

Consultation version

In case of discrepancy, the French version shall prevail



VILLE DE LAC-BROME
TOWN OF BROME LAKE

**BY-LAW ON
SITE PLANNING AND
ARCHITECTURAL INTEGRATION
(SPAIP) no 601**

October 2013

ADMINISTRATIVE CODIFICATION

Amended by	By-law 601-1	EEV 2015-06-10
Amended by	By-law 601-2	EEV 2015-10-27
Amended by	By-law 601-3	not adopted
Amended by	By-law 601-4	EEV 2016-09-20
Amended by	By-law 601-5	EEV 2019-06-26
Amended by	By-law 601-6	EEV 2019-06-26
Amended by	By-law 601-7	EEV 2022-01-18

**Town of Brome Lake
Town clerk's office**

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BY-LAW RESPECTING SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS

At a regular meeting of the Town Council held in the Fulford Hall on August 5, 2013, in accordance with the law, at which were present Councillors Marta Gubert Gomes and Cynthia Wilkinson and Councillors Donald Gagné, Thomas McGovern, Jacques Lecours and Patrick Ouvrard, forming quorum under the chairmanship of Mayor Gilles Decelles.

BY-LAW no. 601

- WHEREAS a municipality has the power to revise its planning program every five years, in accordance with section 10.3.1 of the Act respecting land use planning and development;
- WHEREAS the Town of Brome Lake decided to undertake such a procedure in 2009;
- WHEREAS that at its meeting of May 15, 2013, Council adopted a first draft by-law replacing the current Urban Plan, in accordance with sections 110.3.1 and 109.1 of the aforementioned Act;
- WHEREAS In order to implement its new urban plan, Town of Brome Lake wishes to avail itself of the special procedure for the replacement of its SPAIP by-law provided for in section 110.10.1 of the aforementioned Act;
- WHEREAS that at the council meeting of July 2, 2013, a notice of motion with dispensation from reading was given by Councillor Jacques Lecours;
- WHEREAS that all Councillors have had the opportunity to examine the said draft by-law and that it has been made available for public consultation at Town Hall;
- WHEREAS that on June 8, 2013, this by-law was submitted to the public for consultation;
- WHEREAS on this occasion, Council heard those who wished to express their views on the content of the aforementioned by-law;

CONSEQUENTLY:

Councillor Patrick Ouvrard moved, Councillor Jacques Lecours seconded and it was unanimously resolved to adopt By-law No. 601 replacing Site Planning and Architectural Integration By-law No. 361.

CHAPTER I: GENERAL PROVISIONS

SECTION I: DECLARATORY PROVISIONS

1. TITLE

This by-law is entitled "Site Planning and Architectural Integration By-law (SPAIP)".

2. TERRITORY AFFECTED

These regulations apply to zones AFB-4-D15, ID-18-G6, UC-1-M2, UC-2-N3, UC-3-C15, UC-4-L13, UC-5-L14, UCV-1-K15, UCV-2-K15, UCV-3-K15, UCV-4-K15, UCV-5-K15, UCV-6-L15, UMV-1-P3, UMV-2-D16, UMV-3-H12, UMV-4-C11, UI-3-L15, UP-2-K15, UP-4-K15, UP-5-K15, UP-6-K14, URA-12-K15, URA-15-K15, URA-17-K15, URA-18-K16, URA-20-K15, URA-21-K15, URA-23-K15, URA-25-K16, URB-2-L14, URB-3-K14, URB-4-K15, URB-5-L15, URC-3-L14, URC-4-K15, URC-6-L15, UREC-3-J16, UV-7-E15, as shown on the zoning plan, which forms an integral part of the zoning by-law, as well as to the entire territory in the case of works or structures on the shores of lakes and water bodies subject to the present by-law. *(amended by by-law 601-1)*

This by-law applies only to zones AFBI-1-B15, AFB-3-B15, AFB-2-B16, AFB-4-D15, AFB-5-D15, AFB-1-H11, RB-5-E15, RB-7-E15, RBE-1-E16, RB-1-H12, RFB-2-M13, RFB-3-L17, UV-2-G13 in the case of new streets or street extensions outside urban perimeters.

This by-law applies only along road corridors identified as areas of aesthetic interest and illustrated in Appendix II: Plan of Areas of Special Interest of the current Urban Plan, in the case of a cadastral operation to create a serviced lot for the construction of a new building. *(amended by by-law 601-6)*

This by-law applies to any cadastral operation for the purpose of carrying out an integrated project or to any application for a permit for construction carried out as part of an integrated project pursuant to article 78 of the zoning by-law. *(amended by by-law 601-7)*

The present by-law also applies to any work, structure or construction of 30 square metres or more authorized within a sector with a steep slope of 30% to less than 50%, in accordance with the rules established by the Brome-Missisquoi MRC. *(amended by by-law 601-7)*

3. REPLACED BY-LAW

This by-law replaces by-law no. 361 and its amendments.

