

1986, chapter 33

**AN ACT TO AMEND THE ACT RESPECTING
LAND USE PLANNING AND DEVELOPMENT**

Bill 38

Introduced by Mr André Bourbeau, Minister of Municipal Affairs

Introduced 13 May 1986

Passage in principle 11 June 1986

Passage 19 June 1986

Assented to 19 June 1986

Coming into force: 19 June 1986

Act amended:

Act respecting land use planning and development (R.S.Q., chapter A-19.1)



CHAPTER 33

An Act to amend the Act respecting land use planning and development

[Assented to 19 June 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. A-19.1, s.
29.1, added

1. The Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by inserting, after section 29, the following section:

Extension

“29.1 If the period granted to the council of the regional county municipality to amend its development plan in conformity with the Minister’s notice is extended by the Minister pursuant to section 239, the Minister may amend his notice in accordance with section 27 during the additional period.

Additional
time

If the Minister avails himself of the first paragraph, the additional period granted to the council of the regional county municipality to amend its development plan in conformity with the amended notice runs from service of the notice.”

c. A-19.1, s.
205.1, am.

2. Section 205.1 of the said Act is amended by striking out the words “and woodlots” in the first and second lines of subparagraph *d* of paragraph 2.

c. A-19.1,
ss. 256.2,
256.3,
added

3. The said Act is amended by inserting, after section 256.1, the following sections:

Grounds for
refusal

“256.2 No permit authorizing a cadastral operation may be refused on the sole ground that the area or the dimensions of the tract of land do not allow it to satisfy the pertinent requirements of an interim control by-law or of a subdivision by-law in respect of a tract of land that meets the following conditions:

(1) on 30 November 1982 or on the date preceding the date of the coming into force of the first interim control by-law of the regional county municipality, whichever date is the later, the tract of land did not form one or several separate lots on the official plans of the cadastre;

(2) on the date applicable under subparagraph 1, the tract of land was the site of a structure built and used in accordance with the by-laws in force at that time, if such was the case, or protected by acquired rights.

Single lot To be authorized, the cadastral operation must result in the creation of a single lot or, where the tract of land is comprised in several original lots, of a single lot for each original lot.

Applicability The first two paragraphs apply even if the structure is destroyed by a disaster after the applicable date.

Grounds for refusal **“256.3** No permit authorizing a cadastral operation may be refused on the sole ground that the area or the dimensions of the tract of land do not allow it to satisfy the pertinent requirements of an interim control by-law or of a subdivision by-law in respect of a tract of land that is the remainder of a tract of land

(1) part of which has been acquired for purposes of public utility by a public body or some other person having powers of expropriation, and

(2) which immediately before the acquisition had sufficient area and dimensions to conform with the by-laws in force at that time or could have been the subject of a cadastral operation pursuant to section 256.1 or 256.2.

Single lot To be authorized, the cadastral operation must result in the creation of a single lot or, where the tract of land is comprised in several original lots, of a single lot for each original lot.”

c. A-19.1, s. 264, am. **4.** Section 264 of the said Act is amended by inserting, after subparagraph *c* of paragraph 1 of the second paragraph, the following subparagraph:

“(c.1) section 85.1 applies to the City of Laval as if its development plan were not in force;”.

c. A-19.1, s. 264.0.1, am. **5.** Section 264.0.1 of the said Act is amended by inserting, after subparagraph *c* of paragraph 1 of the second paragraph, the following subparagraph:

“(c.1) section 85.1 applies to the town of Mirabel as if its development plan were not in force;”.

Coming into
force

6. This Act comes into force on 19 June 1986.