

## COMPTE-RENDU

*Consultation publique concernant le projet de règlement P-03-044 tenue le 12 mai 2003 à 19 h en la salle des délibérations du conseil de l'arrondissement de Westmount située au 4333, rue Sherbrooke Ouest à Westmount, et à la quelles les personnes suivantes étaient présentes :*

M. Joshua Wolfe, président d'assemblée et commissaire OCPM ;  
M. Pierre Lizotte, analyste OCPM ;  
M. Jean-François Cayla, représentant du Service du développement économique et du développement urbain ;  
Mme Joanne Poirier, directrice du Service de l'aménagement urbain et des services aux entreprises de l'arrondissement de Westmount ;  
M. Stephen Elder, chef de division – permis et inspection, Service de l'aménagement urbain et des services aux entreprises de l'arrondissement de Westmount ;  
M<sup>e</sup> Lucie Tousignant, secrétaire d'assemblée ;

ainsi que 13 citoyens dont 8 ayant intervenu au cours des deux périodes de questions et de commentaires.

### **1. Ouverture de la séance**

À 19 h 07, le président ouvre la séance et souhaite la bienvenue aux participants. Il rappelle brièvement le mandat de l'OCPM, les objectifs et les étapes de la consultation. Le président indique également les principales règles entourant le déroulement de la séance et de la période de questions.

Par la suite, le président cède la parole à M. Jean-François Cayla du SDEDU pour la présentation du projet.

## 2. Présentation du projet de règlement P-03-044

Les faits saillants de cette présentation sont les suivants :

L'objectif du document complémentaire est de protéger les attributs principaux du territoire municipal qui donnent à Montréal ses qualités et son identité d'ensemble.

Les effets du document complémentaire dans l'arrondissement de Westmount sont les suivants :

- le mont Royal

The main objectives here are to protect the architectural historic landscape and natural district of the mont Royal and ensure that structures and land we use respect and enhance this character. The means are to preserve architectural features and respect the archaeological values, landscape and vegetation. The complimentary document relates to the decision by the provincial government in the creation of the mont Royal historic and natural district and takes, in part, of 5 boroughs. It comprises 3 peaks of mont Royal in Montréal, Westmount and Outremont. *À noter qu'aucun effet du document complémentaire dans l'arrondissement de Westmount n'est mentionné sous cette rubrique.*

- les vues sur les éléments naturels

The provincial government intends to transfer the management of this district to the city and to the boroughs which will have to include the criteria from the complimentary document in the urban planning by-law. The goal is not to prevent development but rather to ensure that views of the water, the mountain are taken into account when buildings are erected in the downtown core or on properties next to the panoramic and heritage route. *À noter qu'aucun effet du document complémentaire dans l'arrondissement de Westmount n'est mentionné sous cette rubrique.*

- le patrimoine

The map shows the building identified in the MUC list of traditional architecture. This map shows where heritage buildings are located in the center of the territory and along the shores of the island. The complimentary document is to provide specific protection for heritage buildings in the shores of the island next to the panoramic and heritage route. *À noter qu'aucun effet du document complémentaire dans l'arrondissement de Westmount n'est mentionné sous cette rubrique.*



- la végétation

The next thing concerns another attribute of Montreal which is the vegetation, trees and front yards. The objective here is to protect the character of the city conferred by the presence of trees and the landscaping of front yards. The means here are to maintain or strengthen conditions governing the cutting down and planting of trees. It's to require permits for cutting down trees and to ensure that trees are protected during the construction work and maintain and strengthen rules governing parking in front yards. *In this borough, it would need to include provisions to protect trees during construction work and provide measures governing the cutting down of trees.*

- les parements des bâtiments, l'impact et l'intégration des bâtiments ainsi que l'impact et l'intégration des usages