4. TERMINOLOGY

Words and expressions used in the present by-law has the specific meaning given to it in order of precedence:

- 1° The present by-law;
- 2° The zoning by-law;
- 3° The subdivision by-law;
- 4° The Permits and Certificates By-law.

5. MEASUREMENT SYSTEM

All dimensions given in this by-law is indicated in metric units of the International System (SI).

CHAPTER II: ADMINISTRATIVE PROVISIONS

SECTION I: APPLICATION OF THE BY-LAW

6. ADMINISTRATION OF THE BY-LAW

The Town's Building and Urban Planning Department is responsible for the administration of this by-law.

7. APPLICATION

The building inspector is responsible for enforcing the present by-law.

8. POWERS OF THE PERSON RESPONSIBLE FOR APPLYING THIS BY-LAW

The person responsible for enforcing the by-law exercises the powers conferred upon him or her by this by-law, and in particular:

- 1° May visit and examine, between 7 a.m. and 7 p.m., any immovable or movable property to ascertain whether this by-law, other by-laws or Council resolutions are being complied with;
- 2° May give formal notice to temporarily evacuate any building that could endanger the life of anyone;
- 3° May give formal notice to carry out any repairs it deems necessary to ensure the safety of the building, and recommend any emergency measures to the Council;
- 4° May give formal notice to rectify any situation constituting a breach of the present by-law;
- 5° May take any measure necessary to stop the construction, occupation or use of a part of a lot, a property, a building or a structure that is incompatible with the present by-law. (amended by by-law 601-2)

9. OBLIGATION TO ALLOW THE INSPECTOR TO VISIT

The owner of any building or structure is obliged to allow the person responsible for the application of the by-law to visit any building or place for the purpose of examination or

verification between 7 a.m. and 7 p.m., with respect to the execution or compliance with this by-law, other by-laws or resolutions of the council.

Upon request, the by-law enforcement official carrying out an inspection must establish his or her identity and produce a certificate issued by the municipality attesting to his or her status.

SECTION II: REGULATED PERMITS AND CERTIFICATES AND PROCESS OF THE FILE

10. ISSUANCE OF A PERMIT OR CERTIFICATE

The issuance of a building permit, a subdivision permit for a cadastral operation to create a serviced lot for the construction of a new building, a certificate of authorization for repairs applying to all categories of constructions, land and work, a certificate of authorization for a sign or mural, a certificate of authorization for work on the shore of a lake or water body, a certificate of authorization for the construction of a street or the extension of a street, is subject to this by-law. *(amended by by-law 601-6)*

Notwithstanding the first paragraph, the issuance of a building permit, a certificate of authorization for work to renovate or repair an existing building, or a certificate of authorization for work on the shore of a lake or water body, is not subject to this by-law in the following cases:

1° Work carried out entirely inside a building, provided the work does not affect the exterior appearance of the building;

2° Work to replace the roof covering of a building, provided the covering to be installed is made of the same material as the one to be replaced; this paragraph does not authorize the use of a material whose use is prohibited; in the latter case, the present by-law applies to the work.

3° Work to install a private swimming pool for residential purposes.

4° Work to replace double-hung windows of the same architectural type as the building;

5° Work to replace exterior wood siding while preserving original decorative elements and architectural details;

6° Clearing and planting of native vegetation on the shore of a lake or water body;

7° The repair of a building partially or totally built in the shoreline buffer zone.

11. OBLIGATION TO PRODUCE SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS

Anyone wishing to obtain the issuance of a permit or certificate subject to the present by-law must submit to the Town documents pertaining to the layout and architecture of constructions as well as to the development of lots and related work.

12. MINIMUM CONTENT OF DOCUMENTS

All site planning and architectural integration documents submitted to the Town must contain at least the following elements:

1° In the case of a building permit application, in addition to the plans provided as part of the permit application and required by the Permits and Certificates By-law, the following information must be provided:

- a) Sketches of each elevation showing architectural details (fenestration, openings, exterior cladding materials, framing, color, etc.) with the proposed work;
- b) Provide photos showing the building on each facade, prior to the work, as well as a sequence of photos showing the building covered by the application, as well as adjacent buildings on either side (three on each side);
- c) A scaled project plan of the layout of the entire lot, showing proposed parking areas, proposed private landscaping (sidewalk, shrubbery, trees, fencing, terracing, etc.).

