

## PUBLIC NOTICE

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

#### DRAFT BY-LAW 1700-86

#### 1. Purpose of the draft by-law and applications to take part in a referendum

Further to the public consultation meeting held on Tuesday, October 4, 2011, the borough council adopted, the same day, a second draft by-law 1700-86 entitled: "By-law modifying Zoning By-law 1700, as amended, so as to:

- Nullify the minimum distance required for a non-visible underground structure in relation to a property line;
- Require an expert's report as a supporting document when any application is submitted for a certificate of authorization to cut down a tree;
- Demand the removal of a fence surrounding excavation work no later than 14 days following the end of the work;
- Authorize steel panel fences in a side or rear yard;
- Abolish the need for a pool drainage system to comply with plumbing regulations;
- Demand that a heat pump or air conditioner located in the front yard be concealed by means of vegetation;
- Allow the installation of semi-buried containers to collect recyclables and putrescible waste for buildings in the "multi-family h4" category of use;
- Allow the presence of recycling containers (bins) in any yard within Zone H03-27;
- Subject roofs to the rule of architectural harmony with two-thirds (2/3) of the main buildings on a street section;
- Allow fibre cement to be used as a material to cover an outdoor wall, or part of an outdoor wall, of an existing main building without any foundation, in "housing" and "commercial" categories of use;
- Allow freestone or artificial stone, light masonry, aluminum siding, imitation wood or fibre cement, installed horizontally, as a material for covering an exterior wall of a dormer on a building in "dwelling" and "commercial" categories of use;
- Add contingency measures regarding the type of grillwork allowed on the front of a commercial establishment;
- Allow a bazaar as an additional use at a church;
- Allow an organization recognized by the City to occupy a park chalet
- Reduce the minimum slope required for the roof of a dormer of a wartime house;
- Modify the maximum dimensions authorized for a dormer of a wartime house;
- Allow a single-family dwelling (h1) not to front on a public road when such building is part of an integrated project solely consisting of category h1 dwellings;
- Allow ornamental ironwork fences in the side yards of a corner lot in the L'Île-des-Sœurs neighbourhood;
- Withdraw the obligation of a heat pump, air conditioner or generator located in a side yard to be located at least 2 metres from the front wall in the L'Île-des-Sœurs neighbourhood;
- Remove the possibility of having the Borough approve the planting of a tree of a species other than those listed for zones adjacent to the woodlands in the L'Île-des-Sœurs neighbourhood;
- Add contingency measures with regard to cutting down trees;
- Subject Zone H02-134 to special provisions regarding the work of public utility companies along boulevard Gaétan-Laberge;
- Change the colour stipulated for tempered pressed wood siding used as a covering material in Zone H03-40;

- Demand that the installation of any sign for any type of use in the downtown area be subject to the submission of a request for approval by SPAIP (site planning and architectural integration program);
- Demand that the size of the plans provided for any SPAIP be a maximum of eleven (11) inches by seventeen (17) inches;
- Demand that an electronic version (soft copy) be provided for any request for approval by SPAIP;
- Abolish the possibility of reusing a sign that is not in keeping with regulations, at the time of a change in use;
- Add to the glossary a definition for the term "semi-buried container";
- Change the definition of the term "street section" in the glossary;
- Change Table of Uses and Norms H02-63 to reduce the required minimum width of a building;
- Change Table of Uses and Norms H02-130 to reduce the minimum rear setback, the minimum frontage, the minimal building width and the minimum lot area required;
- Change Tables of Uses and Norms C02-51 and C02-58 to correct a mistaken reference to an article of the zoning by-law;
- Change Tables of Uses and Norms H01-30, C01-35, C01-41, H01-57, H01-58, H01-66, H01-73, H02-03, C02-06, H02-08, C02-12, H02-17, C02-20, H02-28, C02-32, C02-51, H02-56, C02-57, C02-58, C02-60, C02-71, C02-77, C02-114, I03-10, C03-12, C03-75, H03-120 and H03-125 to correct an erroneous excluded use."

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

- Demand that a heat pump or air conditioner located in the front yard be concealed by means of vegetation;
- Allow the installation of semi-buried containers to collect recyclables and putrescible waste for buildings in the "multi-family h4" category of use;
- Allow the presence of recycling containers (bins) in any yard within Zone H03-27;
- Allow a bazaar as an additional use at a church;
- Allow an organization recognized by the City to occupy a park chalet
- Remove the possibility of having the Borough approve the planting of a tree of a species other than those listed for zones adjacent to the woodlands in the L'Île-des-Sœurs neighbourhood;
- Subject Zone H02-134 to special provisions regarding the work of public utility companies along boulevard Gaétan-Laberge;
- Change Table of Uses and Norms H02-63 to reduce the required minimum width of a building;
- Change Table of Uses and Norms H02-130 to reduce the minimum rear setback, the minimum frontage, the minimal building width and the minimum lot area required;
- Change Tables of Uses and Norms C02-51 and C02-58 to correct a mistaken reference to an article of the zoning by-law;
- Change Tables of Uses and Norms H01-30, C01-35, C01-41, H01-57, H01-58, H01-66, H01-73, H02-03, C02-06, H02-08, C02-12, H02-17, C02-20, H02-28, C02-32, C02-51, H02-56, C02-57, C02-58, C02-60, C02-71, C02-77, C02-114, I03-10, C03-12, C03-75, H03-120 and H03-125 to correct an erroneous excluded use.

The object of such an application is so that the by-law containing such provisions be submitted for approval of qualified voters in the zones affected shown on the attached plan.

**Information as to which interested persons may sign an application regarding provisions of the draft by-law 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, or by calling M. David Métivier at 514 765-7257.**

## **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, October 28, 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 October 4, 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 October 4, 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 October 4, 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 October 4, 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 by-law that need not be submitted for the approval of qualified voters.

## **5. Consultation of documents**

The second draft by-law 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 October 19, 2011

Louise Hébert  
Director of the borough office and  
Borough council secretary



# MODIFICATION AU RÈGLEMENT DE ZONAGE - RÈGLEMENT 1700-86 RÉCEPTION DES REQUÊTES

