

Chapter 3

ACTIVITIES COVERED AND OBJECTIVES AND CRITERIA APPLICABLE TO ALL THE AREAS

Activities subject to prior approval of a site planning and architectural integration program

- 29.** Within any area as well as for any property identified as subject to the present by-law in Article 6 above, delivery of a permit or a certificate of authorization required for
1. a cadastral operation relating to the creation of a new landsite to allow the construction of a new building,
 2. a cadastral operation relating to a consolidation of lots,
 3. the construction of a new principal building,
 4. 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 or carport,
 5. an alteration, visible from the street, which affects significantly the appearance or the style of a building by implying, for example, the addition or the removal of doors or windows, the replacement of the main cladding material by another material, the demolition of an original part of the building which contributes to its style, or a modification of the roof shape,
 6. the total or partial demolition of a principal building or the moving of a building,

is subject to prior approval, by Council, of a site planning and architectural integration program according to the procedure established in Chapter 2 of this by-law.

Objectives applicable

- 30.** For any operation subject to the application of this by-law according to Article 29 above, the objectives according to which an application for the approval of a site planning and architectural integration program 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 favour architectural design quality for new buildings and for additions and/or alterations to existing buildings.

4. 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 for any property identified as subject to the application of this by-law, conformity of a site planning and architectural integration program to the objectives set in Article 30 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 authorized 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.
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.
13. 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, colonnaded porticos.
14. The building design should use an architectural vocabulary similar to or compatible with the ones already in use in the neighbourhood; 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.
15. 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.
16. 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.

17. A building should not have large plane or blind surfaces nor multiple and/or large predominant or protruding garage doors on its front facade.
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; only the City will have authority to decide whether a new material meets the present criterion. 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. The appearance of a building should not be jeopardized if its architectural quality or style contributes to the special character of its neighbourhood.
20. 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

21. 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.
22. All undertakings should give precedence to conservation and authenticity over replacement and imitation.
23. 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.
24. 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 a such a building of interest should not be authorized if they dominate the original building in terms of either volume or architectural style.
25. 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.
26. 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

27. Any space visible from the street should be landscaped with a quality at least equal to that of the other properties on the street.
28. Driveways and other impervious surfaces should be limited to a minimum; natural pervious surfaces, such as grass and other landscaping elements, should be favoured.

Criteria pertaining to the establishment of parking areas

29. 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.
30. 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.