

PUBLIC NOTICE

TO ALL INTERESTED PERSONS QUALIFIED TO SIGN AN APPLICATION TO TAKE PART IN A REFERENDUM

SECOND DRAFT RESOLUTION CA11 210106 ADOPTED, IN ACCORDANCE WITH THE BY-LAW GOVERNING SPECIFIC CONSTRUCTION, ALTERATION OR OCCUPANCY PROPOSALS FOR AN IMMOVABLE, TO ALLOW THE CONSTRUCTION OF 12 CONDOMINIUMS IN A THREE-STOREY BUILDING AT 658, RUE HENRI-DUHAMEL (LOT 1 153 324).

1. Purpose of the draft resolution and applications to take part in a referendum

Further to the public consultation meeting held on Tuesday, March 1, 2011, the borough council adopted, the same day, second draft resolution CA11 210106:

1. TO allow the construction of 12 condominiums in a three-storey building on lot 1 153 324 situated at the corner of rue Joseph and rue Henri-Duhamel (658, rue Henri-Duhamel);
2. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize two front yard setbacks smaller in size than the minimum required;
3. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize the south side setback smaller in size than the minimum required;
4. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize total side setbacks smaller in size than the minimum required;
5. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize a rear setback smaller in size than the minimum required;
6. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, in order that the number of units exceed the maximum permitted;
7. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, in order that the land/built ratio exceed the maximum permitted;
8. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, regarding the maximum floor area ratio (FAR) permitted;
9. TO allow an exemption to section 90 of Zoning By-law 1700, as amended, regarding the minimum number of parking spaces;
10. THAT the authorization be granted subject to the following conditions:
 - No front parking space;
 - Front yard setback of 1.40 metre (balcony columns) and 2 metres (main wall) on rue Henri-Duhamel;
 - The construction work must meet the requirements stated in the site plan approval;

- The construction work must be carried out in accordance with the plans filed by Construction JMC on November 18, 2010, regarding setbacks (with the exception of the front yard setback on rue Henri-Duhamel), land density, number of units and indoor parking spaces.

The second draft resolution contains provisions that are subject to approval by way of a referendum. Interested persons may file an application to require that a resolution containing the following provisions be submitted for their approval in accordance with the *Act respecting elections and referendums in municipalities*:

1. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize two front yard setbacks smaller in size than the minimum required;
2. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize the south side setback smaller in size than the minimum required;
3. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize total side setbacks smaller in size than the minimum required;
4. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, and authorize a rear setback smaller in size than the minimum required;
5. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, in order that the number of units exceed the maximum permitted;
6. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, in order that the land/built ratio exceed the maximum permitted;
7. TO allow an exemption to the Table of Uses and Norms H02-91 of Zoning By-law 1700, as amended, regarding the maximum floor area ratio (FAR) permitted;
8. TO allow an exemption to section 90 of Zoning By-law 1700, as amended, regarding the minimum number of parking spaces;
9. THAT the authorization be granted subject to the following conditions:
 - No front parking space;
 - Front yard setback of 1.40 metre (balcony columns) and 2 metres (main wall) on rue Henri-Duhamel.

The object of such an application is so that the resolution containing such provisions be submitted for the approval of qualified voters in the zone affected shown on the attached plan and those in any adjacent zone from which a valid application originates.

Information as to which interested persons may sign an application regarding provisions of the second draft resolution may be obtained at room 102 of the borough hall located at 4555, rue de Verdun, Monday to Thursday, from 8:30 a.m. to 5 p.m., and Friday, from 8:30 a.m. to 12:30 p.m., without interruption.

2. Validity of an application

To be valid, an application must:

- clearly state the provision(s) to which it refers and the zone from which it originates;
- be received within 8 days of the publication of this notice, no later than Friday, March 25, 2011;

- be signed by at least 12 interested persons in the zone from which it originates, or by at least a majority of them if the number of interested persons in that zone does not exceed 21.

3. Interested persons

3.1 An interested person is a person who is not disqualified under the law and who meets the following conditions on March 1, 2011:

- is domiciled in the zone from which an application may originate;
- has been domiciled for at least 6 months in Quebec.

3.2 Any sole owner of an immovable or sole occupant of a business establishment who is not disqualified under the law and who meets the following conditions on March 1, 2011:

- has been the owner of an immovable or the occupant of a business establishment for at least 12 months in the zone from which an application may originate.

3.3 Any undivided co-owner of an immovable or co-occupant of a business establishment who is not disqualified under the law and who meets the following conditions on March 1, 2011:

- has been the undivided co-owner of an immovable or the co-occupant of a business establishment for at least 12 months in the zone from which an application may originate;
- has been designated, by 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 authorized to sign on their behalf and to have his name entered on the referendum list, as the case may be. The power of attorney must have been produced ahead of time or produced with the application.

A natural person must be of legal age, a Canadian citizen, and not under curatorship.

A legal person must:

- have designated from among its members, directors or employees, by resolution, a person who, on March 1, 2011, is of full age, a Canadian citizen, and not under curatorship or any voting disqualification;
- have previously produced, or produce at the same time as the application, a resolution designating the authorized person to sign the application and to have his name entered on the referendum list, as the case may be.

Except in the case of a person designated as 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.

4. Absence of applications

Provisions for which no applications were filed may be included in a resolution that need not be submitted for the approval of qualified voters.

5. Consultation of documents

The second draft resolution may be consulted at room 102 of the borough hall, 4555, rue de Verdun, Monday to Thursday, from 8:30 a.m. to 5 p.m., and Friday, from 8:30 a.m. to 12:30 p.m., without interruption.

Given at Montréal, arrondissement de Verdun, Québec,
this March 17, 2011

Louise Hébert
Director of the borough office and
Borough council secretary

PROJET PARTICULIER DE CONSTRUCTION, DE MODIFICATION OU D'OCCUPATION D'UN IMMEUBLE
RÉSOLUTION CA11 210106
RÉCEPTION DES REQUÊTES

