

PUBLIC NOTICE

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

SECOND DRAFT RESOLUTION CA09 210125 ADOPTED, IN ACCORDANCE WITH BY-LAW GOVERNING SPECIAL BUILDING, RENOVATION OR OCCUPANCY PROJECTS, FOR PURPOSES OF AUTHORIZING THE CONSTRUCTION OF A MIXED-USE BUILDING, RESIDENTIAL AND COMMERCIAL FOR FOOD PRODUCTS SALES ON LOT 1 198 798 AT THE INTERSECTION OF RUE BANNANTYNE AND RUE GODIN (FORMERLY 5981 TO 5993 RUE BANNANTYNE).

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

Further to the public consultation meeting held on Tuesday, March 3, 2009, the borough council adopted, on Tuesday, April 7, 2009, second draft resolution CA09 210125 so as to:

- Authorize the construction of a mixed-use building, residential and commercial for food products sales on lot 1 198 798 at the intersection of rue Bannantyne and rue Godin;
- Authorize an exemption to sections 83 and 90 of Zoning By-law 1700, as amended, concerning the side setback and the minimum parking spaces required as well as to the grid of uses and standards H01-30 of said by-law, concerning the height and the floor area ratio;
- Require that the authorization under item 1 be granted subject to the following conditions:
 - to replace the north side parking with masonry;
 - to landscape the front of the building on rue Godin;
 - to add a brick wall to the adjacent building;
 - to file a copy of the lease to guarantee the grocery store is in the planning;
 - that the construction be carried out in accordance with the plans attached to this report and submitted by Mr. Rabih Khazaka, architect, on November 4, 2008.

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:

- Authorize the construction of a mixed-use building, residential and commercial for food products sales on lot 1 198 798 at the intersection of rue Bannantyne and rue Godin;
- Authorize an exemption to sections 83 and 90 of Zoning By-law 1700, as amended, concerning the side setback and the minimum parking spaces required as well as to the grid of uses and standards H01-30 of said by-law, concerning the height and the floor area ratio.

The object of such an application is so that the resolution containing such provisions be submitted for the approval of qualified voters in the zones affected

shown on the attached plan and those in any contiguous 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 Friday, from 9:00 a.m. 5:00 p.m.

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 May 1, 2009;
- 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 April 7, 2009:

- 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 April 7, 2009:

- 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 April 7, 2009:

- 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 April 7, 2009, 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 Friday, from 9:00 a.m. to 5:00 p.m.

Given at Montréal, arrondissement de Verdun, Québec,
this April 23, 2009

Louise Hébert
Borough Council Secretary and
Director of the Borough Office

PROJET PARTICULIER DE CONSTRUCTION, DE MODIFICATION OU D'OCCUPATION D'UN IMMEUBLE
RÉSOLUTION CA09 210125
RÉCEPTION DES REQUÊTES

