



PUBLIC NOTICE
APPLICATION TO OPEN A REGISTRY IN VIEW OF APPROVAL BY WAY OF REFERENDUM
SECOND DRAFT OF BY-LAW 1535

PUBLIC NOTICE is hereby given of the following:

1. Following the public consultation on the first draft of By-law 1535 held on February 27, 2019 the Municipal Council adopted by resolution at its regular meeting held on March 18, 2019, the second draft of the by-law entitled "*BY-LAW 1535 TO FURTHER AMEND ZONING BY-LAW 1303 – OFFICE TYPE COMMERCIAL ACTIVITIES IN ZONE R9-32-01*".
2. This second draft by-law contains one section. That section replaces the Table of Permitted Building Types and Uses in Zone R9-32-01 in order to authorize office type commercial activities, with the exception of medical and health care services, while prohibiting the conversion of a "residence" use into an "office type commercial activities" use.

This section of the draft by-law is subject to approval by way of referendum.

In addition to this brief description, a copy of the second draft of By-law 1535 may be obtained upon request at the Office of the City Clerk located at 4333 Sherbrooke Street West in Westmount during regular business hours.

3. Any interested person from the concerned zone or one of the contiguous zones, may sign an application to open a registry in view of submitting a provision of the second draft By-law 1535, subject to approval by way referendum, to the approval of certain qualified voters.
4. An application requiring that a provision of By-law 1535 be submitted to the approval of qualified voters may originate from the concerned zone R9-32-01 or from the following contiguous zones: R9-37-03, R4-32-03, R3-32-02, C2-37-04, and P1-37-02.

The sketch of the zones may be consulted at City Hall or on the City's website at the following address:

http://westmount.org/wp-content/uploads/2016/01/Plan_zonage_09-01-2015.pdf

5. In order to be deemed valid, an application to open the registry must:
 - a) be signed by at least 12 interested persons of the zone from which it originates or by a majority of them if their number does not exceed 21;
 - b) state clearly the provision to which it refers and the zone from which it originates;
 - c) be received by the Office of the City Clerk, no later than **April 3, 2019**, at 4:30 p.m.
6. Is an interested person:
 - a) Any person who is not disqualified from voting and who fulfils the following conditions as of March 18, 2019:
 - is domiciled in the City of Westmount;



- has been domiciled in Québec for at least six months.
- b) Any sole owner of an immovable or sole occupant of a business establishment who is not disqualified from voting and who fulfils the following conditions as of March 18, 2019:
- has been, for at least 12 months, owner of an immovable or occupant of a business establishment situated in the City of Westmount;
 - has filed or files at the same time as the application, a document signed by the owner or the occupant requesting to be entered on the referendum list, as the case may be.
- c) Any undivided co-owner of an immovable or co-occupant of a business establishment who is not disqualified from voting and who fulfils the following conditions as of March 18, 2019:
- has been, for at least 12 months, undivided co-owner of an immovable or co-occupant of a business establishment situated in the City of Westmount;
 - is designated, by way of a power of attorney signed by the majority of persons who have been co-owners or co-occupants for at least 12 months, as the person having the right to sign the application in their name and to be entered on the referendum list, as the case may be. The power of attorney must have been filed or be filed with the application.

In the case of a natural person, he or she must be of full age, a Canadian citizen and not be under curatorship.

In the case of a legal person, one must:

- have designated by resolution, from amongst its members, directors or employees, a person who, as of March 18, 2019, is of full age, a Canadian citizen, who is not under curatorship and who is not disqualified from voting;
- have filed or file at the same time as the application, the resolution designating the person authorized to sign the application and to be entered on the referendum list, as the case may be.

Except in the case of a person designated as the representative of a legal person, no one may be considered an interested person in more than one capacity, in accordance with section 531 of *An Act respecting elections and referendums in municipalities* (CQLR, chapter E-2.2).

7. The provision in respect to which no valid application is received, may be included in a by-law that is not required to be submitted to the approval of qualified voters.

GIVEN at Westmount, this March 26, 2019.


Me Martin St-Jean
City Clerk