This information must enable the members of the Planning Advisory Committee, the Environmental Advisory Committee and the Council to have a clear understanding of the work and to analyze the integration according to the objectives and evaluation criteria set out for the buildings covered by this application.

2° In the case of repairs or renovations

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 information must be provided:

- a) Photographs showing the building to be renovated;
- b) A sequence of photos showing the building in question and adjacent buildings on either side;
- c) A sketch of the facades affected by the modifications (repair or renovation) showing the nature of the changes (material, color, opening, etc.);
- d) A project plan to scale of the layout of the entire lot facing the renovated facade.

This information must enable the members of the planning advisory committee and council to have a clear understanding of the work and to analyze the integration according to the objectives and evaluation criteria set out for the work covered by this application.

3° In the case of a sign or mural

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 information must be provided:

- a) Photographs showing the building to which the sign will be attached or the lot where the sign will be installed, with the building housing the establishment for which the sign is requested in the background, if applicable;
- b) A sequence of photos showing the building or lot in question and those adjacent on either side;
- c) A color sketch of the sign covered by the certificate.

This information must enable members of the Planning Advisory Committee and Council to have a good understanding of the work and to analyze the integration according to the objectives and evaluation criteria set out for the signs covered by this application.

4° For work on the shore of a lake or water body

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 information must be provided:

- a) Photos showing the current state of the property;
- b) A sequence of photos showing adjacent properties;
- c) A scaled project plan of the entire site layout, showing: buildings, parking areas, landscaping (sidewalk, shrubbery, trees, fencing, terracing, etc.), measures to minimize the impact of proposed construction on runoff, identification and conservation of permeable land, location of filtration or sedimentation basins, percolating wells, rainwater harvesting measures and system.
- d) A summary description of the benefits in terms of drainage, site design to infiltrate runoff water, reduction of waterproofed surface, densification of vegetation and improvement of the natural environment.

This information must enable members of the Planning Advisory Committee and Council to have a good understanding of the work and to analyze the integration according to the objectives and evaluation criteria set out for the signs covered by this application.

5° In the case of subdivision, construction or extension of a street or integrated project (amended by by-law 601-7)

In addition to the plans and documents provided as part of the subdivision or certificate of authorization application and required by the Permits and Certificates By-law, the following information must be provided:

- a) Photographs showing the current condition of the site and adjacent land;
- b) A project plan to scale showing: the topography of the site before and after the proposed work; the location of existing utilities to serve the site and those proposed, wooded areas, isolated mature trees, existing water bodies; the characteristics of the proposed subdivision; drainage and runoff management measures for the site.

Anyone wishing to carry out an integrated project must submit a detailed development plan showing:

- a) The detailed layout of buildings and all structures, including for each:
 - I. Gross floor area;
 - II. Number of storeys;
 - III. Type of dwelling or building;
- b) Elevation of each facade of all buildings or of a typical building;
- c) Exterior cladding materials;
- d) Exact measurement of setbacks;
- e) Site layout: planting, sodding, parking, driveways, pedestrian and bicycle paths, fences, etc;
- f) Development phases;
- g) Public utility networks (aqueduct, sewer, gas, cable, electricity, lighting, post office box, etc.) and waste disposal sites.

6° In the case of a cadastral operation to create a serviced lot for the construction of a new building (*amended by by-law 601-6*)

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 information must be provided:

- a) Lot limits, existing and projected lot lines, dimensions and areas;
- b) A topographical plan and profile of the site after all proposed work (including fill and excavation work);
- c) Natural features of the site;
- d) Drainage characteristics of the site in its natural and current state;

- e) Location of utilities serving the site and any related easements;
- f) Location of existing and planned structures in relation to existing and planned lot lines;
- g) Environmental photos illustrating the surroundings of the land subject to cadastral operation.

7 ° for all works, structures or constructions of 30 square metres or more authorized within a steep slope sector of 30% to less than 50%, in addition to the applicable documents listed above: *(amended by by-law 601-7)*

- a) A plan to scale showing:
 - I. the delimitation of authorized construction areas and the measures used to identify construction areas on the site (for example, markers using colored tape or stakes);
 - II. location of rainwater catchment or retention structures;
 - III. topographical curves surveyed every two (2) meters or, failing that, a sufficient number of dimensioned points to show the general topography of the building;
 - IV. areas of steep slope, minimally divided into the following classes: less than 30%, 30% to less than 50% and 50% and over.
The methodology used to establish the measurement points must accompany the plan;
- b) A study by a geotechnical engineer demonstrating the feasibility of the project and the proposed retaining structures or supports, where these are over 1.8 metres high. Retaining structures or supports located less than 6 metres apart are considered to be part of the same work;
- c) The methods to be used to stabilize embankments or cuttings in order to avoid creating long-term erosion sites;
- d) Proposed measures for:
 - I. the management of run-off water during and after the works;
 - II. prevent drainage and runoff from being directed towards embankments and the hydrographic network;
 - III. protect shrub and tree species during construction work;
- e) A diagram of runoff drainage axes present on the site;

