

**BY-LAW 2009-09
CONCERNING A PROGRAM FOR SITING AND
ARCHITECTURAL INTEGRATION
« PIIA »**

**VILLAGE
D'AYER'S CLIFF**



**l'Esprit des Cantons
the Spirit of the Townships**

**Includes the amending by-laws :
#2010-18 (MJ2 – Janvier 2011)**

September 2009

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**PROVINCE DE QUÉBEC
M.R.C. DE MEMPHRÉMAGOG
VILLAGE D'AYER'S CLIFF**

**BY-LAW ON THE PROGRAM FOR SITING
AND
ARCHITECTURAL INTEGRATION
(PIIA)**

At a regular meeting of the council of the Municipality of Ayers' Cliff, at École Saint-Barthélemy, on September 8, 2009, in accordance with the law, and at which are present councillors Patrick Proulx, Roger Dumouchel, Isabel Marcotte and France Coulombe-Goodsell, forming a quorum under the chairmanship of the mayor, Mr. Vincent Gérin.

BY-LAW 2009-09

WHEREAS the Municipality has the power, by virtue of the law, to adopt a by-law related to the program for siting and architectural integration and to subject the issuing of certain permits and certificates of authorization to its application;

WHEREAS a Planning Advisory Committee has been formed in accordance with the law;

WHEREAS certain parts of the territory of the Municipality, the village centre and the shoreline properties constitute a territory where it is important to properly control physical interventions on the built framework and the landscaping of properties to encourage the emergence of an identifiable living environment that will help promote a sense of belonging;

WHEREAS the application of the technique of a PIIA for this territory can be seen as an essential complement to the traditional planning by-laws that apply;

WHEREAS the applicable adoption procedure has been duly followed;

FOR THESE REASONS, the council orders as follows:

CHAPTER I

DECLARATORY AND INTERPRETIVE PROVISIONS

Section I: Declaratory provisions

	TITLE	1
This by-law is entitled "The Siting and Architectural Integration Program By-law" (or PIIA).		
	TERRITORY COVERED	2
This by-law applies to the entire territory of the village with the exception of the agricultural zones.		

Section II: Interpretive provisions

TERMINOLOGY 3

The expressions and words used in this by-law have the specific meaning given according to the following order of precedence:

- (1) This by-law;
- (2) The Zoning By-law;
- (3) The Subdivision By-law;
- (4) The Permits and Certificates By-law.

SPECIFIC DEFINITIONS 4

Unless the context indicates a different meaning, the following are understood to mean:

«Centre du village» - Village centre: Includes the zones Com-2, Com-3, Com-4, Com-5, Ind-1, Ind-2, Pub-2, Pub-3, Res-10, Res-11, Res-12, Res-14.

SYSTEM OF MEASUREMENT 5

Dimensions in this by-law are given in metric units of the International System (IS).

CHAPTER II

ADMINISTRATIVE PROVISIONS

Section I: Application of the by-law

ADMINISTRATION OF THE BY-LAW 6

The secretary-treasurer and director-general of the municipality is responsible for the administration of the by-law.

APPLICATION OF THE BY-LAW 7

The inspector is responsible for applying this by-law. He is specifically authorized to issue reports of infraction for any contravention of this by-law.

The council may, by resolution or by-law, authorize any other person to issue a report of infraction related to any contravention of this by-law.

POWERS OF THE PERSON CHARGED WITH APPLICATION 8

The person charged with applying the by-law exercises the powers given to him by this by-law; specifically, he may:

(1) Visit and examine, between 7 am and 7 pm, any immovable or movable property, as well as the interior and exterior of any house, any building or any other edifice to ascertain whether this by-law and other municipal by-laws of the council are being respected there, to check on any information or verify any fact and to see all that is necessary for the municipality to exercise the power conferred on it by a law or regulation, issue a permit, give a notice of compliance for an application, or give an authorization or any kind of permission. To do this, the person charged with the application of the by-law may take measurements, photograph the premises and collect samples, if needed.

(2) Give an official warning to temporarily evacuate any building the condition of which could endanger the lives of any person;

(3) Give notice to have any repair work that he deems necessary for the safety of the construction, and recommend to the council any emergency measure that should be taken;

(4) Give notice that any situation that constitutes an infraction to this by-law shall be rectified;

(5) Recommend to the council to take any measures necessary to halt construction or the use of part of a lot, a lot, a building or a construction that is incompatible with this by-law.

**THE OBLIGATION
OF THE OWNER OF
THE MOVABLE OR
IMMOVABLE TO
ALLOW ENTRY**

9

The property owner, tenant or occupant of a movable or immovable property, of a house, a building or an edifice is obliged to allow the inspector or his assistant, as the case might be, to enter for the purpose of inspection, between the hours of 7 am and 7 pm, in carrying out or ensuring that this by-law, other by-laws or other resolutions of the council are respected.

Section II: Permits and certificates under the by-law and the procedure for building a file

**PERMIT OR
CERTIFICATES
REQUIRED**

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The issuing of a building permit or a certificate of authorization for the work described below, in the area covered by this by-law (see article 2) and provided that it is part of a type of PIIA, is subject to this by-law. The following works are covered:

- (1) Any proposed construction of a new building;
- (2) Any renovation, restoration, conversion or exterior enlargement that affects the exterior appearance of the various elevations of the building, with the exception of the following works:
 - a) Urgent, temporary repair of a part of the building that presents a danger for the safety of persons;
 - b) The replacement of roofing materials by similar materials, *or by black, brown, grey or dark green asphalt shingles*, provided that the roof retains its same shape, unless the material is non-complying; in which case the issuing of the certificate is subject to this by-law; **(By-law 2010-18)**
 - c) The replacement of a window, door or veranda by elements of the same dimensions, same type and same colour, unless this type of window, door or veranda is not recommended by this by-law, in which case the issuing of the certificate is subject to this by-law;
 - d) The replacement of existing exterior wall cladding by a similar material of the same colour, unless this material is prohibited in the Zoning By-law, in which case the issuing of the certificate is subject to this by-law;
- (3) Moving a construction or structure;
- (4) Starting, enlarging, reconstruction, modification, repair, moving, installation of a sign or painting a sign;
- (5) The construction or installation of a mural;

(6) Backfilling and excavation works modifying the natural level of the land that is higher than 1 m, and not for the purpose of levelling the land in relation to the average level of the adjoining road;

(7) Installation of a fence.

