

NATIONAL ASSEMBLY

FIRST SESSION

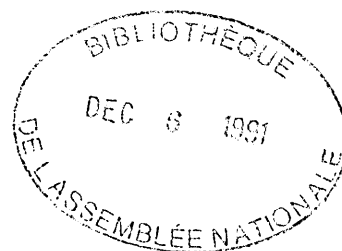
THIRTY-FOURTH LEGISLATURE

Bill 296
(Private)

An Act to amend the charter of the city of Montréal

Introduction

Introduced by
Mr Jacques Chagnon
Member for Saint-Louis



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Bill 296

(Private)

An Act to amend the charter of the city of Montréal

WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The charter of the city of Montréal (1959-60, chapter 102) is amended by inserting, after article 10j, the following article:

“10k. The city may, in order to promote the reception, establishment or maintenance of international governmental or non-governmental agencies on its territory,

(1) participate or associate itself with any corporation, partnership or enterprise representing public or private interests entrusted with studying the feasibility of or constructing or operating an international conference centre on its territory;

(2) create or participate in any international development fund intended for the promotion of the city as an international centre.

The city may, in respect of a corporation, partnership or enterprise referred to in subparagraph 1 of the first paragraph, avail itself of provisions of the second and third paragraphs of article 964ff, adapted as required.”

2. Article 59b of the said charter, introduced by section 8 of chapter 97 of the statutes of 1960-61, is amended by striking out the words “He shall receive for his services in the exercise of his functions an annual indemnity of three thousand six hundred dollars.” in the seventh, eighth, ninth and tenth lines.

3. Article 76 of the said charter, amended by section 10 of chapter 97 of the statutes of 1960-61, section 6 of chapter 59 of the statutes of 1962, section 12 of chapter 70 of the statutes of 1963 (1st session), section 4 of chapter 84 of the statutes of 1965 (1st session), section 4 of chapter 96 of the statutes of 1971, section 7 of chapter 77 of the statutes of 1977, section 4 of chapter 40 of the statutes of 1980, section 95 of chapter 16 of the statutes of 1980, section 3 of chapter 111 of the statutes of 1987, section 42 of chapter 30 of the statutes of 1988 and by section 4 of chapter 80 of the statutes of 1989, is amended

(1) by replacing, in the first paragraph, the words “official business for the city, to the performance of a duty related to his office, to childbirth or assistance to his spouse during childbirth, to illness attested by a physician’s certificate, to the discharge of a religious obligation or to the death of an ascendant, a descendant, his spouse, a brother or a sister” by the words “a circumstance determined in the by-laws of the council”;

(2) by inserting the words “or according to any other criterion that the council determines by by-law” in the fourth paragraph, after the words “for the duties involved”;

(3) by replacing the word “fifth” in the fifth paragraph by the word “fourth”.

4. Article 109 of the said charter, amended by section 8 of chapter 59 of the statutes of 1962, section 7 of chapter 84 of the statutes of 1965 (1st session), section 6 of chapter 86 of the statutes of 1966-67, replaced by section 12 of chapter 52 of the statutes of 1976, section 18 of chapter 77 of the statutes of 1977 and by section 9 of chapter 111 of the statutes of 1987, is amended by replacing the third paragraph by the following paragraph:

“The executive committee may delegate the exercise of the power mentioned in the first paragraph to the secretary general and to the head of the department concerned. In such a case, the report, and the reasons for the decision, shall be submitted to the executive committee by the secretary general or, where applicable, by the department head, subject to the same requirements.”

5. Article 172 of the said charter, amended by section 19 of chapter 97 of the statutes of 1960-61, replaced by section 14 of chapter 96 of the statutes of 1971, section 5 of chapter 71 of the statutes of 1982 and amended by section 29 of chapter 59 of the statutes of 1983, is replaced by the following article:

“172. The council may, by by-law, establish supplemental pension plans for the employees of the city, to which they must contribute. These plans shall be administered by committees that are pension committees within the meaning of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1).

