

1988, chapter 90
AN ACT RESPECTING THE TOWN OF BROMONT

Bill 232

Introduced by Mr Jacques Tremblay, Member for Iberville

Introduced 26 May 1988

Passage in principle 17 June 1988

Passage 17 June 1988

Assented to 17 June 1988

Coming into force: 17 June 1988

Act amended: None





CHAPTER 90

An Act respecting the town of Bromont

[Assented to 17 June 1988]

Preamble WHEREAS it is in the interest of the town of Bromont and necessary for its proper administration that certain powers relating to industrial development be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Private rail-
way siding **1.** The town of Bromont may, by by-law, order the construction of a private railway siding, consisting of a railway bridge over the Yamaska River and a railway track, to be situated in the territory described in Schedule I.

Acquisition
of immova-
bles **2.** The council may, for the purposes set out in section 1, acquire by agreement or by expropriation such immovables, servitudes or other rights as are necessary, both in the municipality of Brigham and in the town of Bromont.

Provisions
not appli-
cable **3.** Sections 573 and 573.1 of the Cities and Towns Act (R.S.Q., chapter C-19) do not apply to contracts awarded by the town for the maintenance and repair of the railway siding constructed under section 1.

Provisions
not appli-
cable Neither do they apply to contracts awarded for the construction of the portion of the siding situated in the territory described in Schedule II.

Tax on
immovables

4. The unsubsidized cost of the construction of the private railway siding contemplated in section 1 shall be charged either upon all taxable immovables within the town or upon only those taxable immovables located within the town's industrial zone, as described in Schedule III, or upon both, in the proportion determined by the council.

Assessment
roll value

Any special tax ordered under a loan by-law passed for that purpose shall be levied on the immovables on the basis of their value as entered on the assessment roll in force each year.

Imposition
of compen-
sation

5. The city may, by by-law, impose a compensation for the use of the private railway siding contemplated in section 1 to cover maintenance, repair and insurance costs and any other current expenditure. The compensation may be based on the annual tonnage of merchandise transported or on such other criteria as may be determined by the council.

Validity of
acquisition

6. The acquisition of the immovables referred to in by-law number 205 of the town of Bromont, approved by the Minister of Municipal Affairs and the Commission municipale du Québec on 31 October 1973, is hereby declared valid.

Validity of
title

The title of the town to the immovable of the cadastre of the township of Farnham, acquired under the deed registered at the registry office of the registration division of Brome under number 111923, is hereby declared valid.

Pending
cases

This section does not effect a case pending on 25 March 1986.

Coming into
force

7. This Act comes into force on 17 June 1988.

SCHEDULE I

A territory comprising parts of lots 321, 322, 323, 487, 489, 490, 491, 547, 548, 549, 551, 553, 554 and 559 of the cadastre of the township of Farnham, which may be described as follows:

(a) the part of lot 321 is bounded on the south by lot 690 (Canadian Pacific railway); on the west by lot 322; on the northeast by another part of the said lot 321 (measured along a curve having a radius of 500.0 feet); measuring one hundred feet and forty-seven hundredths (100.47 ft.) along the southern line; ten feet and twelve hundredths (10.12 ft.) along the western line; one hundred feet and seventy-five hundredths (100.75 ft.) along the northeast line; having an area of three hundred and thirty-eight square feet and one tenth (338.1 sq. ft.), English measure.

(b) the part of lot 322 is bounded on the south by lot 690 (Canadian Pacific railway); on the west by the now-widened public road; on the north by a public road; on the east by another part of the said lot 322 and by lot 321; on the northeast by another part of the said lot 322 (measured along a curve having a radius of 500.0 feet); measuring six hundred and eighty-seven feet and seventy-seven hundredths (687.77 ft.) along the southern line; eight hundred and eighty feet and five tenths (880.5 ft.) along the western line; two hundred and sixty-two feet and sixty-seven hundredths (262.67 ft.) along the northern line; three hundred and fifty-seven and sixty-two hundredths (357.62 ft.) and ten feet and twelve hundredths (10.12 ft.) along the eastern lines; six hundred and ninety-six feet and four tenths (696.4 ft.) along the northeast line; having an area of two hundred and ninety-two thousand and sixty-eight square feet and three tenths (292 068.3 sq. ft.), or six acres and seven hundred and five thousandths (6.705 acres), English measure.

(c) the part of lot 323 is described as follows: starting from the point of intersection of the western limit of the right of way of Horner road and of the northern limit of the Canadian Pacific railway (lot 690); thence, westerly on a bearing of $268^{\circ}22'07''$ eighty-five metres and eighty-eight hundredths (85.88 m.); northeasterly ninety-two metres and sixty-eight hundredths (92.68 m.), measured along a curve having a radius of one hundred and fifty and ninety-two hundredths metres (150.92 m.); southerly on a bearing of $180^{\circ}36'18''$ twenty-seven metres and sixty hundredths (27.60 m.) to the starting point. The said part of lot 323 is bounded as follows:

on the east by now-widened Horner road (part of lot 323), on the south by the Canadian Pacific railway (lot 690) and on the northwest, by another part of the said lot 323; having an area of seven hundred and fifty-two square metres and seven tenths (752.7 sq. m.), metric measure.