This first of these three themes concerns the integration of buildings at the limit of the boroughs. The objective is to reduce nuisances related to heights and ensure harmonization of buildings in the borough but also it's to limit the impact of high buildings on wind and amount of sunlight in downtown areas which is to make sure that the city is still attractive for users. The second drawing shows buildings located at the limit of two boroughs. On one side you can see housing buildings and the objective here is to make sure that the sun lights are taken into account whenever a building is built on the other side of the borough. The third one is to make sure that the buildings are taken into account of when in front of each other on each side of a borough limit. Conclusion, the themes covered by the complimentary document are those that have a significant impact on the city as a whole. It sets minimal requirements to which each borough can add in order to reinforce its significant character. *À noter qu'aucun effet du document complémentaire dans l'arrondissement de Westmount n'est mentionné sous cette rubrique.*

Au terme de cette présentation, le président annonce une pause d'environ 5 minutes et ouvre le registre de la période de questions. La séance est donc suspendue momentanément à 19 h 30 et reprend à 19 h 40. Il procède ensuite à la période de questions.



### 3. Période de questions

Suivant l'ordre d'inscriptions, les questions du public portent sur :

- The reason why event is not better publicized and issues not better explained;
- If billboards are only regulated on Sherbrooke Street and will there be grandfather clauses (droits acquis) for billboards already existing on Sherbrooke Street and on heritage properties;
- As for the point regarding “les vues sur les éléments naturels”, wants to know if it has been made clear in the definition of the mont Royal that both the Westmont mountain, particularly Summit and Outremont mountain be protected of their views or is it only the view of the mont Royal that is being protected;
- The meaning of a second complimentary document as mentioned by the City of Montreal representative;
- As for point 7, referring to not allowing residential zoning in between businesses and if the opposite appears in a by-law, may that be maintained;
- If putting the Westmount Summit under the management of the mont Royal going to change the usage of what is currently enjoyed by the Summit people because I am concern about the public property located in that area;
- If “ Les amis de la montagne” been contacted on this document;
- The cost of the newspaper advertisement for all the consultations;
- If changes are made to a private property, would the owner’s request be considered by a local committee or a committee exiting elsewhere (meaning not a local CCU);
- Is the vegetation plan only a plan to plant native trees;
- Tenue d’une consultation publique pour le Service des parcs;
- If complimentary document full of good ideas and intentions or going to be enforced in some legal ways and if so by whom;



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- If there are not provisions for tree cutting in the Westmount by-laws, will the complimentary document force Westmount to have such provisions in its by-laws;
- The reason why no mechanism planned to protect institutional spaces (buildings and lots) and are there plans to include such protection in the document;
- Are Westmount's measures relating to trees in public spaces (par exemple situés dans l'emprise) sufficient to comply with the initiative of the complimentary document and what kind of latitude does Westmount have in determining which vegetation qualify for protection;
- How is it proposed that Westmount will find the resources to inspect and ensure compliance with the new by-laws and if any plans to fund this kind of exercise;

Les réponses des représentants de l'Office et des Services indiquent notamment que :

- Office de consultation publique is a working process to provide information both in the formal legal sense through advertisements in the newspapers and on its Website. Distribution of pamphlets like otherwise done would be impossible for the 800, 000 houses in the city;
- Billboards are regulated on Sherbrooke Street and also for heritage areas. As for the streets, it is only regulated on Sherbrooke Street itself because it is the main and major and one of the more characteristic of the City of Montreal. There will be droits acquis (acquired rights) but no others will be able to be put up;
- The object of the complimentary document is mostly to protect whatever is important for the overall interest of the city. The local by-laws will protect such concerns. Those by-laws will be maintained. Also, in the urban plan these views are going to be a concern and so the next complimentary document of the urban plan, views might be considered and taken into account;
- A second complimentary document means that with every urban plan that is going to be adopted by the city, it will be combined to a complimentary



document. By the end of 2004, there will be a second document which will take into account things that are being seen tonight;