**OBLIGATION TO
PRODUCE A SITING
AND
ARCHITECTURAL
INTEGRATION PLAN 11**

Any person who wishes to obtain a permit or certificate that is subject to this by-law shall submit plans related to the siting and architecture of the structures or constructions and the landscaping of the properties and the related work, to the Municipality.

**ACCOMPANYING
DOCUMENTS FOR A
BUILDING PERMIT
OR A CERTIFICATE
OF AUTHORIZATION 12**

Any documentation related to the siting and architectural integration submitted to the Municipality shall contain at least the following elements:

(1) In the case of an application for a building permit, it is also necessary, in addition to the plans and documents already provided as part of the application for a permit required in the Permits and Certificates By-law, to provide the following information:

- a) Sketches of each elevation showing the architectural details of the proposed works, namely:
 - i) volumetry (height, width, depth, number of floors, etc.);
 - ii) the nature of the materials used for the exterior wall covering and their colour;
 - iii) the shape and dimensions of the roofs as well as the nature and colour of the materials used for these purposes;
 - iv) the architectural style of building;
 - v) the location, form and dimensions of the fenestration and the openings (doors);

- b) photos, as required, showing the building for each elevation, before the work, as well as a sequence of photos showing the building that is the subject of the application, and adjacent buildings on both sides (3 for each side) and in front (facing) (1 in front and 3 on either side of the building);
- c) A topographical plan of the proposal at the scale of the layout of the entire project area, showing the proposed parking areas, private landscaping proposed (sidewalks, shrubs, trees, fences, earthworks, etc.);
- d) Brochures, samples or photos showing the types of materials, windows or other equipment, as the case might be.

This information shall make it possible for the members of the Planning Advisory Committee and the council, to have a clear understanding of the work and to analyze the integration according to the objectives and assessment criteria listed for the buildings covered by this application.

(2) In the case of a repair or renovation, the following information is required, in addition to the plans and documents already provided as part of the application for a certificate of authorization required by the permits and certificates by-law:

- a) Photos showing the building covered by the works;
- b) A sequence of photos showing the building and the adjacent buildings on either side, as the case might be;
- c) A sketch of the facades that are the subject of modifications (repairs or renovation) showing the kind of changes (material, colour, openings, etc.);
- d) Brochures, samples or photos showing the kind of materials, windows or other equipment, as the case might be.

The information shall allow members of the Planning Advisory Committee and the Council to have a clear understanding of the work and to analyse the integration according to the objectives and assessment criteria listed for the work contemplated in this application.

(3) In the case of the installation of a sign or mural, the following information must be provided, in addition to the plans and documents already provided as part of the application for a certificate of authorization required in the Permits and Certificates By-law:

- a) Photos showing the building on which the sign or mural will be attached, or the property on which the sign will be installed, with the building housing the establishment for which the application for the sign is being made, if such is the case, in the background;
- b) A sequence of photos showing the building or property covered and those adjacent on either side;
- c) A colour sketch of the sign or mural covered by the certificate and the landscaping planned for around it, as the case might be.

The information shall allow the members of the Planning Advisory Committee and the council to have a clear understanding of the work and to analyze the integration according to the assessment criteria listed for the works contemplated by this application.

(4) In the case of backfill or excavation work, in addition to the plans and documents already provided as part of the application for a certificate of authorization and required by the Permits and Certificates, the following information is required:

- a) A document indicating the methods used to carry out the infill work, as the case might be. When the work requires dynamiting, information about the extent and timing of the work shall be provided. Also to be included is a written commitment to inform the municipality at least 48 hours in advance of the date of dynamiting work to be carried on at the site.

The information shall allow the members of the Planning Advisory Committee and the council to have a clear understanding of the work and to be able to analyze the integration according to the objectives and assessment criteria listed for the work covered by this application.

(5) In the case of the installation of a fence, in addition to the plans and documents provided as part of the application for a certificate of authorization and required by the Permits and

Certificates By-law, the following shall be provided:

- a) Photos showing the proposed placement of the fence with the principal building or any other building on the property in the background, as the case might be;
- b) A sequence of photos showing the property that is the subject of this application and adjacent properties on either side;
- c) A colour sketch of the fence, a brochure showing the type of fence or a photo showing a fence of this type.

The information shall allow the members of the Planning Advisory Committee and the council to have a clear understanding of the work and to be able to analyze the integration according to the objectives and assessment criteria listed for the work covered by this application.

**PROCEDURE FOR
THE APPLICATION 13**

All plans, documents and information required by virtue of this by-law shall be given to the municipal office of the Village of Ayer's Cliff with the application for the permit or certificate subject to this by-law.

**COMPLIANCE WITH
THE PLANNING BY-
LAWS 14**

The inspector is charged with checking whether the application is complete and in compliance with the applicable planning by-laws. When it is in compliance, the inspector forwards the application to the Planning Advisory Committee within a maximum of 30 days from the presentation of the duly completed application.

**EXAMINATION BY
THE PLANNING
ADVISORY
COMMITTEE 15**

The Planning Advisory Committee is charged with assessing the application in terms of the objectives and assessment criteria set out in this by-law. If the Planning Advisory Committee deems it relevant, it may ask to hold a meeting with the applicant and may visit the site.

The Planning Advisory Committee is responsible for forwarding its assessment of the application in writing to the municipal council. This assessment shall include a recommendation to

approve or refuse the siting and architectural integration plans submitted, and in the latter case, the committee's reason for recommending refusal of the application. The assessment by the Planning Advisory Committee may also suggest modifications intended to make the plans acceptable with regard to the objectives and criteria set out in this by-law. In this case, these amendments shall be approved by the applicant before the council makes its decision.

APPROVAL BY THE COUNCIL 16

Following the examination by the Planning Advisory Committee, the Council shall, by resolution, approve the siting and architectural integration plans or refuse them. In the event of a refusal, the resolution that does not approve the plans shall give the reasons for the refusal. A copy of this resolution is forwarded to the person who presented these plans.

CONDITIONS FOR APPROVAL 17

The Council may also require, as a prior condition for approval of the plans and in accordance with the powers vested in it by the law that:

- (1) The applicant carry out and finish the work outlined in the plans accepted in a shorter time than that set in the Permits and Certificates By-law;
- (2) The applicant provide financial guarantees as determined by the council;
- (3) The property owner defray the costs of certain aspects of the plan, specifically for infrastructures or equipment.

