

DECISION OF THE DEMOLITION COMMITTEE OF THE CITY OF POINTE-CLAIRE, RENDERED AT A MEETING HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC ON **DECEMBER 16, 2020**, AFTER A PUBLIC NOTICE HAS BEEN PUBLISHED ON **NOVEMBER 25, 2020**.

**PRESENT:** Councillors B. Cowan (District 8 – Oneida), acting as President of the Demolition Committee, P. Bissonnette (District 2 – Lakeside) and C. Homan (District 5 – Lakeside Heights), being all members of the Demolition Committee.

Danielle Gutierrez, Assistant City Clerk, Legal affairs department and City Clerk's office, acting as Secretary of the Demolition Committee, Sébastien Blanche, Interim Planning Advisory Committee Coordinator, and Nicole Loisel, Assistant Director of the Planning Department, are also in attendance.

**DEMOLITION OF THE IMMOVABLE LOCATED AT 99 CEDAR AVENUE**

Mr. Sébastien Blanche of the Planning Department presents the request for authorization to demolish the immovable located at 99 Cedar Avenue submitted Mrs. Raquel Weizman, owner. This request is accompanied by a programme for the reutilization of the vacated land.

The Assistant City Clerk informs the Committee that seventy-three (73) written objection were received in accordance with the provisions of Section 148.0.7 of the Act Respecting Land Use Planning and Development, as well as one (1) support letter.

The Committee takes note of the comments submitted by Hugo Conception as well as a letter received by the applicant.

The Committee takes note of the preoccupations received by the opponents as well as the support letter.

**DECISION**

WHEREAS the committee has considered the contribution the building makes to the special character of Pointe-Claire;

WHEREAS the following reports have been analyzed:

- Rapport évaluation\_ 2015-06-15
- Rapport\_inspection\_ 99 Cedar Pointe Claire Louise Coutu arch\_2020-11-03

WHEREAS the Committee has considered the condition of the building concerned by the demand, the deterioration of its architectural appearance, the neighbourhood's aesthetic character and quality of life, the cost of restoration, the proposed reutilization program for the vacated land, the environmental sustainability of the demolition and of the reutilization program for the vacated land and any other relevant criteria, in particular:

- Written objections received by the City Clerk, if applicable, in accordance with the provisions 148.0.7 of the Act Respecting Land Use Planning and Development;
- All other objections or representations received or presented at the meeting.
- The recommendations of the Planning Advisory Committee.

CONSIDERING the provisions of Sections 148.0.1 to 148.0.26 of the Act Respecting Land Use Planning and Development and those of Demolition By-law number PC-2818 of the City of Pointe-Claire;

WHEREAS the project was studied thoroughly prior to the meeting;

WHEREAS the approximate cost of complete renovation is \$ 450, 000 and the approximate replacement value is \$ 407,000;

FOR THESE REASONS, it is:

**DECIDED:**

1. TO AUTHORIZE the demolition of the immovable located at 99 Cedar Avenue in Pointe-Claire, based on the abovementioned relevant criteria of the Demolition By-Law
2. TO REFUSE the land reutilization program of the vacated land for the following reasons:

- a) That the proposed project does not take advantage of/and enhance the natural topography of the site (Articles 31.2 and 31.3 of Chapter 3 of SPAIP By-Law PC-2787);
- b) That the proposed project will require the felling of multiple trees (Article 31.4 of Chapter 3 of SPAIP By-Law PC-2787);
- c) That the proposed architecture, height volume and implantation of the building do not integrate harmoniously and are not compatible with the surrounding buildings (Articles 31.10 and 31.11 of Chapter 3 of SPAIP By-Law PC-2787).
- d) That the project as a whole (modification of the topography, felling of trees, building's implantation) could have a negative impact on the drainage of rainwater.

A vote is called regarding the demolition.

The Committee votes unanimously in favour of the demolition.

A vote is called regarding the program for the reutilization of the vacated land.

Councillors Bissonnette and Homan vote against the program for the reutilization of the vacated land.

Councillor Cowan votes in favour of the program for the reutilization of the vacated land explaining that a similar request was submitted and approved by the Demolition Committee in 2015. The SPAIP had also been approved by Council, however, the acquisition process was not finalized, therefore the authorization for demolition and obtaining the permits expired. Councillor Cowan points out that the Committee has the power to direct that certain trees deemed essential to preserve the special character of Pointe-Claire or to contribute to an important way to the environment or to provide privacy, are not to be felled in a demolition or reconstruction the Committee might authorize. The judicious exercise of this power could easily eliminate this particular point of opposition. Councillor Cowan also points out that there is no evidence that reducing the hill will substantially increase ambient noise levels. To his view, the proposed architecture of the building integrates well as a whole in terms of its location and the size of the land. Finally, Councillor Cowan mentions that the lowering and leveling of the hill will not affect the slope, and in any case, the provincial laws prohibits new construction of changing the drainage system. To his view, it would be a simple matter to construct roof gutters and a drainage system to redirect runoff such that rainwater be properly evacuated.

The program for the reutilization of the vacated land is refused by majority, namely two (2) votes against and one (1) in favour.

It is noted that any interested party may, within 30 days of the decision of the Committee, appeal the decision, in writing, to the Municipal Council and to inform the applicant about the effect of such appeal on the issuance of the permit.

#### **ADJOURNMENT OF MEETING**

The meeting is adjourned at 7:35 p.m.



Brent Cowan  
Committee President



Danielle Gutierrez  
Committee Secretary