions of the present chapter](#)
 - [↶ Objectives applicable to the Cartier Entrance](#)
 - [↶ Criteria applicable to the Cartier Entrance](#)
 - [↶ Criteria applicable to zone Cv6 \(City's entrance\)](#)
 - [↶ Criteria applicable to zone Cv5 \(Cartier village area\)](#)
-

Area subject to the provisions of the present chapter

56. In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Cartier Entrance Sector, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Objectives applicable to the Cartier Entrance

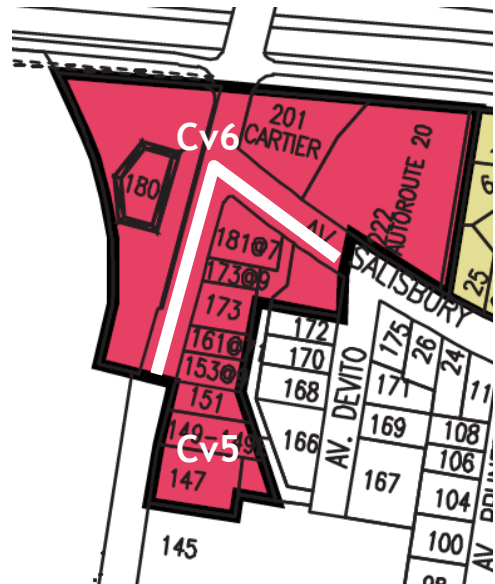
57. Within the Cartier Entrance Sector, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To mark this City entrance by a distinctive architecture.
 - 2) To enhance the vitality and conviviality of the commercial space to create a true village atmosphere.
 - 3) To mitigate the importance of car traffic in this City entrance by paying particular attention to the space reserved for pedestrians and cyclists.

Criteria applicable to the Cartier Entrance

58. Within the Cartier Entrance Sector, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 57 above shall be assessed according to the following criteria:
- 1) The ground floor level should be close to or at the same level as the sidewalk of Cartier Avenue.
 - 2) All buildings should be designed so that the ground floor is occupied by retail or service businesses.
 - 3) Any building of more than two (2) floors should have a flat roof and be free of false mansard or other excessive coronation artifice.
 - 4) No parking should be located in a front yard on Cartier Avenue.
 - 5) Any front yard on Cartier Avenue should be planned as a public place reserved for pedestrians and allow easy coming and going between the building's entrance and the sidewalk on Cartier Avenue.

Criteria applicable to zone Cv6 (City's entrance)

- 6) Notwithstanding the criteria of article 31.8) 9), 10) and 15) to this effect, buildings setbacks, construction volumes and proportions do not have to resemble to the ones of the surrounding buildings.
- 7) All new building should integrate harmoniously with its environment.
- 8) The architecture should be frankly contemporary and not seek to imitate or evoke ancient architecture.
- 9) Any wall that faces a street other than a highway or a service road should be treated as a principal facade.
- 10) At the ground floor level, a building facade facing a street other than a highway or a highway service road should be designed as a commercial front and offer good visual communication between the street, the sidewalk and the inside of the building.
- 11) No underground garage doors should be located on a façade facing a street, including a highway service road.
- 12) At least 60% of a front yard other than one facing a highway or a highway service road should be landscaped and planted with trees and shrubs.
- 13) Development along a highway or a highway service road should include a dense alignment of deciduous trees and coniferous to form a quasi-opaque screen.
- 14) Access should be provided for cyclists and lead to parking for bicycles.



Criteria applicable to zone Cv5 (Cartier village area)

- 15) Notwithstanding the criteria of article 31.7), an addition or enlargement does not need to be offset from the main body of the existing building.
- 16) Any wall that faces a street should be treated as a principal facade.
- 17) At the ground floor level, a building facade facing a street other than a highway or a highway service road should be designed as a commercial front and offer good visual communication between the street, the sidewalk and the inside of the building.
- 18) The access to the parking areas should be from the rear of the landsites rather than from Cartier Avenue.
- 19) All buildings should provide bicycle-parking installations.

- [↶ Area subject to the provisions of the present chapter](#)
 - [↶ Objectives applicable to the Cartier Entrance](#)
 - [↶ Criteria applicable to Valois Village](#)
-

Area subject to the provisions of the present chapter

- 59.** In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Valois Village, as shown on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Objectives applicable to Valois Village

- 60.** Within the Valois Village, in addition to the objectives established in article 30, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:
- 1) To preserve the special “village” character of Valois.
 - 2) To enhance the vitality and conviviality of a neighbourhood commercial sector.
 - 3) To improve the urban aesthetics features and the visual unity of the village.
 - 4) To improve the pedestrian traffic conditions in the area.

Criteria applicable to Valois Village

- 61.** Within the Valois Village, in addition to the criteria established in article 31, conformity of a Site Planning and Architectural Integration Programme to the objectives set in articles 30 and 60 above shall be assessed according to the following criteria:
- 1) A commercial building should be designed to reflect its commercial function at the first floor level and offer openness and visual communication towards the street and the sidewalk.
 - 2) Any wall that faces a street should be treated as a principal facade.
 - 3) In the case where a new construction is inserted into an alignment of existing constructions, or in the case where a construction in an alignment of existing constructions is altered or enlarged, the front setback should be established on the basis of the front setbacks of adjacent or neighbouring constructions:
 - a) On a lot situated between two lots that are already built, the front setback can be reduced to the smallest of the two front setbacks of the buildings on these two lots, unless this siting jeopardizes the harmony of the alignment; if one of the immediately adjacent lots is vacant, the next lot is to be used or, if it is also vacant, then the next nearest lot that is built;
 - b) On a lot at the intersection of two streets, the front setback should be established according to the front setback of the building on the adjacent lot on each of the respective streets.

- 4) The ground floor level should be between 30 centimetres (1 foot) above sidewalk level (or above the centre of the street in the absence of a sidewalk) and the average ground floor level of adjacent constructions.
- 5) Construction projects should favour small constructions, each with their own character and personality, distributed on either side of the streets and forming a single, relatively homogeneous visual ensemble; all constructions should respect the scale of traditional constructions in lot coverage, height and width; the scale of any construction should be in keeping with the average scale of the traditional village constructions of the City.
- 6) In any addition or alteration, the modest nature of the traditional architecture should be respected with regard to volumes and with regard to architectural treatment of new elements with particular reference to simplicity of materials and decorative treatments.
- 7) A large construction may be subdivided into several physically or visually distinct volumes such that the scale of each of these volumes respects the average scale of traditional village constructions of the City; facades or facade elements constituting a single surface should not exceed 12 metres (39.4 feet), with two parallel facade surfaces to be separated from each other by at least 1 metre (3.3 feet); variation in cladding material, or a curve or an angle in a wall or roof surface should not be considered as an acceptable means of subdividing a construction.
- 8) Patio doors should be avoided on any facade visible from the street.
- 9) The nature, texture, dimensions and colour of cladding materials should be similar to that of materials traditionally used in Pointe-Claire, except for enlargements of buildings that are already of a different material; materials to be favoured include stucco of a neutral colour, wood or imitation clapboard, fireproof cedar shakes, clay brick, fieldstone, cut stone.
- 10) Any front yard on Donegani should be planned as a public place reserved for pedestrians and allow easy coming and going between the building's entrance and the sidewalk on Donegani.
- 11) All buildings should provide bicycle-parking installations.
- 12) Every effort should be made to preserve mature trees. When they cannot be preserved, they must be replaced by deciduous or coniferous trees sufficient in size and in number to ensure, within five (5) years following project approval, a volume of greenery equal to or greater than that of the tree(s) to be removed, to the satisfaction of the Parks and Horticulture Division.
- 13) Parking areas, including bays, turning space and lanes, should be situated, laid out and developed so as to make them as inconspicuous as possible from streets and other public places, ensure safety of entering and exiting manoeuvres, and avoid the creation of large open expanses.
- 14) In the case of the demolition or the moving of a building:
 - a) The building to be demolished or moved should be replaced with a new building having a value equal to or higher than 150% of the value of the building to be demolished or moved, as such value appears on the roll of assessment in force at the time the application is submitted;

- b) Any demolition of a building of heritage interest or that contributes in any way to the village character, for the sole purpose of developing a parking area, should be disallowed.
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- [Buildings subject to the provisions of the present chapter](#)
 - [Additional activities covered](#)
 - [Additional objectives applicable to buildings of heritage interest](#)
 - [Additional criteria applicable to buildings of heritage interest](#)
-

Buildings subject to the provisions of the present chapter

62. In addition to the provisions of Chapter 3 and to the additional provisions applicable to the different areas, as the case may be, the provisions of the present chapter apply to buildings identified as buildings of heritage interest in the current article, even if they are not located in a sector of the Plan of APPENDIX 1.