Section III: Contraventions and sanctions

	INFRACTIONS AND PENALTIES	18
<p>Whosoever contravenes a provision of this by-law commits an infraction and is liable:</p> <p>(1) For a first infraction, a fine of \$500 to \$1,000 in the case of a physical person (individual) or a fine of \$1,000 to \$2,000 in the case of a moral person (for example, a company);</p> <p>(2) In the case of a repeated offence, a fine of \$1,000 to \$2,000 in the case of a physical person; or a fine of \$2,000 to \$4,000 in the case of a moral person.</p>		
	CONTINUING INFRACTION	19
<p>When an infraction lasts for more than one day, the penalty is applied for each day or fraction of a day that it continues.</p>		
	REPEATED OFFENCE	20
<p>When the by-law contemplates a more serious penalty in the case of a repeated offence, it may only be imposed if the repeated offence took place within the two years following the declaration of guilt of the offender for an infraction of the same provision as that for which a greater penalty is now sought.</p>		
	CIVIL RECOURSE	21
<p>In addition to penal recourse, the municipality may exercise any civil recourse at its disposal before the court to have the provisions of this by-law respected.</p>		
	COSTS	22
<p>The costs are added to the penalties set out in this by-law. They include the costs attached to the execution of the judgement.</p>		

CHAPTER III

ASSESSMENT OBJECTIVES AND CRITERIA ACCORDING TO THE ZONES, CATEGORIES OF CONSTRUCTION, PARCELS OF LAND AND WORK CONTEMPLATED

TYPES OF PIIA

23

This by-law is based on groups of constructions or structures and parcels of land forming different types of PIIA. Each type of PIIA has its own list of objectives and assessment criteria.

Types Class name

PIIA-1 Buildings and parcels of land with historical and heritage interest in the village centre.

PIIA-2 Buildings and parcels of land with a commercial, residential, industrial or institutional vocation situated in the village centre, other than those treated in PIIA-1.

PIIA-3 Signs and murals situated within the urbanized limits and the industrial zones.

PIIA-4 Filling and excavation work changing the natural level of the properties by more than 1 m in height, not carried out to level the land in relation to the average level of the adjacent road on all of the territory with the exception of agricultural zones.

PIIA-5 Parcels of land and buildings with a residential or commercial lodging vocation situated on the shores of Lake Massawippi or the Tomifobia River.

PIIA-6 Vacant lands and lands serving as the site for a principal building that has been enlarged in area or height by more than 10%, across the entire territory except in the agricultural zones and those already covered by the PIIA-1, PIIA-2 and PIIA-5

PIIA-7 Fences installed inside the limits of the urbanized area, to the rural zone and the industrial zones.

**PIIA-1, OF HERITAGE
INTEREST, IN THE
VILLAGE CENTRE**

Buildings and parcels of land of historic and heritage interest in the centre of the village situated at the addresses listed inside the territory subject to article 2 are covered by PIIA-1. The related assessment objectives and criteria are defined below:

(1) The PIIA-1 is intended to assure the conservation of the principal characteristics of buildings of historic and heritage interest, including land development and landscaping of the parcels of land on which they sit. These buildings have a very good or excellent heritage value, according to an assessment carried out by the firm Bergeron Gagnon inc., consultants in cultural heritage and museology.

As well, the assessment criteria described below deal with the aspects to be considered for the renovation, conversion or enlargement of the building to preserve the integrity of the type of architecture found, to correct poor quality interventions that the building has suffered in past years, as the case might be, and to maintain appropriate landscaping and land development.

The addresses of the historic and heritage buildings that have been retained are:

Rue Clough: 819, 829, 878, 885, 890, 911, 916, 936.

Main Street: 846, 851, 856/858, 862, 872, 881/883, 888, 982/986, 953, 967, 1002, 1007, 1012, 1026, 1041, 1110, 1154/1156/1158, 1184, 1218, 1262, 1296, 1300, 1310.

Rue Maple : 170.

Rue Sanborn: 931, 939, 981/983, 1026.

Rue Tyler: 165, 192, 230, 244.

These buildings are presented in Appendix I, hereto attached and forming an integral part of this by-law.

(2) Criteria related to the principal existing buildings:

a) All conversions or renovations shall harmonize with the type of architecture present and shall not alter or adulterate it. This will be done by ensuring that:

- i) the slopes of roofs remain essentially similar; flat roofs are to be avoided. Materials for cladding and coverings shall be chosen with respect for the architectural style. *The colour of the covering materials shall not be garish and shall harmonize with the materials on the exterior of the building: (By-law 2010-18)*
 - ii) The types of windows allowed are double hung (sash) or casement windows. Sliding windows with or without a fixed part are to be avoided and eliminated;
 - iii) The wall cladding materials used are to be of excellent quality (bricks, wood clapboard or wood shingled); aluminum is to be avoided. Fibre cement is acceptable. *The colour palette for the entire building (chimneypiece, mouldings, exterior materials) shall take into account the building and the significant immediate surroundings, that is, that present a heritage interest; (By-law 2010-18)*
 - iv) Bricks are the traditional type and colour (red tinted), as the case might be;
 - v) The openings (doors and windows) shall respect the proportions and symmetry, as the case might be;
 - vi) Patio doors are to be avoided and replaced with French doors;
 - vii) Verandas and balconies are to be preserved in their dimensions (less than 10% difference). Wooden railings with bars inserted between the hand rail and the bottom plate are preferred, or the bars may be made of black wrought iron.
- b) Any enlargement of a principal building shall also be in harmony with the type of architecture present and shall not alter or detract from its character:
- i) an enlargement can be carried out only in the side or back yard;
 - ii) if situated in the side yard, this enlargement shall be small and take less than 50% of the area of the building which is being enlarged;
 - iii) Furthermore, when situated in the side yard, the width of the enlargement is minor and may not exceed 1/3 of the width of the existing building;
 - iv) Any enlargement may not at any time be higher than the existing building, and the floor of each storey shall be at the same level as is that of the principle building;
 - v) The main characteristics of the existing building

- shall be taken into consideration for the enlargement;
- vi) The exterior cladding materials, slopes of roofs and material for coverings, openings and types of windows, transitional elements (veranda, stoop, stairs) shall be carefully chosen to respect the existing type of architecture;
 - vii) *The colour palette for the enlargement of the building (chimneypiece, mouldings, exterior materials, roof) shall take into account the building itself to ensure harmonization. Garish colours are to be avoided. (By-law 2010-18)*

As the criteria for conversion require, aluminum is to be avoided even if it might have been used for cladding in an earlier conversion. The same holds for the railings for the veranda or balcony which must be made of wood with wooden bars inserted between the hand rail and the bottom plate, or of black wrought iron. Windows shall be double-hung ("sash") or casement windows that look like double-hung.

