

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 69

AN ACT RESPECTING THE CITY OF SAINT-LAURENT

Bill 281

Introduced by Mr Yvan Bordeleau, Member for Acadie

Introduced 20 June 1991

Passage in principle 8 April 1992

Passage 8 April 1992

Assented to 8 April 1992

Coming into force: 8 April 1992

Act amended: None



CHAPTER 69

An Act respecting the city of Saint-Laurent

[Assented to 8 April 1992]

Preamble WHEREAS it is in the interest of the city of Saint-Laurent that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-19,
s. 415, am.
for the city **1.** Section 415 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city of Saint-Laurent by inserting, after paragraph 11, the following paragraph:

Parking “(11.1) To grant certain groups or categories of persons the exclusive right to park their vehicles on certain streets on the conditions stated in the by-law, provided, in addition, that the relevant provisions are indicated by means of appropriate signs or signals;”.

Reserve fund **2.** The city may establish, out of the estimated revenues of each annual budget, a reserve fund of up to \$5 000 000 for the purpose of financing its self-insurance program.

Maximum amounts The annual amounts which the city may allot for such purposes must not exceed 1 % of the budget.

Immovable **3.** The city may, by by-law, acquire, by agreement or by expropriation, any immovable situated in the territory described in the schedule for the purpose of alienating it in favour of the Centre d'initiative technologique de Montréal (CITEC) for the establishment of a high-technology park.

Appropriations

4. All appropriations referred to in the acquisition by-law must derive from the general fund of the municipality.

Money or letter of credit

Before the by-law provided for in section 3 is passed, CITEC shall provide the city with a sum of money or an irrevocable letter of credit issued by a bank, a savings and credit union or a trust company, for an amount equal to the amount established by the expropriation by-law.

Section 3 of by-law

The by-law provided for in section 3 must indicate the sum referred to in the preceding paragraph or mention that the irrevocable letter of credit has been received.

Ownership of expropriated immovable

5. The city shall become the owner of an expropriated immovable from the day of registration of the notice of expropriation together with

(1) the proof establishing that the provisional indemnity has been paid to the expropriated party or deposited, on his behalf, at the office of the Superior Court;

(2) the proof of the service on the expropriated party of the notice of expropriation.

Notice of expropriation

The notice of expropriation must be accompanied with the text of this section as regards the immediate transfer of title and must omit the second provision of subparagraph 3 of the first paragraph of section 40 of the Expropriation Act (R.S.Q., chapter E-24), as regards contestation of the right to expropriate.

Applicable provisions

Section 44 of the Expropriation Act (R.S.Q., chapter E-24) does not apply to any expropriation effected under this Act.

City's offer

6. The city's offer shall not exceed the standardized value of the immovable.

Provisional indemnity

The provisional indemnity of the expropriated party shall be equal to 90 % of the city's offer.

Provisional indemnity

The provisional indemnity for a lessee or occupant in good faith, even if he operates a business or an industrial concern, shall be equal to three months' rent.

Provisional indemnity

In the case of a commercial or industrial operation, the provisional indemnity shall include an amount equal to 25 % of the rental value entered on the roll of rental values.

Time limit	The period during which an expropriated party may remain in possession of the expropriated immovable shall not exceed three months from the date of service of the notice of expropriation.
Time limit	The period during which a lessee or occupant in good faith may remain in possession of the immovable shall not exceed three months from the date of service of any notification to that effect.
Payment of provisional indemnity	The city may take possession of the immovable only after paying the provisional indemnity to the lessee or occupant in good faith or depositing that sum at the office of the Superior Court.
Alienation	7. Once the city has become the owner of an immovable under section 5, it may alienate it to CITEC.
Payment	CITEC must pay to the city an amount equal to the difference between the city's offer and the final indemnity granted by the tribunal of last instance or fixed after agreement between the parties to the expropriation proceedings, and the interest and costs.
Payment	The amount must be paid within sixty days after notice to that effect is served on CITEC by the city.
Authorization	The agreement referred to in the second paragraph must be authorized by CITEC.
Guaranteed amount	8. The amount corresponding to the difference between the city's offer and the final indemnity as well as the interest and other costs shall be guaranteed by way of a privilege on all movable and immovable property of CITEC, which has the same rank as municipal taxes and assessments.
Renunciation	The city may, with the authorization of the Minister of Municipal Affairs, renounce all or part of the privilege as regards the property affected by the privilege.
Loan by-law	9. Should CITEC fail to make the payment referred to in section 7, the city must pass a loan by-law, requiring only the approval of the Minister of Municipal Affairs, to complete the expropriation payment.
Tax	The tax imposed by the loan by-law must be levied, according to one or more of the bases for taxation prescribed in the first paragraph of section 487 of the Cities and Towns Act (R.S.Q., chapter C-19), on all the immovables of the sector which are subject to the same expropriation by-law and on any other immovable belonging to CITEC.