Every by-law to amend a by-law establishing a plan must have previously been the subject of a recommendation by the majority of the members designated among the plan members and the majority of the other members of the committee present at the committee meeting when the proposed amendment is voted on. In addition, unless the members designated among the plan members present at the meeting have unanimously approved the amendment, the by-law may be passed only after being approved by the majority of the active members who have expressed their opinion by a referendum held for that purpose.

The council may, by by-law,

(1) establish a common fund in which the committees referred to in the first paragraph may deposit all or part of their assets and where they are commingled;

(2) entrust the administration of the fund to a committee that it establishes for such purpose and that is composed of representatives of each of the participating committees.

The committee established under subparagraph 2 of the third paragraph shall have the powers and liability of a pension committee delegatee according to the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1).”

6. Article 467 of the said charter is repealed.

7. Article 522 of the said charter, amended by section 27 of chapter 97 of the statutes of 1960-61, section 54 of chapter 59 of the statutes of 1962, section 19 of chapter 70 of the statutes of 1963 (1st session), section 9 of chapter 71 of the statutes of 1964, section 23 of chapter 86 of the statutes of 1966-67, section 47 of chapter 77 of the statutes of 1977, section 16 of chapter 22 of the statutes of 1979, section 20 of chapter 71 of the statutes of 1982, section 3 of chapter 59 of the statutes of 1983, section 1 of chapter 75 of the statutes of 1984, section 6 of chapter 117 of the statutes of 1986, section 11 of chapter 80 of the statutes of 1989 and by section 13 of chapter 90 of the statutes of 1990, is amended by adding, after paragraph 46, the following paragraph:

“47. Prescribe the conditions and methods which apply to the towing and impounding of damaged vehicles.”

8. The said charter is amended by inserting, after article 555, the following article:

“555.1 During a snow removal operation effected by or on behalf of the city, the snow may be blown or deposited on the edge of the roadway and on private property.”

9. The said charter is amended by inserting, after article 956c, the following article:

“956d. The city may, for the purpose of developing an international conference centre, acquire, by agreement or expropriation, any immovable.

It may also dispose of it in accordance with article 1079.”

10. Article 1105 of the said charter, replaced by section 33 of chapter 18 of the statutes of 1978, is amended by replacing the words “shall not be renewed” in the second paragraph by the words “may be renewed for a maximum period of seven years”.

11. Article 1126 of the said charter, replaced by section 61 of chapter 86 of the statutes of 1966-67, section 72 of chapter 96 of the statutes of 1971, section 167 of chapter 77 of the statutes of 1977, section 70 of chapter 71 of the statutes of 1982, and amended by section 1107 of chapter 4 of the statutes of 1990, is amended by inserting the words “and warrants of arrest” after the word “committal” in the second paragraph.

12. Article 1129 of the said charter, amended by section 19 of chapter 91 of the statutes of 1969, section 73 of chapter 96 of the statutes of 1971, section 54 of chapter 40 of the statutes of 1980 and section 1110 of chapter 4 of the statutes of 1990, is repealed.

13. Article 1129a of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, amended by section 71 of chapter 71 of the statutes of 1982 and by section 1111 of chapter 4 of the statutes of 1990, is repealed.

14. Article 1129b of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, amended by section 72 of chapter 71 of the statutes of 1982, section 53 of chapter 111 of the statutes of 1987 and by section 1112 of chapter 4 of the statutes of 1990, is replaced by the following article:

“1129b. In the case of a second violation, the payment by the defendant of the amount claimed in a statement of offence indicating the name of the same defendant and the same address constitutes *prima facie* proof of the previous conviction of the defendant without it being necessary to prove his identity.”

15. Article 1129c of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980 and amended by section 1113 of chapter 4 of the statutes of 1990, is replaced by the following article:

“1129c. Where the city is the prosecutor, it may authorize the following persons to issue a statement of offence on its behalf:

- (1) any peace officer;
- (2) any special officer appointed under article 1142;
- (3) any other person entrusted by the city with the enforcement of the Act.