(3) Criteria related to new buildings:

- a) The addition of a new principal building is only possible on one of these parcels of land if there is a demolition or if the building is destroyed by a natural disaster. The preferred solution would be the construction of a new building having much the same footprint on the ground as the building that was demolished, unless the setbacks are less than the standard required for that zone. In this case, the building may be re-positioned. The type of architecture may, however, differ from that of the building replaced;

The criteria set out in section 2, sub-section a), dealing with the roof, building materials, windows, openings, verandas, balconies and railings, apply. **(By-law 2010-18)**

(4) Criteria related to a property where a building of historic or heritage interest is located:

- a) Preference is given to landscaping that sets off the buildings and their characteristics and siting by:
 - i) Saving mature trees and protecting them during construction work and development of the property;
 - ii) Requiring the planting of good-sized trees,

- particularly in the front yard;
- iii) Limiting the width of driveways and the space given over to parking in the front yard;
- iv) Developing flower beds along the front facade of the building and incorporating in them leafy shrubs, conifers and flowering plants. The front door shall be highlighted by this landscaping of flower beds.

(5) Criteria related to detached accessory buildings:

- a) The modification, renovation, addition of new accessory buildings shall be done so these buildings are unobtrusive, by preferring:
 - i) Volumetry that is clearly less than that of the principal building, if the accessory building is situated less than 10 m from the principal building;
 - ii) A height of at most one (1) storey with the possibility of a half-storey under the gables. This building shall not be higher than the principal building;
 - iii) A choice of architectural style, materials and especially the judicious choice of colour, to minimize the visual impact of this building on the land and assure a harmonious visual relationship with the principal building.

**PIIA-2, NOT OF
HERITAGE
INTEREST, VILLAGE
CENTRE**

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Buildings and parcels of land having a commercial, residential, industrial or institutional vocation in the village centre, other than those dealt with in PIIA-1, are covered under PIIA-2. The relevant objectives and assessment criteria are defined below:

(1) PIIA-2 is intended to assure that interventions in the built fabric and on vacant lots will contribute to creating a more homogeneous character, in terms of volumetries, forms, fenestration and choice of materials. Landscaping of properties and the choice trees will also be taken into account. This is to create unity in the area, and for each development unit, the preservation of its own identity. In turn, this also seeks to avoid any insertion or renovation that will not be well integrated in the immediate area of the village core;

As well, the assessment criteria described below treat the aspects to be considered for the addition of new constructions, and the renovation, conversion, repair and enlargement of a building, to promote the creation of a character in keeping with a village core over time.

(2) Criteria related to existing principal buildings:

- a) For every building except industrial buildings, any conversion, renovation, enlargement or repair of a principal building shall seek to integrate the buildings there as much as possible with the surrounding areas by:
 - i) maintaining the pitch of roofs, or if the roof is flat, replacing it with a sloped roof;
 - ii) using only fixed, double-hung or casement windows. Patio doors are to be avoided on front and side facades in particular. French doors are preferred;
 - iii) using solid, high quality exterior cladding materials such as: standard red bricks, wood clapboard, fibre cement clapboard, wood shingles. Synthetic materials, natural or dressed stone, aluminum and other formed metallic materials are to be avoided. It is preferred that at most two materials be used on the same building by avoiding having the principal elevation made of one material and the secondary elevations of another. One of the materials should predominate, with the other being secondary to it.

The choice of colours for the overall building, the material for the building (chimneypiece, mouldings, exterior cladding) shall harmonize, taking into consideration the building itself and those in the immediate vicinity. Loud, gaudy colours and pronounced contrasts of colour are to be avoided;

- iv) favouring verandas and balconies on the principal facade along a good part of the width (at least 30% of the width of the building with the roof). The railings, as the case might be, are to be made of wood, with wooden bars or black wrought iron inserted between the hand rail and the bottom plate.
- b) For industrial buildings, any conversion, renovation, enlargement or repair of principal buildings shall be developed to mitigate the austere appearance of this type of nondescript, cubical architecture appearance, by:
- i) giving preference to exterior cladding in neutral colours, by avoiding pronounced contrasts in colour and favouring an architectural treatment that creates an appearance of sections on the elevations that are seen from the road (breaking the elevations). This is intended to compensate for the absence of windows on the major surfaces;
 - ii) giving preference to a specific architectural treatment to signal the principal entrance and the part of the interior where the administrative offices are found. This part of the building shall be distinct from the rest of the building, and the exterior siding preferably differs from the rest of the building in its composition and its colour.

(3) Criteria related to new buildings:

- a) Any new principal building, other than industrial, shall be planned to be sited optimally on the property, by:
 - i) giving preference to a footprint equivalent to a building of 2 storeys with sloping rooflines;
 - ii) using only double-hung or casement windows. Patio-doors are to be avoided on the front and side elevations. French doors are preferred;

- iii) using solid, high quality cladding materials such as: standard red brick, wood clapboard, fibre cement clapboard, wood shingles. Synthetic materials, natural and dressed stone and aluminum and other formed metallic claddings are to be avoided. The use of at most two materials on the same building is preferred, by avoiding having the principal elevation made of one material and the secondary elevations made of another. One of the materials shall predominate and the other is secondary to it. The choice of colours for the entire building (chimneypiece, mouldings, exterior cladding) shall take into account the building itself and the immediate surroundings to create a harmony. Gaudy colours and pronounced colours are to be avoided;
 - iv) favouring verandas and balconies on the main facade for a significant width (at least 30% of the width of the building with roof). The railings, as the case might be, are of wood with wooden or black wrought iron stiles between the hand rail and the bottom plate.
- b) For a new industrial building, the siting must be related to the volumetry of the proposed building, by:
- i) Positioning a building with a big footprint farther from the road and residential or commercial properties, as the case might be;
 - ii) Favouring an exterior cladding in a neutral colour and avoiding pronounced colour contrasts and by favouring an architectural treatment that creates an impression of sections on the elevations that are visible from the road. This is intended to compensate for the absence of windows on the larger surfaces;
 - iii) Favouring a specific architectural treatment to signal the main entrance and the part of the interior where the administrative offices are found. This portion of the building shall be distinct from the exterior cladding and preferably different from the rest of the building in its composition and colour.

