

1990, chapter 96

**AN ACT RESPECTING THE MUNICIPALITY OF
DESCHAMBAULT AND THE MUNICIPALITY OF THE
PARISH OF NOTRE-DAME-DE-PORTNEUF**

Bill 259

Introduced by Mr Réjean Doyon, Member for Louis-Hébert

Introduced 6 June 1990

Passage in principle 15 November 1990

Passage 21 November 1990

Assented to 21 November 1990

Coming into force: 21 November 1990

Act amended: None





CHAPTER 96

An Act respecting the municipality of Deschambault and the municipality of the parish of Notre-Dame-de-Portneuf

[Assented to 21 November 1990]

Preamble WHEREAS it is in the interest of the municipality of Deschambault and of the municipality of the parish of Notre-Dame-de-Portneuf, and necessary for their proper administration that they be granted powers relating to industrial development;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Acquisition **1.** The municipality of Deschambault may, by by-law requiring only the approval of the Minister of Municipal Affairs, acquire, by agreement or expropriation, any immovable or real right situated in the territory described in Schedule A.

Acquisition **2.** The municipality of the parish of Notre-Dame-de-Portneuf may, by by-law requiring only the approval of the Minister of Municipal Affairs, acquire, by agreement or expropriation, any immovable or real right situated in the territory described in Schedule B.

Acquired immovables **3.** The municipality of Deschambault and the municipality of the parish of Notre-Dame-de-Portneuf may, with the prior authorization of the Minister of Industry, Trade and Technology and the Minister of Municipal Affairs and, where applicable, on the conditions that they determine, encumber with servitudes, alienate by emphyteusis, transfer or otherwise, or lease for industrial, para-industrial or research purposes any immovable acquired under section 1 or 2.

Arrangement with former owner **4.** Until an immovable referred to in section 1 or 2 is alienated or leased pursuant to section 3, the municipality of Deschambault or

the municipality of the parish of Notre-Dame-de-Portneuf may, with the prior authorization of the Minister of Industry, Trade and Technology, after consultation with the Minister of Agriculture, Fisheries and Food and the Minister of the Environment, make arrangements, even gratuitously, with the owner from whom the immovable was acquired giving him restricted use of the said immovable. Such arrangements shall be for an initial period of at least 5 years, unless the parties agree otherwise.

Application **5.** The alienation or leasing by the municipality of Deschambault or the municipality of the parish of Notre-Dame-de-Portneuf of an immovable it has taken back following an alienation under section 3 is subject to this Act.

Application The first paragraph also applies where the municipality of Deschambault or the municipality of the parish of Notre-Dame-de-Portneuf repurchases an immovable contemplated in section 3 in the exercise of a right of preemption stipulated in the contract of alienation or where it acquires an immovable sold for failure to pay municipal or school taxes if, in each of such cases, it had originally alienated the immovable for industrial, para-industrial or research purposes.

**Authoriza-
tion to
alienate** **6.** On proof that an immovable acquired under section 1 or 2 is unsuited for industrial, para-industrial or research purposes, the Minister of Industry, Trade and Technology and the Minister of Municipal Affairs may authorize the municipality of Deschambault or the municipality of the parish of Notre-Dame-de-Portneuf to alienate the immovable for other purposes.

**Use for
municipal
purposes** **7.** The Minister of Industry, Trade and Technology and the Minister of Municipal Affairs may authorize the municipality of Deschambault or the municipality of the parish of Notre-Dame-de-Portneuf to use for municipal purposes an immovable acquired under section 1 or 2 if such use is compatible with the industrial, para-industrial or research use of neighbouring immovables acquired under this Act or under the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1).

**Local
improvement** Notwithstanding the first paragraph, the municipality of Deschambault or the municipality of the parish of Notre-Dame-de-Portneuf may, without authorization, use, for local improvement purposes, any immovable acquired under section 1 or 2.

Prohibition

No immovable contemplated in this section may be alienated or leased otherwise than in accordance with section 3.

Coming
into force

8. This Act comes into force on 21 November 1990.

SCHEDULE A

DESCHAMBAULT-PORTNEUF INDUSTRIAL PARK

Technical description of the territory necessary for the addition of a "buffer zone".