The authorization shall be given generally or specifically and in writing. It shall indicate, in addition, the offences or classes of offences for which such persons are empowered to serve a statement of offence.

The clerk or any employee designated by the clerk is authorized by the prosecutor to certify a copy of the statement of offence or the offence report.”

16. Article 1138 of the said charter, replaced by section 87 of chapter 77 of the statutes of 1973 and by section 1118 of chapter 4 of the statutes of 1990, is repealed.

17. Article 1138a of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982 and amended by section 1119 of chapter 4 of the statutes of 1990, is amended

- (1) by replacing the word “Régie” in the first paragraph by the word “Société”;
- (2) by replacing the words “information, notice of summons or summons” in the first paragraph by the words “statement of offence”;
- (3) by inserting the words “, parking of a motor vehicle” after the word “traffic” in the first paragraph;
- (4) by replacing the word “Régie” in the second paragraph by the word “Société”.

18. Article 1138*b* of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982 and amended by section 1120 of chapter 4 of the statutes of 1990, is amended by replacing the words “any summons” by the words “any statement of offence”.

19. Article 1139 of the said charter, amended by section 62 of chapter 97 of the statutes of 1960-61, replaced by section 62 of chapter 86 of the statutes of 1966-67, amended by section 74 of chapter 96 of the statutes of 1971, replaced by section 88 of chapter 77 of the statutes of 1973, amended by section 169 of chapter 77 of the statutes of 1977, section 36 of chapter 41 of the statutes of 1980, section 75 of chapter 71 of the statutes of 1982, section 54 of chapter 111 of the statutes of 1987 and by section 1121 of chapter 4 of the statutes of 1990, is replaced by the following article:

“1139. Any peace officer or special officer appointed under article 1142 may remove or have removed by means of a service vehicle or towtruck any vehicle parked in contravention of a traffic or parking by-law, ordinance or resolution.

The statement of offence shall mention the removal and the additional costs or sums, determined by by-law, that may be collected as a result of such removal. The latter shall be added to the sums that may be claimed from the defendant by the prosecutor in the statement of offence. The additional costs or sums that may be claimed as a result of the removal shall be collected by the collector in accordance with articles 321, 322 and 327 to 331 of the Code of Penal Procedure (1987, chapter 96) or the provisions of this Act.

In every case provided for in this article, the council may, by by-law, assign to the head of the competent department, or to any other officers or employees designated by the latter, the exercise of all the powers and duties assigned by this article to the peace officer or special officer.”

20. Article 1140 of the said charter, amended by section 62 of chapter 84 of the statutes of 1965 (1st session), replaced by section 63 of chapter 86 of the statutes of 1966-67, section 75 of chapter 96 of the statutes of 1971, amended by section 20 of chapter 76 of the statutes of 1972, replaced by section 170 of chapter 77 of the statutes of 1977, amended by section 76 of chapter 71 of the statutes of 1982 and by section 1122 of chapter 4 of the statutes of 1990, is repealed.

21. Article 1140*b* of the said charter, introduced by section 76 of chapter 96 of the statutes of 1971, replaced by section 89 of chapter 77 of the statutes of 1973, amended by section 171 of chapter 77 of the statutes of 1977, replaced by section 77 of chapter 71 of the statutes

of 1982, amended by section 23 of chapter 59 of the statutes of 1983 and by section 1123 of chapter 4 of the statutes of 1990, is repealed.

22. Article 1140*d* of the said charter, introduced by section 77 of chapter 71 of the statutes of 1982, is replaced by the following article:

“1140*d*. Where a person commits an offence under section 35 or 97 of the Highway Safety Code (R.S.Q., chapter C-24.2), or the second paragraph of section 100 of the said Code, the peace officer may issue to the offender, with a statement of offence, a warning requiring him to furnish, within 48 hours, proof that he was the holder of the required documents at the time of interception.

Where a person commits an offence under any of sections 30, 31, the second paragraph of section 32, sections 34, 210.1, 212, 213, 215 to 223, 230 to 237, 242 to 247, 258, 261 to 265, 268 to 270, 272, 273 and 274 of the said Code, the peace officer may issue to the offender, with a statement of offence, a warning requiring him to make or have made the necessary alterations or repairs within 48 hours.

