

THIRD SESSION

THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

Bill 284

(PRIVATE)

**An Act respecting the municipal corporation
of the parish of Saint-Denis**

First reading

Second reading

Third reading

M. JEAN-PIERRE CHARBONNEAU

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(PRIVATE)

An Act respecting the municipal corporation
of the parish of Saint-Denis

WHEREAS, in the year 1973, in the territory of the municipal corporation of the parish of Saint-Denis, a housing development project known under the name of "Domaine Saint-Denis", as described in the schedule, was begun;

whereas the project was never carried out in accordance with the original plans, constructions were erected thereon often in contravention of municipal by-laws or provincial regulations and it is now impossible to complete the project as the main promoter has died and his estate and the company he has formed for the purposes of the project are, for all intents and purposes, financially unable to pursue the operation;

whereas the municipality has used every usual and judicial means to solve the whole problem regarding the division into lots, the streets and the constructions as presently existing in the "Domaine Saint-Denis";

whereas this uncompleted development encroaches on excellent farm land and it would be advisable to return a large part of it to farming;

whereas on 11 March 1982 the municipal corporation of the parish of Saint-Denis sold for taxes several lots situated in its territory and which are part of the said housing project;

whereas the municipal corporation then acquired nearly all of these lots, the others having been acquired by a few individuals and the school board;

whereas it would be advisable that the two year redemption period referred to in article 740 of the Municipal Code were reduced as regards the lots described in the schedule;

whereas the municipal corporation must regroup certain of such lots to make them conform with the by-laws on septic tanks;

whereas the municipal corporation wishes to return several of the lots to farming;

whereas the municipal corporation intends to extend its water-works system to give adequate service to that sector once it is regrouped;

whereas it is in the interest of the municipal corporation to be granted all the powers necessary for the good administration of its municipal affairs in the "Domaine Saint-Denis";

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

1. The Municipal Code is amended for the corporation by inserting, after article 5*d*, the following articles:

"5*e*. The corporation may, by by-law, order the regrouping of lots or parts of lots, whether or not on the cadastre, for the purposes of forming large enough land areas to comply with the standards referred to in the "Regulation respecting water waste disposal systems for isolated dwellings" (R.R.Q., 1981, chapter Q-2, r.8);

The by-law must authorize the council to effect any necessary cadastral operation and to register any necessary deed to give good and valid title to the municipal corporation.

"5*f*. The corporation may, by by-law, order that certain proprietors be relocated on one or several lots already owned by the corporation, which may be of a value equal to or greater than that of the lots such ratepayers formerly owned.

The corporation is authorized to proceed, for that purpose, with any sale or exchange.

"5*g*. The corporation has the power to acquire, subdivide or resubdivide any immovable referred to in the schedule and dispose thereof, in whole or in part, in conformity with paragraph 1 of article 5 of the said Code."

2. Article 740 of the said Code is replaced for the municipal corporation by the following article:

"740. If, within six months from the day of the adjudication, the immovable sold has not been bought back or redeemed according to the provisions of chapter second of this title, the purchaser becomes the absolute owner thereof."

3. Sections 1 and 2 apply exclusively to the immoveables described in the schedule.

4. The main street of the “Domaine Saint-Denis”, known as “Rue du Domaine”, is a front road across lots recognized as a range within the meaning of paragraph 26 of article 16 of the Municipal Code and the corporation is responsible for its maintenance.

5. Every construction erected before 1 January 1982 in the territory described in the schedule is deemed to have been erected in conformity with the municipal by-laws.

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

SCHEDULE

The “Domaine Saint-Denis” comprises the whole of that portion of original lot number 21 of the cadastre of the parish of Saint-Denis, registration division of Saint-Hyacinthe, situated east of highway number 133 (Chemin des Patriotes) and comprising, in addition to the unsubdivided parts of the said lot 21, lots 21-1 to 21-5; 21-6-1 and 21-6-2; 21-7 to 21-20; 21-21-1 and 21-21-2; and 21-22 to 21-242; it is bounded as follows: on the northeast by original lot 20; on the southwest by original lot 23; on the southeast by original lots 387 and 386; on the northwest by highway number 133 (Chemin des Patriotes).