- The complimentary document states that what is already included in a local by-law concerning that aspect must remain and the opposite may occur also if it exists in a local by-law;
- The complimentary document only refers to private land and lot. It is only stating that lots will be included in the historical and natural district. Constructions will have to take into account the views, the topography, the vegetation, the nature and basically that is the concern of the complimentary document. The public properties are also a major concern that has to be taken into account by the structures that are going to be put up and a board will have to be created and organise a “plan directeur” on that matter. The complimentary document does not include the management of parks and that will come later;
- Les amis de la montagne have been contacted and does not know the exact cost of the advertisements but it is important that the process be done in a transparent and open way so that everyone interested can participate;
- The by-laws have to be basically adopted by the boroughs and have to apply the by-laws themselves. Most ideas included in the complimentary document already exist in local by-laws;
- Le document complémentaire s’applique sur les terrains privés et non dans les parcs. Évidemment, il doit y avoir un plan directeur qui va élaborer sur des sujets comme la plantation des « native trees »;
- Les intervenants ne peuvent assurés l’auditoire de la tenue d’une consultation publique pour le Service des parcs;
- The complimentary document is going to be enforced by the boroughs through their by-laws that will need to be modified if necessary to be conformed with the complimentary document;
- If there are no provisions on tree cutting in the Westmount by-laws, a section or provision to be added will be chosen by the borough. It may, for example, state the size of the tree that can be cut;



- If institutions are located in historic and natural districts are protected because their architectural character will have to be kept and construction integrated;
- The vegetation is a point in the complimentary document because it is such a major attribute of Montreal either on streets or lots and because most boroughs have by-laws and making sure permits are required when cutting trees. The idea is to make sure that all boroughs have all the same concerns about trees. Westmount can make the choice on what vegetation will be protected;
- Integration of concern regarding vegetation with regular work of inspectors from time to time to check out constructions and there is no specific funds to do so;

Par ailleurs, les questions de la commission s'avèrent comme suit :

- Are all the views from about 20 boroughs going to be protected;
- Are private properties also located in the “aire de protection” du mont Royal;
- Politique des arbres dans les arrondissements;
- The changes to Westmount by-laws that will have to be made to conform with the complimentary document;
- Given the fact that Westmount does regulate trees in some public areas, is that sufficient control to meet the requirements of the complimentary document;

Les principaux éléments de réponse sont les suivants :

- Not all the views are going to be protected but considered;
- There are a few private properties in the aire de protection du mont Royal;
- La politique de l'arbre demeure un sujet qui est à l'étude par le Service des parcs et qui se penche sur la question de façon générale pour toute la ville;



- Changes that will have to be made to Westmount by-laws concern tree cutting and permits thereof and some measures would have to be made to take into account the most Royal character;

#### **4. Audition des opinions des citoyens et organismes**

- Disappointment with complimentary document because does not refer to the recuperation of the Montreal « berges » that was started with the MUC;
- On behalf of the borough inspectors, makes a recommendation as to not clear in the document the difference between the importance of preserving trees vis à vis fines that may be applied for a derogation of a by-law. For exemple, if a certain work is carried out most in conformity with certain plans or with the PIIA, we have ways of correcting that situation of fines locally and in some ways it is easy to modify a building to make it conform over but when you cut down a tree that is 100 years old, the tree is gone and there is no way of restoring that. Westmount Council has always had a policy not to evoke laws that cannot be enforced;
- Following the forced mergers, it is strange that the borough should be involved in this matter with the process. The lack of publicity to involve the population is what is going on. My unease that the city is forcing something onto a borough and the public of that borough is not happy with;
- Would like to see by-law on tree control;
- Lack of publicity for this commission;
- Suggesting that when a development occurs at a limit between one borough to another that care be taken to the impact to the adjacent borough and that the referendum be also extended to residents of the adjacent borough.
- Support the initiative on the impact and integration of buildings but would also like to harmonize down in height so where there is a difference between the boroughs in terms of allowable heights that the lowest height be considered the rule;





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- On protection of views, maintain or create views of the waterway and St-Lawrence. That the Lachine Canal be included as “view and berge” to be protected.

#### **5. Levée de la séance**

À 20 h 54, le président remercie les participants et les représentants des services en indiquant que cet exercice de consultation se poursuivra en juin en invitant ces derniers à transmettre leur mémoire ou de faire valoir leur intention de participer à ces audiences.

La séance est levée à 20 h 55.

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Lucie Tousignant  
Directrice du Bureau d'arrondissement  
et secrétaire d'assemblée