For the purposes of the present by-law, the following are considered as buildings of heritage interest:

- 1) The buildings with the following civic addresses:
 - 120, Ambassador (St-Thomas Secondary School))
 - 98, Aurora (St-John United Church. St-Edward the Confessor)
 - 35-37, Valois Bay
 - 70, Belmont (Valois United Church)
 - 27, Lakeshore (Morin Chapel)
 - 36, Lakeshore
 - 58-58A, Lakeshore
 - 61, Lakeshore R
 - 97, Lakeshore (Tunnoch House)
 - 105, Lakeshore (Legault House)
 - 176, Lakeshore (Stewart Hall)
 - 211, Lakeshore (Napoléon-Charbonneau House)
 - 217, Lakeshore (Baucet House)
 - 219, Lakeshore (Henri-E.-Vautelet House)
 - 221, Lakeshore
 - 222, Lakeshore
 - 237, Lakeshore
 - 245, Lakeshore (Noël-Legault Centre)
 - 250, Lakeshore (Post office)
 - 252, Lakeshore (Mgr-Mitchell House)
 - 254, Lakeshore
 - 258, Lakeshore (Antoine-Pilon House)
 - 286, Lakeshore (Former Pointe-Claire Hotel)
 - 300, Lakeshore (Former Canadian National Bank)
 - 302-306, Lakeshore
 - 322-324, Lakeshore (Former Canada Hotel)
 - 330-332, Lakeshore
 - 344, Lakeshore
 - 345, Lakeshore
 - 346, Lakeshore
 - 352, Lakeshore
 - 353, Lakeshore
 - 355, Lakeshore (Charlebois House)
 - 361-361A, Lakeshore
 - 2, Bowling Green (Doctor Park House)
 - 8, Bowling Green (Arthur-Harris House)

- 10, Bowling Green
- 11, Bowling Green
- 234, Braebrook
- 275, Braebrook (Lakeside Heights Baptist)
- 25, Brunet
- 1, Cartier (Pointe-Claire Yacht Club)
- 4, Cedar
- 8, Cedar
- 14, Cedar (Former Lilly Memorial Church)
- 17, Cedar (Cedar Park School)
- 18, Cedar
- 24, Cedar
- 30, Cedar
- 54, Cedar
- 59, Cedar
- 96, Cedar
- 152, Concord Crescent (Hyacinthe-Jamme-dit-Carrière House)
- 5, Condover
- 21, Condover
- 25, Condover
- 73, De Breslay
- 105, De Dieppe (Bethel Chapel)
- 111, Donégani (Former Valois Post office)
- 114, Donégani (Former Canadian Pacific Station)
- 35, Drayton
- 10, De l'Église
- 1, Golf
- 5-7, Golf
- 6, Golf (Former Bell Canada Building)
- 22, Golf
- 26, Golf
- 28, Golf
- 32, Golf
- 34, Golf
- 36, Golf
- 38, Golf
- 40, Golf
- 44, Golf
- 46, Golf
- 48, Golf
- 49, Golf (Club House of the Beaconsfield Golf Club)
- 49, Golf (Former Quarry building)
- 50, Golf
- 16 Hillcrest
- 18, Hillcrest
- 4-6, Hillside (Deslauriers House)
- 311, Inglewood (Félix-Leclerc Secondary School)
- 13, Julien
- 1, Killarney Gardens
- 30, Killarney Gardens
- 31, Killarney Gardens
- 117, King
- 19, Lakebreeze
- 204, Lakeview (Cedar Park United)
- 70, Maywood
- 85, Mount Pleasant

- 99, Mount Pleasant (Church of the Resurrection)
 - 5500, Metropolitan (Avon Canada)
 - 1, Pointe-Claire Avenue
 - 68, Prince-Edward (Former Valois Park School)
 - 144, Queen
 - 11, Rodney (Saint Columba by the Lake)
 - 2, Sainte-Anne (Saint-Joachim Church)
 - 2, Sainte-Anne (Saint-Joachim Parish House)
 - 15, Sainte-Anne (Antoine-Felsque House)
 - 17, Sainte-Anne (Gédéon-Legault House)
 - 42, Sainte-Anne (Pierre-Demers House)
 - 233, Sainte-Claire (Saint John the Baptist Church)
 - 16, Saint-John
 - 1, Saint-Joachim (Pointe-Claire Windmill)
 - 2, Saint-Joachim (Notre-Dame-du-Vieux-Moulin Convent)
 - 8, Saint-Joachim
 - 12, Saint-Joachim (Brunet House)
 - 16, Saint-Joachim (Bourgie House)
 - 16, Salisbury
 - 4, Stewart (Arsène-Charlebois House)
 - 160, Stillview (Lakeshore General Hospital)
 - 120, Summerhill (St. John Fisher)
 - 12, Water's Edge
 - 47, Waverley
 - 176, Westcliffe (St. Augustine)
- 2) The buildings that constitute the Institutional Core of “La Pointe-Claire”, i.e. the Saint-Joachim of “La Pointe-Claire” church and its presbytery, the Pointe-Claire convent and the windmill of Pointe-Claire.

Additional activities covered

63. For buildings of heritage interest, in addition to the activities covered according to article 7 above, the delivery of a Permit or Certificate of Authorisation for the operations listed hereafter is also subject to prior approval of a Site Planning and Architectural Integration Programme according to the procedure established in Chapter 2 of this by-law:
- A change in the type of doors and windows (wood, aluminum, pvc; hung, casement, sliding, mullions; size, color, etc.);
 - The replacement of a cladding material by any other type of material or with a different installation;
 - A modification to the roof slope, material or shape of an existing porch, portico or veranda;
 - The installation of mechanical equipment on a roof or a wall.

Additional objectives applicable to buildings of heritage interest

64. In addition to the objectives established in Chapter 3 and to the additional objectives applicable to the area where the building is located, as the case may be, an application for the approval of a Site Planning and Architectural Integration Programme concerning a building of heritage interest shall also be reviewed according to the following objectives:
- 1) To avoid the demolition of any building of heritage interest.
 - 2) To protect and enhance the buildings and ensembles of architectural, historic or heritage interest together with their typical architectural elements.

Additional criteria applicable to buildings of heritage interest

65. In addition to the criteria established in Chapter 3 and to the additional criteria applicable depending on the area where the building is located, the following criteria apply to buildings of heritage interest:
- 1) Buildings of heritage interest should be considered essential to the preservation of the of the character of the City; they should be maintained to keep as much as possible their original aspect and, where possible, restored with a concern for authenticity in their shapes, their materials, their openings and their decorative elements; demolition should be considered only when the documents supporting the application demonstrate, without any doubt, that the building is in an advanced state of deterioration.
 - 2) No alteration or addition to a building of heritage interest should have the effect of reducing the heritage value of said building;
 - 3) Alterations to major character defining features such as the overall building and roof form and the facing materials as well as additions affecting these features should be avoided.
 - 4) The siting of a building of heritage interest should be considered as part of its integrity: such a building should not be moved or raised, except in exceptional circumstances and if it is the only way to preserve the building.
 - 5) Architectural elements that are representative of the original style of the building should be up kept and, when required, rebuilt. Operations aimed at reversing inappropriate modifications to bring the building back to its original aspect, such as the removal of shed dormers or the demolition of additions should be favoured.
-

Activities subject to the application of the present chapter

Objectives applicable to landsites located on the limits of neighbouring cities

Criteria applicable to landsites located on the limits of neighbouring cities

Activities subject to the application of the present chapter

- 66.** The provisions of the present chapter apply to any construction or extension project on a landsite adjacent to a city boundary or bordering a public thoroughfare that constitutes a city boundary.

The provisions of the present chapter apply in addition to other provisions applicable according to the area in which the landsite is located and to the provisions of Chapter 13, as the case may be.

Objectives applicable to landsites located on the limits of neighbouring cities

- 67.** On any landsite covered by article 66 above, an application for the approval of a Site Planning and Architectural Integration Programme shall also be reviewed according to the following objectives:

- 1) To ensure compatibility and consideration of the impacts of projects along the City limits.
- 2) To ensure that particular attention is paid to the site planning and architecture of projects located at the city entrances.

