



**PUBLIC NOTICE**  
**APPLICATION TO OPEN A REGISTRY IN VIEW OF APPROVAL BY WAY OF REFERENDUM**  
**SECOND DRAFT OF BY-LAW 1547**

**PUBLIC NOTICE** is hereby given of the following:

1. Following the public consultation on the first draft of By-law 1547 held on December 18, 2019, the Municipal Council adopted by resolution at its regular meeting held on January 13, 2020 the second draft of the by-law entitled "*BY-LAW TO FURTHER AMEND ZONING BY-LAW 1303 – LANDSCAPE DESIGN*".
2. The object of the second draft by-law is:
  - to introduce into the Zoning By-law certain normative provisions relating to fences, retaining walls, decks and other aspects of landscaping that were already included in Guideline 6 of the *By-law on Site Planning and Architectural Integration Programmes (SPAIP)*; and
  - To authorize swimming pools in the front yard of certain transverse lots, to exempt school yards from the application of certain landscaping requirements, and to allow for the encroachment of porches and stairs into the front setback for Zone R4-37-05.

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

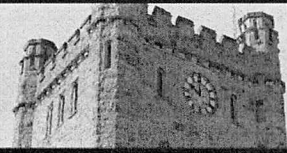
In addition to this brief description, a copy of the second draft of By-law 1547 may be obtained upon request at the Office of the City Clerk located at 4333 Sherbrooke Street West in Westmount during regular business hours.

3. Any interested person may sign an application to open a registry in view of submitting the second draft By-law 1547, subject to approval by way referendum, to the approval of certain qualified voters.
4. An application requiring that By-law 1547 be submitted to the approval of qualified voters may originate from any zone of the City of Westmount.

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](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 **January 29, 2020, at 4:30 p.m.**



6. Is an interested person:

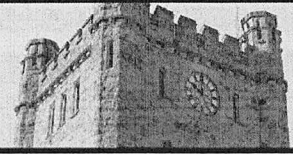
- a) Any person who is not disqualified from voting and who fulfils the following conditions as of January 13, 2020:
  - is domiciled in the City of Westmount;
  - has been domiciled in Québec for at least six months.
- b) Any sole owner of an immovable or sole occupant of a business establishment who is not disqualified from voting and who fulfils the following conditions as of January 13, 2020:
  - 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 January 13, 2020:
  - 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 January 13, 2020, 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 January 21, 2020.

**Me Andrew Brownstein**  
City Clerk