Tax	The portion of the tax which would normally be levied on the non-taxable immovables of the sector shall be levied on all the other immovables of the sector.
Applicability	This section applies notwithstanding sections 591 and 592 of the Cities and Towns Act.
Alienation	10. CITEC may, with the city's authorization, alienate any immovable acquired under section 7, for the purpose of establishing a high-technology park or for related purposes, even if the payment referred to in section 7 has not been made.
Disposal	11. If the city takes back an immovable alienated under this Act, it may, with the authorization of the Minister of Industry, Trade and Technology and the Minister of Municipal Affairs, dispose of it in favour of a third person for the same purposes as those provided for in section 3, or it may use it for municipal purposes.
Provisions not applicable	12. For the purposes of sections 3 to 11, the city is not subject to the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1).
Effect	13. Sections 3 to 11 have effect notwithstanding the Act to preserve agricultural land (R.S.Q., chapter P-41.1).
Exclusion	Where the city acquires, by expropriation, an immovable situated in an agricultural zone, the owner of the immovable may, within 30 days after the notice of expropriation is served, exclude the immovable from the agricultural zone by depositing a notice to that effect at the registry office. A copy of the notice shall be served on the Commission de protection du territoire agricole and on the city.
Notice	Deposit of the notice at the registry office shall have the same effect as a decision of the Commission excluding the immovable from the agricultural zone at the request of the owner.
Expropriation indemnity	For the purpose of establishing the expropriation indemnity, the immovable shall be considered never to have been included in the agricultural zone.
Municipal work	14. Notwithstanding the provisions of the Act to preserve agricultural land, the city may carry out municipal work with a view to the establishment of a high-technology park in the territory described in the schedule to this Act.

Applicable provisions

15. Subject to sections 5 and 6 of this Act, the Expropriation Act (R.S.Q., chapter E-24) applies to expropriations carried out under this Act.

Payment of taxes

16. The city may, by by-law, authorize CITEC, as regards the first year or the first two years of repayment of a loan by-law, to spread over several fiscal years the payment of taxes connected with municipal work.

Payment of taxes

Deferred payment of taxes, with accrued interest, shall be payable within a maximum of three successive fiscal years, including the years for which the taxes have been deferred.

Presumption

17. CITEC is deemed to renounce the spreading of its tax payment if it fails to pay the payable portion of the tax to which the by-law respecting such spreading of payment applies for the fiscal year considered or if it pays the total amount of tax.

Privilege

18. The privilege attached to a tax to which the by-law respecting the spreading of tax payment applies encumbers the immovable included in the unit of assessment to guarantee the payment of the deferred amount and the interest accrued thereon as soon as CITEC avails itself of the right to spread the payment of its taxes.

Interest

19. Any tax amount the payment of which is deferred to a subsequent fiscal year shall bear interest at the rate fixed by the by-law.

Rate

The rate must, when fixed, be lower than the rate applied by the city to real estate tax arrears.

Rate

In no case may the rate be changed for any part of the fiscal year; each successive rate shall be valid for a whole fiscal year.

Prescription

20. The prescription period for tax arrears shall run only from the dates on which the payments determined in the by-law passed under section 16 are exigible.

Balance

21. Notwithstanding section 16, the balance remaining on any deferred payment of tax, with accrued interest, shall be payable by CITEC where, before the time limit prescribed in that section or in the by-law, CITEC transfers the immovable included in the unit of assessment on which the tax was imposed. The balance must be paid in a single payment. It shall be exigible at the expiry of the time limit prescribed by or under section 252 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1).