A territory forming part of the territory of the municipality of Deschambault, in the regional county municipality of Portneuf, comprising, with reference to the cadastre for the parish of Deschambault, the lots and parts of lots and their present and future subdivisions, as well as the highways, roads, streets, railroad rights of way, watercourses or parts thereof, enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the dividing line between lots 333 and 337 and the northwestern line of the right of way of Chemin du 3^{ième} Rang Nord; thence, successively, the following lines and demarcations: northwesterly, part of the southwestern line of lot 333; southwesterly, the southern line of lot 338; northwesterly, part of the southwestern line of lot 338 for 1050.84 metres, to its point of intersection with the centre of the electric transmission line; thence, a line bearing north 43°41'52" east across lots 338, 333, 332, Létourneau road, lots 331, 330, 329, 327 and 326; thence, northwesterly, part of the southwestern line of lot 325 for 296.36 metres; thence, a line bearing north 48°56'44" east across lot 325; thence, southeasterly, part of the northeastern line of lot 325 for 288.76 metres; thence, a line bearing north 43°41'52" east across lots 323, 322 and 319; thence, northwesterly, part of the southwestern line of lot 318 to its intersection with the central axis of the Bélisle river, that is, for 257.78 metres; thence, easterly, the central axis of the Bélisle river across lots 318, 317, 316, 312, 311 and 310; thence, southeasterly, part of the northeastern line of lot 310 for 31 metres; thence, a line bearing north 43°41'52" east across lots 309 and 307; thence, northwesterly, part of the southwestern line of lot 305 to its intersection with the central axis of the Bélisle river, that is, for 43 metres; thence, easterly, the central axis of the Bélisle river across lots 305 and 303; thence, northwesterly, part of the southwestern line of lot 301 for 41.7 metres; thence, a line bearing north 43°41'52" east across lots 301, 300, 299 and 298; thence, southeasterly, part of the northeastern line of lot 298 to its intersection with the central axis of

the Bélisle river, that is, for 103.71 metres; thence, northerly, the central axis of the Bélisle river across lots 297, 296, 295 and 294; thence, southeasterly and across Chemin du 3^{ième} Rang Nord, part of the northeastern line of lot 294 to its intersection with the dividing line between lots 184 and 370 of the cadastre for the parish of Notre-Dame-de-Portneuf; thence, successively, southwesterly and southeasterly, the southeastern and northeastern lines of lot 294 bordering on lot 184 of the cadastre for the parish of Notre-Dame-de-Portneuf; thence, southwesterly, a broken line bounding on the southeast lots 294, 295, 296, 297, 298, 299, 300, 301, 302, 305, 306, 309, 310, 311, 312, 316, 317 and 318; thence, the southern corner of lot 318, southeasterly, the dividing line between lots 319 and 279; thence, the eastern corner of lot 319, southwesterly, a broken line bounding on the southeast lots 319, 322 and 323; thence, that is, from the southern corner of lot 323, southeasterly, the dividing line between lots 325 and 273; thence, that is, from the eastern corner of lot 325, southwesterly, a broken line bounding on the southeast lots 325, 326, 327, 328 and part of lot 329; thence, that is, from the western corner of lot 266, southeasterly, the dividing line between lots 329 and 266; thence, that is, from the northern corner of lot 265, southwesterly, a broken line bounding on the southeast part of lot 329, lots 330, 331 and part of lot 332; thence, westerly, the northern line of the right of way of lot 524 (railway) to the intersection with the extension of the southeastern line of lot 332 northeasterly; thence, southwesterly, with its extension easterly across lot 524 (railway), the line bounding on the southeast lots 332 and 334; thence, that is, from the southern corner of lot 334, northwesterly, the northeastern line of the right of way of Proulx road to its intersection with the southern line of the right of way of Chemin du 3^{ième} Rang Nord; and thence, westerly, across Chemin du 3^{ième} Rang Nord to the starting point.

Which territory contains an area of three hundred and sixty hectares and six hundredths (360.06 ha).

SCHEDULE B

DESCHAMBAULT-PORTNEUF INDUSTRIAL PARK

Technical description of the territory necessary for the addition of a "buffer zone".

A territory forming part of the territory of the municipality of the parish of Notre-Dame-de-Portneuf, in the regional county municipality of Portneuf, comprising, with reference to the cadastre for the parish of Notre-Dame-de-Portneuf, the lots or parts of lots and

their present or future subdivisions, as well as the highways, roads, streets, railroad rights of way, watercourses or parts thereof, enclosed within the limits hereinafter described, to wit:

Starting from the southern corner of lot 370; thence, successively, the following lines and demarcations: northwesterly, the southwestern line of lot 370 for 807.98 metres; thence, a line bearing north 43°41'52" east, across lot 370 and part of lot 369 for 146.44 metres; thence, southeasterly, a line parallel to the dividing line between lots 369 and 370 for 441.03 metres; thence, a line bearing north 39°13'15" east, for 82.99 metres, across part of lot 369 to the intersection with the dividing line between lots 368 and 369; thence, southeasterly, the dividing line between lots 368 and 369 for 79.10 metres to its intersection with the eastern line of the right of way of Chemin du 3^{ième} Rang Nord; thence, northerly and northeasterly, the eastern and southeastern lines of the right of way of Chemin du 3^{ième} Rang Nord across lots 368, 367, 366, 365 and 364 to its intersection with the southwestern line of the right of way of Rivière Bélisle road; thence, southeasterly, the southwestern right of way of Rivière Bélisle road to its intersection with the southeastern boundary of lot 364; thence, southwesterly, the southeastern line of lots 364, 365, 366, 367, 368, 369 and 370 to the starting point.

Which territory contains an area of five hundred and fifty-seven thousand one hundred and forty-nine square metres (557 149 m²).