

THIRD SESSION

THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

Bill 247

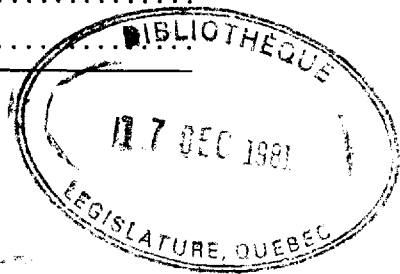
(PRIVATE)

An Act respecting the city of Verdun

First reading

Second reading

Third reading



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QUÉBEC OFFICIAL PUBLISHER

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(PRIVATE)

An Act respecting the city of Verdun

WHEREAS it is in the interest of the city of Verdun that certain powers be granted to it;

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

1. The city of Verdun is authorized to acquire, by agreement or expropriation, the immoveables described in the Schedule. These immoveables must be used, in whole or in part, for the laying out of parks and parking lots, for the widening or opening of streets and the erection of buildings, constructions or houses intended for public, municipal, provincial or federal purposes or for residential, commercial or industrial purposes.

The city may sell all or part of the lots at auction.

With the approval of the Commission municipale du Québec, it may also sell the said lots, by agreement, at a price that may in no case be lower than the cost of acquisition plus the cost of the services and the expenses or costs related thereto, or rent them at a price sufficient to meet all the annual expenses respecting those immoveables or for the amortization and interest on the purchase price, the cost of the services and the legitimate expenses or costs related thereto and the municipal and school taxes.

With the approval of the Minister of Municipal Affairs and that of the Commission municipale du Québec, the city may borrow for those purposes a sum not exceeding the cost of acquisition and the other expenses or cost related thereto.

The money derived from such sales must be used to extinguish the liabilities so incurred.

2. The city may, by by-law, define the limits of a commercial zone within which a single commercial district comprising at least 50 places of business and more than 50% of the places of business in that zone may be formed, and provide for the establishment of an initiatives and development association having jurisdiction in that district.

In the pursuit of the objects for which it is established, the association has the rights, privileges and obligations of a corporation within the meaning of the Civil Code and of Part III of the Companies Act (R.S.Q., chapter C-38). It may, in particular, promote the economic development of the district, establish joint services for its members and their customers, operate a business in the district, erect and manage a parking garage or parking lot and carry out work on public property or private property with the consent of the owner.

Such an association may be established on the application of five ratepayers having a place of business in the district. On receiving the application, the council shall order the clerk to send a notice by certified mail to every ratepayer paying a business tax in the district, informing him that a register will be open on premises situated within the district or at a distance of not over two kilometres from the perimeter of the district to receive the signatures of ratepayers who oppose the formation of the association. The register is to be open from nine o'clock in the morning to seven o'clock in the evening on the first Tuesday following the expiry of fifteen days from the sending of the notice or, if that day is a holiday, on the next working day. The clerk shall accompany the notice with an indication of the limits of the district, the name and address of each ratepayer to whom the notice is being sent, and the text of this section together with any by-law relating thereto.

If more than 50% of the ratepayers to whom the notice was addressed sign the register, the application is denied and no new application may be filed before a period of six months has expired.

If fewer than 33% of the ratepayers sign the register, the council may establish the association by resolution.

If 33% or more but fewer than 50% of the ratepayers sign the register, the clerk shall, in the manner provided in the third paragraph, send a notice informing the ratepayers that a poll is to be held within ninety days of the filing of the application. The rules provided for the keeping of the register apply to the holding of the poll.

If more than 50% of the ratepayers who voted indicated that they are in favour, the council shall, by resolution, establish the association. Otherwise, the application is denied and no new application may be filed before a period of six months has expired.

The resolution establishing the association indicates the name under which it is to be known and the territory of the district where it is to have jurisdiction. Notice of the resolution is published in the *Gazette officielle du Québec* and sent to the Minister of Financial Institutions and Cooperatives.

All the ratepayers paying a business tax in the district have the right to vote and they are members of the association. The board of directors is composed of nine persons, of whom seven are elected from among the members by the general meeting of the members and two are appointed from among the members by the council.

The general meeting of the members shall choose an auditor. At a meeting specially convened for that purpose, it shall adopt the operating budget of the association, as well as any project involving capital expenditures that may be financed by a loan with the authorization of the city. The city may, by a by-law subject to all the formalities of a loan by-law, guarantee the repayment of loans contracted for by the association.

On receiving the operating budget, the council may approve it after ascertaining that all the formalities for its adoption have been complied with and may, by by-law, impose on all the ratepayers paying a business tax in the district a special business tax based on the value of each place of business entered on the roll of rental values at the time of its deposit the yield from which is equal to the revenue indicated in the budget as derived from that source. This tax is imposed on every person who occupies premises on the first day of the fiscal period for which the budget is deposited. It is payable in one payment within thirty days following the sending of the account and is not refundable. The council may, for the purposes of imposing the tax, determine that the rental value of any premises is not to exceed a maximum percentage of the aggregate of the rental values of the district.

Subject to this article, the by-law determines the formalities to be followed for the formation of an association, its composition, the respective responsibilities of the general meeting of the members and of the board of directors, the modalities of establishing, imposing and levying the special tax and, generally, any matter relating to the operation and winding-up of the association.