- f) A written document, accompanied by visuals where appropriate, containing a rationale demonstrating why the work, structure or construction cannot be carried out outside steeply sloping areas, and how the planned interventions will limit the impact of water runoff and sediment transport;
- g) A plan, drawn to an adequate scale, demonstrating that the alignment of any roadway is planned in such a way as to (i) keep it as far away as possible from steep slopes, rock outcrops and areas unsuitable for drainage, (ii) reduce encroachment on shrub and arborescent surfaces and on vegetated strips at the top and bottom of slopes, and (iii) reduce the width of the roadway right-of-way to a minimum while still allowing emergency vehicles to pass;
- h) Where required, a copy of the certificate of authorization issued by the Ministère de l'Environnement, du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques;
- i) Any other information or additional documents that may be required to analyze the project's conformity;

8° In addition to the information and documents required in the preceding paragraph, for a construction of 30 square metres or more erected on stilts, stakes, structure or support, with or without contact with the ground (self-supporting structure) in a steeply sloping area, the following additional information and documents are required: *(amended by by-law 601-7)*

- a) A description of the structure or support used for construction;
- b) A plan illustrating that the space under the floor of the construction allows for the planting and maintenance of herbaceous species with a percentage of coverage of 100%;
- c) A description of the proposed herbaceous species, or if applicable shrubs and trees, to assess whether they will adequately infiltrate and capture runoff water.

13. APPLICABLE PROCEDURE AND FORWARDING OF APPLICATION

All plans, documents and information required under this by-law must be submitted to the building inspector with the application for a permit or certificate subject to this by-law.

14. COMPLIANCE WITH TOWN PLANNING REGULATIONS

The building inspector is responsible for verifying that the application is complete and compliant with the applicable planning by-laws. If the application is complete and compliant, the building inspector forwards it to the Planning Advisory Committee within thirty (30) days of submission of the duly completed application.

15. REVIEW BY THE URBAN PLANNING ADVISORY COMMITTEE

The Planning Advisory Committee is responsible for evaluating the application in accordance with the objectives and evaluation criteria set out in this by-law. If it deems it appropriate, the Planning Advisory Committee may require a meeting with the applicant and may visit the site.

The Planning Advisory Committee is responsible for forwarding its assessment of the application to Council in writing. This assessment must include a recommendation to approve or refuse the plans submitted, and in the latter case, an indication as to the Committee's reasons for recommending refusal. This recommendation must include the opinion of the environmental advisory committee in the case of work on the shore of a lake or water body. The evaluation produced by the Planning Advisory Committee may also suggest modifications to make the plans acceptable with regard to the objectives and criteria established in the present by-law. In such cases, these modifications must be approved by the applicant prior to the council's decision.

16. COUNCIL APPROVAL

Following review by the Planning Advisory Committee, Council must, by resolution, approve the site planning and architectural integration plans, or reject them if they do not. A copy of this resolution is sent to the person who submitted the plans.

17. OTHER CONDITIONS OF APPROVAL

Council may also require, as a condition of plan approval, that the applicant carry out and complete the work included in the accepted plans within a set timeframe and provide such financial guarantees as Council may determine in accordance with its powers under the Act.

SECTION III: FINES AND PENALTIES

18. OFFENSES AND PENALTIES

Anyone who contravenes a provision of this by-law commits an offence and is liable:

1° For a first offence, to a fine of \$500 to \$1,000 in the case of a physical person, or to a fine of \$1,000 to \$2,000 in the case of a legal entity; *(amended by by-law 601-2)*

2° In the case of a second or subsequent offence, to a fine of \$1,000 to \$2,000 in the case of a physical person, or \$2,000 to \$4,000 in the case of a legal entity. *(amended by by-law 601-2)*

19. CONTINUOUS OFFENCE

When an offence has lasted more than one day, the penalty is applied for each day or fraction of a day that the offence has lasted.

20. RECURRENCE

Where the regulation provides for a heavier penalty in case of repeated offence, it may be imposed only if the repeated offence took place within two years of the offender's conviction for an offence under the same provision as that for which the heavier penalty is sought.

21. LEGAL RECOURSE

In addition to legal recourse, the Town may exercise before the courts all civil recourses at its disposal to ensure compliance with the provisions of the present by-law.

22. FEES

Fees are added to the penalties provided for in the present by-law. They include costs related to the execution of the judgment.