- Account** The city may send an account to CITEC after the roll is amended following the transfer of the immovable included in the unit of assessment. The account shall show the capital and the interest separately.
- Privilege** The application of this section does not affect the privilege guaranteeing payment of the balance mentioned in the first paragraph.
- Payment** **22.** CITEC may, at all times, pay all or part of any deferred payment, with accrued interest, before it becomes exigible.
- Payment** In case of partial payment, it shall first be applied to the interest. In such a case, sections 19, 20 and 21 apply to the balance.
- Coming into force** **23.** This Act comes into force on 8 April 1992.

SCHEDULE

DESCRIPTION OF CERTAIN PARTS OF THE TERRITORY OF THE TECHNOPARC MONTRÉAL MÉTROPOLITAIN-CAMPUS SAINT-LAURENT OF THE CITY OF SAINT-LAURENT

Parcel of land number 1

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, part of lots 149, 150 and 151 enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the southeastern line of Hymus boulevard (expressway 40) and of the northeastern limit of lot 151; thence, bearing southeast along the northeastern limit of lot 151 to its intersection with the northern line of the right of way of the Canadian National Railways; bearing west along the northern line of the right of way of the Canadian National Railways across lots 151, 150 and part of lot 149 to its intersection with the dividing line between the cadastres of the parishes of Saint-Laurent and Pointe-Claire; bearing northeast and northwest along the said dividing line between the cadastres to its intersection with the southeastern line of Hymus boulevard (expressway 40); finally, northeasterly along the southeastern line of Hymus boulevard (expressway 40) to the starting point.

Parcel of land number 2

A territory comprising, with reference to the cadastre of the parish of Pointe-Claire, that part of lot 85 enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the southern line of Hymus boulevard (expressway 40) and the dividing line between the cadastres of the parishes of Pointe-Claire and Saint-Laurent; thence, bearing southeast and southwest along the said dividing line between the cadastres to its intersection with the dividing line between lots 84-2 and 85; bearing northwest and northeast along the dividing line between the said lots to its intersection with the southern line of Hymus boulevard (expressway 40); finally, bearing east along the southern line of Hymus boulevard (expressway 40) to the starting point.

Parcel of land number 3

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, the whole of the original lot two thousand nine hundred and ninety-four (2994).

Parcel of land number 4

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, lots 144-1, 144-2, 144-3, 144-4, 145-1, 145-2, 145-3, 145-4 and part of lots 144 and 145, enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the southeastern line of Saint-François road and of the southwestern limit of lot 144-4; thence, bearing northeast, east and southeast, along the southeastern, southern and southwestern lines of Saint-François road to its intersection with the northwestern limit of the Aéroport International de Montréal; bearing southwest along the northwestern limit of the Aéroport International de Montréal across part of lots 145 and 144 to its intersection with the northeastern line of the right of way of the Canadian National Railways; finally, bearing northwest along the northeast line of the right of way of the Canadian National Railways across part of lot 144 and along the southwestern limit of lots 144-1 to 144-4 to the starting point.

Parcel of land number 5

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, that part of lots 145 and 146 which is enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the northwestern line of the right of way of the Canadian National Railways and of the northeastern line of Saint-François road; thence, bearing northwest along the northeastern line of Saint-François road to its intersection

with the southeastern limit of the property of the Centre d'Initiative Technologique de Montréal (CITÉC); bearing northeast along the southeastern limit of the property of the Centre d'Initiative Technologique de Montréal (CITÉC) across part of lots 145 and 146 to a point situated 30.48 metres from the dividing line between lots 146 and 147; bearing southeast along a line situated 30.48 metres from and parallel to the dividing line between lots 146 and 147 across part of lot 146 to its intersection with the northwestern line of the right of way of the Canadian National Railways; finally, bearing southwest, southeast and southwest along the northwestern, southwestern and northwestern lines of the right of way of the Canadian National Railways across part of lots 146 and 145 to the starting point.