(d) the part of lot 487 is bounded on the south by a public road; on the west by lot 486, on the north by lot 489, on the east by another part of the said lot 487; measuring two hundred and sixty feet and ninety-one hundredths (260.91 ft.) along the southern line; one thousand three hundred and thirty-four feet and eighty-two hundredths (1334.82 ft.), along the western line; two hundred feet and one hundredth (200.01 ft.) along the northern line; one thousand three hundred and thirty-nine feet and sixty-seven hundredths (1339.67 ft.) along the eastern line; having an area of three hundred and eight thousand and twenty-eight square feet and nine tenths (308 028.9 sq. ft.) or seven acres and seventy-one thousandths (7.071 acres), English measure.

(e) the part of lot 489 is bounded on the south by lot 487; on the west by lots 486 and 485; on the north by a public road; on the east by another part of the said lot 489; measuring two hundred feet and one hundredth (200.01 ft.) along the southern line; one hundred and ninety-three feet and thirteen hundredths (193.13 ft.), five hundred and ninety-six feet and seventeen hundredths (596.17 ft.), three hundred and four feet and sixty-seven hundredths (304.67 ft.), four hundred and twenty-two feet and ninety-one hundredths (422.91 ft.) and nine hundred and twelve feet and sixty-four hundredths (912.64 ft.) along the western lines; two hundred feet and forty-eight hundredths (200.48 ft.) measured along a curve having a radius of four hundred and twenty-one feet and forty-nine hundredths (421.49 ft.) and forty-three feet and seven tenths (43.7 ft.) along the northern lines; and two thousand three hundred and eighty-five feet and seventy-two hundredths (2 385.72 ft.) along the eastern line; having an area of six hundred and eleven thousand one hundred and twenty-two square feet and one tenth (611 122.1 sq. ft.), or fourteen acres and twenty-nine thousandths (14.029 acres), English measure.

(f) two parts of lot 490, the first being bounded as follows:

on the south by a public road (measured along a curve having a radius of 459.99 feet); on the west by lot 485; on the north by the Yamaska River, on the east by another part of the said lot 490; measuring one hundred and eighty-one feet and seventy-three hundredths (181.73 ft.) along the southern line; fifty feet and seventy-one hundredths (50.71 ft.) along the western line; one hundred and ninety-seven feet and seventy-four hundredths (197.74 ft.) along the northern line and sixty-one feet and three tenths (61.3 ft.) along the eastern line; having an area of nine thousand three hundred and seventeen square feet (9 317.0 sq. ft.), or two hundred and fourteen thousandths of an acre (0.214 acre), English measure, and the second being bounded as follows:

on the south by a public road, on the northwest by another part of the said lot 490, on the north by the Yamaska River, on the east by another part of the said lot 490; measuring twenty-nine feet and fifty-seven hundredths (29.57 ft.) and thirty feet and ninety-nine hundredths (30.99 ft.) (along a curve having a radius of 459.99 feet) along the southern lines; sixty-one feet and three tenths (61.3 ft.) along the northwest line; thirty-nine feet and ninety-nine hundredths (39.99 ft.) along the northern line; seventy-four feet and forty-six hundredths (74.46 ft.) along the eastern line; having an area of three thousand two hundred and forty-two feet and nine tenths (3 242.9 sq. ft.), or seventy-four thousandths of an acre (0.074 acre), English measure. The southwest corner of this parcel of land is located one hundred and eighty-one feet and seventy-three hundredths (181.73 ft.) from the intersection of the western line of lot 490 and the northern line of the public road, this distance being measured along the said public road.

(g) the part of lot 491 is bounded on the south by the Yamaska River, on the west by lot 484, on the north by lot 559, on the east by another part of the said lot 491; measuring twenty-three feet and seventy-nine hundredths (23.79 ft.), seventy-five feet and sixty-one hundredths (75.61 ft.), and one hundred thirty-three feet and forty-seven hundredths (133.47 ft.) along the southern lines; eight hundred and eighty-three feet and thirty-eight hundredths (883.38 ft.), three hundred and thirteen feet and seventy-four hundredths (313.74 ft.), seventy-four feet and one hundredth (74.01 ft.), and one hundred and eighty-nine feet and sixty-three hundredths (189.63 ft.) along the western lines; two hundred and one feet and eighty-one hundredths (201.81 ft.), and thirty-four feet and eleven hundredths (34.11 ft.), along the northern lines; one thousand four hundred and seventy-seven feet and sixteen hundredths (1 477.16 ft.) along the eastern line; having an area of three hundred and fifty-one thousand and ninety and one tenth square feet (351 090.1 sq. ft.), or eight acres and six hundredths (8.06 acres), English measure.