(4) Criteria related to the property where the principal building for which the permit or certificate of authorization is sought is located:

a) The various permits and certificates issued that require landscaping or landscaping of the property have created the following obligations: the property where the principal building is situated shall be landscaped to set off the building and take advantage of the characteristics of the site. Also:

- i) Fill and excavation work are minimized and the finished land is at much the same height as it was before the work. It is possible to make small mounds or small depressions for special plantings (a plan by a landscape architect is required in this case);
- ii) As much as possible, existing trees on the land shall be preserved;
- iii) Trees planted are of good size, especially in the front yard. Indigenous species are preferred in the front yard. The placement of trees shall make it possible to maintain significant visual openings between buildings. The use of hedges is not recommended unless they are of flowering shrubs that at maturity and without pruning are not more than 1.5 m in height;
- iv) By limiting the width of driveways and the parking in the front yard;
- v) By developing flower beds along the front facade of the building and including leafy shrubs, conifers and flowering plants. The front door shall be set off by these flower beds;
- vi) For an industrial building, it is desirable to mitigate the omnipresence of a blind wall along the road by planting trees and shrubs along these walls in such a way as to create significant breaks in the visual field.

(5) Criteria related to detached accessory buildings:

a) The modification, renovation and addition of new accessory buildings shall be handled so the buildings are discreet. Also:

- i) The volumetry shall be clearly less than that of the principal building if it is situated less than 10 m from the principal building or in the side yard;
- ii) The height shall be limited to one (1) storey;
- iii) The choice of architectural style, materials and especially of colour shall be judicious, to minimize the visual impact of this building on the property and to ensure a harmonious visual relationship with the principal building.

**PIIA-3, SIGNS AND
MURALS
URBAN LIMITS AND
INDUSTRIAL
ZONES**

26

Proposed signs and murals in the zones situated within the urban limits and industrial zones as shown on the zoning map, for which a certificate of authorization is required, are covered by PIIA-3. The relevant objectives and assessment criteria are defined below:

(1) This PIIA is intended to ensure that there is an adequate choice of sign types or of a mural with the building, by taking into account characteristics (materials, lighting, colour, positioning) that could help reinforce the identity of the building and its surroundings;

(2) Criteria related to signs:

- a) Openings shall not be obstructed;
- b) Lighting, as the case might be, shall be integrated and the luminous intensity moderated. The beam of light shall be limited and light only the sign to avoid blinding that can occur when the beam shines beyond the illuminated surface;
- c) The type of sign and the graphic design shall be consistent with the architectural style of building. Signs perpendicular to the building are desired to create a rhythm for pedestrians and drivers;
- d) The choice of materials shall take into account the type of lighting to avoid blinding or reflection that is excessive;
- e) Colours shall not be too strong and shall not be fluorescent, phosphorescent or luminescent. The maximum number of colours is 3 or 4 and one of the colours shall be dominant (at least 60% of the surface): the other colours are only to be used as secondary colours;
- f) The choice of place to install the sign on the building or property shall be made with care to contribute positively to emphasizing or reinforcing the characteristic lines of the building. The characteristics of the surrounding area shall also be taken into account so as not to hide nearby signs. An equitable sharing of the visual field is sought.

(3) Criteria related to murals:

- a) The type of mural chosen shall make an architectural contribution consistent with the architectural style of the building;
- b) The choice of materials shall take into account the type of lighting planned, to avoid glare or excessive reflection;
- c) Colours shall be neither too gaudy, nor fluorescent, phosphorescent or luminescent;
- d) The choice of place to install the mural on the building or on the property shall be made with care to make a positive contribution to and emphasize and reinforce the characteristic lines and features of the building. The characteristics of the surroundings and the vocation of the road must also be considered.

**PIIA-4, FILL AND
EXCAVATION,
EXCEPT IN
AGRICULTURAL
ZONES**

27

Filling and excavation works that change the natural level of the land by more than 1 metre in height, that are not intended to level the land with regard to the average level of the adjacent road, are covered by PIIA-4. The relevant objectives and assessment criteria are defined below:

(1) PIIA-4 is intended to ensure that the finished level of the land after the filling or excavation work properly prepares the site for a principal or accessory use and promotes its landscaping while at the same time improving the management of runoff waters.

These works shall take into account the level of the neighbouring properties, including the road, and aim for a transition while avoiding any significant breaks in the finished level of the properties that are not appropriately landscaped.

(2) Criteria related to filling and excavation work:

- a) The level of the land is such that filling or excavating is essential;
- b) Access to a contiguous road and the hook-up to existing infrastructures requires fill or excavation work;
- c) Adequate control measures have been planned to manage the surface runoff of water, stabilize the slope and control erosion;
- d) The height of the talus and the choice of slope and plantings shall take into account the immediate surroundings so as to minimize obstacles to natural lighting if the neighbouring property is situated to the north of the fill work.

**PIIA-5, SHORELINE
BUILDINGS AND
PARCELS OF LAND
ON LAKE
MASSAWIPPI OR
THE TOMIFOBIA
RIVER**

28

Shoreline properties and buildings on Lake Massawippi and on the Tomifobia River with a residential or commercial accommodations vocation other than camping are covered by PIIA-5. The relevant objectives and assessment criteria are defined below:

(1) PIIA-5 is intended to provide a framework for the siting of shorefront buildings and the development of shoreline parcels of land for residential or commercial accommodation purposes to promote a seasonal-residential type of architecture in terms of the footprint and relationship among sizes, cladding materials and their colour and building openings, while allowing for a certain amount of originality. This PIIA is also intended to promote the return of the land to a more natural state (replanting of the shoreline, planting of shrubs and trees) to camouflage the urbanized elements as much as possible (principal and accessory buildings, lawn, air conditioning or heating equipment) and more specifically to increase the density of vegetation in the riparian area.

As well, the criteria described below deal with the general aspects to be taken into account when considering new construction or during the renovation, conversion, repair or enlargement of a building, to promote homogeneity of each property, while avoiding the trivialization of architectural styles and promoting an overall harmony. These assessment criteria will also deal with land development and accessory buildings and equipment.

