

RESOLUTION le 29 aout 2018
du Syndicat des Copropriétaires du Sherbrooke Westmount



**SYNDICAT DES COPROPRIETAIRES DE LE
SHERBROOKE WESTMOUNT**

4160 Sherbrooke West, Unit 702,
Westmount, QC, H3Z 1C2
Tel 514-482 -2853

September 9, 2018

Mrs. Lillian Daccach Saade

602-4160 Sherbrooke

Westmount, Qc

H3Z 1C2

By Email : lilasaade@hotmail.fr

cc. : salim@hejal.com

Re: Apartment 701, 4160 Sherbrooke Street West

Dear Mrs. Daccach:

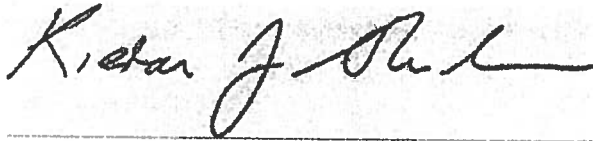
Please find attached the minutes of SGM held on August 29 2018.

You will be pleased to note that 91.7% of all co-owners were present in person or by proxy and the vote to adopt the motion you requested was approved unanimously.

We wish you every success in your efforts to obtain a variance to the zoning regulations through the PPCMOI process by having your apartment designated residential.

We will appreciate being kept advised of any progress on the file.

Yours Truly



Kieran Shanahan
President



LE SHERBROOKE WESTMOUNT

Special General Meeting, August 29, 2018 / Assemblée spécial, le 29 août, 2018

4:00 pm, unit #201 / 16h, suite #201

Minutes / Procès-verbal

The purpose of this Special General Meeting was to advise all co-owners of the details of a lawsuit brought by Mrs. Lillian Daccach, owner of unit 701, against the City of Westmount. The lawsuit concerns the legal status of her unit, her application to obtain a variance to the City's zoning regulations, and the Syndicat's negotiated agreement with Mrs. Daccach through her Attorney Me. Sarna Lazar and her mandataire, Mr. Salim Hejal

- 1.0 Opening of the special general meeting and establishment of a quorum, which is 91.7%. / Ouverture de l'assemblee et quorum, 91.7%. See attached attendance voting record
- 2.0 Appointment of the chairman and secretary of the meeting / Nomination du président et de la Secrétaire de assemblée.

Moved by John Jonas, that Prochat Salas be president and Linda Leith secretary of the meeting. Seconded by David Gawley. Passed unanimously.

- 3.0 Approval of the minutes of the special general assembly held on May 10 2018
Adoption du procès-verbal de l'assemblée spéciale du 10 mai 2018.

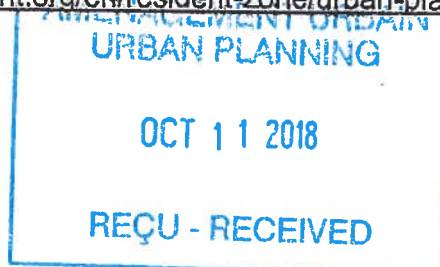
Moved by John Jonas. Seconded by Nora Burnier. Passed unanimously

- 4.0
 1. Mrs. Prochat Salas presented Mrs. Lillian Daccach's application to obtain a variance to zoning regulations to allow unit #701 to be classified residential from its current recreational status. The application process under the acronym "PPCMOI" in French can be read by following the following link:

https://westmount.org/zone-resident/amenagement-urbain/ppcmoi/?doing_wp_cron=1527890340.0439839363098144531250

for "SCAOPI" in English, see:

<https://westmount.org/en/resident-zone/urban-planning/scaopi/>



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2. Presentation and discussion of the Board's negotiated agreement with Mrs. Daccach through her Attorney Lazar Sama and her mandated representative Mr. Salim Hejal and its recommendation for acceptance by all co-owners. Co-Owners will note that Mrs Daccach is obligated to fulfil all the terms and conditions of the agreement as detailed in letter 2018 07 16 from Sama corrected.PDF (copy attached), irrespective of the outcome of her PPCMOI application.

Motion: That Mrs Daccach is obligated to fulfil all the terms and conditions of the agreement as detailed in letter 2018 07 16 from Sama corrected.PDF (copy attached) irrespective of the outcome of her PPCMOI application.

Moved by John Jonas, seconded by Salim Hejal. Passed unanimously.

3. Mr. Hejal explained Mrs. Daccach's intention to renovate and upgrade her apartment on successful completion of the PPCMOI process.

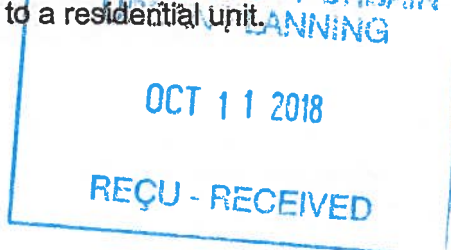
Mr. Hejal then presented the meeting with a history of how he and three partners developed Le Sherbrooke Westmount and how it happened that the common area was converted to a private space, unit #701, with the agreement of the then current owners, and sold to Mrs. Daccach.

Unit #701 stood empty for several years and was then rented. Eventually, a few years ago, Mrs. Daccach decided to sell, at which point she asked Mrs. Diane Khouri to raise at a board meeting that, when changing the declaration, we should change the wording from a common area to a residential unit.

However, the City refused to grant permission because of the applicable zoning regulations. It therefore became necessary to try obtain a variance to the zoning regulations, and that has meant consulting with numerous lawyers, throughout Mrs. Daccach was and is paying taxes on the property as a residential unit. After further complications, she and Mr. Hejal submitted a request that #701 be renovated as private recreation unit and to lower the taxes to those applicable in such a case. The City advised that it would approve a permit, but only for the whole building. The decision made her lawsuit unavoidable.