The statement of offence becomes null where the offender furnishes the proof required by the peace officer within 48 hours.

Where a warning has been issued with the statement of offence, the time limit provided in article 160 of the Code of Penal Procedure (1987, chapter 96) does not begin to run until the expiration of the time limit indicated in the warning.”

23. Article 1141 of the said charter, replaced by section 65 of chapter 86 of the statutes of 1966-67, is repealed.

24. Article 1142 of the said charter is amended

(1) by striking out the word “temporarily” in the first paragraph;

(2) by replacing the words “purposes of articles 1139, 1140 and 1141” in the first paragraph by the words “purposes of article 1139 or for the enforcement of legislative or regulatory provisions respecting traffic, the parking of a vehicle or the use of a vehicle or one of its accessories”;

(3) by replacing the words “said articles” in the second paragraph by the words “objects described in the first paragraph”;

(4) by inserting the words “except the powers of arrest conferred on such constables or peace officers by an Act. However, they shall

have the powers referred to in article 87 of the Code of Penal Procedure (1987, chapter 96),” after the word “city” in the second paragraph.

25. Article 1151 of the said charter, replaced by section 1128 of chapter 4 of the statutes of 1990, is amended by striking out the words “; they may also be instituted by any person authorized by a court judge”.

26. The said charter is amended by inserting, after article 1159.5, the following articles:

“1159.6 In the case of an offence under a legislative or regulatory provision respecting the parking of a vehicle, where a defendant has not paid the sum due at the expiry of the time prescribed in article 322 of the Code of Penal Procedure (1987, chapter 96) or granted under article 327 or 328 of that Code, or where, at the expiry of the time fixed, the defendant has undertaken to carry out compensatory work but has not respected that undertaking, the collector shall notify the Société de l’assurance automobile du Québec of that fact.

“1159.7 On reception of a notice given under article 1159.6, the Société shall,

(1) refuse any application for registration of a vehicle in the name of the defendant mentioned in the notice;

(2) refuse any application for registration renewal in respect of a vehicle registered in the name of the defendant mentioned in the notice;

(3) refuse to issue a registration certificate, a registration plate including, where applicable, a validation or identification sticker in respect of a vehicle registered in the name of the defendant mentioned in the notice.

Any refusal referred to in the first paragraph shall be maintained as long as the Société has not received the notice provided for in article 1159.9.

In addition, upon the expiration of the period provided for in the first paragraph of section 31.1 of the Highway Safety Code (R.S.Q., chapter C-24.2), the defendant in respect of whom a notice was sent to the Société in accordance with article 1159.6, is presumed to have elected not to drive a vehicle registered in his name. Such election shall continue to be effective for such time as the Société has not received the notice provided for in article 1159.9.

For such time as the election continues to be effective and without further notice, no person may put the vehicle back into operation.

Every person who contravenes the fourth paragraph is guilty of an offence and is liable to a fine of \$300 to \$600.

“1159.8 The fact that the collector gives the notice provided for in article 1159.6 does not prevent him from resorting to other measures of recovery provided by law.

“1159.9 The collector, where he has forwarded a notice under article 1159.6, shall notify the Société de l'assurance automobile du Québec without delay when the amount due has been acquitted as a result of payment or seizure or when the defendant has been released from payment pursuant to the second paragraph of article 339 of the Code of Penal Procedure (1987, chapter 96) or has served the term of imprisonment imposed for failure to pay an amount due.”

27. Section 28 of the Act to amend the Charter of the city of Montréal (1990, chapter 90) is amended

(1) by adding the words “; the city may also lend money or other security to such a partnership” after the word “city” in the fifth line of the first paragraph;

(2) by adding, after the second paragraph, the following paragraph:

“The city may, notwithstanding the Municipal Aid Prohibition Act, dispose of the shares acquired pursuant to the first paragraph or, where applicable, the shares acquired pursuant to the second paragraph. For the purposes of such disposition, the city may accept any cash payment or any payment accompanied with a guarantee that it deems sufficient.”