(2) Criteria related to buildings:

- a) Each building shall be considered as a homogenous whole. Also, preference shall be given to exterior cladding with one material dominant and a second, as an accessory. Preference should be given to roof forms with several slopes on the main part of the building. The form of the roof over half-rooms and verandas shall be closely related to that of the main part of the building;
- b) The building footprint and relationship among sizes shall

remain appropriate for a seasonal-residential sector. The use of the building shall be such that a significant part of the property remains in a natural state;

- c) The colours of the cladding shall blend in easily with the immediate natural environment. Strident colours are to be avoided;
- d) Walls without openings are to be avoided on the lake side; this will help to mitigate the impact of blind walls.

(3) Criteria related to the development of the properties:

- a) The back yard shall be left as natural as possible, thus camouflaging the building from the body of water;
- b) When the terrain is uneven, the back yard shall be kept for as long as possible in its original condition. A path to access the body of water may be laid out. This path shall be landscaped;
- c) The back yard and side yards shall be the subject of landscaping, including landscaped areas with trees and flowerbeds mainly along the rear facade of the building;
- d) Service areas (parking and the driveway) shall not dominate the side yard. Surfaces without vegetation shall be limited to the back yard.

(4) Criteria related to detached accessory buildings and equipment:

- a) Accessory buildings shall be sited so they are discreet;
- b) The volumetry of an accessory building shall be less than the principal building and the height shall be limited to 1 storey;
- c) The choice of architectural style for an accessory building is secondary but the choice of materials and especially the colour shall be judicious, to minimize the visual impact of this accessory building on the land and to promote a certain harmonious visual relationship with the principal building;
- d) Green spaces are also to be favoured between the main building and accessory buildings to visually disassociate these volumes;

- e) Landscaping shall camouflage the accessory building so that it is less visible from the water.

**PIIA-6, VACANT
LAND AND
ENLARGEMENT OF
BUILDINGS NOT
COVERED BY
ANOTHER PIIA,
EXCEPT IN
AGRICULTURAL
ZONES**

29

Vacant land for which an application for a building permit is made for the construction of a principal building and any property that serves as the site of a principal building, situated on the territory except in the agricultural zones, for which an application for a building permit is made for an enlargement on the ground or in height of more than 10% of the volume or area on the ground, not covered by PIIA-1, PIIA-2 or PIIA-5, are covered by PIIA-6. The relevant objectives and assessment criteria are defined below:

(1) PIIA-6 is intended to assure a harmonious integration of new principal buildings or significant enlargements of existing buildings within their surroundings. This may already be a built environment or a natural area (wooded or not).

As well, the assessment criteria described below deal with different aspects to be considered in assessing the acceptability of construction projects.

(2) Criteria related to buildings:

- a) The building is considered as a homogeneous whole. Also, the appearance of all elevations shall reinforce this homogeneity. The choice of exterior cladding, the colour, the way they are assembled, the choice of openings, and the architectural fabrication are taken into consideration;
- b) The footprint and form of the building shall not dominate the footprint and form of the buildings on adjacent properties, as the case might be. Moving the building a considerable distance from other buildings could lessen the impact of a significant disparity between the volumetry as could an appropriate landscaping treatment;
- c) The colours of the cladding shall blend in easily with the immediate natural environment, as the case might be. If there are no trees on the property, the colours shall at least not be too strident or gaudy.

(3) Criteria related to landscaping of properties:

- a) It is desirable to maintain existing mature trees on the property. The addition of trees by planting indigenous trees of a good size and in sufficient numbers is desirable to give an appearance of a predominantly wooded property;
- b) Areas of lawn are limited and landscaping to resemble the forest undergrowth are favoured, at least in the side and back yards.

**PIIA-7, FENCES,
EXCEPT IN
AGRICULTURAL
ZONES**

30

Properties situated on the territory, other than in agricultural zones, for which an application for a certificate of authorization is made to put up a fence, are covered by PIIA-7. The relevant objectives and assessment criteria are defined below:

(1) PIIA-7 is intended to ensure a harmonious integration of a fence in its surroundings.

(2) The assessment criteria described below deal with the various aspects to take into account when assessing the acceptability of a proposed installation of a fence;

a) The choice of the type of fence blends with the existing architecture. The materials are traditional (wood, metal) or may be contemporary (PVC, plastic). If they are contemporary, the architectural look of the fence shall be traditional even if it is a modern building, except for a fence separating two industrial properties;

b) The colours of the fences shall be taken into account in assessing the integration in the milieu. Also, it is desirable that the fence be a single colour and that this not be a gaudy or strident colour. The use of white is authorized but not for wrought iron fences which shall be black, the traditional colour for wrought iron.

COMING INTO FORCE

This by-law comes into force in accordance with the law.

Vincent Gérin, mayor

Ghislaine Poulin-Doherty, director general and secretary-treasurer

Notice of motion: July 6, 2009 and August 3, 2009

Adoption of draft by-law: July 6, 2009

Public consultation meeting: July 27, 2009

Adoption of the by-law: September 8, 2009

Notice of conformity by the MRC: _____

Coming into force: _____

APPENDIX II

Assessment of 131 buildings of heritage interest

By Bergeron Gagnon Inc.

*Serge Côté, Town planner,
Consultant in urban planning*

**Ayer's Cliff
Assessment of 131 buildings of heritage interest**



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14 janvier 2009

1. The results of the study

We present below, in Table 1, the results of an assessment of 131 buildings of heritage interest located in Ayer's Cliff. Because this assessment has been carried out solely based on low-resolution photos and without any historical data, it is considered as "preliminary". Also, the results may become more specific if the exact date of construction can be found, if the information about the history of the buildings is available and if a more complete photographic count can be done.

Nevertheless, we have carried out the mandate we received, based on photos provided by the client. They allow us to determine the architectural style, the state of authenticity and the preliminary heritage value of buildings of heritage interest.

The state of authenticity was determined using six codes and the heritage value, using five codes; the definition of these is presented in APPENDIX 1.

The heritage value takes into account the state of authenticity, the estimated age, the value of the material elements, and, if there is reason, the value of the art and architecture.

For the architectural style, state of authenticity and heritage value, we have added, when relevant, notes about the architectural sub-type and predominant stylistic influence. The architectural sub-type notes a special feature common to this style of building. The stylistic influence is the style that is related to or influenced the architectural design.