Criteria applicable to landsites located on the limits of neighbouring cities

- 68.** The following criteria shall apply to any landsite covered by article 66 above:

- 1) The project must be compatible with respect to height, alignment, siting, landscaping of the front yard, location of parking accesses, cladding and signage, with the building and area facing or beside it, and with the provisions in effect in the other city.
 - 2) With regard to architectural design and landscaping, for a building that is located at a city entrance:
 - a) The architectural vocabulary of any new building should be innovative and contemporary and give off a sense of dynamism;
 - b) Any facade overlooking a street should be treated as a main façade, be open and welcoming, having in mind that the building itself is a gateway to Pointe-Claire;
 - c) The development of the space between the building and the street should demonstrate a will to openness and communication rather than entrenchment; any front yard should be free of defensive developments such as embankments, retaining walls, opaque fences and hedges or large parking areas.
-

- [↕ Area subject to the provisions of the present chapter](#)
 - [↕ Objectives](#)
 - [↕ Criteria](#)
 - [↕ Criteria pertaining to site planning](#)
 - [↕ Criteria pertaining to architecture](#)
 - [↕ Criteria pertaining to the natural environment](#)
 - [↕ Criteria specific to sector A\(3\) Donegani/Kirkstone](#)
-

Area subject to the provisions of the present chapter

69. The provisions of the present chapter shall apply to any of the areas identified as Sector “A” on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Objectives

70. Within any Sectors “A”, objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme shall be reviewed are as follows:
- 1) To ensure the development of quality housing projects, respectful of the volume of the surrounding buildings and of the topography of the sector in which they integrate.
 - 2) To promote design excellence and originality as well as an obvious architectural homogeneity in the buildings architectural treatment.
 - 3) To recreate, where this is suitable, the continuity and alignment of residential facades of on the streets.
 - 4) To protect the privacy and tranquility of the adjoining residential neighbourhoods and provide it as well to the future residents of the project.
 - 5) To promote non-motorized mobility by providing a functional and safe path network thorough the residential neighbourhoods.
 - 6) To preserve as much green space as possible on the properties, to maintain the tree canopy in the street and the existing wooded areas, and to avoid the canalisation of existing streams.

Criteria

71. Within any Sectors “A”, conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 70 above shall be assessed according to the following criteria:

Criteria pertaining to site planning

- 1) The way buildings and service areas are located and orientated should allow to:
 - a) Maintain the quality wooded areas to the greatest extent possible;
 - b) Reduce the inconveniences resulting from noise as well as from vehicle and train traffic;

- c) Protect the sun lighting, the views and the privacy of neighbouring properties;
 - d) Avoid overly large waterproof surfaces that could become heat islands.
- 2) The open space between buildings on the same landsite and between said buildings and the property lines should be as large as possible. Ideally, the space between two rows of townhouse facing each other should be at least 15 metres, and the space between two rows of rear decks should be at least 7.5 metres.
 - 3) There should be no circulation aisles and parking areas in the immediate vicinity of the neighbouring single-family homes.
 - 4) In a multifamily project, parking areas in a front yard should be limited to the spaces reserved for the visitors.
 - 5) Hedges, walls or landscaped embankments should be proposed to conceal from the street elements such as access to circulation aisles, staircases leading to rear decks, exterior mechanical equipment or any area designed for the disposal of residual waste.
 - 6) Within the limits of the landsite, all connections to the electrical and telecommunication systems mains should be underground.

Criteria pertaining to architecture

- 7) Architectural volumes of similar sizes should be used, both in width and in height.
- 8) There should be a unique and unified architectural vocabulary in the shapes, lines, scale, colours and decorative elements for all the buildings making up a single project.
- 9) All the facades of a building should have the same unified and coherent treatment; the same material or combination of materials should be used on all the facades.
- 10) The architectural vocabulary of any side wall fronting on a street should be similar to the one used for the main facades.
- 11) The roofs should be gabled, include dormers, and have a minimum slope of 6/12; however, in terms of height, and taking setbacks into consideration, no building should overly dominate the neighbouring buildings.
- 12) For a project made of conventional contiguous single-family houses, each house should have its own identity. They should distinguish themselves by either a projection or recess from the other houses on either side, by an accentuation of the party wall or by another distinctive architectural treatment considered acceptable by the City.

For the purpose of the preceding paragraph, the variation in cladding material or in the colors of a cladding material in the same row of houses should not be considered sufficient.

- 13) In a condominium townhouses project:
 - a) Each group of townhouses should be treated architecturally as one single and distinct building;
 - b) All walls fronting on a street should be treated as a facade, with windows and main entrance.

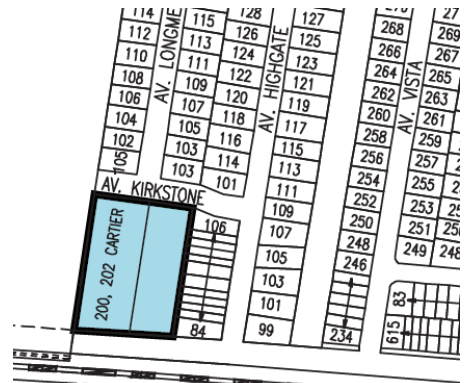
Criteria pertaining to the natural environment

- 14) The open space should be the object of landscaping works emphasizing the development of green areas.
- 15) The natural ground level around existing mature trees should be maintained and protected.
- 16) A line of trees should be planted along the public street;
- 17) Deciduous trees should be planted near the parking areas and outdoor decks to provide shadow.
- 18) The space between two rows of rear decks should be treated as a green space, landscaped and planted with trees and bushes in order to create a vegetal screen and provide intimacy to the users of individual decks.
- 19) The landscaping plan should include:
 - a) A pedestrian footpath from the decks to the street;
 - b) A common pedestrian and cycle path that will provide a link between two public streets located on each side of the residential project; or to an adjoining landsite not yet developed where the link can eventually be completed to the street opposite.

Criteria specific to sector A(3) Donegani/Kirkstone

72. Conformity of a Site Planning and Architectural Integration Programme in sector A(3) shall be assessed according to the following criteria:

- 1) A buffer area 25 metres (82 feet) wide along the rear boundary of the properties on Highgate Avenue should be preserved, as well as the 450 square metres (4,843 square feet) wooded triangle where the trench runs, along Donegani Avenue.
- 2) A grant of easement to the City of Pointe-Claire should be registered to authorizing a bicycle path and a pedestrian path linking Kirkstone Avenue with Donegani Avenue in the buffer area described in the preceding paragraph.
- 3) There should not be any vehicle access from Kirkstone Avenue.



- [Activities subject to the application of the present chapter](#)
 - [Objectives](#)
 - [Criteria](#)
-

Activities subject to the application of the present chapter

73. The provisions of the present chapter apply to the construction, an extension to, or a change in the parking layout of:

- 1) A shopping centre;
- 2) An office building;
- 3) A public building;
- 4) A multi-family building of eight (8) dwellings or more,

anywhere within the territory of Pointe-Claire, whether such project is located in a sector of the Plan of APPENDIX 1 or not.

Objectives

74. The objective according to which an application for the approval of a Site Planning and Architectural Integration Programme for a one of the projects mentioned in article 73 is:

- 1) To encourage the adoption of sustainable development measures in the site planning and construction of public buildings (multi-family, commercial and institutional), by requiring that issues such as green space and tree canopy consolidation, heat islands reduction, green construction and promotion of active mobility be considered in the planning of such projects.

