

## Chapter 8

### **ADDITIONAL PROVISIONS APPLICABLE TO THE VILLAGE OF OLD POINTE-CLAIRE AREA**

#### *Area subject to the provisions of the present chapter*

- 48.** In addition to the provisions of Chapter 3, the provisions of this chapter apply to the Village of Old Pointe-Claire Area, as shown on the "Plan of sectors subject to the By-law", appended hereto as Appendix "A" to form an integral part hereof.



#### *Additional activities covered*

- 49.** Within the Village of Old Pointe-Claire Area,
1. in addition to the activities covered according to Article 29, the delivery of a permit or certificate of authorization to fell a tree more 35 cm (14") in diameter or to landscape or modify the landscaping of a property other than by planting trees or shrubs, is also subject to prior approval of a site planning and architectural integration program according to the procedure established in Chapter 2 of this by-law;
  2. notwithstanding the provisions of paragraph 5 of Article 29, 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 program according to the procedure established in Chapter 2 of this by-law.

#### *Additional documents to be provided*

- 50.** Within the Village of Old Pointe-Claire Area, in addition to the documents and information required according to Article 24, any application for the approval of a site planning and architectural integration program 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 Village of Old Pointe-Claire Area*

- 51.** Within the Village of Old Pointe-Claire Area, in addition to the objectives established in Article 30, an application for the approval of a site planning and architectural integration program shall also be reviewed according to the following objectives:
1. To preserve the special character of the Village of Old Pointe-Claire Area 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 Village of Old Pointe-Claire Area.

*Additional criteria applicable to the Village of Old Pointe-Claire Area*

- 52.** Within the Village of Old Pointe-Claire Area, in addition to the criteria established in Article 31, conformity of a site planning and architectural integration program to the objectives set in Articles 30 and 51 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:
    - i) on a lot situated between two lots that are already built, the minimum 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;
    - ii) on a lot at the intersection of two streets, the minimum 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 30cm 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 Village of Old Pointe-Claire Area; 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. In cases of construction of new buildings, imaginative architecture should be favoured that seeks, without trying to imitate or copy old buildings, to suggest the traditional architecture of the City by repeating its forms and use of materials, colours, and decorative elements.
  8. Buildings most likely to integrate with the village architecture are those whose principal component can be described as follows:
    - i) 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;

- ii) 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 another (a third) full or partial storey.
9. 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.
10. 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.
11. Integration with the village architecture must also take into account the openings (doors and windows) visible from the public street, as follows:
  - i) in residential zones, the total area of windows apart from dormers should not exceed 30% of the facade;
  - ii) 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;
  - iii) notwithstanding the preceding subparagraph, patio doors should be avoided on any facade visible from the street;
12. 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 cm 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.
13. 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.
14. For additions other than sunrooms, use of wall or roof materials other than those used on the building proper should be avoided.
15. On all constructions, use of any phosphorescent or fluorescent colour should be avoided.
16. 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. The City may require the applicant to produce, at his cost, a certification from a landscape architect who is a member of the AAPQ to the effect that the proposed plantings comply with this criterion.

17. 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.
18. Any application for the issuance of a certificate of authorization related to the demolition or the moving of a structure subject to the application of the present by-law, shall be reviewed in relation with the following criteria:
  - i) 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.
  - ii) Notwithstanding the provisions of paragraph i), 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 village sector of old Pointe-Claire.
  - iii) 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.

## Chapter 9

### **ADDITIONAL PROVISIONS APPLICABLE TO THE INSTITUTIONAL CORE OF "LA POINTE-CLAIRE"**

#### *Area subject to the provisions of the present chapter*

53. In addition to the provisions of Chapter 3 and the provisions of Chapter 8 applicable to the Village of Old Pointe-Claire Area, 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 "A" to form an integral part hereof.

#### *Additional objectives applicable to the Institutional Core of "La Pointe-Claire"*

54. Within the Institutional Core of "La Pointe-Claire", in addition to the objectives established in Article 30 and to the objectives applicable to the Village of Old Pointe-Claire Area, an application for the approval of a site planning and architectural integration program shall also be reviewed according to the following objectives:

1. 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. 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"*

- 55.** Within the Institutional Core of "La Pointe-Claire", in addition to the criteria established in Article 31 and to the criteria applicable to the Village of Old Pointe-Claire Area, conformity of a site planning and architectural integration program to the objectives set in Articles 30, 51 and 54 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 authorized 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 authorized 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 authorized, even if it is to replace a building which is not a building of heritage value 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:
    - i) would fully conform to the objectives set in Article 54 above;
    - ii) 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*

- 56.** Criteria 8 and 9 of Article 31 do not apply to the Institutional Core of "La Pointe-Claire".