28. On the date fixed by the Government, articles 9, 10, 12 to 16, the third paragraph of article 55, the provisions of article 63 relating to the statement of offence, the words “of the statement of offence” in paragraph 2 of article 71, article 87, the second paragraph of article 90, articles 91, 142, 144 to 149, 156 to 168, the third paragraph of article 169, paragraph 5 of article 174, article 180, subparagraph 4 of the first paragraph of article 184, the reference to subparagraph 4 of the first paragraph of article 184 entered in article 185, the first paragraph of article 187, article 188, the third paragraph of article 222, the words “or under article 165” in article 246, article 261, the first paragraph of article 262, article 263 and article 264 of the Code of Penal Procedure (1987, chapter 96), as amended by chapter 4 of the statutes

of 1990, shall apply in respect of offences which may be tried before the Municipal Court of the city of Montréal.

29. On the date of coming into force of section 28, the provisions of paragraphs 1 to 8 of article 372 and article 373 of the Code of Penal Procedure introduced by section 11 of chapter 4 of the statutes of 1990, shall cease to have effect for the city of Montréal.

30. Article 62 of the Code of Penal Procedure (1987, chapter 96) is replaced for the city of Montréal by the following article:

“62. The statement of offence, in the form prescribed by regulation, has the same value and effect as evidence given under oath by the person who has witnessed the commission of the offence alleged on the statement of offence.

The same applies to a copy of the statement certified by a person authorized to do so by the prosecutor.

Any offence report, in the form prescribed by regulation, has the same value and effect as evidence given under oath by the peace officer or the person entrusted with the enforcement of any Act who drew up the report, if he attests on the report that he personally ascertained the facts stated therein.

The same applies to a copy of the report certified by a person authorized to do so by the prosecutor.”

31. Article 364 of the said Code is amended, in respect of offences which may be tried before the Municipal Court of the city of Montréal, by replacing the second paragraph by the following paragraph:

“The collector shall give a notice to the Société only in case of an offence under the Highway Safety Code (R.S.Q., chapter C-24.2) or a traffic or parking by-law passed by a municipality.”

32. (1) Every act performed or decision made under any provision amended, replaced or repealed by sections 6 and 12 to 25 retains its effect, unless it is obsolete;

(2) Every proceeding drawn up before the date of coming into force of sections 6 and 12 to 25, in accordance with a provision amended, replaced or repealed by the said sections, shall remain valid until its object is achieved;

(3) All penal proceedings which, at the time of coming into force of section 6 or within the six following months, would have been

prescribed under the provision repealed by the said section, shall remain prescribed for the period provided for in the said provision;

(4) Every notice of mechanical inspection given under sections 524 and 532 of the Highway Safety Code (R.S.Q., chapter C-24.2), before the coming into force of sections 12 to 25 and 28 to 30, shall remain valid.

The notice of mechanical inspection shall adhere to the rules of penal procedure applicable before that date until a summons is issued. After the issue of the summons, such notice shall adhere to the rules prescribed under subsections 7 to 15 of this section;

(5) Every notice of 48 hours given under article 1140*d* of the charter of the city of Montréal (1959-60, chapter 102) as it existed before the coming into force of section 22 of this Act or under sections 577 and 578 of the Highway Safety Code (R.S.Q., chapter C-24.2), section 79 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1) and every notice of 72 hours given under section 77.1 of the Transport Act (R.S.Q., chapter T-12), before the coming into force of sections 12 to 25 and 28 to 30, shall remain valid.

Such notices shall adhere, until the issue of a summons, to the rules of penal procedure applicable before such date. After the issue of the summons, such notices shall adhere to the rules prescribed under subsections 7 to 15 of this section;

(6) Every preliminary notice and every infraction ticket issued before the coming into force of sections 12 to 25 and 28 to 30 shall remain valid. The same applies to an information or a summons.