(h) the part of lot 547 is described as follows:

starting at a point situated on the southern limit of the right of way of the boulevard de l'Aéroport and thirteen metres and thirty-seven hundredths (13.37 m) on a bearing of $270^{\circ}42'08''$, from the intersection of the dividing line between lots 546 and 547 and the southern limit of the right of way of the boulevard de l'Aéroport; thence, southerly on a bearing of $180^{\circ}42'08''$ fifty-four metres and eighty-six hundredths (54.86 m.); southwesterly three hundred and seventy-eight metres and eighty-one hundredths (378.81 m.) measured along a curve having a radius of two hundred and forty-one metres and sixteen hundredths (241.16 m.); westerly on a bearing of $270^{\circ}42'08''$ eight metres and thirty

hundredths (8.30 m.); northerly on a bearing of $0^{\circ}05'01''$ forty-five metres and seventy-two hundredths (45.72 m.); easterly on a bearing of $90^{\circ}42'08''$ eight metres and eighty hundredths (8.80 m.); northeasterly three hundred and six metres and ninety-nine hundredths (306.99 m.) measured along a curve having a radius of one hundred and ninety-five metres and forty-four hundredths (195.44 m.); northerly on a bearing of $0^{\circ}42'08''$ fifty-four metres and eighty-six hundredths (54.86 m.), easterly on a bearing of $90^{\circ}42'08''$ forty-five metres and seventy-two hundredths (45.72 m.) to the starting point. The said part of lot 547 is bounded as follows: on the north by the boulevard de l'Aéroport (part of lot 547); on the east, the southeast, the south, the north, the northwest and the west by other parts of the said lot 547 and on the west by lot 548; having an area of eighteen thousand five hundred and seventy-six square metres and six tenths (18 576.6 sq. m.), metric measure.

(i) the part of lot 548 is described as follows:

starting at the point of intersection of the dividing line between lots 547 and 548 and the southern line of the part of lot 547 described in the preceding paragraph: thence, westerly on a bearing of $270^{\circ}42'08''$ two hundred and twenty-four metres and eighty-seven hundredths (224.87 m.) and still in a westerly direction forty-three metres and eighty-eight hundredths (43.88 m.), measured along a curve having a radius of four hundred and thirteen metres and seventy-three hundredths (413.73 m.); northerly, on a bearing of $0^{\circ}16'42''$ forty-five metres and ninety-two hundredths (45.92 m.); easterly forty-four metres and twenty hundredths (44.20 m.), measured along a curve having a radius of four hundred and fifty-nine metres and forty-five hundredths (459.45 m.); and still in an easterly direction, on a bearing of $90^{\circ}42'08''$ two hundred and twenty-four metres and thirty-eight hundredths (224.38 m.); southerly, on a bearing of $180^{\circ}05'01''$ forty-five metres and seventy-two hundredths (45.72 m.) to the starting point. The said part of lot 548 is bounded as follows: on the north and the south by other parts of the said lot 548; on the east by lot 547; and on the west by lot 549; having an area of twelve thousand two hundred and eighty-three square metres and three tenths (12 283.3 sq. m.), metric measure.

(j) the part of lot 549 is described as follows:

starting at the point of intersection of the dividing line between lots 548 and 549 and the southern line of the part of lot 548 described in the preceding paragraph; thence, westerly two hundred and twenty-three metres and thirty hundredths (223.30 m.), measured along a curve having a radius of four hundred and thirteen metres and seventy-three hundredths (413.73 m.); southwesterly on a bearing of $233^{\circ}42'08''$ seventy-nine metres and forty-six hundredths (79.46 m.); northerly on

a bearing of $0^{\circ}28'25''$ fifty-six metres and eight hundredths (56.08 m.); northeasterly on a bearing of $53^{\circ}42'08''$ forty-five metres and thirty hundredths (45.30 m.); easterly two hundred and fifty-two metres and fifty hundredths (252.50 m.), measured along a curve having a radius of four hundred and fifty-nine metres and forty-five hundredths (459.45 m.); southerly on a bearing of $180^{\circ}16'42''$ forty-five metres and ninety-two hundredths (45.92 m.) to the starting point. The said part of lot 549 is bounded as follows: on the south, the southeast, the northwest and the north by other parts of the said lot 549; on the east by lot 548 and on the west by lot 551; having an area of thirteen thousand, seven hundred and twenty-eight square metres and nine tenths (13 728.9 sq. m.), metric measure.