Criteria

75. Conformity of a Site Planning and Architectural Integration Programme to the objectives stated in the preceding article shall be assessed according to the following criteria:

- 1) The way the buildings are sited and parking areas are designed should demonstrate the intent of the designer to preserve the best wooded areas and existing mature trees;
- 2) The natural ground level around existing mature trees should be maintained and protected;
- 3) The landscape development plan should include a linear plantation of deciduous trees and/or coniferous trees capable of growing up to 18 metres in height, along the public street;
- 4) Shaded landscaped areas, separated from the vehicular circulation areas, should be provided for the resident or users of the building;

- 5) Parking areas should be broken down so that no more than ten (10) parking spaces are together in a same row, and separated by a green islands planted with deciduous trees to provide shadow and avoid large expanses of asphalt.
 - 6) In the case of a building extension or rearrangement of parking areas, the ensuing landscaping work should result in an increase in green space area or in quality, and not the opposite.
 - 7) All front yards should be planned as a public place that includes safe areas reserved for pedestrians, which should allow easy and direct coming and going between the building's entrances and the sidewalk on a public street.
 - 8) An access for cyclists should be provided and lead to bicycle parking.
 - 9) When a project is located near to an access to the public transport network or the bicycle path network, a passage or path should lead to it.
 - 10) Within the limits of the landsite, all connections to the electrical and telecommunication systems mains should be underground.
 - 11) Innovative construction technologies and materials that are in line with the principles of sustainable development should be encouraged in new structures and major renovations projects.
-

- ↕ [Area subject to the provisions of the present chapter](#)
 - ↕ [Objectives](#)
 - ↕ [Criteria](#)
 - ↕ [Criteria pertaining to site planning](#)
 - ↕ [Criteria pertaining to architecture](#)
 - ↕ [Criteria pertaining to privacy and reduction of nuisances](#)
 - ↕ [Criteria pertaining to the tranquility and privacy of existing residential neighbourhoods](#)
 - ↕ [Criteria specific to sector B\(1\) Hymus West](#)
 - ↕ [Criteria specific to zones Rf4 and Rf5](#)
 - ↕ [Criterion specific to zone Rf4](#)
 - ↕ [Criteria specific to sector B\(2\) Hymus East](#)
-

Area subject to the provisions of the present chapter

- 76.** The provisions of the present chapter shall apply to any of the areas identified as Sector “B” on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Objectives

- 77.** Within any Sectors “B”, objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme shall be reviewed are as follows:
- 1) To promote the development of residential complexes with a strong component of green areas, mainly for young families, by using vacant land and gradually converting industrial or commercial properties that are located close to existing residential neighbourhoods.
 - 2) To favour the construction and development of quality multi-family buildings, adapted to the mainly commercial or industrial character of the environment and to the volume and the diversity of the traffic on the surrounding boulevards.
 - 3) To contribute to the improvement of the overall appearance of the area with fine architecture and landscaping.
 - 4) To maintain the tranquility and privacy of adjoining residential neighbourhoods.
 - 5) To promote non-motorized mobility by providing an easy link between residential functions and the pedestrian and bicycle path network.
 - 6) To maintain through traffic fluidity on boulevards and ensure optimal connection to the existing road network.

Criteria

- 78.** Within any Sectors “B”, conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 77 above shall be assessed according to the following criteria:

Criteria pertaining to site planning

- 1) The master plan should cover the whole property, even if the development is to occur in phases and on separate lots.

- 2) Sustainable development criteria in article 75 above apply.
- 3) Buildings should be sited in an orderly manner, according to an obvious geometrical and functional arrangement;
- 4) The parking spaces for visitors should be located as close as possible to the main entrance of the building.
- 5) Any residential building or complex should provide, if possible, 1.4 indoor parking spaces per dwelling unit.
- 6) The number of vehicular accesses from a boulevard should be as low as possible.
- 7) Recreational spaces, required according the zoning by-law, should be located in the central part of the landsite and the buildings should be sited in order to ensure residents a safe and easy access to these spaces.
- 8) Any residential complex should be equipped with at least two recreational facilities such as a pool, a fitness room, tennis courts or a bicycle path.
- 9) Any landscaping plan for a residential complex should include a common pedestrian and cycle path that will link it to the public streets located on each side of the project; or to an adjoining landsite not yet developed where the link can eventually be completed to the street opposite.

Criteria pertaining to architecture

- 10) The buildings comprised in a complex should form a visually integrated whole due to the following:
 - a) They are volumes of similar size in their width, their depth as well as in their height;
 - b) They use the same architectural vocabulary in its shapes, lines, scale, colours and decorative elements;
 - c) They use the same high quality cladding materials or combinations of high quality cladding materials; precast concrete panels, natural stone, clay brick and glass should be considered as high quality materials.
- 11) Apartments should be soundproof with large rooms; giving access to balconies and have fenestration favouring sunlight;

If some of the apartments are little exposed to sunlight, interior and exterior communal space and rooms should be provided, which are more exposed to sunlight and should be accessible to the residents to compensate for the lack of sunlight in their own apartments.
- 12) Garage doors and, if any, service areas, should be the least visible as possible from the public streets.

Criteria pertaining to privacy and reduction of nuisances

- 13) Windows and balconies facing towards the inside of the group of structures to be built should be preferred.

- 14) As much as possible, balconies and other exterior areas should not be facing the industrial uses on adjoining landsites.
- 15) Dwelling units located on the first or second floors, with windows or outdoor spaces located at less than 30 meters from a boulevard, should be avoided or, when this is impossible the inconveniences resulting from this situation should be reduced through the plantation of trees and shrubs in order to create a screen providing a visual barrier between the dwelling unit and the boulevard.
- 16) For any landsite that is adjacent to a landsite that is occupied, or can be occupied in virtue of the zoning by-law in force at the time of the request, by an industrial or a commercial use, site planning should include, along its limit with said landsite, site layout that will help mitigate all impacts generated, or that could be generated by industrial, commercial or related activities, including transport.

The abovementioned site layout could be limited to an opaque fence and plantations only if the adjacent industrial or commercial landsite is also subject to be redeveloped for residential use in virtue of the zoning by-law in force at the time of the request.

Criteria pertaining to the tranquility and privacy of existing residential neighbourhoods

- 17) All setbacks adjoining a single-family residential zone should be planted with trees and shrubs to form an almost opaque screen that can provide an efficient visual separation between the new residential development and the existing residential neighbourhoods.
- 18) Vehicular accesses to the project should be from a public thoroughfare other than a street that serves mainly single-family houses.
- 19) There should not be long exterior walls with many windows or balconies facing neighbouring single-family homes.
- 20) There should not be any circulation aisles, ramps and parking areas located in the immediate vicinity of neighbouring single-family homes.

Criteria specific to sector B(1) Hymus West

79. Conformity of a Site Planning and Architectural Integration Programme in sector B(1) shall also be assessed according to the following criteria:

- 1) In a residential complex, the distance between two buildings should be equal to or greater than the height of the higher of these two buildings.
- 2) No building of 3 floors or more should be sited within 50 metres (164 feet) of any property limit of a landsite located in a residential zone for detached single-family homes.



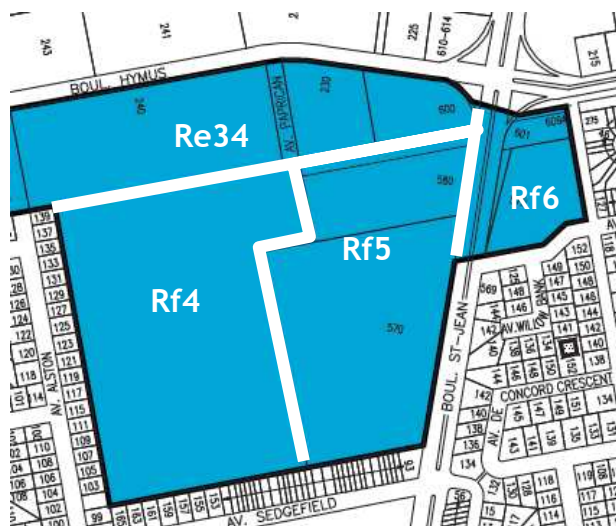
- 3) Buildings of 3-storeys or more should be sited in order to create the least possible shadow on outdoor spaces, particularly rear decks or rear yards, of the single-family houses or condominium townhouses.
- 4) The space between two rows of townhouse facing each other should be at least 15 metres, (49.2 feet) and the space between two rows of rear decks should be at least 7.5 metres (24.6 feet).
- 5) The ends of the space located behind rows of condominium townhouse that are perpendicular to the street should be concealed from the street.
- 6) For a project made of conventional contiguous single-family houses, each house should have its own identity. They should distinguish themselves by either a projection or recess from the other houses on either side, by an accentuation of the party wall or by another distinctive architectural treatment considered acceptable by the City.

For the purpose of the preceding paragraph, the variation in cladding material or in the colors of a cladding material in the same row of houses should not be considered sufficient.

- 7) In a condominium townhouses project:
 - a) Each group of townhouses should be treated architecturally as one single and distinct building;
 - b) All walls fronting on a street should be treated as a facade, with windows and main entrance.
- 8) No main facade of a single-family house or of a condominium townhouse should face on Hymus or Saint-Jean Boulevard.

Criteria specific to zones Rf4 and Rf5

- 9) An apartment building should not give directly on the rear yard of a single-family house or townhouse, or of a condominium townhouse; it could however be located at the end of a row of townhouses.
- 10) Street connecting to Alston or Sedgefield avenues should be avoided.
- 11) A pedestrian link should provided access to Alston Avenue near Sedgefield Avenue and at least another pedestrian link to zone Re34.
- 12) Any development plan for a residential complex should provide at least two street connections between zone Rf4 and Rf5.