Such preliminary notices and infraction tickets shall adhere, until the issue of a summons, to the rules of penal procedure applicable before the said date. After the issue of the summons, such preliminary notices and infraction tickets shall follow the rules prescribed under subsections 7 to 15 of this section;

(7) Every summons has the same value and effect as a statement of offence on the date fixed for the first appearance before a judge if the prosecutor requests only the minimum sentence prescribed by legislative or regulatory provision and the summons indicates the sentence he has requested. Payment of the amount prescribed by legislative or regulatory provision constitutes a minimum penalty;

(8) At the time of the appearance, the judge may allow

(a) a statement of offence to be served immediately on the defendant, where the sentence requested by the prosecutor is not

indicated on the summons or where the prosecutor intends to request a greater sentence than the minimum fine prescribed by legislative or regulatory provision; or

(b) the prosecutor to serve immediately on the defendant and file in the Court record a document containing the additional mentions required in order for the summons to have the same value and effect as a statement of offence;

(9) The defendant who appears upon summons shall register a plea of guilty or not guilty and the proceedings are then continued in accordance with the rules of procedure applicable to offences which may be tried before the Municipal Court of Montréal;

(10) The request for sentence need not appear in a separate section of the summons if the prosecutor is requesting only the minimum sentence;

(11) The judge shall give the defendant on whom a statement of offence or the equivalent is served under subparagraph *b* of subsection 8, the opportunity to register a plea of guilty or not guilty. The latter may however request a period of 30 days before registering his plea.

If the defendant pleads guilty at his appearance, the judge shall convict him and impose a sentence on him within the limits prescribed by legislative or regulatory provision. If the defendant pleads not guilty, the judge shall fix a date for the trial;

(12) Notwithstanding any other provision of this section, the hearing of a preliminary application or the trial of penal proceedings which are pending, whether in first instance or in appeal, instituted by a notice of infraction, an information or a summons before the coming into force of sections 12 to 25 and 28 to 30, shall be continued without it being necessary to replace the pleading by a statement of offence;

(13) Notwithstanding any other provision of this section, a judgment by default may be rendered without it being necessary to replace the introductory proceeding by a statement of offence;

(14) Where the defendant required to appear on a date fixed in the summons fails to do so, judgment may be rendered by default. The notice of infraction or the summons issued against the defendant has the same value and effect for the trial as evidence given under oath by the person who ascertained the commission of the offence alleged on the notice of infraction or summons;

(15) Any interruption of prescription having occurred in accordance with the existing rules of penal procedure before the coming into force of sections 12 to 25 and 28 to 30 shall remain valid;

(16) Every by-law, resolution or ordinance made under any provision amended, replaced or repealed under this Act remains in force to the extent that it is consistent with this Act or, as the case may be, with the Code of Penal Procedure (1987, chapter 96), and until such time as it is replaced or repealed.

33. The city of Montréal, by by-law submitted for approval to the Government, for the prosecution of offences which may be tried before the Municipal Court of the city of Montréal, may

(1) prescribe the form of statements of offence and offence reports;

(2) fix the court fees payable under the Code of Penal Procedure (1987, chapter 96);

(3) fix the costs that may be awarded against a party in first instance;

(4) fix the fee payable for the issue of a copy of a thing seized or of a document;

(5) determine the obligations of a person who receives security while awaiting disposition thereof pursuant to the Code of Penal Procedure;

(6) fix, for the purposes of the security referred to in article 76 of the Code of Penal Procedure, the amount of costs added to the amount of the minimum fine and determine how it may be paid;

(7) fix the amount of costs that may be awarded against a defaulting witness;

(8) fix the costs that may be imposed upon dismissal of an application for rectification of judgment or reduction of costs or upon the granting or dismissal of an application for revocation of a judgment addressed by the defendant;

(9) fix the costs of execution of judgment that may be awarded against a party.

These by-laws shall cease to be in force when they are replaced by the regulations of the Government taken pursuant to article 367 of the Code of Penal Procedure.

