

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1993, chapter 92
AN ACT RESPECTING THE CITY OF TROIS-RIVIÈRES

Bill 304

Introduced by Mr Paul Philibert, Member for Trois-Rivières

Introduced 18 December 1991

Passage in principle 2 November 1993

Passage 2 November 1993

Assented to 4 November 1993

Coming into force: 4 November 1993

Act amended: None





CHAPTER 92

An Act respecting the city of Trois-Rivières

[Assented to 4 November 1993]

Preamble WHEREAS it is in the interest of the city of Trois-Rivières that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Special
planning
program **1.** Any special planning program adopted by the city to apply to the part of its territory described in the schedule may include an immovable acquisition program with a view to alienating or leasing the immovables for the purposes contemplated in the program.

Program
and by-laws
in force Once the special planning program mentioned in the first paragraph and the planning by-laws under it are in force, the city may proceed with the immovable acquisition program provided for in that program with a view to alienating or leasing the immovables for the purposes contemplated in the program.

Powers **2.** The city may, in particular,
(1) acquire an immovable by agreement or by expropriation;
(2) hold and manage the immovable;
(3) carry out the required development, restoration, demolition or clearing work on the immovable;
(4) alienate or lease the immovable for the purposes contemplated.

Agreement **3.** Before acquiring an immovable situated in the part of the territory described in the schedule, the city may enter into an

agreement with a person interested in making a proposal in response to a call for comprehensive development proposals under section 4. The agreement must set out that the person will undertake to make a proposal, in response to the call for comprehensive development proposals, that complies with the conditions fixed, and must provide for financial security to guarantee the undertaking.

**Authoriza-
tion** The agreement must be submitted to the Minister of Municipal Affairs for authorization before its conclusion.

**Develop-
ment
proposals** **4.** The alienation of an immovable by sale, or the granting by the city of emphyteusis, must be carried out by way of a call for comprehensive development proposals.

Alienation **5.** Except where authorized by the Minister of Municipal Affairs, the city may not alienate an immovable unless the consideration is sufficient to cover the expenses it has incurred in respect of the immovable.

**Authoriza-
tion** Where the city alienates a group of immovables following a call for proposals, the authorization of the Minister is required only where the consideration for the group of immovables that is the subject of the call for proposals is insufficient to cover the expenses incurred by the city in respect thereof.

Consultation **6.** An agreement following a call for comprehensive development proposals must, before its conclusion, be submitted for consultation in accordance with sections 125 to 129 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) which apply, adapted as required.

**Authoriza-
tion** The agreement must also, before its conclusion but after being submitted for consultation in accordance with the provisions in the first paragraph, be submitted to the Minister of Municipal Affairs for authorization.

**Power to
acquire by
expropria-
tion** **7.** The power to acquire by expropriation provided for in paragraph 1 of section 2 may be exercised only on the expiry of a period of six months from the date on which both the special planning program and the planning by-laws under it are in force. The owner of an immovable situated in the part of the territory described in the schedule may waive the six-month period in writing.

Time limit The power to expropriate mentioned in the first paragraph may not be exercised after 1 July 1997. However, acts and procedures

commenced in the exercise of the power of expropriation before that date shall remain in force and may be continued after that date in accordance with the Acts governing them.

Coming into
force

8. This Act comes into force on 4 November 1993.

SCHEDULE

A territory situated in the city of Trois-Rivières, forming part of the cadastre for the parish of Trois-Rivières and enclosed within the limits hereinafter described, to wit: starting at the southern corner of lot 373; thence, northwesterly, the southwestern limit of the cadastre for the said parish to the dividing line between lots 340 and 342; part of the southeastern line of lot 340 to the limit of the airport, that is, to a point situated at 140.60 metres from the northeastern end of the said line; southeasterly and northeasterly, the limits of the airport, measuring respectively 94.17 metres and 123.14 metres, that is, to a point situated on the northeastern line of lot 341 at a distance of 5.12 metres from the eastern corner of the said lot; southeasterly, the dividing line between ranges 3 and 4 to the dividing line between lots 269 and 270; part of the said dividing line to the southwestern right of way of boulevard Saint-Jean; southeasterly, the southwestern right of way of the said boulevard for a distance of 161.24 metres; southwesterly, a line running parallel to the dividing line between lots 268 and 267 for a distance of 48.77 metres; southeasterly, a line running parallel to the southwestern right of way of boulevard Saint-Jean to the dividing line between lots 268 and 267; southwesterly, part of the said dividing line for a distance of 73.15 metres; southeasterly, a line running parallel to the southwestern right of way of boulevard Saint-Jean to the dividing line between lots 266 and 265; northeasterly, part of the said dividing line to the southwestern right of way of boulevard Saint-Jean; southeasterly, the southwestern right of way of the said boulevard to the dividing line between lots 265-1 and 265-2; the said dividing line; the southwestern line of lot 265-2 and its extension to the dividing line between lots 264-2 and 264-3; the said dividing line; southeasterly, the southwestern right of way of boulevard Saint-Jean to the dividing line between lots 264 and 263; northeasterly, part of the said dividing line to the southwestern right of way of autoroute 55; southeasterly and southerly, the southwestern and western right of way of the said autoroute to the southeastern line of lot 251; lastly, southwesterly, part of the said southeastern line and the southeastern line of lot 373 to the starting point.

In this description, distances are given in metres (SI).