



PUBLIC NOTICE
APPLICATION TO OPEN A REGISTRY IN VIEW OF APPROVAL BY WAY OF REFERENDUM
SECOND DRAFT OF BY-LAW 1578

PUBLIC NOTICE is hereby given of the following:

1. Following the consultation period held between September 22, 2021 to October 6, 2021, on the first draft of By-law 1578, the Municipal Council adopted the second draft of by-law 1578 entitled “*BY-LAW TO FURTHER AMEND ZONING BY-LAW 1303 - CREATION OF COMMERCIAL ZONES ON SAINTE-CATHERINE STREET WEST*” by resolution at its regular meeting held on November 15, 2021.
2. The object of the second draft by-law is:
 - to amend the zoning map to create Zone C4-32-03 from Zones R9-32-01 and R4-32-03 (which disappears);
 - to amend the zoning map to create Zone C4-34-15 from Zones R4-34-12 and C1-34-11; and
 - to adopt the use tables and physical-spatial specification tables for these two new zones, to allow a wide range of office and commercial uses with minimal changes to maximum permitted heights and densities.

This second draft by-law contains provisions that may be requested by interested persons in order that a by-law containing them be submitted for their approval in accordance with the *Act respecting elections and referendums in municipalities* (CQLR, chapter E-2.2).

In addition to this brief description, a copy of the second draft of By-law 1578 may be obtained on the City of Westmount’s website at the following address:

https://westmount.org/wp-content/uploads/2021/11/Reglement-1578_deuxieme-projet.pdf.

3. Any interested person may sign an application to open a registry in view of submitting the second draft By-law 1578, subject to approval by way of referendum, to the approval of certain qualified voters.

An application requiring that By-law 1578 be submitted to the approval of qualified voters may originate from zones C1-34-11, C2-37-10, C2-37-04, C5-33-03, C6-34-03, P1-37-02, R3-32-02, R4-32-03, R4-34-12, R6-34-13, R9-32-01, R9-33-02, R9-37-03, R3-34-08, R6-34-14, R9-34-04, and R11-34-10.

The sketch of the zones may be consulted at the end of the present notice.

4. In order to be deemed valid, an application to open the registry must:
 - a) indicate clearly the title of the by-law or the zone number as well as the name, address and capacity of the person entitled to vote who transmits it;
 - b) 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;



- c) state clearly the provision to which it refers and the zone from which it originates;
- d) be received by the Office of the City Clerk, no later than **December 1, 2021, at 4:30 p.m.:**

By email with "Written application in lieu of registry – By-law 1578" in the subject line to the following address:

legal@westmount.org

By mail with "Written application in lieu of registry – By-law 1578" in the subject line to the attention of:

**City Clerk's Office
4333, rue Sherbrooke Ouest
Westmount (Québec) H3Z 1E2**

Exceptionally, in the context of COVID-19, individual applications from interested persons in the same zone totalling the required number of signatures for that zone are admissible.

5. Is an interested person:

- a) Any person who is not disqualified from voting and who fulfils the following conditions as of November 15, 2021:
 - is domiciled in the zone from which the application may originate;
 - has been domiciled in Québec for at least six months; or
- 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 November 15, 2021:
 - has been, for at least 12 months, owner of an immovable or occupant of a business establishment situated in the zone from which the application may originate;
 - 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 November 15, 2021:
 - has been, for at least 12 months, undivided co-owner of an immovable or co-occupant of a business establishment situated in the zone from which the application may originate;
 - 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 November 15, 2021, 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 the *Act respecting elections and referendums in municipalities* (CQLR, chapter E-2.2).

6. 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 November 23, 2021.

Hadi Hakim, ing., MBA

Hadi Hakim
Substitute City Clerk