Criterion specific to zone Rf4

- 13) Any development plan for a residential complex should provide, for the residents, a safe pedestrian access to a public or private park at least 5 000 square meters in area, and include a children play area.

Criteria specific to sector B(2) Hymus East

80. Conformity of a Site Planning and Architectural Integration Programme in sector B(2) shall also be assessed according to the following criteria:

- 1) Criteria 17) 18) 19) and 20) of article 78 above shall apply, with the necessary adjustments, with respect to residential zone Rd3.
- 2) No residential building should be sited at less than 18 metres (59.1 feet) and no balcony should be closer than 20 metres (65.5 feet) from a property limit located in an industrial zone.
- 3) Access to the residential properties should be preferably from Delmar or another local street rather than from Hymus Boulevard.
- 4) A support commercial use in a residential building should not have any exterior activity or any self-illuminated signs.
- 5) All residential buildings and all support commercial uses should be linked to the bicycle network and be provided with safe parking installations, ideally for two (2) bicycles by dwelling unit.



- ☞ *Area subject to the provisions of the present chapter*
 - ☞ *Prior approval for tree felling*
 - ☞ *Objectives*
 - ☞ *Criteria pertaining to subdivision*
 - ☞ *Criteria pertaining to siting*
 - ☞ *Criteria pertaining to architecture*
 - ☞ *Criteria pertaining to the development of the site*
 - ☞ *Additional criteria applicable to residential zone Re46*
 - ☞ *Additional criteria applicable to commercial zone Cb3*
-

Area subject to the provisions of the present chapter

- 81.** The provisions of the present chapter shall apply to the area identified as Sector “C” on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Prior approval for tree felling

- 82.** In this sector, no tree shall be felled before a Site Planning and Architectural Integration Programme has been approved for the landsite on which such tree is located, except if the tree has to be felled for one of the reasons mentioned in article 23.5) of the present by-law.

Objectives

- 83.** Within Sector “C”, objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme shall be reviewed are as follows:
- 1) To ensure the development of a truly urban complex, lively, suitable for exchanges and apt to become the city centre of the City of Pointe-Claire and, possibly, of the whole of the West-Island.
 - 2) In the part of Sector “C” adjacent to Brunswick Boulevard, to ensure the development of a quality apartment complex - or a complex combining apartments, retail and services - integrated with a downtown type urban ensemble and adapted to the density and the diversity of the traffic on the inner and peripheral street network.
 - 3) In the part of Sector “C” adjacent to the Trans Canada Highway, to ensure the development of a complex combining offices and retail stores of great architectural quality, arranged around a public area where pedestrian circulation will be prioritized.
 - 4) To promote design excellence and originality while ensuring a certain architectural homogeneity in the overall project.
 - 5) To protect and enhance the best components of the existing woods.
 - 6) To minimize the impacts of the project on the environment, on neighbouring residential areas and on traffic.
 - 7) To encourage non-motorized trips and active transportation.
 - 8) To limit the impacts of high-rise buildings on wind and sun lighting.

Criteria

84. Conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 83 shall be assessed according to the following criteria:

Criteria pertaining to subdivision

- 1) In the case where Council would require, in accordance with the provisions of the [Subdivision By-Law](#), that the owner commit to cede without cost to the City a parcel of land which, in Council's opinion, is suitable in the establishment or enlargement of a park or playground or in the preservation of a natural area, or in the case where Council would demand that the owner make such a commitment and remit an amount to the municipality, such area to be transferred for the establishment or enlargement of a park or playground or for the preservation of a natural area, should be located, in order of preference, first in area 367-02, then in area 367-04, then in area 367-03 on the map of the forest survey of APPENDIX 2 of the present by-law.
- 2) In order to minimize the impacts on the traffic on the public thoroughfares, the location of vehicular accesses to each of the lots should take into consideration, among other things, the location of the vehicular accesses to the other lots served by these thoroughfares.
- 3) The delimitation of the lots, the location of the buildings and the planning of the parking areas and circulation aisles should aim at saving as many mature trees as possible.

Criteria pertaining to siting

- 4) The natural topography of a landsite should not have to be substantially modified, except if the landsite is lower than the street and lower than the adjacent properties, in which case it could be filled, but not to a point where its final grade would exceed the level of the adjacent properties.
- 5) The way the building is sited and its surrounding developments (recreational spaces, parking areas and circulation aisles, etc.) are designed should demonstrate the intent of the designer to preserve and enhance as many mature trees as possible, other than poplars of all species.
- 6) The buildings should be sited in an organized manner according to an obvious geometric and functional arrangement.
- 7) No building should be located at less than 25 metres from the right-of-way of the Jacques-Bizard corridor.
- 8) The minimum setback of any building from any public thoroughfare other than the Jacques-Bizard corridor should be equal to half of its height, without being less than the minimum front setback as established in the [Zoning By-Law](#).
- 9) As much as possible, the buildings should be designed and sited in such a way that the garage entrances and the service areas will not be visible from the public thoroughfare.

Criteria pertaining to architecture

- 10) Any construction should be of high quality. The materials or combinations of materials should demonstrate a concern for authenticity and restraint. The choice of color of a given material could be refused if such color is not compatible with the character of the

neighbourhood. The facing materials should be precast concrete panels, brick or stone (natural or artificial) masonry, glass or any other material considered as equivalent in quality by the City.

- 11) The architectural treatment of a building should be in keeping with the neighbouring buildings.
- 12) The architectural treatment of entirely commercial or office buildings should differ from that of the residential buildings while showing a will of integration.
- 13) All the facades of a building should have the same unified and coherent treatment; the same material or combination of materials should be used on all the facades of the building, whether these facades are visible from the street or not.
- 14) Any non-rooftop mechanical equipment that could be visible from a public thoroughfare or public area should be integrated into the building or hidden by a screen that is integrated into the architecture of the building.
- 15) At least half of the parking spaces required according to the [Zoning By-Law](#) for office uses should be located inside a building and below the level of the ground.
- 16) No building of more than six (6) storeys or 23 metres (75.5 feet) in height should be designed or sited in such a way as to hinder the sun lighting of a habitable room in a residential building at noon on June 21 or in such a way as to unduly shade a neighbouring property.
- 17) No building of more than six (6) storeys or 23 metres (75.5 feet) in height should be designed or sited in such a way as to:
 - a) Generate a wind impact whose average speed at ground level, calculated on an hourly basis, would be greater than 15 km/h in the winter and/or 22 km/h in the summer more than 25% of the time in a public thoroughfare and/or more than 10% of the time in a park, a public square or a rest area.
 - b) Generate gusts of wind at ground level whose speed exceeds 75 km/h at ground level for more than 1% of the time, the reference period for evaluating gusts of wind being 2 seconds or less, with a turbulence of 30%.
- 18) Any addition or alteration to an existing building should be in keeping with its original character and should integrate to its architecture and its style.

Criteria pertaining to the development of the site

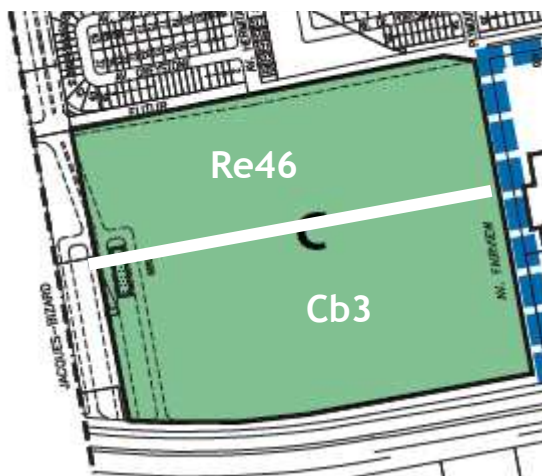
- 19) As many as possible of the mature trees that constitute the woods of better quality according to the forest survey of APPENDIX 2 of the present by-law should be preserved.
- 20) Pedestrian and cycle paths' networks should be designed in order to facilitate safe circulation within the property and easy links with the existing or planned networks in the neighbouring sectors.
- 21) Any possibility of outdoor storage should be excluded.
- 22) Areas for storage of residual waste should be integrated into the architecture of the buildings and should not be visible from the public thoroughfares or from pedestrian pathways; they should be designed to minimize impacts, namely noises and odours.

- 23) Loading and unloading docks should be located and developed as to minimize the impacts associated with vehicular traffic and with delivery and shipping operations, especially near residential buildings.

