



PUBLIC NOTICE

REQUEST FOR OPENING OF THE REGISTER FOR APPROVAL BY REFERENDUM SCAOPI – 4216 DORCHESTER – SECOND DRAFT RESOLUTION

PUBLIC NOTICE is given of the following:

1. Following the public consultation held on November 25, 2024, the municipal council adopted, by resolution during the special meeting held on December 16, 2024, the second resolution project no. 2024-12-310 concerning the building located at 4216 Dorchester Boulevard, situated on lot 4 142 956 of the Québec land registry (hereinafter referred to as the "BUILDING"), all in accordance with Regulation 1489 on special projects of construction, modification, or occupation of a building.
2. This second draft resolution contains six (6) provisions subject to approval by way of referendum:
 - a) Authorize a derogation from By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by permitting, notwithstanding the maximum building height of 35'-0" stipulated in the specification grid for zone R6-35-01 on the zoning map, a maximum building height of 59'-0";
 - b) Authorize a derogation from By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by permitting, notwithstanding the maximum height of three (3) storeys allowed in the specification grid for zone R6-35-01 on the zoning map, a building with a maximum height of five (5) storeys;
 - c) Authorize a derogation from By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by permitting, notwithstanding the maximum floor area ratio of 2 allowed in the specification grid for zone R6-35-01 on the zoning map, a maximum floor area ratio of 2.35;
 - d) Authorize a derogation from By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by permitting, notwithstanding the maximum site coverage ratio of 65% allowed in the specification grid for zone R6-35-01 on the zoning map, a maximum site coverage ratio of 66%;
 - e) Authorize a derogation from By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by permitting, notwithstanding the prohibition of encroachment into the space between the street and the construction alignment (set at 12'-0" for Dorchester Boulevard) stated in subsection 5.2.3, the installation of an underground parking lot and an oriel window, at minimum distances of 0'-0" and 10'-3 ¼" respectively from the front lot line;
 - f) Authorize a derogation from By-law No. 1303 of the City of Westmount, entitled *Zoning By-law*, by permitting, notwithstanding the requirement for a maneuvering area length of 22'-0" between or in front of required parking spaces as per article 5.5.3.2, a maneuvering area ranging from 19'-1 ¾" to 21'-7 ¼" for parking spaces.

Aside from this brief description, a copy of the second draft resolution no. 2024-12-310 can be obtained upon request at the Legal Services and Clerk's office located at 4333 Sherbrooke Street West, in Westmount during business hours.



3. Any interested person from the concerned zone or any adjacent zones may sign a request to open the register to have a provision of the second resolution project, subject to referendum approval, submitted to the approval of eligible voters.
4. A request for a provision of the second resolution project to be submitted to the approval of eligible voters can come from the concerned zone R6-35-01 or from the following adjacent zones: R3-34-08, C10-24-06, R6-24-08, and R3-35-03.

An illustration of the zones is attached to this notice and can be consulted at City Hall, as well as on the City's website at:

<https://westmount.org/en/zoning-map/>

5. To be valid, a request to open the register must meet the following conditions:
 - Be signed by at least 12 interested persons from the zone from which it originates, or by the majority of them if the number of interested persons in the zone does not exceed 21;
 - Clearly indicate the provision concerned and the zone from which it originates;
 - Be received at the registry office **no later than 4:30 p.m. on March 26, 2025**.
6. An "interested person" is:
 - Any person who is not under any incapacity to vote and who meets the following conditions on December 16, 2024:
 - Be domiciled in the City of Westmount;
 - Have been domiciled in Québec for at least six months.
 - Any sole owner of a property or sole occupant of a business establishment who is not under any incapacity to vote and who meets the following conditions on December 16, 2024:
 - Have been the sole owner of a property or occupant of a business establishment located in the City of Westmount for at least 12 months;
 - Have produced or be producing at the same time as the request a written and signed statement by the owner or occupant requesting registration on the referendum list, if applicable.
 - Any co-owner of a property or co-occupant of a business establishment who is not under any incapacity to vote and who meets the following conditions on December 16, 2024:
 - Have been a co-owner of a property or co-occupant of a business establishment in the City of Westmount for at least 12 months;
 - Be designated, by a signed proxy from the majority of the co-owners or co-occupants, as the person who has the right to sign the request on their behalf and be registered on the referendum list, if applicable. The proxy must have been submitted or be submitted along with the request. In the case of an individual, the person must be of legal age, a Canadian citizen, and not under



guardianship.

In the case of a legal entity, the entity must:

- Have designated among its members, directors, or employees, by resolution, a person who, on December 16, 2024, is of legal age, a Canadian citizen, not under guardianship, and not under any incapacity to vote;
- Have produced or be producing at the same time as the request a resolution designating the person authorized to sign the request and be registered on the referendum list, if applicable. Unless designated as a representative of a legal entity, no person may be considered an interested person in more than one capacity, in accordance with section 531 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2).

7. Any provision for which no valid request has been made may be included in a resolution that will not have to be submitted to the approval of eligible voters.

GIVEN AT Westmount, this 13th day of March 2025.

Mtre Paule Geoffroy Béliveau
City Clerk