34. The city is authorized to enter into an agreement with the corporation “Royal Institution for the Advancement of Learning” (McGill University), to use, for the purpose of constructing a sports centre accessible to the public, a certain extent of land being part of Parc du Mont-Royal adjacent to the land belonging to the university, described as follows:

(1) A part of original lot 1 of the official cadastre of the city of Montréal, Saint-Laurent ward, registration division of Montréal, bounded on the north by a part of original lot 2 hereafter described, on the northeast by a part of original lot 2 hereafter described and a part of original lot 2A hereafter described, on the east by a part of original lot 1 (des Pins avenue), on the south by lot 1-1, on the southwest by lot 1862-1 of the cadastre of the city of Montréal, Saint-Antoine ward, and by another part of original lot 1, on the west by another part of original lot 1, on the northwest by lot 1A. Measuring fifty-two metres and four hundred fifty-six thousandths (52.456 m) in a northeasterly line, six metres and six hundred seventy-five thousandths (6.675 m) northerly, nine metres and four hundred fifty-eight thousandths (9.458 m) in another line northeasterly, thirty-six metres and six hundred seventy-four thousandths (36.674 m) easterly, forty-two metres and two hundred thirty-three thousandths (42.233 m) southerly, thirty-nine metres and three hundred one thousandths (39.301 m) in a line southwesterly, four metres and nine hundred twenty-three thousandths (4.923 m) westerly, five metres and one hundred eighty-two thousandths (5.182 m) in another line southwesterly, thirty metres and five hundred ninety-nine thousandths (30.599 m) northwesterly. Containing an area of two thousand seven hundred ninety-seven square metres and forty hundredths (2 797.40 m²).

(2) A part of original lot 2 of the official cadastre of the city of Montréal, Saint-Laurent ward, registration division of Montréal, bounded on the northeast and on the north by another part of original lot 2, on the east by another part of original lot 2 (des Pins avenue), on the southeast by a part of original lot 2A hereafter described, on the south by a part of original lot 1 previously described, on the southwest by a part of original lot 1 previously described and lot 1A, on the west by a part of original lot 2. Measuring sixty-four metres and three hundred seventy-seven thousandths (64.377 m) along a curve having a radius of one hundred eighty metres and four hundred thirty-three thousandths (180.433 m) northeasterly, sixty metres and eight hundred seventy-eight thousandths (60.878 m) northerly, twelve metres and eight hundred thirty-eight thousandths (12.838 m) easterly, twelve metres and six hundred seventy-one thousandths (12.671 m) southeasterly, six metres and six hundred seventy-five thousandths (6.675 m) southerly, one hundred twenty-four metres

and four hundred one thousandths (124.401 m) southwesterly, one metre and four hundred two thousandths (1.402 m) westerly. Containing an area of one thousand five hundred six square metres and seventy-nine hundredths (1 506.79 m²).

(3) A part of original lot 2A of the official cadastre of the city of Montréal, Saint-Laurent ward, registration division of Montréal, bounded on the east by another part of lot 2A (des Pins avenue), on the southwest by a part of original lot 1 previously described, on the northwest by a part of original lot 2 previously described. Measuring fifteen metres and eight hundred thirteen thousandths (15.813 m) easterly, nine metres and four hundred fifty-eight thousandths (9.458 m) southwesterly, twelve metres and six hundred seventy-one thousandths (12.671 m) northwesterly. Containing an area of fifty-nine square metres and ninety-two hundredths (59.92 m²).

The agreement may in no way include alienation of the right of ownership of the city on the said extent of land.

This agreement shall terminate when the new building ceases to be occupied by the said corporation for the purposes set out in the first paragraph; the city will then be entitled to demolish and remove, at the expense of the said corporation, any works or building that may have been constructed or erected thereon.

35. Section 1 is declaratory.

36. Section 2 has effect from 1 July 1991.

37. The third paragraph of article 172, enacted by section 5, has effect from 17 September 1991.

38. This Act comes into force on (*insert here the date of assent to this Act*) except sections 6, 12 to 25 and 28 to 30, which will come into force on the date fixed by the Government.