Additional criteria applicable to residential zone Re46

85. Conformity of a Site Planning and Architectural Integration Programme in zone Re46 shall also be assessed according to the following criteria:

- 1) Residential buildings should be quality built, with large rooms, extensive fenestration, balconies and good soundproofing; they should be designed and sited in order to ensure adequate sun lighting of the apartments.
- 2) With regard to architectural design and landscaping, measures should be taken to ensure the privacy of the residents and protect them from noise and other inconveniences associated with commercial activities and traffic; dwelling units at ground level or on the second floor, with windows or exterior spaces (decks or balconies) at less than 30 metres (98.4 feet) from the Jacques-Bizard corridor or Brunswick Boulevard should, as much as possible, be avoided.
- 3) Commercial and/or office activities should be separated from the residential uses: they should be located in separate buildings or on the lower floors of the residential buildings.
- 4) In the case where a building houses both commercial or office uses and residential uses, entrances to commercial or office uses should be distinct from the entrances to the residential uses and the treatment of the part of the building housing commercial or office uses should be different from the residential part, while using the same materials or combinations of materials.
- 5) Any residential or partially residential complex should have at least two recreational facilities such as a pool, tennis courts, a fitness room or a bicycle path.
- 6) No more than 50% of the lot area should be occupied by impervious surfaces; for the purposes of this provision, a “green roof” shall be considered as pervious.
- 7) All the area located within 15 metres (49.2 feet) from Brunswick Boulevard and, if not sufficiently wooded, all the area located within 25 metres (82 feet) from the right-of-way of the Jacques-Bizard corridor, should be planted with trees and shrubs in sufficient number and size to constitute a buffer zone dense enough to protect the privacy of the residents.
- 8) There should be no building, construction or other accessory structure detached from the principal building other than a pool shed; the latter should only house the mechanical equipment required for the operation of the pool, changing rooms, showers and an area to store garden furniture off-season.



- 9) All the parking spaces required according to the [Zoning By-Law](#) for the residential uses should be indoor and below the level of the ground, except the spaces intended for visitors which shall be necessarily located outside and close to the main entrances to the buildings.

Additional criteria applicable to commercial zone Cb3

86. Conformity of a Site Planning and Architectural Integration Programme in zone Cb3 shall also be assessed according to the following criteria:

- 1) The buildings should be sited around a central pedestrian area.
 - 2) The main facade of the commercial buildings should open onto that area and pedestrians should mainly access to the buildings from that area.
 - 3) The main facade of the buildings should reflect their function (retail commercial or offices) and contain as many openings as possible on the central area in order to contribute to its liveliness.
 - 4) The entrances to the commercial buildings should be clearly visible from the public area.
 - 5) Without necessarily being identical, the buildings should display an integrated architectural treatment using a same architectural vocabulary in its shapes, lines, scale, colours and decorative elements.
 - 6) Bright and intense colours should be used in moderation and reserved to highlight certain building details.
 - 7) Parking areas should preferably be located underground or, if not possible, on the periphery of the complex.
 - 8) Any outdoor parking area should be separated from any lot occupied by a residential building and from any public thoroughfare by a green strip at least 6 metre in width and planted with trees and shrubs.
 - 9) To avoid large expanses of asphalt and provide a few shaded spaces, all outdoor parking area should be broken into parcels no more than 6 000 square metres (64 583.5 square feet) in area and separated by grassed islands planted with trees.
 - 10) Any parking lot more than 1 000 square metres (10 764 square feet) in area should be equipped with sidewalks or paths to provide safe pedestrian circulation.
 - 11) All parking structures should harmonize with the commercial buildings and be of an at least equivalent architectural quality.
 - 12) No office building or other commercial building should be located at less than 25 metres (82 feet) from any lot occupied (or to be occupied) by a residential building.
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- [↶ Area subject to the provisions of the present chapter](#)
 - [↶ Objectives](#)
 - [↶ Criteria pertaining to siting](#)
 - [↶ Criteria pertaining to architecture](#)
 - [↶ Criteria pertaining to the development of the site](#)
-

Area subject to the provisions of the present chapter

- 87.** The provisions of the present chapter shall apply to the area identified as Sector “D” on the “Plan of Sectors Subject to the By-Law”, appended hereto as APPENDIX 1 to form an integral part hereof.

Objectives

- 88.** Within Sector “D”, objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme shall be reviewed are as follows:
- 1) To ensure the development of campus type projects combining offices, commercial establishments, hotels and apartments, adapted to the density and the diversity of the traffic on the peripheral street network, in order to create a truly urban complex, lively, suitable for exchanges and apt to become a major component of the city centre of Pointe-Claire and, possibly, of the whole of the West-Island.
 - 2) To favour the creation of a structured environment, attractive and safe for pedestrians by arranging the different uses and circulation networks and parking areas in order to minimize vehicular traffic within a campus and favour pedestrian circulation
 - 3) To preserve and enhance the quality of the streetscape of the Pointe-Claire section of the Trans-Canada Highway.
 - 4) To favour quality and environmentally sound architecture, respectful of the special character of Pointe-Claire while ensuring a certain architectural homogeneity.
 - 5) To allow the development of quality apartment buildings or complexes where the zoning allows such use, adapted to a predominantly commercial environment and to the density and the diversity of the traffic on the peripheral street network.
 - 6) To limit the impacts of high-rise buildings on wind and sun lighting.

Criteria

- 89.** Conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 88 shall be assessed according to the following criteria:

Criteria pertaining to siting

- 1) The buildings should be sited in an organized manner according to an obvious geometric arrangement, conditioned by the shape of the landsite, the functional relationship between each of the buildings, views and/or sun lighting.

- 2) The minimum setback of any building from any public thoroughfare should be equal to half of its height, without being less than the minimum front setback as established in the [Zoning By-Law](#).
- 3) No more than two thirds of the total surface area of the landsite should be impervious; for the purposes of the present provision, “green roofs” should be considered as pervious.
- 4) As much as possible, the buildings should be designed and sited in such a way that the service areas will not be visible from the public thoroughfare.
- 5) No office building or other commercial building should be located at less than 25 metres (82 feet) from any residential building.

Criteria pertaining to architecture

- 6) All the buildings within a campus should constitute a visually integrated ensemble; to achieve this, the designer should resort to a thematic approach or to a recognized architectural strategy such as the use of the same materials or combinations of materials, of the same details, of the same colours or combinations of colours, or of the same shapes while making sure that the architectural style of each building reflects its function.
- 7) Any construction should be of high quality. The materials or combinations of materials should demonstrate a concern for authenticity and restraint. The choice of colour of a given material could be refused if such colour is not compatible with the character of the neighbourhood. The facing materials should be precast concrete panels, brick or stone (natural or artificial) masonry, glass or any other material considered as equivalent in quality by the City of Pointe-Claire.
- 8) The architectural treatment of entirely commercial or office buildings should differ from that of the residential buildings, when may be, while showing a will of integration.
- 9) All the facades of a building should have the same unified and coherent treatment; the same material or combination of materials should be used on all the facades of the building, whether these facades are visible from the street or not.
- 10) All parking structures should harmonize with the commercial buildings and be of an at least equivalent quality.
- 11) Any mechanical equipment that could be visible from a public thoroughfare or public area should be integrated into the building or hidden by a screen that is integrated into the architecture of the building.
- 12) No building of more than six (6) storeys or 23 metres (75.5 feet) in height should be designed or sited in such a way as to hinder the sun lighting of a habitable room in a residential building at noon on June 21 or in such a way as to unduly shade a neighbouring property any other day of the year.
- 13) No building of more than six (6) storeys or 23 metres (75.5 feet) in height should be designed or sited in such a way as to:
 - a) Generate a wind impact whose average speed at ground level, calculated on an hourly basis, would be greater than 15 km/h in the winter and/or 22 km/h in the summer more than 25% of the time in a public thoroughfare and/or more than 10% of the time in a park, a public square or a rest area;

- b) Generate gusts of wind at ground level whose speed exceeds 75 km/h at ground level for more than 1% of the time, the reference period for evaluating gusts of wind being 2 seconds or less, with a turbulence of 30%.
- 14) Residential buildings should be quality built, with large rooms, extensive fenestration, balconies and good soundproofing; they should be designed and sited in order to ensure adequate sun lighting of the apartments.
- 15) With regard to architectural design and landscaping, measures should be taken to ensure the privacy of the residents and protect them from noise and other inconveniences associated with commercial activities and traffic; dwelling units with windows or exterior spaces (decks or balconies) at less than 30 metres (98.4 feet) from an artery should, as much as possible, be avoided; if not possible, the inconveniences should be reduced by planting trees and/or shrubs in order to create a screen to provide a visual separation between the building and the artery.
- 16) The greening of roofs should be encouraged.
- 17) Any addition or alteration to an existing building should be in keeping with its original character and should integrate to its architecture and its style.