Table p. 1

Table 1. Ayers' Cliff – Preliminary assessment of buildings of heritage interest					
Photo no.	Architectural style	Architectural sub- type (if necessary)	State of authenticity	Heritage value	Stylistic influence
006.jpg	Building with sloped roof (2 sides) – gable end to the street		slight	slight	American vernacular tradition
007.jpg	Building with sloped roof (2 sides) – side-by-side gables		slight	slight	American vernacular tradition
008.jpg	Building with a roof in block form		very good	very good	Four Square Style
009.jpg	Building with sloped roof (2 sides) - gable end to the street		good	strong	American vernacular tradition
010.jpg	Building with sloped roof (2 sides) - gable end to the street		average	average	American vernacular tradition
011.jpg	Building with sloped roof (2 sides) - gable end to the street		average	average	American vernacular tradition
012.jpg	Building with a roof in block form - Building with hipped roof		slight	slight	Four Square Style
013.jpg	Building with sloped roof (2 sides) - gable end to the street		good	strong	American vernacular tradition
014.jpg	Building with a roof in block form Building with hipped roof		slight	slight	Four Square Style
015.jpg	Religious architecture		average	strong	
016.jpg	Building with sloped roof (2 sides) - side-by-side gables	L-shaped	good	strong	American vernacular tradition
018.jpg	Building with sloped roof (2 sides) - gable end to the street	L-shaped	good	strong	American vernacular tradition
019.jpg	Building with hipped roof		slight	slight	Four Square Style
020.jpg	Building with hipped roof		average	average	Four Square Style
021.jpg	Building with hipped roof		average	slight	Four Square Style

Table p. 2					
022.jpg	Arts and Crafts building		good	strong	Arts and Crafts
023.jpg	Older bungalow		good	average	
028.jpg	Building with sloped roof (2 sides)– side-by-side gables		slight	average	American vernacular tradition
029.jpg	Building with hipped roof		slight	slight	Four Square Style
030.jpg	Older bungalow		average	average	
031.jpg	Building with sloped roof (2 sides)– side-by-side gables		slight	slight	American vernacular tradition
032.jpg	Building with sloped roof (2 sides)– side-by-side gables		slight	slight	American vernacular tradition
033.jpg	Older bungalow		slight	slight	
034.jpg	Older bungalow		slight	slight	
035.jpg	Building with sloped roof (2 sides) - side-by-side gables		good	strong	American vernacular tradition
036.jpg	Older bungalow		slight	slight	
037.jpg	Building with hipped roof		good	average	Four Square Style
038.jpg	Building with sloped roof (2 sides) - gable end to the street		average	average	American vernacular tradition
040.jpg	Older bungalow		average	slight	
043.jpg	Gothic Revival building		very good	very good	Gothic Revival
045.jpg	Building with hipped roof		good	strong	Four Square Style
046.jpg	Building with sloped roof (2 sides) - side-by-side gables	L-shaped	average	average	American vernacular tradition

Table p. 3					
048.jpg	Building with sloped roof (2 sides) - side-by-side gables	L-shaped	good	strong	American vernacular tradition
049.jpg	Building with hipped roof		good	strong	Four Square Style
050.jpg	Building with hipped roof		average	average	Four Square Style
051.jpg	Building with hipped roof		slight	slight	Four Square Style
052.jpg	Older bungalow		slight	slight	
053.jpg	Older bungalow		Slight	slight	
054.jpg	Building with sloped roof (2 sides) - side-by-side gables		average	slight	American vernacular tradition
056.jpg	Older bungalow		average	slight	
058.jpg	Building with sloped roof (2 sides) - side-by-side gables	L-shaped	slight	slight	American vernacular tradition
059.jpg	Older bungalow		slight	slight	
060.jpg	Building with sloped roof (2 sides) with half hip		good	strong	American vernacular tradition
061.jpg	Building with sloped roof (2 sides) with half hip		slight	slight	American vernacular tradition
062.jpg	Older bungalow		average	average	
063.jpg	Building with sloped roof - gable end to the street	L-shaped	good	average	American vernacular tradition
064.jpg	Building with flat roof		average	slight	
065.jpg	Indeterminate		very good	very good	
067.jpg	Religious architecture		good	strong	

Table p. 4					
069.jpg	Building with sloped roof– gable end to the street		average	average	American vernacular tradition
070.jpg	Older bungalow		slight	slight	
071.jpg	Building with mansard roof		good	strong	Second Empire
072.jpg	Older bungalow		good	average	
073.jpg	Building with hipped roof		good	strong	Four Square Style
074.jpg	Building with sloped roof– gable end to the street		slight	slight	American vernacular tradition
075.jpg	Undetermined		average	slight	
076.jpg	Building with flat roof		slight	slight	
077.jpg	Building with flat roof		slight	slight	
079.jpg	Industrial architecture		average	average	
084.jpg	Building with sloped roof– gable end to the street	L-shaped	average	average	American vernacular tradition
087.jpg	Building with sloped roof- with half hip at ends		slight	slight	American vernacular tradition
088.jpg	Building with hipped roof - Pyramid or tent roof		average	average	Four Square Style
090.jpg	Building with hipped roof		good	strong	Four Square Style
091.jpg	Victorian-style building		good	very good	
094.jpg	Building with sloped roof– side-by-side gables		good	strong	American vernacular tradition
095.jpg	Arts and Crafts building		average	average	Arts and Crafts

Table p. 5					
096.jpg	Arts and Crafts building		good	average	
097.jpg	Building with hipped roof		good	strong	Four Square Style
098.jpg	Building with hipped roof		average	average	Four Square Style
099.jpg	Building with hipped roof		average	average	Four Square Style
100.jpg	Building with sloped roof- gable end to the street		very good	very good	American vernacular tradition
101.jpg	Older bungalow		slight	slight	
103.jpg	Building with hipped roof		good	strong	Four Square Style
104.jpg	Building with sloped roof - side-by-side gables	L-shaped	good	average	American vernacular tradition
107.jpg	Building with sloped roof - gable end to the street	L-shaped	good	strong	American vernacular tradition
108.jpg	Building with sloped roof- gable end to the street		good	average	American vernacular tradition
111.jpg	Victorian-style building		average	strong	
112.jpg	Building with sloped roof - gable end to the street	L-shaped	slight	slight	American vernacular tradition
113.jpg	Older bungalow		average	average	
114.jpg	Building with sloped roof - side-by-side gables		slight	slight	American vernacular tradition
115.jpg	No one style		slight	slight	
116.jpg	Building with sloped roof - gable end to the street		average	average	American vernacular tradition
118.jpg	Building with hipped roof		average	average	Four Square Style