CHAPTER III: OBJECTIVES AND EVALUATION CRITERIA ACCORDING TO THE ZONES, CATEGORIES OF CONSTRUCTION, LAND OR WORK CONCERNED

23. GROUPING OF SPAIP

The present by-law is based on groupings of constructions, works or other. These groupings are the subject of statements of objectives and evaluation criteria.

Grouping	Designation
SPAIP-1	Institutional or public buildings and land
SPAIP-2	Residential buildings and land
SPAIP-3	Commercial and mixed-use buildings and lots with residential properties
SPAIP-4	Industrial buildings and land
SPAIP-5	Signs and murals
SPAIP-6	Work on the shore of a lake or water body
SPAIP-7	New streets or street extensions outside urban perimeters
SPAIP-8 <i>(amended 601-6)</i>	Cadastral operation to create a serviced lot allowing construction of a new building
SPAIP-9 <i>(amended 601-7)</i>	Areas with steep slopes from 30% to less than 50%
SPAIP-10 <i>(amended 601-7)</i>	Integrated project

24. SPAIP-1

Institutional or public buildings are covered by the SPAIP-1.

Purpose

It is important to respect the main characteristics of existing public buildings, avoiding contrasts. For new buildings, the immediate neighborhood must be taken into account to ensure a significant contribution to the surrounding urban landscape. In addition, the private character of adjacent properties must be preserved.

Evaluation criteria

1° For buildings:

Volumetry, exterior cladding materials, type of openings, cladding material colors, architectural details and roof shapes are characteristics that are taken into account for the renovation or extension of existing buildings in order to respect the architectural type present, particularly when the building has architectural value;

For new buildings, the architectural type and all related features do not necessarily have to take into account the immediate neighbourhood, except for colors, which must avoid contrasts;

In the context of municipal buildings in parks, it is preferable that buildings have an architecture that allows easy identification by recalling the features that are common to these service buildings;

2° For land:

Landscaping design must be taken into account to ensure that the building sits well on the land and does not appear to have been parachuted onto the site;

If the site in question has a fence, wall or hedge, these must be laid out without creating lighting constraints for the neighborhood (sunlight);

Lighting (evening) must also be adapted to ensure the privacy of the residential neighbourhood, where appropriate;

Public parking lots must be laid out in small blocks with landscaping to minimize the visual impact of hard surfaces.

25. SPAIP-2

Residential buildings and lots are covered by the SPAIP-2.

Purpose

It is primarily intended to integrate with adjacent properties, without neglecting the architectural type of the building, especially when it has architectural value. In the latter case, it is important to respect the main characteristics of these buildings. The work must promote a certain continuity in the built and landscaped environment, avoiding contrasts.

It also intends to create a certain overall visual unity with adjacent properties without inhibiting the building's own creativity and identity.

Evaluation criteria

- 1° The volumetry of the building covered by the application must be similar to that of neighbouring buildings, and too significant a difference must be avoided (e.g.: more than 2 times the volume);
- 2° The choice of materials and colors must take into account the architectural type and avoid sharp contrasts. Exterior cladding materials are limited in number;
- 3° Transitional elements must be proportional to the building and reflect the architectural type;
- 4° Openings must reflect the architectural type and are generally taller than they are wide. Sliding windows are to be restricted;
- 5° Renovations or additions to buildings of definite architectural value must respect the characteristics of the existing building. Foundations must be covered, and traditional exterior cladding is preferred, without necessarily excluding aluminum or vinyl;
- 6° Trees, hedges and other landscaping must contribute to emphasizing or highlighting the main features of the building;
- 7° Site layout must take into account the general occupancy of neighboring properties and ensure optimal use of the land;
- 8° Access roads and parking lots must be located and landscaped in small blocks to ensure the privacy of the neighbourhood;
- 9° Roof shapes should preferably be adapted to the immediate environment, unless the building has architectural value, in which case the architectural type must be respected. A 1-sided roof is not desirable;
- 10° Significant architectural details are required to accentuate the building's specific character.

26. SPAIP-3

Buildings and lots with a commercial function, whether or not accompanied by a residential function, are covered by the SPAIP-3.

Purpose

These zones include downtown land uses with almost no setbacks and urban buildings whose architectural treatment on the first floor differs from that on the upper floors, given the established commercial vocation of the first floor, as well as more recently developed land typical of roadside businesses whose buildings are set back from the road and whose front yards are laid out almost strictly to accommodate automobiles.

Thus, in these areas, the work must either maintain or reinforce the distinctly urban character of Knowlton's downtown with a built environment reminiscent of the volumes of the downtown area or ensure the redevelopment or development of the front water bodies in such a way as to minimize the large hard surfaces and provide vegetation to accentuate the rural character.