Criteria pertaining to the development of the site

- 18) Parking areas should be located close to the building entrances while minimizing as much as possible the distance to be traveled by vehicles between the public thoroughfare and the said parking areas.
- 19) In order to minimize the impacts on the traffic on the public thoroughfares, the location of vehicular accesses to each of the lots should take into consideration, among other things, the location of the vehicular accesses to the other lots served by these thoroughfares.
- 20) Pedestrian and cycle paths' networks should be designed in order to facilitate safe circulation within the property and easy links with the existing or planned networks in the neighbouring sectors.
- 21) Any possibility of outdoor storage should be excluded.
- 22) Areas for storage of residual waste should be integrated into the architecture of the buildings and should not be visible from the public thoroughfares or from pedestrian pathways; they should be designed to minimize impacts, namely noises and odours.
- 23) Loading and unloading docks should be located and developed as to minimize the impacts associated with vehicular traffic and with delivery and shipping operations, especially near residential buildings.
- 24) In any residential or office building, at least 40% of the parking spaces required according to the [Zoning By-Law](#) should be indoor.
- 25) Any outdoor parking area serving an office building, a hotel or any other commercial establishment should be separated from any lot occupied by a residential building and from any public thoroughfare by a green strip at least 6 metres (19.7 feet) in width and planted with trees and shrubs.

- 26) At least 40% of the outdoor parking spaces serving a hotel should be hidden from the public thoroughfare and from the other components of the complex by a vegetal screen, a berm, an architectural wall or an equivalent strategy.
 - 27) Any residential building or complex should have one or several landscaped areas totalling at least 5 square metres per dwelling unit (excluding any area intended for vehicular circulation or parking), to be used exclusively by the residents.
 - 28) To avoid large expanses of asphalt and provide a few shaded spaces, all outdoor parking area should be broken into parcels no more than 6 000 square metres (64 583.5 square feet) in area and separated by grassed islands planted with trees.
 - 29) Any vegetal screen, berm, green strip, landscaped area, grassed island planted with trees or other landscape development required according to criteria 25), 26), 27) and 28) above should be subject to a plan prepared by a landscape architect and include enough trees or shrubs of calibers or sizes sufficient to perform its screening function or provide significant shaded areas.
 - 30) Any parking lot more than 1 000 square metres (10 764 square feet) in area should be equipped with sidewalks or paths to provide safe pedestrian circulation.
 - 31) Exterior lighting should be designed to ensure good visibility of the premises, generate a feeling of safety for users while avoiding glare on adjacent properties and/or public thoroughfares, through such means as limiting the height of street lamps, directing light to the ground and using equipment that limits lateral diffusion of light.
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- 🔗 [Properties subject to the application of the present chapter](#)
 - 🔗 [Objectives](#)
 - 🔗 [Criteria](#)
 - 🔗 [Criteria specific to Mega-Centre des Sources](#)
 - 🔗 [Criteria specific to Plaza Pointe-Claire shopping centre](#)
-

Properties subject to the application of the present chapter

90. The provisions of the present chapter apply to any large or medium-sized commercial project, whether such project is located in a sector of the Plan of APPENDIX 1 or not.

Objectives

91. Objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme for a large or medium-sized commercial project shall be reviewed are as follows:

- 1) To preserve and enhance the quality of the streetscape of the City of Pointe-Claire section of the both Highways.
- 2) To promote design excellence and originality in the architectural treatment and the selection of building materials.
- 3) To ensure that projects are harmoniously integrated with the dominant characteristics of their surroundings.
- 4) To favour the creation of structured, attractive environments that are safe for pedestrians.
- 5) Considering the industrial environment of the northwest quadrant of the Sources/A40 interchange, to favour at this location the development of larger size specialized commercial establishments rather than standard medium or small size establishments normally found in a conventional shopping centre.

Criteria

92. Conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 91 above shall be assessed according to the following criteria:

- 1) Facades should reflect the function of the building and, at the same time, harmonize with the characteristics of the surrounding urban fabric.
- 2) The architectural expression of the building and its detailing, colours and materials should be coordinated on all of its facades in order to create a coherent and visually interesting image.
- 3) The lateral and rear walls visible from a public thoroughfare should be given careful consideration and present an architectural character that blends in with the main facade.
- 4) The materials used should be chosen so as to ensure continuity of treatment and a finished appearance of the building.

- 5) Accesses and entrances should be designed, positioned and treated in such a way as to be immediately visible.
- 6) Any rooftop equipment that could be visible from a public thoroughfare should be integrated into the building or hidden by a screen that is integrated into the architecture of the building.
- 7) Loading docks and manoeuvring areas should be designed, positioned and treated in such a way as to minimize the impacts associated with vehicular traffic, namely trucks, and deliveries, particularly near residential zones.
- 8) Areas for the storage of residual waste should be integrated into the architecture of the building and be designed so as to minimize the nuisance associated with them, particularly noise and odours.
- 9) When permitted according to the [Zoning By-Law](#), outdoor storage should be consigned to an area reserved for this purpose and be integrated into the building's architecture and landscaping.
- 10) Next to residential environments, landscaping should include a buffer zone to limit the impacts generated by the presence of commercial activities, especially the comings and goings in the loading and unloading areas as well as in the parking areas.
- 11) To avoid large expanses of asphalt and provide a few shaded parking spots, outdoor parking lots should be divided in areas not exceeding 1 000 square metres (10 764 square feet) separated by grassed islands planted with trees.
- 12) Any parking lot should be separated from residential zones and public thoroughfares by a band of greenery planted with trees and shrubs.
- 13) Any parking lot exceeding 1 000 square metres (10 764 square feet) in area should have sidewalks or alleys to ensure safe pedestrian circulation.
- 14) Exterior lighting should be designed to ensure good visibility of the premises, generate a feeling of safety for users while avoiding glare on adjacent properties and/or public thoroughfares, through such means as limiting the height of street lamps, directing light to the ground and using equipment that limits lateral diffusion of light.
- 15) The building should be sited and the outdoor spaces be developed in such a way as to provide secure and attractive pedestrian walkways between the public thoroughfare and the entrances to the building.
- 16) The greening of roofs should be encouraged.
- 17) The signage strategy should only allow signs made of a combination of pictograms and detached letters, installed on a horizontal element of uniform height, such as the peripheral beam of an exterior covered mall, or installed on a wall, but under the roof line of the building.

Criteria specific to Mega-Centre des Sources

93. On the Méga-Centre property, conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 91 above shall be assessed according to the following criteria:

- 1) The master plan should show several detached buildings rather than one or two large strip mall type buildings. Such centre should count at least two (2) one storey single tenant buildings with a minimum of 1,115 square metres (12,002 sq. ft.) and a maximum of 1,672 square metres (17,998 sq. ft.) of floor area. A building or a building or group of buildings to be built in a same construction phase should have a floor area of 5,000 square metres (53,820 sq. ft.) or more.
- 2) The master plan should be established in such a way that:
 - a) The maximum total number of establishments for the whole project should not exceed forty (40);
 - b) No establishment should be less than 185 square metres (1 991.5 square feet) In rental floor area;
 - c) In the whole centre, no more than one (1) establishment should be less than 370 square metres (3 983.0 square feet) In rental floor area;
 - d) The two one-storey single tenant buildings referred to in paragraph 1) above should not be occupied by more than one establishment each;
 - e) Any building of 11 000 square metres (118 407 square feet) or more in rental floor area should include at least one establishment 2 600 square metres (27 987 square feet) or more in rental floor area;
- 3) The two (2) one storey single tenant buildings referred to in paragraph 1) above, are located such that the visibility of the parking areas is minimal from the Trans-Canada Highway.
- 4) The green belt referred to in article 92.12) above should be at least 6 metres (19.7 feet) in width; and in addition to the green belt, the green space should represent at least 5% of the total area of the property.
- 5) The architectural treatment should be equal to or superior, in quality, to that of the most prestigious industrial buildings of the Trans-Canada corridor: the main facing material being off-white or sand colour precast concrete panels or like coloured brick with precast elements with light green/aged copper colour roofing materials. The glass should be clear or tinted to harmonize with both the facing and the roofing materials. For certain parts of the rear walls of the construction, channelled or grooved cement blocks of the same colour as the precast concrete panels are acceptable, provided that an architectural strategy renders those walls less visible from Sources, the Trans-Canada Highway, Bovis and Brunswick.