(k) the part of lot 551 is described as follows:

starting at the point of intersection of the dividing line between lots 549 and 551 and the southern line of the part of lot 549 described in the preceding paragraph; thence, southwesterly on a bearing of $233^{\circ}42'08''$ three hundred and thirty-four metres and eighty-four hundredths (334.84 m.); northerly on a bearing of $0^{\circ}40'07''$ fifty-seven metres and twenty-two hundredths (57.22 m.); northeasterly on a bearing of $53^{\circ}42'08''$ three hundred and thirty-four metres and sixty hundredths (334.60 m.); southerly on a bearing of $180^{\circ}28'25''$ fifty-six metres and eight hundredths (56.08 m.) to the starting point. The said part of lot 551 is bounded as follows: on the southeast and the northwest by other parts of the said lot 551, on the west by Salaberry street (part of the said lot 553) and on the east by lot 549; having an area of fifteen thousand three hundred and three square metres and two tenths (15 303.2 sq. m.), metric measure.

(l) the part of lot 553 is described as follows:

starting from a point on the dividing line between lots 553 and 559 situated thirty-seven metres and twenty-eight hundredths (37.28 m.) from the southern line of lot 554; thence, northerly on a bearing of $0^{\circ}28'38''$, sixty-six metres and fifty-nine hundredths (66.59 m.); northeasterly on a bearing of $53^{\circ}42'08''$, three hundred and thirty-four metres and twenty-seven hundredths (334.27 m.); southerly on a bearing of $180^{\circ}40'07''$ sixty-six metres and seventy-six hundredths (66.76 m.); southwesterly on a bearing of $233^{\circ}42'08''$ three hundred and thirty-four metres (334.0 m.), to the starting point. The said part of lot 553 is bounded as follows: on the northwest and the southeast by other parts of the said lot 553; on the west by lots 554 and 559 and on the east by lot 551; having an area of seventeen thousand eight hundred and twenty-two square metres and eight tenths (17 822.8 sq. m.), metric measure.

(m) the part of lot 554 is described as follows:

starting from the southeast corner of lot 554; thence, westerly on a bearing of $270^{\circ}13'01''$ thirty-nine metres and forty-five hundredths (39.45 m.); northeasterly on a bearing of $53^{\circ}42'08''$ forty-nine metres and twenty-six hundredths (49.26 m.); southerly on a bearing of $180^{\circ}28'38''$ twenty-nine metres and thirty-one hundredths (29.31 m.), to the starting point. The said part of lot 554 is bounded as follows: on the south by lot 559, on the northwest by another part of the said lot 554 and on the east by lot 553; having an area of five hundred and seventy-eight square metres and two tenths (578.2 sq. m.), metric measure.

(n) the part of lot 559 is described as follows:

starting from the southeast corner of lot 554; thence, southerly on a bearing of $180^{\circ}28'38''$ thirty-seven metres and twenty-eight hundredths (37.28 m.); southwesterly on a bearing of $233^{\circ}42'08''$ three hundred and seventy metres and fifty-three hundredths (370.53 m.) and still southwesterly three hundred and eighty-nine metres and ninety hundredths (389.90 m.), measured along a curve having a radius of four hundred and thirteen metres and seventy-three hundredths (413.73 m.); southerly on a bearing of $179^{\circ}42'23''$ two hundred and four metres and twenty-nine hundredths (204.29 m.); westerly along the southern limit of lot 559 and on a bearing of $273^{\circ}29'39''$, ten metres and forty hundredths (10.40 m.) and on a bearing of $267^{\circ}10'27''$ sixty-one metres and fifty-one hundredths (61.51 m.); northerly on a bearing of $04^{\circ}49'35''$ two hundred and seven metres and fifteen hundredths (207.15 m.); northeasterly four hundred and forty metres and seventeen hundredths (440.17 m.), measured along a curve having a radius of four hundred and sixty-seven metres and seven hundredths (467.07 m.); northeasterly on a bearing of $53^{\circ}42'08''$ three hundred and sixty-one metres and fourteen hundredths (361.14 m.); easterly on a bearing of $90^{\circ}13'01''$ thirty-nine metres and forty-five hundredths (39.45 m.), to the starting point. The said part of original lot 559 is bounded as follows: on the north by lot 554; on the east by lot 553; on the southeast, the east, the west and the northwest by other parts of the said lot 559 and on the south by lot 491; having an area of fifty-five thousand one hundred and ninety-one and one tenth square metres (55 191.1 sq. m.), metric measure. Directions mentioned in these descriptions are bearings referring to the SCOPQ (Québec system of plane coordinates) — zone 8, central meridian $73^{\circ}30'$.

SCHEDULE II

The territory comprising the parts of lots 321, 322 and 323 described in paragraphs *a*, *b* and *c* of Schedule I.

SCHEDULE III

Lots 530 to 542, 542A, 543 to 554, 558, 559, 655 to 680, 694, 695 and 697 of the cadastre of the township of Farnham.