Evaluation criteria

- 1° Building volumetry, types of openings, roof shapes and the type and color of cladding materials must be taken into account to ensure harmonization with the neighborhood, avoiding disproportions and contrasts, and ensuring compatibility of heights, volumetrics, facades and roof shapes. Of course, the architectural type of buildings with heritage value must be preserved. The contribution of vegetation and the distance between buildings, where appropriate, can be mitigating factors in making a project acceptable;
- 2° The layout of facades must give the impression that each storey is in continuity with the storeys of neighbouring buildings when the buildings are on lots with similar levels;
- 3° Building implementation must avoid discontinuity and disruption of the desired built environment and take into account the physical characteristics of the site, in particular by minimizing fill and excavation and excessive deforestation;
- 4° There must be no blind walls on the front or side elevations facing the sidewalk;
- 5° Street-level animation is sought by encouraging open or glazed surfaces, without necessarily creating a showcase effect;
- 6° Front yard landscaping for the urban portion of Knowlton must prominently identify pedestrian entrances. These should be on hard surfaces, except bituminous concrete, and supported by landscaping;
- 7° Side water bodies between buildings must be landscaped to frame hard surfaces reserved for access and parking (vegetation);
- 8° By ensuring that the architectural treatment of facades contributes to the creation of vertical and horizontal rhythms perceptible over a certain distance on either side of the building and on the facade;
- 9° Horizontal and vertical building alignment should be avoided;
- 10° Where semi-detached or rowed buildings are authorized, or where the building has a significant width, the facade must be articulated to create a vertical and horizontal rhythm;
- 11° Significant architectural details, such as opening surrounds, are sought after;
- 12° Functional equipment for heating, ventilation or other purposes must be architecturally concealed;

13° By limiting the size and height of fences or hedges so as to reduce visual openings in front water bodies.

27. SPAIP-4

Industrial buildings and lots, as well as water bodies, are covered by the SPAIP-4.

Purpose

In the UI-3-L15 zone, located in the heart of Knowlton's downtown core, modifications or extensions to buildings fronting on Route 104 (Knowlton Road), as well as site development, must aim to blend in with the surrounding built environment.

In UC zones, industrial buildings and lots, as well as lumber yards, must be laid out in such a way that front yards limit the hard surfaces other than parking that can be used for heavy vehicle storage and maneuvering. In addition, outdoor storage areas must be specially treated to reduce the visual impact from the street.

Evaluation criteria

For the building:

1° For zone UI-3-L15, the architectural treatment of street facades must aim to eliminate the current linearity by creating vertical and horizontal rhythms reminiscent of the surrounding environment. One example is the creation of false commercial façades with shop windows. These windows could be used to display local products and inform passers-by of the various attractions and services on offer. Breaks in wall alignment, the choice of cladding materials and their color, the type of opening and the use of artifice such as street gable, false 2nd floor, etc., are sought as factors to attenuate the monolithic character of the building in presence. Front water bodies should be landscaped, with hard surfaces (sidewalks, thresholds, etc.) inviting pedestrians to walk along false commercial facades, where appropriate;

2° In UC zones, where buildings used for industrial or service purposes in water bodies have large volumes, the architectural treatment should aim to reduce these volumes. The monolithic effect should be avoided. Vertical and horizontal rhythms should be created. The landscaping of front water bodies should include trees and shrubs to reinforce the effect of restricting the monolithic character of the building, and to reduce the visual impact of hard surfaces reserved for parking or manoeuvring areas for heavy vehicles. Storage areas must be visually screened by fences or vegetation.

28. SPAIP-5

Signs and murals located in the zones listed in Article 2 for which a certificate of authorization must be issued are subject to the SPAIP-5.

Purpose

This SPAIP is intended to ensure that the type of sign and mural is appropriate for the building, taking into account characteristics (materials, lighting, color, positioning) that reinforce the identity of the building and the neighbourhood.

Evaluation criteria

- 1° The type of sign chosen must be consistent with the architectural type of the building;
- 2° The choice of materials must take into account the type of lighting planned, if any, to avoid glare or excessive reflection;
- 3° Colours must not be too bright or of the fluorescent, luminescent or phosphorescent type;
- 4° Care must be taken when choosing the location for the sign or mural on the building or property, so that it contributes positively to emphasizing or reinforcing the building's characteristic features. Consideration must also be given to the vocation of the street and the presence of signs in the immediate vicinity, so as to ensure optimum visibility of the sign in question and others in the immediate neighbourhood

29. SPAIP-6

(amended by by-law 601-4) Removed

30. SPAIP-7

New streets or street extensions outside urban perimeters and located within the zones listed in Article 2 are subject to the SPAIP-7.