Criteria specific to Plaza Pointe-Claire shopping centre

- 94.** Within the property of Plaza Pointe-Claire, conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 91 above shall be assessed according to the following criteria:
- 1) The commercial facilities should be separated from the residential sector by a buffer zone, at least 6 metres (19.7 feet) in width, and landscaped in order to provide a visual screen at least 2.5 metres (8.2 feet) in height, without using fences more than 1.2 metre (3.9 feet) in height.

- 2) The internal road network, whether or not it is made of one or several local streets, public or private alleys and parking areas, should be laid-out as to avoid any direct connection between the commercial and residential sectors.
 - 3) A link should be provided between the parking lot of the east wing of the shopping centre and the west parking lot, in order to allow an easy and direct link between the parking lots without having to leave the property of the shopping centre.
 - 4) An indoor link should ensure shoppers an easy connection between both ends of the shopping centre.
 - 5) The architectural treatment should be homogeneous as seen from Donegani, between the garden center and its storage area through the new extension, with much sobriety, particularly with respect to signage.
 - 6) Delivery facilities, loading and unloading docks and/or truck doors should not be visible from the public streets.
 - 7) There should be no vehicular access from Drake Avenue.
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- [Activities subject to the application of the present chapter](#)
 - [Objectives](#)
 - [Criteria](#)
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Activities subject to the application of the present chapter

95. The provisions of the present chapter apply to any parking structure to be built, extended or modified anywhere within the territory of Pointe-Claire, whether such parking structure is located in a sector of the Plan of APPENDIX 1 or not.

Objectives

96. The objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme for a parking structure shall be reviewed are as follows:
- 1) To reduce the environmental impacts associated with the use of automobiles.
 - 2) To favour a better use of the urban space.
 - 3) To ensure the best possible visual integration of parking structures to the built landscape.

Criteria

97. Conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 96 above shall be assessed according to the following criteria:
- 1) Resorting to a parking structure should improve the efficiency of parking spaces by bringing them closer to the use that they serve.
 - 2) Resorting to a parking structure should allow an increase in the land use intensity while reducing impervious surfaces, thus preserving more green spaces.
 - 3) The parking structure should harmonize with the building it serves, preferably faced with the same material.
 - 4) A parking structure should be built in such a way to ensure the safety of the users: it should be well lit at all times and the stairwells serving the various floors should be open or sufficiently glazed.
 - 5) The outside perimeter of a parking structure should be open on at least 40% of its floor to ceiling height and on at least 90% of its perimeter non-attached to a principal building. Any parking structure that does not meet this condition should be subject to all the provisions applicable to a principal building: among other things, it should be included in the floor area and the ground area for the calculation of the floor space index and the lot coverage.
 - 6) The access ramps to the parking floors should preferably be within the parking structure; if they have to be outside, they should be designed in a spiral shape to avoid long straight sections.

- 7) Any parking structure should be surrounded by a green belt at least 3 metres (9.8 feet) in depth on 75% of its perimeter non-attached to a principal building.
 - 8) The stacking area for the snow should not be included in the area of the green belt required in the above sub-paragraph.
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- [Activities subject to the application of the present chapter](#)
 - [Exceptions](#)
 - [Objectives](#)
 - [Criteria](#)
 - [Criteria for solar walls](#)
 - [Criteria for solar panels](#)
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Activities subject to the application of the present chapter

98. The provisions of the present chapter apply to any project for the construction, installation or modification of one or more solar collectors that will be visible from a public street, anywhere within the territory of Pointe-Claire, whether such project is located in a sector of the Plan of APPENDIX 1 or not.

Exceptions

99. The use for domestic purposes of a single solar panel with an area of no more than 0.75 square metre (8 square feet), installed flat on the roof of an ancillary building, is not subject to the present chapter.

Objectives

100. The objectives according to which an application for the approval of a Site Planning and Architectural Integration Programme for solar collectors shall be reviewed are as follows:
- 1) In a sustainable development perspective, to encourage the use and the development of technologies for collecting and using solar energy to reduce the consumption of fossil fuels or hydroelectric power from conventional sources.
 - 2) To allow owners to use non-polluting renewable energies without compromising the urban aesthetics.

Criteria

101. Conformity of a Site Planning and Architectural Integration Programme to the objectives stated in article 100 shall be assessed according to the following criteria:

Criteria for solar walls

- 1) Solar walls should be allowed to serve institutional buildings under the auspices of a public body, the multi-family buildings of eight (8) dwellings or more, industrial buildings and commercial buildings.
- 2) A solar wall should only meet the needs of the building on which it is installed.
- 3) Solar walls should be permitted only if it is demonstrated, by a study conducted by a qualified professional specifically for the project under revision, that the use of this technology will permit substantial savings in comparison with the consumption of conventional energy sources.

- 4) A solar wall should be installed on only one facade of a building and should not occupy more than 60% of the total area of said facade.
- 5) A solar wall should not exceed the limits of the facade on which it is installed.
- 6) The material of a solar wall should, by its composition, shape, texture and colour, integrate harmoniously with the main cladding material, and in general with the architecture of the building.
- 7) A solar wall should in no way obstruct a window or encroach on a cornice or another decorative element of the building.

Criteria for solar panels

- 8) Solar panels installed on a wall should be visually integrated with the cladding material of the building.
- 9) Solar panels should be located in places that are not much visible, not to be noticed as a dominant component of the building.
- 10) Solar panels installed on the roof of a building should be incorporated in a discreet and modest manner not to compromise the architectural integrity and style of the building.
- 11) The total area of solar panels serving a particular building should not exceed 50% of the lot coverage of said building.

For the purposes of the above paragraph, the area of a solar panel is the area of the geometric shape that constitutes the panel, generally a rectangle, and not the size of its projection on the ground if said panel is installed at an angle.

- 12) The installation of a solar panel should not justify felling a mature tree considered healthy by the Parks and Horticulture Division of the City.
 - 13) A solar panel on a roof should only be installed flat on a sloped roof or on a supporting structure on a flat roof; in the latter case, it should be installed at an angle to optimize the collection of solar radiation without exceeding a total height of installation of 1.5 metres (4.9 feet).
 - 14) No solar panel installed flat on a slope roof should exceed the limits of said roof.
 - 15) When a solar panel installed on a supporting structure on a flat roof, it should be as far as possible from the peripheral limits of the roof, so as to be less visible from public streets.
 - 16) Pipes or wires necessary for the operation of a solar panel should be the same colour as the surface on which they are installed, or otherwise concealed.
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Violation, Penalties and Recourse

- 102.** Anyone who proceeds with an operation subject to this by-law without prior approval according to the procedure described in Chapter 2 and/or anyone who contravenes the conditions of approval of his application commits an infraction and is liable, not including the costs, to a fine of:
- 1) For a first infraction, a minimum of \$ 500 if the offender is a physical person and \$ 1000 and if the offender is a legal person and a maximum of:
 - a) \$1,000 if the offender is a physical person,
 - b) \$2,000 if the offender is a legal person;
 - 2) For a repeat infraction, a minimum of \$ 1000 if the offender is a physical person and \$ 2000 if the offender is a legal person and a maximum of:
 - a) \$2,000 if the offender is a physical person,
 - b) \$4,000 if the offender is a legal person.
- 103.** Upon being notified by the Director, one must suspend the work and submit an application according to the procedure set herein or, as the case may be, comply with the conditions of approval of the application.
- 104.** After notification by the Director, every day during which the work is carried on shall be accounted as a repeat infraction.
- 105.** In addition to obtaining recourse by imposing penalties, the City may, before the Courts entertaining jurisdiction, exercise any legal recourse against any natural or legal person, to enforce compliance with the provisions of this by-law, including, among others,
- 1) To prevent the registration of a subdivision plan;
 - 2) To prevent or halt the felling of a tree and/or the total or partial demolition of a building or a structure undertaken in violation of the provisions of this by-law;
 - 3) To prevent or halt any construction or development work undertaken in violation of the provisions of this by-law;
 - 4) To obtain the demolition of any building, addition or alteration made in violation of the provisions of this by-law;
 - 5) To obtain the reconstruction of any building or structure demolished, extended or modified in any other way in violation of the provisions of this by-law;
 - 6) To obtain the replacement of any mature tree felled in violation of the provisions of this by-law.

Coming into force

106. The present by-law comes into force according to the Law.

Bill McMurchie, Mayor

Jean-Denis Jacob, City Clerk