Eventually the City indicated that it would consider allowing a variance to the zoning regulations. But first, it is necessary that other co-owners agree to the change. This is the reason for this special general meeting.

Mrs. Daccach through Mr. Salim Hejal is therefore asking the co-owners to amend the declaration if the City approves the change from a common recreation unit to a residential unit.

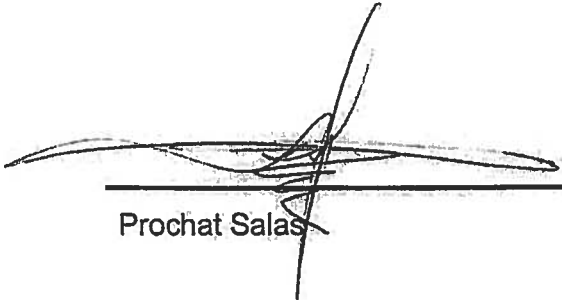


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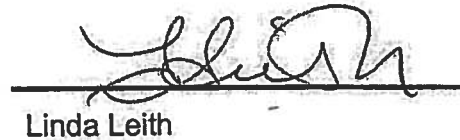
Motion: BE IT APPROVED by co-owners in attendance or through proxies, duly presented, and in accordance with the requirements of the Declaration of Co-ownership, that the said Declaration of Co-ownership be amended to change the designation of unit #701 from Recreation to Residential. The proposed amendment to be effected on confirmation from the City of Westmount that the requested change applied for through the PPCMOI process has been granted.

Moved by John Jonas, seconded by David Gawley. Motion passed unanimously.

5.0 The meeting adjourned at 4:40 p.m.



Prochat Salas



Linda Leith



SYNDICAT DES COPROPRIETAIRES DE LE SHERBROOKE WESTMOUNT

SPECIAL GENERAL MEETING - SIGN IN SHEET
 2018 09 29 Proposed Amendment to Declaration concerning unit #701

Memoires

Unit	Co-Owner	Proxy	Signature	E-mail	Percentage
101	Leith Linda & Gawley David	NR	<i>[Signature]</i>	leith.linda@bmail.com	6.00%
102	Hagn Michael	Prochat Sales	<i>[Signature]</i>	mhagn@bmail.com	8.00%
201	Salas Prochat	NR	<i>[Signature]</i>	prochat.salas@bmail.com	8.10%
202	Shanahan Ramsey Elizabeth	Prochat Sales	<i>[Signature]</i>	rschanahan@bmail.ca	8.10%
301	Burrier Miquel	NR	<i>[Signature]</i>	m.burrier@bmail.ca	8.20%
302	Jonas John J	NR	<i>[Signature]</i>	john.jonas@bmail.ca	8.30%
401	Lombardi De'Elice Franca	Prochat Sales	<i>[Signature]</i>	franca.lombardi@bmail.ca	8.30%
402	Kouri Diane	NR	<i>[Signature]</i>	diane.kouri@bmail.com	8.30%
501	Cassagnol G	Prochat Sales	<i>[Signature]</i>	g.cassagnol@bmail.ca	8.30%
502	Sharif Karim	Fouad Sossanpour	<i>[Signature]</i>	karimsharif@bmail.com	8.30%
601	Babeel Maysoun	NR	<i>[Signature]</i>	maysoun@bmail.com	8.30%
602	Hejal Line	Salim Hejal	<i>[Signature]</i>	line@bmail.com	8.10%
701	Soda Daccach Lilian	Salim Hejal	<i>[Signature]</i>	liliasoda@bmail.k	3.60%
	13	13			100%

AMÉNAGEMENT URBAIN
 URBAN PLANNING
 OCT 11 2018
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SYNDICAT DES COPROPRIETAIRES DE LE SHERBROOKE WESTMOUNT

SPECIAL GENERAL MEETING - VOTING RECORD

2018 09 29

Proposed Amendment to Declaration concerning unit #701

Mobilites

Unit	Co-Owner	Proxy	Signature	E-mail	Percentage	attendance agree
101	Leith Linda & Gawley David	NR		lith.leith@telus.net	5.00%	5.00%
102	Hagn Michael	Prochat Salas		mhaagn@hotmail.com	8.00%	8.00%
201	Salas Prochat	NR		prochat_salas@hotmail.com	8.10%	8.10%
202	Shanahan Ramsay Elizabeth	Prochat Salas		erishanahan@shaw.ca	8.10%	8.10%
301	Bumler Miquel	NR		m_bumler@hotmail.ca	8.30%	8.30%
302	Jonas John J.	NR		john.jonas@mcgill.ca	8.30%	8.30%
401	Lombardi Dell'Eisa Franca	Prochat Salas		franca.lombardi@telus.net	8.30%	8.30%
402	Kouri Diane	NR		denobkouri@hotmail.com		
501	Cassagnol G	Prochat Salas		g.cassagnol@telus.net	8.30%	8.30%
502	Shariff Karim	Fouad Sossanpour		karimshariff@gmail.com	8.30%	8.30%
601	Babeel Maysoun	NR		maysounbabeel@hotmail.com	8.30%	8.30%
602	Hejal Line	Salim Hejal		salim@hejal.com	8.10%	8.10%
701	Saade Daccach Lillian	Salim Hejal		lillian@telus.net	3.60%	3.60%
	13	13			91.70%	91.70%

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 URBAN PLANNING
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