Purpose

The SPAIP is to ensure environmentally-friendly development that preserves the natural characteristics of the area. It is also intended to direct development close to existing infrastructure networks in order to encourage their viability and thus avoid the sprawl and scattering of development.

Evaluation criteria

- 1° The proposed street layout and project promote access to as many properties as possible so as not to multiply the number of streets;
- 2° The proposed street layout and buildings are located close to existing road networks, in order to facilitate their viability;
- 3° The project allows access to the site at all times for emergency services and public utilities. Thus, the road network leading to the proposed street must not present any major access constraints, such as a street that is too narrow, too steep, etc.

- 4° The proposed street layout and project are planned to protect and enhance natural landscape features, including natural elements, woodlands and viewpoints of interest;
- 5° Existing mature trees are integrated into the project design;
- 6° The proposed street layout and project limit excavation and fill operations as much as possible, adapting to the natural topography of the area and orienting parallel or diagonally to the contour lines;
- 7° The proposed street layout and project are planned to protect and enhance natural biophysical features such as water bodies, wetlands and riparian zones;
- 8° The development concept allows for natural drainage and is planned to encourage on-site retention of runoff water.
- 9° The development project must allow the use of natural plateaus for construction purposes;
- 10° The development project must propose an architectural concept in relation to the natural environment, and the volume of buildings must respect the morphology of the land;

31. SPAIP-8

Any cadastral operation intended to create a serviced lot for the construction of a new building is covered by the SPAIP-8.

Purpose

- 1° Adapt the subdivision to the specific characteristics of the site (topography, road safety, etc.);
- 2° Minimize the impact of the project on the natural environment;
- 3° Preserve as much as possible the landscape dominated by natural elements, panoramic views or open spaces (e.g. meadows, former golf courses, agricultural fields);
- 4° Ensure development that blends in with the surrounding built environment.

Evaluation criteria

- 1° The shape and boundaries of the proposed lots must harmonize with the site and its immediate environment. To this end, the applicant must demonstrate that the proposed lots are adapted to the topography, natural elements (water bodies, wooded areas or trees of interest) and the context of the built environment (size of lots in the immediate environment), all in order to maintain a quality landscape and harmony within the municipality's built environment.

- 2° The subdivision must take into consideration the views and visual breakthroughs from public roads, as well as, in as much as possible, from existing residences.
- 3° The proposed subdivision must maintain the appeal and quality of the natural environment.
- 4° Any lot not meeting these criteria must have undergone in-depth architectural, urban planning and environmental review. The applicant must demonstrate to the municipal council that the construction project planned for the lot to be created by the cadastral operation meets the objectives and criteria of the SPAIP. In such cases, the applicant must submit the construction project to be carried out on the lot at the same time as the subdivision application. The subdivision will then be analyzed in the light of the construction project, the two applications being indissociable. This possibility does not reduce the discretionary power of the council to approve or refuse a request if it considers that the cadastral operation request does not meet the objectives and criteria of SPAIP-8.

32. SPAIP-9 (*amended by by-law 601-7*)

This SPAIP applies to any work, structure or construction located in an area with a steep slope of 30% to less than 50%, with the exception of certain tree-cutting operations.

Purpose

Ce PIIA vise à réduire l'impact de la réalisation de travaux dans des milieux naturels de fortes pentes.

Evaluation criteria

- 1) All work must be planned to keep as far away as possible from steeply sloping areas, while minimizing reworked or stripped areas;
- 2) Wherever possible, all work should respect the natural drainage (flow patterns) of the environment, to minimize impact on runoff and sediment transport;
- 3) The felling of trees required for the implementation of any work, structure or construction, including accessibility for machinery, must be limited to the minimum required in order to maintain the highest possible percentage of forest cover;
- 4) At the foot and top of the slope, a vegetated strip must be preserved;
- 5) Any construction must be located primarily as close as possible to the road so as to minimize the felling of trees on the site and the impact on vegetation (shrub and tree species);
- 6) The layout of a roadway or recreational network must be integrated into the host environment and located in such a way as to have the least impact on runoff water, as far as possible from steep slopes, vegetated strips, rock outcrops, areas unsuitable for drainage and shrub and tree surfaces;

- 7) The width of the right-of-way must be kept to a minimum, while still allowing emergency vehicles to pass;
- 8) Runoff and drainage water must be retained in such a way as to prevent it from being directed directly onto embankments and the water system;
- 9) Runoff from all buildings and building extensions, regardless of the area covered by the ground layout, must be directed towards one or more rainwater retention structures (barrel, cistern or collector type) of sufficient capacity;
- 10) Excavation and fill work must be kept to a minimum, and excavation work is to be preferred to fill work;
- 11) The subdivision is adapted to the topography of the land.