3. This Act comes into force on the day of its sanction.

SCHEDULE

A site consisting of lots 3268-89A, 3268-91A, 3268-92, 3268-93 and part of lots 3401, 3268-89B and 3268-111 of the cadastre of the parish municipality of Montréal, registration division of Montréal.

The emplacement, of an irregular shape, may be described as follows:

starting from point 1, northerly for a distance of 966.48 feet (that is 294.58 m) to point 2; such line (1-2) bounded on the west by lots 3401-69 (lane), 3401-29 (Atwater street) and 3401-28 (lane);

from point 2, northeasterly for a distance of 60.0 feet (that is 18.29 m) to point 3; such line (2-3) bounded on the northwest by lot 3401-17 (Brassard street);

from point 3, northerly for a distance of 62.09 feet (that is 18.93 m) to point 4; from point 4, for a length of 47.0 feet (that is 14.33 m) to point 5; from point 5, along a curved line of a radius of 805.78 feet (that is 245.6 m) the arc of which is 68.02 feet long (that is 20.73 m) to point 6; from point 6, along a curved line of a radius of 351.59 feet (that is 107.16 m) the arc of which is 40.02 feet long (that is 12.2 m) to point 7; from point 7, along a curved line of a radius of 450.99 feet (that is 137.46 m) the arc of which is 98.6 feet long (that is 30.05 m) to point 8; such line (3-4-5-6-7-8) bounded on the west by part of said lot 3401;

from point 8, northeasterly along a curved line of a radius of 225.91 feet (that is 68.86 m) the arc of which is 71.29 feet long (that is 21.73 m) to point 9, and, from point 9 for a distance of 23.5 feet (that is 7.16 m) to point 10; such line (8-9-10) bounded on the northwest by the said part of lot 3401;

from point 10, northwesterly for a distance of 19.25 feet (that is 5.87 m) to point 11; such line (10-11) bounded on the southwest by the said part of lot 3401;

from point 11, northeasterly for a distance of 74.31 feet (that is 22.65 m) to point 12; such line (11-12) bounded on the northwest by the said part of lot 3401;

from point 12, southeasterly for a distance of 555.89 feet (that is 169.44 m) to point 14; such line (12-14) bounded on the northeast by another part of the said lot 3401 (having been expropriated by the National Harbours Commission);

from point 14, southeasterly for a distance of 658.5 feet (that is 200.71 m) to point 15; such line (14-15) bounded on the northeast by lot 4692 of the same cadastre (Bonaventure autoroute);

from point 15, southwesterly for a distance of 20.0 feet (that is 6.1 m), along an irregular line, to point 16; such line (15-16) bounded on the southeast by lot 3268-112 (May street);

from point 16, southeasterly on a length of 14.0 feet (that is 4.27 m) to point 17; such line (16-17) bounded on the northeast by the said lot 3268-112 (May street);

from point 17, westerly for a distance of 25.32 feet (that is 7.72 m) to point 18; such line (17-18) bounded on the south by part of lot 3268-111 and another part of the said lot 3401;

from point 18, northwesterly for a distance of 20.0 feet (that is 6.1 m) to point 19; such line (18-19) bounded on the southeast by the said part of lot 3401;

from point 19, southwesterly for a distance of 439.2 feet (that is 133.87 m) to point 20; such line (19-20) bounded on the southeast by the said part of lot 3401 and part of lot 3268-89B;

from point 20, southeasterly for a distance of 234.39 feet (that is 71.44 m) to point 21; such line (20-21) bounded on the northeast by the said part of lot 3268-89B and by lot 3268-93A;

from point 21, southwesterly for a distance of 60.0 feet (that is 18.29 m) to point 22; such line (21-22) bounded on the southeast by another part of the said lot 3401 (Rushbrooke street);

from point 22, northwesterly for a distance of 235.25 feet (that is 71.7 m) to point 23; such line (22-23) bounded on the southwest by lots 3268-91, 3268-89 and another part of the said lot 3401;

from point 23, southwesterly for a distance of 261.89 feet (that is 79.82 m) to point 24; such line (23-24) bounded on the southeast by another part of the said lot 3401;

from point 24, northwesterly for a distance of 1.42 feet (that is 0.43 m) to point 25; such line (24-25) bounded on the southeast by the said part of lot 3401;

from point 25, southwesterly for a distance of 9.19 feet (that is 2.8 m) to point 26; such line (25-26) bounded on the southeast by the said part of lot 3401;

from point 26, southerly for a distance of 10.55 feet (that is 3.22 m) to point 27; such line (26-27) bounded on the east by the said part of lot 3401;

from point 27, southwesterly for a distance of 78.21 feet (that is 23.84 m) to point 28; such line (27-28) bounded on the southeast by the said part of lot 3401;

from point 28, westerly for a distance of 105.15 feet (that is 32.05 m) to point 29; such line (28-29) bounded on the south by the said part of lot 3401;

from point 29, northwesterly for a distance of 78.57 feet (that is 23.95 m) to point 30; such line (29-30) bounded on the southwest by the said part of lot 3401;

from point 30, westerly for a distance of 139.24 feet (that is 42.44 m) to point 1; such line (30-1) bounded on the south by the said part of lot 3401.