Parcel of land number 6

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, the part of lots 145 and 146 which is enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the southeastern line of the right of way of the Canadian National Railways and of the northeastern line of Saint-François road; thence, bearing northeast along the southeastern line of the right of way of the Canadian National Railways across part of lots 145 and 146 to a point situated 30.48 metres from the dividing line between lots 146 and 147; bearing southeast along the line situated 30.48 metres from and parallel to the dividing line between lots 146 and 147 across lot 146 to its intersection with the northwestern line of Saint-François road; bearing southwest along the northwestern line of Saint-François road to its intersection with the northeastern limit of the property of the Centre d'Initiative Technologique de Montréal (CITÉC); bearing northwest and west along the northeastern and northern limits of the property of the Centre d'Initiative Technologique de Montréal (CITÉC) across part of lots 146 and 145 to its intersection with the northeastern line of Saint-François road; finally, bearing northwest along the northeastern line of Saint-François road to the starting point.

Parcel of land number 7

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, lot 149-1 and part of lots 147, 148, 149, 150 and 151, enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the northeastern limit of lot 151 and the northwestern line of Saint-François road; thence, bearing southwest along the northwestern line of Saint-François road to its intersection with the dividing line between lots 146 and 147;

bearing northwest along the said dividing line between the lots to its intersection with the southeastern line of the right of way of the Canadian National Railways; bearing northeast along the southeastern line of the right of way of the Canadian National Railways across lots 147, 148, part of lot 149 and along lot 149-1 to its intersection with the dividing line between lots 149 and 150; bearing northwest along the said dividing line between the lots to its intersection with the northwestern line of the right of way of the Canadian National Railways; bearing southwest along the northwestern line of the right of way of the Canadian National Railways across lots 149, 148 and 147 to its intersection with the dividing line between lots 146 and 147; bearing northwest along the said dividing line between the lots to its intersection with the southeastern line of the right of way of the Canadian National Railways; bearing northeast along the southeastern line of the right of way of the Canadian National Railways across lot 147 to its intersection with the dividing line between lots 147 and 148; bearing northwest along the said dividing line between the lots to its intersection with the southeastern line of the right of way of the Canadian National Railway; bearing northeast along the southeastern line of the right of way of the Canadian National Railway across lot 148 to its intersection with the dividing line between lots 148 and 149; bearing southeast along the said dividing line between the lots to its intersection with the southeastern limit of the property of the Canadian National Railways; bearing northeast, southeast and northeast along the southeastern, southwestern and southeastern limits of the property of the Canadian National Railways across lot 149 to its intersection with the dividing line between lots 149 and 150; bearing northwest along the said dividing line between the lots to its intersection with the southern line of the right of way of the Canadian National Railways; bearing east along the southern line of the right of way of the Canadian National Railways across lots 150 and 151 to its intersection with the dividing line between lots 151 and 152; finally, bearing southeast along the northeastern limit of lot 151 to the starting point.

Parcel of land number 8

A territory comprising, with reference to the cadastre of the parish of Saint-Laurent, the lots or parts of lots and their present and future subdivisions enclosed within the limits hereinafter described, to wit:

Starting from the point of intersection of the northeastern limit of lot 175-1 and the southeastern line of Saint-François road; thence, bearing southeast along the northeastern limit of lot 175-1 to its intersection with the northwestern limit of the Aéroport International

de Montréal; bearing southwest along the northwestern limit of the Aéroport International de Montréal across lot 172 and along the southeastern limit of lots 172-3, 173-1, 174-1 and 175-1 to its intersection with the dividing line between lots 170 and 172; bearing northwest along the northeastern limit of the Aéroport International de Montréal being the dividing line between lots 170 and 172-3 to its intersection with the southeastern limit of lot 170-1; bearing southwest along the northwestern limit of the Aéroport International de Montréal being the southeastern limit of lots 170-1, 170-5 and 169-6 to its intersection with the southwestern limit of lot 169-6; bearing northwest along the northeastern limit of the Aéroport International de Montréal across part of lot 169 and along the southwestern limit of lots 169-6, 169-7, 169-5 and 169-3 to its intersection with the southeastern line of Saint-François road; bearing northeast along the southeastern line of Saint-François road to its intersection with the southern line of Vérité street; bearing east, southeast and northeast along the southern, southwestern and southeastern lines of Vérité street to the southwestern limit of lot 170-1; bearing northwest along the dividing line between lots 170-3 and 170-1 to the northwestern line of Vérité street; bearing southwest, west, northwest and north along the northwestern, northern, northeastern and eastern lines of Vérité street to the southeastern line of Saint-François road; finally, bearing northeast along the southeastern line of Saint-François road to the starting point.