33. SPAIP-10 (*amended by by-law 601-7*)

Integrated projects are covered by the SPAIP 10.

An integrated project or overall project refers to a group of buildings, consisting of three (3) or more main buildings, located on the same lot and sharing common uses and services, such as private streets, accessory buildings, parking areas and services and equipment.

Purpose

- 1° Ensure the project's signature by encouraging architecture that generates an overall character;
- 2° Plan and carry out the project with respect for the natural and landscape features of Brome Lake;
- 3° The preferred development approach aims to create a quality living environment for residents, including common spaces;
- 4° The proposed development concept aims to create a residential community rather than traditional projects that are unable to comply with applicable municipal by-laws;
- 5° The involvement of professionals (architect, landscape architect, etc.) demonstrates the developer's thoughtfulness in integrating architecture with the environment, the quality of the overall project and the building, as well as the project's positive contribution to the aesthetic improvement of Brome Lake's built environment.

General evaluation criteria

1° Layout:

- a) Main buildings are sited in a manner that respects neighbouring structures, while at

the same time protecting the vegetation cover, maintaining the natural topography and highlighting visual perspectives of interest;

- b) Building layout minimizes visual impact and preserves privacy between buildings;
- c) The project does not aim to use the integrated approach to over-densify an area, but to optimize common areas and the quality of common spaces;
- d) Landscapes and views from public thoroughfares are taken into consideration in the design of the project;

2^o Architecture :

- a) The design of main buildings, including their footprint, height, width and roof, openings, projections and ornamentation, will blend harmoniously with the area, drawing inspiration from architectural styles typical of the Eastern Townships;
- b) Buildings must be designed in such a way as to encourage sustainable, quality architecture, creating a living environment in harmony with the natural character of Brome Lake;
- c) Wherever possible, the project will propose sustainable construction techniques for the buildings (white roofs, passive solar energy, energy efficiency, ecological and renewable materials, potable water consumption, etc.);
- d) The volumetry of buildings is articulated with setbacks in the facades to avoid monotony in the built landscape;
- e) High-quality, durable materials are favored;
- f) South-facing facades are largely glazed to promote energy conservation;
- g) Unfinished foundation walls are minimally visible from traffic routes;
- h) Garage doors, where applicable, do not dominate facades and are not visible from the public street;;
- i) Volume changes between buildings on the same street or in the same project are gradual and smooth;
- j) The architecture of buildings is thought out as a coherent whole, while avoiding excessive repetition of the same building;
- k) The appearance of accessory buildings is in harmony with the treatment and architectural character of the main buildings;

3^o Natural environment and landscaping:

- a) The project must maintain the appeal and quality of the natural environment:
 - i. Protection of the water system to ensure the integrity of shorelines, wetlands and environmental management of surface drainage;
 - ii. Surface drainage and any modification to the general profile of development must be carried out without eroding or polluting water bodies;
 - iii. The preservation of existing wooded areas or the provision of reforestation to ensure that the project is in harmony with the environment;
- b) The site must include outdoor landscaping that blends harmoniously with the area's natural setting and enhances the quality of the landscape, such as panoramic views from the lake or public roads;
- c) Buildings, parking areas and driveways are designed to be concealed by abundant landscaping and vegetation, while minimizing fill and excavation, so as to maintain a natural character and avoid excessive mineralization of the environment;
- d) When planting trees or shrubs, preference should be given to indigenous plant species typical of the Eastern Townships region, where deciduous species predominate;
- e) Landscaping should use native, non-invasive, drought-resistant plants. To this end, turf is not overused in the landscaping concept;
- f) Adequate runoff management is provided to promote natural drainage and prevent erosion;
- g) Electrical wires are buried or mirrored so as not to interfere with landscaping and are adequately concealed;
- h) Lighting is sober and aimed at preserving the starry sky by not spilling off-site and by being directed towards the ground;
- i) The project foresees leisure areas, common and community spaces that add value to the project, as well as pathways that provide links between buildings, leisure areas and parking lots;
- j) Walkways are functional yet aesthetically pleasing;
- k) Pedestrian and bicycle pathways are safe and pleasant, facilitating travel for anyone with reduced mobility and ensuring connectivity between the project's buildings and community facilities;
- l) The project includes spaces dedicated to waste management and storage (accessory buildings) that integrate harmoniously with the development and the surrounding neighborhood.

COMING INTO FORCE

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

Made and adopted by

Council of the municipality at

the meeting held on -----

Gilles Decelles, Mayor

M^e Edwin John Sullivan, Town Clerk

Certified copy