Table p. 6					
119.jpg	Building with sloped roof - gable end to the street		slight	slight	American vernacular tradition
120.jpg	Building with sloped roof - side-by-side gables		average	average	American vernacular tradition
121.jpg	Building with sloped roof - gable end to the street	L-shaped	average	average	American vernacular tradition
122.jpg	Building with sloped roof - side-by-side gables		average	average	American vernacular tradition
124.jpg	Older bungalow		slight	slight	
125.jpg	Building with sloped roof - side-by-side gables		slight	slight	American vernacular tradition
128.jpg	Building with sloped roof with half-hip	gable end to the street	slight	slight	American vernacular tradition
143.jpg	Building with hipped roof		good	very good	Four Square Style
145.jpg	Queen Anne Revival building		good	very good	Queen Anne Revival
147.jpg	Building with sloped roof - gable end to the street	L-shaped	average	average	American vernacular tradition
149.jpg	Building with sloped roof - gable end to the street		very good	very good	Classical Revival
150.jpg	Commercial architecture		good	strong	
152.jpg	Queen Anne Revival building		average	slight	Queen Anne Revival
153.jpg	Building with hipped roof		average	average	Four Square Style
154.jpg	Queen Anne Revival building		very good	very good	Queen Anne Revival
155.jpg	Building with sloped roof - gable end to the street	L-shaped	good	average	American vernacular tradition
156.jpg	Queen Anne Revival building		good	strong	Queen Anne Revival

Table p. 7					
157.jpg	Religious architecture		good	strong	
158.jpg	Building with sloped roof - gable end to the street	L-shaped	good	strong	Classical Revival
162.jpg	Older bungalow		average	slight	
163.jpg	Building with sloped roof - side-by-side gables		good	average	American vernacular tradition
164.jpg	Building with sloped roof - side-by-side gables		slight	slight	American vernacular tradition
165.jpg	No one style		slight	slight	
171.jpg	Building with sloped roof - gable end to the street		good	average	Classical Revival
173.jpg	Building with hipped roof		average	average	Four Square Style
175.jpg	Queen Anne Revival building		good	average	Queen Anne Revival
177.jpg	No one style		slight	slight	
178.jpg	Building with hipped roof		average	average	Four Square Style
180.jpg	Building with sloped roof - gable end to the street		average	average	Classical Revival
180.jpg	Building with hipped roof		slight	slight	Four Square Style
183.jpg	Building with sloped roof - side-by-side gables		average	average	American vernacular tradition
184.jpg	Building with sloped roof - gable end to the street	L-shaped	average	average	American vernacular tradition
185.jpg	Secondary or accessory building		average	average	
186.jpg	Arts and Crafts building		good	strong	Arts and Crafts

Table p. 8					
188.jpg	Building with sloped roof - side-by-side gables		slight	slight	American vernacular tradition
189.jpg	Building with sloped roof - gable end to the street		average	slight	American vernacular tradition
190.jpg	Building with sloped roof - side-by-side gables	L-shaped	average	average	American vernacular tradition
191.jpg	Building with sloped roof - gable end to the street	L-shaped	average	average	American vernacular tradition
192.jpg	Building with sloped roof - side-by-side gables		slight	slight	American vernacular tradition
193.jpg	Building with sloped roof - gable end to the street		good	average	American vernacular tradition
194.jpg	Building with hipped roof		good	strong	Four Square Style
195.jpg	Building with sloped roof - gable end to the street	L-shaped	good	strong	Classical Revival
196.jpg	Building with sloped roof - side-by-side gables		good	strong	American vernacular tradition
198.jpg	Building with sloped roof - side-by-side gables		very good	strong	American vernacular tradition
200.jpg	Building with sloped roof - side-by-side gables		slight	average	American vernacular tradition
201.jpg	Victorian style building		good	very good	
203.jpg	Building with sloped roof - gable end to the street	L-shaped	good	very good	American vernacular tradition
204.jpg	Building with sloped roof - side-by-side gables		slight	slight	American vernacular tradition

APPENDIX 1: Definition of codes attributed to the state of authenticity and the heritage value of buildings assessed

State of authenticity

Exceptional

Attributed to a building that has retained all its architectural features, including cladding, openings, elements outside the building (veranda, stairs, etc.) and ornamental features.

Very good

Attributed to a building that has retained almost all its architectural features including cladding, openings, elements beyond the building (veranda, stairs, etc.) and its ornamental features.

Good

Attributed to a building that has had minor interventions, without lessening its heritage value. The main components covered are the windows (example: the installation of several modern windows, but the chimneypiece and other characteristics have been preserved). This code applies to buildings that have retained their original or former cladding.

Average

Attributed to a building the former condition of which has been changed by modification of wall cladding and/or openings, but which retains certain heritage features such as dormer windows, verandas, the roof overhang and railing. The building has also retained its formal characteristics and its volumetry.

Slight

Attributed to a building that has completely lost its traditional components (cladding, chimneypieces, verandas, etc.). The building has, nonetheless, the original shape of the roof.

Poor

Attributed to a building that has completely lost its traditional features and the volumetry of which (on the ground or in height) has been modified or which has completely lost its traditional appearance.

Heritage value

Exceptional

- Building from before 1900 (criteria related to building age) in an exceptional, very good or good state of authenticity.
- A residential building which is unique in the municipality (criteria related to uniqueness).
- An institutional or religious building of a high level of authenticity and with a value related to its age.

Very good

- Building constructed after 1900 (criteria related to building age) in an excellent or good state of authenticity.
- Residential building for which some, but not many, comparable buildings can be found in the municipality (criteria related to rarity).
- Public or religious building with a high level of authenticity and/or of age.

Strong

- Building in a state of authenticity that is very good or good, but for which the age criteria is generally important.
- Building in an average state of authenticity, but presenting a special architecture.

Average

- Building the state of authenticity of which is slight or average or with a relatively low value.

Slight

- Building has lost its architectural characteristics and has a slight value related to its age.

None

- The building has no architectural interest.